

Who Sets the Agenda?
Governing Goals, Standing Committees and Floor Success in the
U.S. House of Representatives

E. Scott Adler

University of Colorado

esadler@colorado.edu

John Wilkerson

University of Washington

jwilker@u.washington.edu

Why do legislatures have committee structures? Leading theories of legislative organization portray committees as institutions for enforcing bargains, advancing partisan agendas, or sharing expertise. We develop and test a theory of legislative organization that centers on lawmaking capacity. The U. S. Congress devotes much of its legislative effort to activities that are essentially non-discretionary - reviewing and updating existing laws, passing annual appropriations, and responding in various ways to externally driven events. The congressional committee system divides responsibilities and centralizes control over related issues to promote more efficient policy management, improved information sharing, and reduced policy conflicts. This structure benefits all incumbents, but especially incumbents of the majority party. We find that most of the House's floor attention is devoted to issues that must be addressed, and that committees set the agenda on these issues, whether measured by bill sponsorship success, or by whose preferences prevail during floor voting.

Introduction

When the 111th Congress convenes in 2009, it will pass a major federal highway law and address endangered fish recovery in the Upper Colorado and San Juan river basins. The 112th Congress (2011-2012) will debate and pass bills addressing vocational education and federal support for medical education programs in children's hospitals. The 113th Congress (2013-14) will revise the Voting Rights Act. Moreover, every one of these enactments, as well as the vast majority of legislation of even moderate importance, will be authored by a member of the committee of jurisdiction.

Predicting legislative agenda items years (or in some cases, decades) into the future does not require a crystal ball. It only requires an appreciation of some basics of congressional agenda setting, including established routines for reviewing and renewing existing programs such as those mentioned above. Scholars have devoted little attention to studying these “non-discretionary” components of legislative policymaking, even though it has long been suggested that they constitute most of the legislative work of Congress (Walker 1977; Kingdon 1984; Sinclair 1986; Hall 2004). For example, leading theories of legislation organization – distributive, informational, and partisan – offer few insights into which specific policy items will be on the agenda in a given term, or why committee members will author nearly all of the important legislation passed by Congress.

We propose and test a new theory of legislative organization that explains decision-making structures and legislative agendas in terms of collective “governing” responsibilities. Congress’ lawmaking activities center on managing exogenously imposed demands, including reviewing, reauthorizing and funding existing programs, and responding to salient issues that run the gamut from national to local concerns. The imperative of addressing these overwhelming demands dictates the structure of this legislative body, the items up for consideration, and the behavior of lawmakers.

Our theory puts legislative committees front and center, positing that they exist to increase Congress’ lawmaking capacity. In contrast to many parliamentary systems, the U.S. Congress does not entrust primary responsibility for writing laws to the executive or outside interest groups (Strom 1997).

Through its committee system, Congress delegates authority “onto small groups of men expert on a given subject and capable of efficiently preparing legislation” (Gamm and Shepsle 1988, 61-62, emphasis added).¹ Moreover, the theory differentiates between the legislative activities that are central to appreciating congressional structure and performance, and other activities that are less central but have often received much more scholarly attention. Ultimately, governing theory holds the promise of substantially improving our understanding of subjects ranging from legislative organization, to agenda setting, to voting behavior.

Our empirical analysis tests some implications of this new theory in one important venue – agenda setting in the House of Representatives. Governing theory predicts that committees, rather than the majority party or inlieing specialists, will set the legislative agenda where collective governing issues are concerned. We find that these types of issues constitute a very large proportion of the overall legislative agenda, and consume most of the House’s floor attention. In addition, nearly all of the bills on these issues that pass the chamber are authored by committee of jurisdiction members. Finally, turning to the question of floor influence in these cases, we find that committees of jurisdiction prevail more frequently during roll call voting than the majority party.

A Governing Theory of Legislative Organization

Any theory that portends to explain the behavior of lawmakers – whether votes on legislation or decisions about legislative structure – must ultimately be grounded in their electoral motivations. Legislators cannot expect to retain their elected positions if they do not satisfy the demands of voters. Governing theory is based on the assumption that voters expect lawmakers to manage governmental programs responsibly and capably and are willing to hold them collectively accountable when things go wrong (Fenno 1997). Further, managing these programs well while satisfying other constituent demands test the limits of congressional capacity. This combination of electoral incentives and capacity limits necessitates efficient institutional arrangements, particularly the standing committee system, to divide issue responsibilities while unifying control over related issues. Such arrangements promote efficient

issue management routines, lower the costs of information sharing, and reduce policy conflicts.

Committees are also primarily responsible for a second important component of governing – assembling the political consensus that is frequently needed to move forward on essential, yet often controversial, issues. This structure benefits all incumbents, but especially incumbents of the majority party. Below we sketch our governing theory before turning our attention to testing some of its implications in one prominent area of research – agenda setting on the House floor.

Governing Motivations

Governing theory begins with the assumption that Congress' collective performance affects individual lawmakers' reelection prospects. In the most general sense, the public cares about whether the government is in capable hands (Fenno 1997). Incumbents who are rewarded in rough proportion to how well Congress governs the country have incentives to see issues capably managed, even if they often strongly disagree about policy specifics. The assumption that public support for Congress as an institution is tied to its performance is well grounded in existing research (Patterson, Boynton and Hedlund 1969; Parker and Davidson 1979; Kimball and Patterson, 1997; Grant and Rudolph 2004). Further, recent research demonstrates that constituents' voting decisions are linked to their evaluations of Congress' job performance (McDermott and Jones 2003; Jones and McDermott 2004).

Governing considerations may also lead to more legislative cooperation than preference-based theories predict. In particular, accountability for the performance of Congress may often cross party lines. Recently, Republicans and Democrats alike portrayed the reauthorization of the *State Children's Health Insurance Program* (SCHIP) – the federal program that offers health insurance to millions of lower income children set to expire in 2007 – as a “bipartisan” effort. Presumably members of both parties favored reauthorizing the program, not only because they considered it to be good public policy, but also because very large majorities of the public supported its renewal and even expansion.² Bipartisan cooperation is often critical for moving forward on many governing issues. Constituents who expect

legislative action can still strongly disagree about specifics (as the recent debate over immigration reform demonstrated), making it difficult for lawmakers to find common ground.

Little research has examined whether collective performance assessments affect incumbents of the minority party as well as the majority party. Existing studies find that partisan control considerations have little impact on voting decisions or public evaluations of congressional performance (Hibbing 2005; Jacobson 2007). But the only study that we know of that attempts to assess whether the performance of Congress affects the electoral prospects of incumbents of both parties is an unpublished paper by Jones (2007). The paper itself highlights collective performance effects for majority party incumbents, but also reports significant performance effects for minority party incumbents.

Table 1 offers additional support for the suggestion that collective performance accountability may encourage greater bipartisan cooperation than existing theories predict.³ The evidence is drawn from a pooled cross-sectional analysis of National Elections Study (NES) respondents (Sapiro and Rosenstone 2004). Instead of asking whether public approval of Congress' job performance affects majority and minority party candidate support (incumbents and challengers, as do Jones and McDermott 2004), the question is whether collective performance evaluations affect incumbent support (majority or minority). The analysis first controls for shared party affiliation (Jacobson 2003), before testing the impact of collective performance evaluations on incumbents of each party separately.

[Table 1 here]

Governing theory does not require bipartisan accountability (majority party collective performance accountability is sufficient). It does offer reasons to expect bipartisan coalitions to be fairly common in Congress. The model presented in Table 1 offers preliminary support for the notion that incumbents of both parties have incentives to worry about more than just their individual issue positions. Majority party members are more strongly affected by collective performance evaluations, as we would expect, but minority party incumbents also appear to bear some of the burden of public dissatisfaction with Congress. It may be good partisan politics to cast blame on the other party when policy failures

occur (Groseclose and McCarty 2001). But for incumbents, whose goals and constituent demands do not always align with those of party leaders, it may be better politics to avoid such failures in the first place.

The Public Agenda of Congress

When Congress next rewrites the highway funding bill in 2009, “we're not going to settle for a bargain-basement transportation” policy.

James Oberstar (D-MN), Transportation Committee chair, answering questions about how Congress would respond to the 2007 Minnesota bridge collapse.⁴

Congress' handling of policy matters constitutes an essential element of constituent vote choice (Kingdon 1981; Jacobson 1987; Arnold 1990; Jacobson and Dimock 1994). But what are these policy matters? Textbooks and research on legislative activity typically say little about the substance of congressional agendas. Although legislative entrepreneurs face significant competition, the agenda is wide open and ready to be exploited by the most creative and determined lawmakers. Leading theories of legislative organization similarly assume that the deciding factor for whether an issue makes it onto the agenda is the distance between the decisive (pivotal) actor's policy preference and the location of the policy status quo (Krehbiel 1998; Cox and McCubbins 2005).

These perspectives overstate the extent to which lawmakers (or parties) control their agendas from term to term. Lawmakers devote much of their attention to issues that would not otherwise be personal or partisan priorities because it is in their electoral interests to do so. To understand why, it is necessary to say more about how the congressional agenda is constituted. Each Representative is ultimately accountable to a unique constituency with a unique set of priorities – what we call its “district agenda.” This district agenda includes an array of issues that are meaningful in the vote calculus of constituents, ranging from very narrow matters to those of broad national importance. Constituents in Seattle expect their representatives to respond to issues of exclusively local concern, such as the naming

of a federal building to honor a Japanese-American hero, as well as important national matters, such as immigration, the Iraq war, or energy policy.

The “public agenda” of Congress is the sum of these individual district agendas (Jones and Baumgartner 2004). Significantly, many issues on the public agenda – such as transportation, defense, education, and appropriations – are important priorities for the constituents of many, and sometimes most, legislators. For these reasons alone, lawmakers have incentives to work together to promote common priorities. However, what lawmakers choose as priorities is not dictated by constituent priorities alone. Each Congress does not begin with a clean slate. Many of the issues that they may end up mattering to constituents “must” be addressed in a given term, regardless of which party controls the legislature and whether or not lawmakers consider them top priorities. Often this is because an issue is on a planned schedule of consideration. For example, in 2006 the Republican Party took up the Voting Rights Act not because it was a party priority, but because this important and popular law was scheduled to expire.

Scheduling considerations also keep issues off the agenda. The Minneapolis bridge collapse in the summer of 2007 focused public attention on the nation’s crumbling infrastructure and deficiencies in existing public works funding, but it did not move bridges and highways to the top of the agenda. Highway funding is on a schedule (it was most recently authorized in 2005) because it is a massive undertaking and far from the only responsibility of the committee of jurisdiction (not to mention the legislature). The Transportation and Infrastructure Committee oversees programs addressing highway construction, highway safety, public transportation, federal response to droughts, marine transportation, flood control, transportation of hazardous materials, air carrier safety, NOAA, Coast Guard, water conservation and land reclamation, and drug interdiction (among others).⁵ Disrupting routines established to manage so many different programs more efficiently does not come without costs.⁶

Other factors also shape the public agenda in ways that limit lawmakers’ agenda setting discretion. Policy agenda setting research portrays legislatures as environments of scarcity (Key 1940; Walker 1977; Kingdon 1984; Baumgartner and Jones 1994; Rochefort and Cobb 1997). The central focus of these studies is to better understand how issues get to the top of the agenda when only a limited

number can be addressed. Among other things, this research draws attention to the role that external events can play in shaping internal priorities. The Exxon Valdez oil spill undermined longstanding congressional efforts to open the Alaskan National Wildlife Refuge to oil exploration and led to new legislation on environmental safeguards (Birkland 1997). The terrorist attacks on 9/11/2001 compelled lawmakers to set aside other issues in order to revisit longstanding foreign intelligence, immigration, and domestic surveillance policies. Exogenous shocks of this kind often demand an immediate response, and reshape the political environment in ways that lawmakers cannot always predict. For this reason, the list of electorally relevant issues is constantly shifting, making it difficult for lawmakers to predict which decisions or issues will haunt them on election day (Arnold 1990).

If the public only rewarded lawmakers for their ability to pass laws naming buildings, then there would be little need for sophisticated lawmaking arrangements within Congress. If Congress' agenda was completely discretionary, or legislative agenda space was unlimited, then existing theories portraying policy change as primarily driven by electoral shifts would accurately capture congressional policymaking dynamics. However, empirical congressional research has long suggested that neither of these conditions are the case. In interviews, Kingdon was told by one legislative staffer "[n]ine out of ten times, we're occupied with expiring legislation. I know that doesn't sound very inspiring, but, frankly, that's the truth" (1995, 186). Sinclair argues that "most of any committee's agenda will consist of continuing issues" (1986, 37, see also Hall 2004), and Walker concludes that "much of the business transacted by the U.S. Senate is either mandated by the Constitution or required for the maintenance of the vast federal establishment" (1977, 424). These observations call for new theorizing that can better explain policy priorities, institutional arrangements, and voting behavior.

Why Committees?

Recurring and salient legislative issues, their potential importance for constituents' assessments of congressional performance, and uncertainty about which issues will matter most when constituents vote, oblige legislators to respond to as many of these demands as possible. This desire to be responsive

creates an added incentive to support organizations that increase Congress' lawmaking capacity. Congress must regularly pass large numbers of laws that hold the promise of resolving or mitigating salient problems – and it must do so in ways that minimize unanticipated political consequences (Arnold 1990; Krehbiel 1991).

Woodrow Wilson's 1885 observation that "*Congress in its committee rooms is Congress at work*" tells us that theories of "how Congress works" need to center on the standing committee system (Wilson 2002, 79). But it may be worth asking, hypothetically, why legislatures turn to committees of lawmakers as their primary efficiency-inducing and information gathering structure. Legislators are not typically elected for their issue management skills. In addition, they face a variety of electoral demands that encourage shirking (Mayhew 1974). Perhaps issues would be better managed by contracting these responsibilities to an outside "market" of actors and organizations more appropriately suited to the tasks?⁷ For example, at the beginning of a session, the legislature could draw up a list of priorities (health care, immigration, etc.) and then solicit outside proposals from interest groups, executive branch agencies, or constituents. The legislature might even contract for information about the effects of the proposals generated. Lawmakers would then be able to restrict their legislative activities to setting policy priorities and voting on alternatives. In terms of generating new policies, such a contracting approach would seem to save substantial time and resources.

One central drawback of a market approach such as this is that the legislature becomes dependent on external actors for information about proposals and their effects. These very concerns about losing influence to the executive led to the creation of the standing committee system in the early 1800s (Cooper 1970). Inter-branch conflict is still considered a central issue and has motivated institutional reforms in more recent years (Davidson and Oleszek, 1977). A second drawback is of greater relevance today than it was in the distant past. Many public policies cannot (or should not) be considered in isolation. Elementary education policies have consequences for higher education policy. Higher education policies have consequences for labor, commerce and trade policy. Policy conflicts of these kinds often defy technical solutions and can only be resolved by choosing among competing values. A legislature that delegates

such tasks to external actors is delegating its deliberative responsibilities. The legislative body becomes a bit player in a process dominated by executive branch agencies or interest group bargaining. If lawmakers are only marginally involved in the key decisions on the policies that affect them, constituents would also seem to have little reason to attach themselves to particular incumbents.

Absent committees, Congress might turn to legislators who possess prior expertise in an issue area – former teachers, bankers or soldiers – to take responsibility for various issues. But such an *ad hoc* method of policy generation would leave many expertise holes to be filled. In short, what is needed is an internal process for preparing policy proposals on a diverse set of issue areas, that is sensitive to policy conflicts, and that is able to resolve those conflicts in a representative and expedient manner:

“Quantitatively, Congress must produce a sufficient number of decisions and actions to satisfy its responsibilities [of] deciding the basic or determining features of public policy and serving as the prime agent of executive accountability. Qualitatively, its decisions and actions must satisfy the canons of both rationality and representativeness.” (Cooper 1977, 144)

From a practical standpoint, the legislature is faced with the task of leveraging the diversity of its membership to match the policy productivity of a market in terms of variety or abundance. At the same time, a primarily internal process has natural advantages. It is better equipped to produce proposals that appeal to coalitions sufficient to ensure passage. And its greater transparency provides lawmakers with more opportunities to believably claim credit for addressing salient constituent concerns.

Incentives for Committee Work

The concern that motivated the formation of a permanent issue-based committee system – increasing the legislature’s decision-making capacity – continues to be a central motivation for why committee structures are maintained today. Committees increase lawmaking capacity by dividing responsibilities and providing members with opportunities and incentives to oversee issues on behalf of the legislature. Committees do not simply signal; they prepare the most important proposals before Congress.

Managing a large number of complex issues requires sustained investments of time and energy that individual lawmakers could devote to other activities with more immediate electoral benefits. In *Congress: The Electoral Connection*, Mayhew (1974) argued that lawmakers who appreciate the collective benefits of a committee system still have limited incentives to do its work. Thirty years later, Mayhew’s critique remains relevant. But it is also true that committees continue to be at the center of congressional activity (Evans 1991; Hall 1996). How then do committees persuade lawmakers to contribute to collective goals?

Like many other organizations, Congress promotes collective action through a hierarchical system of accountability. Responsibilities are divided in ways that suggest that additional effort will be rewarded. In particular, House Rule X defines issue jurisdictions so that the vast majority of bills are reviewed by just one committee.⁸ Moreover, Rule X generally places closely-related issues within the domain of a single committee. And when jurisdiction over a bill is contested, precedents dictate that the bill be referred to the committee already responsible for the most closely-related issues (King 1997). Each committee’s jurisdiction is further divided into subcommittee jurisdictions, and full committees are generally required to refer bills to subcommittee for initial consideration and recommendation.

A “chain of command” hierarchical structure places primary management responsibility on committee leaders, who not coincidentally tend to be highly experienced in the affairs of the committee due to their long tenure. In exchange, committee leaders receive a disproportionate share of resources and

potential agenda setting authority. Committee leaders, in turn, are able to reward other members who contribute to committee work with policy influence, resources, and rare credit claiming opportunities (Krutz 2005). On the other hand, committee leaders and members who do not manage affairs to the satisfaction of the chamber risk losing these benefits or, in extreme cases, their positions. Similarly, committees that do not perform risk losing policy influence to other committees (Jones, Baumgartner and Talbert 1993) or, in extreme cases, risk losing formal jurisdiction altogether (Adler and Wilkerson, forthcoming).

In practice, the congressional committee system is not always a well-oiled machine. Individual legislators will still differ in terms of their willingness and ability to do the committee's work (Hall 1996). Delegation has potential costs in terms of biased policy proposals and shirking (Hall and Wayman 1990). Reforms altering committee arrangements to promote collective goals will face resistance (Davidson and Oleszek 1977, Adler 2002). But these costs are offset by substantial benefits that in our view are underappreciated in existing scholarly research. Committees, despite their warts, do the work of Congress. Committee jurisdictions are, in the main, rational reflections of congressional policy demands. Reforms seek to alter jurisdictions in ways that are consistent with the goals of improved information sharing and policy coordination (Adler and Wilkerson, forthcoming). Nearly exclusive jurisdictions confer proposal power, but on any given day, the chamber can ignore a committee's recommendations concerning legislative priorities, statutory language, special rules, and floor amendments.

Other Committee Rationales

Governing theory portrays committees as institutions for increasing lawmaking capacity in an environment where policy demands exceed available resources. A division of labor system groups responsibility over related issues to promote policymaking productivity, and encourages work by providing committee members with opportunities to claim credit for salient national policies that are also important locally. Non-committee members support this structure because the issues committees address

are often salient to their own constituencies. In addition, more discretionary issues can be addressed if the non-discretionary components of the agenda are managed with relative efficiency.

Only one of the “big three” theories of legislative organization – distributive, partisan, and informational – similarly offers a rationale for why Congress has a committee system (Table 2). Distributive theory (Weingast and Marshall 1988; Shepsle and Weingast 1989) contends that committees exist to promote policy stability. Significantly, distributive models are predicated on the assumption that non-committee members have little stake in the policies that a committee addresses. Committees exist to enforce logrolls and thereby reduce transaction costs. Lawmakers support the committee system only as long as they are able to set the agenda on a limited number of local issues that they care most intensely about. In exchange, they cede influence to other committees on all other issues. Thus, where common policymaking objectives of lawmakers are concerned, there is no real role for committees, nor any mention of how such policymaking occurs.

[Table 2 here]

The other two widely-cited theories do not offer compelling logics for why standing committees have existed in Congress for nearly 200 years. Both assume that committees are given features of the legislative process. As Krehbiel (2004, 122) notes, “with the possible exception of Weingast and Marshall's (1988) industrial organization approach, none of the theories reviewed thus far [informational and cartel] meets a strict analytical definition of a theory of legislative organization. That is, the models characterize institutional features as exogenous-not as objects of calculated choice by players in the game.”

Informational theory portrays committees as arrangements for reducing policy uncertainty, but does not explain why committees exist, or even why they serve an essential informational role. In their original article laying out the tenets of informational theory, Gilligan and Krehbiel (1990) “presume that an institutionalized legislature has emerged. The resulting focus is on how the organization is maintained in the presence of exogenous changes” (539). Theoretically, committee members have no more reason to acquire costly information than other members because committees do not possess extraordinary agenda

setting powers. In addition, a seniority-based committee structure is arguably counterproductive to a legislature's efforts to discover the effects of proposed policies because it limits the legislature's ability to ensure that committees are representative.

Partisan theories also treat committees as exogenously-given features. The purpose of legislative structure is to advance the majority party's agenda and protect its policy reputation. To accomplish these goals, the majority party delegates procedural control to senior party members, who then see to it that issues harmful or divisive to the party as a whole (or a significant share of its members) are kept off of the agenda. Committees have no independent policymaking role. They are merely one component of a "redundancy" system designed to ensure that the floor agenda reflects the majority party's interests (Cox and McCubbins 2005, 42).

Legislative Bipartisanship

As discussed, governing theory emphasizes the shared policy responsibilities of lawmakers. Before proceeding to the main focus of our empirical tests, we highlight a second important difference between governing theory and other leading theories. Electoral accountability for the collective performance of Congress leads us to expect greater cooperation among lawmakers. And bipartisan voting coalitions are in fact much more prevalent than existing theories would seem to predict.⁹ Most bills pass the House of Representatives with bipartisan support (Figure 1).¹⁰ Moreover, three-fourths of the "important" enactments since the Second World War have passed the House with bipartisan support.¹¹

[Figure 1 here]

Bipartisan coalitions are possible in both informational and party cartel models. But without large-scale changes in membership or the ideological location of the president, widespread bipartisan behavior is not expected. Specifically, informational (pivotal politics) and party cartel theories base their predictions concerning policy change on the range of status quo policies that cannot be defeated (the gridlock/blocking interval). In the informational model, this interval is defined by the preferences of actors that the rules designate to be pivotal in the enactment of a law (chamber median, filibuster pivot,

President; Krehbiel 1998). In the party cartel model, the interval is defined by the ideological distance between the preferences of the majority party median and the chamber median (Cox and McCubbins 2005). Both theories predict that “out of equilibrium” status quo policies (i.e. those that lie outside of these intervals) will be quickly restored to equilibrium through legislative action. Thus, both theories envisage a wave of policymaking when an election shifts the gridlock/blocking interval, that quickly recedes as the pool of out of equilibrium policy status quos drains to nothing. Because bipartisan coalitions are only predicted for extreme status quos, instances of bipartisan voting behavior should also follow this surge and recede pattern, which does not appear to be the case in Figure 1.

Who Sets the Agenda?

Governing theory proposes that committee exist to increase Congress’ lawmaking capacity. Although it may be impossible to show that a legislature would have accomplished less if it did not have a committee system, we can investigate the extent to which a legislature relies on its committees. According to the theory presented here, the legislature delegates formal responsibility for managing issues to committees and especially committee leaders. Active involvement by other committees or policy mavericks on most issues is inefficient and potentially counterproductive. This leads us to expect that committees, rather than parties or centrist policy specialists, will set the legislative agenda in Congress. Moreover, in contrast to the predictions of distributive theory, committees of jurisdiction will have their greatest influence on issues where the legislature collectively has the most at stake.

Governing Theory: Committees set the agenda

Governing theory assumes that much of a legislature’s energies will be devoted to managing recurring and highly salient issues. If true, this insight challenges legislative scholars to revisit preference-centered portrayals of policy stasis and change that implicitly assume that the legislative agenda is unconstrained and discretionary. We expect that many of the bills passed by the legislature address these issues, and that a large proportion of the chamber’s floor attention is also devoted to governing issues.

H₁: Governing issues will make up a disproportionately large percentage of the bills considered by the legislature.

H₂: Governing issues will make up a disproportionately large percentage of the decisions made on the floor of the legislature.

Concerns about legislative productivity should also encourage the legislature to give priority to committee-generated proposals. A venerable research agenda exists that portrays lawmaking as a competition among individual entrepreneurs and finds a long list of variables to be related to bill success (for a review, see Anderson et al. 2003). Although these studies sometimes control for whether the issue involved is “local” or “hot,” they do not ask whether the factors contributing to success depend on the type of issue being addressed.

We expect to find important differences in how the public agenda is managed. Concerns about legislative productivity should lead the legislature to give priority to committee-generated proposals where governing issues are concerned. Therefore, we expect committee of jurisdiction membership to be the best predictor of whose governing bills pass the chamber. Because committee leaders (chairs and subcommittee chairs) assume the bulk of committee responsibilities, we expect them to also receive the lion’s share of the political credit in the form of successful bill sponsorship. The remaining governing bills will be sponsored by other committee members. On the discretionary issues, where effective policy management is less of a concern, other variables will have a greater impact on whose bills pass the chamber.

H₃: The governing bills taken up by the legislature will be sponsored by members of the committee of jurisdiction. Committee members will sponsor a smaller share of the bills addressing other types of issues that are taken up by the legislature.

Our theory also leads us to expect that the committee’s views regarding proposed changes will be important. Recent investigations of cartel theory argue that evidence of the majority party getting the bill

content that it wants is found in “roll rates,” or how often most of a party’s members lose during floor decisions (Cox and McCubbins 2005).¹² Here we apply the same test to investigate committee influence. If committees set the agenda on the bills they report, the committee’s position during floor consideration of those bills should prevail as often, if not more often, than the majority party position.

H₄: Committee majorities will be rolled less frequently on the bills they report than the majority or minority party majorities.

Further, committee views should be accorded the greatest respect where governing issues are concerned.

H₅: Committee majorities will be rolled even less often on bills dealing with governing issues.

Alternative Viewpoints

In cartel theory, the majority party leadership’s role is to promote and protect the party’s reputation by restricting the floor agenda to the issues where the party caucus prefers the chamber median to the policy status quo. This exercise of negative agenda control prevents the majority party from being rolled on the floor. With respect to positive agenda setting, Cox and McCubbins (2005) say little about *whose* bills will make it to the floor (see also Cox and McCubbins 1993). We infer that the leadership will close the gates to minority-sponsored bills because there would seem to be little benefit in enhancing the reputation of the minority at the expense of the majority. Finally, cartel theory predicts that majority party lawmakers with preferences tending toward the minority party position will be discouraged from advancing bills that may have majority support in the legislature but lie within the majority party blocking zone (Cox and McCubbins 2005, 47-48).

Informational theory proposes that the purpose of legislative organization is to reduce policy uncertainty through specialization (Krehbiel 1991; Gilligan and Krehbiel 1990, 1997). Although specialization research does not investigate legislative sponsorship success, it does argue that specialization (the incentive to invest in bill creation) is contingent on two things: lower costs and the

expectation that the broader legislature is going to respect the specialist's views. Generally speaking, only "inlieing" legislators - legislators with preferences that place them close to the pivotal chamber median - can expect to have policy influence.¹³

Finally, we interpret distributive theory, like governing theory, as predicting that committee members will sponsor a disproportionate percentage of the bills falling within their committee jurisdictions, and that their preferences with respect to those issues will also carry considerable weight on the floor. However, the two theories make sharply differing predictions concerning the types of issues where committees are most influential. In distributive theory, committee influence will be greatest on the issues where non-committee members have little stake in the outcome. Governing theory, in contrast, predicts that committee influence increases as an issue becomes more important to the body. Thus, to test these competing predictions, we must also attend to the content of the legislation being considered.

Categorizing Issues on the Public Agenda

We expect committee influence to vary depending on the type of issue involved. Specifically, the public agenda of Congress includes a range of issues that differ in terms of common electoral interests (Table 3). Toward one end are the governing issues that are highly salient and have a strong collective interest – those falling into the “compulsory” and “important” categories. At the other end of the spectrum are the discretionary issues, which are less pressing for the legislature as a whole – including “ordinary” discretionary issues as well as those that are so local or inconsequential as to be considered of “minor” importance (Smith and Deering 1990). To adequately test the proposed hypotheses, we must first develop a methodology for identifying the types of issues where a committee's policy management skills will be most valued.

[Table 3 here]

Compulsory Issues. Congressional appropriations must be prepared and passed annually. In addition, hundreds of federal laws must also be renewed on a regular basis (Congressional Budget Office, various years). These laws authorize entire departments (Department of Defense, Coast Guard, Small Business

Administration, etc.), important federal programs (Higher Education Acts, SCHIP, Civil Rights Commission, etc.), as well as lesser known programs (African Elephant Conservation, North American Wetlands Conservation, etc.). Many tax code provisions are also authorized for limited periods and must be renewed to remain in existence (Joint Committee on Taxation, various years). Recurring issues create incentives to support routines for managing them more efficiently.

“Compulsory” is not technically accurate. Lawmaker can fail to pass an appropriations bill. However, without appropriations, federal workers cannot be paid, agencies cannot regulate, and all non-essential government services are unavailable to constituents. If Congress does not pass an appropriations bill before the end of the fiscal year, it almost always passes a temporary “continuing resolution” that keeps programs functioning for a limited time. But this approach restricts the legislature’s ability to make programmatic adjustments. The same can be said for expiring authorizations. Congress can let an existing law expire and has done so in the past (salient examples include the military draft [1973], general revenue sharing [1986], the special prosecutor law [1999], and the assault weapons ban [2004]). But the bottom line is: if Congress wants to keep a program alive, it has to act. Either the program must be reauthorized, or “unauthorized” funds must be appropriated.¹⁴ Like continuing resolutions, relying on unauthorized appropriations is less preferred since it limits the legislature’s ability to make needed changes to programs (Streeter 2004).

Important Issues. Issues also get to the top of the legislative agenda for reasons other than routines. Exogenous “shocks” can shift the congressional landscape by drawing public and political attention to an issue, including efforts by the President to influence the priorities of Congress (Mayhew 1991; Hall 1996; Krehbiel 1998). Electorally-accountable lawmakers have incentives to be responsive on such issues, even when the issues are not their personal or partisan priorities. For instance, changes in energy policy are a top priority in the 110th Congress, not because of the imminent expiration of an existing energy statute, but because external developments have forced lawmakers to act. A confluence of conditions – mounting consumer anxiety over fuel prices, increasing public attention to climate change, and the protracted and

relatively unpopular war in the Middle East – have put increased pressure on lawmakers to look for new energy solutions (Wasserman 2007). In such situations, we also expect lawmakers to turn to committees of jurisdiction as much if not more than to the majority party leadership to help them set priorities, clarify the choices at stake, and build consensus.

Ordinary issues. These are the issues that most observers think of when they view legislators as policy entrepreneurs and legislatures as proving grounds for new policy ideas. Most of the bills introduced in Congress are priorities for some legislators and/or their constituencies, but do not possess the same broad-based shared sense of urgency that moves other issues to the top of the collective agenda. On these issues, the legislature depends less on the management and consensus building capabilities of its committees. For example, the 105th Congress passed a law sponsored by Larry Combest (R-TX) that change the child labor provisions of the Fair Labor Standards Act of 1938 to allow 17 year old employees to drive automobiles and trucks on public roadways (H.R. 2327).

Minor issues. Lawmakers have little need for committee perspectives on constituency-centered proposals recognizing or conferring benefits to specific individuals or organizations, naming federal buildings, authorizing the minting of commemorative coins or medals, or transferring small tracts of land or buildings from the federal to state or local governments. The 106th Congress passed H.R. 5302, naming the United States courthouse in Seattle, Washington for Congressional Medal of Honor winner Kenzo Nakamura.

Findings

To test these hypotheses we examine data on bills introduced in the 102nd and 105th House of Representatives. Our analysis is based on more than 11,000 bills previously coded as part of the *Congressional Bills Project*, and subsequently merged with other datasets constructed to provide information about the type of issue addressed by the bill, specific roll call decisions on each bill

(preliminary as well as final votes), and the characteristics and success of different actors on these decisions (see appendices A, B and C for details about each of these steps). Our findings are organized into three sections. First, we examine aggregate activity patterns to test the claim that governing responsibilities consume a substantial proportion of the congressional policymaking attention. Second, we look at who sponsors the bills that are the focus of legislative deliberations. Finally, we investigate whose views have the most influence during floor decision-making.

Governing versus Discretionary Policy Activity in the House

Table 4 examines three forms of lawmaking activity: bills introduced, bills passed, and floor voting. Only a small fraction of the bills put before Congress focus on governing issues, but these bills represent the majority of its activity and output. Less than 13 percent of the bills introduced across the two congresses addressed governing issues.¹⁵ However, the distribution of the agenda changes dramatically as we move into later stages of the legislative process. Across the two congresses, 48 percent of all bills passed address governing issues. But of course some bills are more important than others. When minor bills are excluded, this percentage increases to 55 percent of all passed bills. And if floor activity is used as a secondary indicator of agenda importance, we find that 88 percent of all recorded votes in the two congresses occurred during consideration of governing bills.

[Table 4 here]

Proposal Power: Sponsorship Success

Before turning to a multivariate analysis, we present some basic statistics concerning committee success. Table 5 categorizes bills passed in the two congresses by issue type, and then reports how many of these bills were sponsored by members of the committee of jurisdiction.¹⁶ The data demonstrate that the type of issue a bill addresses is clearly important for understanding differences in sponsorship success. For example, committee and subcommittee chairs sponsor the vast majority (between 75 and 90 percent) of all successful governing bills, compared to just a quarter or less of all successful minor bills. Non-committee members sponsor a mere fraction (about 5 percent) of all successful governing bills, but

between half and two-thirds of all successful minor bills. These patterns suggest that committee deference is not simply a product of a gains-from-trade distributive arrangement. Accordant with Hypothesis 3, committee deference appears to occur most often on high profile or must pass legislation that is important to many if not most members of the legislature.

[Table 5 here]

Multivariate Analysis of Sponsorship Success

Table 6 reports regression results for a dataset that combines all bills introduced in the Democratically-controlled 102nd and the Republican-controlled 105th congresses.¹⁷ The purpose of the models is to test whether these committee effects persist after controlling for the variables that other theories claim are central to understanding agenda control in Congress, such as majority party status or legislative specialization (see Appendix B for details). We employ a probit (with robust standard errors) where the dependent variable in the models is whether a bill passed the chamber. The magnitude of the probit coefficient is not easily interpreted, so we also include the effect of each variable for the probability that a bill passes the chamber in the columns adjacent to the models (statistically significant variables only).¹⁸ Because committee operations differ in ways that may affect success (Fenno 1973), we also include fixed effects for committee of referral (not shown).¹⁹

[Table 6 here]

Across all issue types, bills sponsored by committee members are still the most likely to pass the chamber. On governing issues, only committee membership is related to sponsorship success. Committee leaders not only sponsor most of the governing bills that pass the chamber, the bills that they introduce are also much more likely to pass (probability = .529). This effect of committee leadership is twice as important on governing issues as it is on discretionary issues. Interestingly, we also find that minority party committee members are significantly more successful where governing issues are concerned. Minority party success in passing high profile legislation is certainly not a phenomenon consistent with cartel theory. These findings coincide with the predictions of the governing model and offer little support for the propositions of informational and partisan models.

Discretionary issues, in contrast, see considerably more success by other legislators, including majority party members not on the committee and ideological centrists. This model looks much more like those found in the existing literature on bill passage – many more sponsor characteristics are significant predictors of bill success (Anderson et al. 2003; Baughman 2006) and seems to lend more support to the extant theories. Turning to minor issues, only committee leadership is significantly related to success. But it is important to recall that over 70 percent of successful minor bills are sponsored by non-committee members (Table 3). Thus, the non-significance of other variables here appears to indicate that success is widespread, as we would probably expect where issues of such a local character are concerned.

Floor Influence: Roll Rates

Earlier it was observed that most recorded floor decisions concern bills addressing governing issues (Table 4). Part of the explanation for this is that non-controversial bills often pass without recorded votes. For example, 157 of the 177 minor bills that passed the House in the 102nd and 105th Congresses were passed by voice vote or by a margin of 90 percent or better. Recorded decisions tend to be the more important ones where members are most likely to rely on trusted sources for voting cues (Kingdon 1981). Here we ask whose positions on these floor votes are most likely to prevail.

As discussed, Cox and McCubbins (2005) argue that roll rates are a good measure of agenda influence. The fact that the majority party is rolled much less often than the minority party, they argue, indicates majority party control of bill content. Extending the same logic to committees, we hypothesize that committees of jurisdiction will be rolled even less frequently in a legislature that relies on its committees for policy guidance. To be sure, we expect that committees will have their greatest influence on governing issues.

Table 7 compares roll rates for the minority party, majority party, and committees of jurisdiction across the two congresses. For every type of vote (final passage, amendment, all votes except special rules), the committee of jurisdiction's position prevails more often than the majority party's position, although the differences are statistically significant in the Republican-controlled 105th Congress only.²⁰

Who prevails when the committee's position conflicts with the position of the majority party? Inspecting the patterns more closely (Table 8) we find that the committee's position prevails much more often. Across the two Congresses there were 168 of these roll calls. In 118 (70.2 percent) of these cases, the majority party was rolled while the committee position prevailed.

[Tables 7 and 8 here]

Finally, differentiating between governing and discretionary issues (Table 9) indicates that committees' floor influence is greatest on the issues where the legislature has the strongest governing incentives to respect their views. The chamber is more likely to vote with its committees where issues of broad importance are concerned. And as demonstrated earlier, these issues also constitute much, if not most, of the House's legislative business.

[Tables 9]

Discussion

Theories of institutions and behavior were once a virtual cottage industry in legislative studies. These efforts greatly improved our understanding of American legislatures, and have influenced research in other fields of political science as well. However, despite significant advances, much about the representation process and legislative politics remains to be explained. Our governing theory moves beyond the spatial models and median voter theorem that have served as the foundations of most theorizing in recent decades. We propose a more comprehensive perspective on legislative organization that incorporates important empirical facts about the substance of legislative policymaking and considerations influencing constituent voting decisions.

We have found considerable support for a theory of legislative organization that portrays committees as institutions for increasing legislative capacity in an environment of scarce resources. Legislative agenda setting is about how to best allocate scarce resources, and not just about whether a different policy or more spending is desired in a given area. By managing non-discretionary issues on behalf of the legislature, committees lower the costs of producing policy. This division of labor structure

ensures that essential tasks are accomplished and frees up agenda space for additional policy pursuits. Lawmakers support this system because it serves their electoral interests.

Though we test only a small number of hypotheses derived from the theory, our findings call into question important assumptions and conclusions of existing theories. We confirm that a substantial proportion, if not most, of available agenda space is devoted to non-discretionary governing issues (Walker 1977; Sinclair 1986). Clearly, the policy priorities of individual lawmakers or party leaders do not explain much of what gets on the legislative agenda. We also find that committees, not the majority party or information specialists, are the central agenda setters on these issues. Committee of jurisdiction members (and committee leaders in particular) prepare the bills that serve as the legislative vehicles for these decisions. On the issues of greatest importance to the legislature, non-committee members can point to few, if any, successes.²¹ Further, the committee's position is much more likely to prevail in head to head contests with the majority party's position as the legislature considers policy changes on the floor.

These findings support an important new perspective that should change how scholars think about the roles of committees and the process of lawmaking. Committees and committee deliberations are respected because the legislature benefits from this division of labor system, not because (as distributive theory assumes) non-committee members have little stake in what committees do. Further, committees exist for reasons beyond merely sending signals as to the effects of policy proposals, or serving the majority party leadership. Committees manage the most important issues before Congress. These findings also suggest that previous "legislative effectiveness" research – which finds that a large number of sponsor characteristics are related to success – suffers from an "over-aggregation" problem. Where important legislation is concerned, committee membership is the only significant predictor of bill sponsorship success.

Governing theory has a wide range of implications that deserve investigation. In a straightforward manner, it generates testable hypotheses about constituent voting behavior, the structure and activities of Congress, the behavior of representatives and senators, and which issues are likely to be on the agenda of a given Congress. These hypotheses are clo²²sely linked, and lead to different and sometimes more

precise predictions than those offered by existing theories. We hope that this paper demonstrates the potential benefits of moving beyond the triumvirate of theories that dominate contemporary legislative studies, and inspires additional theorizing about legislative agenda setting processes and the effects of agenda scarcity.

Notes

¹ Gamm and Shepsle (1988) find little support for their initial hypothesis that standing committees were originally formed to serve partisan political purposes.

² Polls reported that overwhelming majorities favored reauthorizing (86 percent) the SCHIP program, or expanding it through a new tax on tobacco products (76%). http://www.washingtonpost.com/wp-srv/politics/polls/postpoll_100107.html

³ This question of the electoral consequences of legislative productivity will be addressed more fully in separate paper and a section of the forthcoming book manuscript.

⁴ David Alexander, “Bridge Collapse a Wakeup Call for Politicians”
<http://abcnews.go.com/print?id=3441999>

⁵ Legislation has been enacted in each of these issue areas over the past decade – much of it reauthorizations of existing programs.

⁶ In this case, Congress recognized the issue was a sufficiently important local concern to unanimously authorize \$250 million for the I-35 bridge reconstruction, but not so important as to move up its scheduled reconsideration of the transportation bill in 2009.

⁷ The discussion in this and the following section is derived from the theoretical literature in the industrial organization of firms (Alchian 1950; Alchian and Demsetz 1972; Holstrom and Milgrom 1991, 1994; Williamson 1975).

⁸ Bills referred to multiple committees constitute about 15 percent of all bills introduced and passed (Adler and Wilkerson, forthcoming).

⁹ In practical terms, bipartisan is defined as either a majority of members in both parties voted in favor of final passage of the bill or conference report or it passed on a voice vote.

¹⁰ In the 93rd Congress, the proportion of recorded final votes that are bipartisan exceeds the proportion of bills passed with bipartisan support. This occurs because the Library of Congress vastly underreports the total number of bills passed by that Congress. For this reason we limit our attention to the bills that passed by recorded vote, and in some cases there were multiple final votes on these bills.

¹¹ These are the 323 important enactments in David Mayhew's (1991, and website updates) list that were voted on in the House of Representatives. It does not include provisions that only faced Senate consideration (treaties, etc.), although Senate trends are almost identical.

¹² However, differential roll rates are also expected in a majoritarian legislature under certain conditions. See Krehbiel (2007).

¹³ Gilligan and Krehbiel do note some exceptional circumstances in which outliers may have an incentive to specialize (1997, 369-70).

¹⁴ When this latter path is taken, it is typically done through a waiver in congressional rules barring unauthorized appropriations. Such action is normally only done in consultation with the authorizing committee of jurisdiction and rarely includes any programmatic changes not approved by the authorizing committee (unattributable interviews with House and Senate committee staff, October 15 2007).

¹⁵ As explained in Appendix A, the compulsory and important issue categories overlap. As a result, the combined percentage is smaller than the sum of the percents for each governing category. The total number of governing bills can be calculated by subtracting the sum of ordinary and minor discretionary bills from all bills for the term.

¹⁶ For the relative small proportion of bills that were referred to more than one committee ("multiple referrals"), the sponsor was considered on the committee of referral if he/she was a member of any of the committees to which the bill was referred.

¹⁷ Separate results for each Congress are presented in Appendix D.

¹⁸ Probabilities are calculated by holding all other variables at their mean/mode and shifting the variable of interest from its minimum to its maximum.

¹⁹ For example, some committees simply report many fewer bills than others.

²⁰ Roll rates calculated individually for each of the terms between the 102nd and 105th congress show almost identical results. Roll rates on special rules are reported in Appendix D (Table D3).

²¹ Intriguingly, Cooper and Rybicki (1989) report very similar patterns of committee bill success in the late 1800s.

Appendix.

Part A. Assignment of Bills across Issue Types

GOVERNING ISSUES

Compulsory. These are policy areas where a lack of legislative action shifts the policy from the status quo to a far different reversion point. These bills include appropriations as well as those that renew expiring authorizations.

Coding: Bills are identified as “compulsory” in a multi-step process. Using bill titles (generally a sentence or two in length) and bill summaries (ranging from one sentence to multiple paragraphs) available through the Library of Congress Thomas website (www.thomas.loc.gov), a search is conducted on all bills for a list of keywords or keyword combinations (e.g., “appropriat*,” “reauthor*,” “authorize appropriations for fy,” etc.). The list of keywords was in some cases quite complicated (e.g., word combinations within the same sentence but not necessarily sequential), and was drawn from earlier case by case investigations of the titles and summaries of known reauthorizations and appropriations bills. The approximately 1000 identified cases each term were then inspected by hand to eliminate false positives. In instances where a careful read of the title and summary still left uncertainty as to its appropriate coding, the full text of the bill was examined along with its legislative history found in *Congressional Quarterly Almanac* and *Lexis-Nexis Congress*. In addition, false negatives were identified by conducting a search for mentions of reauthorizations in the online *Congressional Quarterly Almanac*.

Important. These are policy areas that political insiders deem to be among the most important of the term.

Coding: Bills are flagged as “important” if they receive any coverage in *Congressional Quarterly Almanac* (CQ) during the congressional term. In addition, to ensure that we capture all the tangential and “unsuccessful” versions of the bills deemed important, as well as we include any other bills that was considered “related” to the bills mentioned in CQ, according to the CRS on their THOMAS website.

DISCRETIONARY ISSUES

Minor. These are policy areas with an exceptionally narrow or unimportant insignificant impact. Such bills mainly fell into four easily identifiable categories.

1. Private bills: Bills that provide relief or confer benefits on specific individuals or organizations.

Coding: Bills falling within subtopic 9999 of the *Congressional Bills Project*.

2. Commemorative bills: Bills that propose commemorative actions such as the coining of a medal or the naming of a building.

Coding: All bills designated as as “commemorative” in the Congressional Bills Project as well as all bills falling within subtopics 2008, 2015, and 1699.

3. Land conveyance bills: Bills transferring control of federal lands.

Coding: All bills falling within subtopic 2103.

4. Tariff and duty bills: Bills proposing or suspending tariffs or duties on particular commodities.

Coding: All bills falling within subtopic 1807.

Ordinary. These are policy areas that are of greater significance than the “minor” category, but do not qualify as being as being important or compulsory.

Coding: This is the residual category – all non-governing bills that are not otherwise coded as minor.

Appendix Part B: Variables and Indicators

DEPENDENT VARIABLE: Dichotomous variable indicating whether a given bill passes the House.

INDEPENDENT VARIABLES:

Committee membership: Dichotomous variables indicating whether the sponsor served on the committee to which the bill was referred. (In the small percentage of cases where bills were referred to more than

one committee, this would include all relevant referral committees.) We further disaggregate committee members by position and party status. The omitted category is minority party non-committee members.

- (1) majority party leader (committee or subcommittee chair)
- (2) minority party leader (committee and subcommittee ranking minority member)
- (3) majority party committee member (non-leader)
- (4) minority party committee member (non-leader)
- (5) majority party member who does not serve on the committee

Ideological distance to majority party median: For majority party members this is the absolute distance between the bill sponsor and the majority party median's 1st dimension DW-NOMINATE score. Per the predictions of the cartel model, which discounts the input of minority party lawmaker very heavily, we code all minority party bill sponsors at the value of the majority party member furthest from the majority median on the minority party side of the ideological continuum.

Ideological distance to chamber median: The absolute distance between the bill sponsor and chamber median's using 1st dimension DW-NOMINATE scores.

Specialist: Dichotomous variable that takes a value of 1 if the bill sponsor is considered a specialist in the bill's major topic as indicated by the *Congressional Bills Project*. A specialist is defined as the top two major topic areas of bill sponsorship activity of a lawmaker over the last three congressional terms.

Interaction of specialist and ideological distance: This variable equals 0 when the sponsor is not a specialist.

Tenure: Total congressional terms in which the lawmaker has served.

Freshman: Dichotomous variable indicating whether or not the lawmaker was in her first term.

Legislative activity: Number of bills sponsored by the lawmaker during the current Congress.

Cosponsors: Number of cosponsors for the bill.

Media attention: Number of *New York Times* editorials addressing the major policy topic of the bill in that congressional term. Editorials were compiled by Sarah Binder (2003).

Committee of referral: Dichotomous fixed effects for each potential committee of referral. These results are not reported.

Appendix C: Calculating Committee Roll Rates

A “roll” occurs when the majority position of a subset of the legislature (e.g. a party caucus, etc.) differs from the winning position of the legislature. Rohde (2005) tallies the yeas and nays for members of each party. Final passage roll rates are based on Rohde’s Vote Types: 11, 12, 15, and 30. Amendment roll rates are based on the vote types: 21-29. Roll rates for special rules are calculated separately (see Supplemental Appendix D).

To calculate committee of jurisdiction roll rates, we obtained individual voting positions on each roll call from Poole and Rosenthal’s website (www.voteview.com) and then merged them with committee membership information (Stewart and Joon) so that we were able to calculate the proportion of voting committee members taking yea and nay positions on each roll call.

The next step was to use committee of referral information drawn from the Congressional Bills Project to identify which of these committees was the committee of jurisdiction for the bill that was the focus on each roll call. A committee was rolled if the majority position of this committee was different than the majority position of the legislature.

The central limitation of this approach is that some of the bills considered on the floor (about 15 percent) are multiply referred. We address this by assuming that the committee is rolled if most of the committees of referral are rolled in cases of multiple referrals. Restricting the focus of this analysis to singly referred bills only does not substantively alter its conclusions.

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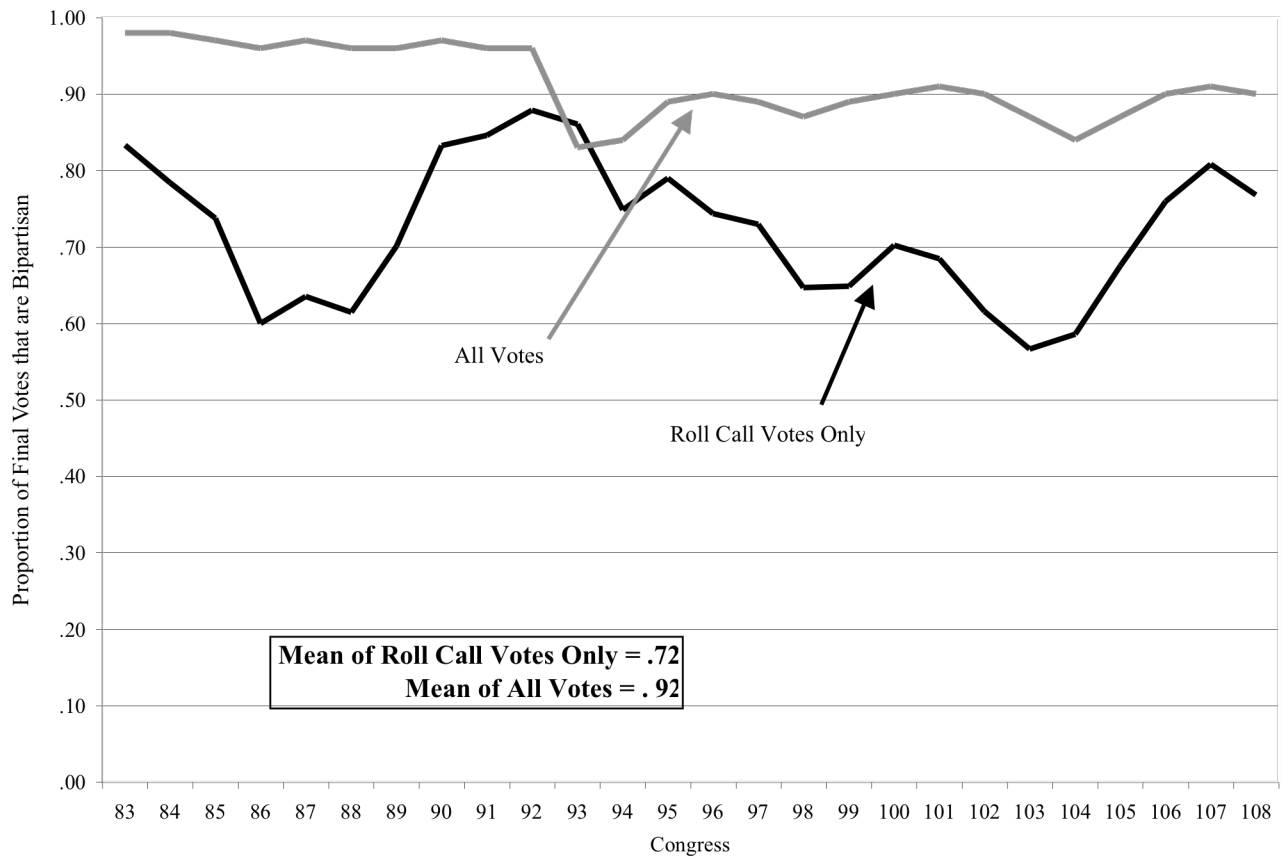
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Figure 1. Bipartisanship on the House Floor: Final Votes



Note: Excludes votes on resolutions.

Table 1. Congressional Performance and Incumbent Support in the House of Representatives (National Elections Study, 1978-2002)

	B	Wald	Exp(B)
Shares party affiliation with incumbent	2.905** (.069)	1779.242	18.258
Congress performance/ Majority incumbent	.265** (.040)	43.825	1.303
Congress performance/ Minority incumbent	.113** (.050)	5.052	1.120
Constant	-.066** (.035)	3.554	.936
-2 Log likelihood 6929.728 Nagelkerke R Square .390			

Logistic Regression.
Dependent variable is whether the respondent supported the incumbent (in incumbent-ran races only). ** p<.05

Table 2. Theories of Legislative Organization

	Distributive	Informational	Partisan	Governing
Electoral Motivation	Maximize incumbent electoral prospects through the distribution of particularized constituency benefits	No explicit electoral motivation	Enhance the electoral prospects of party members by promoting the party's legislative reputation	Maximize incumbent electoral prospects by addressing overlapping constituent policy demands
Problem to overcome	High costs of legislative bargaining	Policy uncertainty	Issues on the agenda may harm the majority party	Policy expectations exceed lawmaking capacity
Role of committees	Facilitate logrolls and reduce transaction costs	Share information about the effects of policy	Prevent undesired proposals from reaching the floor	Increase capacity through more efficient management of salient and recurring issues
Does the theory attempt to explain committees?	Yes	No	No	Yes

Table 3. Categorizing the Public Agenda

Higher Collective Priorities ←————→ *Lower Collective Priorities*

Governing Issues		Discretionary Issues	
<i>Compulsory</i>	<i>Important</i>	<i>Ordinary</i>	<i>Minor</i>
<i>Higher Education Act reauthorization</i>	<i>Immigration reform</i>	<i>Monitoring forced labor in China</i>	<i>Designate "Frank J. Tejada" Post Office</i>

Table 4. Percentages of Different Agendas Devoted to Different Types of Issues

102 nd House (1991-92)		Governing Issues		Discretionary Issues	
All Bills		<i>Compulsory</i>	<i>Important</i>	<i>Ordinary</i>	<i>Minor</i>
Bills Introduced	6212	4.2% (263)	10.4% (646)	78.1% (4854)	8.7% (540)
<i>combined</i>		13.2%		86.8%	
Bills Passed	589	20% (118)	55.0% (296)	34.0% (200)	8.7% (51)
<i>combined</i>		57.3%		42.7%	
Recorded Floor Votes	578	59% (341)	90% (520)	5% (29)	2% (12)
<i>combined</i>		93%		7%	

105 th House (1997-98)		Governing Issues		Discretionary Issues	
All Bills		<i>Compulsory</i>	<i>Important</i>	<i>Ordinary</i>	<i>Minor</i>
Bills Introduced	4874	5.4% (261)	7.3% (358)	81.0% (3908)	8.1% (397)
<i>combined</i>		10.9%		89.1%	
Bills Passed	530	17.9% (95)	28.7% (152)	47.4% (251)	14.5% (77)
<i>combined</i>		38.1%		61.9%	
Recorded Floor Votes	740	55% (407)	81% (599)	14% (104)	2% (15)
<i>combined</i>		84%		16%	

Note: The Compulsory and Important categories overlap because some compulsory bills are also categorized as important based on *Congressional Quarterly Almanac* coverage, as described in Appendix A.

Table 5. Sponsor Success Across Different Types of Issues

102 House (1991-92)		Governing Issues		Discretionary Issues	
All Bills		<i>Compulsory</i>	<i>Important</i>	<i>Ordinary</i>	<i>Minor</i>
Sponsor of Passed Bill:					
<i>Committee members</i>					
Committee or subcommittee chair	361	88.1%	75.7%	45.5%	23.5%
Committee or subcommittee ranking member	28	1.0%	3.4%	6.0%	5.9%
Committee majority party	74	5.9%	11.5%	16%	11.8%
Committee minority party	11	1.0%	2.0%	2.0%	2.0%
<i>Non-committee members</i>	115	4.2%	7.4%	30.5%	56.9%

105 th House (1997-98)		Governing Issues		Discretionary Issues	
All Bills		<i>Compulsory</i>	<i>Important</i>	<i>Ordinary</i>	<i>Minor</i>
Sponsor of Passed Bill:					
<i>Committee members</i>					
Committee or subcommittee chair	278	84.2%	77.6%	42.2%	13.0%
Committee or subcommittee ranking member	19	1.1%	2.6%	3.6%	7.8%
Committee majority party	54	4.2%	7.9%	13.1%	6.5%
Committee minority party	20	1.1%	1.0%	4.0%	11.7%
<i>Non-committee members</i>	159	3.2%	11.8%	37.1%	61.0%

Note: The Compulsory and Important categories overlap because some compulsory bills are also categorized as important based on *Congressional Quarterly Almanac* coverage as described in Appendix A.

Table 6. Attributes of Successful Floor Agenda Setters

	Governing Bills		Discretionary Bills		Minor Bills	
	Coefficient Estimate (s.e.)	Probability Change	Coefficient Estimate (s.e.)	Probability Change	Coefficient Estimate (s.e.)	Probability Change
<u>Governance Variables</u>						
Committee/subcommittee Chair	1.531*** (0.218)	.520	1.236*** (0.121)	.158	1.489*** (0.458)	.239
Committee/subcommittee Ranking Minority mbr	0.302 (0.223)		0.367*** (0.134)	.027	0.697** (0.352)	.062
Committee non-leader (majority party)	0.713*** (0.238)	.276	0.520*** (0.129)	.040	0.046 (0.500)	
Committee non-leader (minority party)	0.564** (0.285)	.222	0.273* (0.159)	.020	0.243 (0.328)	
<u>Cartel Variables</u>						
Majority party, not committee member	-0.265 (0.238)		0.337*** (0.119)	.020	0.032 (0.433)	
Distance from Majority median	-0.230 (0.441)		-0.053 (0.268)			
<u>Informational Variables</u>						
Distance from chamber median	-0.591 (0.386)		-0.377* (0.205)	.018	-0.711 (1.169)	
Specialist	-0.016 (0.307)		-0.268 (0.171)		0.047 (0.434)	
Specialist x Distance	0.008 (.419)		0.264 (0.233)		-0.092 (0.632)	
<u>Sponsor Characteristics</u>						
Tenure	-0.003 (0.005)		0.008** (0.004)	.026	0.010 (0.013)	
Freshman	-0.206 (0.286)		-0.030 (0.117)		-.084 (0.284)	
Legislative activity	-0.010*** (0.003)	.314	-0.008*** (0.002)	.027	-.013 (0.009)	
<u>Bill Characteristics</u>						
Media attention	0.002 (0.003)		0.003*** (0.001)	.023	0.005 (0.004)	
Cosponsors	0.002** (0.001)	.255	0.001 (0.001)		0.013 (0.001)	.959
Constant	-4.189 (3.383)		-9.298*** (2.276)		-3.808 (12.536)	
N	1318		8604		924	
Log pseudo-likelihood	-691.837		-1355.445		-147.661	
Pseudo R^2	0.215		0.221		.597	

102nd and 105th Houses combined. Cell entries are probit coefficients and robust standard errors. Fixed effects for committee of referral not shown. * p <.10, ** p <.05, *** p <.01

Table 7. Committee and Party Success on Floor Votes

	Final Vote Roll Rate	Amendment Roll Rate	All Votes Roll Rate
Minority Party roll rate	29.3% (128)	45.2% (306)	41.4% (546)
Majority Party roll rate	3.9% (17)	21.3% (144)	13.5% (178)
Committee of Jurisdiction roll rate	3.7% (16)	12.1%** (82)	8.3%** (110)
Number of roll calls	437	677	1318

Note: 102nd and 105th Houses combined. ** indicates that the committee was significantly less likely to be rolled on the floor than the majority party ($p < .05$). *All Votes* includes all recorded votes on *bills* except for rules votes.

Table 8. Who Prevails when Committee and Party Positions Differ?

	Majority prevails	Majority is rolled	
Committee prevails	82.7% (1090)	9.0% (118)	91.7% (1208)
Committee is rolled	3.8% (50)	4.7% (60)	8.3% (110)
All roll calls	86.5% (1140)	13.5% (178)	1318

Note: 102nd and 105th Houses combined. The diagonals indicate roll calls where the committee and majority party positions were the same. The off-diagonals indicate votes where their positions differed.

Table 9. Who Prevails on Governing versus Discretionary Issues?

	Governing Issues	Discretionary Issues	All Issues
Minority Party roll rate	42.4% (488)	34.7% (58)	41.1% (546)
Majority Party roll rate	15.4% (177)	6.6% (11)	13.7% (188)
Committee roll rate	8.8%** (102)	4.8% (8)	8.3% (109)
Number of roll calls	1151	167	1318

Note: 102nd and 105th Houses combined. ** indicates that the committee was significantly less likely to be rolled than the majority party ($p < .05$).