Procedure, Power, and Policy in the Post-Reconstruction United States House of Representatives

by

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Date: April 2, 2024

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Dissertation submitted in partial fulfillment of the requirements for the degree of
Doctor of Philosophy in the Department of Political Science
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Abstract

At the beginning of and throughout each Congress, Members adopt institutional regimes to organize the House. Their choice of regime determines how power is distributed in the chamber and, critically, where along the ideological spectrum United States public policy is produced. In this work, I (we) compare the validity of two prominent theories of congressional organization: floor theory, which contends that power is vested with all Members voting on the floor; and party theory, which contends that power is at least conditionally vested with the majority party. I examine the question of institutional regime, power distribution, and the location of public policy through two lenses: first, I take a macro view in analyzing final passage coalitions in the post-Reconstruction (1881) House; next, I take a micro view in analyzing the motion to recommit in the post-Republican Revolution (1994) House. I find that Members adopted an institutional regime empowering the majority party from approximately the adoption of Reed's Rules (1890) to the Great Depression (1932) and again from approximately the congressional reforms of the 1970s to at least the modern decade. These results indicate that U.S. public policy likely reflected the ideal point of the median Member in the majority party during these two periods. However, I also find that neither floor nor party theory adequately explains congressional organization in the intervening mid-century period, indicating the need for further research.

Dedication

To Mom and Dad, who taught me everything worth knowing.

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1

Introduction

This research examines the organization of the United States House of Representatives both broadly over time and in-depth during the modern era. I wade into the long-running debate between those who argue that Congress–at least conditionally–organizes itself around party structures (Aldrich (1995); Aldrich (2011); Cox and McCubbins (2005); Cox and McCubbins (2007); Rohde (1991)) and those who argue that Congress organizes itself around the floor, or the entire body (Mayhew (1974); Krehbiel (1993); Krehbiel (1998); Krehbiel and Meirowitz (2002)). This research makes nuanced theoretical and empirical contributions towards the question. Adopting the core principles of Aldrich and Rohde's Conditional Party Government Theory and Cox and McCubbins' Procedural Cartel Theory, I argue that parties dominated congressional organization both in the decades following Reconstruction and in the modern post-reform period, whereas neither parties nor the floor can be fully termed as power centers in the intervening mid-century period.

The question of congressional organization and institutional power allocation is critical for understanding the nature of policy produced by the legislature; the arrangement of the institution determines the output of the institution. As such, this

research concludes that in both the post-Reconstruction and modern decades, U.S. public policy likely centered around the ideal point of the median Member in the majority party. However, more research is necessary to uncover the locus of power and the production point of public policy in the intervening mid century period.

This work examines congressional procedure, power, and policy through two lenses. First, we take a macro perspective in analyzing all final passage coalitions from the end of Reconstruction to nearly the present day. Second, I take a micro perspective in analyzing the modern motion to recommit, a controversial, unique, and plausibly-powerful component of House procedure in effect from the first post-Republican Revolution Congress in January 1995 to the beginning of the Democratic trifecta in January 2021.

1.1 Final Passage Coalitions

In the first half of this work, consisting of Chapters 2 and 3, we examine the relationship between congressional organization and final passage coalitions over time in order to better understand how Members arranged the chamber, where they vested power, and where in ideological space they produced the nation's public policy.

We begin with a simple theoretical model detailing how Members generate preferences over policy, how these preferences create a collective action problem in the legislature, and how Members organize the chamber in order to solve their collective action problem and enact their preferred policies. This model sets the stage: if we think that Members solve their collective action problem by creating organizational institutions in the chamber, then what institutions have they chosen and how has this choice changed over time?

We then detail existing theories of congressional organization. Although there

are numerous theories, we focus on two of the most prominent: floor theory, which generally argues that procedural power in Congress is dispersed among the entire chamber; and party theory, which generally argues that procedural power in Congress is at least conditionally concentrated among majority party leaders. After reviewing the two theories, we then track the post-Reconstruction history of Congress and generate expectations about which theory was the better descriptor of congressional organization at each point in time.

In the final sections of Chapter 2, we outline our research design and present measurement and descriptive analyses. Our research design has two components: first, we generate for each post-Reconstruction Congress two sets of "theoretical" or "expected" final passage coalitions, one theoretical coalition stemming from floor theory and the other stemming from party theory; next, we test each of these theoretical coalitions against every actual, observed final passage coalition in every post-Reconstruction Congress and track the accuracy rates over time.

In the beginning sections of Chapter 3, we provide more detail on how exactly we test theoretical coalitions for their accuracy in predicting observed coalitions. Then, we present the accuracy results themselves, finding that the floor-centric theoretical coalition exhibited a highly stable, slightly-better-than-chance accuracy rate over time and the party-centric theoretical coalition exhibited a U-shaped accuracy rate over time. These results indicate that the House likely produced public policy approximately at the ideal point of the median majority party Member both in the late 19th/early 20th century and in the late 20th/early 21st century. Further, the results show that at no point in post-Reconstruction history was the House likely producing public policy near the ideal point of the median Member on the floor. Further research is needed on the intervening mid 20th century period.

Finally, to finish Chapter 3, we establish important context around the results and generate areas for future research by analyzing whether and by how much important

legislative factors associate with floor and party theoretical coalition accuracy rates over time.

1.2 The Modern Motion to Recommit

In the second half of this work, consisting of Chapters 4 and 5, I examine the modern motion to recommit (MTR), which was a parliamentary procedure that from January 1995 to January 2021 reserved for the minority party the power to offer an amendment to most substantive bills before the House. The motion was remarkable in that it afforded the minority rare access to the chamber's agenda during a period high in partisan polarization and low (to non-existent) in other amendatory activity on the floor. In these chapters I ask: how was this unique and plausibly-powerful procedure used, and what does its use tell us about the organization of the modern House?

Floor-centric scholars claim that the MTR was used to circumvent the majority party's agenda setting power and offer substantive amendments to the majority party's policy proposals. Specifically, that the minority offered MTR amendments at the unbeatable ideal point of the median Member on the floor, rendering the chamber's policy production more centrist than the majority party would prefer.

I argue that the modern MTR was not used to subvert the majority party's policy preferences. Instead, I provide a theoretical model, quantitative evidence, and a qualitative case study demonstrating that the minority party used the motion as a cross-pressure tool, both to bolster their own electoral standing and to weaken prospects at the polls for targeted majority party Members. In making this argument, I am implicitly and explicitly showing that the minority party exercised a high degree of centralization and internal organization in strategically deploying modern MTRs towards the aim of reclaiming majority status, indicating strong party organization and weak floor power in the modern House.

I begin the MTR chapters with background information on the motion and a thorough explanation of the rules that made the motion one that–with rigorous examination–can provide valuable insight into congressional organization and policy production.

With the background information stated and the research question sufficiently motivated, I then lay out my two-point theory of minority party modern MTR strategy: first, that the minority party did not use the MTR to amend the majority's policy proposals to the ideal point of the median voter on the floor; and second, that the minority party did use the MTR to as a partisan tool to both publicly display minority party unity on key issues and to force targeted majority party Members into difficult public votes.

I then provide a set of empirical examinations of the cross-pressure theory. I first show that majority party votes on MTRs were structured according to cross-pressure principles, and that this structure was unique to MTR roll calls and did not exist on final passage roll calls. Next, I show that the minority party was more likely to offer MTRs when they could apply cross-pressure to targeted majority party Members without applying cross-pressure to their own Members.

Finally, I present an in-depth historical review of the final year of the modern MTR. I cover two main episodes: the battle over USPS funding leading up to the 2020 election and the ultimate decision to neuter the procedure.

These results are indicative of partisan supremacy over the floor in the modern House; the modern MTR was wielded by a strong party apparatus specifically for partisan electoral gain, not by the whole House for the policy empowerment of the floor.

2

Final Passage Coalitions, Part 1

2.1 Introduction

In the first half of this dissertation we[1] analyze the makeup of House final passage coalitions in order to infer how Members have arranged the People's House, to whom procedural power has been granted, and what consequences the arrangements have for the public policy of the United States.

We begin in Section 2.2 with a theoretical model that presents the problem of collective action in legislatures and the ways in which legislators try to solve this problem. The model sets the context for our research question: which institutional arrangements have Members chosen to solve their collective action problem, and how has this choice evolved over time?

We then explore in Section 2.3 the existing literature buttressing two of the most prominent theories of congressional organization: floor theory and party theory.

Next, we generate hypotheses in Section 2.4. We undertake a historical reading of

[1] This chapter is coauthored with John H. Aldrich and Michelle Whyman. All writing and analysis has been conducted by this author alone.

the post-Reconstruction Congress and generate predictions about the relative degrees to which Members organized themselves according to the principles of floor or party theory across time.

Finally, in Sections 2.5 and 2.6 we describe our research design, outline measurement considerations, and present descriptive analyses. For our research design, we describe how we form empirical manifestations of the floor and party theories (in the form of expected final passage coalitions, or "theoretical coalitions") and then test the manifestations against observed reality to determine which theory scores higher at each point in time. The measurement considerations provide more detail on the quantification of the theoretical and observed coalitions, and the descriptive analyses present preliminary structures of the data.

In the next part of this project (Chapter 3), we provide more detail on how we test the theoretical coalitions against observed coalitions, in addition to presenting and exploring the test results.

2.2 Collective Action Problems and Institutions in Congress

2.2.1 Model of Congressional Procedure, Power, and Policy

Congressional candidates preeminently seek election and reelection. While on the campaign trail, candidates generate, affix to themselves, and publicize preferences over various policy dimensions. They optimize these policy preferences in order to maximize their probability of election and, for as long as they so choose, reelection.

After winning their elections, Members head to Washington with several goals: first and foremost is reelection, and following in no particular order include good public policy, majority status, and advancement within the institution. This model–and, by extension, Chapters 2 and 3 of this dissertation–will focus primarily on Members' goal of enacting their public policy preferences into law.

Upon arriving at the Capitol, armed with their policy preferences and seeking to affect public policy, Members are immediately faced with a daunting collective action problem: all 435 of them–along with all 100 Senators and the President–each hold (potentially unique) ideal points over a dizzying array of policy dimensions, and they need to find a way to take these preferences as inputs in order to generate federal public policy as outputs.

In order to solve this collective action problem, Members rely on institutions. Congressional institutions are almost always inherited, and then amended in minor and major ways at the beginning of and throughout each Congress to meet Members' needs in their time. These institutions primarily include, but are not necessarily limited to, the rules, precedents, and norms held by the House, Caucus, and Conference.[2] These institutions set forth the process by which Members' individual ideal points are collectively translated into public policy–the institutional arrangements determine how, by whom, and for whom bills are written; how and which bills reach the floor for House consideration; whether and which amendments are allowed on bills; and much more. In essence, we can think of the institutional arrangements that solve Members' collective action problems as procedural arrangements.

As mentioned, these procedural arrangements are mostly inherited at the beginning of each Congress and then amended–in ways big and small–by Members in order to meet their goal of maximizing the probability that the nation's public policy moves as close as possible to their ideal point on each dimension. Thus, we can understand the House's institutional arrangements as shifting over the months, years, and decades to reflect changes in the arrangement of Members ideal points.

[2] Other institutions also exist tangential to the Capitol itself, such as national and state political committees, which help to solve Members' collective action problem before and while they serve in Washington.

Congressional history provides several examples of different House procedural arrangements, which will be explored in depth in Section 2.3. One prominent example is the centralized partisan arrangement. Here, a partisan majority of Members–the principals–adopt a set of House and Caucus/Conference rules that allocate procedural power to their party leaders–the agents–so that the leaders may solve their copartisans' collective action problem. Party leaders are tasked with reviewing the set of preferences held by their principals on each policy dimension, and determining on which dimensions are the aggregate set of majority party preferences sufficiently far from the status quo so as to warrant a change in public policy. Upon identifying the aggregated policy ideal point on each of the target policy dimensions, the party leaders then must first write a bill reflecting the aggregated policy ideal point for each target dimension and then wield their procedural control to move the bill through the House and across the final passage finish line.

It is essential to note here that in arranging House institutions to solve their collective action problem, Members are choosing a certain distribution of power in the chamber. That is, Members are choosing which aspects of procedural control are distributed to which of their peers, all with the purpose of translating Member preferences into public policy. We therefore conceive of the distribution of procedural power in Congress as a function of Member preferences and a means towards policy outcomes.

2.2.2 Research Question

Our model argues that Members' policy preferences determine the chamber's institutional and procedural makeup, which in turn determines the chamber's policy outputs. A corollary to this assertion is that, if we assume that the distribution of Members' preferences changes over time, then the chamber's institutional organiza-

tion, power center(s), and ensuing policy outcomes should also change over time.

In this project we ask: which institutional arrangements have Members chosen to solve their collective action problem, and how has this choice evolved over time? In examining this question, we also gain insight into every link in the chain described in Section 2.2.1: how are Members' preferences distributed?; how have Members chosen to arrange the institution such that their preferences are translated into policy?; to whom in the chamber is procedural power granted such that they will faithfully wield power to transform preferences into policy?; and where on the policy dimension is the chamber producing legislation?

2.3 Theories of Congressional Organization

In this project we attempt to adjudicate which theory of congressional organization is the most accurate at describing Members' chosen institutional regime, and how the accuracy levels have fluctuated over time. Although there are many theories of congressional organization, in this project we examine two of the most prominent: floor theory and party theory.

2.3.1 Floor Theory of Congressional Organization

The floor theory of congressional organization is most prominently argued by Krehbiel (1993), Krehbiel (1998), and Mayhew (1974). The key argument of floor theory is that Members have arranged Congress such that procedural power is distributed among all Members on the floor. The primary result from this argument is that on any policy dimension, the ideal point of the median voter on the floor will win out.

The foundation of floor theory rests firmly on the median voter theorem from Black (1948). The median voter theorem is a public choice model outlining how a set of voters collectively choose an item among a set of alternatives. Specifically,

the median voter theorem stipulates that if a set of voters hold unidimensional and single-peaked preferences, if every item among a set of alternatives can be proposed and voted upon, and if every vote is between pairs of items, then there will be a Condorcet winner and it will be the item preferred by the voter holding the median preference. In other words, Black proves that if the aforementioned three conditions are met, then the item preferred by the median voter will defeat all other items in group voting.

While floor theory argues that the House meets all three of Black's conditions, we pay particular attention to Black's procedural requirement–that all alternatives can be proposed and voted upon–because it is this key aspect that differentiates floor theory from party theory. Floor theory lays out a model in which Members arrive at the Capitol with their preferences, and they arrange congressional institutions such that any Member can offer any bill on any policy dimension or any (germane) amendment (possibly in the form of a substitute) to any bill. In this model, all Members are empowered with procedural control; any Member can access the chamber's agenda.

The result of the floor model is thus the same as the result of the median voter theorem: after a bill is introduced, each Member offers an amendment in the form of a substitute bringing the bill to their exact ideal point, and every Member's amendment is defeated in favor of the amendment offered by the Member holding the median ideal point on the policy dimension.

Krehbiel (1998) summarizes the floor model in the following excerpt:

> "First, to reflect the strictly accurate procedural fact that it takes only a simple majority to pass a bill in Congress, the median voter of the legislature moves by choosing any bill b in the policy space, or by de-

ciding to accept the exogenous status quo point, q. Though seemingly dictatorial, this one-player choice is more appropriately interpreted as a strategic simple-majoritarian action by the median voter on behalf of all voters with ideal points to one side of [the median voter's ideal point] m. This is tantamount to assuming that the legislature decides under an *open rule*. That is, no restrictions are placed on amendments or on who can offer them." (24-25)

2.3.2 Macro Expectations from the Floor Theory of Congressional Organization

In the above subsection we laid out the micro-level aspects of the floor theory of congressional organization: for any bill offered on any policy dimension, the Member holding the median ideal point on the floor will use the chamber's open rules to amend the bill to her ideal point, which will then be unbeatable on the floor. What does the floor theory have to say about the Congress at a macro level? If we examine an entire Congress in the aggregate, what sort of coalitions should we expect to set public policy under the floor theory's median voter regime; which set of Members do we expect to vote yes at the final passage stage on the median Member's preferred policies?

The macro-level model of Congress under floor theory begins with a few propositions:

1. A bill will be offered on every policy dimension in which the status quo policy point does not equal the floor's median ideal point;

2. Every bill reaching the final passage stage is at the ideal point of the median Member on the floor for the bill's policy dimension.[3]

[3] This is because under open rules any proposed bill would be amended to the median Member's ideal point.

3. That every Member voting yes on final passage prefers the median Member's ideal point to the status quo.[4]

If we want to understand which Members will tend to comprise the "yes" coalition on final passage votes across the entirety of a Congress, the key metric to examine is the shape of the distribution of status quo policy points for all policy dimensions in which the status quo policy point does not equal the floor's median ideal point. If the distribution is left-skewed–that is, if the status quo points across policy dimensions tend to be grouped to the left of the floor's median ideal point–then we should expect the final passage coalitions to usually comprise of every Member to the right of the median and the Members to the left of the median who are closer to the median than the status quo. Those Members who are typically to the left of the status quo will regularly be outside of the final passage coalition–they will typically vote in favor of the status quo as opposed to the median Member's ideal point proposal. The inverse is true if the distribution is right-skewed.

We make a key simplifying assumption that, for all congresses across the post-Reconstruction century-and-a-half, the distribution of status quo policy points in any Congress is neither left- nor right-skewed but approximately symmetrical about the median.[5] Thus, if one aggregates over an entire Congress, we should expect–under the floor theory of congressional organization–the final passage coalition to comprise the minimally-winning set of Members symmetrically distributed about the Member holding the median ideal point on the floor.

[4] This is because the final passage vote is between the proposed bill and the status quo, and Member preferences are unidimensional and single peaked.

[5] This assumption can be empirically determined, but we leave this to future research. See Vander Wielen and Vander Wielen (2020) for more on this question.

2.3.3 Party Theory of Congressional Organization

The party theory of congressional organization is most prominently argued in the theories of Conditional Party Government (CPG) by Aldrich (1995) and Rohde (1991) and the Procedural Cartel (PC) by Cox and McCubbins (2005) and Cox and McCubbins (2007). The key feature of party theory, for our purposes at least, is Members conditionally arrange the institution in order to grant their party leaders the procedural power to transform their policy preferences into law.

Party theory has a similar foundation to floor theory in Black (1948), aside from a single major change: both theories agree that all Members hold unidimensionally single-peaked preferences and all voting options are between pairs, but–crucially–party theory argues that *not* every option gets voted upon. The primary difference between floor theory and party theory is the latter stipulates that the chamber's agenda is tightly controlled and so only select policy dimensions make it to the floor for consideration.

Aldrich and Rohde's CPG theory is, succinctly, an explanation for the variance in party procedural power over time. The model begins by establishing the very need for parties: Aldrich (2011) argues that parties in government form in order to solve the collective action and social choice problems inherent in legislatures. On the collective action front, when individual legislators vote with only personal preferences in mind, it is possible to pass a Pareto inefficient series of bills. As a result, legislators form institutions that ensure cooperation–in other words, bind themselves together in any (winning) coalition (such as a political party), ex ante, via an agreement to only support bills that make them all better off (or no one worse off). This cooperation solves the collective action problem and ensures Pareto superiority. On the social choice issue, we know from Arrow (1951) that cycling need not, but can always arise

and prevent an equilibrium from being reached. Thus, parties form as a long coalition over a series of different policy domains to ensure that Members are made better off in the long run from voting together, even if there are occasional short run costs to avoid cycling.

With the need for parties established, CPG theory goes on to argue that the strength of parties in legislatures varies over time according to set principles. When the parties are internally homogeneous and externally heterogeneous in their policy preferences, party Members will allocate a greater amount of procedural power with their party leadership to be used to achieve the party's common policy objectives. In other words, when the Members in each party are all in agreement on policy, and each party's policy consensus is distinct from their opponents' consensus, then Members will arrange congressional institutions such that party leaders have a great amount of procedural power to positively shepherd the party's policy consensus through the House. We explore how these conditions vary over time in Section 2.4.

Cox and McCubbins' PC theory is the negative agenda power analog to CPG theory's positive agenda power. Much like CPG theory, PC theory also begins by arguing that parties in legislatures exist in order to solve collective action problems: within the Capitol, parties enable cooperation among hundreds of Members via legislative trade; outside of Washington, parties are a public good for all Members under the banner–parties are brand names that convey complex information in a simple manner so that voters can make informed decisions at the ballot box. Further, Cox and McCubbins argue that parties in the legislature are arranged like law or accountancy partnerships: there are several partners (party leaders) who all share power and responsibility over the well-being of the entire enterprise, and that good or poor performance by any individual partner does not necessarily make for success or failure of the partnership as a whole.

The central argument of PC theory is that party members distribute negative agenda power–the power to stop bills from reaching the floor for a vote–among their party leaders. In return for procedural power, party leaders adopt a fiduciary responsibility to their members: they do not allow any bills to reach the floor that are not supported by a majority of the majority party. By only "opening the gates" to bills supported by a majority of the majority party, party leaders ensure that U.S. public policy is only changed on dimensions where their Members' preferences are sufficiently far from the status quo.

These two prominent theories of party supremacy in Congress were recently united into a single "Conditional Party Cartel Theory." Aldrich et al. (2022) integrates Cox and McCubbins' concept of the "block-out zone" for negative agenda control with Aldrich and Rohde's "majority party preferred set," which outlines conditions under which the majority party can enact policies aligned with its preferences over the floor median. According to this theory, the use of restrictive special rules enables the enactment of policies that deviate from the floor median, moving policy closer to the ideal position of the median member of the majority party (approaching the majority party median as the status quo point shifts toward the extreme). This outcome varies depending on the specific location of the status quo point and is adjustable across the spectrum of policies between the floor median and the party median. Drawing on Axelrod's conflict of interest minimization theorem, the authors use the ideal points of all Members preferring the bill to the status quo as a measure to predict the outcomes of their theory.

2.3.4 Macro Expectations from the Party Theory of Congressional Organization

From a micro perspective, the above subsection laid out the party theory's arguments: from a negative agenda perspective, party leaders will wield their Member-granted

procedural power to block any bill from reaching the floor that lacks the support of a majority of the majority party; from a positive agenda perspective, the degree to which Members grant party leaders procedural power is conditional on the level of intra-party ideological homogeneity and inter-party ideological heterogeneity. What does party theory have to say about Congress at a macro level; which set of Members do we expect to vote yes at the final passage stage under the party theory regime?

For congresses under which the conditions of CPG are met to a greater degree, party theory makes the following propositions:

1. Party leaders hold a fiduciary responsibility to the well-being of their Caucus/Conference as a whole;

2. Party leaders are entrusted by their members to only bring bills to the floor in which the majority of the majority party supports the bill over the status quo.

For the purpose of explanation, assume a Democratic majority party in the House. As a result of the first proposition, party leadership is likely to bring bills to the floor located at the ideal point of the median majority Member on a given dimension. This is because there is no better representation of the ideal policy of the entire Caucus than the median of the Caucus. For example, imagine that the majority Democrats are considering a policy dimension on which the status quo is a far right policy. Party leadership could bring a bill to the floor located at the ideal point of the most conservative Democrat, and every party member would still prefer the bill to the status quo. However, party leadership may likely draw the ire of the far left Members, activists, and donors for not placing a more liberal and still-passable bill on the floor. The opposite would be true if party leadership placed a far left bill on the floor: the conservative Democrats may prefer the bill to the status quo, but they may face electoral backlash from their conservative constituencies for voting in favor

of far left policies. In order to unite the majority party and fulfill their fiduciary duties, party leadership may likely be best poised to place the bill at the median point of the party.

As a result of both the first and second propositions, we know that party leaders will only bring bills to the floor on policy dimensions in which the status quo point is sufficiently to the right of the party such that the more conservative centrist wing will likely prefer the median-Democrat bill to the status quo.

Ultimately, what does this tell us about the makeup of final passage coalitions under the party theory regime when the conditions of CPG are met? We should expect coalitions to include at least all majority party Members and perhaps some centrist minority Members, given that they all prefer the bill (located at the median ideal point of the majority party) to the status quo (located to the right of the majority party). In order to maintain empirical comparability with the floor theory's expected final passage coalitions,[6] we adopt the limiting assumption that under party theory–when the conditions of CPG are met–, we should expect final passage coalitions to form in a minimally-winning symmetrical manner about the median Member of the majority party.

For congresses under which the conditions of CPG are met to a lesser degree, party theory stipulates that procedural power will be divested from party leaders. However party theory lacks a prescriptive vision for the allotment of procedural power under weak-party congresses. As such, we primarily assume that when the conditions of CPG are not met, that floor theory tends to be the accurate description of congressional organization.

[6] Presented in Subsection 2.3.2.

2.4 Expectations Over Time

In the previous section we outlined the two competing theories of congressional organization and generated expectations from each theory about what coalitions we would expect to form to pass U.S. public policy. If floor theory is the more accurate descriptor of congressional organization, we should expect congressional coalitions to form around the median Member in the entire House. If party theory is instead the more accurate descriptor, we should expect congressional coalitions to form around the median Member in the majority party.

In this section, we add an additional dimension to our hypotheses: time. We briefly review congressional history since Reconstruction, and generate expectations about how the relative accuracy of each theory should shift over time. For the purposes of illustration, clarity, and dimension-reduction, we devolve the nearly 150 year span into five discrete time periods. The cutoff dates used are not meant to imply sharp distinctions, but rather fuzzy shifts from one broad historical context to the next.

2.4.1 Period 1: 1881-1911

The first period of post-Reconstruction congressional history we examine runs from 1881-1911. Period 1 is characterized by the emergence of strong, centralized party control from the Wilsonian,[7] committee-centric pre-1880s House.

This period is no better epitomized than by the congressional tenures of Speakers "Boss" Thomas Reed and "Czar" Joseph Cannon. When Reed arrived in the House in 1876, the institution was mired in delay, obstruction, and dilatory shenani-

[7] Wilson (1885): "There is within Congress no visible, and therefore no controllable party organization...The legislation of a session is simply an aggregate of the bills recommended by the Committees composed of members from both sides of the House." (80)

gans, primarily at the hands of the minority party. At this time, the House was required by its rules to take up bills in the order in which they were introduced, save for unanimous consent or suspension of rules (the latter requiring two-thirds approval). With the reintroduction of southern Members, the rapid of expansion (in terms of size and people) of the country westward, and the growing role of the federal government, the House at this time was completely unable to perform its increasing duties in a timely manner due to its inability to efficiently set its own agenda. By the late 1880s, the Republicans became sufficiently internally homogeneous and distinct from the Democrats that they empowered the now-Speaker Reed to dramatically reshape the House's procedural institutions. "Reed's Rules," as they came to be known, simultaneously curtailed the dilatory and obstructionist minority party tactics and empowered the majority party leadership's ability to positively set the House's agenda via the Rules Committee (Cox and McCubbins (2005)).

Cannon took the Speakership in 1903, and crystallized the majority party leadership's iron grip over the House. Empowered by a highly unified and disciplined Republican party, Cannon assumed total control over the House agenda as chairman and appointer of the Rules Committee and presiding officer over the floor.

Thus, we expect Congress to be dominated by parties and not by the floor in Period 1. Our interpretation of this historical period is a high degree of intra-party homoegeneity and inter-party heterogeneity, and as such Members organized the House such that party leaders were empowered with agenda control. As a consequence, we should expect to see final passage coalitions centered around the median Member of the majority party and, as a corrolary, U.S. public policy centered around the the median majority party Member's ideal point.

2.4.2 Period 2: 1911-1941

The second period we examine stretches from 1911 to 1941, a tumultuous transition period book-ended by the Cannon Revolt and the U.S. entry into World War II. Speaker Cannon's reign as Czar came crashing down in 1910 when the Republican Conference's ideological cohesion eroded with the rise of the Progressive movement, and the party was no longer able to empower a unitary leader to enact a common agenda.

The Progressive movement was born as the nation grew and industrialized at a rapid clip through the late 19th and early 20th century. Progressives sought to limit political machines and corruption as well as curb the abuses and power from the nation's new industrialists. Progressive Republicans were associated with the new western states, and often conflicted with and were stymied in Congress by their more senior, entrenched, establishment copartisans primarily from the northeast. As the Progressive movement developed and grew in power, the ideological cohesion within the Republican Party eroded until the Progressives and the establishment could no longer agree to form a procedural coalition. This intra-party ideological conflict came to a head in 1910 when the insurgent Progressives allied with the Democrats on the floor to pass a resolution stripping the Czar Speaker Cannon of his chairmanship of and appointer powers on the Rules Committee (Jones (1968)).

The Democrats took control of the House in the next Congress, and retained it for nearly the next decade. However, the issue of the United States' participation in World War I surfaced prominent divisions within the party. Thus, by the end of the 1910s, both the Democrats and the Republicans were deeply internally divided, and therefore neither employed an institutional regime allocating significant power in the hands of party leaders.

In place of party power rose committee power. Over the course of the late 1910s and throughout the Republican majorities of the 1920s, Members built the committee-dominant system that would come to characterize the mid-century Congress. This system had three main pillars: "the majority member with the longest service on the committee had the automatic right to be chair, all extant members had the right to maintain their committee assignments, and each committee had 'property rights' over all legislation in its jurisdiction" (Aldrich (2011)).

The Great Depression then hit in 1932. Republicans' pro-business policies were largely perceived as (at least partially) responsible, and support for the party collapsed. Democrats, through the 1930s, realigned from a limited, southern, racially-conservative, and economically-liberal bloc to a sweeping national coalition. This diverse "New Deal Coalition" of Democrats was composed of the urban working class and labor unions, racial minorities, women, farmers, and southerners. While the coalition came together to reject Republicans' pro-business platform in favor of liberal economic policies, they were faced with major divides on several dimensions including geography, urbanity, and race. Thus, throughout the rest of this period, the lack of cross-dimensional policy unity among New Deal Democrats further eroded the centralized control of congressional institutions in favor of decentralized control, specifically control distributed amongst the various committee leaders.

Therefore, we expect Congress to be decreasingly dominated by parties and increasingly dominated by the floor in Period 2. We understand this historical period to contain a declining degree of intra-party homoegeneity and inter-party heterogeneity, and thus Members organized the House such that party leaders were decreasingly empowered with agenda control. As a result, we should expect to see final passage coalitions decreasingly centered around the median Member of the majority party and increasingly centered around the median Member on the floor.

2.4.3 Period 3: 1941-1955

Period 3 runs from 1941 to 1955. This period begins with FDR's third inauguration, the attack on Pearl Harbor, and the United States' entry into World War II, and then ends with the beginning of the 40 year Democratic dominance in the House.

This span may best be described as the "Rayburn period," as it encompasses the majority of Speaker Rayburn's (D-TX) time as leader. During this time, party leaders wielded little independent power, and competed with committee leaders (including on the Rules Committee) for control over the congressional agenda. Rayburn could not count on the Democrats to form a "long coalition" over different issues, and therefore was required to build new coalitions for every policy dimension before the House. Committee leaders themselves were chosen by seniority, and thus were not necessarily representative of nor accountable to the interests of the majority party.

The dearth of majority party power during this period was caused by ideological incohesion among the several factions in the dominant New Deal Democrat coalition. Democrats in this period were electorally supreme, holding both chambers in all but two Congresses by leveraging their big-tent New Deal Coalition. However, with big tents comes little unity. Deep divisions between the Democrats' factions– particularly between the conservative southerners and liberal northerners on the ascendant national issue of racial equality–meant that despite their majority status they would not empower Rayburn to wield procedural control towards common policy goals. Instead, power in Congress during this period was decentralized (Aldrich (2011)).

As such, we expect Congress to be dominated by the floor and not by parties in Period 3. We understand this historical period to have a high degree of inter-party homoegeneity and intra-party heterogeneity, and as such Members organized

the House such that party leaders were not empowered with strong agenda control. Therefore, we should expect to see final passage coalitions centered around the median Member of the floor.

2.4.4 Period 4: 1955-1995

Period 4, running from 1955 to 1995, is another transition term for congressional organization. On the surface, the defining characteristic of this period is Democratic hegemony: the Caucus held the House for all four decades. However, this outward stability masks the immense change during this period for both the Caucus and the House.

The period begins with the dominant New Deal Coalition Democrats holding the House with an overwhelmingly large majority: between 1959 and 1995, Republicans in the House never held more than 200 seats, and in 7 separate congresses held fewer than 175. Due to the vast ideological heterogeneity in the big-tent New Deal Coalition, Democratic party leaders were not empowered–instead Members organized Congress to diffuse power, specifically allocating it among the various committee leaders. Further, due again to the incohesion among the majority Democrats, committee leaders were not chosen by the party, but instead chairmanships were allocated by seniority.

The seniority system for committee leaders proved immensely important. The failure of the United States to properly implement Reconstruction after the Civil War meant that the South during this period was, at best, a weak democracy and a one-party region. As a consequence, southern Democrats were able to hold their seats approximately indefinitely, and thus become the most senior Members in the Caucus. Southern Democrats therefore held a significant number of chairmanships on crucial committees, including perhaps most illustratively Rep. Judge Smith (D-

VA), who held enormous power over the congressional agenda as chairman of the Rules Committee from 1955 to 1967.

Primarily during the first half of Period 4, southern Democratic committee chairmen used their institutional power to stymie their liberal northern copartisans' policy priorities. Judge Smith, for example, frequently prevented the Rules Committee from reporting civil rights bills (even those with widespread support in the caucus) to the floor.

The New Deal Coalition began to strain heavily under this arrangement. Liberal northern Democrats, frustrated by their lack of institutional power despite their numerical advantage in the Caucus, began to explore routes to enact their preferred policies into law. They created the Democratic Study Group (DSG) to both research and whip votes on institutional reform proposals. The DSG would serve as the primary vehicle by which institutional reform would occur, but not before two major demographic shifts occurred in the House.

First, the liberal northern Democrats would dramatically increase their numbers by defeating northern Republicans in the wave elections of 1958, 1964, and 1974. Representing an increasing portion of the Democratic Party, the northerners would come to define the party platform as liberal, particularly with regards to civil rights. In addition, the enfranchisement and mobilization of Black southerners–who were liberal on civil rights issues and near-universally voted Democratic–after the Voting Rights Act of 1965 meant that southern congressional districts also become more liberal. Second, the number of conservative southern Democrats decreased due to self-selection out of the increasingly liberal Democratic party and to rising electoral competition from the ascendant southern Republicans.

These demographic changes meant that the Democratic party became significantly more ideological cohesive, but often remained stymied by the minority of entrenched, powerful southern Democratic committee chairs. Finally, by the 1970s, the

New Deal Coalition had significantly eroded. The northern Democrats had enough Members to form a majority in the Caucus and the chamber, and they wielded their power to reorganize the Caucus (and thus, the House) in order to pass their policy priorities. The congressional reorganizations of the 1970s served to dilute the power of committee chairs and moderately empower party leaders to act on behalf of their Members. In addition, subcommittees and individual Members were also empowered under the reorganization (Rohde (1991)).

After the reforms were enacted, the aforementioned Member demographic changes continued apace until, by the 1980s and 1990s, the conservative southern Democrats were rendered approximately extinct and the New Deal Coalition no longer existed. By the 1980s and 1990s the parties had realigned significantly (but not yet completely) along a single liberal-conservative ideological dimension. An emerging Republican backbencher from Georgia, Newt Gingrich, was developing an electoral strategy to leverage this realignment and deliver the GOP from its 40 years in the minority desert.

Gingrich was first elected in 1979 to serve Georgia's sixth congressional district. As a characteristic sign of the decline in southern Democrats, he was the first Republican ever elected to the district since its inception in 1827. Along with his conservative allies in the House, Gingrich founded the Conservative Opportunity Society (COS) in 1983, which served as the vehicle for his new vision of inter-party relations in Congress. The COS advocated firmly for partisan warfare on the Hill: Republicans should not collaborate with Democrats on policy, they should highlight the divisions between the parties, and they should aggressively attack incumbent Democrats on national, polarizing issues. Gingrich's budding idea near the end of Period 4 was that the GOP needed to go on offense–more partisan and more polarized–if they were to ever win back the House. His mission's success would come to define the next period.

Ultimately, we expect Congress to be increasingly dominated by parties and decreasingly dominated by the floor by the end of Period 4. We understand this historical period to contain an increasing degree of intra-party homoegeneity and inter-party heterogeneity, and thus Members organized the Caucus/House such that party leaders were increasingly empowered with agenda control. As a result, we should expect to see final passage coalitions increasingly centered around the median Member of the majority party and decreasingly centered around the median Member on the floor.

2.4.5 Period 5: 1995-2021

The final term examined, Period 5, spanned from 1995 to at least 2021, the final year analyzed in this work. Much like how Period 2 began with the revolt against Speaker Cannon, Period 5 begins with the Republican Revolution: to everyone's surprise–including Gingrich–the GOP won the House for the first time in four decades in November 1994.

Gingrich's strategy of leveraging the burgeoning partisan-ideological alignment to wage partisan warfare in the Capitol proved remarkably successful. One novel component of this strategy was Gingrich's Contract with America. The Contract was a policy platform, written by Gingrich and other party leaders, that was adopted by nearly the entire incumbent GOP Conference and all of the non-incumbent candidates in the weeks leading up to the 1994 election (Gingrich et al. (1994)). The idea to host a single, national policy platform was only possible due to the increasing degree of ideological cohesion among the Conference. The Contract served as an effective method of reducing voters' information costs by nationalizing elections (a Republican in California has the same policy platform as a Republican in New York) and drawing a clear distinction between the parties.

The Republican Revolution was the final nail in the coffin for the conservative southern Democratic bloc and the New Deal Coalition. Of the 54 seats the GOP picked up in 1994, 19 of them were in the South. For the first time since Reconstruction, the GOP held more southern seats than Democrats.

When the unified GOP took control of the House in January 1995, they elected Gingrich as Speaker and began attempting to implement the policy goals from the Contract. For our purposes, the most relevant policy goals were focused on reorganizing the House. These included: reducing the number of committees and committee staff; term-limiting committee chairs; banning proxy votes in committees; and requiring committee hearings be open to the public. Aside from those listed in the Contract, Gingrich also pursued other reorganizations, including removing senior Members from high-profile committees (despite their seniority) and establishing task forces–beholden to the Speaker–where party leadership would refer (often important) legislation in order to bypass committees. These reforms, building on those of the 1970s, proved to weaken committee chairs in favor of party leadership.

Gingrich was eventually pressured into resigning his seat after the GOP lost five seats in the 1998 midterm election and he had lost the confidence of the Conference. His successor, Dennis Hastert, while not quite the partisan bomb-thrower, did continue to build on Gingrich's pioneering party-centric reorganization of the House. Perhaps most notably was the advent and widespread adoption of the "Hastert Rule:" party leadership, now in control over the chamber's agenda, would bring no bill to the floor that lacked the support of a majority of their majority party.

The GOP lost their House majority in the 2006 midterm elections, opening the door for the figure who–along with Gingrich–is most emblematic of this period of congressional history: Speaker Nancy Pelosi. Pelsoi was both the first woman elected Speaker and one of the most important and consequential individuals–of any gender–

to serve in the role (Huder (2023)).

Within the Capitol, Pelosi leveraged the increasing intra-party ideological homogeneity and inter-party ideological heterogeneity–along with her own immense leadership capabilities–to centralize the process and power of lawmaking within the Speaker's office. She was able to pull procedural power from all corners of Congress:

From individual Members, Pelosi pulled the ability to amend legislation on the floor. In the 111th Congress–only her second as Speaker–she became the first modern Speaker not to report a single bill to the floor with an open special rule. She would repeat this feat as Speaker in the 116th Congress.

Pelosi also significantly weakened committees' ability to shape legislation. She substantially reduced the incidence of conference committees in inter-chamber negotiations, instead opting more frequently to negotiate directly with Senate leadership. In addition, the use of self-executing special rules increased dramatically under her leadership. Self-executing special rules, upon passage, amend committee-passed bills either in part or whole.

Speaker Pelosi also centralized power from the floor. One example of this is her leading the adoption of Rule XIX, clause 1(c) in the 111th Congress. This rule gave the Speaker the power to delay consideration of some measures even after the floor had ordered the previous question on the measure. In essence, if Pelosi felt things were not going her way on the floor, she was granted the power to postpone further floor consideration until she was able to negotiate with Members and retake control of the floor.

As a floor manager, Pelosi expertly wielded her accumulated tools. She employed prescient strategy in the content, timing, and procedural routing of bills brought to the floor in order to strengthen and preserve the long coalition and achieve policy outcomes at least minimally acceptable to a sufficient number of party factions.

Outside of the Capitol, Pelosi also took advantage of the increasing nationaliza-

Historical Time Period	Expected Center of Congressional Organization and Power
Period 1 (1881-1911):	Party
Period 2 (1911-1941):	Decreasing Party, Increasing Floor
Period 3 (1941-1955):	Floor
Period 4 (1955-1995):	Increasing Party, Decreasing Floor
Period 5 (1995-2021):	Party

tion of federal politics. As Speaker, she was one of the most prolific fundraisers in history, and she deployed the funds strategically to strengthen and preserve the party.

Ultimately, we expect Congress to be dominated by parties and not by the floor in Period 5. We understand this historical period to have a high degree of intra-party homoegeneity and inter-party heterogeneity, and as such Members organized the House such that party leaders were empowered with strong agenda control. As a consequence, we should expect to see final passage coalitions centered around the median Member of the majority party and, as a corollary, U.S. public policy centered around the the median majority party Member's ideal point.

2.5 Research Design

In Subsection 2.2.1, we outlined the causal pathway between Member preferences, congressional organization and institutions, the distribution of power within the chamber, and U.S. public policy outcomes. In Sections 2.3 and 2.4 we outlined the floor and party theories of congressional organization, and examined the history of Congress since Reconstruction in order to generate expectations about whether–and to what degree–this causal pathway reflected a world in which the floor or the majority party reigned supreme. In the ensuing sections, we seek to test our expectations: throughout the last 150 years of American history, did the distribution of Members' preferences and their need to act collectively compel them to arrange Congress such that the loci of power rested with the floor or with the majority party?

We engage in a three-step empirical exercise in order to test our expectations and understand the results of our tests.

First, we transform the theoretical expectations from Section 2.4 into empirical expectations. In each of our five historical periods, we generated expectations both about the degree to which the floor or majority party was dominant in congressional organization and, as a result, which coalitions should form to pass public policy. In this empirical component, we actualize those expected coalitions: we build a floor-centric and a party-centric theoretical coalition[8] for each Congress from the end of Reconstruction to the current decade. Each theoretical coalition represents the minimal set of Members we would expect to coalesce in order to pass policy under the assumption that either the floor or the party was the loci of power in that Congress.

Next, we hold the floor- and party-centric theoretical coalitions in each Congress up against actual, observed final passage coalitions in order to determine which theoretical coalition best reflects reality over time. In other words, we compare each theoretical coalition to each final passage coalition to see which theoretical coalition has the greater ability to predict observed coalitions. Ultimately, we consider the theoretical coalition with the greater predictive power to be the better indicator of congressional organization.

Finally, we examine patterns of variation in each theoretical coalition's ability to predict final passage coalition at the individual bill and average Congress levels. We investigate associations between bill- and Congress-level factors and each theoretical coalitions' predictive accuracy rates in order to better understand the accuracy results and to generate further areas of research in this field.

[8] We use a variety of nomenclature throughout Chapters 2 and 3 to refer to the floor- and party-centric theoretical coalitions. Terms used include expected coalitions, floor (party) theoretical coalition, floor (party) coalition, and others.

2.6 Measurement and Descriptive Analyses

In this section, we outline measurement considerations and conduct descriptive analyses for the floor-centric theoretical coalition, the party-centric theoretical coalition, and the observed coalitions.

2.6.1 Floor-Centric Theoretical Coalition Measurement and Descriptive Analysis

In order to generate a floor-centric theoretical coalition for each Congress, we begin by estimating W-NOMINATE scores for every Member[9] in every Congress (Poole and Rosenthal (2007)). W-NOMINATE is a roll call scaling process used to generate ideal point scores from observed voting behavior. W-NOMINATE is preferred to the more popular DW-NOMINATE in this context because the former procedure estimates unique ideal point scores for every Member-Congress dyad, while the latter estimates ideal point scores for each Member spanning all congresses served. Given our theory of congressional organization–that Members must decide anew each Congress how to organize the institution in order to overcome their collective action problem and translate their preferences into policy–we considered unique Member-Congress ideal point scores to be more appropriate.

Next, we arrange Members in each Congress by descending ideal point score. We then select the Member with the median ideal point on the floor, and build a symmetrical, minimally-winning coalition around her. For example, under a Congress with 435 Members, we start with the median Member on the floor and then iteratively and symmetrically add the Members to her right and to her left until the 218th Member is reached.[10]

We end up with 70 sets of Members, one set for each Congress from the 47th to

[9] We only generate W-NOMINATE scores for Members who take a sufficient number of votes in each Congress.

[10] Further technical specifications on the development of the floor- and party-centric coalitions can be found in Appendix A.

the 116th. Each set constitutes the minimally-winning coalition of Members symmetrically arranged around the median Member on the floor.

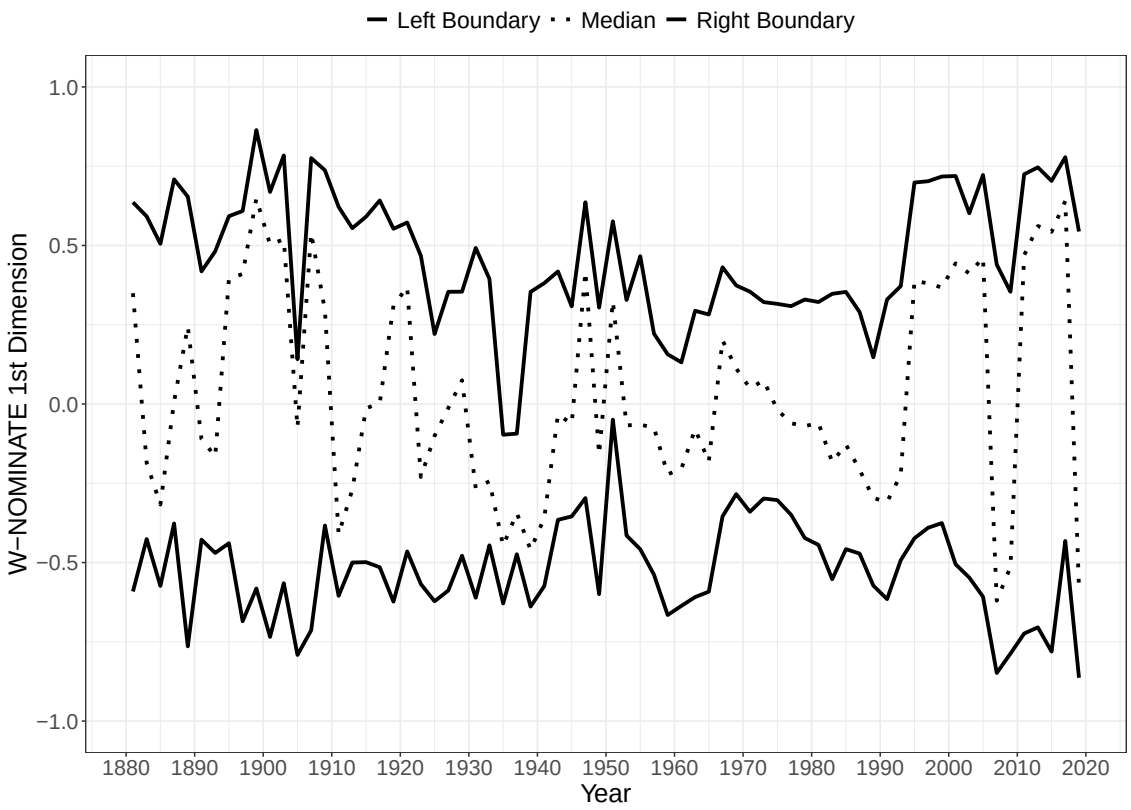


FIGURE 2.1: Floor-Centric Coalition W-NOM Median and Boundaries

Figure 2.1 presents the position of the median and boundary Members in the floor coalition along the first dimension of the W-NOMINATE scaling procedure for each Congress under consideration. These boundary MCs delineate the spectrum of ideal points necessary for forming the minimally-winning floor-centric theoretical coalition.

Figure 2.2 presents a membership heatmap: each column represents a different Congress and each block within each column represents a single Member.[11] Blocks

[11] Column totals may hover slightly around 435 (or less for pre-1929 Congresses) due to Membership changes and/or insufficient Member votes for estimating W-NOMINATE.

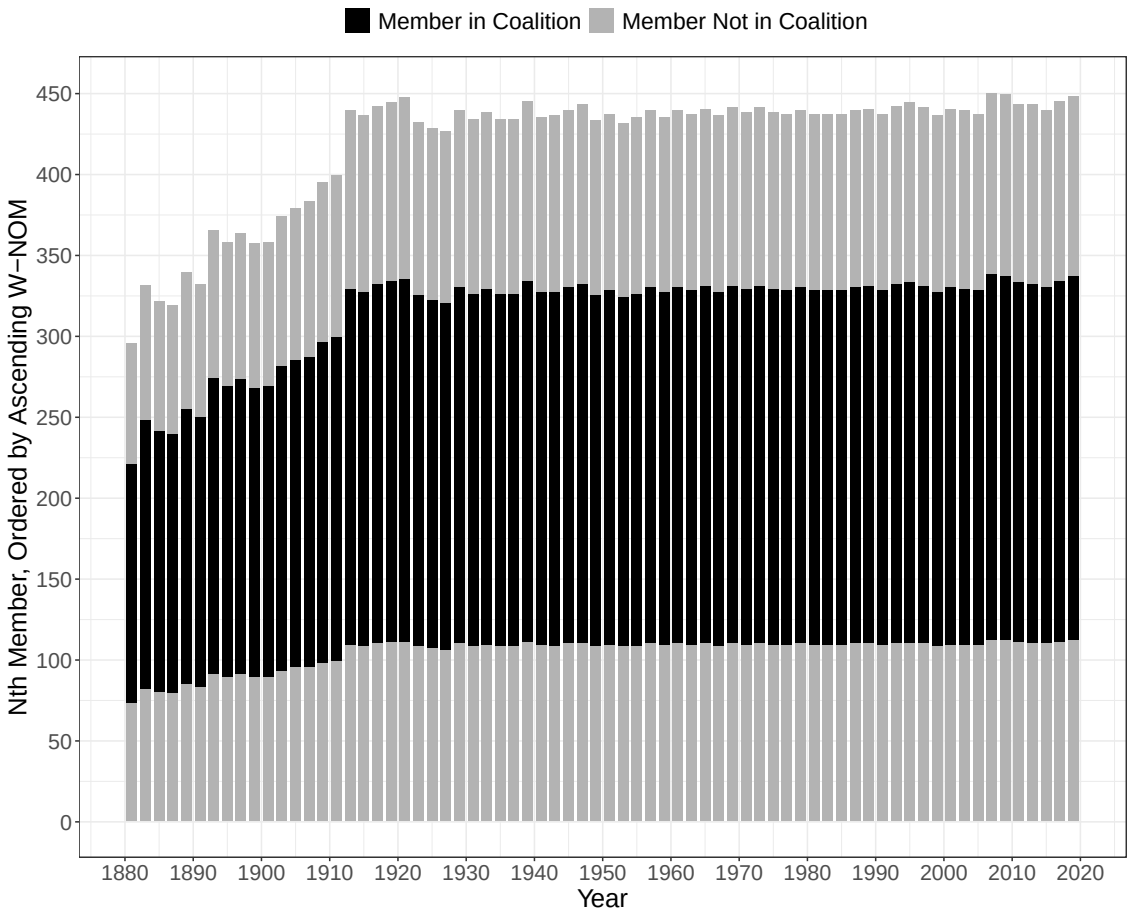


FIGURE 2.2: Floor-Centric Coalition Membership

are arranged in ascending order according to W-NOMINATE scores, so the block at the top of a contemporary column represents the 435th and most conservative Member while the block at the bottom of the column represents the first and most liberal Member. Each block is colored black if the Member is in the floor coalition for that Congress, and colored grey otherwise. This figure illustrates the simplicity and consistency of the floor-centric theoretical coalition: within each Congress, the coalition contains only those Members centered symmetrically around the median Member, so even as the country changes over the decades, the coalition remains stable.

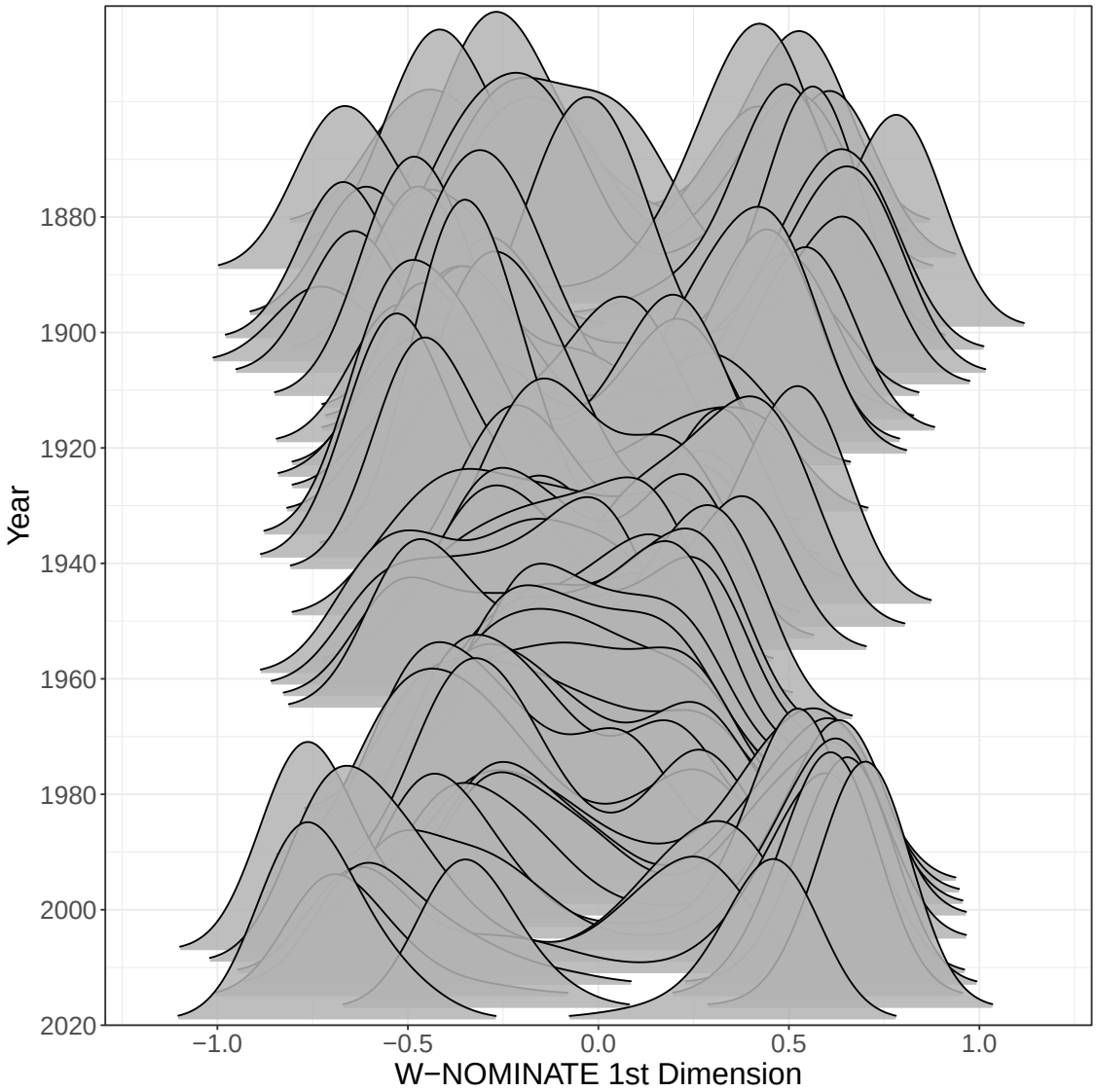


FIGURE 2.3: Floor-Centric Coalition W-NOM Density

In Figure 2.3 we add a third dimension to Figure 2.1: Member density. For every Congress under consideration, this plot presents the density of W-NOMINATE scores for Members in the floor-centric theoretical coalition. Figure 2.4 presents the identical distributions from Figure 2.3 faceted out across the five historical periods outlined in Section 2.4 for ease of viewing. These figures give us important early insight into the upcoming analyses. In Periods 1 and 5, we can see that the distributions are

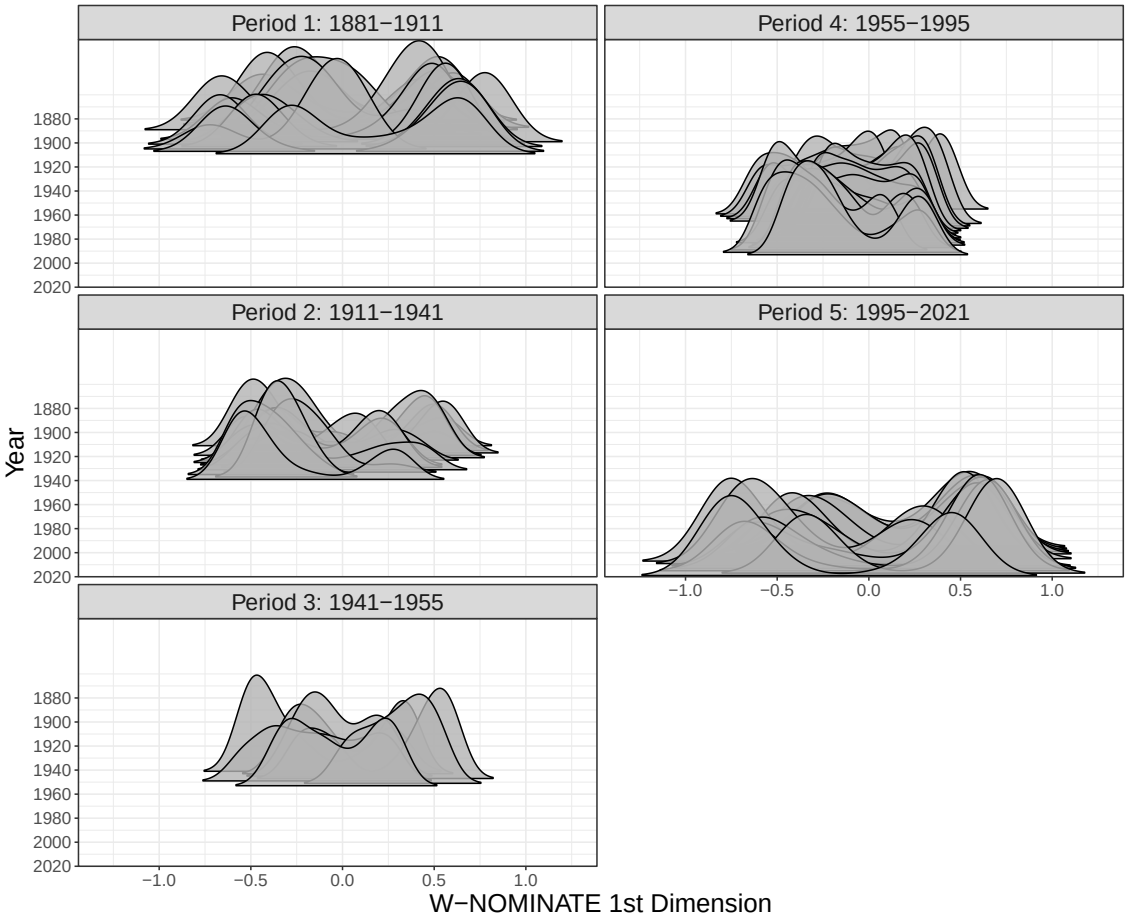


FIGURE 2.4: Floor-Centric Coalition W-NOM Density by Period

largely bimodal with sizeable distances between the modes that persist over many congresses. In contrast, Period 3 contains distributions that appear flatter, less bimodal, and more centralized. Periods 2 and 4 look to be intermediate stages while the distributions transform.

These distributions show us two important things. First, that despite the stability and consistency demonstrated in Figure 2.2, there are important changes occurring over time in the shape and membership of the floor-centric theoretical coalition. Second, that the floor coalition was–despite being the most centrist coalition possible–deeply polarized in Periods 1 and 5. This makes it difficult to fathom this coalition of Members coming together to pass policy during these periods.

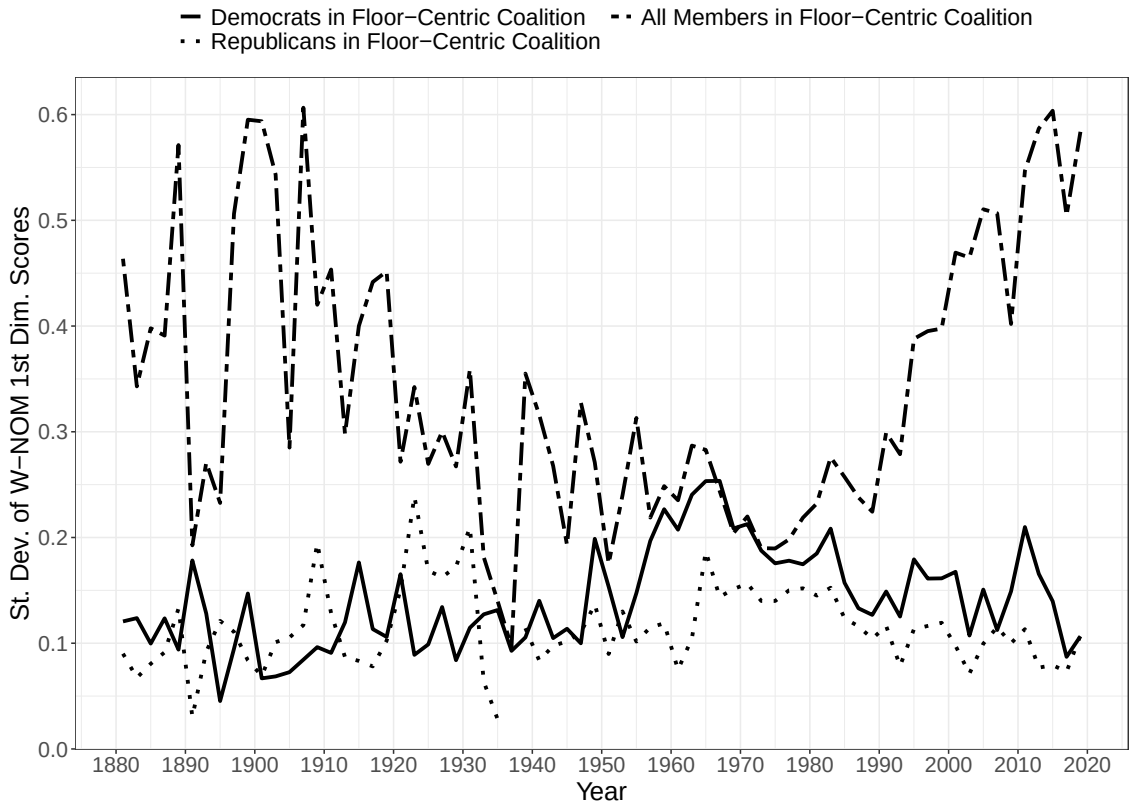


FIGURE 2.5: Floor-Centric Coalition Total and Partisan W-NOM Variance

In Figure 2.5 we explore the differences over time in the variance of the distributions from Figures 2.3 and 2.4. The dot-dash line presents the size of a single standard deviation for the set of W-NOMINATE scores among all Members in the floor-centric theoretical coalition. The dotted line presents the value for the Republicans in the coalition and the solid line presents the value for the Democrats in the coalition.

The most notable takeaway is the empirical confirmation of the previously eyeballed trend on overall variance: it is indeed the fact that the variance in W-NOMINATE scores for the floor coalition exhibits a U-shaped trend over the time period examined. In Periods 1 and 5, the floor-centric theoretical coalition exhibits ap-

proximately double the W-NOMINATE variance relative to the mid-century trough. We can interpret this to mean that the coalition was significantly less cohesive in the first and fifth periods compared to the middle of the century.

A deeper investigation into this variance pattern reveals valuable insight. While the floor-centric theoretical coalition is non-partisan in the sense that partisan affiliation is not a factor considered for coalition admission, we may be interested in determining whether the coalition's U-shaped variance is being driven by the Republicans or Democrats in the coalition.

The answer is neither. Examining the solid and the dotted lines in Figure 2.5, we can see that neither the Republicans nor the Democrats in the floor coalition exhibit a substantial enough shift in their W-NOMINATE variance over time to plausibly explain the overall coalition's change in variance over time. Thus, we can conclude that the U-shaped pattern of change in the floor coalition's W-NOMINATE variance over time is due to increased polarization *between*–not *within*–the Democrats and the Republicans in the coalition. In other words, the W-NOMINATE variance in the floor coalition shrinks and enlarges due to lower and greater degrees of ideological polarization between, not within, the partisan components of the coalition.

We can explore the W-NOMINATE variance question further with Figure 2.6. The solid line here presents the W-NOMINATE variance of the Democrats in the coalition divided by the W-NOMINATE variance of all Members in the coalition. The dotted line presents the same for Republicans. The two lines track each other relatively closely in an inverted U-shape, where each partisan component of the entire coalition makes up a smaller share of the overall coalition's variance in Periods 1 and 5 and a larger share in Period 4. We can see the largest sustained divergence between the Democrats and Republicans in the floor-centric theoretical coalition occuring in Period 4, likely due to the fact that Democrats held large and incohesive majorities

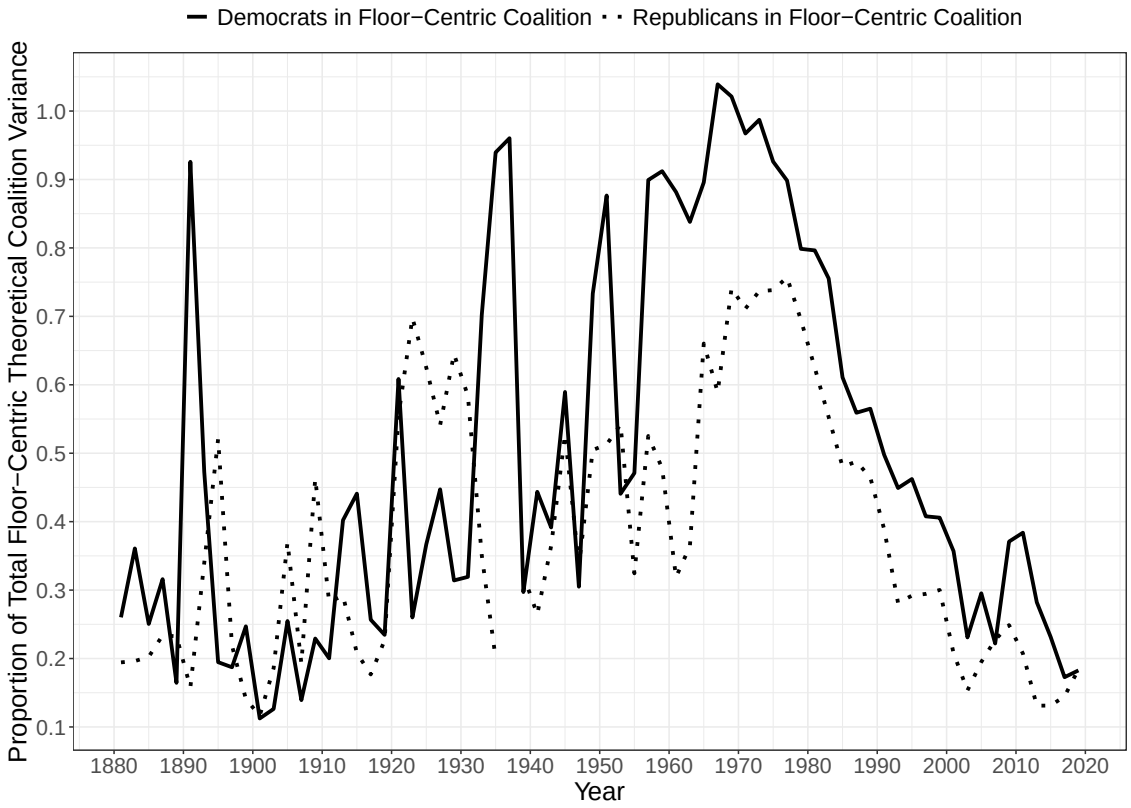


FIGURE 2.6: Floor-Centric Coalition Partisan Proportion of Total W-NOM Variance

during this time.

2.6.2 Party-Centric Theoretical Coalition Measurement and Descriptive Analysis

We generate party-centric theoretical coalitions for each Congress in a fashion similar to the floor counterpart. We begin by estimating W-NOMINATE scores for every Member in every Congress. Then, in each Congress, we drop all Members not caucusing with the majority party and arrange the remaining Members by descending ideal point score. Finally, we select the Member with the median ideal point in the majority party and build a symmetrical, minimally-winning coalition around her. For example, under a Congress with 435 Members, we start with the median Member in the majority party and then successively add the Members to her right and left

until the 218th Member is reached.[12] Like the floor version, we end up with 70 sets of Members–one for each Congress. Each set constitutes the minimally-winning coalition of majority party Members symmetrically arranged around the median Member in the majority party.

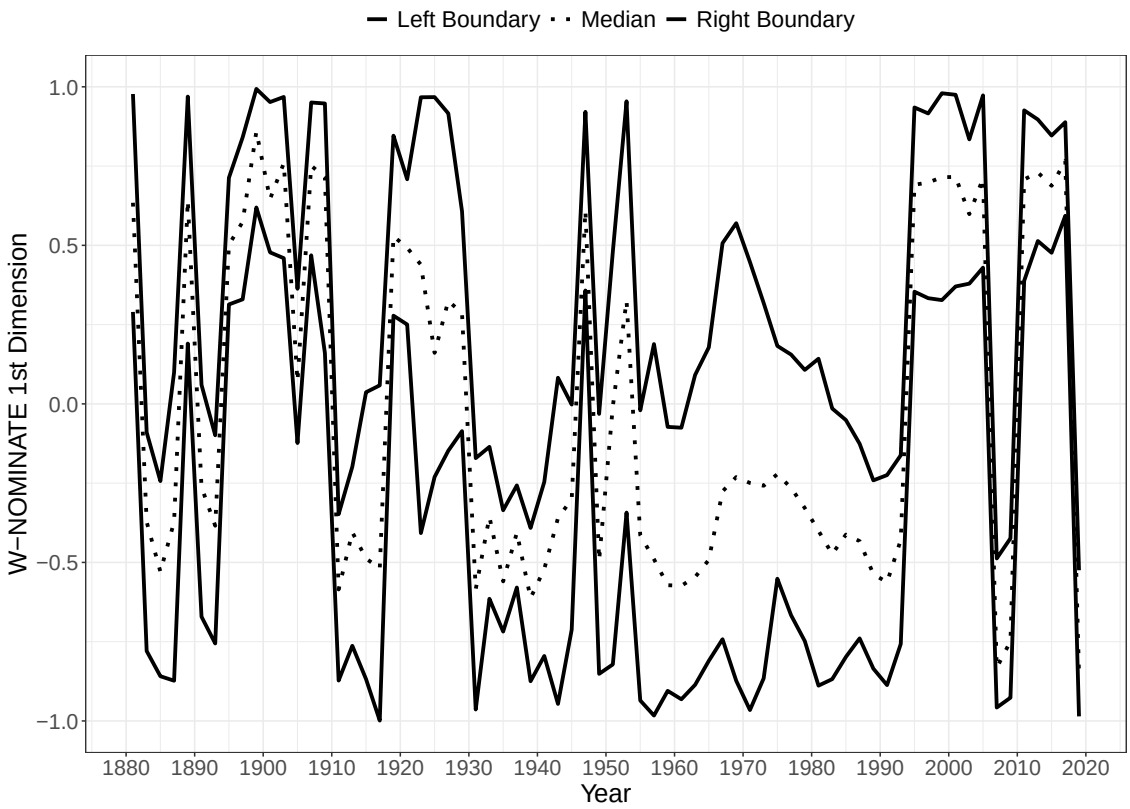


FIGURE 2.7: Party-Centric Coalition W-NOM Median and Boundaries

Figure 2.7 presents the median and boundary W-NOMINATE scores for the party coalition. This plot exhibits significantly higher variance over time than its floor counterpart in Figure 2.1. This variance largely tracks the changes in partisan control of the chamber.

[12] Further technical specifications on the development of the floor- and party-centric coalitions can be found in Appendix A.

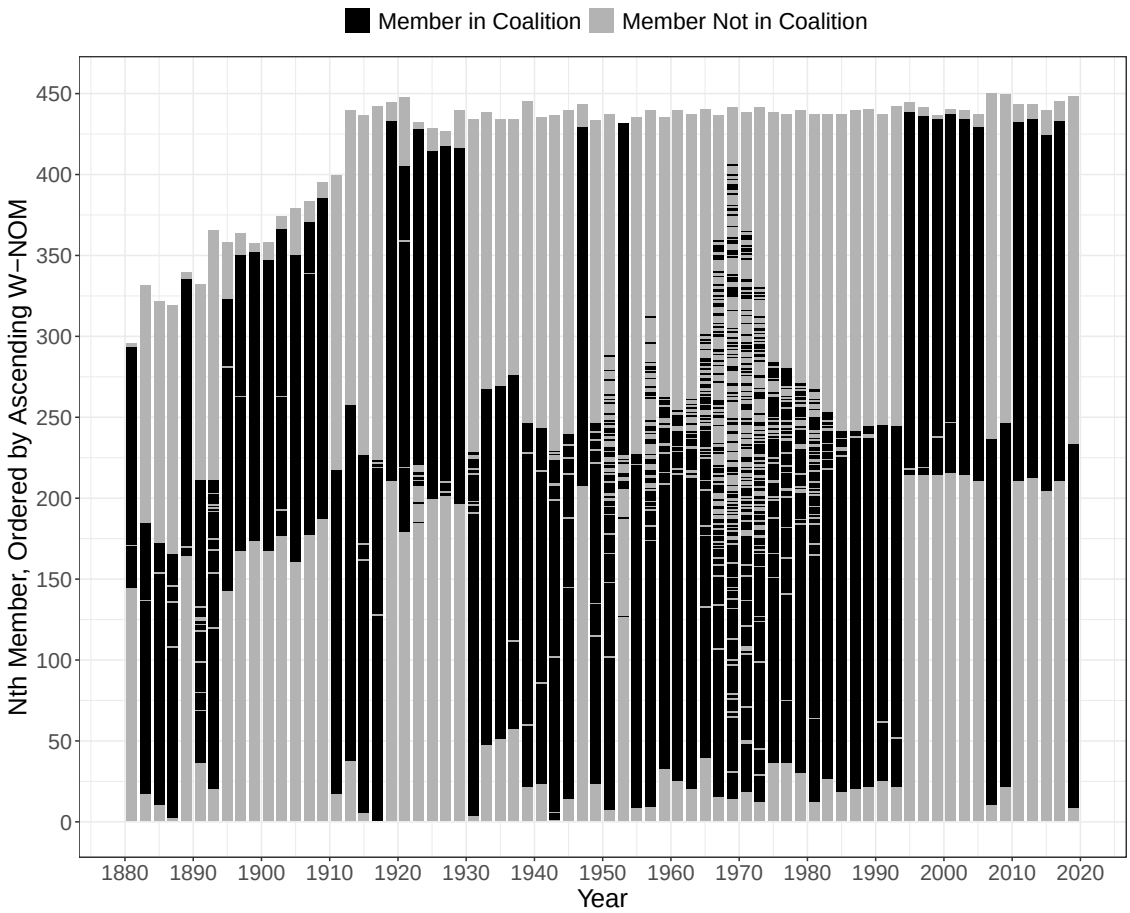


FIGURE 2.8: Party-Centric Coalition Membership

Figure 2.8 shows the party coalition's membership heat map akin to Figure 2.2 on the floor side. Figure 2.9 shows Figure 2.8 faceted out over our five historical periods. Much like the median and boundary plots, the party coalition's membership plot exhibits a far greater variance than the floor plot. While the floor coalition's membership plot shows a rigid, monolithic coalition over time, the party-centric membership plot shows a much more dynamic set of Members.

There are two noteworthy trends in the party-centric theoretical coalition's membership plot. First is that the set of Members in the coalition shifts dramatically with changes in majority party control. Second is that the cohesion of the Members in the coalition changes dramatically over time. In Periods 1 and 5 we can see that

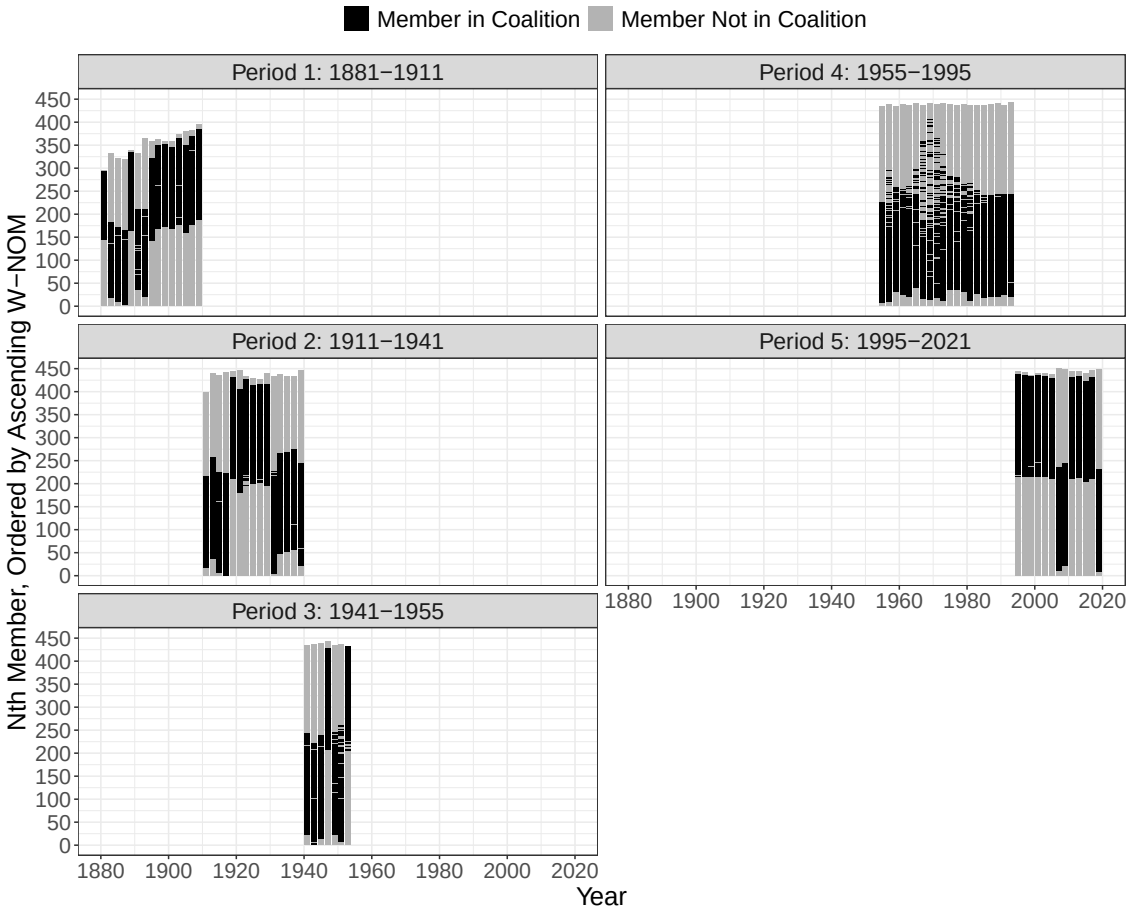


FIGURE 2.9: Party-Centric Coalition Membership in Five Periods

Members in the coalition are almost perfectly divided from Members out of the coalition by their ranked W-NOMINATE score; in Periods 1 and 5 the Members in and the Member out of the coalition are almost perfectly clustered by W-NOMINATE score. However, increasingly through Periods 2 and 3 with the climax in Period 4, the Members in and out of the coalition become overlapped by W-NOMINATE score.

This pattern is another story of coalition cohesion. Given how incohesive the party coalition appears in Period 4, we might not expect this set of Members to coalesce on any policy dimension. However, the tight cohesion in Periods 1 and 5 indicates that Members may be more likely in this time to find common enough

ground to advance a unified policy front.

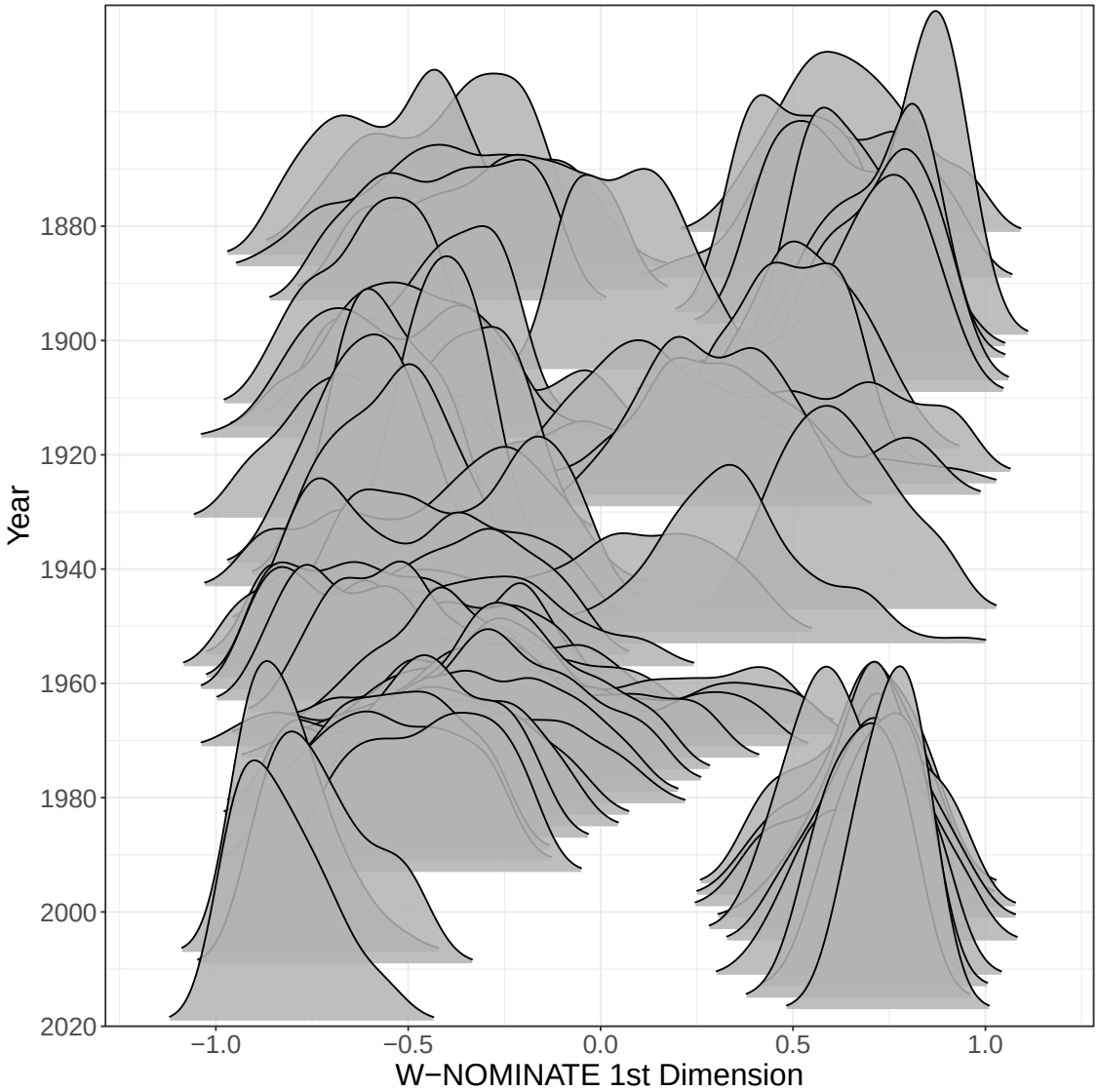


FIGURE 2.10: Party-Centric Coalition W-NOM Density

Figures 2.10 and 2.11 show the W-NOMINATE density of party-centric theoretical coalition Members over time. These figures show a more extreme level of divergence than their floor counterparts. In Periods 1 and 5, the coalition Members regularly shift nearly completely to the other side of the W-NOMINATE spectrum

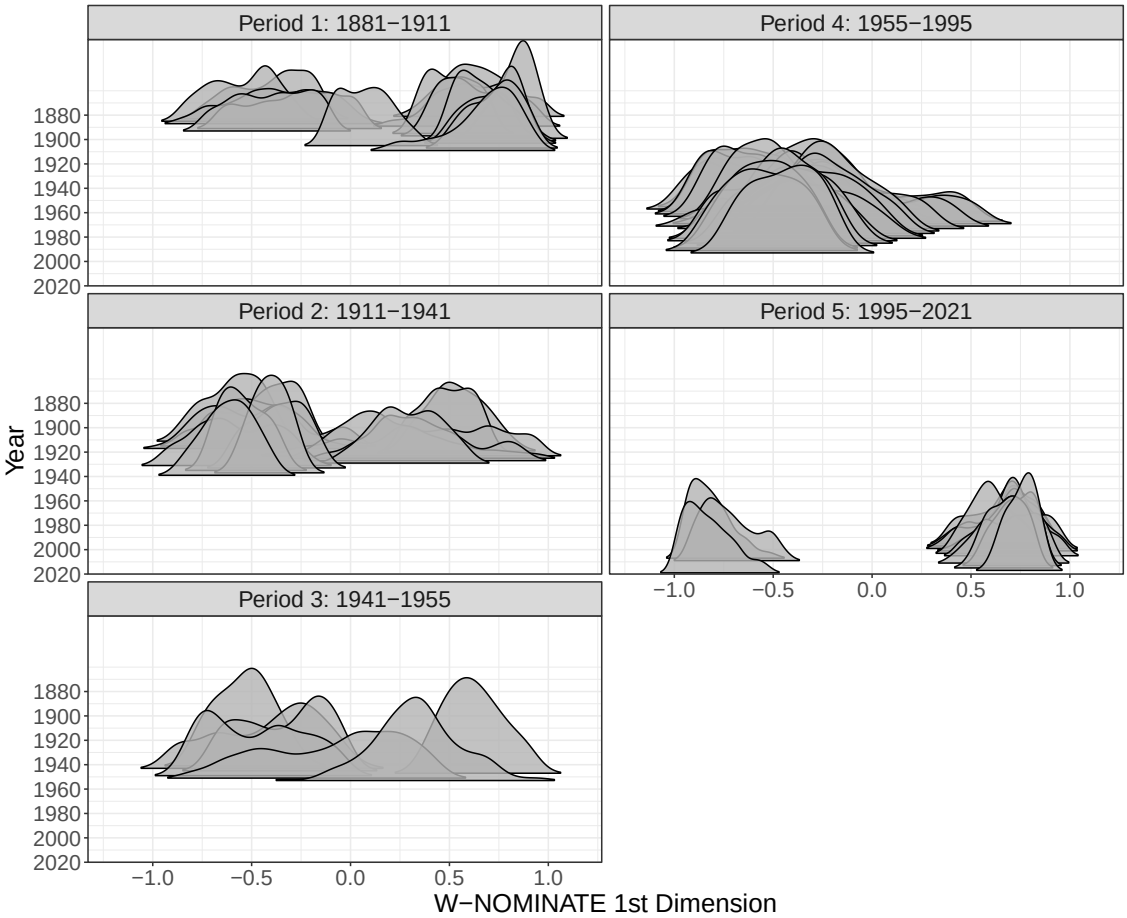


FIGURE 2.11: Party-Centric Coalition W-NOM Density by Period

as majority status flips between the parties. In Periods 2, 3, and 4, there is a considerably higher level of overlap between the coalitions from Congress to Congress, even as majority status changes between the parties. The density curves in the middle time periods are significantly flatter and wider, indicating a higher level of ideological variance within the coalition relative to the high, uni-modal peaks in Periods 1 and 5.

Figure 2.12 takes a deeper dive into the variance of Figures 2.10 and 2.11. Here, the dotted line presents the size of a single standard deviation for the set of W-NOMINATE scores among all Members in the party-centric theoretical coalition. The solid line presents the same for all Members in the majority party.

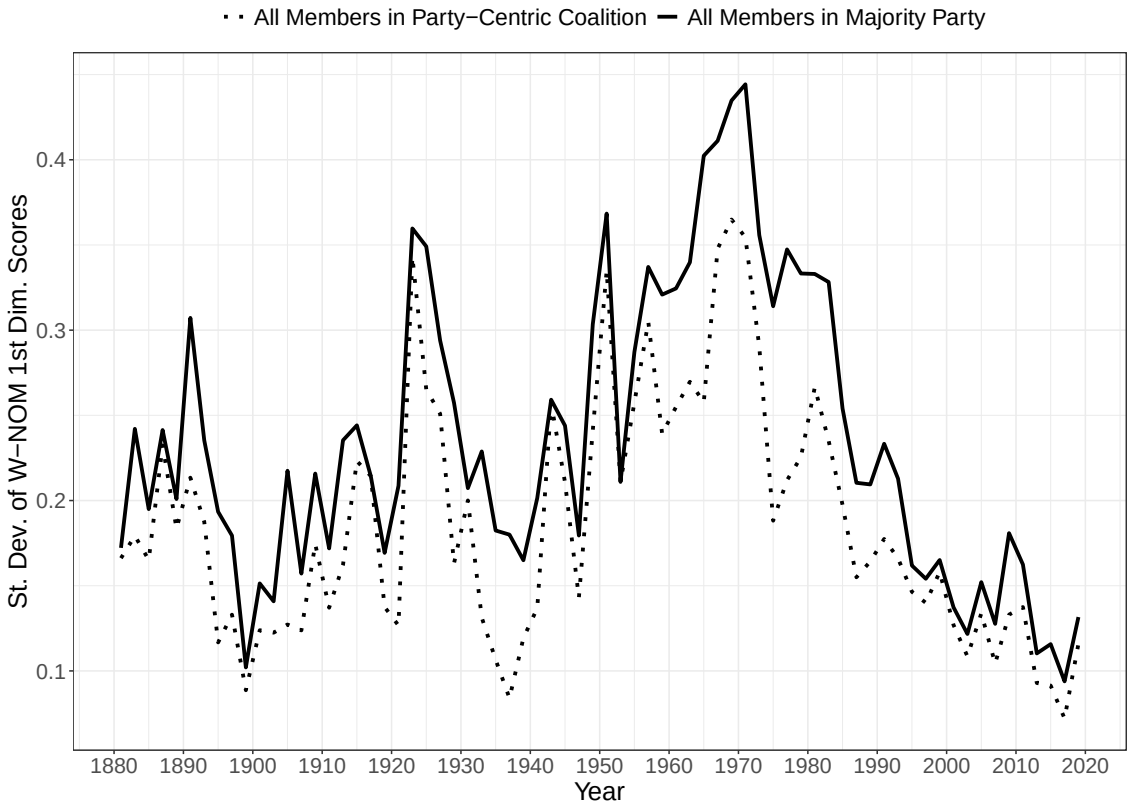


FIGURE 2.12: Party-Centric Coalition Total Variance

Much like the floor version in Figure 2.6, we can see an inverted U-shape here in Figure 2.12. In addition, we can see that the standard deviation of the party coalition W-NOMINATE scores closely mirrors that of the full majority party. This alignment is unsurprising given that the party-centric theoretical coalition comprises a substantial portion of the majority party. However, there are important gaps worth examining. For instance, the Republicans experienced a schism between the old establishment and Progressives from the the end of the 19th century until around the American entry into World War 1. This division resurfaced in the early 1920s. Similarly, the Democrats grappled with deep divides on numerous dimensions during significant portions of the third and fourth time periods, notably during the New Deal era in conjunction with the Jim Crow South. The noteworthy contrast in

variation levels, with higher variability in the full majority party and somewhat reduced (though still significant) variability in the party-centric theoretical coalition, encapsulates the frustration experienced by the majority party in both cases, and highlights the challenge of effectively wielding majority status.

2.6.3 Floor- vs Party-Centric Theoretical Coalitions, Measurement and Descriptive Analysis

Next, we briefly present direct comparisons between the two theoretical coalitions.

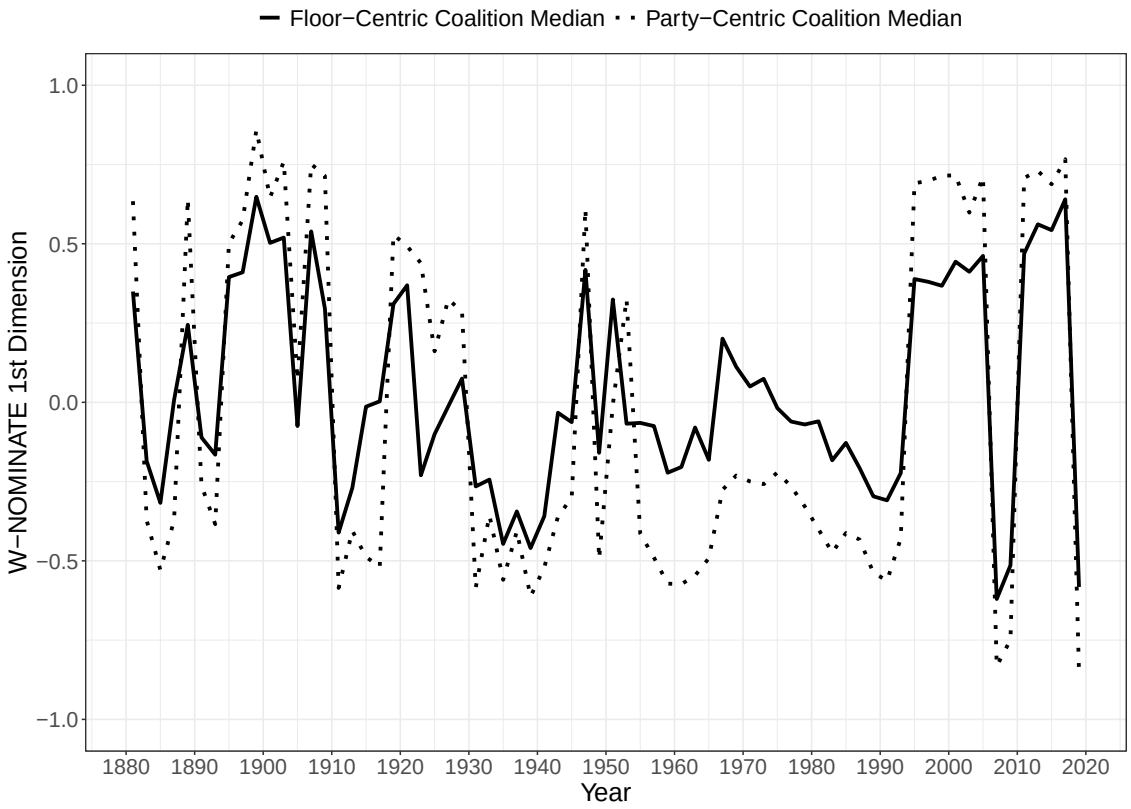


FIGURE 2.13: Floor- and Party-Centric Coalition W-NOM Medians

Figure 2.13 is a combination of the floor and party coalition median lines presented in Figures 2.1 and 2.7, respectively. The two medians track each other quite closely over time, indicating that the central points of both coalitions–the Members from whom both coalitions are built around–shift generally in unison in response to

the shifting landscape of congressional membership. The most noteworthy difference here is that the floor coalition's median Member seems to always remain within or inside of the party coalition's median Member. In other words, even though the locations of both coalition's median Members shift in unison as the House evolves, the party coalition's median Member shifts at a greater magnitude than the floor coalition's median Member. This means that the party coalition's construction algorithm is more responsive to changes in congressional membership than the floor's.

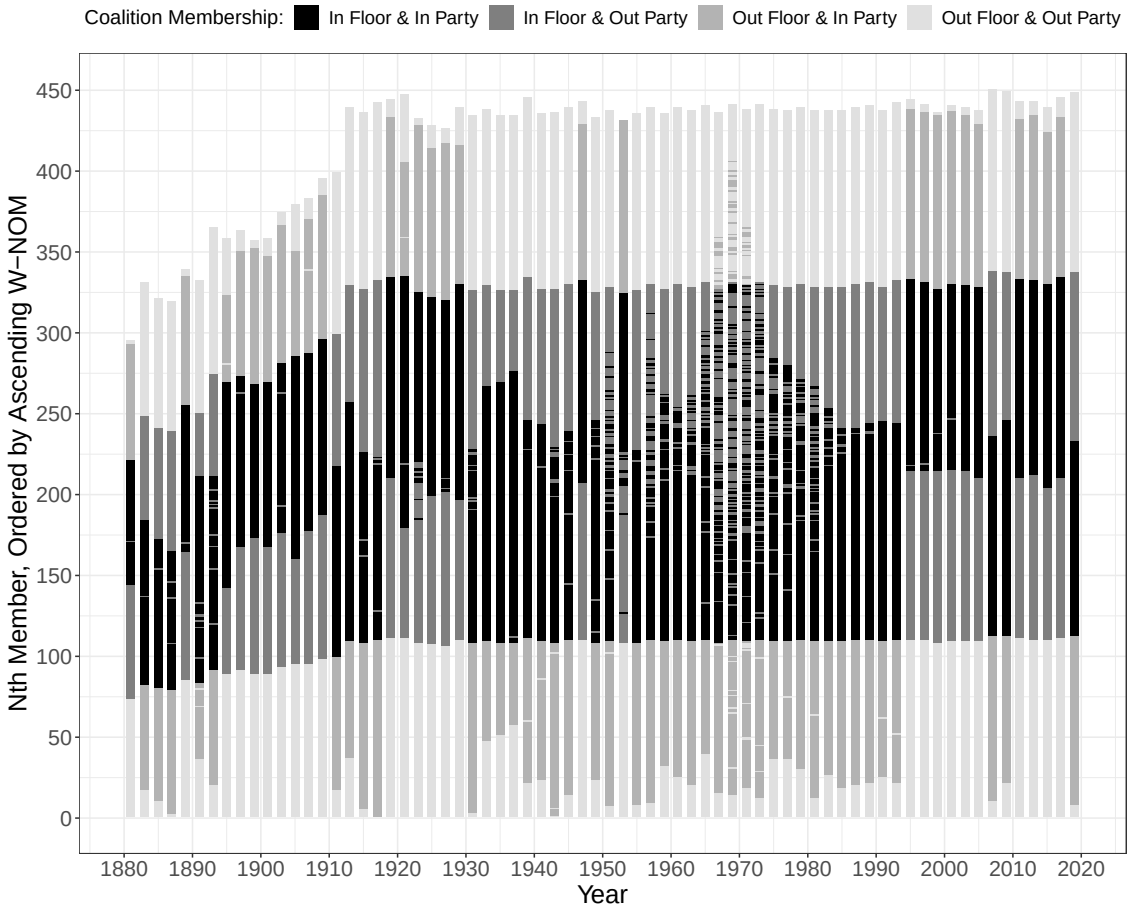


FIGURE 2.14: Floor- and Party-Centric Coalition Membership

Figure 2.14 presents Figure 2.2 combined with Figure 2.8. Here, again, every column represents a unique Congress and every block within the columns represents

a unique Member, with the blocks arranged from lowest W-NOMINATE score to greatest. Each Member in each Congress is color-coded for their membership in either or both of the theoretical coalitions.

There are two notable trends in this plot. First is the degree of Congress-to-Congress variation in membership between the two theoretical coalitions. The algorithm which generates the floor-centric theoretical coalition does not allow for any variation, while the party-centric theoretical coalition displays significant variation between congresses. The second notable trend is that despite these differences in Congress-to-Congress membership variation, a sizeable portion of both theoretical coalitions' membership are members in both theoretical coalitions. That is, typically about half of the Members in the floor- or party-centric theoretical coalition are also members of the other coalition. This is notable because it may indicate that we should not expect major differences between the two theoretical coalitions in their abilities to predict observed coalitions. In other words, given that the two theoretical coalitions share about half of their membership, it is a difficult test to compare differences in their abilities to predict observed coalitions. In the next subsection, we take a closer descriptive look at these observed coalitions.

2.6.4 Observed Coalitions Measurement and Descriptive Analysis

In this final subsection we examine the observed coalitions over time. To reiterate, observed coalitions are the set of Members who actually form to pass legislation; for any given final passage vote, the observed coalition is all Members voting yes. We define a "final passage vote" throughout as the final passage vote on any bill, joint resolution or conference report considered via recorded vote and not under suspension of the rules. This definition does not include resolutions, concurrent resolutions, or any legislative item considered via voice vote or under suspension of the rules.

FIGURE 2.15: Observed Coalition Frequency

First, we briefly examine the simple frequency of observed coalitions over time in Figure 2.15. There are three main sections in this plot: two periods of rough, but general stability punctuated by a steep climb and precipitous drop. The first stretch of general stability ran from 1881 to about 1955, which encompasses our first, second, and third historical periods. During this time the number of final passage votes per Congress generally remained between about 15 and 75. We then see a significant amount of change through the fourth historical period, with the number of final passage votes per Congress shooting up to about 350 by 1975 and then falling to about 150 by the beginning of the 1980s. The second stretch of general stability occurred from the 1980s up to the current decade, which primarily encompasses the fifth historical period.

We might naively expect this plot to be increasing steadily, or even exponentially, over time as the quantity and complexity of issues before the House increased (Jones, Theriault and Whyman (2019)). There are likely two main reasons why this figure does not match our naive expectations. First, we have to consider the specific political developments of the fourth historical period: Democrats built a sizeable majority–increasingly consisting of northern liberals–through the 1960s and 1970s, which they wielded to vote and pass a great amount of particularly anti-poverty, Great Society legislation. Second is the increasing use in the modern fifth historical period of specialized vehicles for considering legislation, such as self-executing rules, suspension of the rules, or omnibus legislation, all of which has the effect of masking the true amount of legislation passed according to our definition. For example, omnibus vehicles aggregate a plethora of different policy priorities, which often exist in several different bills at different stages of the legislative process, and bring them to the floor in a unified item. The vote on the omnibus only counts as one, despite containing several bills worth of policy. Self-executing rules are resolutions, and thus are not counted.

Figures 2.16 and 2.17 present the density of observed coalition sizes over time and faceted across our five historical periods. For ease of interpretation, we have included a red line at the 50 percent mark.

There are two notable patterns evident in these plots. First, the distributions largely tend to exist on the right side of the red line, which is to say that almost all final passage votes in Congress end with at least 50 percent of Members in support. However, it does seem to be the case that Periods 2 and 3 contain slightly more failed final passage votes than Periods 1, 4, or 5. This may be due to the lack of centralized control over the chamber's agenda; failing bills may regularly make their way to the floor. Second, the modal observed coalition size appears to migrate over

FIGURE 2.16: Observed Coalition Size Density

time in the U-shape we have seen repeatedly over the previous analyses. In the first period, with a few exceptions the distributions tend to be uni-modal and clustered just to the right of the red line. Most final passage votes in this time appear to be decided by a relatively narrow margin. However, as we transition through the second and third historical periods, the distributions appear to flatten out into an almost uniform manner. In these years, it would seem just as likely to have a final passage vote garner 80 percent support as 51 percent support. By Period 4, the transition continues until the 1960s and 1970s in which the distribution is again uni-modal but clustered closer to the 100 percent mark. In these decades, final passage votes were winning with enormous support in the House. The pendulum then swings back,

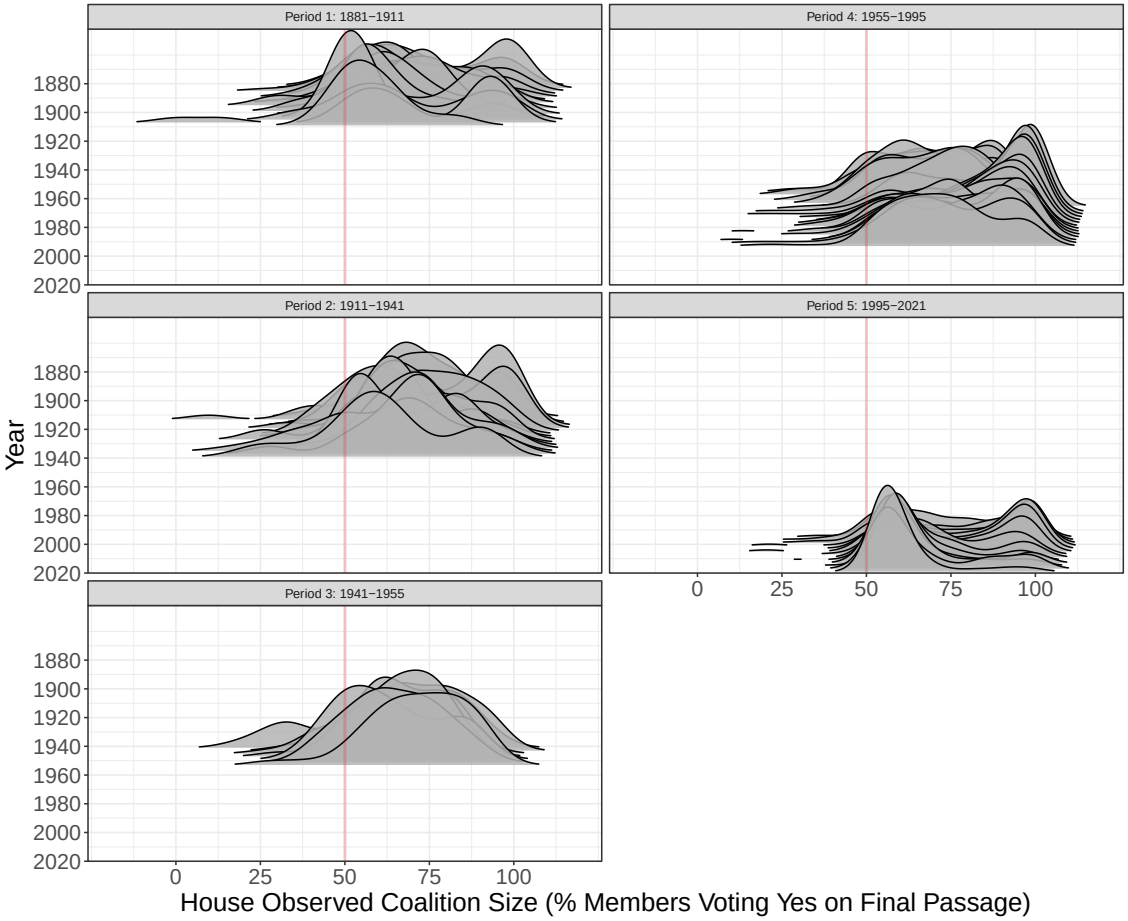


FIGURE 2.17: Observed Coalition Size Density in Five Periods

dramatically. Into Period 5, by the mid-1990s the distributions were uni-modal and centered just past the 50 percent mark, indicating that final passage votes were again contentious.

Finally, we examine observed average coalition membership rates for every Member in every Congress under consideration. Here, in Figure 2.18, every column represents a single Congress and every block within that column represents a single Member. The blocks (Members) are arranged in each column according to the rank order of W-NOMINATE scores, with the lowest score Member in the first position and the highest score Member in the last position. Every block is color-coded by

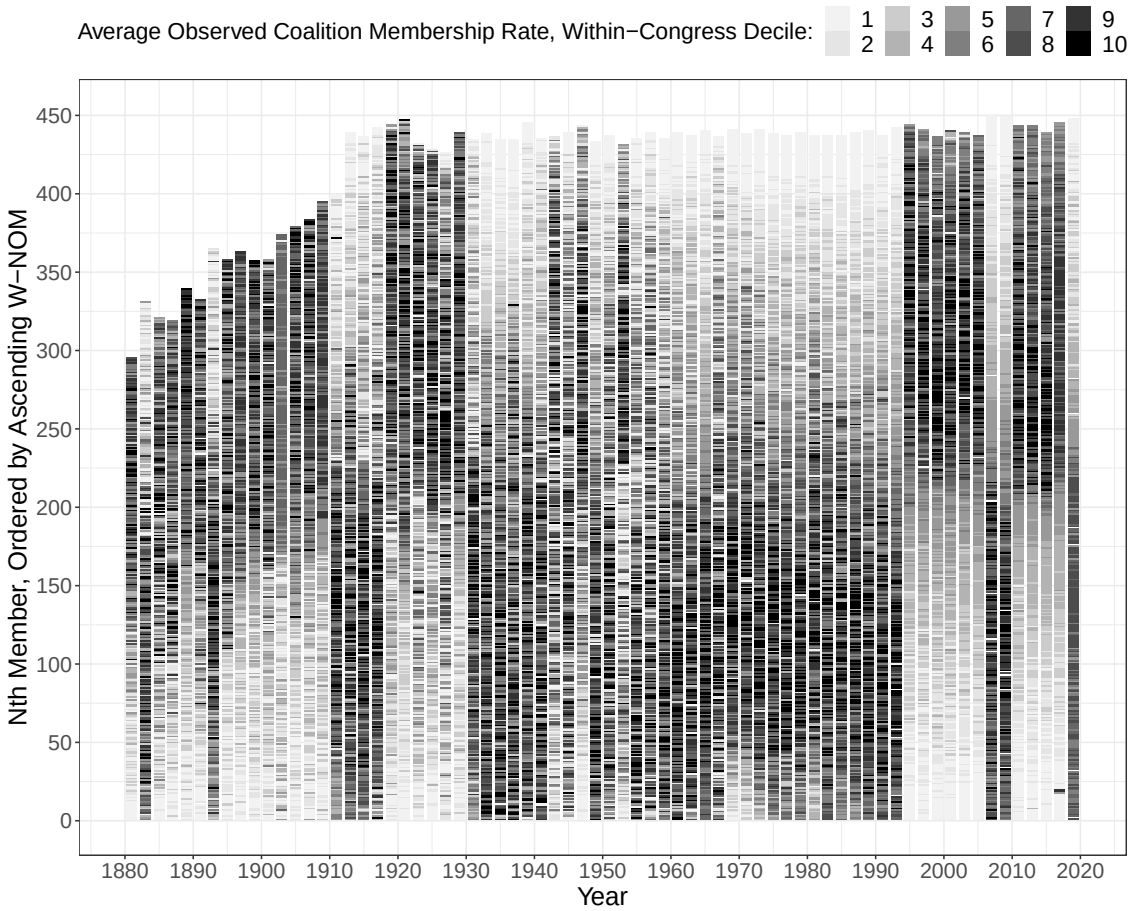


FIGURE 2.18: Observed Coalition Membership

the Member's average observed coalition membership rate, which we define as the number of yes votes cast on final passage roll calls divided by the total number of votes cast on final passage roll calls. In order to aid data visualization, Members' average observed coalition membership rates have been bucketed into deciles within each Congress.

We can best interpret this figure by comparing it to the floor (Figure 2.2) and party (Figure 2.8) coalition membership figures. This comparison is important as an initial, descriptive precursor to this project's main analysis, in which we test whether the floor- or party-centric theoretical coalition is the better predictor of observed coalitions.

In visually comparing Figure 2.18 to Figures 2.2 and 2.8, it is remarkable both how similarly the party coalition membership matches the observed coalition membership, and how poorly the floor coalition membership matches the observed coalition membership. This preliminary comparison provides a strong indication of future empirical results: the party-centric theoretical coalition is likely the better predictor of observed coalitions. Returning to the main question of this project, this early finding suggests that Members have generally arranged congressional institutions in a party-centric manner in order to (attempt to) set American public policy near the median ideal point of the majority party.

2.7 Conclusion

In this chapter we begin exploring the intricate relationship between congressional organization, procedural dynamics, and the formulation of public policy within the United States House of Representatives. We turn to foundational theories of congressional organization in order to explore the mechanisms through which Members navigate their collective action problems and shape the contours of governance.

We began by outlining the need for Congress to organize and identify the prominent theories of congressional organization, those centered around either the floor or the party. We then examined post-Reconstruction congressional history and produced expectations about when the party or the floor should serve as loci of power in the institution. Next, we described our research design for exploring the question of which theory held dominant through different periods of congressional history. Finally, we presented and explored a plethora of descriptive statistics about our floor- and party-centric theoretical coalitions, as well as the observed coalitions.

The most noteworthy finding from our preliminary data analysis came in form of visually comparing observed coalition membership (Figure 2.18) to the floor coali-

tion membership (Figure 2.2) and party coalition membership (Figure 2.8). The trend is striking: party coalition membership appears to closely match the observed coalition membership, whereas floor coalition membership does not appear to match well. This is an early indicator that throughout the post-Reconstruction congresses, Members chose to organize themselves according to party principles in order to empower party leaders and pass legislation near the median ideal point of the majority party.

In the next chapter, we go into further detail on testing the floor and party coalitions against observed coalitions. We explain how the testing will occur, present the test results, and run a series of exploratory regressions on the test results in order to better understand the results and generate ideas for future research on the question of congressional organization, power, and policy.

3

Final Passage Coalitions, Part 2

3.1 Introduction

In Chapter 2, we laid out the theory, model, research design, measurement considerations, and descriptive analyses for the *Final Passage Coalitions* half of the dissertation. In this chapter, we[1] run the main analyses, and examine the results in depth.

In Section 3.2 we outline what it means to test our theoretical coalitions against observed coalitions. We provide two examples from the 111th Congress, one in which the floor coalition accurately predicts an observed coalition and another in which the party coalition is the more accurate.

In Section 3.3, we arrive at the test results themselves. We first present disaggregated results, or the distribution of floor- and party-centric theoretical coalition accuracy results across all final passage roll call votes in each Congress under consideration. We then narrow to the aggregated results, or the average accuracy rates

[1] This chapter is coauthored with John H. Aldrich and Michelle Whyman. All writing and analysis has been conducted by this author alone.

for each theoretical coalition in each Congress under consideration. In both we find that the floor coalition's accuracy rate was just better than chance and stable over time, whereas the party coalition's accuracy rate roughly exhibited a U-shape over time. Our hypotheses were mostly–but not entirely–confirmed with this analysis.

Finally, in Section 3.4 we explore the test results in greater detail. Specifically, we regress important legislative factors on four separate dependent variables–floor coalition bill-level accuracy, party coalition bill-level accuracy, floor coalition average Congress-level accuracy, and party coalition average Congress-level accuracy–in order to determine which of these factors associate with our accuracy results. These analyses provide important context for the test results and help generate areas for further research.

3.2 Testing Theoretical Coalitions

What does it mean to test the floor- and party-centric theoretical coalitions for their accuracy in predicting observed coalitions, and how exactly do we conduct the tests?

We begin with our theoretical coalitions. More information on their construction algorithms can be found in Section 2.6 and Appendix A. Ultimately, we have one floor and one party theoretical coalition for each Congress under consideration, where a theoretical coalition is simply a set of expectations around voting patterns; each theoretical coalition in each Congress assigns a one or a zero to each Member, indicating whether they are a member of the coalition.

We then turn to our observed coalitions. Again, more information on their construction can be found in Section 2.6. There is one observed coalition for every final passage roll call in every Congress under consideration, where the observed coalition is defined as the Members voting yes on the roll call.

In order to run the tests, we systematically compare each final passage roll call's

observed coalition to the corresponding Congress-level floor- and party-centric theoretical coalitions to see how well they match. We assess the quality of the match using accuracy as a primary measure and sensitivity and specificity as secondary measures.

We define accuracy for every theoretical coalition and final passage roll call dyad as the sum of the number of true positives (the number of Members in both the observed coalition and the theoretical coalition) and the number of true negatives (the number of Members neither in the observed coalition nor in the theoretical coalition) over the total number of Members. Accuracy is the most general measure, as a combination of sensitivity and specificity it assesses whether the theoretical coalition was able to predict both which Members were in and which Members were out of the observed coalition.

We define sensitivity as the true positive rate, or the number of Members in both the observed coalition and the theoretical coalition divided by the total number of Members. Sensitivity measures how well the theoretical coalition predicts which Members are in the observed coalition, but does not account for how well the theoretical coalition predicts which Members are not in the observed coalition.

We define specificity as the true negative rate, or the number of Members neither in the observed coalition nor in the theoretical coalition. Specificity measures how well the theoretical coalition predicts which Members are not in the observed coalition, but does not account for how well the theoretical coalition predicts which Members are in the observed coalition.

For example, take a Congress in which there are three Members. Further, assume that theoretical coalition A for this Congress contains Members 1 and 2, but does not contain Member 3. If final passage roll call X has Members 1 and 2 voting yes and Member 3 voting no, then theoretical coalition A will have a perfect accuracy

score for final passage roll call X. If theoretical coalition B contains Members 2 and 3, but not Member 1, then it will have an imperfect accuracy score for final passage roll call X. Specifically, the accuracy score for theoretical coalition B on final passage roll call X will be:

(Number of true positives + Number of true negatives) / (Number of Members)

(1 + 0) / (3) = **33 percent**

3.2.1 Testing Examples

To provide a more concrete example of what it means for a theoretical coalition to have a high or low ability to predict observed coalitions, we turn to the 111th Congress. We will examine the relationship between the 111th's floor- and party-centric theoretical coalitions and the observed coalitions for the Patient Protection and Affordable Care Act (ACA) and the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (Tax Relief Act).

The ACA was an exceptionally ambitious piece of legislation, and perhaps one of the most significant bills to become law since The Great Society (Cohn (2021)). Negotiations on the bill in Congress began shortly after President Obama was inaugurated in January 2009, and soon reached a partisan fever pitch (Cillizza (2010)). The bill became a national partisan lightning rod while still under negotiations, and contributed to the spawn of the national Tea Party movement and a rise in violent threats against Members (McMorris-Santoro (2010); Pershing (2010)). By the time the bill was brought to the floor for the final passage vote, it was completely polarized along party lines (and remains so more than a decade after passage).

Figure 3.1 compares the ACA's observed coalition to the 111th Congress' floor- and party-centric theoretical coalitions. The dashed black line represents the W-NOMINATE density of Members in the floor-centric theoretical coalition while the

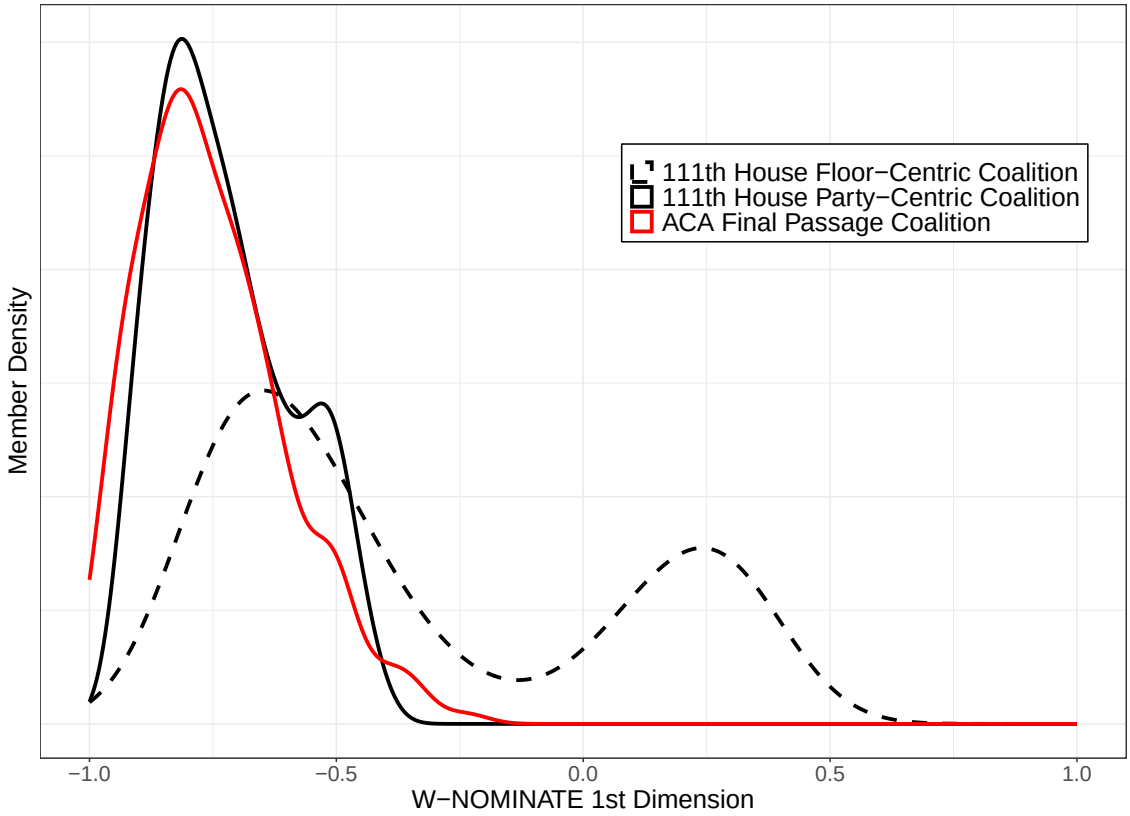


FIGURE 3.1: ACA Observed Coalition vs. 111th's Floor and Party Coalitions

solid black represents the density for the party-centric theoretical coalition. The red line shows the W-NOMINATE density of Members in the ACA's observed coalition.

Figure 3.1 shows that the ACA's observed coalition is almost identical to the 111th's party-centric theoretical coalition and does not match the 111th's floor-centric theoretical coalition. This a graphical representation of an instance in which the party coalition displays high predictive accuracy and the floor coalition does not. Importantly, this figure is validation of what we already know about the bill: it was a hard-fought political battle that was ultimately decided on party lines.

In the very same Congress, we also have the Tax Relief Act. This bill was one piece of President Obama's larger government stimulus efforts to combat the Great

Recession. Although there were many components of the bill, the section drawing the most attention in Congress was the temporary extension of widespread tax cuts originally signed under President George W. Bush. The Bush tax cuts were set to expire, and congressional Democrats originally proposed a bill to extend the tax cuts for middle class families (those earning less than $250,000 per year) and let the tax cuts expire for those families earning more (Thrush, Lee and Brown (2010)). The majority Democrats' bill passed the House, but was denied cloture in the Senate by Republicans who wanted the tax cuts extended to wealthier Americans (Herszenhorn (2010)). President Obama and congressional Democrats ultimately negotiated a deal with Republican leadership to extend the tax cuts to all Americans, regardless of income (Herszenhorn and Stolberg (2010)). The compromise–taking the form of the Tax Relief Act–drew condemnation from both extreme ends of the political spectrum: Tea Party Republicans like Reps. Michele Bachman and Mike Pence voted against the bill in the House, and the then-little-known Senator Bernie Sanders set the groundwork for a future national profile with an eight-and-a-half hour filibuster of the bill (Sherman (2010); Detrow (2019)). However, the compromise was widely popular, and the Tax Relief Act passed in both chambers with large, bipartisan majorities (Sherman (2010)).

Figure 3.2 provides the foil to the ACA's Figure 3.1. The black lines in this figure are identical to those in the previous figure: the solid black line represents the W-NOMINATE density of Members in the party-centric theoretical coalition while the dashed black line represents the floor version. What changes is the red line: in Figure 3.2, it represents the distribution of W-NOMINATE scores for Members in the Tax Relief Act observed coalition.

Figure 3.2 shows that the Tax Relief Act's observed coalition was quite *similar* to the 111th's floor coalition and very *dissimilar* to the 111th's party coalition. This is a graphical representation of an instance in which the floor-centric theoretical

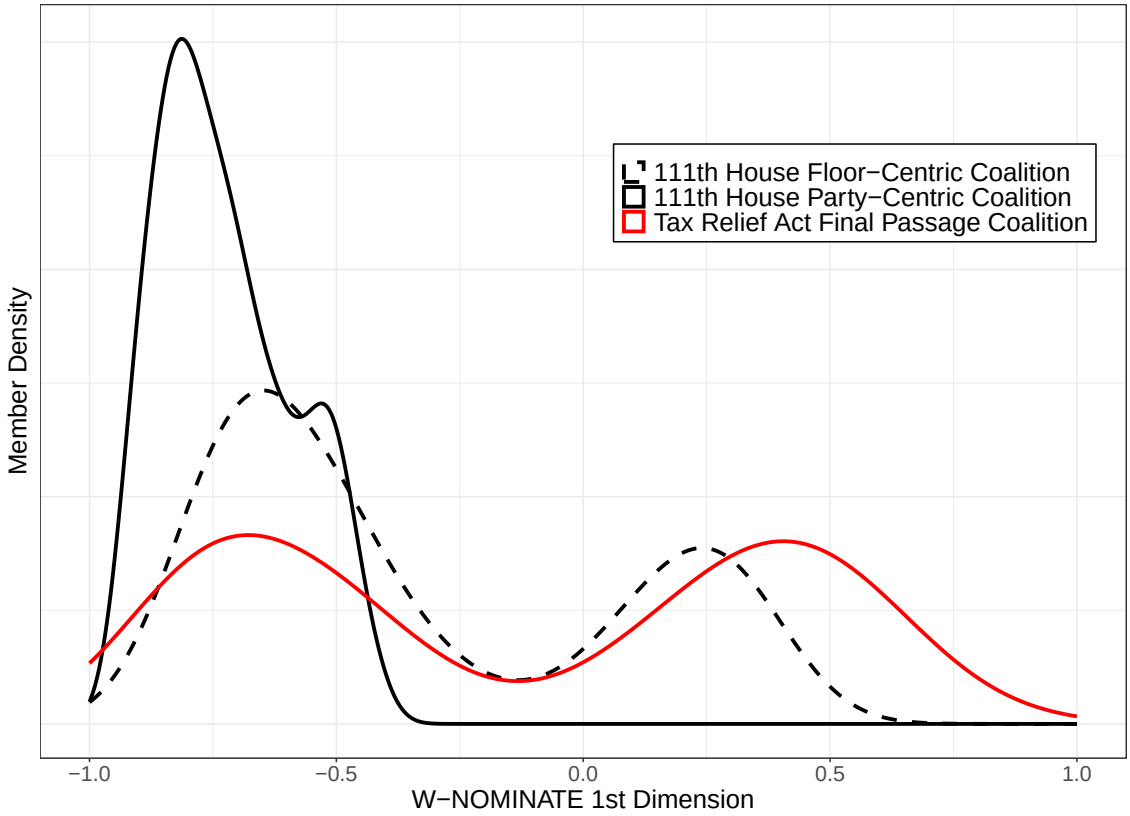


FIGURE 3.2: Tax Relief Act Observed Coalition vs 111th's Floor and Party Coalitions

coalition has a high degree of accuracy in predicting an observed coalition. Further, this example demonstrates the theoretical forces that may come together to produce public policy centered around the median Member in the chamber instead of centered around the median Member in the majority party.

3.3 Theoretical Coalition Test Results

With a firm understanding of what it means to test our theoretical coalitions against observed coalitions, we turn to the test results themselves. In this section, we first present dissaggregated results: in each Congress, we show the distribution of accuracy rates across all final passage roll call votes for each of the floor- and party centric theoretical coalitions. We then present aggregated results: in each Congress,

we show the average accuracy rate for all final passage roll call votes for each of the floor- and party centric theoretical coalitions. Sensitivity and specificity results are listed in Appendix B.

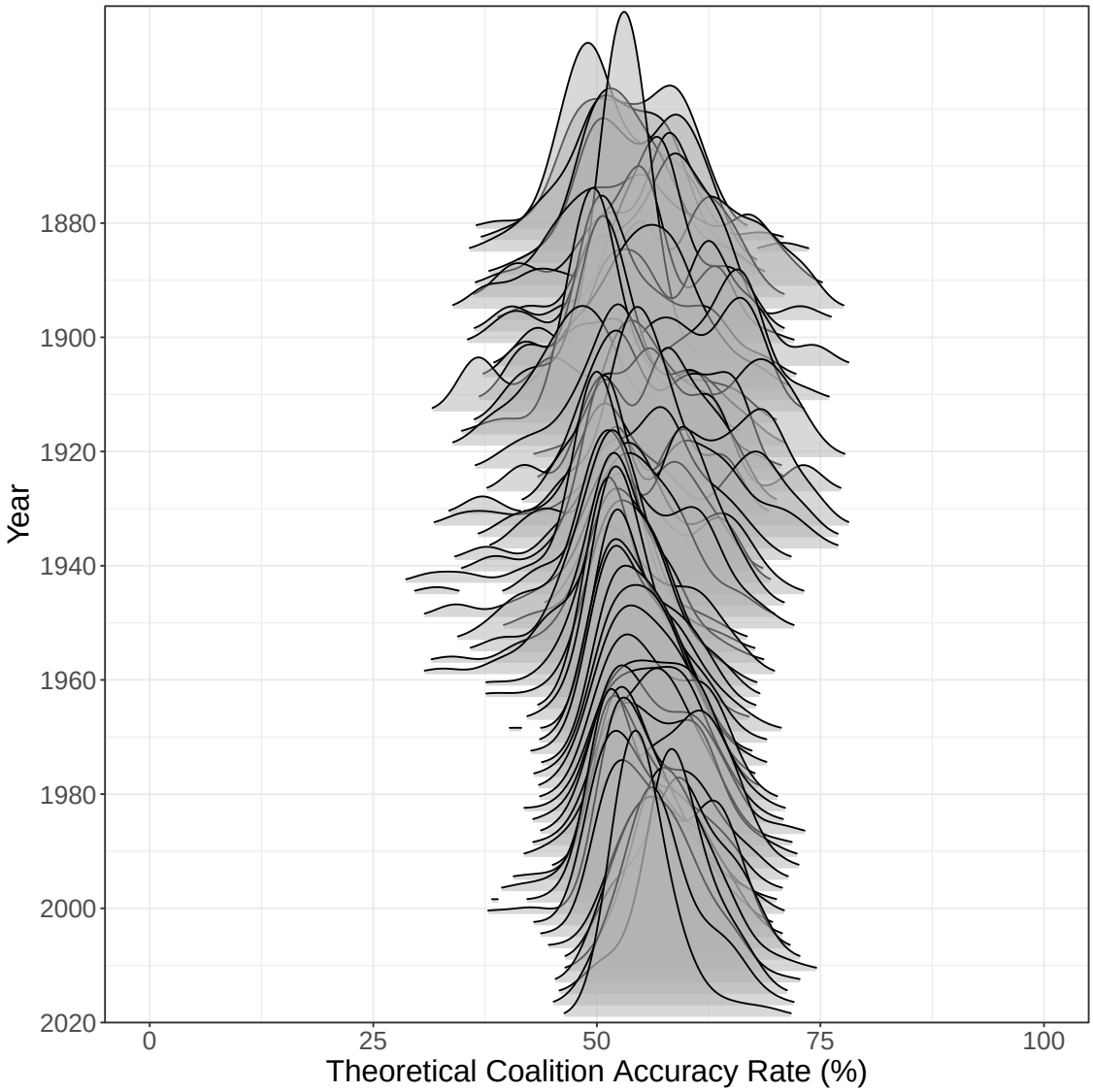


FIGURE 3.3: Distribution of Floor-Centric Theoretical Coalition Accuracy Rates

First, we turn to the disaggregated results. Figure 3.3 shows the distribution of floor-centric theoretical coalition accuracy scores across all final passage roll call

votes in each Congress. When the distribution is clustered further to the right, it indicates that the theoretical coalition was generally more accurate at predicting the final passage coalitions in the given Congress. Distributions clustered to the left indicate a lower accuracy level.

The key takeaway from this disaggregated figure is the stability of the floor-centric theoretical coalition's accuracy rates, both within and between congresses. While there is slightly more variance in pre-1960 congresses relative to the high-and-tight distributions post-1960, there is ultimately little change in the shape or the bounds of the distribution between congresses despite the data spanning about 150 years of American history. This stability is relatively unsurprising, given the floor coalition's construction algorithm is a function of the floor theory of congressional organization itself, which does not provide for any changes in congressional organization over time.

Figure 3.4 shows the distribution of party-centric theoretical coalition accuracy scores across all final passage roll call votes in each Congress, and Figure 3.5 splits the distributions across our five historical periods for ease of interpretation.

What is apparent here, especially in relation to the dissagregated floor coalition results in Figure 3.3, is the dramatic fluctuations in the party coalition's accuracy rates both within and between congresses. Within any Congress, we can see that the distributions are typically quite wide, indicating that the party coalition achieves low accuracy on some final passage roll calls and high accuracy on other. Between congresses, we also see large variance. It appears as though flatter distributions occur more often in about Periods 2 and 3, while concentrated, unimodal distributions tend to occur in Periods 1 4, and 5. Ultimately, this variation within and between congresses seems to coarsely map on to a U-shape.

Next, we turn to our aggregated results. Figure 3.6 presents the average accuracy

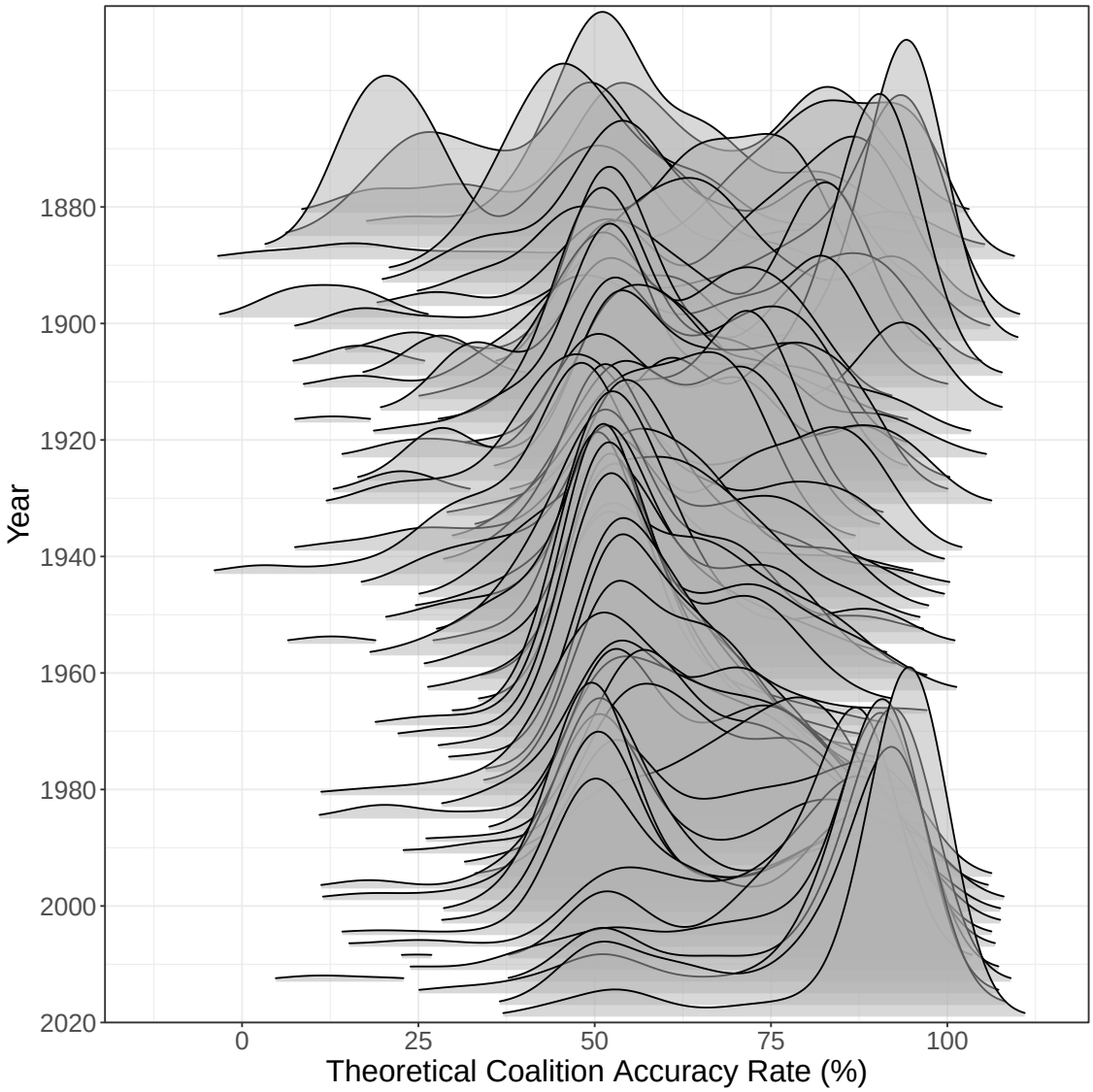


FIGURE 3.4: Distribution of Party-Centric Theoretical Coalition Accuracy Rates

rates for each theoretical coalition in each Congress under consideration. The figure also includes a loess regression line (and accompanying standard errors) showing the average accuracy rate trend over time for each theoretical coalition.

The stability in the floor-centric theoretical coalition's accuracy rates is again evident here. The minimum average accuracy rate was 50.7 percent in the 1953-1955

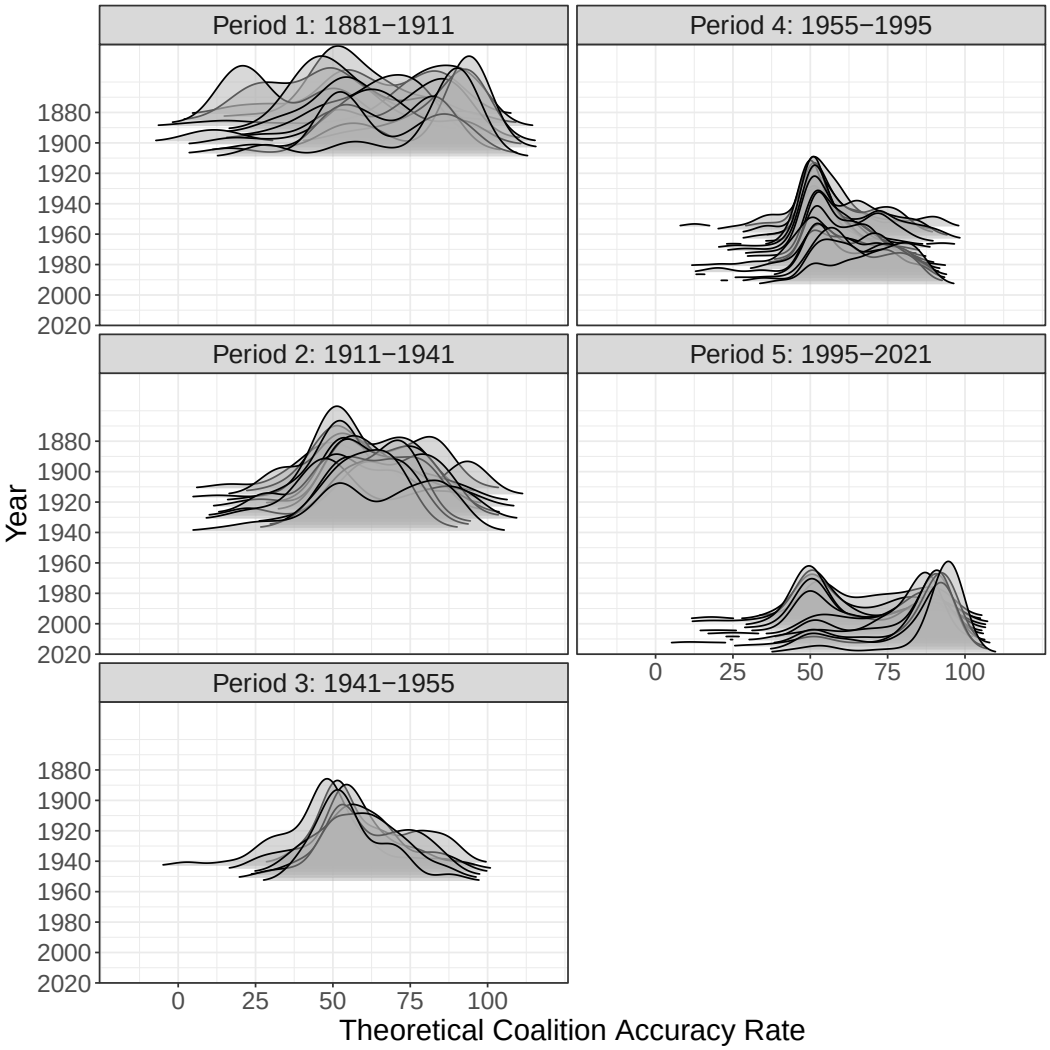


FIGURE 3.5: Distribution of Party-Centric Theoretical Coalition Accuracy Rates in Five Periods

Congress and the maximum value was 60.4 percent in 1933-1935 Congress. Across the entire century-and-a-half examined, we can see that the floor coalition achieves an approximately unwavering 55 percent accuracy rate at predicting which Members will and will not compose the coalition that decides public policy. Ultimately, this means that the floor-centric theoretical coalition is only just better than chance at predicting observed coalitions. This provides a strong indication that Members likely do not choose to organize themselves according to the floor theory.

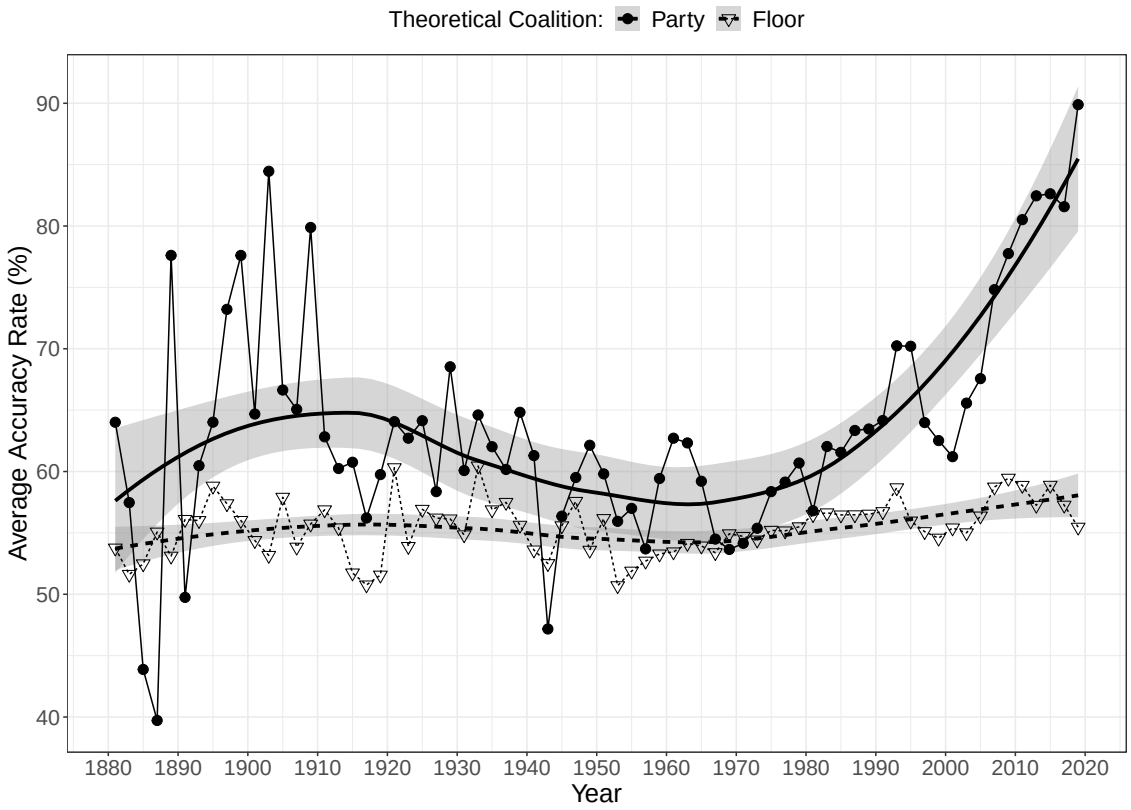


FIGURE 3.6: Average Theoretical Coalition Accuracy Rates

The average accuracy rates for the party-centric theoretical coalition tell a different story. Looking at the extreme values, we can see a high level of variance over time: the accuracy rate peaks at 88.9 percent in the 2019-2021 Congress and troughs at 39.7 percent in the 1887-1889 Congress.

Beginning with the first historical period, we can see that the average accuracy rates exhibit an inverted U-shape. We might interpret this as a direct function of the implementation of Reed's Rules. Before Reed ascended to the Speakership in the 1889-1891 Congress, the chamber was mired in dilatory and obstructive roll calls, with no clear mechanism for any coalition to control the chamber's agenda (Cox and McCubbins (2005)). This likely resulted in numerous legislative items reaching

the floor that the majority party–or the majority of Members on the floor–did not intend to pass and thus failed. Therefore, because the party did not exhibit full control over which bills reached the final passage stage, the party coalition exhibited low predictive power over observed coalitions. However, when Reed assumed the Speakership in 1889 and began implementing control over the chamber's agenda in the interest of his fellow Republicans, the party coalition's average accuracy rate shot up to 77.6 percent from 39.7 percent in the prior Congress. Further, when Reed lost the Speakership to the Democrats in the subsequent two congresses from 1891-1895, the average accuracy rate of the party-centric theoretical coalition again plummeted to 49.7 percent and 60.4 percent. Over the rest of the first historical period, the Speakership remained in the hands of Reed and other pro-agenda control Republicans, namely Cannon. During this latter section of the first historical period, the accuracy rate of the party-centric theoretical coalition remained high.

It was not until the 1910 Cannon Revolt–and the onset of the second historical period–did the party coalition's accuracy rate begin to dwindle. Intra-party factional divisions arose during this period, with the Progressive Republicans pitted against the establishment Republicans and the numerous factions in the Democrats' New Deal Coalition pitted against one another. As a result, we can see the trend line on the party coalition's average accuracy rate decline through Period 2.

The party-centric theoretical coalition continued to decline in average accuracy through Period 3. It was during this "Rayburn period" that the big-tent New Deal coalition was at its peak. Democrats held the majority in all but two congresses over this span, and it was during this time they abdicated partisan control of the chamber's agenda. Ideological incohesion among Democrats meant that agenda control became diffused rather than centralized. Committee leaders were the primary power sources to fill the vacuum during this period. Thus, the accuracy of the party-centric theoretical coalition continued to fall, remaining only slightly above that of

the floor-centric theoretical coalition.

In Period 4, the party-centric theoretical coalition's accuracy rate underwent a dramatic change. In the first two decades of the period (1955-1975), the trend line on the party coalition's average accuracy rate fell to its lowest point in the 19th century. This is the nadir of party power in Congress. However, this was not to last: in the second two decades of the period (1975-1995), the trend line on the party coalition's average accuracy rate shoots up to heights not before seen in the post-Reconstruction Congress. We can understand this transformation through the lens of the changing Democratic party, which held absolute control over the House through the entire four-decade period. It was during this time that the New Deal Democratic coalition crumbled, and in its wake arose a Democratic coalition consisting primarily of ideologically-cohesive liberal northerners. Due to their ideological cohesiveness, this coalition re-organized the House in order to strip agenda-setting power from the various and diffuse committee leaders and instead re-vest it with centralized party leaders. We can understand these party leaders as then wielding their agenda-setting power to bring only bills to the floor that have support from the majority party, thereby increasing the accuracy rate of the party coalition over the period.

Finally, in the fifth historical period, the average accuracy rate of the party-centric theoretical coalition continued its dramatic rise and has shown no signs of tapering. In the 116th Congress (2019-2021) the average accuracy rate hit an all-time high of 89.8 percent, which bests only the previous record of 84.4 percent set during Czar Cannon's Speakership in the 58th Congress (1903-1905). The fifth period is marked the nationalization of politics, the ideological sorting of the United States into the two parties, and the tribalization of partisan identity among the public and elites. It was during this time that intra-party ideological homogeneity and inter-party ideological heterogeneity, which had begun in the middle of the century, truly accelerated. Party leaders, such as Speakers Gingrich and Pelosi, were granted

significant powers by their Conference/Caucus in the hope that the leaders would push the party's common favored policies and block all others.

In conclusion, how do these results comport with our expectations? Recalling Table 2.4.5, we predicted that Members would choose to organize the institution in a party-centric manner in the first and fifth historical periods, and in a floor-centric manner in the third historical period, with the second and fourth historical periods serving as transitions between the two modes of organization.

Our expectations were largely correct with regards to the party-centric theoretical coalition. In accordance with our understanding of congressional history, the party-centric theoretical coalition exhibited a high degree of predictive power over observed coalitions in the second half of the first period and the entire fifth period, and reached a nadir in the end of the third and the beginning of the fourth periods. The entire second period, the first half of the third period, and the second half of the fourth period all served as the transition between the high and low accuracy levels. However, one clear point we missed on this theoretical coalition was the lower accuracy levels in the first half of the first period. As mentioned above, this important detail is likely due to the first formalization of agenda control with Speaker Reed.

On the other hand, our expectations were largely incorrect with regards to the floor-centric theoretical coalition. While the coalition did exhibit low accuracy levels in Periods 1 and 5, there was no meaningful change in the levels over time. The floor was not dominant in and around the third historical period, contrary to our predictions.

These results raise three key takeaways. First, that Members likely organized the House according to party-centric principles from about 1890-1932 and then again from about the 1970s to at least the current decade. The parties were sufficiently

internally cohesive and externally divergent to create the conditions by which Members delegated agenda-setting power to their party leaders so that the party leaders could effectively solve Members' collective action problem. As a consequence, we can expect the House to have produced American public policy at approximately the ideal point of the median Member in the majority party during this period.

Second, that Members likely never organized the House according to floor-centric principles. That is, the floor theory of congressional organization was likely never a correct reflection of reality. In no period of post-Reconstruction congressional history did the floor-centric theoretical coalition predict observed coalitions substantially more accurately than chance. One potential explanation for these low accuracy results could be our choice of observed coalitions to examine. We only selected final passage roll calls on bills, joint resolutions, and conference reports considered via recorded vote and not under suspension of the rules, which means we omitted legislative items considered via voice vote, suspension of the rules, self-executing rule, and more.

Finally, that if we accept the two takeaways listed above, we are faced with a clear area for further research: how exactly did Members choose to organize themselves in the middle of the 20th century? Researchers may wish to examine alternative forms of congressional organization. Promising alternatives may include empiricizing theoretical coalitions for the committee system and/or the north-south division within the Democratic party.

3.4 Factors Associated with Theoretical Coalition Test Results

In Section 3.3 we tested each theoretical coalition for its ability to accurately describe observed coalitions. We examined the test results over time in order to make inferences about which theoretical coalition–and, by extension, which theory of congressional organization–was dominant at different points throughout post-Reconstruction

congressional history.

In order to better understand the theoretical coalition test results and to help generate potential avenues for further research in this area, in Section 3.4 we expand our examination past simply tracking accuracy results over time. In this section, we conduct exploratory analyses around other factors associated with the floor- and party-centric theoretical coalitions' accuracy rates. Specifically, we seek to explore why some bills[2] and some congresses exhibit higher or lower degrees of floor or party coalition accuracy, aside from the sweeping historical forces described previously throughout this project.

In Subsection 3.4.1 we examine the bill-level factors associated with bill-level theoretical coalition accuracy rates. In Subsection 3.4.2 we examine the Congress-level factors associated with Congress-level average theoretical coalition accuracy rates. We report the bill- and Congress-level sensitivity and specificity outcomes in Appendix C.

3.4.1 Bill-Level Factors

We begin with exploring the associations between bill-level factors and the bill-level accuracy rates of our floor- and party-centric theoretical coalitions. We focus on three major categories of bill-level factors that congressional scholars may find to be important: the introduction of the bill into the chamber, the bill's consideration in the chamber, and the outcome of the bill in the chamber and beyond.

First, we consider the factors surrounding the bill's introduction into the House. Here, we examine: whether the bill was introduced in the first or second session; whether the bill was first introduced in the House or the Senate; whether the Member

[2] Technically this is the roll call level, but we use bill-level as the nomenclature for ease of understanding.

introducing the bill was in the majority party; the introducing Member's absolute value DW-NOMINATE score; and whether the introducing Member was on any of the committees to which the bill was referred.

Next, for the factors aligning with the bill's consideration in the House, we examine: whether the bill was categorized as important or not important (as defined by Mayhew (1991), Mayhew (2005), and Mayhew (2022)); the number of cosponsors to the bill; and whether the bill was referred to a single or multiple committees.

Finally, for the factors concerning the outcome of the bill, we examine whether the bill passed or failed in the House, and if applicable, the Senate and President. Due to data constraints across all three categories of factors, we are only able to examine bills considered between 1975 and 2017 (94th Congress - 114th Congress).

We analyze the relationship between these factors and the accuracy rates using two models: in the first model we regress the set of bill-level party-centric theoretical coalition accuracy rates on the above set of variables; in the second model, we do the same for the set of floor-centric theoretical coalition accuracy rates. In addition, we include Congress and bill policy topic (as defined by Wilkerson et al. (2021)) fixed effects in each model. The results from these models can be found in Table 3.1.

We first examine the results from the "bill introduction" set of variables. Most of these variables held null relationships with floor- and party-centric theoretical coalition accuracy, including: the first entry, the binary variable "Introduced in Second Session," which takes on reference category "Introduced in First Session;" the second entry, the binary variable "Introduced in Senate," which takes on reference category "Introduced in House;" and the fourth entry, the numerical variable "Introducing MC Abs(DW-NOM.)," which spans from 0 to 1. On the other hand, the binary variable "Introducing MC in Maj. Party," which takes on reference category "Introducing

Table 3.1: Factors Associated with Bill-Level Theoretical Coalition Accuracy

	Dependent variable:	
	Party Accuracy	Floor Accuracy
Introduced in Second Session	−0.003	0.003
	(0.005)	(0.002)
Introduced in Senate	0.003	−0.003
	(0.009)	(0.003)
Introducing MC in Maj. Party	0.071***	0.014***
	(0.014)	(0.005)
Introducing MC Abs(DW-NOM.)	−0.006	0.0003
	(0.008)	(0.003)
Introducing MC on Bill's Cmte.(s)	0.0002	0.006***
	(0.006)	(0.002)
Important Bill	0.016*	0.011***
	(0.009)	(0.003)
Number of Cosponsors	0.0001*	0.00004**
	(0.0001)	(0.00002)
Referred to Multiple Committees	0.013**	0.002
	(0.005)	(0.002)
Failed House and Senate	0.017	−0.043***
	(0.013)	(0.004)
Failed House, Passed Senate	−0.100	−0.002
	(0.131)	(0.045)
Passed House, Failed Senate	0.062***	0.007***
	(0.005)	(0.002)
Passed House and Sen., Failed Pres.	0.090***	0.011***
	(0.008)	(0.003)
Congress and Policy Topic FE	Yes	Yes
Observations	3,966	3,966
Adjusted R^2	0.339	0.153
Note:	*p<0.1; **p<0.05; ***p<0.01	

MC in Min. Party," held a positive relationship with both floor and party coalition accuracy; both floor and party accuracy measures are higher for bills introduced by a Member of the majority party relative to those introduced by a Member of the minority party. While it is noteworthy that both coalitions' accuracy rates exhibit a positive relationship with the variable, the primary takeaway here is the magnitude: the strength of the relationship between party accuracy and a majority party introducer is approximately five times greater than for floor accuracy. Finally, we have the binary variable "Introducing MC on Bill's Cmte.(s)," which takes on reference category "Introducing MC Not on Bill's Cmte.(s)." Here, we have a null relationship for party accuracy and a positive relationship for floor accuracy. Interpretation of this finding depends on one's beliefs about the role of committees in Congress. If one takes the Cox and McCubbins (2005) approach in which committees are gates for policy only supported by a majority of the majority party, then this result may be counter-intuitive. However, from the point of view that committees are deliberative bodies where policy can be shaped to the preferences of the larger body, the result may come in to focus. More research is needed to fully untangle this finding.

Next, we look at the results from the "bill consideration" set of variables. The "Important Bill" variable is a binary variable with reference category "Not Important Bill." For both the party- and floor-centric coalitions, important bills are associated with higher accuracy rates than not important bills. This association is almost 50 percent greater for the party coalition than the floor coalition. The cosponsors variable is also positive for both models, and the association between additional cosponsors and party coalition accuracy is between 2 and 3 times greater than for the floor coalition's accuracy rate. The "Bill Referred to Multiple Committees" variable is also binary with the reference category "Bill Referred to a Single Committee." For this variable, the relationship is positive for the party coalition and null for the floor. Ultimately, this tells us that the party-centric theoretical coalition is more accurate

at predicting observed coalitions than the floor-centric theoretical coalition for bills generally categorized as important, well-supported, and ranging across a variety of policy domains.

Finally, we examine the results from the "bill outcome" variable. This grouping consists of a single categorical variable with five values: fail the House and fail the Senate; fail the House and pass the Senate; pass the House and fail the Senate; pass the House, pass the Senate, and fail the President; and pass the House, pass the Senate, and pass the President. In our model, "pass the House, pass the Senate, and pass the President" serves as the reference category. The primary finding here is the difference between bills that pass the House and become law versus bills that pass the House and do not become law. Both the floor- and party-centric theoretical coalitions exhibit substantially higher accuracy rates for bills that pass the House but fail to become law (either bills that pass the House and fail the Senate or bills that pass the House, pass the Senate, and fail the President) relative to bills that pass the House and become law. This relationship is slightly less than an order of magnitude greater for the party coalition than for the floor coalition. This may be due to the fact that passing bills through the House, Senate, and President typically requires an ideologically diverse coalition, even during periods of unified government. Therefore, if a bill is acceptable to a wide-enough coalition to pass the House, Senate, and President, it is likely to garner widespread support in the House and render our minimally-winning floor- and party-centric theoretical coalitions inaccurate. Further, the House is often known for regularly passing "messaging bills" meant to convey a position and not to pass the Senate or the President. These messaging bills therefore may inflate the accuracy of the theoretical coalitions on bills that pass the House but fail the Senate and/or the President relative to bills that pass all three. It is also worth mentioning here that bills that fail the House (either bills that fail the House and the Senate or bills that fail the House and pass the Senate) show a generally

null difference in accuracy rates relative to bills that become law. This is likely due to the fact that so few bills both reach the final passage stage in the House and fail to pass the House, which results in the standard errors around these estimates to be quite high.

A final note on these results: the adjusted R squared for both the floor and party accuracy models are relatively low at 0.15 and 0.34, respectively. Despite the plethora of explanatory variables, these models are still only accounting for–at max–a third of the variation in theoretical coalition accuracy rates. This may be due to the fact that the theoretical coalition sizes are fixed at the minimally winning number, while observed coalitions may often extend beyond that.

3.4.2 Congress-Level Factors

Next, we explore the associations between Congress-level factors and the average Congress-level accuracy rates of our floor- and party-centric theoretical coalitions. We focus on three factors that may potentially associate with Congress-level average accuracy: partisan control of the House, Senate, and presidency; the size of the majority party in the House; and the historical period in which the Congress occurred.

We measure partisan control of Congress and the White House using a binary variable, "Unified Government," which takes on reference category "Divided Government." We measure the size of the majority party using a numerical variable "Majority Proportion," which is equal to the percentage of all Members caucusing with the majority party. And finally, we measure the historical period using a categorical variable which takes on the reference category "Period 1: 1881 - 1911."

We analyze the relationship between these factors and the Congress-level average accuracy rates using two models: in the first model we regress the set of average Congress-level party coalition accuracy rates on the above set of variables; in the

second model, we do the same for the set of floor coalition average accuracy rates. The results from these models can be found in Table 3.2.

Table 3.2: Factors Associated with Average Congress-Level Theoretical Coalition Accuracy

	Dependent variable:	
	Party Accuracy	Floor Accuracy
Unified Government	5.519***	−0.147
	(2.041)	(0.487)
Majority Proportion	0.055	0.204***
	(0.163)	(0.039)
Period 2: 1911 - 1941	−3.481	0.171
	(2.805)	(0.670)
Period 3: 1941 - 1955	−8.000**	−0.176
	(3.525)	(0.842)
Period 4: 1955 - 1995	−3.333	−0.437
	(2.694)	(0.643)
Period 5: 1995 - 2021	11.536***	2.539***
	(3.019)	(0.721)
Observations	70	70
Adjusted R^2	0.348	0.328
Note:	*p<0.1; **p<0.05; ***p<0.01	

The coefficients on the "Unified Government" variable very much comport with traditional understandings of Congress. The floor-centric theoretical coalition shows a null relationship; the floor coalition is no more accurate at the Congress level under unified government than under divided government. We might expect this to be true a priori, given that the theoretical coalition is an apartisan model. On the other

hand, the party-centric theoretical coalition exhibits a strong association between average Congress-level accuracy and unified government; the party coalition is more accurate at the Congress level under unified government than divided government. We should expect this to be true: under unified government, majority party Members are better able to shuttle their policy priorities through a copartisan Senate and Administration, and may therefore be more likely to organize the House in a partisan manner. However, under divided government, House Members may be less likely to choose such a partisan organization of the House, as they will be less likely to advance their partisan priorities through the rest of the federal government.

Next, we turn to the "Majority Proportion" variable. The party coalition's average accuracy rate is not associated with the percentage of all Members caucusing with the majority party. This finding appears counter-intuitive at first, but may be due to ideological cohesion issues in large majority parties. Looking across the post-Reconstruction years, the parties in Congress were at their weakest near the middle of the 20th century. House Democrats were both hegemonic and completely incohesive as a result of their big-tent, soon-to-fray New Deal Coalition. As a result of the incohesion, final passage coalitions in the House often ignored party lines, with the conservative southern Democrats often aligning with the conservative Republicans to thwart the liberal northern Democrats. This phenomenon likely weakened the party coalition's average accuracy in mid-century congresses when the majority proportion was high. Another–perhaps complimentary–interpretation of this result could be mechanical: this finding could be a byproduct of the theoretical coalition's construction algorithm. The party-centric theoretical coalition is always minimally-winning in number and symmetrically-oriented around the median majority party Member in position. As a result, when there are large majority parties, the party coalition predicts that the observed coalitions will *only* consist of the central set of

the majority party, which excludes likely yes votes from the far left and far right of the majority party. This exclusion reduces the accuracy rate of the party coalition.

The coefficient for the "Majority Proportion" variable in the floor model is positive, perhaps for the exact reasons listed above for the party model. The floor coalition is likely more accurate when the majority party is large because large parties are often less cohesive, which may result in majority party centrists partnering with the minority party to pass legislation. The floor coalition would be relatively more accurate under such a situation. In addition, the mechanical features of the floor-centric theoretical coalition's construction algorithm may play a role in generating this result. When the number of majority party Members increases, this increases the number of majority party Members in the floor-centric theoretical coalition. If these majority Members are typically those making up the observed coalition, then the floor coalition will appear more accurate with large majority parties.

Finally, we turn to the historical periods variable. These results are a clear continuation of the trends apparent in Figures 3.3, 3.4, and especially 3.6. For the party model, we can see the U shape: party accuracy declines from Periods 1 to 2, hits a nadir in Period 3, begins to increase again in Period 4, and then skyrockets in Period 5. On the other hand, floor accuracy remains unchanged through Periods 1, 2, 3, and 4, and then experiences a (quite modest relative to the Period-to-Period changes in party accuracy) jump in Period 5.

3.5 Conclusion

In this chapter, we examined theoretical coalitions in Congress and their ability to predict observed coalitions across various historical periods. In addition, we analyzed the bill-level and Congress-level factors that associate with the accuracy rates of floor- and party-centric theoretical coalitions.

The central findings of this research is the stark difference in the predictive power of party-centric versus floor-centric theoretical coalitions. Party-centric coalitions demonstrated a higher degree of accuracy in anticipating observed voting patterns, particularly during Periods 1 and 5. Conversely, floor-centric coalitions generally exhibited lower predictive accuracy, suggesting that the floor theory of congressional organization may not fully capture the complexities of legislative dynamics.

Overall, our work suggests that policy likely formed at the ideal point of the median voter in the majority party during Periods 1 and 5. Further research is needed on the intervening mid-century period.

4

The Modern Motion to Recommit, Part 1

4.1 Introduction

In Chapters 4 and 5 I undertake a comprehensive theoretical and empirical examination of the modern motion to recommit, or MTR. I use the procedure as a tool to examine a larger set of questions: how have Members organized the modern Congress, where in the chamber have they vested power, and what are the implications of their organizational and power distribution choices for public policy?

I begin in Section 4.2 with a technical background on what I call the *modern* MTR, which was the version of the procedure in place from January 1995 to January 2021. I show that the procedure served as an opportunity for the minority party to offer an amendment to a fair portion of the substantive legislative items before the House. Next, I offer motivation for studying the MTR: in light of several contextual points–most notably that the chamber has strictly curtailed minority procedural access since Speaker Reed's 19th century reforms–the fact that the minority party was afforded such access to the House's agenda is remarkable. This makes the modern

MTR an excellent prism to view important questions about congressional procedure, policy, and power.

I offer further motivation and context in Section 4.3 by briefly outlining the existing scholarly debate around the purpose, use, and strategy of the modern MTR. The "floor" school of thought holds that the minority party used the MTR to empower the House floor (i.e. *all* Members in the chamber) and invalidate the majority party's procedural cartel by offering to the majority party's policy proposals unbeatable MTR amendments located at the median Member's ideal policy point. The "majority party" school of thought contends–and empirically demonstrates–that the majority's policy proposals were not threatened by the MTR. However–critically–while the "majority party" scholars largely disprove the "floor" school's position with regards to the MTR's use and purpose, they fail to offer a positive vision of the procedure's use and purpose that aligns with their model of Congress. The scholarly debate centers around whether the minority party's MTR prerogative served as a conduit for the floor to circumvent the majority's procedural control, place its preferred policy on the agenda in lieu of the majority's preferred policy, and pass its preferred policy. At its essence, this is a debate about who controlled the House floor and what–from a policy and political perspective–that control was used to accomplish.

I enter the debate with Chapters 4 and 5 of this dissertation firmly in the "majority party" school of thought. In this project, I build on majority party scholars' previous work by solving the puzzle apparent in their arguments: while they demonstrated that the MTR was not used to circumvent the majority party's procedural cartel, they failed to show how the procedure was used in a manner that did not empower the floor. I offer a theoretical and empirical demonstration of a positive vision of the minority's modern MTR strategy, one that did not circumvent the majority party's procedural control over the *policy content* of their legislative proposals. This positive vision of minority party MTR strategy offers a nuanced view of procedure,

policy, and power in the chamber: I simultaneously recognize that the majority party abdicated–at least temporarily and in a limited manner–general procedural control via the MTR *and* argue that the minority party did not to use the MTR to substitute the floor's ideal policy at the expense of the majority's ideal policy.

Finally, I end this chapter by outlining my theory of minority party MTR strategy in Section 4.5. I argue that the minority strategically wrote and deployed MTRs to force vulnerable majority Members into electorally-threatening votes without threatening their own electoral prospects. In other words, I contend that the minority party wielded the MTR not as a tool to affect policy but instead to wage electoral-procedural warfare against the majority. The minority party's MTR aim was not to empower the floor and its preferred policy but instead to win elections and take majority status for themselves. In essence, this is a defense of party power over floor power in the modern Congress.

4.2 Technical Background

The motion to recommit is a procedural product of the British Parliament, and was adopted in the first U.S. House of Representatives in 1789 (Wolfensberger (2003)). While the form and function of the MTR has varied widely over the previous 250 years, the core definition has remained constant: the MTR serves as the final opportunity for the House to reconsider legislation immediately prior to the final passage vote.

There are two general types of MTRs: the simple MTR and the amendatory MTR. The simple MTR sends (recommits) the bill to the reporting committee with no binding language, such as proposed amendments. If the simple MTR passed, according to Speaker Boehner (2003), it "means the bill is dead forever." The amendatory MTR also recommits the bill to the reporting committee, but additionally includes binding instructions that the chair of the committee must "forthwith"

report the bill back to the House floor affixed with an amendment specified by the Member offering the motion; essentially, the amendatory MTR offers an immediate amendment to the bill in question.

In the latter chapters of this dissertation I focus on what I call the *modern* motion to recommit, which was the iteration of the MTR in effect from January 1995 to January 2021. The modern MTR differs from pre-modern iterations by two critical properties:

1. **Widespread Availability**: Rule XIX stipulated that the Rules Committee could not report a special rule to the House floor that prohibited the offering of an amendatory MTR to the underlying bill (Lynch (2016)).

2. **Minority Party Prerogative**: Rule XIX also stipulated that a minority party opponent of the underlying bill would have priority recognition on the floor to offer the motion to recommit.

Taken together, these properties indicate that from January 1995 to January 2021 the minority party held the right to offer an amendment via the modern MTR to all bills reported to the floor of the House by special rule. This minority party prerogative is remarkable when taken in the context of three points. First, most substantive bills reached the floor via special rule during this era (Oleszek et al. (2020)), meaning that the minority party was not limited in its amending capacity to merely decorative, commemorative, or messaging bills. Second, the majority party has–to greater or lesser degrees–exacted negative agenda control over the House floor since the adoption of Reed's Rules in the late 19th century (Cox and McCubbins (2005)). Thus, for the majority party to deliberately prevent itself from closing the gates on minority party floor access is increasingly rare in the modern Congress. Third, the

majority party clearly fears floor amendments: as of June 2022, the Rules Committee (under both Republican and Democratic leadership) has neglected to report a single open rule since the 2015-2016 114th Congress (Lynch, Madonna and Vick (2019); Wolfensberger (2021)).

In sum, the modern MTR can be understood as empowering the minority party to offer an amendment to most substantive bills before the House. This makes the procedure plausibly powerful, and certainly unique in an institution dominated by the majority party. We can therefore examine the procedure in order to gain insights into congressional procedure, policy, and power.

4.3 Debate in the Literature

Existing scholarship on the (pre-modern and modern) MTR has centered around a key debate: was the MTR a tool for the minority party to preempt the majority party's procedural cartel and enact the floor's policy preferences over those of the majority party?; or, was the MTR *not* used to threaten the majority's policy proposals, and instead used for some other purpose? This debate holds important implications for the larger concept of majority party supremacy in modern congressional organization and policy.

4.3.1 "Floor" School of Thought

Krehbiel and Meirowitz (2002) (KM) largely introduced the debate around the MTR, and came out firmly in support of the "floor" school of thought. KM begins with a game-theoretic model of a three-person legislature resembling the House. The sequence of play is such that the two majority party legislators hold first-mover rights over setting the chamber's agenda, and thus are the first to propose any bill

in response to an exogenous status quo. The authors assume that the majority legislators will locate their bill near the center, or the median, of the set of majority party legislators' ideal points. Next, the singular minority party legislator holds last-mover rights over setting the chamber's agenda (similar to a minority-prerogative MTR), and thus retains the power to propose an amendment to the initial bill at the penultimate stage. Finally, the legislators vote on the pairs of alternatives using a simply majority rule: first, the unamended bill versus the amended bill; then either the unamended bill or the amended bill (whichever is victorious in the previous stage) against the status quo.

KM derive a simple (albeit conditional) conclusion from their model: the minority legislator can propose an amendment to the bill such that the floor prefers the amended bill to the unamended bill, and that the amended bill will thus prevail in pairwise voting. In KM's conception, the amendatory MTR was thus an explicit tool for the minority party to undercut the majority party's procedural advantage, and for the floor's policy preferences to then prevail over the majority party's policy preferences. The KM position thus predicts that the minority should deploy the MTR at every available opportunity and that the MTR should always pass (Roberts (2005)).

4.3.2 "Majority Party" School of Thought

A number of "majority party" scholars have come forward against KM's "floor" position. Roberts (2005) generates different empirical expectations regarding rates of MTR incidence and passage stemming from the "floor" and "majority party" schools of thought. He then compares each set of expectations against observed MTR incidence and passage rates in order to see which school of thought is more reflective of reality. KM's "floor" position expects MTRs to always be offered, to always pass, and to regularly roll the majority party. However, Roberts (2005) finds

that:

> "For the 61st-107th Congresses (1909-2002), a motion to recommit with instructions was offered on 31% of bills receiving a final passage vote. Approximately 10% of motions to recommit with instructions passed. KM suggest that the minority should be able to roll the majority on the motion to recommit, yet this occurs in only 8% of bills that have a recommital with instructions...the low passage and roll rate is...particularly devastating to KM's theory."

Cox, Den Hartog and McCubbins (2007) similarly dispute KM's theory "that the MTR empowers the minority party to affect policy," instead arguing that "the MTR does not undermine the majority party" on policy grounds. Cox, Den Hartog and McCubbins (2007) engage in two tracks of analysis: first, they count MTR incidence and passage rates to see if, as KM predict, MTRs are always offered and always pass; second, they count majority party MTR roll rates to see if, as KM predict, MTRs are used to implement policy over the wishes of the majority of the majority party.

On the first track, Cox, Den Hartog and McCubbins (2007) find several empirical figures that firmly contradict KM's theory:

1. From the 83rd to the 105th Congresses (1953-1998), "there were only 27 percent...as many [simple and amendatory] recommittal motions as final-passage votes."

2. From the 80th to the 104th Congresses (1947-1996), "only 54 percent of the recommital motions" were of the amendatory variety.

3. From the 83rd to the 105th Congresses (1953-1998), "of the 848 [simple and amendatory] recommittal motions, only 13 percent passed."

On the second track, Cox, Den Hartog and McCubbins (2007) also find strong evidence against KM's theory: "of the 109 passed [simple and amendatory] recommital motions [from the 83rd to 105th Congresses]...*none* led to final-passage roll-call votes on which the majority party was rolled."

As a result, Cox, Den Hartog and McCubbins (2007) conclude that the MTR was not, as KM argue, used by the minority party to affect the substance of policy before the House.

Kiewiet and Roust (2007) also engage in two tracks of analysis to evaluate KM's theory and also find that the MTR was not used to affect the majority's policy. First, they also count the incidence rate of MTRs from the 103rd to the 107th Congresses (1993-2002): their "data reinforce the findings of Cox, Den Hartog and McCubbins (2007) that the minority party forgoes most opportunities it would seem to have to offer this motion." Second, Kiewiet and Roust (2007) compare the minority party's use of amendments in the Committee of the Whole (COTW) to their use of amendatory MTRs. They found that minority COTW amendments passed at a significantly higher rate than amendatory MTRs, suggesting that the minority party was not using the MTR to affect policy, but were instead affecting policy via amendments in the COTW.

Thus, there exists significant evidence against KM's hypotheses: historically (i.e, not only during the modern era), MTRs were not offered at every available opportunity, nor did they always pass, nor did they roll the majority. In sum, they did not affect the majority party's policy proposals. However, Roberts (2005), Cox, Den Hartog and McCubbins (2007), and Kiewiet and Roust (2007) do not specifically examine the *modern* MTR time period, which I argue is of particular importance given its

unique properties.[1] Therefore, I re-analyze the key MTR incidence and passage rate tests undertaken in all three "majority party" school MTR articles, limiting to the modern MTR years (1995-2021).[2]

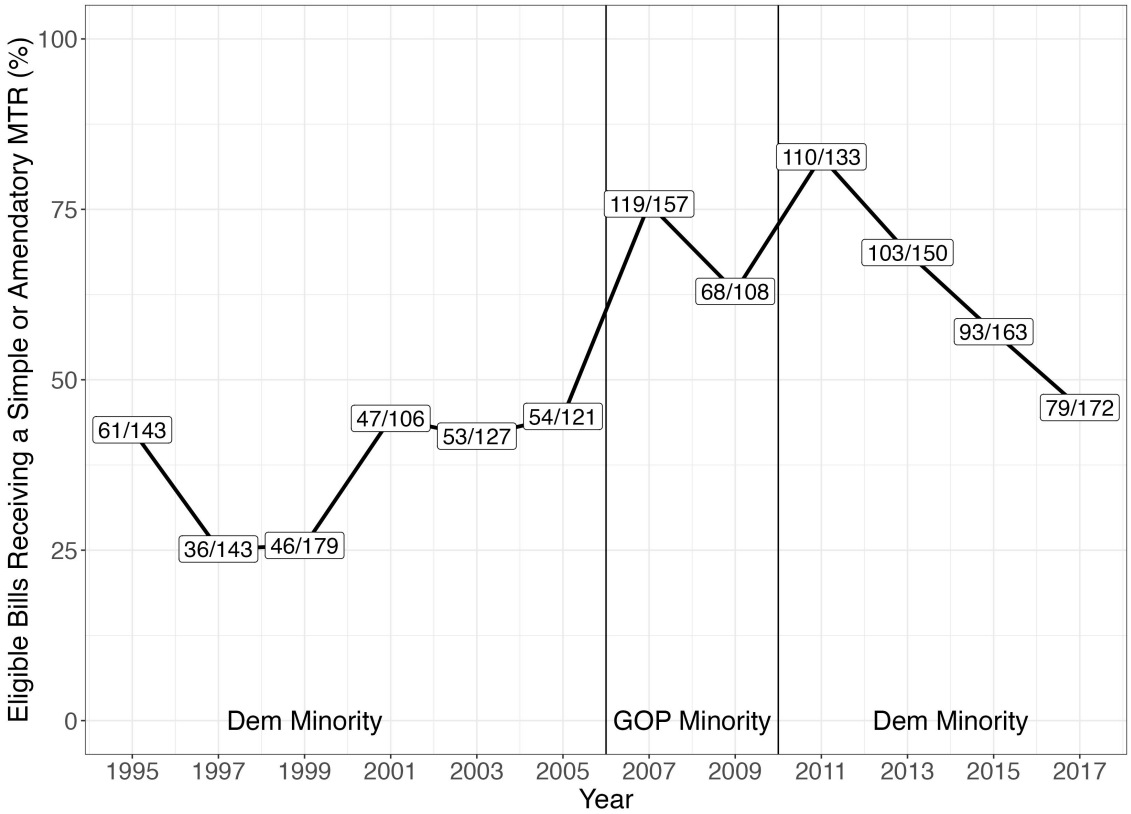


FIGURE 4.1: Modern MTR Incidence Rate

Figures 4.1 and 4.2 plot, respectively, the simple and amendatory MTR incidence and passage rate in each Congress but the final during the modern MTR era. Both figures clearly demonstrate that during the modern MTR era the minority party did not offer the motion to every eligible bill, nor did every offered motion pass. In fact, during the period examined only 51 percent of eligible bills received either simple or amendatory MTRs, and of those MTRs offered only six percent passed the House.

[1] See more on this in Section 4.2.

[2] I do not include the final Congress of the modern MTR (116th Congress; 2019-2021) due to data inavailbility at the time of writing.

Thus, we can safely conclude that the modern MTR was decidedly not used as a tool to affect the policy substance of underlying bills.

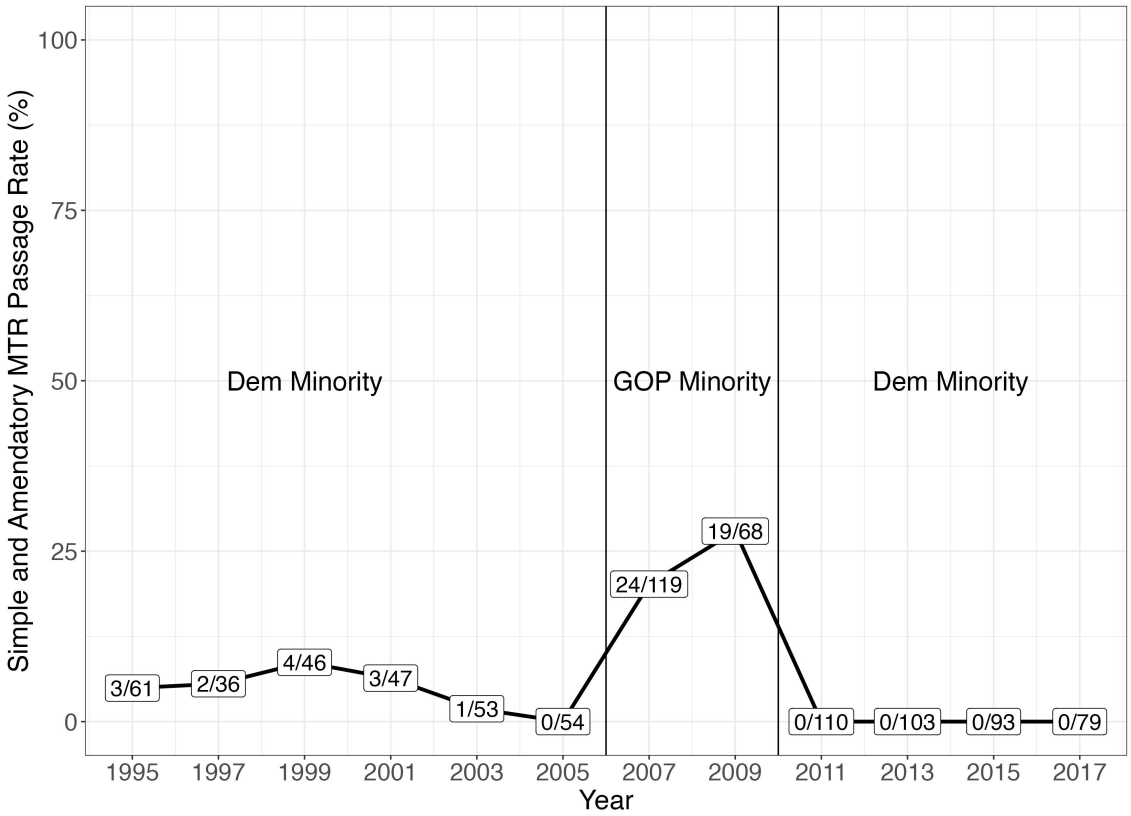


FIGURE 4.2: Modern MTR Passage Rate

4.4 Outstanding Puzzle and Research Question

The evidence seems to strongly suggest that KM's "floor" school of thought is not the correct reflection of the use and purpose of the motion. This is important, because it maintains the convention of majority party supremacy in modern congressional procedure and policy. However, the "majority party" school of thought has failed to fully respond to KM's theory: while they have shown the MTR not to threaten the majority party's policy dominance, they have not provided a party-centric perspective on the procedure's use and purpose. In other words, majority party scholars

have failed to demonstrate a use and purpose of the MTR that comports with a party-centric understanding of the chamber.

Cox, Den Hartog and McCubbins (2007) summarized this puzzle with the following:

> "It seems clear that the minority party *does* value the right to make recommittal motions. This seemingly implies that they see the recommittals as being valuable in some way. We have argued that, whatever the value is, it is *not* policy influence–but we have left open the question of why the motion to recommit is valuable to the minority party."

Thus, in the first two chapters of this dissertation I ask: what was the minority party's modern MTR strategy? What was the motion's purpose, and how did the legislature use it?

4.5 Theory

In this section I aim to provide a theory of the use and purpose of the modern MTR that fits within a majority party dominant understanding of the modern House. I seek to build on work of "majority party" scholars with a theory of the modern MTR that comports with the conception of majority party power in the modern Congress.

I offer a nuanced view. While I concede that the majority party did relinquish some degree of procedural control with the modern MTR, I also contend that the minority party did not use the procedure to threaten the majority party's policy proposals. Instead, I argue that the minority deployed the motion as a weapon of electoral-procedural warfare. Specifically, I demonstrate that the minority party strategically wrote and deployed MTRs in order to cross-pressure vulnerable majority party Members without cross-pressuring their own Members or threatening their

party brand.[3]

Importantly, the cross-pressure theory implies that the minority party did not seek to substitute the floor's policy preferences in lieu of the majority party's policy preferences. In fact, the theory implies that the minority party did not seek to use its near-single agenda-setting opportunity to affect policy at all. Instead, the theory argues that in the modern era the minority party deployed the MTR in seek of electoral gains, with the ultimate mission of retaking majority status for themselves.

4.5.1 Sequential Elections

In order to achieve reelection, each Member must win both races in a set of sequential elections. In the first stage, a Member contests a primary election decided by all copartisan voters in their district. In the second stage, a Member contests a general election decided by all registered voters in their district. A district's primary electorate is thus the partisan subset of the district's general electorate (Fenno (1977)).

At both stages in the sequential elections, voters come to the ballot box with fully-formed preferences over policy. Here, I conceive of voters' policy preferences as single-peaked, symmetric, and falling along a single ideological dimension (Black (1948); Hinich and Munger (1997)). Each voter in each primary and general election then maximises her utility by casting a ballot for the candidate nearest to her on the ideological dimension (Black (1948); Downs (1957)).

As such, for each district the candidate who locates themselves nearest in policy space to the ideal point of the median primary election voter is likely to win the primary election, and the candidate who locates themselves nearest to the ideal

[3] Webb (2012) first argued that the MTR was a cross-pressure tool. I make a number of novel theoretical (in this section) and empirical (in Chapter 5) expansions upon Webb's initial work.

point of the median general election voter is likely to win the general election (Black (1948)). Importantly, I adopt the assumption originally made by Aranson and Ordeshook (1972) that candidates in each district must adopt a single position on the ideological dimension for both the primary and general elections; Members cannot locate themselves at one ideological position for the primary contest and a different ideological position for the general election. Finally, I assume that Members adopt a position on the ideological dimension using the aggregation of their votes in the previous Congress (Poole and Rosenthal (1997); Poole and Rosenthal (2007)).

4.5.2 Cross-Pressure: The Multiple Constituency Problem

This model election system can prove painless for some reelection-seeking Members and problematic for others. The extent of any potential problems is a function of two inputs: the average location in ideological space of the voting alternatives before the floor and the ideological divergence between each Members' primary and general election constituencies.

In order to illustrate the aforementioned point, I present two fictional congressional districts: District 1 is represented by Member 1 and District 2 is represented by Member 2. Both of the fictional Members are Democrats, which is the majority party in the House. I assume for this simple model–and for the overall theory–that the primary electorate in each district holds more ideologically extreme views than the general electorate (Kujala (2020)); I assume, for each congressional district, that the distribution of ideal points for registered Democrats (Republicans) makes up the left-hand (right-hand) tail of the distribution of ideal points for all registered voters in the district.

The distribution of primary and general election voter ideal points for District 1 is represented in Figure 4.3. Here, the primary electorate–the registered Democrats

of District 1–make up a sizeable portion of the general electorate–all registered voters in District 1. As such, the ideal point of the median primary election voter, P_1, and the ideal point of the median general election voter, G_1 are close together.

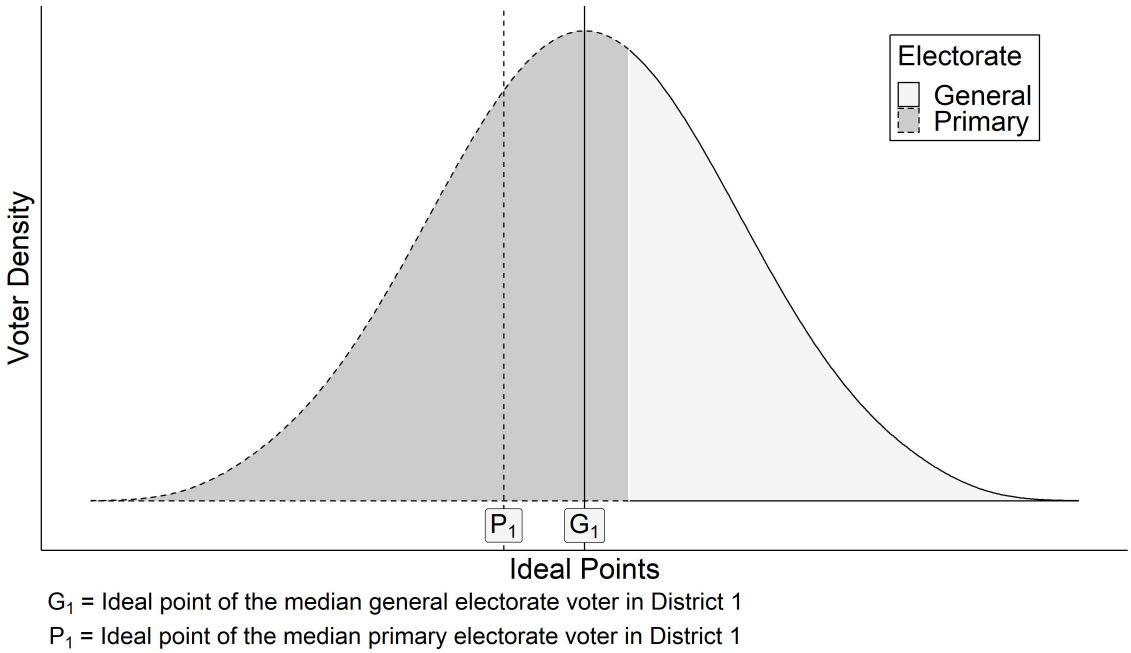


FIGURE 4.3: District 1 Distribution of Voter Ideal Points

On the other hand, the distribution of primary and general election voter ideal points for District 2 is represented in Figure 4.4. Here, the primary electorate make up a smaller portion of the general electorate. Thus, the ideal point of the median primary election voter, P_2, and the ideal point of the median general election voter, G_2, are far apart.

Now, each of the fictional Members will serve a term in Congress prior to facing reelection. Each Member will thus cast votes on the floor in the attempt to locate themselves at the optimal position on the ideological dimension in order to maximize their chances of reelection in the upcoming primary and general races. For Member 1, the process of casting reelection-maximizing votes is simple: both her primary and general electorate hold similar ideological views, so they are likely to support similar

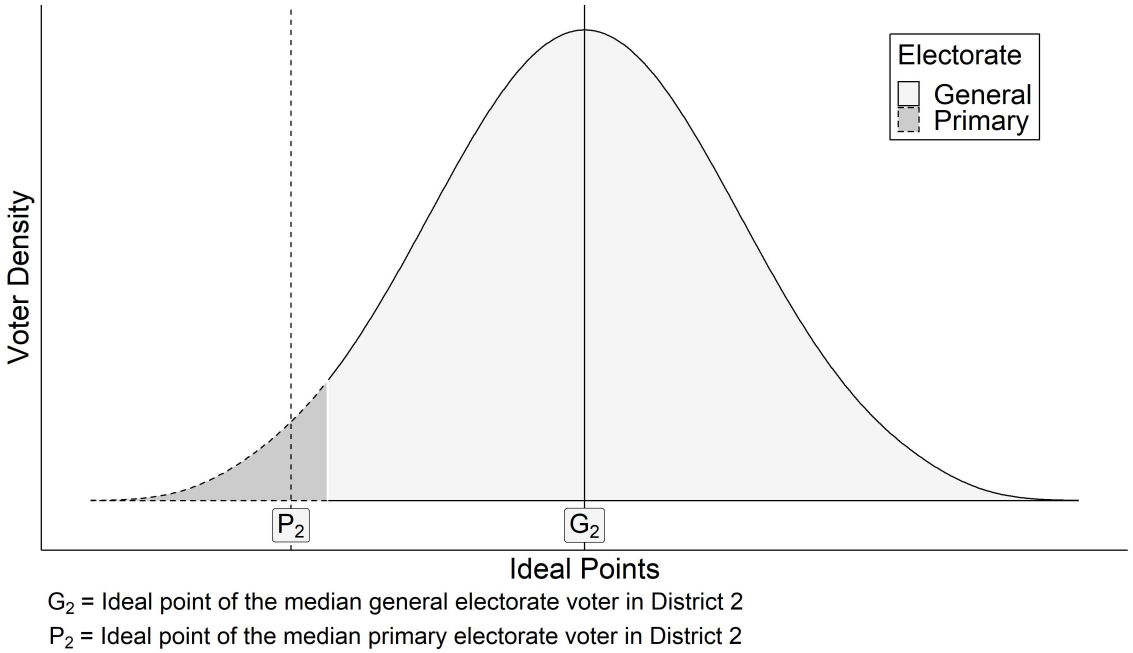


FIGURE 4.4: District 2 Distribution of Voter Ideal Points

positions on roll call votes. However, for Member 2, casting reelection-maximizing votes is unlikely to be simple because her primary and general electorate hold divergent ideological preferences, and are thus more likely to support opposing positions on roll call votes.

Let's imagine that a vote has come to the House floor in which Members are to cast their votes for alternative A or alternative B, both of which are placed at some point on the ideological dimension. For Member 1, the vote is likely to be straightforward: due to the fact that her median primary election voter and median general election voter share similar ideal points, she can maximize her odds of reelection by simply casting a ballot in favor of the alternative likely preferred by both the median primary and general election voters. In doing so, Member 1 has bolstered her bid for reelection. For Member 2, a more likely outcome arises in which her median primary and general election voters hold split preferences over the alternatives on the floor: the median primary election voter prefers alternative A to B while the median

Table 4.1: Voter Preferences, Member Votes, and Cross-Pressure

	Prim. Elec. prefers A to B	*Prim. Elec. prefers B to A*
Gen. Elec. prefers A to B	Member Vote for A	**Cross-Pressure**
Gen. Elec. prefers B to A	**Cross-Pressure**	Member Vote for B

general election voter prefers alternative B to A (or vice versa). Member two is then subject to *cross-pressure* on this vote: her multiple constituencies are pressuring her to vote in opposite directions.

Cross-pressure can be a problematic nuisance for reelection-seeking Members, given that a vote for either alternative will alienate one of the constituencies necessary for victory in sequential elections. Majority party Members are typically able to avoid the cross-pressure problem through the deployment of the procedural cartel, which enacts negative agenda control over votes that would otherwise threaten their Members' reelection ambitions (Cox and McCubbins (2005)). However, the majority party has abdicated power over the agenda in at least one scenario: the modern amendatory MTR.

4.5.3 Minority Party Strategy on the Modern MTR: Goals

I argue that the minority party's MTR strategy was oriented around the goal of applying cross-pressure to targeted majority party Members; the minority party wrote MTRs such that, for targeted majority party Members, their median primary election voter would prefer the bill to the MTR and their median general election voter would prefer the MTR to the bill. The minority party did so in order to force these targeted majority party Members into an impossible choice: vote for the MTR (and against the bill) and lose the support of your primary electorate, or vote for the bill (and against the MTR) and lose your seat in the general election.

In other words, the central claim here is that the minority party deployed the MTR in order to wage procedural-electoral warfare against majority party Members who were a priori vulnerable to cross-pressure. Further, I argue that a majority party Member was more vulnerable to cross-pressure when two Member-level conditions were met:

1. **Inter-Constituency Divergence Condition**: Individual majority party Members' vulnerability to cross-pressure increased with increasing divergence between the ideal points of the median primary election voter and the median general election voter in the Member's district; a majority party Member was more vulnerable to cross-pressure if their primary electorate held divergent preferences from their general electorate. This condition describes majority party Members who represented districts similar to District 2 in Figure 4.4 and dissimilar to District 1 in Figure 4.3. Inter-Constituency Divergence rendered majority party Members vulnerable to cross-pressure because their primary and general election voters were less likely to support the same voting alternatives on the floor of the House.

2. **Inter-Party Convergence Condition**: Individual majority party Members' vulnerability to cross-pressure increased with increasing convergence between the ideal point of their median general election voter and the aggregate ideal points of the minority party; a majority party Member was more vulnerable to cross-pressure if their general electorate held similar ideological preferences to the minority party's electorate (broadly defined). Inter-Party Convergence rendered majority party Members vulnerable to cross-pressure because the minority party was likely to write an MTR such that (approximately) all of their Members supported the MTR over the majority party's bill.[4] As such, if the

[4] This assumption is explored and defended in Subsection 4.5.4.

minority party near-uniformly supported the MTR over the bill, and a given majority party Member's general electorate shared preferences with the minority party, then it must be the case that this given majority party Member's general electorate preferred the MTR to the bill. And therefore, unless this given majority party Member's primary electorate also supports the bill over the MTR, then the majority party Member will suffer from cross-pressure: her primary and general electorate will hold opposite preferences on the MTR vote.

To reiterate: both of the aforementioned conditions must be met in order for a majority party Member to have been vulnerable to MTR cross-pressure. Not only must the Member have represented a district in which the primary and general electorate held divergent ideological preferences, but the Member's general electorate must also have held similar ideological preferences to the minority party.

A majority party Member who met only the Inter-Party Convergence condition was not necessarily vulnerable to MTR cross-pressure. While this Member's primary and general electorate did hold dissimilar ideological preferences, it could have still been the case that both electorates preferred the same voting alternatives on average throughout a congress. This situation was likely to arise if both electorates' ideal points fell in the extreme (extremely liberal for Democrats, extremely conservative for Republicans) wing of the majority party. In that case, both electorates were likely to support the majority party's bill over the minority party's MTR, and the Member thus avoided MTR cross-pressure.

A majority party Member who met only the Inter-Constituency Divergence condition was also not necessarily vulnerable to MTR cross-pressure. Hypothetically (although unlikely), a majority party Member could have represented a primary and general electorate both holding similar preferences to the minority party. In that case, both the primary and general electorate were likely to prefer the minority

party's MTR over the majority party's bill, and the Member thus avoided MTR cross-pressure.

In order to have been vulnerable to MTR cross-pressure, a majority party Member must have met both conditions. The minority party applied MTR cross-pressure by writing amendatory language such that some number of majority party Members' general electorates preferred the MTR to the bill and primary electorates preferred the bill to the MTR. This was only possible if both conditions were met: the majority party Member's general electorate must be ideologically aligned with the minority party *and* ideologically distinct from the primary electorate.

4.5.4 Minority Party Strategy on the Modern MTR: Constraints

In the previous section I laid out the goal of the minority party's MTR strategy: majority party cross-pressure. By applying cross-pressure via the MTR, the minority party wielded a plausibly-powerful procedural tool, particularly considering the dearth of other opportunities for the minority party to place their items on the legislative agenda. However, despite the theoretical importance of the MTR, we can see plainly from Figure 4.1 that the minority party neglected to deploy the MTR in approximately half of available opportunities over the modern MTR era.

In this section, I further develop my theory of the minority party's MTR strategy by incorporating two constraints on the minority party's deployment of the MTR:

1. **Party Brand Name Constraint** - Each party's brand name–the strength of which is critical to winning elections and national majorities–is a direct function of the party's voting unity (Cox and McCubbins (2005); Cox and McCubbins (2007)). In order to promote party voting unity, and therefore strengthen their party's brand name, the minority party was less likely to offer an MTR to an eligible bill if party discipline was unlikely to be exercised on the MTR vote.

2. **Cross-Pressure Friendly Fire Constraint** - As discussed in Subsection 4.5.2, cross-pressure can threaten Members' chances of reelection. In order to promote their Members' chances of reelection, the minority party was unlikely to offer an MTR to an eligible bill if the MTR would have applied cross-pressure to their own Members.

In sum, the constraints were that all the minority Members needed to vote yes together on the MTR. In this conception of constraints, the minority party enacted gate-keeping power over the MTR–much like the majority party's procedural cartel (Cox and McCubbins (2005))–in order to shield their Members from cross-pressure and to strengthen (or at least not weaken) the party brand name.

I argue here that there were two crucial bill-level conditions determining whether the minority party could overcome the aforementioned constraints and offer an MTR to an eligible bill; there were two bill-level conditions must have been met in order for the minority party to write an MTR that would neither weaken the party brand nor apply friendly fire cross-pressure:

1. **The Degree of Partisan Sorting**: Each bill before the House dealt with some number of policy dimensions. I define *partisan sorting* as the degree of inter-party overlap in Member ideal points on each policy dimension. *Complete partisan sorting* occurred on a given policy dimension when the most liberal Republican was more conservative than the most conservative Democrat. *Incomplete partisan sorting*, on the other hand, occurred on a given policy dimension whenever there was at least one Republican (Democrat) who was more liberal (conservative) than at least one Democrat (Republican).

   If the parties were completely sorted on at least one policy dimension relevant to an MTR-eligible bill, the minority party would always be able to overcome

the constraints and offer an MTR on that policy dimension. If the parties were incompletely sorted on every policy dimension relevant to an MTR-eligible bill, the minority party was not guaranteed the ability to write an MTR that overcame the constraints.

2. **The Degree of Policy Dimensionality**: As the number of policy dimensions relevant to a bill increased, so too did the probability that the parties were incompletely sorted on at least one policy dimension. As stated above, if the parties were incompletely sorted on at least one policy dimension, the minority party would thus have always been able to write an MTR that neither applied friendly-fire cross-pressure nor threatened the minority party brand name.

In order to illustrate the role of partisan sorting and policy dimensionality in the minority party's MTR strategy, I again turn to the fictional Members 1 and 2. However, I now add another Member to complete the entirety of the legislature: Member 3 is a Republican representing the third and final district. Let's assume that the two majority party Democrats hold generally more liberal policy views than the one minority party Republican, and that within each district i the ideal point of the median primary election voter P_i is more extreme than the ideal point of the median general election voter G_i. Further, let's assume that the majority Democrats have brought to the floor of the legislature a bill B and located it on the single policy dimension somewhere within the range of Democratic ideal points. Finally, let's assume that the parties are completely sorted along this policy dimension; the ideal points of the median primary and general election voter for the most conservative Democrat are more liberal than the ideal points of the median primary and general election voters for the most liberal Republican. This model is represented in Figure 4.5.

In this model, the minority party Republican can respond to the majority party's

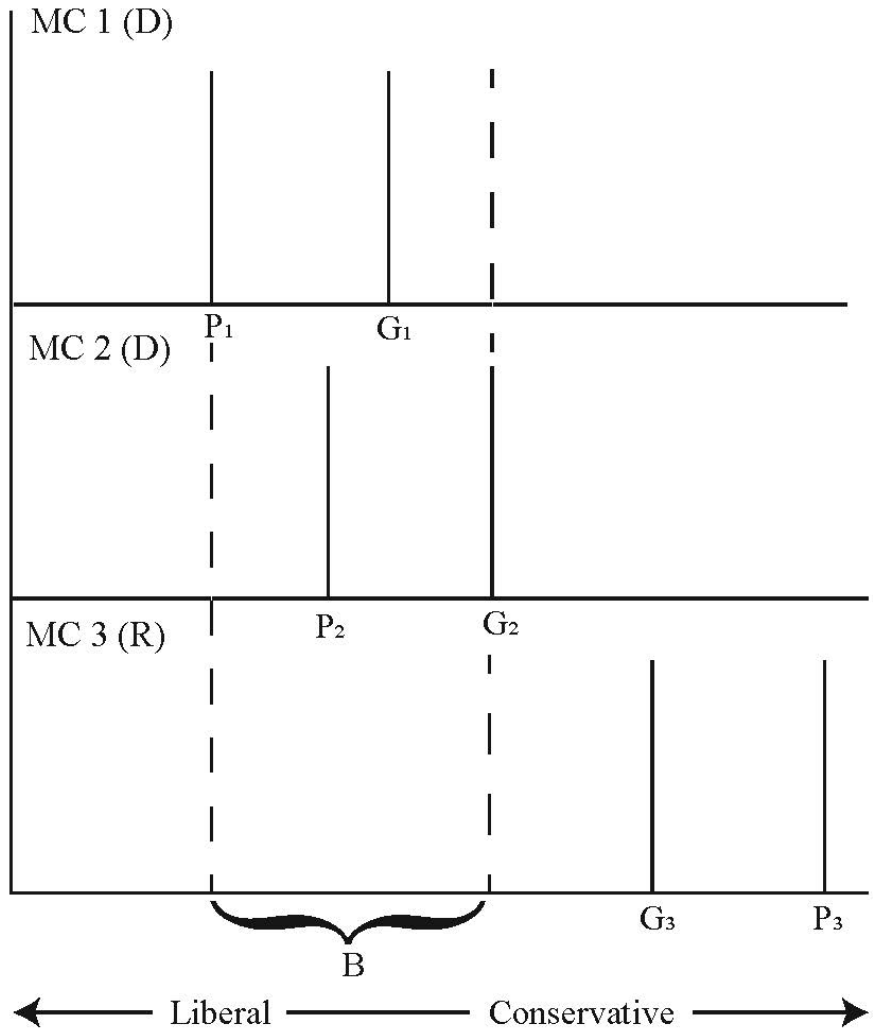


FIGURE 4.5: MTR Strategy under Complete Partisan Sorting

bill with an MTR anywhere to the right of G_2 that overcomes both of the constraints; MC 3 can place an MTR anywhere to the right of G_2 and have both of her median constituents prefer the MTR to the underlying bill. In other words, when the parties are completely sorted, the minority party will always be able to write an MTR such that the median general election voter and the median primary election voter in each minority party district will be unified in their support of the MTR over the underlying bill.

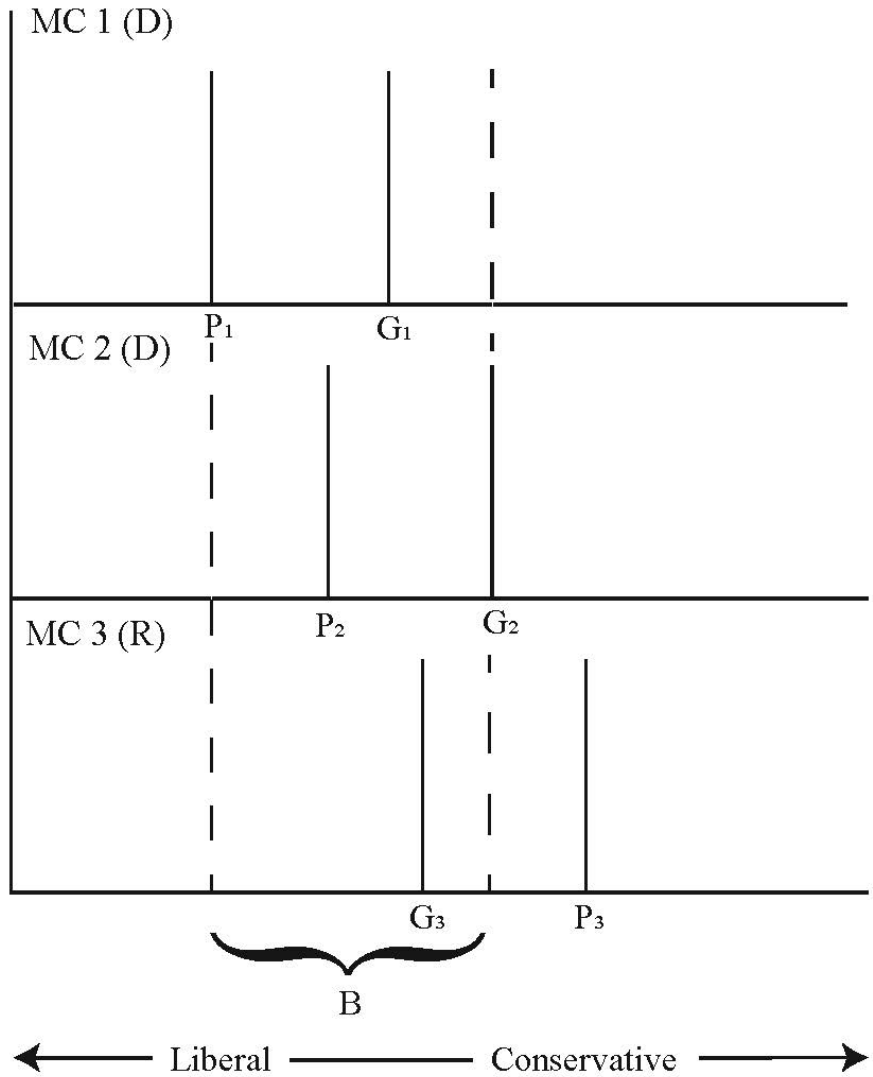


FIGURE 4.6: MTR Strategy under Incomplete Partisan Sorting

However, let's now assume that the parties are incompletely sorted in their preferences along this single policy dimension. Figure 4.6 illustrates the model under this new assumption. Here, the ideal point of the median general election voter in the Republican District 3, G_3, is now more liberal than the ideal point of the median general election voter in the Democratic District 2, G_2. Therefore, unlike the complete partisan sorting model, the minority party here is no longer guaranteed the ability to write an MTR that will both not apply cross-pressure to their own

Member and garner support from their Member over the underlying bill. If the majority party were to place their bill B anywhere between (and including) G_3 and G_2, then the minority cannot place their MTR anywhere on the policy dimension without applying cross-pressure to their Member. In addition, if the majority party were to place their bill B anywhere between P_1 and G_3, the minority party would have to place their MTR in the window between B and G_3 in order to ensure that their Member was both free from cross-pressure and had both median constituents in favor of the MTR over the underlying bill. This could be a narrow window, and one that narrows as the ideal point of the median general election voter in the most moderate minority party district becomes more moderate.

The point here is that when the parties are incompletely sorted, the window on the policy dimension in which the minority can offer an MTR without applying friendly-fire cross pressure or compromising the party brand name is smaller than when the parties are completely sorted. Thus, when the constraint-free window is wider, we should expect the minority party to exercise less constraint and be more likely to offer an MTR.

How does policy dimensionality fit into this model? Multiple scholars have argued that congressional bills are significantly more multidimensional than previously thought (Aldrich, Montgomery and Sparks (2017); Crespin and Rohde (2010); de Marchi, Dorsey and Ensley (2020)). I argue simply that the minority party was more likely to offer an MTR to an MTR-eligible bill as the number of policy dimensions germane to the bill increased. This assertion follows from the aforementioned partisan sorting argument: when there were more policy dimensions germane to a bill, the probability that any one of the policy dimensions exhibited complete partisan sorting was higher. Thus, the minority party's ability to overcome their constraints would have been higher as well. The germaneness qualifier is of particular impor-

tance here given that MTRs, like other types of amendments in the House, must be germane to the underlying bill (Lynch (2016)).

4.6 Conclusion

In this chapter I presented the first half of the larger project studying the modern motion to recommit. I began with a technical background on the procedure, showing that it afforded the minority party an opportunity to amend most substantive bills before the House.

Next, I outlined a prominent debate in the literature surrounding the MTR: whether the MTR was used to undercut the majority party's procedural cartel and empower the floor to enact its policy preferences. This debate holds important implications for our understanding of who holds power in Congress, and what they use it to achieve.

I entered the debate with a nuanced point. I laid out a theory of minority party strategy on the modern MTR in which: the majority party did–temporarily and in a limited manner–abdicate procedural control via the MTR; but, crucially, the minority party chose not to wield the procedure in order to affect policy, either because they knew it would be unsuccessful or because they valued other gains greater than policy gains. Specifically, I argue that the minority party deployed MTRs in order to cross-pressure vulnerable majority party Members without cross-pressuring their own Members or harming their party brand.

5

The Modern Motion to Recommit, Part 2

5.1 Introduction

In the previous chapter, I laid out the background and theory surrounding the minority party's use of the modern MTR. I argued that the modern MTR was used not as a means for the preferences of the floor to usurp those of the majority party, but was instead used as an electoral tool by the minority party specifically against targeted majority party Members. Under this theory, the modern MTR was a partisan tool used for partisan empowerment, which demonstrates the dominance of party structures over the floor structure at this period of congressional history.

In this chapter, I provide both quantitative and qualitative analyses addressing the aforementioned theoretical claims.

In the first section, I present simple descriptive tests of the broader concept of modern MTR cross-pressure. That is, prior to delving into the more advanced quantitative analyses, I first aim to meet the necessary–but perhaps insufficient–conditions demonstrating that the modern MTR was used as a cross-pressure tool.

Here, I show that modern MTRs almost always included instructions, almost always received recorded votes, and were more common in congresses with larger majority margins.

In the second section, I examine majority party Members' roll call votes using a placebo analysis in order to test the claim that the minority party's MTR goal was to apply cross-pressure to specific majority party Members. I find that the two conditions laid out in Subsection 4.5.3–Inter-Constituency Divergence and Inter-Party Convergence–were meaningful predictors of majority party Members' MTR votes and significantly less meaningful predictors of majority party Members' final passage votes. These results indicate that the minority party was writing MTRs in order to target vulnerable majority Members.

In the third section, I analyze MTR incidence to test the claim that the minority party self-restricted their use of the procedure in order to neither weaken the party brand nor apply cross-pressure their own Members. I find that the minority party was more likely to offer an MTR to an eligible bill if the bill met the constraint conditions laid out in Subsection 4.5.4: a higher degree of partisan sorting on at least one of the bill's dimensions and a higher degree of policy dimensionality for the bill as a whole.

In the final section of this chapter, I conduct a case study of the final year of the modern motion to recommit. This year provided not only an illustrative example of the MTR being used as a tool for minority party electoral-procedural warfare, but also set the stage for the demise of the procedure.

5.2 Basic Tests of the Cross-Pressure Theory

Prior to presenting the more advanced quantitative tests of the cross-pressure theory (in Sections 5.3 and 5.4), I first aim to present simpler descriptive tests. Specifically, I examine three basic conditions that should be met if the minority party used

the modern MTR as a cross-pressure tool: that MTRs should include amendatory instructions; that amendatory MTRs should be decided by recorded vote; and that the amendatory MTR incidence rate should be higher in congresses with a smaller majority party seat margin.

5.2.1 Rate of Amendatory Instructions among All MTRs

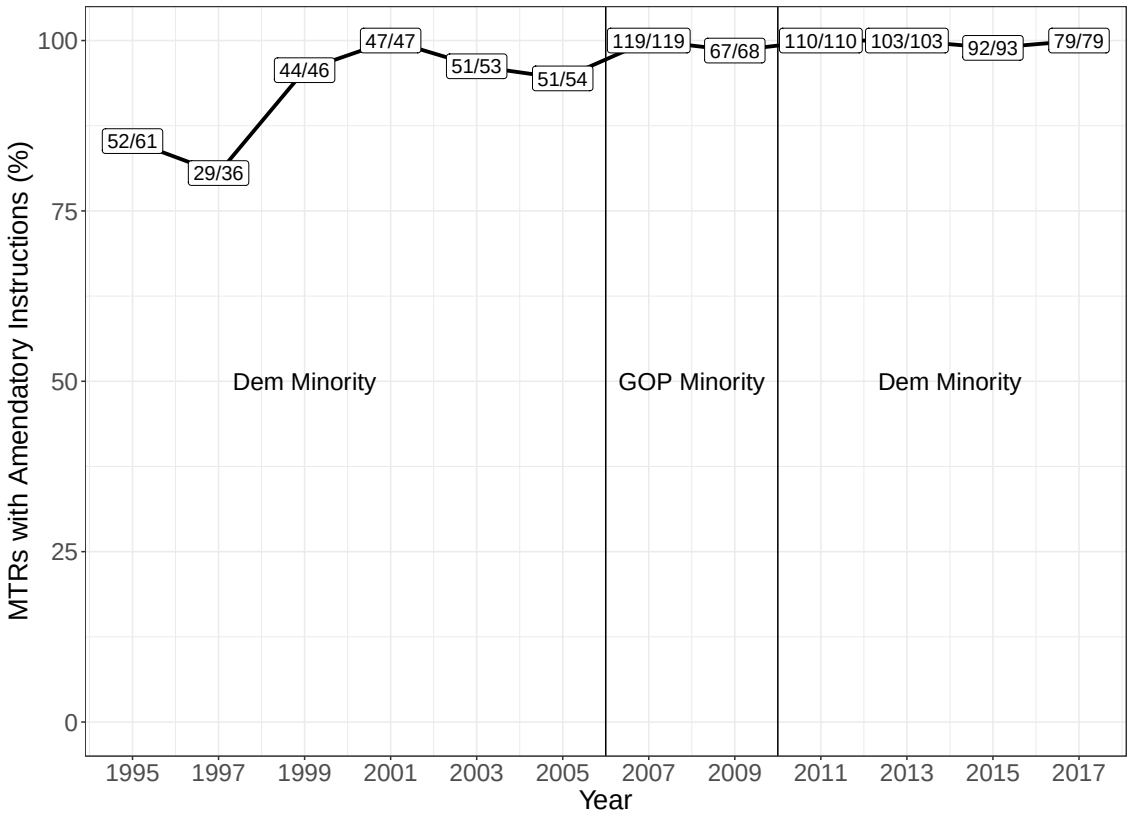


FIGURE 5.1: MTRs with Amendatory Instructions

First, I examine the rate of amendatory instructions. Recalling from Section 4.2, the minority party held a prerogative over offering either simple or amendatory MTRs to eligible bills. Simple MTRs contained no amendatory language, and instead were used to send a bill back to committee (very likely to die). Amendatory MTRs were those proposing an immediate amendment to the bill in question.

If the minority party used the modern MTR in order to apply cross-pressure to vulnerable majority party Members, then we should expect approximately every modern MTR to be of the amendatory variety. Simple MTRs, lacking in amendatory language, could not have been used to force tough votes.

Figure 5.1 shows the number of amendatory MTRs offered divided by the number of simple and amendatory MTRs offered. We can see that in each Congress, and especially those beyond 1999, the percentage of MTRs receiving amendatory instructions is extremely high. As a result, we can conclude that MTRs almost always received amendatory instructions.

5.2.2 Rate of Recorded Votes among Amendatory MTRs

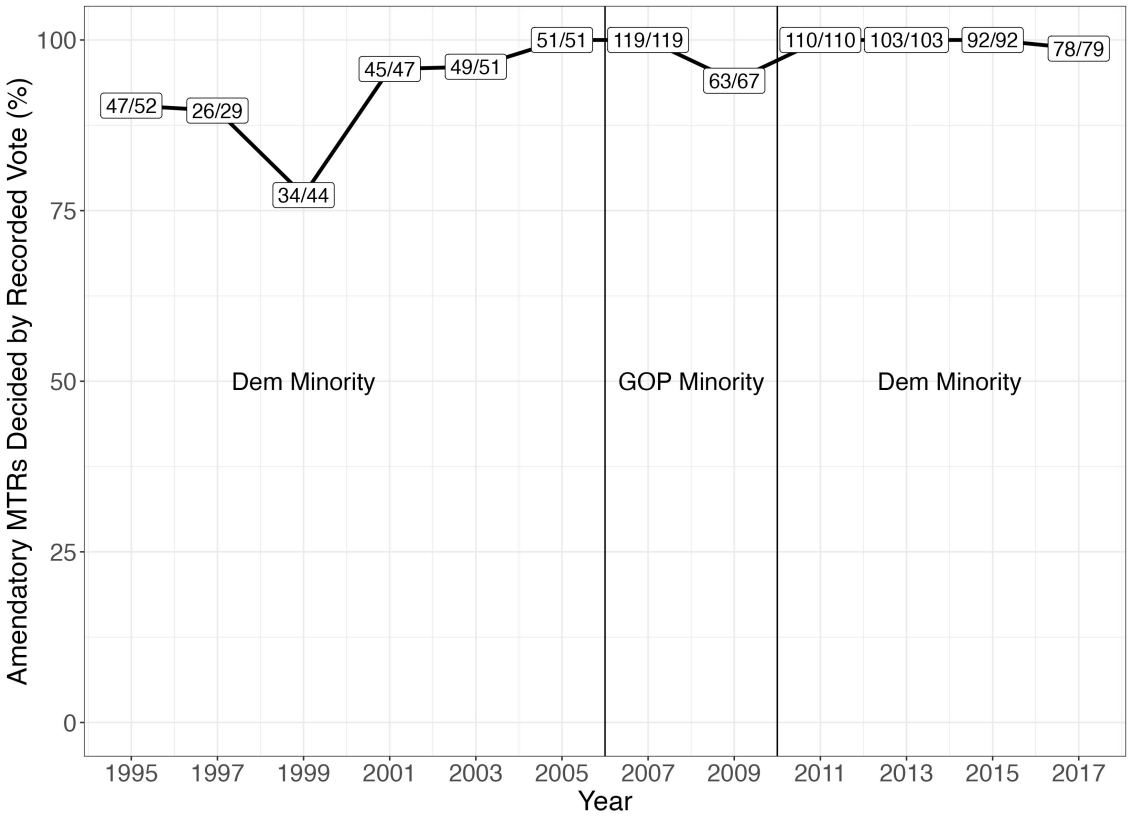


FIGURE 5.2: Recorded Votes on MTRs with Amendatory Instructions

Next, I turn to the rate of recorded votes among amendatory MTRs. The ranking

minority Member of the reporting committee typically offered MTRs on behalf of the minority party, and after doing so typically requested a recorded vote in lieu of a voice vote on the MTR. If the minority party used the modern MTR as a cross-pressure tool, then we should expect approximately every amendatory MTR to be decided by a recorded vote instead of a voice vote.

Figure 5.2 shows the number of amendatory MTRs decided by recorded vote divided by the total number of amendatory MTRs offered. The rate exceeds 75 percent in every Congress, and beyond 1997 never falls below 94 percent. Thus, we can conclude that amendatory MTRs were almost always decided by recorded vote.

5.2.3 Majority Party Margin and Amendatory MTR Incidence

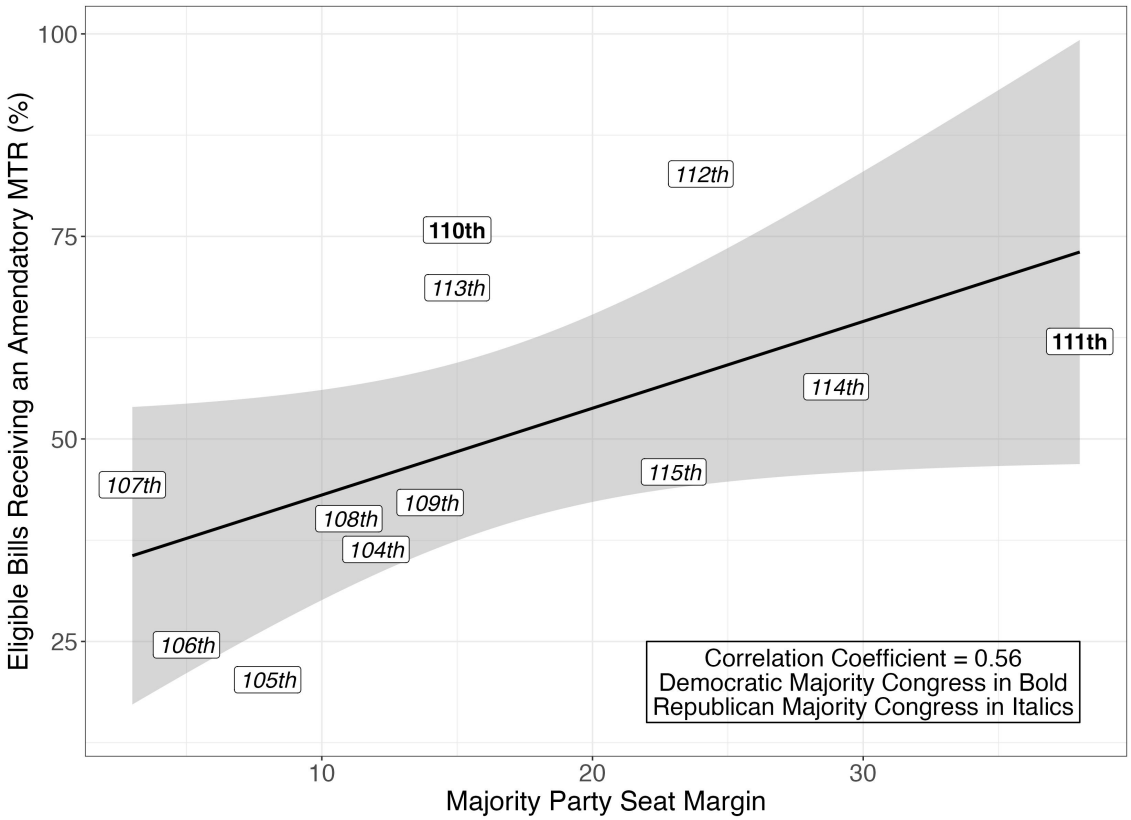


FIGURE 5.3: Majority Party Margin and Amendatory MTR Incidence

Finally, I turn to majority party seat margins and amendatory MTR incidence.

Lee (2016) argues that when control of the chamber is competitive, the minority party will be less likely to participate in the policy-making process and more likely to engage in electioneering tactics in order to improve the probability of retaking the chamber in the next election. One measure of chamber competitiveness is the majority party's seat margin: when the majority party holds a slimmer margin, the minority needs to flip fewer seats in order to attain majority status. If the cross-pressure theory is true, then under Lee's framework we should therefore expect to see a greater rate of amendatory MTRs when the majority party holds a smaller margin.

Figure 5.3 shows the opposite: the minority party was more likely to offer amendatory MTRs to eligible bills when the majority party wielded a greater seat margin. However, this finding may not in fact contradict cross-pressure theory. One potential cross-pressure explanation for this finding is that greater majority margins meant a more incohesive majority and a more cohesive minority, which were the conditions necessary for offering MTRs. When the majority party held a greater seat margin, their coalition may have been more ideologically sprawling, as it was more likely to be made up of a greater number of moderates representing swing districts. By the same argument, a greater majority margin meant fewer moderates in the minority and a tighter, more ideologically unified minority. As a result, by much of the logic laid out in Section 4.5.4, when majority margins were large the minority may have been better equipped to deliver more MTRs that cross-pressured vulnerable majority Member without cross-pressuring themselves. I examine MTR incidence in greater detail in Section 5.4.

5.3 Advanced Test of the Cross-Pressure Theory: Minority's MTR Goal

5.3.1 MTR Goal: Research Design

The key argument of this section is that the minority party's MTR goal was to cross-pressure vulnerable majority party Members. As a result, I expect that majority party Members who held a higher a priori vulnerability to cross-pressure should have interacted with MTRs in structurally different ways than majority party Members who held a lower a priori vulnerability to cross-pressure. Majority party Members who met both the Inter-Constituency Divergence and Inter-Party Convergence conditions were more likely than their counterparts to have been a priori vulnerabe to MTR cross-pressure.

I test the aforementioned theoretical mechanism by examining individual Members' voting behavior on different roll call types as a function of the Member's vulnerability to cross pressure.

The test contains two components. In the first, I model majority party Members' votes on MTRs as a function of their vulnerability to cross-pressure. I expect that more vulnerable majority party Members should have voted in structurally different ways on MTRs than less vulnerable majority party Members. This is, however, an insufficient test: cross-pressure vulnerable majority party Members may have voted in structurally different ways than their less vulnerable copartisans on all roll call types, not just MTRs. This would indicate that cross-pressure vulnerability was an important factor in determining overall voting behavior, but it would not necessarily indicate that the minority party was specifically writing MTRs to target cross-pressure vulnerable majority party Members.

Thus, I introduce a second component of the test: I model majority party Mem-

bers' votes on non-MTR (specifically, final passage) roll calls as a function of their vulnerability to cross-pressure. This second analysis thus acts as a placebo test: I expect an approximately null relationship between cross-pressure vulnerability and final passage votes (Eggers, Tunon and Dafoe (2021)). This expectation is primarily derived from Procedural Cartel Theory: the procedural cartel is unlikely to place bills on the floor that would apply cross-pressure to their own Members (and thereby threaten their electoral prospects), so cross-pressure vulnerability therefore should not be a substantive predictor of majority party Members votes on final passage roll calls (Cox and McCubbins (2005); Cox and McCubbins (2007)).

5.3.2 MTR Goal: Measurement and Data

I estimate the degree of cross-pressure vulnerability per majority party Member using measures of the two vulnerability conditions from Subsection 4.5.3: Inter-Constituency Divergence and Inter-Party Convergence.

Inter-Constituency Divergence is measured at the district level for each majority party Member in each Congress under consideration. I define the variable as the distance between the ideal point of the median primary election voter and the median general election voter. I measure the variable using much the same logic underpinning Figures 4.3 and 4.4. Taking any given district, we can imagine an approximately normal distribution of the general electorate's ideal points with some median value. If a greater number of general election voters were copartisans with the Member (i.e. Figure 4.3), then the median ideal point of the copartisan (primary) voters would likely be near to the median ideal point of the general election voters. By the same notion, if a smaller number of general election voters were copartisans with the Member (i.e. Figure 4.4), then the median ideal point of the copartisan (primary) voters would be unlikely to be near to the median ideal point of the general election voters. Thus, I measure Inter-Constituency Divergence (ICD) for each Member in

each Congress as:[1]

$$ICD = 100 - \left(\frac{\text{Total votes cast in the Member's primary election}}{\text{Total votes cast in the Member's general election}} * 100 \right) \quad (5.1)$$

A higher value indicates that the median ideal points of the two constituencies are likely to be increasingly divergent and a lower value indicates the median ideal points are likely convergent.

Inter-Party Convergence (IPC) is also measured at the district level for majority party Members in each Congress. I define the variable as the distance between the ideal point of the median general election voter and the approximate, aggregate ideal point of the minority party; how ideologically similar are the voters in a given majority-represented district to the minority party? I measure per-Member Inter-Party Convergence in each Congress as the vote share of the opposite party's presidential candidate in the most recent election.[2]A higher value indicates that the Member's district holds an increasingly similar ideology to the minority party.

Table 5.1: Expected Vote Definition

	MTR Roll Call	*Final Passage Roll Call*
Maj. Member Vote Yes	Expected Vote = 0	Expected Vote = 1
Maj. Member Vote No	Expected Vote = 1	Expected Vote = 0

I measure voting behavior by examining the ayes and nays cast by majority party Members on two types of roll calls from the 104th to the 115th Congresses (1995-2019): 1) all MTR votes and; 2) all final passage votes on bills and joint resolutions

[1] Primary election returns data is from Pettigrew, Owen and Wanless (2014) and Miller and Camberg (2021). General election returns data is from MIT (2023).

[2] Presidential election returns data is from Pettigrew, Owen and Wanless (2014) and Miller and Camberg (2021).

not considered under suspension of the rules.[3] For each vote cast by each majority party Member on each roll call type I determine whether the Member cast an "expected vote." I define a majority party Member as having cast an expected vote on a given roll call if they voted no and the roll call type was MTR or if they voted yes and the roll call type was final passage. I use the expected vote definition because the different roll call types produce different expectations about how majority party Members should vote; the expected vote definition allows me to define a no vote on an MTR and a yes vote on final passage as being a vote conducted in the expected direction for a majority party Member.

The final dataset for this analysis then contains as observations every MTR and final passage vote taken by every majority party Member from the 104th to the 115th Congress. Each observation is tagged with the roll call type (MTR or final passage), MTR type (simple or amendatory), Member vote (aye or nay)[4], and whether the Member's vote was an expected vote (yes or no). In addition, each observation was also tagged with the Member's Inter-Constituency Divergence score and Inter-Party Convergence score for that Congress.

5.3.3 MTR Goal: Model

I analyze the relationship between cross-pressure vulnerability and amendatory MTR votes via the following logistic regression model:

[3] Bills considered under suspension of the rules are not eligible for MTRs. Member roll call votes data is from Lewis et al. (2021) and roll call type data is from Crespin and Rohde (2021).

[4] Abstentions are removed from the dataset prior to model estimation.

$$\text{Prob (Expected Vote} = 1) = \beta_0 + \tag{5.2}$$

$$\beta_1(\text{Inter-Constituency Divergence}) + \beta_2(\text{Inter-Party Convergence}) +$$

$$\beta_3(\text{Inter-Constituency Divergence * Inter-Party Convergence}) +$$

$$\beta_4(\text{Roll Call Type}) +$$

$$\beta_5(\text{Inter-Constituency Divergence * Inter-Party Convergence * Roll Call Type}) +$$

$$\beta_6(\text{Controls})$$

5.3.4 MTR Goal: Results

The logistic regression results are reported in Table 5.2 with the preferred estimation in Model 4. For ease of interpretation, I also present the predicted probabilities of interest in Figure **??**. The predicted probabilities paint a clear picture in support of the theory that the minority party specifically deployed the MTR in order to apply cross-pressure to vulnerable majority party Members.

The left panel of Figure **??** shows the predicted probability of majority party Members casting an expected vote (a no vote) on MTR roll calls as a function of the Member's Inter-Party Convergence (IPC) score. These predicted probabilities are separated into three different Inter-Constituency Divergence (ICD) scores for Members. There are two key takeaways from the left-hand panel. First, for all three ICD values, the predicted probability that a majority party Member votes against the minority's MTR decreases dramatically as the Member's IPC score increases. In other words, this means that when a majority party Member's district has similar ideological views to the minority party, the Member is substantively more likely to vote in favor of the minority's MTR. The second key takeaway is that the aforementioned relationship between majority Members' MTR votes and IPC scores is mediated by the Member's ICD score. Given an IPC score above about 50 percent,

Table 5.2: Cross-Pressure Vulnerability and Majority Party Roll Call Votes

	Dependent variable:			
	Expected Vote			
	(1)	(2)	(3)	(4)
Inter-Party Convergence (IPC)	-0.013**	-0.013	-0.013**	-0.013
	(0.006)	(0.014)	(0.005)	(0.013)
Inter-Constituency Divergence (ICD)	0.002	0.002	-0.005*	-0.005
	(0.003)	(0.009)	(0.003)	(0.008)
MTR Roll Call	-3.452***	-3.452***	-2.747***	-2.747**
	(0.426)	(1.298)	(0.404)	(1.145)
IPC*ICD	-0.0001*	-0.0001	-0.0001	-0.0001
	(0.0001)	(0.0002)	(0.0001)	(0.0002)
IPC*MTR	0.064***	0.064**	0.050***	0.050*
	(0.010)	(0.030)	(0.009)	(0.026)
ICD*MTR	0.082***	0.082***	0.071***	0.071***
	(0.006)	(0.018)	(0.005)	(0.016)
IPC*ICD*MTR	-0.002***	-0.002***	-0.001***	-0.001***
	(0.0001)	(0.0004)	(0.0001)	(0.0003)
Cluster-Robust S.E.	No	Yes	No	Yes
Controls	No	No	Yes	Yes
Observations	397,373	397,373	397,371	397,371

Note: *p<0.1; **p<0.05; ***p<0.01

Cluster-robust standard errors are grouped at the Member-Congress level. The omitted roll call reference group is "Final Passage". Controls include: Congress fixed effects; the party holding majority status; and the absolute value of the Member's dimension 1 DW-NOMINATE score.

Majority party Members with ICD scores one standard deviation below the mean are significantly less likely to vote against the minority's MTRs than copartisans with ICD scores one standard deviation above the mean. This means that among majority party districts casting greater than 50 percent of their presidential ballots for the minority party's candidate, Members who also have ideologically-divergent primary and general election constituencies are less likely to vote with their party on MTRs compared to Members with ideologically-convergent constituencies.

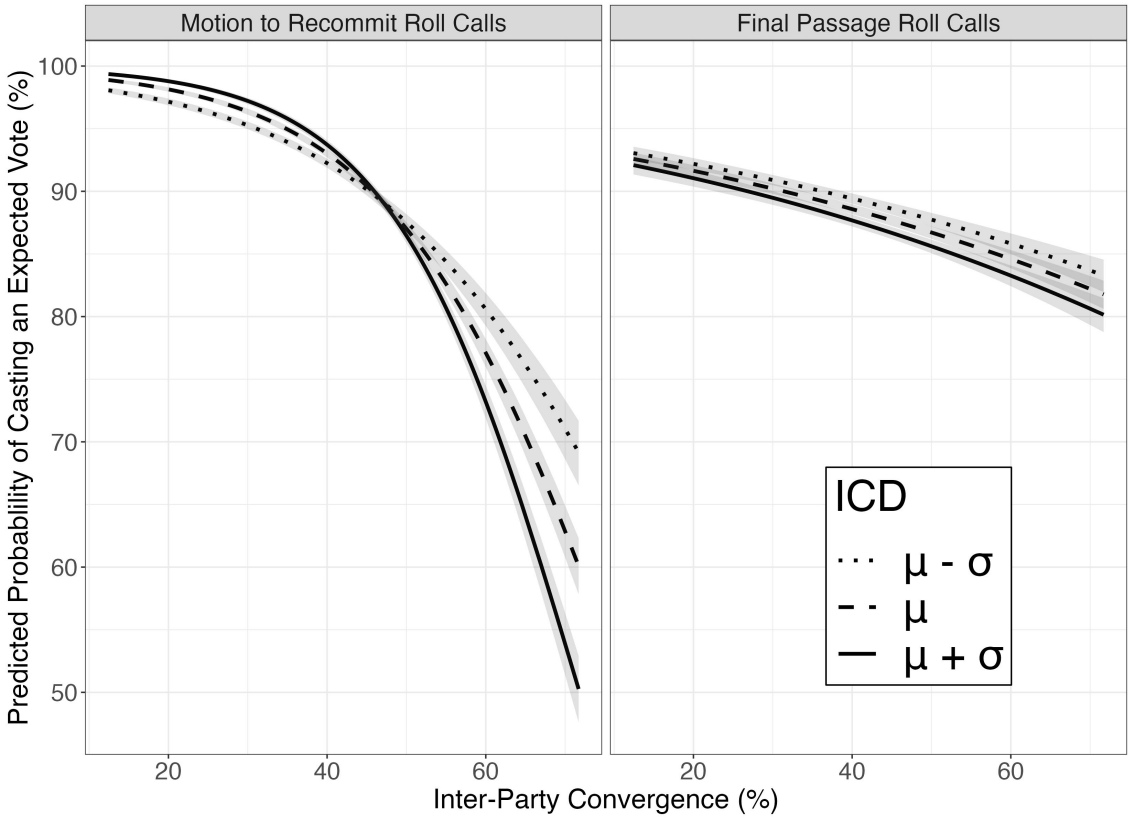


FIGURE 5.4: Cross-Pressure Vulnerability and Majority Party Roll Call Votes

The right panel of Figure 5.4 presents the same analysis as above, instead substituting MTRs roll calls with final passage roll calls. Whereas in the MTR panel we can see that the interaction between ICD and IPC scores substantively structures majority party Members' MTR votes, the same relationship does not exist with final

passage votes. For final passage roll calls, the relationship between majority party Members' predicted probability of voting aye and their IPC scores is negative but substantively weaker than the same relationship for MTR roll calls. In addition, for final passage roll calls there is no significant difference between the ICD scores.

5.3.5 MTR Goal: Discussion

These results provide firm support for the theory of minority party MTR cross-pressure. As theorized, the results show two principle findings: first, that majority party Members meeting both the Inter-Constituency Divergence and the Inter-Party Convergence conditions laid out in Subsection 4.5.3 were more likely than their copartisans to vote against the party on MTR roll calls; and second, that this relationship between Inter-Constituency Divergence and Inter-Party Convergence is predictive of majority party MTR roll call votes and *significantly less predictive*–if predictive at all–of majority party final passage roll call votes, indicating that the relationship is unique to the MTR. These findings indicate that the minority party wrote MTRs in order to specifically target majority party Members who were a priori vulnerable to cross-pressure.

5.4 Advanced Test of the Cross-Pressure Theory: Minority's MTR Constraints

The core argument of this section is that the minority party self-restricted their use of the MTR, despite the motion's apparent power to cross-pressure majority party Members. I contend specifically that the minority party faced two bill-level factors constraining their interest in deploying an MTR to an eligible bill: 1) maintaining the party's brand name; and 2) preventing cross-pressure friendly fire. The minority party was likely to overcome these constraints and offer an MTR if an eligible bill: 1) dealt with at least one policy dimension upon which the parties were completely

sorted; and 2) dealt with a greater number of policy dimensions.

5.4.1 MTR Constraints: Research Design

I test the aforementioned theoretical mechanism by analyzing the incidence of MTRs per eligible bills as a function of both: 1) the degree of partisan sorting along each MTR-eligible bill's main policy dimension; and 2) the number of policy dimensions germane to each MTR-eligible bill.

5.4.2 MTR Constraints: Measurement and Data

I begin the measurement and data strategy for this analysis by building out a novel and comprehensive dataset of MTR-eligible legislative items. According to Lynch (2016), during the modern MTR era "House rules specifically prohibit[ed] the House Committee on Rules from reporting a special rule that would prevent the motion to recommit from being offered on initial passage of a bill or joint resolution." Thus, I define every bill and joint resolution (henceforth "bill(s)") reported to the House floor via special rule as eligible for an MTR.

Therefore, in order to build the dataset of MTR-eligible bills, I began with a dataset on special rules. Specifically, I used The Congress Project's "House Rules, 59th (1905-1907) - 115th (2017-2018) Congresses" dataset, which "includes information on all House resolutions that provided special rules considered on the chamber floor between the 59th and 115th congresses" (Lynch, Madonna and Roberts (2016)). I removed from this dataset all resolutions that did not explicitly state in their text that an MTR was "in order" for the underlying bill.[5] Finally, I transformed the dataset from listing at the resolution-level to listing at the bill-level.

I added to this dataset of MTR-eligible bills several critical pieces of information.

[5] Lynch (2008): "It has been the practice of the House Committee on Rules to always include language stating that the motion to recommit is in order in special rules providing for the initial consideration of bills and joint resolutions, even though since 1995 such a motion to recommit would be in order without such language being included in the special rule."

From the Political Institutions and Public Choice Roll Call Database (Crespin and Rohde (2021)), I added information on: 1) each bill's special rule roll call vote outcome; 2) each bill's final passage roll call vote outcome; 3) whether each bill received an MTR, and if so, what type; and 4) if an MTR was received, the MTR roll call vote outcome. From the Congressional Bills Project, I added in information on each bill's: 1) major and minor policy topic; 2) number of committee referrals; and 3) number of cosponsors (Wilkerson et al. (2021)).

After building out the dataset of MTR-eligible bills, I developed a strategy for measuring the two bill-level independent variables in the analysis: the degree of policy dimensionality and the degree of partisan sorting.

I measure the continuous degree of policy dimensionality per MTR-eligible bill by simply counting the number of committees to which the bill was reported. Bills reported to a greater number of committees are considered to have contained a greater number of policy dimensions than bills reported to a fewer number of committees (Shepsle (1979)).

I measure the degree of partisan sorting per MTR-eligible bill in two ways, and report the results of both measurement strategies.

The first method is a binary measurement of partisan sorting per MTR-eligible bill based on the House's vote on the bill's special rule.[6] As stated earlier, every MTR-

[6] This first method is a convenient measurement strategy: by definition, every MTR-eligible bill is reported to the floor via special rule, meaning that Members must (imperfectly) reveal their preferences on the bill via the special rule vote prior to the minority party's decision on offering an MTR. However, the measurement strategy is flawed in at least two ways. First, Members are unlikely to "vote with their constituents" on special rule votes, and are instead expected to vote with the party on the vital procedural measure. Thus, examining special rules votes may not provide insight into Member preferences insofar that they relate to constituent preferences. Second, bills may be amended after the special rule vote, which means that Member preferences over the bill at the time of the special rule roll call may not necessarily be equivalent to Member preferences over the bill by the time the amendatory MTR is in order. This issue is largely mitigated–especially in more recent congresses–by the fact that the Rules Committee has entirely replaced floor amendments with amendments pre-approved by the Rules Committee and printed in the special rule resolution

eligible bill came to the floor via special rule, meaning that the House must have first voted on the special rule to consider the MTR-eligible bill prior to considering bill itself. Thus, we can understand the degree of partisan sorting on each MTR-eligible bill's special rule vote as a proxy measure for the degree of partisan sorting on the MTR-eligible bill itself. I denote the parties as completely sorted on MTR-eligible bill X if the floor vote on the special rule to consider X was a "party-line vote;" otherwise, I denote the parties as incompletely sorted on X. I define a party-line vote after Rohde (1991) as one in which 90 percent of one party voted in the opposite direction as 90 percent of the other party.[7]

The second method is a continuous measurement of partisan sorting per MTR-eligible bill based on Member ideal points on the bill's primary policy topic. I begin by pooling all Members' votes into three periods: the first stint of GOP majority status (104th-109th Congresses; 1995-2007), the intermediary era of Democratic majority status (110th-111th Congresses; 2007-2011), and the second stint of GOP majority status (112th-113th Congresses; 2011-2015).[8][9] After pooling votes into three periods, I then separate each vote into one of six Clausen (1973) policy topic categories, giving me 18 different period-topic pools of roll call votes.[10] Using the votes from each of these pools, I calculate period-topic specific W-NOMINATE ide-

(Lynch, Madonna and Vick (2019)). Thus, Members are almost always aware of the final version of the bill at the time of the special rule roll call.

[7] For this measure I consider the 502 special rules that passed by voice vote to *not* be party-line votes.

[8] The data required for this analysis is available only through 2015, thus preventing examination of the subsequent 5 years of the modern MTR era.

[9] I pool the votes both in order to garner enough data to power ideal point estimation, and also because I expect that Member's preferences over policy are at least partially a function of their majority status.

[10] Clausen (1973) policy topic categories assign to each congressional roll call one of the following six topics: Government Management, Social Welfare, Agriculture, Civil Liberties, Foreign and Defense Policy, and Miscellaneous Policy. The data for Clausen topic assignment to specific roll calls comes from Lewis et al. (2021).

ology scores for each Member (Poole and Rosenthal (1997); Poole and Rosenthal (2011)).[11] Next, I unpool each Members' period-policy topic W-NOMINATE scores back into their respective congresses, ultimately giving me six policy topic sets of Member W-NOMINATE scores for each of 10 congresses.[12] For each of the six policy topic sets of Member W-NOMINATE scores in each Congress, I then calculate the degree of "partisan overlap" as the average of the average leftward distance of Republicans beyond the most conservative Democrat and the average rightward distance of Democrats beyond the most liberal Republican. I end with 60 values of partisan overlap, each specific to a different Congress-topic dyad.

The final dataset for this analysis then contains as observations all 1,297 MTR-eligble bills from the 104th to the 113th Congresses (1995-2015).[13] Each of these bills is coded as having received an MTR and whether it was amendatory or simple. In addition, each bill is tagged with the corresponding independent variables: the number of committee referrals, whether the special rule vote was a party line vote, and the degree of partisan overlap.[14] Finally, the dataset includes a battery of bill-level control variables: a binary measure of whether the bill was sponsored by the Chair of the reporting committee; the number of cosponsors on the bill; a binary measure of whether the reporting special rule provided for more than one bill; and a

[11] W-NOMINATE is a multi-dimensional scaling procedure developed by Poole and Rosenthal that outputs voter ideology scores as a function of a given voting matrix. Numerous scholars have used the W-NOMINATE procedure to estimate voter ideology based on specific subset of votes (Crespin and Rohde (2010); Jochim and Jones (2013); Ballard and Curry (2021)).

[12] The unpooling procedure is vital here because the distribution of Member-topic ideal points in a given Congress will change between two congresses within the same period; unpooling allows a given Member-topic a different ideological rank ordering between congresses within the same period.

[13] There were 1,702 total MTR-eligible bills from the 104th to the 115th Congresses. 163 occurred in the 114th Congress and 172 occurred in the 115th Congress. From the 104th to the 113th Congresses, 70 did not receive any roll call votes and therefore were not assigned Clausen topics. This results in the final tally of 1,297.

[14] Partisan overlap is measured at the Congress-topic level. Therefore, each MTR-eligible bill was assigned a partisan overlap value based on their shared Congress-topic identity.

binary measure of whether the reporting special rule contained at least one restrictive condition.

5.4.3 MTR Constraints: Model

I analyze the relationship between partisan sorting, policy dimensionality, and amendatory MTR incidence via the following logistic regression model:

$$\text{Prob}(\text{MTR} = 1) = \beta_0 + \beta_1(\text{Partisan Overlap}) +$$
$$\beta_2(\text{Committee Referrals}) + \beta_3(\text{Special Rule Party Vote}) + \beta_4(\text{Controls})$$

5.4.4 MTR Constraints: Results

I report the results for this model in Table 5.3, with Model 3 serving as the preferred specification and other models serving as robustness checks. The coefficients for committee referrals and special rule party vote are robust to multiple model specifications. However, as expected, partisan overlap is not robust to Congress fixed effects due to the fact that there are only six partisan overlap observations for each congress (one observation for each Clausen policy topic).

In order to interpret the results of Table 5.3 Model 3, I present predicted probability plots for each of the variables of interest. Figure 5.5 depicts the predicted probability of an eligible bill receiving an MTR as a function of the degree of partisan sorting on the bill's main policy topic. There is a clear trend here: partisan overlap has a substantively negative relationship with the probability that an eligible bill received an MTR. In other words, the minority party was more likely to offer an MTR to bills on which the the parties were completely sorted (low partisan overlap).

Figure 5.6 depicts the predicted probability of an eligible bill receiving an MTR as a function of whether the bill's special rule vote was decided along party lines.

Table 5.3: Motion to Recommit Incidence

	Dependent variable:				
	Motion to Recommit Incidence				
	(1)	(2)	(3)	(4)	(5)
Partisan Overlap	-8.010***	-8.010***	-7.599**	0.592	0.088
	(1.302)	(3.090)	(3.664)	(1.940)	(1.971)
Committee Referrals	0.294***	0.294***	0.239***	0.282***	0.224***
	(0.051)	(0.060)	(0.061)	(0.052)	(0.053)
Special Rule Party Vote	1.196***	1.196***	1.182***	0.871***	0.885***
	(0.128)	(0.165)	(0.158)	(0.142)	(0.154)
Congress F.E.	No	No	No	Yes	Yes
Cluster-Robust S.E.	No	Yes	Yes	No	No
Control Variables	No	No	Yes	No	Yes
Observations	1,297	1,297	1,297	1,297	1,297
Note:					*p<0.1; **p<0.05; ***p<0.01

Figure 5.6 shows that a bill was more likely to receive an MTR if the bill's special rule was decided along party lines. Thus, if we take Members' votes on a bill's special rule as a rough proxy measure of preferences over the bill, these results show that the minority party was more likely to offer MTRs to bills on which the parties were completely sorted.

Finally, Figure 5.7 depicts the predicted probability of an eligible bill receiving an MTR as a function of the number of committees to which the bill was referred. This figure also shows a clear trend: as the number of committee referrals increased for a given bill, so too did the probability that the bill received an MTR. Thus, if we take the number of committee referrals to be a rough proxy measure of a bill's policy dimensionality, these results show that the minority party was more likely to offer an MTR to bills dealing with a greater number of policy dimensions.

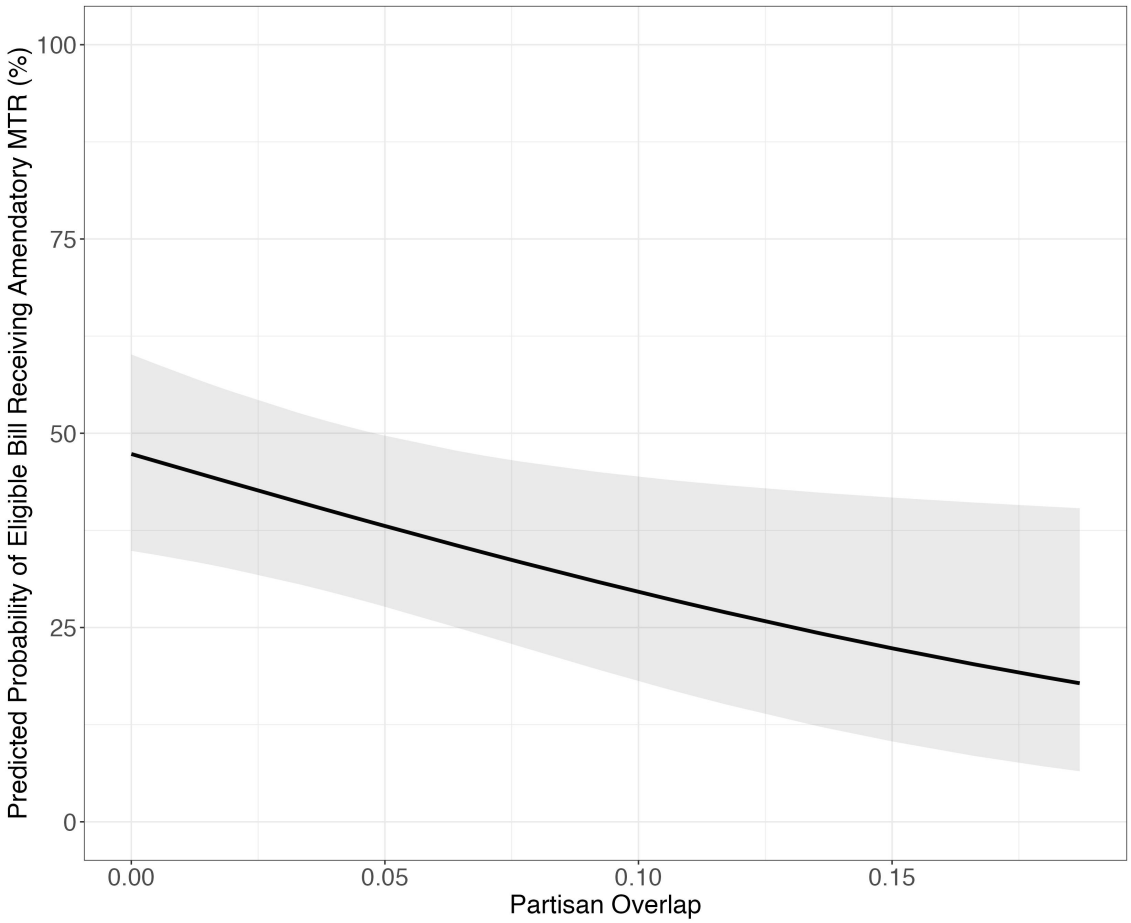


FIGURE 5.5: Partisan Overlap and the Predicted Probability of MTRs

5.4.5 MTR Constraints: Discussion

The above results firmly support the minority party MTR-constraint mechanism. The minority party was more likely to offer an MTR to higher-dimensional bills and bills on which the parties were incompletely sorted. This is due to the fact that the minority party wanted to protect its brand name in addition to protecting its Members from friendly-fire cross-pressure.

These results would seem to indicate a few noteworthy and general findings on Congress. First, the minority party–much like the majority party procedural cartel–retains tight control over their floor agenda in order to maximize electoral gain:

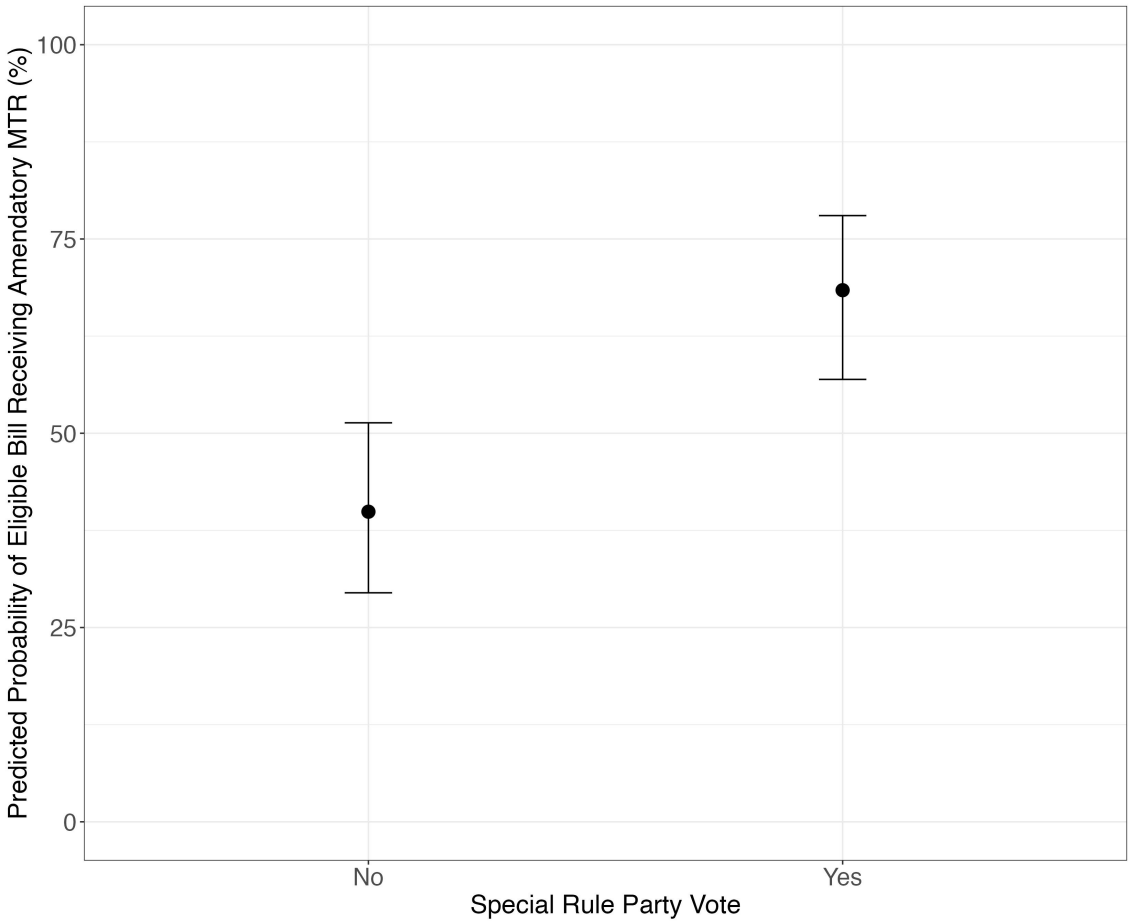


FIGURE 5.6: Special Rule Votes and the Predicted Probability of MTRs

the minority party withheld MTRs strategically in the electoral interest of both the party's most vulnerable Members and the party at large. Second, the minority party may often value electoral gains ahead of policy gains, at least insofar that policy gains are within their reach:[15] by withholding any number of MTRs, the minority party is plausibly sacrificing a policy amendment in favor of protecting its Members from difficult votes (that may threaten their reelection prospects). This may alleviate some frustration among some scholars, practitioners, and observers about the recent precipitous decline in congressional amendments (Strand and Lang (2016); Cioffi

[15] This is of course conditional on Senate and presidential cooperation on the minority's policy aims.

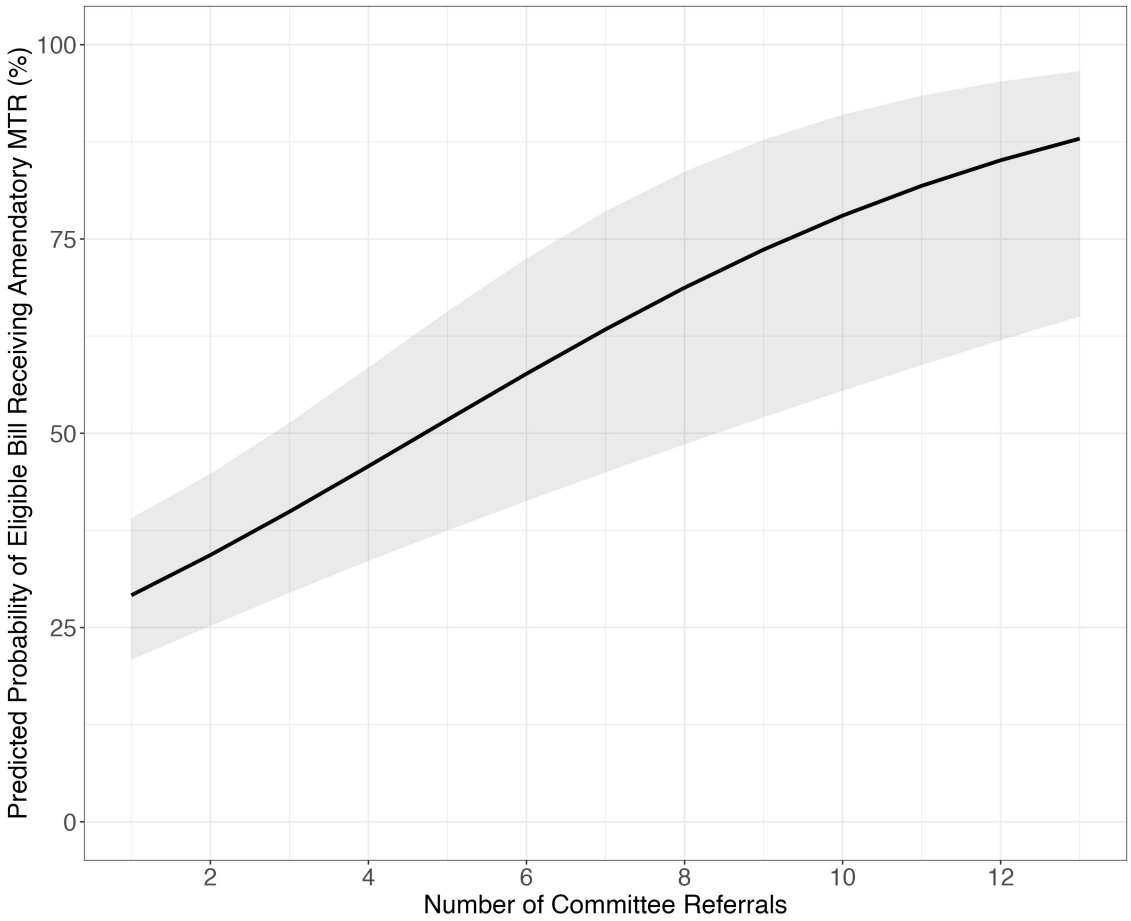


FIGURE 5.7: Committee Referrals and the Predicted Probability of MTRs

(2022))–if the minority party uses floor amendments for electoral gimmicks instead of substantively improving policy, then perhaps the majority party is justified in restricting amendments.

5.5 Case Study: The Final Year of the Modern MTR

In this final section, I present a case-study examination of the final year of the modern MTR. This year contains several episodes that illustrate many of the technical points argued in this project. I focus on two episodes: the MTR offered by minority Republicans in the midst of the national debate around USPS funding, COVID-19, and the 2020 election; and the majority Democrats' decision to upend precedent and

effectively invalidate the MTR.

5.5.1 The USPS' Fiscal Polycrisis

The fiscal crisis at the United States Postal Service (USPS) in the summer of 2020 dates back at least to the widespread emergence of the internet and personal computers. As digital telecommunication proliferated across American households throughout the 1990s and 2000s, the USPS found the demand for their services in steep decline. According to the agency, volume of their most profitable product – first-class mail– dropped by almost 25% between 2000 and 2010 (USPS (2022)).

Unified Republican government further threatened the fiscal health of the agency in 2006 with the passage of the most significant reform of the USPS in over 30 years: the Postal Accountability and Enhancement Act (PAEA)(PL 109-435). There were two major provisions of the PAEA affecting the agency's bottom line: the establishment of the Postal Service Retiree Health Benefits Fund (PSRHBF), which required USPS to pre-fund health benefits for future retirees (at the cost of about $5 billion annually for 10 years); and a prohibition on price increases for some products beyond the Consumer Price Index for All Urban Consumers.

The agency went on to post financial loses in every fiscal year following the passage of the PAEA, culminating with an almost $9 billion loss in FY 2019. Pleas from successive Postmasters General to Congress for statutory relief went unanswered year after year.

Then, the COVID-19 pandemic struck. In an April 2020 hearing with the House Oversight Committee, Postmaster General Megan Brennan said that she expected the USPS to suffer "a $13 billion revenue loss [attributed] directly to COVID-19" and, as a result, to "run out of cash this fiscal year" – just 8 months before the USPS was expected to undergird the nationwide vote-by-mail operation in a critical

presidential-year election during the worst public health crisis in a century (Acevedo (2020)).

5.5.2 Inter-Branch Negotiations and a Policy Solution

The stage was set for a political showdown between President Donald Trump–along with his chief appropriations negotiator Treasury Secretary Steven Mnuchin–versus the re-emergent Speaker Nancy Pelosi. The showdown, taking place in the context of ongoing negotiations over how to address (and, specifically, how to appropriate federal funds in the fight against) the COVID-19 pandemic, centered over whether, and if so how, to address the USPS's fiscal insolvency.

Presaging his ultimate January 6th, 2021 coup attempt, the President spent much of 2020 falsely claiming that "universal mail-in voting" was fraudulent and would invalidate the 2020 election. As such, he and his team "opposed emergency funding for election operations and the Postal Service because it could allow more people to vote by mail" (Lesniewski and McPherson (2020)). Speaker Pelosi and House Democrats took the opposite position, either due to a genuine concern for the USPS and its ability to facilitate a free and fair national election or due to the political benefits of eagerly and vocally defending Americans' favorite government agency (Pew (2020)). We can only speculate.

The stakes were raised further when Republican megadonor Louis DeJoy took over as Postmaster General in June 2020 (Choi and Lippman (2020)). DeJoy quickly began instituting operational cuts designed to save the insolvent agency much-needed funds, causing reports of delayed service around the country and inflaming Democratic fears of a Trump-led plot to sabotage the pandemic election (Bogage (2020*a*); Sharp and Daly (2022)).

Negotiations between the House, Senate, and Trump Administration over the next round of COVID-19 emergency funds went on for weeks, with the fate of the USPS taking a central role. The two sides reached an anti-climactic and half-hearted solution at the end of July, when the Mnuchin Treasury Department agreed to use their emergency authority (granted under March's COVID-19 legislation) to grant the USPS a $10 billion line of credit to be used for operating expenses related to the pandemic (Treasury (2020)).[16] In addition, the USPS found in the early summer that the pandemic caused a dramatic increase in e-commerce, which provided the agency with much-needed–albeit temporary–liquidity (Bogage (2020*c*)). These developments were sufficient to ensure USPS's fiscal health through at least May 2021 but perhaps as long as October 2021, depending on mail volume (Bogage (2020*c*)). Further, in responding to sustained political pressure from Democrats, DeJoy announced in late August that he would halt operational cuts to the USPS until after the election in order "to avoid even the appearance of any impact on election mail" (USPS (2020)).

5.5.3 Electoral-Procedural Warfare

Despite these positive developments in the USPS's fiscal and operational well-being, and the apparent Democratic victory in the policy battle, Congress is loathe to let a good crisis go to waste. About a month after the Treasury announced the $10 billion loan and four days after the Postmaster General reversed the operational cuts, Speaker Pelosi dramatically recalled Members back to Washington during their summer recess to vote on the six-page *Delivering for America Act*. This bill would have provided the USPS with billions in funding and prohibited any operational cuts–exactly the items to which Mnuchin and DeJoy had already agreed (Fandos and

[16] In return, the USPS agreed to provide the White House with "proprietary information about the mail service's most lucrative private-sector contracts," which the Administration hoped to leverage as part of larger reforms of the agency (Bogage (2020*b*)).

Cochrane (2020)). This thinly-veiled political maneuver demonstrates the power and the value of congressional agenda-setting: although the crisis had subsided and the bill was dead-on-arrival with both the GOP Senate and Administration, Pelosi knew Democrats would benefit electorally by going on the record in favor of USPS funding and operations, and that certain electorally-vulnerable Republicans would suffer from being forced to choose between voting in favor of USPS funding and operations or voting with their President and his followers. In a shrewd act of political theater, the veteran Pelosi maintained the mirage of a continuing crisis in recalling Members back to the Capitol on a Saturday in late August.

However, minority Republicans in the House were armed with their own agenda-setting tool: the MTR. In this showdown, congressional Republicans decided to fight political fire with political fire–if Democrats were going to use their majority status to place posturing, "gotcha" bills on the floor, then the GOP could respond with amendments of the same type.

Thus, after the majority Democrats brought the *Delivering for America Act* to the floor, Rep. James Comer (R-KY)–the ranking member of the House Oversight and Reform Committee–responded by offering a short MTR to the bill (Comer (KY)). Comer's MTR would amend the bill to include a section stipulating that USPS employees "may be subject to disciplinary action...if the employee...knowingly and willfully obstructs or retards the passage of election mail products...or uses his official authority for the purpose of interfering with, or affecting, the nomination or the election of any candidate for Federal office" (Comer (KY)).

The MTR was a naked political play: 18 U.S. Code Chapter 83 is dedicated exclusively to almost 50 sections detailing Postal Service law, including several sections prohibiting obstruction, slow service, and tampering. As the ranking Member (and

later, Chair) of the House committee overseeing the USPS, we can safely assume that Comer was familiar with the fact that it had long been a federal offense to tamper with the mail. As such, the GOP's MTR, even if passed, would not have affected federal policy. Comer and the minority Republicans used their MTR opportunity not to try and amend the bill before the House or improve the legal code, but instead to force electorally-vulnerable Democrats into a difficult and public statement of values–much like Pelosi's bill did for similarly-situated Republicans.

These targeted majority Democrats were thus faced with a tough choice. One the one hand, they could join their party and vote against the Republicans' MTR. Unfortunately, this may engender the electoral wrath of their more Trump-following constituency, who would then believe the Member to be complicit in the Democratic, deep state plot to steal the election. Alternatively, they could buck their party and vote for the MTR, and sacrifice party unity on the USPS messaging bill in addition to potentially contributing to a majority party roll call loss on the floor.

We can examine Democrats' votes on the postal MTR for suggestive evidence of the aforementioned quagmire. Of the 231 Democrats in the chamber (not including Speaker Pelosi), 222 voted against the MTR, eight voted for the MTR, and one–Rep. Tulsi Gabbard of Hawaii, who would go on to leave the Democratic party in October 2022–did not vote (Murray and Osborne (2022)). The distribution of these votes on key dimensions is telling: the 8 Democrats voting in favor[17] of the GOP's MTR were all freshman Members, all represented districts won by President Trump in 2016,[18] and all (except Rose) earned less than 51 percent of the vote in their 2018 election.

By contrast, the Republicans were completely unified on the MTR vote: 174

[17] Representatives Brindisi (NY), Cunningham (SC), Golden (ME), Horn (OK), McAdams (UT), Rose (NY), Spanberger (VA), and Torres Small (NV).

[18] Across all 8 districts, Clinton earned an average of 40.4% of the vote. She did not exceed 40% of the vote in six of the eight districts.

Members voted in favor, 0 Members voted against, and 24 Members did not vote.[19] The unanimity from the GOP on their MTR vote suggests that the amendment language was carefully written by party leadership to ensure full Conference buy-in.

The MTR vote thus failed, and the *Delivering for America Act* passed the House unamended before moving to the Senate to die. The USPS would go on in November to deliver a record 135 million mail ballots from every corner of the country, providing a key service in making 2020 the highest turnout election in over a century (USPS (2021)). The USPS's $10 billion July loan from the Treasury was forgiven in December's COVID-19 relief package (Katz (2021)), and statutory reforms were instituted in 2022 that put the agency on the path to long-term fiscal health (Shepardson (2022)).

While the minority Republicans' MTR did not pass, the procedure may have been effective at accomplishing its dual purposes. First, the minority party Republicans demonstrated strong public unity on the political skirmish du jour, thereby strengthening their party brand and reducing voters' information and transaction costs. In addition, the procedural play forced vulnerable majority party Democrats into a tough lose-lose voting scenario, where they could either vote against their constituents or their party. While of course we cannot draw causal conclusions, it is noteworthy that six of the eight Democrats who voted for the MTR would go on–in just a few months–to lose their 2020 elections.

This MTR saga underscores the importance of procedure to agenda-setting in the House, and provides a glimpse into how the minority party chose to use their

[19] These GOP Members not voting included both some of the longest-serving and electorally-safe veterans of the Conference like Reps. Shimkus (IN) and Thornberry (TX), in addition to some of the most fiery conservatives like Reps. King (IA) and Roy (TX). This likely eliminates electoral or ideological reasons for these Members not voting.

rare agenda-setting power in an otherwise majority party dominant institution. The minority party did not use their amending opportunity to shift the proposed policy closer to their preferences, perhaps by proposing a (theoretically) unbeatable amendment located at the ideal point of the median Member on the floor. In fact, they didn't try to affect the substance of the policy before the House at all. Instead, the minority party used their single procedural power for partisan electoral purposes–to both project the strength of their party brand through complete and public unity on a salient political issue and to wage electoral-procedural warfare against their most vulnerable political opponents.

5.5.4 New Coalitions and a Political Solution

Although they suffered a net loss of 12 seats, Democrats retained control of the House in the 2020 election and would begin the next term with a slim nine Member majority margin. The Democrats would go on to complete a narrow trifecta in dramatic fashion: Trump narrowly lost to Biden (and unsuccessfully attempted a coup), and Senators Ossoff and Warnock won the 49th and 50th Democratic Senate seats with a sweep of Georgia's January 2021 runoff elections.

The 2020 elections generated two important conditions that would force Speaker Pelosi and Caucus leadership to grapple more seriously with the pain the MTR inflicted on their majority party.

The first condition was that Democrats came under incredible political pressure from their own constituencies to deliver ambitious and progressive federal policies "on COVID-19, on economic relief, on climate, on racial justice, on voting rights and so much more" according to President-elect Biden (Dennis (2021)). This pressure began, in fact, not with the 2020 election but with the 2016 election: now that the Democrats held Congress and the White House after fours years of the Trump Ad-

ministration, their base would expect them to right the litany of perceived wrongs. In addition, the pressure to deliver ambitious and progressive policies was further increased by the manner in which Democrats won control of Congress and the presidency. While the House and the presidency were both called in early November, the tipping point Senate seats were not decided until the early January runoff elections in GA. Between November and January, Democrats and Republicans both poured hundred of millions of dollars into the pair of GA Senate races, and made impassioned pleas with their supporters laying out the stakes (Arkin and Desiderio (2021)). After the Democrats won both seats–and completed their trifecta–they were under pressure to deliver on their progressive promises.

The second condition was that Democrats–once in government–would have very little room to maneuver in attempting to delivering on their ambitious policy goals. With only a one seat margin in the Senate and a nine seat margin in the House, they could afford to lose few votes on their legislative proposals.

These two conditions together meant that in the House, electorally-vulnerable Democrats representing moderate and conservative districts would be subject to incredible and competing pressures. On the one hand, these Democrats would face pressure from the party apparatus–including congressional leadership, liberal Members, and the activists, volunteers, and primary voters key to their reelection–into providing the crucial tipping point votes needed to get the party's big, progressive policy proposals over the line. On the other hand, they would have to endure the minority party's MTRs, which would surely be written to reflect the relatively more conservative stances held by these Democrats' general election voters. Looking towards the upcoming session of Congress, these Members were set to regularly face existential lose-lose voting scenarios on the floor.

Caucus leadership–driven by Majority Leader Steny Hoyer (MD)–recognized this

agenda-setting vulnerability well in advance, and, in one of the first acts of the new 117th Congress, put forward and passed a rules package that substantially altered the MTR (McPherson (2021)). Under the new rules, the minority party would be allowed to offer a motion to recommit a bill back to committee, but they would not be allowed to offer amendatory instructions. In essence, the MTR was stripped of its amendatory powers, so the minority could no longer force vulnerable majority Members to take difficult public votes on their "gotcha" amendments.

Hoyer, a self-avowed "institutionalist" and "believe[r] in this body," defended the rules change in a lengthy floor speech, claiming that "the MTR was simply a gimmick" and "a gotcha amendment" and "not substantive" (Hoyer (MD)). He would make a prescient request later in his speech:

> "But [Democrats] may be in the minority at some point in time. Don't give [the MTR] back to us because it is a political game that undermines the integrity of this institution, and it is covered as a gotcha game, for the most part, by the press and media that knows what that is–a game." (Hoyer (MD)).

Although House Republicans were apoplectic[20] at the time, they granted his request not to reinstate the amendatory MTR after they took control of the 118th House in 2023 (McPherson (2022)). Thus, at the time of writing in 2024, the amendatory MTR as a minority party prerogative remains absent from House procedure.

5.6 Conclusion

In this chapter I conducted two empirical examinations of my theory of minority party strategy on the modern MTR. First, I tested which majority party Members were

[20] Minority Leader Kevin McCarthy (CA) said he was "embarrassed of this body" and called the MTR reform "a tenet of socialism" (McCarthy (CA)).

more likely to vote in favor of the minority's MTR than their copartisans. I find that those majority party Member who were predisposed to cross-pressure vulnerability were more likely than their counterparts to vote against their party on MTRs, which is a relationship unique to MTR roll calls. Second, I ran a multi-measure test of the minority party's constraints in offering MTRs, finding that the minority party very likely restricted their deployment of the MTR to higher-dimensional bills and to bills on which the parties were completely sorted.

In addition, I provided a qualitative case study of the final year of the modern MTR. In doing so, I added important color and context to the empirical results, and grounded them in a tangible example.

These findings have three primary implications for the larger literature on Congress.

First, the minority party employed something like a procedural cartel (Cox and McCubbins (2005)) with their rare access to the floor: they were highly strategic about when they "opened the gates" and allowed an MTR on to the floor, and when they neglected to do so.

Second, the minority party used the MTR as an electoral tool, not a policy tool. This would imply one of two outcomes: either 1) the minority party valued the electoral benefits of a "gotcha" MTR greater than they valued a more legally substantive MTR that may have moved the bill closer to the ideal point of the median Member on the floor or; 2) the majority party allocated policy or political benefits to their centrist Members in return for no votes on MTRs, and so the minority responded by forgoing policy (and doomed to fail) MTRs for electoral MTRs.

Third, that Congress was organized around party structures–and not floor structures–in the modern period. The minority party did not use the MTR to shift policy closer to the ideal point of the floor in lieu of the ideal point of the majority party–instead, the majority party used the MTR to try and acquire majority status for itself. This

speaks to the importance and the value of majority status in the modern Congress, and to the lack of power held by the floor at large.

Future research in this area may choose to examine *why* exactly former Speaker Gingrich and his Republican Revolutionaries enshrined the MTR as a minority prerogative, and why the majorities of the next 25 years continued their choice. Whether we believe the account listed in this work, that the MTR was a minority party electoral tool, or KM's theory that the MTR was a minority party policy tool, the question remains as to why the majority party allowed the MTR to exist Congress after Congress. Scholars commonly understand the modern House to be an institution firmly held by the majority party, so why enshrine a minority right during some of the most polarized decades in congressional history?

Former Speaker Gingrich, in private correspondence with the author, both provides support for the MTR cross-pressure theory and offers key, albeit preliminary, answers to the questions listed above. When asked directly why the new 1994 GOP majority enshrined the MTR as a minority party prerogative, Gingrich admitted that the Republican Conference "knew [they] were giving the minority the opportunity for a creative amendment that would cost [the GOP majority] some trouble." However, in the former Speaker's opinion, the trouble was worth it: he "thought [enshrining the MTR as a minority party prerogative] was a legitimate opening up of the process," and that the Republican Conference "owed it to the country to have a more open system."

6

Conclusion

This dissertation offers theoretical, quantitative, and qualitative contributions towards our understanding of procedure, power, and policy in the post-Reconstruction House of Representatives. I build on foundational works, such as Aldrich (1995), Cox and McCubbins (2005), and Rohde (1991), to craft my core argument: Members organized the chamber in order to achieve their collective reelection and policy goals, and the institutional regimes they adopted have shifted over the last century and a half. Specifically, I view the chamber through the macro lens of final passage coalitions and the micro lens of the modern motion to recommit to argue that Members adopted a party-centric regime both in the late 19th and early 20th centuries, and again in the modern era. This indicates that the House likely produced policy at approximately the ideal point of the median Member in the majority party during those periods. I juxtapose these results against a floor-centric regime, which does not appear to have explanatory power at any point in post-Reconstruction congressional history.

6.1 Final Passage Coalitions

In the first chapters of this dissertation, we examine final passage coalitions in Congress in order to test the empirical validity of floor-centric versus party-centric theoretical coalitions across different historical periods. We consider the validity of either theoretical coalition at any point in time to be indicative of the underlying institutional regime, locus of power, and public policy production point.

During the early post-Reconstruction decades, we find a Congress where partisan procedural structures dominated. This era was characterized by ideological party cohesion, which led to the consolidation of power within party leadership and the likely production of public policy at the ideal point of the median Member in the chamber. This is a pattern that resurfaces in the contemporary post-reform period.

Conversely, the mid-century period presents a more obscure scenario, where neither floor-centric nor party-centric theories adequately capture congressional organization. This era was marked by a decentralization of power, distributed from party leaders to committee leaders. The inability of either theoretical model to fully explain final passage coalitions during this period highlights the need for further research.

6.2 The Modern Motion to Recommit

I focus on the motion to recommit in the latter chapters of this work, specifically examining motion's use in the two and a half decades following the 1994 Republican Revolution. I argue that the strategic deployment of the MTR as a means of electoral-procedural warfare undercuts alternative theories of the motion as a tool to shift the majority's policy proposals to the ideal point of the median Member on the floor. Specifically, I contend that the MTR was used strategically by the minority party to apply cross-pressure to vulnerable majority party Members, not to amend the majority party's policy proposals.

This argument is one firmly in favor of partisan supremacy in the modern congressional era. That a highly organized minority party would use their near-singular opportunity to access the chamber's agenda in order to try and attain majority status for themselves instead of empowering the floor's policy position speaks to the value of majority status, and highlights the inability of the floor theory of congressional organization to explain the modern House.

Further research is needed on a key outstanding question: why did the minority Republicans enshrine the motion as minority prerogative in 1995, and why did every subsequent Congress for the next 25 years follow suit? Further, why did the majority party not defeat the previous question on the minority's MTRs and amend away the cross-pressuring language?

6.3 Concluding Reflections

In sum, this work has highlighted the fluidity of congressional organization, power, and policy over the last 150 years. Through a detailed analysis of final passage coalitions and the strategic use the MTR, this research has contributed to our understanding of the intricate dynamics that shape legislative outcomes. As the landscape of American and global politics continues to evolve, so too will the strategies and organizational structures within Congress. These shifts will surely have profound implications for the production of the public policies that help to guide and shape our world.

Appendix A

Appendix: Specification of the Floor- and Party-Centric Theoretical Coalitions

Floor-Centric Theoretical Coalition:

- Take F to be the number of Members on the floor for which ideal points have been estimated in a given Congress and S to be the number of Members required for a simple majority on the floor in the same Congress.[1]
- If F is even, there are then two median Member ideal points on the floor: a higher median, M_H, and a lower median, M_L.[2]

[1] F, and therefore S, change Congress-to-Congress throughout the dataset of W-NOMINATE scores. This is due, in part, to changes in apportionment concluding in 1910 with the allocation of 435 representatives to the House. For all Congresses since then, changes in F and S are due to vacancies in the House (due to deaths, resignations, etc) causing a lower number of MCs than 435 to receive ideal point estimations under the W-NOMINATE procedure.

[2] While we anchor the floor-centric theoretical coalition symmetrically around the floor median ideal point(s), please note that one could well imagine three different ways of composing a floor majority: one that starts at the floor median and counts S Members to the left of it, another that counts S to the right of it, and the one we use, that counts evenly left and right of it. In this case, it seems evident that open voting on the floor would lead to the floor median via Black and Condorcet reasoning, and with only policy considerations in the final passage vote, those closest to the floor median, whether to the left or to the right of it, would be most enthusiastic in support of getting the floor median through the congressional labyrinth and on to the floor, assured that it should pass.

- If F is even and S is even, then the coalition includes all Members with ideal points within the set lower bounded by the Member at the $[M_L–[(S/2)–1]]$ position and upper bounded by the Member at the $[M_H + [(S/2)–1]]$ position.
- If F is even and S is odd, then the coalition includes all Members with ideal points within the set lower bounded by the Member at the $[M_L–(F/4)]$ position and upper bounded by the Member at the $[M_H + (F/4)]$ position. If the absolute value of the ideal point corresponding to the lower bound Member is greater than the absolute value of the ideal point corresponding to the upper bound Member, then the lower bound is contracted by one Member—otherwise, the upper bound is contracted by one Member.[3]

- If F is odd, then there is one median Member ideal point on the floor, M.
  - If F is odd and S is even, then the coalition includes all Members with ideal points within the set lower bounded by the Member at the $[M–(S/2)]$ position and upper bounded by the Member at the $[M + (S/2)]$ position. If the absolute value of the ideal point corresponding to the lower bound Member is greater than the absolute value of the ideal point corresponding to the upper bound Member, then the lower bound is contracted by one Member—otherwise, the upper bound is contracted by one Member.
  - If F is odd and S is odd, then the coalition includes all Members with ideal points within the set lower bounded by the Member at the $[M–[(S–1)/2]]$ position and upper bounded by the Member at the $[M + [(S–1)/2]]$ position.

[3] The bound contraction is done to approximate as closely as possible a symmetric distribution of an odd number of Members around the two median Members. We choose to reduce the coalition by the more extreme Member on either the right or left instead of the more moderate Member.

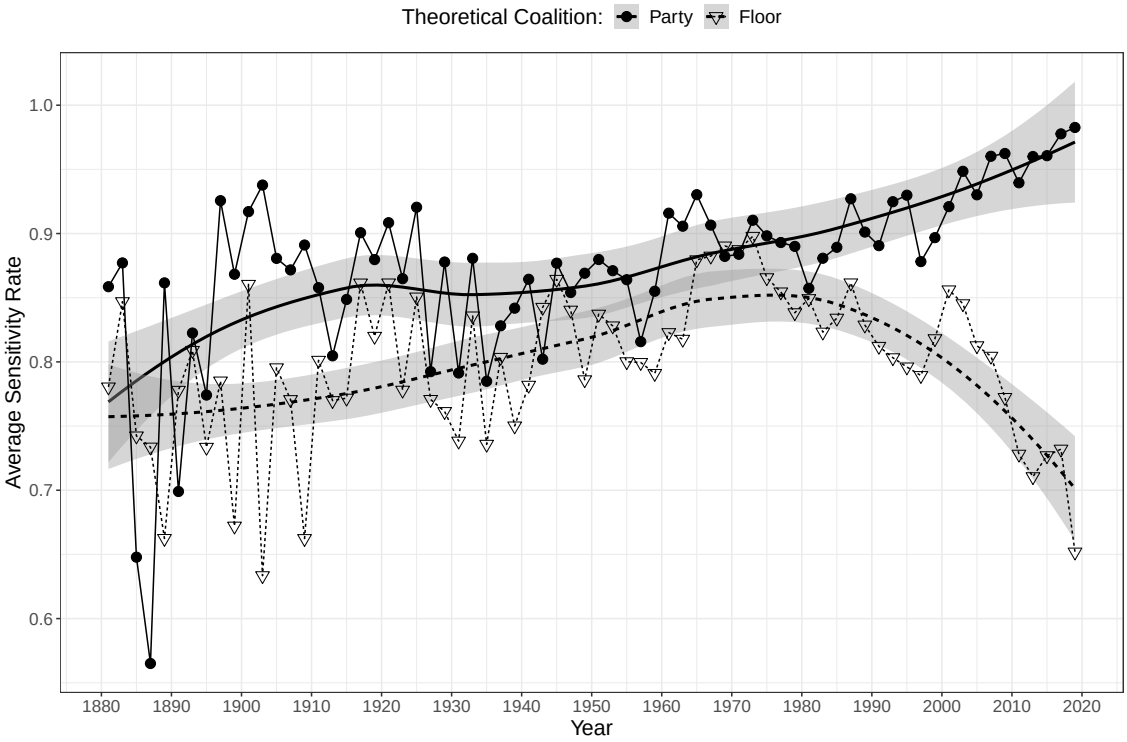
Party-Centric Theoretical Coalition:

- Same as above, replacing F with P, the number of majority party Members for which ideal points have been estimated in a given Congress.[4]

[4] Similarly to the floor-centric theoretical coalitions, one could imagine three party-centric coalitions, one that starts at the party's extreme and counts "in" S partisans toward the center, one that starts with most moderate party affiliate and counts S members toward the extreme, or the one we report here, the one that starts at the party center and works outward. Of course, if the majority party holds only a small majority, as in recent Congresses, these will not differ very much. But when they hold a more substantial majority, we could imagine the Speaker working to negotiate a more extreme party proposal and contrast that especially with one that seeks to protect the most moderate (and thereby presumably electorally vulnerable) affiliates of the party. In short, we take seriously the idea of party-centric and floor-centric in both the specification of a possible bill at the party/floor median and a working coalition clustered closely around that center.

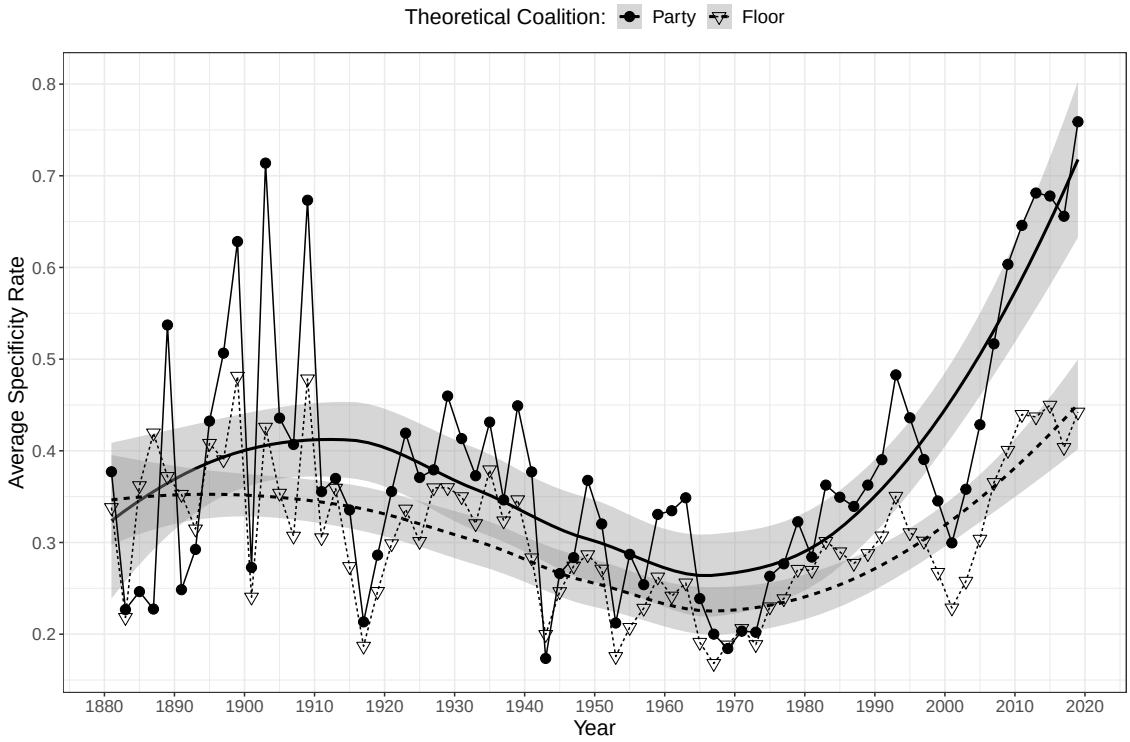
Appendix B

Appendix: Average Theoretical Coalition Sensitivity and Specificity Rates



Note: Plot presents the floor− and party−centric theoretical coalitions' sensitivity rates averaged over all final passage roll call votes in each Congress ranging from the 47th to 116th. A loess regression and accompanying standard errors are included for each theoretical coalition.

FIGURE B.1: Average Theoretical Coalition Sensitivity Rates



Note: Plot presents the floor− and party−centric theoretical coalitions' specificity rates averaged over all final passage roll call votes in each Congress ranging from the 47th to 116th. A loess regression and accompanying standard errors are included for each theoretical coalition.

FIGURE B.2: Average Theoretical Coalition Specificity Rates

Appendix C

Appendix: Factors Associated with Bill-Level and Average Congress-Level Theoretical Coalition Sensitivity and Specificity

Table C.1: Factors Associated with Bill-Level Theoretical Coalition Sensitivity and Specificity

	Dependent variable:			
	Party Sensitivity	Floor Sensitivity	Party Specificity	Floor Specificity
Introduced in Second Session	0.009**	0.015***	−0.016*	−0.009
	(0.004)	(0.005)	(0.009)	(0.006)
Introduced in Senate	−0.002	−0.008	0.009	0.002
	(0.008)	(0.009)	(0.017)	(0.011)
Introducing MC in Maj. Party	0.016	−0.040***	0.123***	0.068***
	(0.012)	(0.015)	(0.027)	(0.018)
Introducing MC Abs(DW-NOM.)	−0.011	−0.005	−0.001	0.005
	(0.007)	(0.009)	(0.016)	(0.010)
Introducing MC on Bill's Cmte.(s)	0.012**	0.017***	−0.011	−0.005
	(0.005)	(0.006)	(0.011)	(0.007)
Important Bill	−0.033***	−0.036***	0.063***	0.060***
	(0.008)	(0.010)	(0.018)	(0.012)
Number of Cosponsors	0.00003	−0.00002	0.0001	0.0001
	(0.00004)	(0.0001)	(0.0001)	(0.0001)
Referred to Multiple Committees	0.002	−0.009	0.025**	0.013**
	(0.004)	(0.006)	(0.010)	(0.007)
Failed House and Senate	−0.301***	−0.359***	0.334***	0.274***
	(0.011)	(0.014)	(0.025)	(0.016)
Failed House, Passed Senate	−0.555***	−0.455***	0.350	0.457***
	(0.113)	(0.142)	(0.255)	(0.166)
Passed House, Failed Senate	0.0003	−0.054***	0.121***	0.067***
	(0.005)	(0.006)	(0.010)	(0.007)
Passed House and Sen., Failed Pres.	−0.008	−0.086***	0.186***	0.108***
	(0.007)	(0.008)	(0.015)	(0.010)
Congress and Policy Topic FE	Yes	Yes	Yes	Yes
Observations	3,966	3,966	3,966	3,966
Adjusted R^2	0.276	0.299	0.315	0.266
Note:	*p<0.1; **p<0.05; ***p<0.01			

Table C.2: Factors Associated with Average Congress-Level Theoretical Coalition Sensitivity and Specificity

	Dependent variable:			
	Party Sensitivity	Floor Sensitivity	Party Specificity	Floor Specificity
Unified Government	5.704***	−0.028	5.662*	−0.172
	(1.432)	(1.362)	(3.086)	(1.654)
Majority Proportion	−0.071	0.056	0.104	0.202
	(0.115)	(0.109)	(0.247)	(0.132)
Period 2: 1911 - 1941	1.976	4.164**	−5.461	−5.237**
	(1.968)	(1.871)	(4.241)	(2.272)
Period 3: 1941 - 1955	2.023	7.634***	−13.713**	−10.996***
	(2.473)	(2.352)	(5.330)	(2.856)
Period 4: 1955 - 1995	8.403***	8.975***	−9.832**	−12.069***
	(1.890)	(1.798)	(4.074)	(2.183)
Period 5: 1995 - 2021	13.322***	2.369	13.238***	−0.218
	(2.118)	(2.015)	(4.565)	(2.446)
Observations	70	70	70	70
Adjusted R^2	0.412	0.287	0.329	0.380
Note:				*p<0.1; **p<0.05; ***p<0.01

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