

POLITIFACT TEXAS

Roger Williams says he's never voted "present" in U.S. House action--the 'chicken way'

By [W. Gardner Selby](#) on Thursday, July 26th, 2018 at 5:50 p.m.

U.S. Rep. Roger Williams, R-Austin, told the Fox Business Network in this July 2018 interview that he's not voted "Present" on any issues before the House (YouTube video, posted July 19, 2018).

U.S. Rep. [Roger Williams](#), who represents the 25th Congressional District running north and west from Austin to just south of Tarrant County, declared that he always commits to a position on issues before the House--never voting "present" the "chicken way."

A reader asked us to fact-check Williams's tout.

Williams, a former Texas secretary of state [who faces](#) Democratic nominee [Julie Oliver](#) on the November 2018 ballot, [was asked](#) by Maria Bartiromo, who hosts the Fox Business Network's "[Mornings with Maria](#)," why some Democratic colleagues had voted "present" instead of "yes" or "no" on a House-approved [resolution](#).

The measure expressed support for officers who carry out the mission of [Immigration & Customs Enforcement](#), the agency that [some Democrats lately say](#) should be disbanded. The House [vote](#) on the resolution was 244-35 with 18 Democrats joining Republicans favoring the proposal and 34 voting against it, The Hill [reported](#)--with another 133 Democrats voting "present" as urged by Democratic leaders.

The leadership "strategy was aimed at both protecting vulnerable Democrats from a contentious vote," The Hill said, "and protesting what most Democrats deemed a political stunt designed to distract the media and the public from Congress's failure to enact immigration reforms, including efforts to address the separation of migrant families on the U.S.-Mexico border," its story said. The morning after the House action, Bartiromo asked Williams: "How do you justify voting 'present?'"

Williams replied: "Well, I never voted 'present.' So I don't know that I can justify it. It's the chicken way out is the only way I know we can put it."

Checking vote histories

We didn't divine a way to plumb a government website to determine if Williams, who joined the House in 2013, had never voted "present."

But to our inquiry, [Joshua Tauberer](#), founder of [GovTrack.us](#), a site that compiles congressional votes, confirmed Williams's statement. Tauberer said by email that Williams, who as of late July 2018 had been eligible to vote in 3,604 roll-call votes, "has never voted 'present,' except in quorum calls where 'present' is the only vote one can make." Tauberer told us he reached his

conclusion by querying the site's internal database of votes, which he described as built in part from member votes posted by the [House clerk](#).

We were curious too about other Texas members voting "present." On that front, Tauberer emailed us a [spreadsheet](#) showing more than 1,900 "present" votes by Texans since 1990, though most weren't substantive, we found.

We sifted the provided information to find that 26 Texas members, from both parties, accounted for [more than 680 non-procedural votes](#) of "present" since 1990 with Rep. Eddie Bernice Johnson, D-Dallas, leading the delegation with 84 votes of "present" followed by Democratic Rep. Gene Green of Houston, with 61. According to our sort, Republican Rep. Joe Barton of Ennis placed third with 59 "present" votes; he was trailed by GOP Reps. Sam Johnson of Plano and Lamar Smith of San Antonio, with 57 "present" votes each, and Democratic Rep. Sheila Jackson Lee of Houston, who voted "present" 50 times.

We sifted the information even more to [find](#) that since Williams joined the House in 2013, 11 House Democrats had voted "present" 20 times across nine issues -- topped by Rep. Joaquin Castro, D-San Antonio, doing so five times. Most recently, the results show, Reps. Green and Vicente Gonzalez of McAllen each voted "present" on the ICE resolution that Williams supported. Since 2013, the information indicates, no Texas Republicans in the House voted "present" on non-procedural issues.

Outside analyst

Finally, we asked an expert on Congress generally about the prevalence and significance of "present" votes.

[Steven Smith](#), a Washington University political scientist, said by email that party strategy or an individual's political calculation often underlie the semi-rare "present" votes. "At times, a legislator may want to avoid committing to the 'yea' or 'nay' position without reducing his or her rate of voting participation," Smith wrote. "The legislator will be counted as having voted but without having committed to either side. This probably can be rationalized as having unacceptable alternatives, but it avoids adding a vote for or against a cause, group or constituency," Smith said.

Our ruling

Williams said he's never voted "present" instead of taking a position on issues before the House. That's backed up by research we elicited from the founder of the GovTrack.us website.

We rate this claim True.