Fiscal Federalism:
The Effects of Divided vs. Unified Government on the Distribution of Federal Aid in Criminal Justice

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W̲hile several studies have questioned the integrity of public policies produced during periods of divided government, this analysis will examine the effects of divided partisan control on distributive spending policies. It suggests that an increase in veto players through political parties will sustain the status quo method of formulaic grant in aid distribution thereby reducing the discretionary authority of the Executive through the decrease in non-formulaic monies. As a result, the allocation of the majority of federal grants is more proportional during divided government due to the greater potential for institutional veto points. Thus, when national government is controlled by multiple parties serving as effective institutional veto players, congressional formulas generally favor non-competitive, routine patterns of distribution with minimal political influences by way of committee/sub-committee assignments or presidential influences. Alternatively, under unified government, fewer institutional veto players are positioned against each other- a condition which enhances the ability to alter the conventional methods of distribution yielding congressional formulas that support less routine distributive patterns. Instead such disbursements are more non-formulaic (discretionary) and competitive as well as more partisan and particularistic and hence less proportional. In sum, divided government with more unaligned institutional veto players tends to generate less competitive and less discretionary disbursements of federal grants than unified governments and such distributive patterns are inclined to be less partisan and particularistic.

Inspiring considerable theoretical debate regarding its effects on public policy, divided government occurs when one political party controls one or both houses of the legislature and the other party directs the executive branch. Critics of its numerous deficiencies claim that divided government produces inefficiency, foments gridlock, quells the discretionary authority of the executive bureaucracy, stymies accountability and is ultimately detrimental to democracy which presents problems for public policy (Sundquist, 1989; Cutler, 1988; Coleman, 1999; McCubbins, 1991). Others maintain that policy gridlock occurs under both divided and unified control of government as evidenced during the Clinton regime (Brady & Volden, 1998; Krehbiel, 1996). Still others claim that divided government has no real impact on public policy and is not unique to separation-of-powers regimes (Mayhew, 2005; Laver & Shepsle, 1991). Alternatively, a few supporters celebrate its potential for more inclusiveness of the political body and the electorate resulting from its coalition building and compromising mechanisms which cultivates positive conditions for public policy. They also value its promise for more concerted deliberation on important policy issues (Lijphart, 1999; Fiorina, 1996; Weatherford, 1994).

While significant empirical work on the effects of divided government has been accomplished, the focus of such studies has generally been on the aggregate outputs of divided control such as whether or not significant legislative enactments and legislative failures have increased or remained stable or whether congressional use of the oversight power has become more prevalent (Coleman, 1999; Edwards, et al., 1997; Mayhew, 2005). More recent research on the influences of divided government has examined the substantive outputs and outcomes of this condition illustrating that divided government yields greater tendencies toward protectionism in trade policy, higher budget deficits in domestic policy and greater conflict between Congress and the Office of Management and Budget (OMB) regarding federal funding or distributive policy (Epstein & O'Halloran, 1996; McCubbins, 1991; Kiewiet & McCubbins, 1991).

What these inquiries have not addressed involves the impact of divided government on the specific allocation of federal aid. *Attempting to fill this void in the literature, the current study hypothesizes that during divided government, with greater numbers of effective institutional veto players, congressional formulas prescribing grant-*

in-aid allocations in criminal justice tend to be fixed and statutorily defined with minimal allowance for bureaucratic discretion. This is opposed to unified government when such distributive patterns permit greater bureaucratic freedom. As a result, the proportions of non-formulaic to formulaic spending will increase during unified government benefiting key policymakers by furthering partisan and particularistic policy objectives. Therefore, since these distributive patterns are more partisan and particularistic rather than fixed and proportional under unified government, questions of democratic accountability come into play. If grant-in-aid is distributed more proportionally during divided government with more effective institutional veto players in place representing the diversified interests of a heterogeneous democracy, perhaps having more of these players also enhances democratic accountability by necessitating negotiation through a consensual mode of "consultative" policy making. This is different from the antagonistic and exclusive style of policy making that is endemic in unified governments.

DISTRIBUTIVE FEDERAL SPENDING

The expansion of governmental revenues and expenditures has transformed the business of federal distributive spending to the American states and localities (Nice, 1987). Preceding these federal appropriations and expenditures, the proportions of several types of funding are determined during the authorization stage which follows the President's submission of the annual budget and the congressional response to this budget known as the budget resolution, a guide for allocations of discretionary and mandatory spending for the upcoming fiscal year. The current study will concern discretionary spending – that spending which is made available through the annual appropriations process according to congressional objectives, not mandated by existing law. This is different from direct spending known as mandatory or entitlement spending (Saturno, 2004: 2). Under the discretionary spending category, formula grants and discretionary (non-formulaic) grants among others are appropriated.

Discretionary grants are generally distributed competitively for particular areas and targeted programs on a conditional basis and require high matching funds. They are traditionally small (Lowry, 2004) but can also involve disproportionately large awards (i.e., COPS funding). These funds are more conditional than formula grants placing more restrictions on recipient jurisdictions (Nicholson-Crotty, 2004). Alternatively, formula grants are grants that are distributed to state and/or local governments according to a formula that is established by law or regulation for continuous activities and "are not confined to specific projects" (Bickers & Stein, 2000: 1075). Certain formula grants, known as block grants are allocated to state and/or local governments in "lump sum payments" for specified disbursements to recipients (Bickers & Stein, 2000: 1075). Lastly, earmarked projects provide particularized benefits to certain congressional districts and generally involve "a small fraction of federal grant dollars" overall (Lee, 2003: 714).

In sum, distributive "policies" involve the allocation of federal funding to state and local governments mostly through formula grants but are also distributed through competitive, discretionary disbursements and congressional earmarks (Bickers & Stein, 2000; Lowry, 2004; Thorson, 1998).

THEORY AND HYPOTHESES

The debate over the determinants of how federal funds are allocated has been analyzed from the socioeconomic and political perspectives but not comparatively during times of unified versus divided government. Thus, some scholars claim that socioeconomic variables alone will explain the distributive patterns of federal grant dollars based on the particular measures of need used in the legislative formulas (Copeland & Meier, 1984; Stein, 1981). Other authors claim that financial resources play a more significant role in the distributive paths of federal funding, contending that wealthier states are able to afford the matching stipulations of federal aid (Gist & Hill, 1981; Echols, 1980). Still others examine how statewide and localized political interests as well as national political factors have expanded the focus beyond socioeconomic considerations (Rich, 1989; Bickers & Stein, 2004; 2000; Shepsle & Weingast, 1995; Krehbiel, 1991; Bond & Fleisher, 1990; Dye, 1990; Reid, 1980; Rundquist & Ferejohn, 1975; Mayhew, 1974; Fenno, 1973). Together these studies address the structural-socioeconomic and the political explanations for the distribution of federal spending yet they do not adequately attend to patterns of such allocations during unified as opposed to divided control of the national government. Thus, while socioeconomic and political factors play a significant part in the distributive paths of federal spending policies, the consequences of divided government with regard to distributive policy remain unclear in the American institutional literature especially in terms of long term policy outputs and outcomes.

To resolve this deficiency in the literature, the following study analyzes distributive policy making in the United States during the post-war period with a special focus on divided versus unified government as an independent variable. The post-war period is ideal due to the frequency of divided control as well as the growth of federal grant-in-aid within this time frame. Employing rational choice institutionalism, this article examines the socioeconomic and political mechanisms that are determinative of federal grant distribution in the area of criminal justice under

divided as well as unified national control. Concentrating on the preference formation and goals of individual actors, rational choice institutionalism presumes that political actors engage in strategic calculations that are driven by self interests. Such actors consider how their pursuits are shaped by the institutional "rules of the game" and anticipate how the self motivated actions of others might facilitate or discourage their objectives (Thelen & Steinmo, 1992; Hall & Taylor, 1996). Focusing on the political actors involved in the federal grant making process, this article illustrates how congressional and executive policy makers interact during periods of partisan division versus partisan unity and what effects their actions have on the mode of federal grant allocations.

   This study hypothesizes that while most federal grant money is routinely distributed through statutory formulas (Lee, 2003), these distributive proportions will change when the number of effective institutional veto players is altered. Therefore, during unified government, with fewer unaligned institutional veto players, the ability of the dominant party to alter distributive policies is enhanced as opposed to divided control when this ambition is curbed. When policy making power is divided between greater numbers of effective institutional veto players (i.e., the congressional Democrats and the Republican president), policy change is stymied due to the greater transaction costs that must be surmounted in order to initiate the change (Tsebelis, 1995; Haggard & McCubbins, 2001).[1] Thus, an increase in institutional veto players that are effectively positioned against each other tends to frustrate the partisan and particularistic initiatives of presidential and congressional policies including distributive policies. For example, during unified governments, one might expect to find evidence of greater partisanship and particularism through discretionary funding as fewer veto points should enhance the conditions for altering the "status quo" formulaic method of distribution. Thus, routine, formulaic funding succumbs to competitive, discretionary funding more so when the separate branches of government are under the direction of the same political party enhancing both congressional and presidential credit claiming prospects.

   While some may argue that the targeted measures used in competitive, discretionary grants are more effective as they address specific areas with the greatest hardship, often these types of funding are not as accessible by such areas due to the lack of resources needed to obtain this funding (i.e., higher matching funds). Instead, such grants tend to benefit the constituencies that are represented on the relevant authorizing and appropriating committee/subcommittees as well as the areas with the greater resources and not necessarily with the greatest need which is caused by congressional and presidential rent seeking behavior. As a result, since unified government yields considerable partisanship and heightened particularism, consensual arrangements with more effective institutional veto players are therefore necessary to thwart the unchecked rent seeking behavior of congressional and presidential members in pluralistic societies like the United States. These consensual arrangements are more prevalent during periods of divided government. To substantiate these claims, quantitative analytical methods are employed and cross sectional and longitudinal techniques are used to examine funding programs in crime control that were authorized during divided and unified governmental control. The analysis of this policy area is guided by the following hypotheses:

   Hypothesis 1: Ratio Hypothesis. During unified government, with fewer effective institutional veto players, the ability to alter formulaic distributive policies is enhanced as opposed to divided control when this ambition is curbed. Therefore, unified governments with fewer institutional veto players that are positioned against each other tend to execute more targeted, less proportional, competitive disbursements of federal grants than divided governments. This means that the ratio of non-formulaic (discretionary) grants to formulaic grants will increase during unified government thereby enhancing the discretionary authority of the Executive.

   Hypothesis 2: Partisanship and Particularism Hypothesis. Because such distributive patterns are more targeted and competitive rather than proportional, they tend to be more partisan and particularistic. This enables constituencies that are represented by the relevant authorization and appropriation committees/subcommittees to garner more federal grant-in-aid dollars. Such patterns also allow states with more electoral votes to procure greater amounts of federal aid dollars than states with fewer electoral votes. Therefore, state membership on the relevant authorization and appropriation committees/subcommittees as well as state electoral vote representation become increasingly significant to grant-in-aid distribution during periods of unified government.

CRIME CONTROL FUNDING

In the following section, I introduce the selection of authorization statutes for the ratio hypothesis as well as the governmental grant programs for the partisanship and particularism hypothesis. Both the statutes and the programs that were authorized by these statutes are taken from the post war era covering periods of divided as well as unified governments. Subsequent sections articulate the methodological approaches to test such statutes and statutory programs against the proposed hypotheses.

TABLE 1. CRIME CONTROL FUNDING AUTHORIZATION STATUTES (HYPOTHESIS 1)

Public Law Title	Bill No./Public Law No./Year/Statute No.	Divided/Unified Government
Juvenile Justice and Delinquency Prevention Act of 1974	S 821-PL 93-415/1974 [88 Stat. 1109]	Divided/Ford
Juvenile Justice Amendments of 1977	HR 6111/PL 95-115 (1977)	Unified/Carter
Justice System Improvement Act of 1979	S 241-PL 96-157/1979 [93 Stat.1167]	Unified/Carter
Anti-Drug Abuse Act of 1986	HR 5484/PL 99-570 (1986)	Divided/Reagan
Anti-Drug Abuse Act of 1988	HR 5210-PL 100-690/1988 [102 Stat. 4181]	Divided/Reagan
Crime Control Act of 1990 (The Victims of Child Abuse Act of 1990)	S 3266-PL 101-647/1990	Divided/Bush I
Violent Crime Control and Law Enforcement Act of 1994	HR 3355-PL 103-322/1994	Unified/Clinton
Antiterrorism and Effective Death Penalty of 1996	S. 735/PL 104-132 (1996)	Divided/Clinton
Victims of Trafficking and Violence Protection Act of 2000 (Violence Against Women Act (VAWA))	HR 3244-PL 106-386/2000	Divided/Clinton
21st Century Department of Justice Appropriations Authorization Act of 2002	HR 2215/PL 107-273 (2002)	Unified-Divided/Bush II[*]
Prosecutorial Remedies and Other Tools To End the Exploitation of Children Today Act of 2003 (PROTECT Act)	S 151- PL 108-21/2003	Unified/Bush II
Justice for All Act of 2004 (DNA Testing; Victim's Rights)	HR 5107-PL 108-405/2004	Unified/Bush II

[*] Split partisan control of the House and the Senate endured from June 2001 through December of 2002 (Sinclair, 2005: 247).

Rising drug abuse and violent crime rates in the later part of the 20th century highlighted the necessity for legislation to address the needs of state and local law enforcement agencies to ameliorate public safety. In response, Congress expanded the federal role by introducing several authorization statutes to assist state and local governments with grant monies for the implementation of crime fighting programs as listed in Table 1.

Under the 1988 Act (PL 100-690), authorized during a divided government, Congress established the Byrne Formula and Discretionary Grant Programs which were primarily designed to improve criminal justice systems by reducing violent crime as well as the demand for and/or the availability of illegal drugs. Moreover, under the 1994 Act (PL 103-322) which was authorized during a unified government, Congress continued appropriations for the Byrne Programs and added several more discretionary, competitive grant programs including the Community Oriented Policing Services (COPS) and the Drug Courts program. While COPS was designed to expand the number of police officers statewide by nearly 50,000, the Drug Courts Program was created to provide state and local court entities with grant monies to enable judges to expedite the disposal of drug cases and to enhance the methods of drug treatment monitoring. In addition, the Local Law Enforcement Block Grant (LLEBG) was also introduced under the 1994 Crime Bill but was not appropriated until 1996 under the Omnibus Consolidated Rescissions and Appropriations Act. The LLEBG program was directed toward several crime related areas including anti-terrorism efforts. Selected programs that were authorized under PL 100-690 as well as PL 103-322 are highlighted in Table 2.

TABLE 2. A SAMPLE OF CRIME CONTROL GRANT PROGRAMS

	Byrne Formula Grants [Public Law 100-690] [Divided]	Byrne Discretionary Grants [Public Law 100-690] [Divided]	Local Law Enforcement Block Grants (Formula Grants) [Public Law 103-322] [Unified]	Community Oriented Policing Service (Discretionary Grants) [Public Law 103-322] [Unified]	Drug Court Discretionary Grants [Public Law 103-322] [Unified]
FY 1996	473,530,000	80,469,209	424,000,000	1,241,473,479	8,836,338
FY 1997	496,831,000	82,406,817	467,000,000	1,178,873,438	30,322,306
FY 1998	504,253,800	122,647,081	485,000,001	1,636,497,079	34,160,188
FY 1999	503,525,200	159,790,731	453,601,910	1,244,686,883	39,844,756
FY 2000	477,967,935	188,765,559	393,751,478	845,395,291	32,822,396
FY 2001	487,223,346	278,653,422	406,766,315	584,269,545	37,377,320
Average for six years	490,555,214	152,122,137	438,353,284	1,121,865,953	30,560,551

Sources: (1) *Bureau of Justice Assistance Annual Report(s) Fiscal Year 1995.* 1995-2001. US Department of Justice. Office of Justice Programs. Bureau of Justice Assistance. Washington, D.C. (2) Bureau of Justice Assistance (BJA), Office of Justice Programs (OJP), Department of Justice, 2003. Washington, D.C. (3) Community Oriented Policing Services (COPS) Office, Department of Justice, 2003. Washington, D.C.

METHODS

To understand how the structure of divided and unified governments affects the ratio of federal aid, this article explores the formulaic to non-formulaic breakdown of several crime control statutes from 1974-2004. This study hypothesizes that while a majority of federal grant money is distributed through statutory formulas which routinely disburse funds to state and local governments in a formulaic manner, these distributive proportions change during unified and divided governments as the number of effective institutional veto players changes. As a result, the proportion of non-formulaic (discretionary) funding to formulaic funding will decrease during divided governments with more veto players preventing such statutory permissiveness. Alternatively it will increase during unified government with fewer veto players facilitating such statutory permissiveness and hence more discretionary authority for the executive branch.

To support this hypothesis, this study analyzed the legislative histories of each statute selection using Congressional Lexis Nexis, Hein On-line and Thomas (via the Library of Congress website). First, THOMAS was used to look for summaries of the statutes and then Congressional Lexis Nexis was employed to locate the outline of each legislative history including the US statute number. After these numbers were documented, Hein On-line was used to find the statutes at large. During this process, the study also relied on reports by the Congressional Research Service (CRS) and by Congressional Quarterly that had already itemized such funding.

The individual statutes are carefully examined in order to identify the formulaic and non-formulaic proportions of funding. There are general benchmarks for determining these categories per statute. For example, within each statute, programs with specific formulas according to population or other demographical variables are treated as formulaic. Furthermore, if the statute explicitly indicates that "each state shall receive" a certain amount or percentage of the overall authorization, this program is also treated as formulaic. Alternatively programs that yield significant discretion to the administrator and/or those with no specific formula are treated as non-formulaic. While the majority of the coding process follows these general benchmarks, some of the formulaic/non-formulaic coding is statute specific and is thus decided on an individual basis.

As to the calculations of the formulaic/non-formulaic fiscal authorizations, only consistent years of authorizations across all programs are incorporated into the model. Thus, if statute #1 has authorizations for programs a, b, c and d but only fiscal year 1991 is consistently authorized for each program while programs a and b are authorized for 1990 and 1991 and program c is authorized for 1989-1991 and program d is authorized for 1991-1993 then 1991 being the most common fiscal year authorized is thus calculated into the model.

Quantitative Agenda for the Partisanship and Particularism Hypothesis. This study also examined the distribution of federal aid through the outlay data of DOJ grant programs authorized by two of the aforementioned crime control statutes including the Anti-Drug Abuse Act of 1988 and the Violent Crime Control and Law Enforcement Act of 1994. This study hypothesizes that partisan political factors such as committee/subcommittee representation and presidential influence will be more important under unified government than under divided control of government as greater proportions of federal aid are allocated on a non-formulaic, competitive basis. To test this hypothesis, this study employed a database consisting of the relevant funding programs per selected statute (dependent variables) during the unified and divided governments of the postwar era as well as the pertinent demographical and supplemental political (explanatory) variables. For example, to test hypothesis 2 with the crime control funding database, I use DOJ outlays per fiscal year as my dependent variable in a statewide, multivariate regression analysis with random effects in STATA. These outlays were derived from the formula and discretionary grant allotments for several programs authorized under the Anti-Drug Abuse Act of 1988 as well as the Violent Crime Control and Law Enforcement Act of 1994 for fiscal years 1996 through 2001.[2] Such grant data are available from the Annual Reports to Congress on Initiatives Funded by the Bureau of Justice Assistance as well as from the COPS homepage.[3]

As explanatory variables for the crime control funding database, this analysis employed measures of congressional influence including committee/subcommittee state representation as well as control variables such as congressional ideology. For example, state representation on the authorizing and appropriating committees/sub-committees was accounted for by tabulating state membership per committee for the 104th through the 107th Congresses. In addition, congressional ideology was operationalized by averaging the Nominate (http://voteview.uh.edu) scores per state for both the House of Representatives and the Senate for the 104th through the 107th Congresses.

Other explanatory variables for the crime control funding database involve presidential influence as measured by the number of statewide electoral votes for the election years of 1996 and 2000 as well as the Republican and Democratic popular vote percentages for the presidential races for these respective years (Scammon, McGillivray & Cook, 1992-2000). Statewide political influences were also assessed by using measures of political participation (via voting percentages) for the election years of 1996 and 2000 (Scammon, McGillivray & Cook, 1992-2000) as well as inter-party competition. The later data were taken from Bibby and Holbrook's Ranney competition index for the years of 1995 through 1998 (Bibby & Holbrook, 1999). Lastly, socioeconomic control variables including indicators of "latent" need and resources consist of census data (http://www.census.gov), specifically urban population characteristics and median household income measures for the post-war years. Population and crime figures were taken from the Uniform Crime Reports for the post-war years.

FINDINGS

Overall the general pattern for the selected statutes tends to confirm the ratio hypothesis of more formulaic funding during periods of divided government and a significant increase in non-formulaic funding during times of unified government as illustrated in Table 3.[4] The averages of formulaic to non-formulaic dollars are generally supportive of the hypothesis and the difference between the totals is statistically significant at the .0005 level.

As highlighted in Table 4, the average percent of formulaic funding during divided government (74 percent) is significantly different than the average percent of formulaic funding during unified government (53 percent) at the .05 level. Furthermore, the average percent of non-formulaic funding during divided government (27 percent) is significantly different than the average percent of non-formulaic funding during divided government (47 percent) at the .02 level. In addition, the average percent of formulaic funding during divided government (74 percent) is also significantly different than the average percent of non-formulaic funding during divided government (27 percent) at the .001 level.

These statistically significant findings are supportive of the theory that divided government necessitates more negotiation and compromise between the branches through consensual politics with more detailed guidelines and formulas preventing one branch/party from overindulging and negating the other branch/party.[5] During unified government, it is easier for such overindulgence to be more common as the president and his political party want to provide more discretionary monies to their allies and are able to do so more readily with minimal veto players. In divided government an increase in veto players that are effectively positioned against each other due to separate branches and distinct purposes tends to frustrate the partisan and particularistic agendas of the president and of Congress. Thus, with more veto players such collusion between the branches is not possible leaving consensual policymaking as the only practical option. Arguably this condition of divided control serves the system of checks and balances much more effectively. On the other hand, unified government yields a more conducive environment

TABLE 3. SELECTED CRIME CONTROL FUNDING AUTHORIZATION STATUTES

Public Law No. and Year	Divided/Unified Government	Overall Proportion of Formulaic Funding	Overall Proportion of Non-Formulaic Funding
S 821/PL 93-415 (1974)	Divided/Ford	FY 1975: **55%**	FY 1975: **45%**
HR 6111/PL 95-115 (1977)	Unified/Carter	FY 1979: **66%**	FY 1979: **34%**
S 241/PL 96-157 (1979)	Unified/Carter	FY 1980-1983: **80%**	FY 1980-1983: **20%**
HR 5484/PL 99-570 (1986)	Divided/Reagan	FY 1987: **65%**	FY 1987: **35%**
HR 5210/PL 100-690 (1988)	Divided/Reagan	FY 1991: **89%**	FY 1991: **11%**
S 3266/PL 101-647 (1990)	Divided/Bush I	FY 1991: **65%**	FY 1991: **35%**
HR 3355/PL 103-322 (1994)	Unified/Clinton	FY 1996: **53%**	FY 1996: **47%**
S. 735/PL 104-132 (1996)	Divided/Clinton	FY 1997-2000: **96%**	FY 1997-2000: **4%**
HR 3244/PL 106-386 (2000)	Divided/Clinton	FY 2001: **71%**	FY 2001: **29%**
HR 2215/PL 107-273 (2002)	Unified-Divided/Bush II	FY 2003: **84%**	FY 2003: **16%**
S 151/PL 108-21 (2003)	Unified/Bush II	FY 2004: **19%**	FY 2004: **81%**
HR 5107/PL 108-405 (2004)	Unified/Bush II	FY 2007: **17%**	FY 2007: **83%**
Total		760	440

NOTE: Chi Square: 85.3; Significance: .0005

TABLE 4. AVERAGES OF FORMULAIC FUNDING TO NON-FORMULAIC FUNDING DURING DIVIDED VERSUS UNIFIED GOVERNMENT

	Divided Government	Unified Government	Total	Chi Square (Significance)
Formulaic Funding	74	53	127	**3.47 (.05)**
Non-Formulaic Funding	27	47	74	**5.41 (.02)**
Total	101	100		
Chi Square	**10.94**	.36		
Significance	**.001**	NS		

to *unify* the branches under one party and to thus exclude the minority party providing a more flexible and less accountable style of spending.

Findings for the Partisanship and Particularism Hypothesis. For Hypothesis 2, the study focuses on the non-formulaic discretionary grant findings as the R^2 values are greater and hence the variance that is explained by the discretionary grant models (See Tables 5A, 5B and 5C) is relatively substantial suggesting that the inclusion of the supplemental socioeconomic and political variables provides a fuller explanation of their grant distributions. While the tables illustrating the formula grant findings are displayed for the reader's reference they are not discussed due to the low R^2 values (See Appendix A and B). Instead the findings of the discretionary grant models are illustrated which explain 19 percent of the variance for the Byrne Discretionary Grant program authorized during a divided government. These models also explain 6 percent of the variance for the COPS program, and 14 percent of the variance for the Drug Courts program which were both authorized during a unified government.

   With respect to demographical variations, both population and median household income were positively and significantly related to the Byrne Discretionary Grant allocations (Table 5A), indicating that more populated and wealthier states secured greater amounts of these monies. These patterns were also detected in the yearly breakdown of Byrne Discretionary Grant distributions. Population was significantly and positively related to Byrne

TABLE 5A. DETERMINANTS OF DISCRETIONARY FUNDING DISTRIBUTIONS UNDER THE ANTI-DRUG ABUSE ACT OF 1988; A DIVIDED GOVERNMENT

Independent Variables	Byrne Discretionary Grants (Population) coefficient/stand. Error	Byrne Discretionary Grants (Population with supplemental SES and political variables) coefficient/standard error
Congressional Influence		
Congressional Ideology		
Nominate House Averages		834533.9 (1655394)
Nominate Senate Averages		178947.1 (952011.2)
Appropriations Committees		
House Appropriations Committee		-126156.9 (542529.9)
House Subcommittee on Commerce, Justice, State and the Judiciary		77783.91 (1115824)
Senate Appropriations Committee		-770253.4 (811917.1)
Senate Subcommittee on Commerce, Justice, State and the Judiciary		-582031.1 (978765.9)
Authorizing Committees		
House Judiciary Committee		710811.8 (590244.3)
House Subcommittee on Crime		-594241.2 (766970.3)
Senate Judiciary Committee		431128.1 (818032.2)
(full committee authorizes)		
Presidential Influence		
Electoral Votes Per State		-2626988 (638982.6)***
Republican Popular Vote		90219.11 (86114.75)
Democratic Popular Vote		94841.66 (158030.3)
Statewide Political Influence		
Voter turnout		-145108.3 (96637.12)
Ranney Competition Index		-7267871 (8164193)
Socioeconomic Influences		
Population	.450 (.134)***	**4.452 (.919)***
Population Density		-78.411 (4056.161)
Urbanism		-64208.24 (59960.83)
Crime		-4.433 (39.500)
Income		**204.417 (90.465)***
R Square Overall	**.091**	**.283**

p<.05; ** p<.01; ***p<.001

funding during fiscal years 1996, 1997, 1998 and 2001 while median household income had a significant and positive association with Byrne funding during fiscal years 1997 - 2000.

For the second grouping of discretionary grant programs (Tables 5B and 5C), population and wealth did not provide a positive and significant connection to these grant allocations but crime (for COPS) and subcommittee representation did present positive associations. When analyzed by year, crime was a function of COPS funding during fiscal years 1997, 1998 and 2001 and urbanism was instrumental with Drug Courts during fiscal year 2001. Furthermore, grant allocations under both programs yielded positively significant relationships with state represent-

TABLE 5B. DETERMINANTS OF DISCRETIONARY FUNDING DISTRIBUTIONS UNDER THE VIOLENT CRIME CONTROL & LAW ENFORCEMENT ACT OF 1994; A UNIFIED GOVERNMENT

Independent Variables	COPS Discretionary Grants (Crime) coefficient/ standard error	COPS Discretionary Grants (Crime with supplemental SES and political variables) coefficient/standard error
Congressional Influence		
Congressional Ideology		
Nominate House Averages		1247561 (5214035)
Nominate Senate Averages		1028420 (3000188)
Appropriations Committees		
House Appropriations Committee		398189.1 (2202676)
House Subcommittee on Commerce, Justice, State and the Judiciary		**7651916 (3736818)***
Senate Appropriations Committee		554910.9 (2876563)
Senate Subcommittee on Commerce, Justice, State and the Judiciary		697384.6 (3619717)
Authorizing Committees		
House Judiciary Committee		1817645 (2023241)
House Subcommittee on Crime		-3548654 (3228675)
Senate Judiciary Committee (full committee authorizes)		-2804563 (2706705)
Presidential Influence		
Electoral Votes Per State		**7776198 (1836763)*****
Republican Popular Vote		-962147.2 (323878)**
Democratic Popular Vote		-965013.8 (462803.8)*
Statewide Political Influence		
Voter turnout		-150063.4 (258812.2)
Ranney Competition Index		-4766391 (1.54e+07)
Socioeconomic Influences		
Population		-11.672 (3.023)***
Population Density		4804.531 (8211.513)
Urbanism		87549.01 (139622.4)
Crime	616.348 (32.272)***	**473.342 (116.479)*****
Income		42.440 (301.246)
R Square Overall	**.623**	**.682**

p<.05; ** p<.01; ***p<.001

ation on the House Appropriations Subcommittee. For the COPS grant program, states that were represented by the House Appropriations Subcommittee on Commerce, Justice, State and the Judiciary acquired an additional $7,651,916 per state and for the Drug Courts program the represented states received an extra $387,342 per state. Similar patterns were observed when the data are analyzed by year. COPS funding was significantly influenced by state representation on the House Appropriations Subcommittee in fiscal year 1996 and the House Appropriations Committee in fiscal years 2000 and 2001. Moreover, Drug Courts funding was significantly related to state representation on the Senate Appropriations Committee in fiscal year 1996 and the Senate Appropriations Subcommittee in fiscal year 2001. State representation on the House Appropriations Committee in fiscal year 2001

TABLE 5C. DETERMINANTS OF DISCRETIONARY FUNDING DISTRIBUTIONS UNDER THE VIOLENT CRIME CONTROL & LAW ENFORCEMENT ACT OF 1994; A UNIFIED GOVERNMENT

Independent Variables	Drug Courts Discretionary Grants (Crime) coefficient/stand. error	Drug Courts Discretionary Grants (Crime and supplemental SES and political variables) coefficient/standard error
Congressional Influence		
Congressional Ideology		
Nominate House Averages		207419.1 (214850.3)
Nominate Senate Averages		-158149.5 (123867)
Appropriations Committees		
House Appropriations Committee		118642.7 (79566.63)
House Subcommittee on Commerce, Justice, State and the Judiciary		**387342.3 (150874.9)****
Senate Appropriations Committee		53816.28 (112062.9)
Senate Subcommittee on Commerce, Justice, State and the Judiciary		-162224.6 (137896.8)
Authorizing Committees		
House Judiciary Committee		147754.9 (80331.55)
House Subcommittee on Crime		-85261.91 (113987.6)
Senate Judiciary Committee (full committee authorizes)		-43200.12 (108943.5)
Presidential Influence		
Electoral Votes Per State		51882.58 (76856.21)
Republican Popular Vote		-6598.801 (11518.26)
Democratic Popular Vote		-10488.54 (19184.4)
Statewide Political Influence		
Voter turnout		-1295.815 (11264.95)
Ranney Competition Index		354872.6 (765986.7)
Socioeconomic Influences		
Population		-.021 (.119)
Population Density		-623.726 (399.716)
Urbanism		8430.123 (6408.221)
Crime	10.285 (1.832)***	-4.905 (4.781)
Income		25.736 (12.082)
R Square Overall	**.337**	**.477**

p<.05; ** p<.01; ***p<.001

was also effective in acquiring more Drug Courts funding as was state representation on the House Authorizations Committee in fiscal years 1997 - 2001. In accordance with Friedland and Wong (1983) and Reid (1980), this study finds that congressional power has been maintained through membership on committees with oversight authority and that individual committees have exerted influence over certain programs.

Other patterns of national political leverage via presidential supremacy were observed for the discretionary grant programs. Thus, strong associations between critical election states (measured by total electoral votes) and greater COPS funding were detected illustrating that as total electoral votes increase, greater amounts of COPS funding are

secured. Similar to Reid (1980) who suggested that project grant monies were more heavily influenced by presidential elements, the current analysis finds that discretionary grant monies are influenced by both presidential and congressional mechanisms.

CONCLUSION

This article demonstrates that the distributive proportions of federal grant money change during unified and divided government as the type of policy making vacillates from an exclusive, unified regime to an inclusive, consensual one. This change reflects the varying number of effective veto players involved in the policy making process. With more operational veto players (divided government) there are more veto points for national policy makers to contend with and to work around through negotiations and through compromises. With fewer effective veto players (unified government) these veto points are not as intense and policy makers are freer to focus on the majority party essentially avoiding the type of coalition building maneuvers that divided government necessitates. For example, rather than facilitate unchecked administrative discretion through greater proportions of non-formulaic monies, for example, a divided government will yield more formulaic funding as congressional members will have incentives to curb this discretion. Under unified partisan control, such discretion is not as threatening to Congress so they are more willing to provide non-formulaic funding. As a result, the proportion of non-formulaic (or discretionary funding) to formulaic funding will decrease during divided government and significantly increase during unified government.

Furthermore, this study demonstrates that the disbursement of grant-in-aid funding is a function of both socioeconomic and political factors as well as divided versus unified control of national government; the latter circumstance foments both partisanship and particularism in policy making. Thus, certain political variables such as congressional sub-committee membership and presidential influence will exert more authority over federal allocations during unified government when more funding is allotted through a non-formulaic (discretionary) and competitive means as opposed to a generalized, non-competitive fixed formula. During unified government, with fewer effective institutional veto players, presidential distributive initiatives are more readily facilitated and certain sub-committee members are favored with more non-formulaic and competitive legislative formulas. This is possible because these sub-committee members have a greater knowledge about the details and operations of such funding than non-committee members due to their specialization and are well positioned to work more closely with state and localized administrative interests in securing these discretionary monies. As rational actors, congressional members are therefore provided with favorable reelection and rent seeking opportunities by sustaining these relationships with state and localized administrative interests (Mayhew, 1974; Parker, 1996).

Moreover while informational rationales emphasize the institutional needs and individual incentives for acquiring policy expertise, they do not necessarily contribute to the collective good of the congressional body because when certain states are benefited with favorable grant awards due to their representation on the appropriating committees, the broad interests of society are not accommodated. Thus, legislative formulas that allow larger proportions of funding to be allotted on a discretionary basis facilitate greater opportunities for the rent seeking behavior of congressional and bureaucratic members and the penetration of interest group liberalism which does not bode well for the equitable distribution of federal grant-in-aid and the institutional maintenance of Congress and of the Executive. Such majoritarian tendencies are stymied during periods of divided control of national government when more effective institutional veto players check such monopolistic pursuits (Lowi, 1979; Parker, 1996; Hindmoor, 1999; Rowley, Tollison & Tullock, 1988).

NOTES

[1] According to Tsebelis, policy change is also hampered (and policy stability is thus maintained) by low policy congruence between opposing veto players as well as high policy cohesion among the veto players of a particular group (Tsebelis, 1995).

[2] This time frame will eventually be expanded to reflect more current data.

[3] While I planned to employ additional resources I found that the grant data are not easily traceable to their authorizing legislation. Instead they are presented in the aggregate and not selectively by programs linked to specific authorizing legislation. Furthermore, while the Budget was a possibility, it does not include all non-formulaic, discretionary funding and the FAADS is limited in that it does not cover all needed years.

[4] A significant increase is illustrated by 47% non-formulaic funding or higher.

[5] All but one of the four chi-squares of Table 4 is statistically significant.

APPENDIX A. DETERMINANTS OF FORMULA FUNDING DISTRIBUTIONS UNDER THE ANTI-DRUG ABUSE ACT OF 1988; A DIVIDED GOVERNMENT

Independent Variables	Byrne Formula Grants (Population) coefficient/stand. error	Byrne Formula Grants (Population with supplemental SES and political variables) coefficient/standard error
Congressional Influence		
Congressional Ideology		
Nominate House Averages		257539.1 (126620.7)*
Nominate Senate Averages		-82778.51 (72865.98)
Appropriations Committees		
House Appropriations Committee		-4789.837 (53368.15)
House Subcommittee on Commerce, Justice, State and the Judiciary		57373.09 (90730.45)
Senate Appropriations Committee		-44009.89 (69789.05)
Senate Subcommittee on Commerce, Justice, State and the Judiciary		95649.72 (87791.79)
Authorizing Committees		
House Judiciary Committee		-90170.64 (49108.04)
House Subcommittee on Crime		-77555.26 (78186.86)
Senate Judiciary Committee (full committee authorizes)		3433.923 (65704.05)
Presidential Influence		
Electoral Votes Per State		**412682.2 (44602.6)***
Republican Popular Vote		-47906.39 (7835.632)***
Democratic Popular Vote		-58356.82 (11232.9)***
Statewide Political Influence		
Voter turnout		-21430.67 (6289.125)***
Ranney Competition Index		337265.1 (375731.3)
Socioeconomic Influences		
Population	1.520 (.008)***	**.882 (.073)***
Population Density		-103.224 (199.887)
Urbanism		-6434.338 (3395.669)
Crime		2.143 (2.827)
Income		3.640 (7.312)
R Square Overall	.996	.998

p<.05; ** p<.01; ***p<.001

APPENDIX B: DETERMINANTS OF FORMULA FUNDING DISTRIBUTIONS UNDER THE VIOLENT CRIME CONTROL & LAW ENFORCEMENT ACT OF 1994; A UNIFIED GOVERNMENT

Independent Variables	LLEBG Formula Grants (Crime) coefficient/stand. error	LLEBG Formula Grants (Crime with supplemental SES and political variables) coefficient/standard error
Congressional Influence		
Congressional Ideology		
Nominate House Averages		224464.7 (563528.2)
Nominate Senate Averages		-341694.9 (324831.4)
Appropriations Committees		
House Appropriations Committee		-399458.6 (204271.5)
House Subcommittee on Commerce, Justice, State and the Judiciary		**1258497 (393623.7)***
Senate Appropriations Committee		-65009.23 (291099.8)
Senate Subcommittee on Commerce, Justice, State and the Judiciary		224683 (356783.2)
Authorizing Committees		
House Judiciary Committee		343337.4 (209167.6)
House Subcommittee on Crime		-993238.5 (291808.8)***
Senate Judiciary Committee (full committee authorizes)		-488441.1 (284652.3)
Presidential Influence		
Electoral Votes Per State		**508055 (203135.4)***
Republican Popular Vote		-93989.94 (29821.5)**
Democratic Popular Vote		-89634.7 (50681.44)
Statewide Political Influence		
Voter turnout		-14862.44 (29954.86)
Ranney Competition Index		-1495188 (2093669)
Socioeconomic Influences		
Population		-.177 (.311)
Population Density		-546.245 (1086.978)
Urbanism		-8813.231 (17228.83)
Crime	280.586 (4.749)***	**208.457 (12.617)***
Income		56.803 (31.545)
R Square Overall	.976	.980

p<.05; ** p<.01; ***p<.001

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