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Sarah Binder is a senior fellow in Governance Studies at the Brookings Institution and professor of political science at George Washington University, where she specializes in Congress and Legislative politics. Binder also is a contributor to the *Monkey Cage*.

She is the co-author with Forrest Maltzman of *Advice and Dissent: The Struggle to Shape the Federal Judiciary* (Brookings, 2009), author of *Stalemate: Causes and Consequences of Legislative Gridlock* (Brookings, 2003), *Minority Rights, Majority Rule: Partisanship and the Development of Congress* (Cambridge University Press, 1997), and co-author with Steven S. Smith of *Politics or Principle? Filibustering in the United States Senate* (Brookings, 1997). She is also co-editor of *The Legislative Branch* (Oxford University Press, 2005) and *The Oxford Handbook of Political Institutions* (2006). Her book on legislative gridlock was awarded the Richard F. Fenno, Jr. Prize by the American Political Science Association for the best book published on legislative politics in 2003.

Subject Area/Topic: “Legislating in Polarized Times”

Highlights: Dr. Binder’s primary focus was on why Washington is so gridlocked but she mentioned some signs of progress and discussed what it takes to “...get to yes...” in our adversarial Congress.

Dr. Binder noted that “...the single-minded seeking of reelection colors all legislative actions.” A corollary of this is that “party leaders can’t command members to act counter to their personal interests.” The recent elimination of earmarks has had the unintended result of reducing the ability of leaders to provide incentives for members to go along with legislation that does not directly benefit their district or state. An example of this is the inability of the Republicans to deal with immigration reform. It is in the national interest of the Republican Party to pass immigration reform because of the dwindling white vote and the increasing importance of the Hispanic vote in Presidential elections. However, because of a lack of Hispanic constituents, “...very few individual Republicans have an incentive to vote for immigration reform.

Key to recent Congressional gridlock is what Dr. Binder calls “institutional pathologies in the House and Senate.” Too few minority rights in the House encourages the passage of legislation that is so extreme that it either has no hope of passage in the Senate or is guaranteed to be vetoed by the President. Too many minority rights in the Senate have resulted in a situation where even routine legislation may require 60 votes for passage. Filibusters are rarely needed—the threat of filibuster is enough to require a cloture vote and stymie many legislative proposals.