**The Strategic Construction of the Legislative Agenda:
Mitigating the Risks of Party Brands**

Austin Bussing

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ABSTRACT

AUSTIN BUSSING: The Strategic Construction of the Legislative Agenda: Mitigating the Risks of
Party Brands
(Under the direction of Sarah A. Treul)

Floor time is a scarce resource in a large legislative body like the U.S. House of Representatives. This dissertation examines the institutional mechanisms that regulate the allocation of floor time to different bills, focusing on the implications of majority party control of these mechanisms. The first chapter illustrates the tradeoffs majority party leaders face in constructing the legislative agenda, and provides an overview of the subsequent three chapters. The second chapter analyzes the use of suspension of the rules, a supermajoritarian procedure used to deal with most legislative business in the modern House. Using data on bills considered under suspension from the 93rd–113th Congresses (1973–2015), I demonstrate that the distribution of suspension bills systematically favors electorally vulnerable majority party incumbents, and largely excludes their minority party counterparts. The next chapter focuses on the more partisan and contentious portion of the legislative agenda, turning towards the bills that are typically assigned a special rule for consideration by the House Rules Committee before reaching the floor. I study an unorthodox Rules Committee practice of combining multiple bills together into one package before sending them to the floor. Using data on all House bills introduced from the 112th–114th Congresses (2011–2016), I demonstrate that partisan bills are more likely to be included in these packages. These legislative packages are more likely than non-packaged bills to be the subject of party unity passage votes on the House floor, but are no more likely to become law. The final chapter focuses on the role of the House Rules Committee as a gatekeeper in the legislative process. I consider bills that had been favorably reported by substantive committees in the House from the 104th–114th Congresses (1995–2017), and develop hypotheses about patterns of floor consideration for these bills. I find that partisan bills are less likely to be considered on the floor, but that this general pattern is conditional on characteristics of the bill sponsor and the majority party.

To my parents, Dorothy Newcomb and Greg Bussing; my brothers, Andy and Avery Bussing; and

my fianceé, Caroline Lancaster.

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TABLE OF CONTENTS

LIST OF TABLES

LIST OF FIGURES

LIST OF ABBREVIATIONS

DW-NOMINATE	Dynamic Weighted NOMINAI Three-step Estimation
H.R.	House of Representatives (used to identify House bills)
H.Res.	House Resolution
NDAA	National Defense Authorization Act
PIPC	Political Institutions and Public Choice
SNAP	Supplemental Nutrition Assistance Program

CHAPTER 1: INTRODUCTION

This dissertation focuses on agenda setting in the U.S. House of Representatives, with a specific concentration on how majority party leaders balance the diverse demands of individual legislators with the imperatives of governance and partisan messaging. I primarily address questions about the collective processes by which members of the House decide which legislative proposals they will consider. Floor time is a scarce resource in large legislative bodies, and its allocation across different issues and priorities has important implications for policymaking, deliberation, and representation.

Throughout my dissertation, I argue that the majority party leadership uses its control over the legislative agenda to navigate a persistent collective action problem. Individual legislators all benefit electorally when their party has a coherent public brand, but there are often incentives for certain members to shirk when it comes to the production and passage of partisan legislation. In my work, I show that electorally vulnerable members of the majority party, who may be reticent to contribute to the party's more contentious public goals, are given more opportunities to bring locally-focused or broadly popular bills to the floor. Additionally, by analyzing pre-floor decisions about whether and how to bring certain legislative proposals up for consideration, my work provides insight into party leaders' attempts to build the internal unity necessary to advance a programmatic policy agenda. Cumulatively, my dissertation work examines the political and electoral costs associated with the consideration of partisan bills, and argues that majority party leaders use their control over the legislative agenda to help defray these costs.

This work is premised largely on an assumption that the consideration of partisan bills in Congress is costly to members of the majority party because the unity necessary to pass these proposals without minority party support is not naturally occurring. Holding a majority in either chamber of Congress requires representation of a diverse array of constituencies—which makes it inherently difficult to agree on the specifics of national policy. This diversity of constituencies, and therefore of legislators, exacerbates the collective action problem faced by the party. Accordingly, leaders are selective in bringing partisan proposals to the floor, and they occasionally engage in

extensive bargaining within their own caucus to build support for these selected bills. Additionally, leaders devote large portions of the legislative agenda to noncontroversial bipartisan bills—partially to help cross-pressured majority party members develop a reputation for legislative success independent of partisanship.

My dissertation seeks to deepen the understanding of interactions between electoral conditions, the goals of individual legislators, and the form and function of legislative institutions. Through the analyses presented in each chapter, I demonstrate a number of underappreciated implications of majority party leadership control over the legislative agenda in the House of Representatives. I show that, even under a supermajoritarian procedure like suspension of the rules, Speaker control of recognition allows for the strategic facilitation of majority party electoral goals, as well as the efficient processing of routine legislation. Furthermore, I investigate the unorthodox legislative procedure of combining multiple bills together in the House Rules Committee prior to floor consideration, and argue that this practice allows majority party leaders to pursue partisan messaging goals. Lastly, I explore the gatekeeping role of the House Rules Committee by focusing on decisions about whether or not to bring legislation to the floor once it has been favorably reported by a substantive committee. I demonstrate that partisan bills—those that were the subject of minority party opposition in committee—are less likely to be given floor consideration than bills that are reported with bipartisan support.

This introductory chapter proceeds as follows. First, I lay out a general theoretical framework that ties together the chapters of my dissertation. Then, in the subsequent three sections, I provide overviews of each chapter, focusing on the specific questions addressed and findings presented in each. Next, I devote a section to the common themes shared by all three chapters, and draw connections between them. Finally, I conclude with a discussion of important questions that remain to be addressed in the context of the work presented throughout the dissertation.

1.1 Constructing the Legislative Agenda: A Theoretical Framework

In some way or another, each chapter of my dissertation is concerned with questions about conditions under which the legislative agenda is constructed to showcase either partisan disagreement or bipartisan consensus. Holding constant some underlying level of policy conflict between the platforms

of the Republican and Democratic parties, the legislative agenda could focus exclusively on areas of disagreement, exclusively on areas of bipartisan agreement, or could be reflective of some mix of conflictual and consensual issues. Inherent in this statement is an acknowledgment that the level of observed partisan conflict in the legislative process is not necessarily a direct reflection of the latent conflict that exists between the two parties at any given time, but rather a function of strategic agenda setting choices made by the majority party leadership (Harbridge 2015, Bussing & Treul 2021). In constructing the legislative agenda in the House of Representatives, I argue that leaders must consider at least the following three factors:

1. The value of drawing stark distinctions between the majority and minority parties

2. The demands of individual members who are seeking to meet their own legislative goals

3. The necessity of accomplishing routine government business (passing appropriations bills, reauthorizing major federal programs, etc.)

The following sections will discuss each of these considerations in more detail.

1.1.1 The Value of Accentuating Partisan Differences

Parties can gain both policy utility and electoral utility from putting together a legislative agenda that accentuates their differences with their electoral competitors. Unified majority parties that are capable of acting as cohesive units are theoretically able to achieve legislative outcomes that move policy away from the chamber median and towards their own party median. Additionally, parties with a reputation for legislative success are more likely to be successful electorally (Cox & McCubbins 1993). Assuming that legislative parties are interested in maximizing their seat share (as in (Lebo et al. 2007)), or at least in gaining or retaining majority status, party leaders must remain attentive to how the compilation of a partisan voting record would affect the electoral prospects of their party's individual members. While a strong party brand theoretically redounds to the electoral benefit of all members associated with the party, the construction of that brand can be electorally harmful to certain individual members. Therefore, the value of creating or maintaining a distinctive party brand through the deployment of a highly partisan legislative agenda is dependent both upon the size of the party and the homogeneity of the different constituencies represented by the members of that party.

3

All else equal, larger majority parties are likely to derive more value from constructing a partisan legislative agenda than smaller majority parties. This expectation comes from the assumption that party-line voting will be electorally costly for at least some members of the majority party. If this is true, and if maintaining majority status is valuable to the party, then smaller parties will be incurring more risk of losing the majority as they increase the number of party-line votes they take. Not only would an electoral loss for an individual member be more costly for a smaller party relative to a larger party, the likelihood that a given member would *need* to cast a party-line vote in order to achieve a party policy goal increases as the size of the party decreases. Therefore, all else equal, highly partisan agendas entail more risk for smaller parties than they do for larger parties.

However, there are good theoretical reasons to believe that "all else" will not always be equal when comparing a large majority party with a small majority party. For example, if partisanship is closely tied to certain district characteristics, and if those characteristics only apply to a fixed number of districts within a country, then the expansion of party representation beyond those districts is likely to be associated with a decrease in the homogeneity of that party. If this is true, we would expect larger parties to be less ideologically homogeneous than smaller parties, and therefore comprised of more members for whom a partisan voting record would be a liability. Of course if a majority party is so large that its most atypical members[1] can defect on important votes without defeating the party's position, such parties may still derive considerable value from the construction of a partisan legislative agenda.[2] Party size and homogeneity, then, aside from being possibly endogenous, are expected to have an interactive effect on the value of a partisan legislative agenda.

1.1.2 Meeting the Legislative Demands of Individual Members

In determining the content of the legislative agenda, the majority party leadership must choose selectively from some pool of bills. This supply of bills is provided by the members of the House, whose bill introduction decisions may be relatively independent of the needs of the party or the chamber as a whole. From this narrow and obvious perspective, decisions about the legislative agenda are shaped by the demands of individual members who introduce the bills that comprise

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[1]Those representing districts that are the most different from the modal "party district"

[2]Although they do run the risk that their most atypical members will be held electorally accountable not for their individual voting records, but for the policies of the party as a whole—which are presumably unpopular in these members' districts.

the potential agenda. Members who are eager to move up within party leadership, those who hold committee chairs, or those whose districts are particularly aligned with the mainstream of the party may find it incentive-compatible to introduce bills that further partisan goals. These bills are the subject of the previous section, and constitute the mechanisms by which policy differences between the parties may be accentuated.

Clearly though, many of the bills that are potential candidates for floor consideration would not provoke partisan conflict. These bills may deal with particularistic issues that are of importance to some specific district, symbolic issues that are important to a specific constituent group, or noncontroversial issues characterized by either broad bipartisan support or general indifference. While these bills may not be pressing matters for either the chamber as a whole, or major priorities for either of the parties, they are often very important to the members who introduce them. Members clearly believe these bills to be important to their reelection efforts (Dodd & Schraufnagel 2009), and therefore the demand to bring such bills to the floor is often considerable.

While procedures such as suspension of the rules allow leaders to more efficiently accommodate these member demands, the suspension agenda—just like the general legislative agenda—is still finite in nature. Therefore, agenda construction requires majority party leaders to allocate a scarce resource—floor time—in the face of varying demands from all members of the House. As mentioned above, some individual member priorities may already be in line with party priorities, meaning that, by scheduling these bills, leaders can simultaneously accentuate differences between the two parties and satisfy the legislative demands of certain members. However, as more of these partisan bills are let onto the agenda, atypical party members incur more electoral risk from their association with the party, and therefore may increase their demands to have some of their priority (nonpartisan) bills considered. In deciding how to allocate scarce agenda space to these atypical members, majority party leaders must weigh the competing demands on the agenda with the expected value of allowing for the consideration of these bills. The cost involved is simply time,[3] and the payoffs depend on how the passage of the bill would affect the sponsor's reelection prospects, how valuable the sponsor's

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[3]Although party leaders may theoretically incur some reputation cost from devoting too much of the agenda to symbolic or minor legislation. Changes to the House Rules in the 104th Congress to attempt to curb the consideration of commemorative legislation demonstrate that the leaders of the newly-minted Republican majority were keenly aware of these costs (Dodd & Schraufnagel 2009).

reelection is to the maintenance of the majority, and any policy benefit to be gained by the party if the bill became law.[4]

1.1.3 Accomplishing Routine Government Business

The third major consideration for majority party leaders in constructing the legislative agenda is the accomplishment of routine government business. This category of legislation includes appropriations bills that have to be passed in order to keep the government open, as well as the authorizations or reauthorizations of major government programs. Not only are many of these bills considered "must-pass" legislation for operational purposes, they also are tied to the legislative reputation of the majority party, as the failure to pass them would presumably be indicative of an ineffective party. House Democrats in the 111th Congress nearly suffered such a reputational hit when it appeared that, for the first time in 49 years, Congress was going to fail to send a defense authorization bill to the president for his signature. After dropping a number of controversial provisions, including the repeal of the "don't ask, don't tell" policy, the bill passed both chambers and was signed into law just two days before the end of the Congress. Similarly, when the Republican majority in the 115th Congress brought a farm bill to the House floor that was narrowly defeated, the party may have suffered a reputational hit. After the removal of controversial provisions regarding work requirements for SNAP recipients, the bill was brought back to the floor, passed, and ultimately became law. These two examples highlight the extent to which routine government business and partisan policy goals can overlap with one another—although frequently in a way that reduces the chances for successful passage. Whether they overlap with party goals or not, these legislative priorities always demand space on the legislative agenda, and party leaders must accomodate them in some way or another.

1.1.3.1 Overlapping Imperatives

Majority party leaders must consider at least three major factors in constructing the legislative agenda—the value of drawing stark policy distinctions between the two parties, accommodating

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[4]Formally, this payoff could be written: $U_C = p(R) + p_L(P) - t$, where U_C is the utility of considering a certain bill, p is the probability that the consideration of that bill will make the difference between the sponsor winning or losing reelection, R is the value to the majority party of retaining the sponsor's seat (higher for smaller majorities), p_L is the probability the bill will become law conditional on being brought to the floor in the House, P is the policy utility to be gained by the majority party if the bill were to become law, and t is the time spent by the floor considering the bill.

the legislative demands of individual members, and accomplishing routine government business. However, as has been alluded to briefly above, these considerations are by no means mutually exclusive. It may be possible, in some cases, for majority party leaders to simultaneously address party goals, member priorities, and routine government business in the same bill. It is also possible to address any two out of these three categories simultaneously. The Water Resources Development Act, for example, accomplishes routine government business by regularly addressing the nation's water infrastructure needs, and also satisfies many members' goals by authorizing local infrastructure projects. However, at least in most Congresses, the Water Resources Development Act will not constitute a major party priority—nor will consideration of the bill be marked by partisan conflict at either the committee or the floor stage.

It is helpful, then, to think about majority party leaders' considerations in constructing the legislative agenda as a set of overlapping circles. The degree of overlap between any of these circles is partially a function of the composition and size of the majority party.
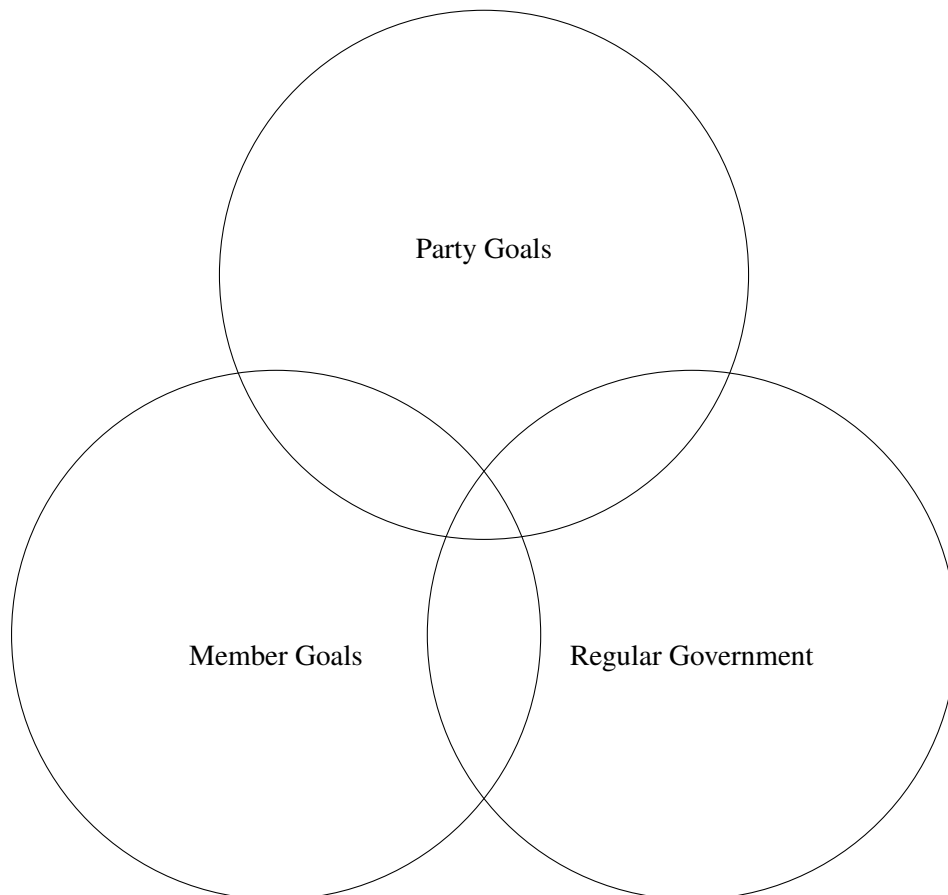
When the majority party is particularly homogeneous—which in the House would mean that most of the districts represented by members of that party are relatively similar on some dimension—there will likely be considerable overlap between the Member Goals and Party Goals circle. Assuming that the party's platform is constructed through some collaborative process, it is likely to reflect goals that most of its members hold in common. If there is not much variety in the types of districts held by members of the party, this common ground may be fairly large. Additionally, there will be fewer members who will view closeness to the party as an electoral liability, and therefore we would expect a higher degree of overlap between the goals of individual party members and the goals of the party as a whole. Conversely, if a party is particularly heterogeneous, holding together a diverse coalition of different types of districts, the overlap between the Party Goals circle and Member Goals circle may be fairly small. This is both because members of this diverse party may not agree on much, and because members will demand consideration of their own nonpartisan legislative goals in order to set them apart, in the minds of their constituents, from whatever partisan record their party does compile.

As discussed in the preceding section, legislative areas that have typically been devoted to the relatively nonpartisan conduct of routine government business can occasionally become partisan battlegrounds. Aldrich & Rohde (2000), for example, detail how the Republican House majorities of the mid-1990s somewhat controversially turned to the House Appropriations Committee for the accomplishment of a number of their major partisan policy goals. Theoretically, overlap between the Member Goals, Party Goals, and Regular Government circles should be expected to increase when the majority party is particularly internally cohesive in terms of the policy preferences of its members.

In order to speak more directly to the overlap between the Party Goals and Regular Government circles, more clarification of the definition of "party goals" is necessary. An unambitious and internally divided majority party could publicly state that its goals for a Congress are to pass appropriations bills and reauthorize major government programs, and this would seem to be reflective of a perfect overlap of the Party Goals and Regular Government circles in the diagram above. However, if these publicly stated "party goals" do not evoke any partisan conflict, they do not count as Party Goals in my scheme. Following my definition, the whole purpose of the segment of the legislative agenda allocated to party goals is to accentuate to the public the differences in policy preferences and governing philosophies between the two parties. Therefore, to the extent that the

Party Goals and Regular Government circles do overlap, their confluence is brought about by the injection of partisan conflict into routine government business, as highlighted in the examples above about the NDAA and the 2018 Farm Bill.

Having provided a broad theoretical framework for systematically analyzing questions about how majority party leaders seek to balance different goals through the construction of the legislative agenda, I next turn to briefly outlining the substantive chapters of my dissertation.

1.2 Majority Party Strategy and Suspension of the Rules in the House

The first chapter of my dissertation examines the use of suspension of the rules in the House of Representatives from the 93th–113th Congresses (1973–2015). Suspension of the rules is a supermajoritarian procedure by which bills can be brought to the House floor and passed with the support of two-thirds of the members present and voting. Given this elevated threshold for passage, the procedure is typically used to efficiently process noncontroversial legislation that rarely involves a partisan component. I argue in this chapter that suspension of the rules is an important mechanism through which individual legislators can pursue particularistic or locally-oriented legislative goals that are of special importance to attentive groups in their constituency. However, the procedure is also used to deal with important reauthorization bills concerning large federal programs, as long this legislation does not become the subject of partisan disagreement. Referring to the goal typology outlined above, suspension of the rules often facilitates the pursuit and achievement of both member goals and regular government goals.

In this chapter, I briefly discuss the historical development of suspension of the rules in the House, including how it came under the control of the Speaker of the House. At its genesis in 1822, the motion to suspend the rules was not regulated by the majority party, and any member could move to suspend the rules for any bill they pleased. This House's early experience with the procedure serves as a testament to the strength of centrifugal forces in a large and diverse legislative body, as the intense demand for individual members to bring their own proposals to the floor frequently bogged down more important chamber business. Since the early 1880's, when Speaker Samuel J. Randall (D-PA) took control over the motion to suspend the rules, the right to acknowledge members seeking to make such motions has been the sole prerogative of the House Speaker.

The importance of majority party leadership control over a supermajoritarian legislative procedure is a key theme of this chapter. Some form of centralized control over the procedure proved necessary to keep legislative business on track, but the specific institutional arrangement that was created gave the House Speaker the power to strategically allocate valuable legislative opportunities to majority party legislators. However, the supermajoritarian nature of the procedure does not allow for the complete exclusion of minority party legislators from these opportunities, as the minority party is given leverage that it would not have under simple majority voting rules. I supplement my quantitative analyses in this paper with interviews with a House Democratic Leadership staffer from the mid-2000s who described negotiations with Republican Leadership to come up with an equitable split of the suspension agenda between majority and minority party legislators. Since the 108th Congress (2003-2005) this split has remained relatively stable, with majority party sponsored bills accounting for about 70% of the suspension agenda and minority party sponsored bills accounting for 30%.

Examining the characteristics of legislators from the majority and minority parties who have their bills considered under suspension of the rules reveals some interesting patterns. For example, committee and subcommittee chairs are more likely to have their bills considered under suspension of the rules than other members, which is partially due to the fact that these members are frequently the sponsors of important, but noncontroversial, reauthorization bills. Additionally, the expected number of bills considered under suspension of the rules is increasing in electoral vulnerability for members of the majority party, while the opposite is true for members of the minority party. This finding provides suggestive evidence that the majority party leadership uses its control over this procedure to strategically advantage electorally vulnerable majority party members, while mostly screening their electorally vulnerable minority party counterparts. This strengthens the central claim of this chapter, which is that the Speaker's discretion over the application of suspension of the rules allows for the exertion of majority party power even in the face of a supermajoritarian threshold for bill passage.

1.3 Pre-Floor Bundling in the House Rules Committee

In the second chapter of my dissertation, I turn away from the bipartisan and consensual portion of the legislative agenda, and towards the more partisan and contentious bills that are typically assigned a special rule for consideration by the House Rules Committee before reaching the floor. This chapter focuses on an unorthodox Rules Committee practice of combining multiple bills together into one package before sending them to the floor. Using data on all House bills introduced from the 112th-114th Congresses (2011-2016), I systematically examine the dynamics of this developing practice. I place my work within the context of the literature on other unorthodox legislative practices, focusing on the similarities and differences between this Rules Committee practice and what has more traditionally been referred to as omnibus legislating. I argue that combining bills together in the Rules Committee, right before floor consideration, constitutes an important and underappreciated exertion of majority party leadership influence over the agenda setting process. Furthermore, I argue that majority party leaders engage in this practice in order to build cohesive intraparty coalitions, and to efficiently engage in partisan messaging.

In this chapter, I theorize about the bill-level covariates that should be associated with inclusion in packages constructed by the Rules Committee, and find that conflictual partisan bills are more likely than their bipartisan counterparts to be packaged in this way. Turning to the downstream effects of this practice, I find that packaged bills are significantly more likely to be the subject of a party unity vote on the House floor, but are no more likely to become law when compared to other bills that received floor consideration. This constitutes an important difference between this practice and more traditional omnibus legislating—and suggests that Rules Committee bundling may be more oriented towards messaging than legislating. Cumulatively the work in this chapter has important implications for our understanding of intraparty coalition management strategies and the role of standing committees in an evolving legislative process.

1.4 Gatekeeping in the House Rules Committee

The third and final chapter of my dissertation focuses more generally on the House Rules Committee and the nature of its role as a gatekeeper in the legislative process. This chapter examines the interactions beetween majority party leadership, substantive committees, and the Rules Committee

11

in the construction of the legislative agenda. Specifically, I consider the subset of legislation that has been favorably reported by substantive committees, and develop hypotheses about the patterns of floor consideration for these bills. During the time period I study—the 104th–114th Congresses (1995-2017)—over a quarter of all committee-reported bills never receive consideration on the floor. This constitutes an interesting puzzle, as the relatively high degree of majority party ideological homogeneity during the period of study suggests that committees should be working in concert with one another as agents of the majority party. The fact that a non-negligible portion of committee-reported bills are kept from the floor provides an interesting angle from which to study intraparty agenda-setting processes in a polarized era.

In this chapter, I present descriptive data on the legislative portfolios of the House standing committees, emphasizing the variation in both volume and content of these agendas across committees. I also present Congress-level descriptive data on the floor consideration rate for bills that were favorably reported by committee to get a sense of the gatekeeping activity of the Rules Committee across time. Two key patterns emerge from these sets of descriptive data. The first suggests that committees which frequently deal with legislative proposals on which the two parties disagree have fewer of their reported bills considered on the floor. This pattern, which is more rigorously explored in multivariate anayses later in the chapter, lends support to the theoretical proposition that majority party leaders are particularly discerning in asking their members to take floor votes on contentious partisan proposals. The main Congress-level patterns that emerge from the second set of descriptive data show that the highest rate of floor consideration for committee-reported bills comes in Congresses after partisan control of the chamber has changed. This pattern of elevated floor consideration rates, and therefore decreased Rules Committee gatekeeping activity, after a change in partisan control points to the fluctuating contextual salience of policy goals for legislative parties.

My main quantitative analyses in this chapter seek to evaluate patterns of floor consideration for committee-reported bills as a function of Congress, committee, and bill-level characteristics. I argue that majority party leaders engage in strategically selective agenda setting, exercising discriminating judgment when deciding which contentious committee-reported legislation to allow to the floor. I find that bills that are the subject of partisan disagreement in committee are less likely to be considered on the floor, but that this general pattern is conditional on characteristics of the bill sponsor and the majority party. I concude this chapter with a theoretical discussion of Rules Committee gatekeeping,

in which I put forth a number of alternative explanations for the necessity of such a practice even during an era of seemingly-homogeneous majority parties. This discussion is meant to provide the beginnings of a theoretical foundation for future work on the topic.

1.5   Constructing the Legislative Agenda: Common Themes

The first chapter of my dissertation deals with suspension of the rules and the ways in which majority party leaders have accommodated and regulated the member-level demand for the floor consideration of bipartisan or nonpartisan legislation. In contrast, the second and third chapters both deal with the House Rules Committee and its role in selectively constructing the more partisan portion of the legislative agenda. Cumulatively, these three chapters provide a nuanced view of majority party agenda setting in the post-reform House of Representatives.

I assume that part of the driving-force behind the member-level demand to have bills considered under suspension of the rules is the desire to cultivate a reputation for effectiveness that is independent of party. Particularly for members in swing districts, who become increasingly important to the two parties during eras of narrow partisan majorities, these opportunities may be electorally valuable. These same members are also likely the most reluctant to support contentious partisan bills that are brought to the floor in an attempt to sharpen the ideological component of the party brand. My first chapter shows that majority party leaders can help to create opportunities for these members to burnish their reputations in their districts. My second and third chapters, on the other hand, attest to the constraints that are placed on partisan agenda setting by majority party members who are occasionally hesitant to contribute to the collective production of the party brand. These constraints can be seen in the pre-floor bundling process, which has the practical effect of reducing the number of times that majority party members may be asked to cast potentially electorally-risky party line votes. They can also be seen in the practice of Rules Committee gatekeeping, in which partisan legislation is consistently more likely to be kept from the floor than less-contentious legislation.

1.6   Conclusion

My dissertation research contributes to a better understanding of the operation of parties in legislatures, and has implications for the study of polarization, agenda setting, and deliberation in the legislative

process. The dominant paradigm in the American politics literature holds that the majority party leadership exercises control over the agenda in Congress, and does so with an eye towards the maintenance of the party's public brand (Cox & McCubbins 1993, 2005). However, it is unclear how party leaders view the connection between legislative actions, such as enacting bills into law, and the public perception of their party. When party leaders are deciding which bills to bring to the floor, what factors do they prioritize, other than the unity of their own membership? When do leaders prioritize partisan messaging by considering ideological proposals with no chance of becoming law, and when do they prioritize passing bills into law—which often requires bipartisan support?

These important questions cannot be answered by focusing solely on the bills that receive floor consideration. One of the most substantive contributions of my dissertation work is the inclusion of rich pre-floor data on a wider universe of bills, which allows me to draw better inferences about party leadership priorities in agenda setting. For example, the findings in my third chapter demonstrate that partisan disagreements are avoided more frequently than they are sought out. Additionally, I show that the ideological diversity within each party constrains party leaders, who must craft a cohesive policy platform without alienating too many of their own members.

One result of these constraints is that open clashes between the two parties over legislation on the floor account for a rather small proportion of the entire legislative agenda. Members of Congress generate massive demands on their chambers to consider a multitude of bills, most of which are completely untouched by partisan disagreement. The existence of these demands alone, to say nothing of the fact that party leaders have worked to accommodate them, cannot be adequately explained by existing theories. My work takes significant steps towards explaining this puzzling empirical reality.

However, there are a number of questions that are raised and not fully settled by the work presented here. For example, in relation to my first chapter on suspension of the rules, more theoretically-grounded work is necessary to explain the stability of this legislative insitution in equilibrium. If the Speaker truly is using her power over the procedure to selectively screen electorally-vulnerable minority party members, as my results suggest, what is stopping the minority party from using its collective leverage under a supermajoritarian voting rule to grind legislative business to a halt? Perhaps the majority party holds a credible threat of changing the rules on suspension and making it a simple majoritarian procedure, which would have obvious negative

implications for the minority party. Given that no partisan legislative majority can expect to be permanent, both majority and minority parties may have an interest in maintaining suspension of the rules as a supermajoritarian institution that allows for some minority party access to the agenda. This is an interesting theoretical proposition, and should be followed up in future work on suspension of the rules and the endogeneity of legislative institutions.

Additionally, the third chapter of my dissertation, on Rules Committee gatekeeping, raises a number of questions about minority party influence and majority party priorities. One of the most prominent findings from this chapter is the strong and persistent negative effect of bill-level pre-floor partisan disagreement on the likelihood of floor consideration for favorably reported bills. However, there are obviously partisan legislative proposals that do make it to the floor, and there are important questions remaining about which bills the majority party decides to forge ahead with in the face of minority party opposition. While I find that the likelihood of consideration for these partisan bills is increasing in the homogeneity of the majority party, more specific work needs to be done on the subset of partisan bills to identify bill-level covariates that are positively associated with bill advancement. Finally, more focus is needed on the activities of the minority party in these pre-floor agenda setting situations. Krehbiel et al. (2015, pgs. 434-439) demonstrate formally that minority party leaders with the ability to engage in "vote-buying" are capable, under certain conditions, of protecting status quo policies that the majority party median would otherwise prefer to change.[5] Given even a modicum of minority party bargaining power, we may expect that there will be some subset of partisan proposals that the majority party decides are not worth bringing to the floor. Exploring these interparty interactions, in addition to the intraparty factors that I consider, may be a fruitful avenue for future research.

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[5]Krehbiel et al. (2015, pg. 425) discuss vote-buying rather broadly, as referring to "logrolls, implicit promises of support, or a general expectation of good will on future issues in exchange for immediate votes."

CHAPTER 2: MAJORITY PARTY STRATEGY AND SUSPENSION OF THE RULES IN THE HOUSE

2.1 Introduction

Scholars of American politics have long been interested in how institutional features of Congress affect representation and the allocation of particularistic benefits across congressional districts (Berry & Fowler 2016, Lazarus 2009, 2010, Lee 2003, Mayhew 1974, Ferejohn 1974). A specific strand of this literature has focused on the role of congressional parties—and particularly the majority party—in facilitating the representational, distributive, and electoral goals of their members (Cox & McCubbins 1993, 2005, Levitt & Synder 1995, Lazarus 2009). One way the majority party affects members' pursuit of these goals is through its control over the legislative agenda in the House of Representatives (Pearson 2015, Hasecke & Mycoff 2007). Members of Congress can signal their priorities to constituents by introducing legislation, but in order to effectively engage in credit claiming (Mayhew 1974), some of their bills must actually advance through the legislative process (Volden & Wiseman 2014). In this chapter, I argue that suspension of the rules constitutes an important procedure through which representatives can achieve legislative success, particularly on bills that may be of specific interest to constituent groups in their districts. Using an original dataset of all House-sponsored measures brought to the floor under suspension of the rules from the 93rd-113th Congresses (1973-2015), I demonstrate that the majority party leadership uses its control of the suspension agenda to pursue a number of partisan and non-partisan goals.

As is evident from Figure 2.1 below, beginning with the 106th Congress (1999-2001), a majority of measures that have passed the House in each Congress have done so under suspension of the rules. What is more, beginning in the 107th Congress (2001-2003), a majority of the laws passed by each Congress originated from House-sponsored bills passed on suspension. While the Rules Committee retains an undeniable grip on the floor agenda for controversial partisan legislation, a large majority of the bills considered and passed by the House in recent Congresses have bypassed that committee. The role of the Rules Committee in facilitating the business of the House has received much scholarly

attention, while comparatively scant attention has been given to the Speaker's discretion over which bills get considered under suspension of the rules (but see Pearson 2015, Moffett 2016, and Rohde 1991, ch. 4). Much of what we know about agenda control in the House, then, is gleaned from focusing on a procedure that applies to a shrinking minority of the bills that receive consideration on the floor.

Figure 2.1: Suspension Measures as a Percentage of House-Passed Bills and Laws
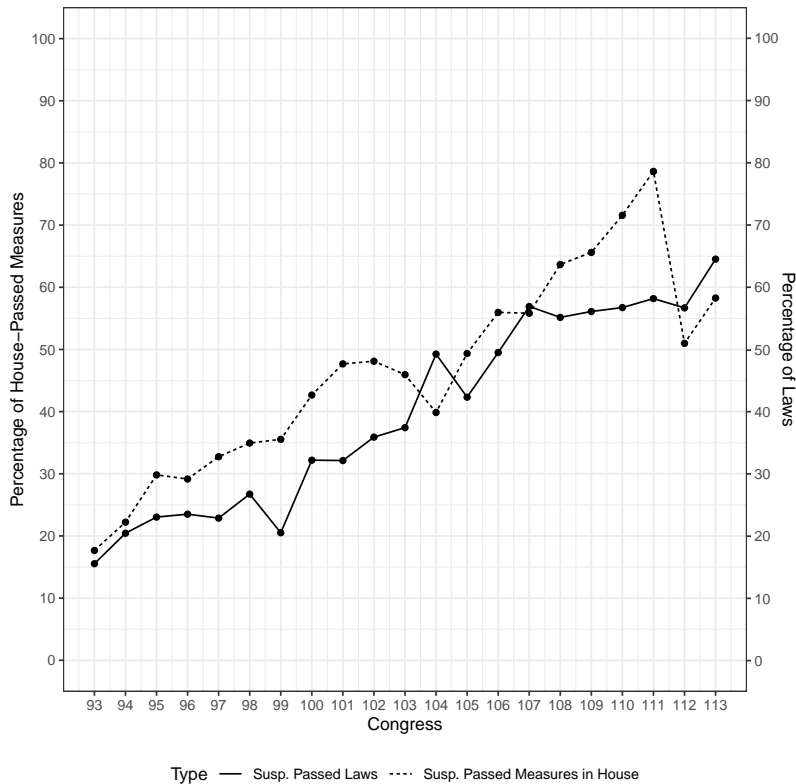
Note: This figure uses data on all House-sponsored measures considered under suspension of the rules, collected from the PIPC roll call database (Crespin & Rohde 2019), congress.gov, and the Calendars of the United States House of Representatives. The dashed line depicts suspension-passed House-sponsored measures as a percentage of all House-sponsored measures that passed the House per Congress. The solid line depicts the percentage of all laws per Congress that originate in the House and pass that chamber by suspension.

Of course, one issue with using bills (or laws) as a unit of analysis is the failure to account for changes in the average length of legislation over time. The recent move towards omnibus legislating (Hanson 2014, Ornstein et al. 2018) roughly coincides with the increasing use of suspension of the rules, such that the non-suspension agenda in recent Congresses is comprised of smaller numbers

of larger and larger bills. The attention paid to this legislation and the Rules Committee is of clear importance for our understanding of how the majority party uses procedures and institutional design to move policy in line with partisan preferences. A focus on the increasing prevalence of suspension of the rules, on the other hand, can provide a more holistic picture of party government and the distribution of credit claiming opportunities in the House. While literature on negative agenda control has focused on the strategic suppression of intraparty divisions over legislation (Cox & McCubbins 2005), leaders' control over the legislative agenda also allows them to grant consideration to bills on which most members do not have strong preferences. This facet of agenda control, exercised through the Speaker's choice of which bills to consider under suspension, directly impacts members' attempts to get parochial and particularistic legislation passed.

I frame the Speaker's control over suspension of the rules as a mechanism through which to selectively grant members access to the legislative agenda. Members demand access to the agenda, as it can allow them to build up a record of legislative success, and thus provide them valuable opportunities for credit claiming (Wawro 2000, Mayhew 1974, Box-Steffensmeier & Grant 1999, Grimmer et al. 2012). In allocating space on the suspension agenda, majority party leaders balance a number of sometimes-competing concerns, from helping electorally-vulnerable copartisans, to stimulating the production of committee legislation, to incentivizing party loyalty (Pearson 2015).

The central claim of this chapter is that the Speaker's discretion over the application of suspension of the rules allows for the exertion of majority party power even in the face of a supermajoritarian threshold for bill passage.[1] While this heightened threshold necessitates some degree of cooperation with the minority party, the complete agenda control given to the Speaker allows for partisan considerations to affect the selection of bills brought up under suspension. Minority party leaders have sought to use their leverage over the second stage of the process (floor voting) to influence the first stage (agenda setting), and have succeeded in increasing the minority party share of the suspension agenda over time. In the face of this increase, I assert that majority party leaders have been strategic in selecting *which* minority party members are allowed to bring bills to the floor under suspension of the rules. To briefly preview one of my findings, I demonstrate that electorally-

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[1]Motions to suspend the rules need the approval of two-thirds of the members present and voting in order to pass.

vulnerable majority party incumbents are favored in the allocation of suspension measures, while electorally-vulnerable minority party incumbents have typically been barred.

This finding shows that, even while relying heavily on a supermajoritarian procedure, majority party leaders in the House have been adept at facilitating the electoral goals of their members. However, suspension of the rules is not exclusively used to pad the legislative record of vulnerable majority party incumbents. Any attempt to understand the use of suspension of the rules in the post-reform House must also acknowledge the multifaceted nature of the goals that are pursued through the use of this procedure. Majority party leaders use suspension of the rules to expedite the passage of noncontroversial but important legislation, to incentivize the production of legislation by committees, and to further party maintenance goals.

While the suspension procedure is commonly associated with trivial matters such as renaming post offices (Stevens 2005), Figure 2.2 below demonstrates that it is more frequently used for substantive legislation. In fact, commemorative bills make up a minority of the suspension agenda in every Congress during the period I consider.[2]

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[2]Commemorative bills are idenitifed in a manner similar to that used by Volden & Wiseman (2014). More details on the identification of commemorative bills can be found in the Appendix A.

Figure 2.2: Commemorative and Non-Commemorative Suspension Bills
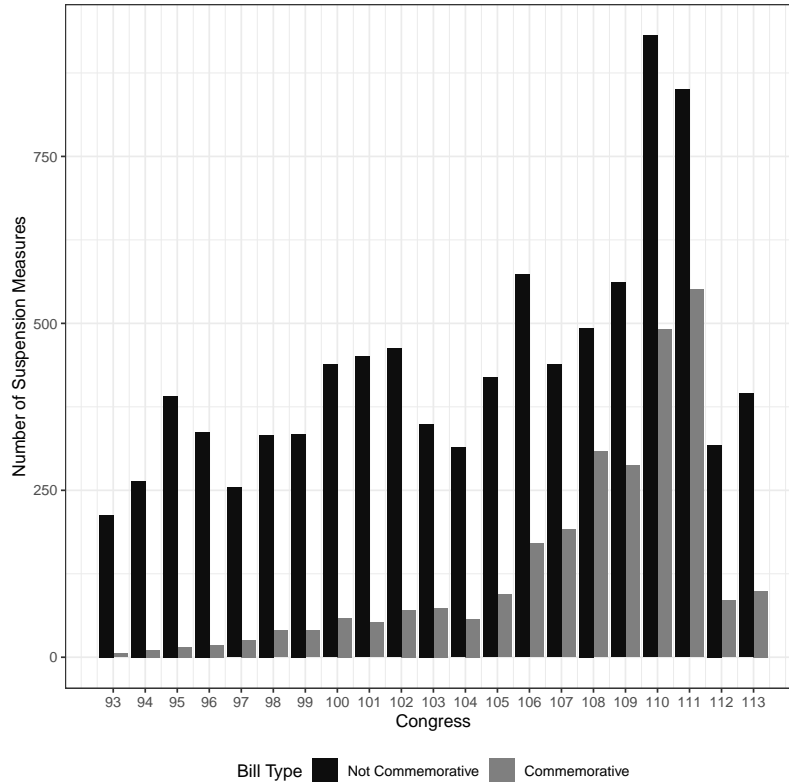
This chapter will proceed as follows: First, I will provide a brief history of the development of the suspension procedure in the House, focusing specifically on why and how this procedure came to be under the control of the Speaker of the House. I will then lay out my theoretical framework and hypotheses about majority party leadership decisions regarding the distribution of suspension bills in the post-reform House. In the next section, I will describe the data I use to test my hypotheses, and present the results of my empirical tests. I will conclude by discussing my findings and their relevance for our understanding of procedural decision-making, and its effect on representation, in the House.

2.2 Speaker's Control Over Suspension of the Rules

Today, suspension of the rules is the "principal legislative shortcut" used to deal with noncontroversial or minor pieces of legislation in the House, although it is increasingly being applied to substantively

important bills as well (Oleszek et al. 2016, pg. 150). In the modern House, motions to suspend the rules are not subject to the normal legislative calendar, and are in order on Mondays, Tuesdays, and Wednesdays, as well as during the final days of the congressional session (Rybicki 2015). Suspensions can also be made in order through special rules, a tactic used frequently by House majorities in recent Congresses.[3] Suspension of the rules allows a bill to come to the floor of the House for 40 minutes of debate, after which the members vote on passage of the bill.[4] Amendments to suspension bills are not allowed, which facilitates an expedited procedure for their passage. As a tradeoff for the fast-track procedural route these bills are given, they must receive a two-thirds supermajority vote to pass the House.

These features of the suspension procedure, as well as the element of Speaker control over suspension, are the product of nearly 200 years of historical evolution. At its genesis in 1822, the motion to suspend the rules was not under the control of the House Speaker; any member could move to suspend the rules for any bill they pleased.[5] Historical experience from the early-to-mid 1800s, when suspension motions were largely unregulated by majority party leadership, proved that members were inclined to bog down the House legislative agenda by making motions to suspend the rules for their own "pet" bills (Bach 1990). In the pursuit of their own individual interests, minority party members would make motions to suspend the rules on bills they knew would not pass, but on which they wanted to force a vote. Thus, ironically, a procedural motion created to expedite congressional business ended up diverting legislative attention to various extraneous individualistic ends, and away from large-scale public policy issues. Beginning with Samuel J. Randall (D-PA) in

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[3]According to data made available by the University of Georgia Congress Project, from the 111th to the 115th Congresses the House passed over 200 special rules providing for suspensions on non-suspension days (Lynch et al. 2020).

[4]The vote on the motion to suspend the rules acts as the vote to pass the underlying measure. Therefore, if the motion to suspend the rules garners at least a two-thirds majority of those members present and voting, the underlying measure is passed.

[5]In the first Congresses, bills would simply be dealt with in the order in which they were introduced. As a response to the growth of the legislative agenda in the early years of the republic, the House developed its first rule on the order of business in 1811 (Hinds 1907). In 1822, for the first time, the House allowed for a suspension of the rules on the order of business, subject to a two-thirds vote. This suspension measure was created specifically to allow the House to consider measures that would not be brought up under the regular order of business.

the early 1880s, House Speakers have asserted control over the motion to suspend the rules in order to mitigate this problem (Hinds 1907, House 1935).[6]

Unsurprisingly, the majority party has been disproportionately favored in the distribution of suspension bills over time. However, as Figure 2.3 below shows, majority party dominance of the suspension agenda has declined since the early 1970s, as more bills are being considered under suspension and the minority party demand for suspension bills has increased. Prior literature has demonstrated that, both in decisions about procedure (Bawn 1998, Krehbiel & Wiseman 2005) and policy (Balla et al. 2002), it is often rational for the majority party to consider the preferences of minority party members. In the case of suspension of the rules, minority party members are able to exercise leverage that they would not otherwise have due to the higher vote threshold for passage. The two-thirds threshold allows the minority party to credibly threaten to defeat the suspension bills of majority party members. In fact, there is precedent for this happening: during the 105th Congress (1997-1999), members of the Democratic minority in the House defeated six consecutive suspension bills in protest over what they felt was an unfair allocation of such bills in favor of the Republican majority (Sinclair 2016).[7] Interview evidence suggests that, in an attempt to avoid such breakdowns, the split of suspension bills across parties has been negotiated by leadership staffers from both parties.[8] One House Democratic leadership staffer described the process: "It became a House policy, unscripted, but a gentleman's agreement, that the minority would get 30% [of suspension bills]. I had asked on behalf of Pelosi for one-third, [a staffer in Tom DeLay's office] had said one-quarter,

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[6] Around this same time, the House began to develop another measure for bringing bills to the floor outside of the normal order of business. These measures, referred to as special orders for consideration, were reported out of the Rules Committee and, beginning in 1883, needed only a simple majority to pass the House (Hinds 1907). Special orders quickly became the norm for bringing bills to the floor, and their simple-majority rule for passage made them the logical choice for partisan measures (Roberts 2010, Hendrickson & Roberts 2016). Suspension of the rules, with its higher threshold for passage, became the vehicle by which noncontroversial bills, or those with broad bipartisan support, would be brought to the floor.

[7] Later Democratic minorities continued to express a desire to expand the minority party share of the suspension agenda. House Democrats during the 109th Congress (2005-2007) released two documents—*A New Direction for America* and *New House Principles: A Congress for All Americans*—in which they specifically called for minority-authored legislation considered under suspension of the rules to be "scheduled in relation to the party ratio in the House." In that same Congress, Rules Committee members James McGovern (D-MA), Alcee Hastings (D-FL) and Doris Matsui (D-CA) went a step further by introducing H. Res. 686, which proposed, among a number of other procedural changes, that "The Speaker shall endeavor to the maximum extent possible to allow an equal number of bills and resolutions sponsored by majority party members and minority party members under suspension during any session of Congress."

[8] Interview, March 29th, 2019

and we ended up at 30%, and that pretty much has held."[9]

Figure 2.3: Majority Party Share of Suspension Measures
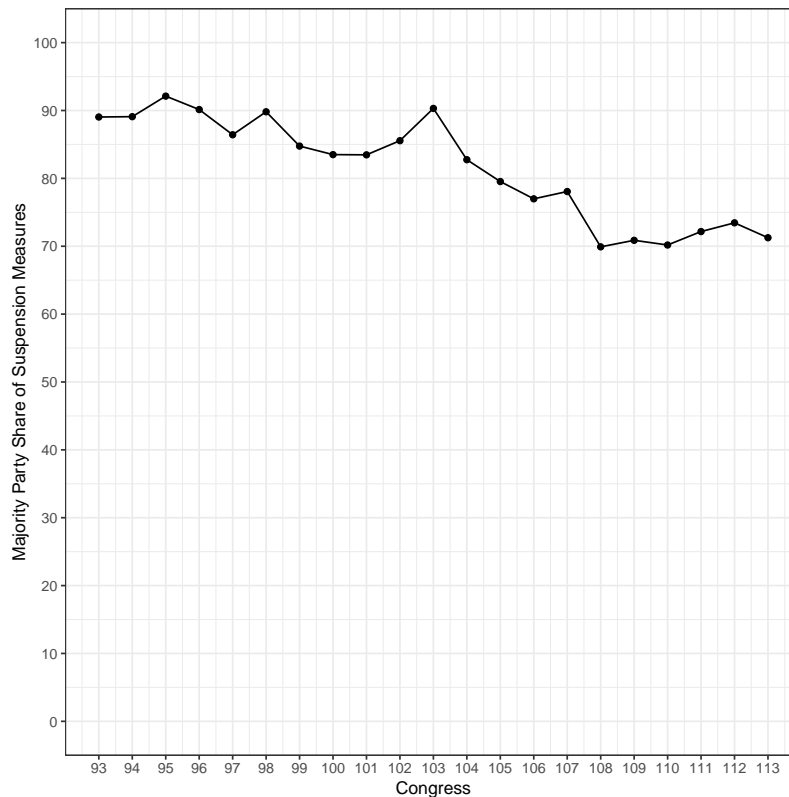
Note: Data compiled by author from the PIPC roll call database (Crespin & Rohde 2019), congress.gov, and the Calendars of the United States House of Representatives.

In addition to concerns that the suspension agenda is too heavily weighted towards bills sponsored by members of the majority party, minority party members have also frequently voiced dissatisfaction with the procedural dimensions of suspension of the rules. Namely, occasional complaints have alleged that the majority party abuses suspension in order to circumvent committee deliberation, shut off amending opportunities, and avoid the motion to recommit.

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[9]The increase in the minority party share of the suspension agenda over time, depicted in Figure 2.3 below, could be indicative of a rather hollow concession from majority party leadership if minority-sponsored bills are consistently defeated when brought up under suspension. However, the data strongly reject this interpretation of events. Throughout the time period studied, less than 2.5% of suspension bills were defeated—and of those bills that were defeated, 93.5% were sponsored by members of the majority party. Many of these bills were then assigned a special rule for consideration from the Rules Committee, and were subsequently passed on the floor.

Speakers, then, operate under clear constraints when making decisions about which bills to give consideration under suspension of the rules. My theory of suspension of the rules, laid out below, seeks to provide systematic explanations for how majority party leaders have operated within these constraints to achieve both party and chamber goals through the strategic distribution of suspension agenda space.

2.3   A Theory of Suspension of the Rules

My theory of suspension of the rules focuses on the interplay between the individual member-level demand for legislation, and the majority party leadership's control over the supply of that legislation. I argue that the majority party leadership uses its control over the legislative agenda to pursue a number of different goals—namely maintaining the majority, facilitating the business of the House, and incentivizing party loyalty.

My theory starts with a simple assumption that legislators in the House are interested in having at least some of their introduced bills considered and passed on the floor. This motivation may spring from a number of different sources. Wawro (2000) argues that members are interested in getting bills passed in order to burnish their reputation as legislative entrepreneurs, which may ultimately lead to their advancement within party leadership. A reputation for legislative effectiveness can also make members more successful fundraisers (Box-Steffensmeier & Grant 1999). Additionally, reelection-oriented members may be interested in getting their legislation considered and passed, as such legislative success provides grounds for credit claiming to constituents (Mayhew 1974, Grimmer et al. 2012). Regardless of the specific reason, I assume that all members of the House are, to some degree or another, interested in having some of their introduced legislation successfully advance towards enactment. The data I have collected suggest that suspension of the rules offers members decently good odds at achieving this goal for certain types of proposals, as just over 49% of all bills that passed the House on suspension from the 93rd-113th Congresses have become law.

2.3.1 The Conditional Effect of Electoral Marginality

In the modern House, suspension of the rules often represents the most fruitful path for the advancement of legislative proposals.[10] This is especially true for particularistic bills dealing with district issues, as these bills are far more likely to be considered under suspension of the rules than they are to have a special rule reported for them by the Rules Committee. Typically, these bills do not hold general interest for the chamber or the two parties, and, to the extent that the House deals with such issues, it tends to do so under expedited procedures. Members who are especially interested in cultivating opportunities for credit claiming in their districts, then, are generally reliant on getting their bills considered under suspension.

Building on work by Lazarus (2009, 2010), Lazarus & Reilly (2010), Stein & Bickers (1994), and Bickers & Stein (1996), I allow for the possibility that member demand for particularized district benefits may vary systematically by partisanship and electoral vulnerability. Specifically, I posit that the demand for parochial legislation will increase with electoral vulnerability, and that majority party status will be instrumental in allowing legislators to meet this demand. The electoral benefits of passing parochial legislation under suspension of the rules may not be realized directly, as it is unlikely that a sizable number of constituents are paying close attention to their member's legislative record. However, as discussed by Stein & Bickers (1995, pg. 32), if the legislation in question is important to some interest group with a presence in the district, that group can help mobilize the electorate on behalf of the incumbent.

The types of bills that can provide these electoral benefits will likely be of interest to most members of Congress—but particularly to those who are electorally vulnerable. One leadership staffer described the relevant considerations from both sides of the aisle in the following way: "From the minority perspective, you would want marginal members, new members that don't have a long legislative history, you would want to be able to get those voices out there with pieces of legislation.

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[10]For example, in the 111th, 112th, and 113th Congresses, respectively, there were 113, 145, and 155 bills that reached the House floor pursuant to special rules for consideration reported from the House Rules Committee. By contrast, 1,370 bills in the 111th Congress, 389 bills in the 112th Congress, and 485 bills in the 113th Congress were considered under suspension of the rules (Data collected by the author from the Survey of Activities of the House Committee on Rules for the 111th, 112th, and 113th Congresses.). While the instance of unified Democratic government in the 111th Congress stands out as a clear outlier, it is evident in each of these Congresses that far more bills get considered under suspension of the rules than through the Rules Committee.

From the majority, you would be looking carefully, like, 'I don't want this guy who is marginal, or this gal, to get too much credit.'"[11] Given that the Speaker of the House has direct control over the primary mechanism through which these types of bills reach the floor, my expectation is that this control will be used to benefit electorally vulnerable members of the majority party, and selectively screen electorally vulnerable members of the minority party.

- *Hypothesis 1a:* Electorally vulnerable majority party members will have more of their bills considered under suspension of the rules than will other members of the majority party.

- *Hypothesis 1b:* Electorally vulnerable members of the minority party will have fewer of their bills considered under suspension of the rules than will other members of the minority party.

2.3.2 Full Committee and Subcommittee Chairs

While the increasing centralization of staff resources and information in majority party leadership offices has decreased the independent influence of committee chairs over the crafting of much important legislation (Curry 2015; Bendix 2016; but see Curry 2018), chairmen are still instrumental in the production of many bills. Data on bill introductions consistently bear this out, as both full committee and subcommittee chairs introduce considerably more legislation than the average rank-and-file member of the House (Volden & Wiseman 2014). Additionally, despite an increase in the rate at which bills are extracted from committee by special rule rather than being reported to the floor, committee chairs still serve an important role in leading markup and reporting activity within their panels. Figure 2.4 below depicts a trend, beginning with the Republican majorities of the mid-1990s and accelerating through the Democratic-controlled Houses of the 110th (2007-2009) and 111th Congresses (2009-2011), in which bills were increasingly considered under suspension of the rules without ever being reported from a committee. Interestingly, however, this trend began to slow, and ultimately reverse, after Republicans regained the House majority in the 112th Congress (2011-2013).

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[11]Interview, March 29th, 2019

Figure 2.4: Suspension Measures Reported by a Standing Committee
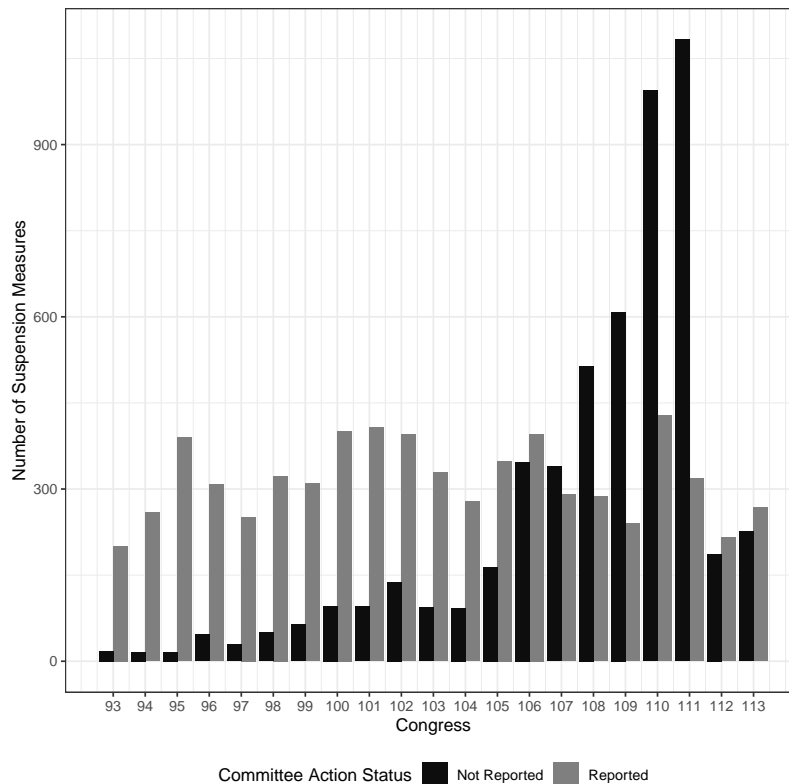
Note: Using data from the Congressional Bills Project (Adler & Wilkerson 2014) and the PIPC database (Crespin & Rohde 2019), this figure breaks down the universe of bills that were considered under suspension of the rules into those that were reported out of a standing committee in the House, and those that were not.

In their capacity as facilitators and producers of run-of-the-mill legislation, committee chairs—and to a lesser extent, subcommittee chairs—provide an important service for the House, and for the leaders of their party.[12] Namely, they are uniquely situated to coordinate pre-floor legislative activity by shepherding bills through their committees, sometimes building bipartisan consensus through the markup process. From this position, they can help to serve leadership and chamber needs, and thus may expect some of the constituency-oriented legislation they sponsor to be considered under suspension of the rules, as a reward for performing this work. It is also likely that many of the chair-sponsored measures considered under suspension are important reauthorization bills that they have marked up within their committee.

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[12] A House Democratic leadership staffer explained the legislative role this way: "As a majority party on the floor—Speaker, Leader, Whip—you want to show legislation. That's your job, is to legislate... So, it's of great importance, and a request from the leadership, to have committee chairs markup bills and get ready for the floor." (Interview, March 29th, 2019)

The passage of the Ike Skelton National Defense Authorization Act in the 111th Congress (2009-2011) provides an example of how the centralized and specialized institutional position of a committee chair can allow for the sponsorship and House passage of an important piece of legislation under suspension of the rules. As the 111th Congress drew to a close, it looked as though persistent squabbles over a provision repealing the military's "don't ask, don't tell" policy were going to tank the defense authorization bill for fiscal year 2011. The stakes were high, as the bill sought to authorize over $700 billion in appropriations for national security programs across the departments of Defense and Energy. If Congress had failed to pass the bill, it would have been the first time in 49 years that a defense authorization bill was not sent to the president for his signature.

After it became clear that a Senate companion measure, also containing the "don't ask, don't tell" repeal could not attract enough votes to invoke cloture, House Armed Services Committee chair Ike Skelton (D-MO) met with his Senate counterpart, Carl Levin (D-MI), to construct a compromise bill that would be able to get through both chambers before the end of the session. The bill dropped the repeal provision, as well as a provision authorizing unrequested funds for a new F-35 fighter jet engine that had drawn a veto threat from the Obama administration, and was introduced in the House and referred to the Armed Services Committee and the Budget Committee. Two days after its introduction, the compromise bill was passed by a large bipartisan margin under suspension of the rules. The bill passed the Senate, was sent to President Obama, and became Public Law No. 111-383 on January 1st, 2011.

In this particular case, the use of suspension of the rules allowed Democratic congressional leadership to narrowly avert the embarrassment of being unable to pass a routine authorization bill during a period of unified government. It is unsurprising that Skelton was the sponsor of the bill that was considered under suspension, as he was in the unique position to be able to craft a compromise that he could ensure would pass both chambers on a condensed timetable.

I argue that full committee and subcommittee chairs will disproportionately sponsor legislation considered under suspension of the rules not only as a function of their institutionalized ability to get legislation to the floor, but also as compensation for performing work that is integral to their party's reputation, and to efficient operation of the House. Suspension measures that majority leadership allow chairs to offer as compensation for their legislative work are unlikely to be important bills such as the defense authorization, but rather locally focused bills that improve the sponsor's standing in

their district, or special interest bills that burnish their reputation with influential interest groups. In some cases, these bills will be completely unrelated to the jurisdiction of the chair's committee.

For example, in the 113th Congress, Jason Chaffetz (R-UT)—serving as chair of the House Oversight and Government Reform Committee—had a bill considered under suspension that authorized the Secretary of the Interior to facilitate the production of hydroelectric power in his district.[13] This bill had nothing to do with the jurisdiction of the House Oversight and Government Reform Committee, but gave Representative Chaffetz a custom-made opportunity to claim credit for a project that would create jobs for and provide clean energy to constituents in his district.[14] While every representative would love to direct the focus of the nation's legislature towards the betterment of their own district, that focus is finite, and thus uses of suspension bills for these purposes must be allocated prudently.

- *Hypothesis 2:* Full committee and subcommittee chairs will be favored in the distribution of measures considered under suspension.

Moderate Majority Members: Buying Agenda Control

In addition to addressing routine legislative concerns, majority party leaders can use their control over suspension of the rules to selectively incentivize and reward party behavior, such as voting for procedural measures that help to advance the agenda of the party. The passage of restrictive rules necessary for negative agenda control can often create policy losses for ideologically moderate members of the majority party (Cox & McCubbins 2005, Jenkins & Monroe 2012*a,b*). Scholars have demonstrated multiple avenues through which party leaders compensate these members, from allowing them to offer amendments under structured rules (Lynch et al. 2016), to contributing to their campaigns (Jenkins & Monroe 2012*a*), to considering more of their bills under suspension of the rules (Moffett 2016).

I provide another test of the proposition put forth by Moffett (2016), as it fits with my theory of member-level demand for suspension measures. Moderate majority party members, who frequently

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[13]H.R. 254, the Bonneville Unit Clean Hydropower Facilitation Act (P.L. No. 113-20)

[14]"This is a win for federal tax payers, the environment, and energy users," said Chaffetz in a press release. "The Bonneville Unit Clean Hydropower Act [is] vital for securing diverse energy resources to meet the demands of Utah's growing population."

lose out on potential policy gains when their party exerts negative agenda control, may have a particularly high demand for their personal priorities to be addressed under suspension of the rules. As these members are also closer to the floor median, they are theoretically more likely to sponsor legislation that may garner bipartisan support, which can be important for suspension measures given their higher threshold for passage. To the extent that suspension measures are used to meet the demands of individual members, majority leaders may strategically distribute these bills to moderate members of their party in order to buy their support on restrictive rules that ultimately cut against their ideological preferences.

These members will also be the most likely to be cross-pressured by their district and their leadership—and ignoring district preferences to toe the party line can have considerable electoral costs (Canes-Wrone et al. 2002, Carson et al. 2010, Erikson 1971). Skillful legislative leaders balance the risks they ask their members to take with the benefits gained from passage of party priority bills. Importantly, when leaders push their members to take a tough vote for the party, they need to be able to adequately compensate those members for the risk they have incurred (King & Zeckhauser 2003). The Speaker's control over suspension of the rules is one potential mechanism through which the majority party leadership can compensate members for taking risks in voting for party priorities.

- *Hypothesis 3:* Moderate members of the majority party will be more likely to have their bills considered under suspension.

2.4   Data and Methods

I test the hypotheses laid out in the previous section with member-level data on the sponsorship of bills considered by the House under suspension of the rules.[15] I identified all suspension measures that received roll call votes from the PIPC dataset (Crespin & Rohde 2019),[16] and used congress.gov

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[15]Following work on members' legislative success in Congress by Anderson et al. (2003), Hasecke & Mycoff (2007), Cox & Terry (2008), and others, I opt for a member-level analysis. This is an appropriate choice, as my hypotheses are focused on how member-level characteristics are associated with access to the suspension agenda.

[16]I created a subset of the PIPC data using the following categories to identify suspension measures: Passage/adoption of a bill under suspension of the rules; Passage/adoption of a joint resolution under suspension of the rules; Passage/adoption of a concurrent resolution under suspension of the rules; Passage/adoption of a resolution under suspension.

and the Calendars of the United States House of Representatives to identify suspension measures that received voice votes. This process yielded a comprehensive bill-level dataset of 11,862 measures that were considered under suspension of the rules in the House from the 93rd-113th Congresses.[17] I then linked these bills to their sponsors through a bill-specific ID using data from the Congressional Bills Project (Adler & Wilkerson 2014). I supplemented this dataset by merging in member-specific information on ideology, status as a full committee or subcommittee chair, seniority, and bill introductions from the Legislative Effectiveness Project (Volden & Wiseman 2014). Additionally, I merged in congressional elections data from Jacobson (2015) to test my hypotheses about the conditional effect of electoral marginality.

In order to create a dataset with member-Congress pairs as the units of analysis, I collapsed the bill-level suspension data by member for each Congress, thus creating a dependent variable measuring the number of suspension bills that each member offered in each Congress from the 93rd-113th.[18] In order to test Hypotheses 1a and 1b, I included a variable called Previous Vote Share, created from Jacobson's (2015) dataset, that measures the share of the two-party vote with which the member won their seat for the relevant Congress. Additionally, I include a dummy variable indicating whether the member was from the majority party. The key independent variables for testing Hypothesis 2, full committee and subcommittee chair status, are dummy variables from the Legislative Effectiveness Project, indicating whether a member is either a chair of a full committee (Cmte. Chair) or a subcommittee (Subcmte. Chair).

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[17]As Carr (2005) points out, suspension of the rules is occasionally used to agree to Senate amendments or conference reports. I found 72 such instances in my initial data. These observations are excluded from the analyses below, because I am only interested in the use of suspension to consider original, House-sponsored measures. After excluding these 72 observations, I was left with 11,862 measures considered under suspension of the rules.

[18]Members who did not serve an entire term in the House (either because of death, appointment to an executive branch position, resignation, etc.) were excluded from the analysis for that term, along with members who switched parties in the middle of a term in Congress.

There are two independent variables necessary to test Hypothesis 3.[19] The first, Moderate Majority Member, is a dummy variable indicating whether a member of the majority party is on the minority party side of the floor median, as in Moffett (2016) and Jenkins & Monroe (2012*a*). As demonstrated by Jenkins & Monroe (2012*b*), these moderate members of the majority party suffer net ideological losses as a result of negative agenda control exercised by their party leadership. Despite the fact that the majority party in most recent Congresses is theoretically capable of holding together its procedural cartel without these members, party leaders derive some utility from having more than a bare majority of the chamber vote with them on procedural issues. Because these moderate majority party members lose out from their party's cartelization of the agenda, and thus may be induced to defect to the minority party on certain votes, they are theorized to be prime targets for side-payments by the majority party leadership. Preferential access to the suspension agenda may be an example of such a side-payment (Moffett 2016), and therefore I expect majority party members on the minority party side of the floor median to be favored in the distribution of suspension measures.

The other variable necessary to test Hypothesis 3 is a dichotomous variable indicating a majority party member's location in the first 30% of the ideological space moving from the floor median towards the far boundary of the majority party blockout zone. The majority party blockout zone is the space within which the party's procedural cartel prevents any status quo policies from being changed. As demonstrated in Figure 2.5 below, this zone extends from the floor median (F) through its reflection on the other side of the majority party median (M)—or from F to $2M - F$.

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[19]These variables are an indicator for whether a majority party members is located on the minority party side of the floor median, and whether a majority party member is in the 30% zone. I do not include an indicator for whether a member is located between the 30% zone boundary and the majority party median, or an indicator for whether a member is located between the majority party median and the far edge of the majority party blockout zone. My aim is not to compare coefficient sizes across these various indicators, as in Jenkins & Monroe (2012*b*). Instead, I take as a given that majority members on the minority party side of the median and in the 30% zone incur losses from their party's cartelization of the agenda, and I am interested in whether the indicator variables I include have coefficients that are positive and statistically significant, particularly in the Majority Sponsors model presented below. I present models in Appendix B with four indicators: majority party member on the minority party side of the floor median, majority party member in the 30% zone, majority party member between the 30% zone and the majority party median, and majority party member between the majority party median and the far edge of the blockout zone. The results presented in the body of the chapter are robust to the inclusion of these variables.

Figure 2.5: Majority Party Blockout Zone and 30% Zone
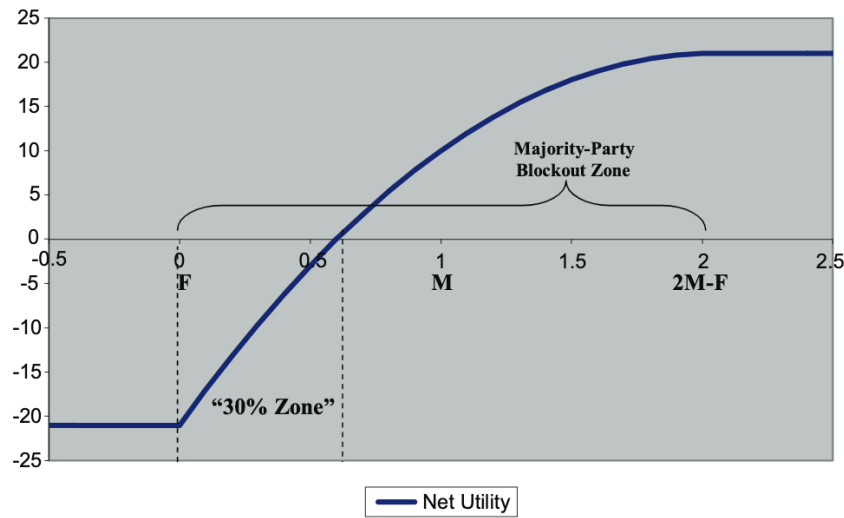
Note: Figure from Jenkins & Monroe (2012*a*)

Majority party members located in the first 30% of this space, or the 30% zone, incur net utility losses under negative agenda control exercised by their party. These members are critical to the majority's procedural cartel, but have ideologically-based incentives to defect, and therefore must be kept in the fold through side-payments, such as access to the suspension agenda. In the regression models below, I label this variable 30% Zone.

I include a number of control variables at both the member-level and the Congress-level. At the member level, I control for both member seniority, and bill introductions by member. The Seniority variable measures the number of consecutive terms a member has served in the House, and is included with the expectation that members who have served longer will likely have more of their bills considered under suspension of the rules. Bill Introductions comes from the Legislative Effectiveness Project data, and is the total number of bills that each member introduces in each Congress. The inclusion of this control variable is fundamental to the model, as bill introductions by members are an integral part of the data generating process. Members must introduce legislation in order to have it considered under suspension of the rules, so I would expect, all else equal, that members who introduce more legislation will have more bills considered under suspension.

Lastly, I include four Congress-level control variables. I include a variable measuring the percentage of special rules that are restrictive in each Congress, following work by Wolfensberger

(2002) and Chappie (2003), who argue that party leaders may increase suspensions to mollify rank-and-file members who are frustrated by an increasingly closed-off floor procedure.[20] This variable is called Percent Restrictive Rules in the results presented below, and was created using data made available through the University of Georgia Congress Project (Lynch et al. 2020).

I also include a control for the size of the majority party in the House, called Margin of Control in the models below. This data was collected from the website history.house.gov. I expect that the use of suspension of the rules will be more frequent when the majority party is relatively small. Since passing controversial partisan legislation is exceedingly difficult with a small majority party, given any degree of ideological heterogeneity (Harbridge 2015, pg. 53), I expect the legislative agenda in these Congresses to skew towards the types of broad consensus, or commemorative, bills that are typically considered under suspension of the rules (Dodd & Schraufnagel 2009).

In order to control for the size of the non-suspension agenda in the House, I include the a variable, collected from the Calendars of the United States House of Representatives, for the total number of House-sponsored bills that passed the House by routes other than suspension of the rules in each Congress. This variable is called Total Bills Passed by Non-Suspension Routes in the models below.

Because Cooper & Young (1989) argue that majority party leaders are more likely to use procedures that limit debate and amending when the workload of the House increases, I include a variable—Total Bills Considered—for the total number of measures considered on the floor of the House in each Congress. This data was collected through congress.gov.

For my main empirical analyses, I model the number of suspension measures a member will sponsor in a Congress as a function of the key independent variables and controls.[21] My dependent variable is modeled as a count, since the number of suspension measures for a given member in a given Congress is discrete and cannot take on a negative value. A negative binomial model is appropriate for the data, as the distribution of the dependent variable, conditional on the independent variables, is considerably overdispersed. Because of the hierarchical nature of the data—members

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[20]In a 2003 Roll Call article, Chappie writes, "the suspension process has turned into a sort of safety valve, effectively letting of legislative steam while allowing the House leadership to maintain tight control over the process of lawmaking with restrictive rules that curtail amendments and debate" (Chappie 2003).

[21]All continuous independent variables (Previous Vote Share, Seniority, Bill Introductions, Margin of Control, Percent Restrictive Rules, Total Bills Passed by Non-Suspension Routes, and Total Bills Considered) are standardized using the scale() function in R. Descriptive statistics are presented in Appendix A.

nested within Congresses—a multilevel modeling approach is used, with varying intercepts for both Congress and sponsor.[22]

2.5 Results

Table 2.1 displays the results of the models. I fit four different models: the first on a subset including only the minority party members in the dataset, the second on a subset including only the majority party members in the dataset, and the third and fourth on the full dataset. The fourth model differs from the third in that it includes an interaction between majority party status and the vote share variable, to test whether the effect of electoral marginality on the expected count of suspension measures is conditional on the sponsor being in the majority party.

I find qualified support for Hypotheses 1a and 1b, cumulatively stating that the effect of electoral marginality on the expected count of suspension measures is conditional on majority party status. The positive and statistically significant ($p < .01$) coefficient on the Previous Vote Share variable in the Minority Sponsors model demonstrates that minority party members with higher vote shares—those who are more electorally safe—can expect to have more of their sponsored legislation considered under suspension of the rules. A one-standard deviation increase in the share of the two-party vote received by a minority party incumbent in the previous election (an increase of about 9.5 percentage points) increases the expected log count of measures considered on suspension by 0.121. This supports Hypothesis 1b.

In the Majority Sponsors model, the coefficient on the Previous Vote Share variable was unexpectedly positive, although relatively small and statistically insignificant. However, the negative and statistically significant ($p < 0.01$) coefficient on the Previous Vote Share X Majority Party interaction in the final model indicates that the effect of electoral marginality is, in fact, conditional on majority party status. Figure 2.6, below, graphs this interaction to allow the reader to visualize the effect. It is clear that the most electorally vulnerable minority party members (those with the lowest

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[22]Including a varying intercept by Congress allows me to account for Congress-level factors that may affect the size of the suspension agenda. For example, House Democrats in the 93rd and 95th Congresses increased the number of days on which suspension measures could be considered, and Republicans in the 109th Congress adopted party rules restricting the types of measures that could be considered under suspension. These rules changes, while not explicitly modeled, should be reflected in the intercept for each Congress. Including a varying intercept by member allows me to control for any time-invariant member-level characteristics that may be relevant for having bills considered under suspension of the rules.

Table 2.1: Modeling the Expected Count of Suspension Measures by Member

	Dependent variable:			
	Suspension Measures (Count)			
	Minority Sponsors	Majority Sponsors	Pooled Model	Interaction
Congress-Level Controls				
Percent Restrictive Rules	0.015	−0.122	−0.090	−0.088
	(0.094)	(0.125)	(0.116)	(0.114)
Margin of Control	−0.100	−0.135	−0.127	−0.121
	(0.068)	(0.079)	(0.073)	(0.072)
Total Bills Passed by Non-Suspension Routes	−0.712*	−0.650*	−0.696*	−0.695*
	(0.117)	(0.142)	(0.131)	(0.130)
Total Bills Considered	0.533*	0.376*	0.436*	0.442*
	(0.051)	(0.071)	(0.065)	(0.064)
Member-Level Variables				
Previous Vote Share	0.121*	0.005	0.017	0.082*
	(0.033)	(0.021)	(0.018)	(0.029)
Seniority	0.012	0.010	0.025	0.023
	(0.032)	(0.025)	(0.020)	(0.020)
Bills Introduced	0.307*	0.328*	0.337*	0.336*
	(0.038)	(0.019)	(0.018)	(0.018)
Cmte. Chair		0.862*	0.824*	0.841*
		(0.064)	(0.059)	(0.060)
Subcmte. Chair		0.492*	0.482*	0.491*
		(0.041)	(0.038)	(0.039)
Moderate Majority		−0.054	−0.112	−0.130
		(0.071)	(0.068)	(0.068)
30% Zone		0.002	−0.044	−0.062
		(0.054)	(0.052)	(0.052)
Majority Party Member			0.638*	0.644*
			(0.040)	(0.040)
Previous Vote Share X Majority Party Member				−0.095*
				(0.033)
Constant	−1.051*	−0.203*	−0.858*	−0.861*
	(0.055)	(0.065)	(0.059)	(0.059)
Sponsor Random Effects	Yes	Yes	Yes	Yes
Congress Random Effects	Yes	Yes	Yes	Yes
Observations	3,437	4,270	7,707	7,707
Log Likelihood	−3,195.781	−6,611.321	−9,828.446	−9,824.327

*p<0.05

Note: Coefficients are from multilevel negative binomial models with varying intercepts estimated by bill sponsor and Congress. Standard errors are presented in parentheses below. The unit of analysis is a member-Congress.

previous vote share) are significantly less likely than their majority party counterparts to have their legislation considered under suspension of the rules. Strikingly, as minority party members become more electorally safe, they become more likely to have their bills considered under suspension of the rules, all else equal. On the other hand, electoral safety actually *decreases* the expected number of bills that a majority party member will have considered under suspension. This is clear evidence that electorally vulnerable members of the majority party are systematically favored in the distribution of suspension measures, while electorally vulnerable minority party members are systematically disfavored.

Figure 2.6: The Conditional Effect of Marginality
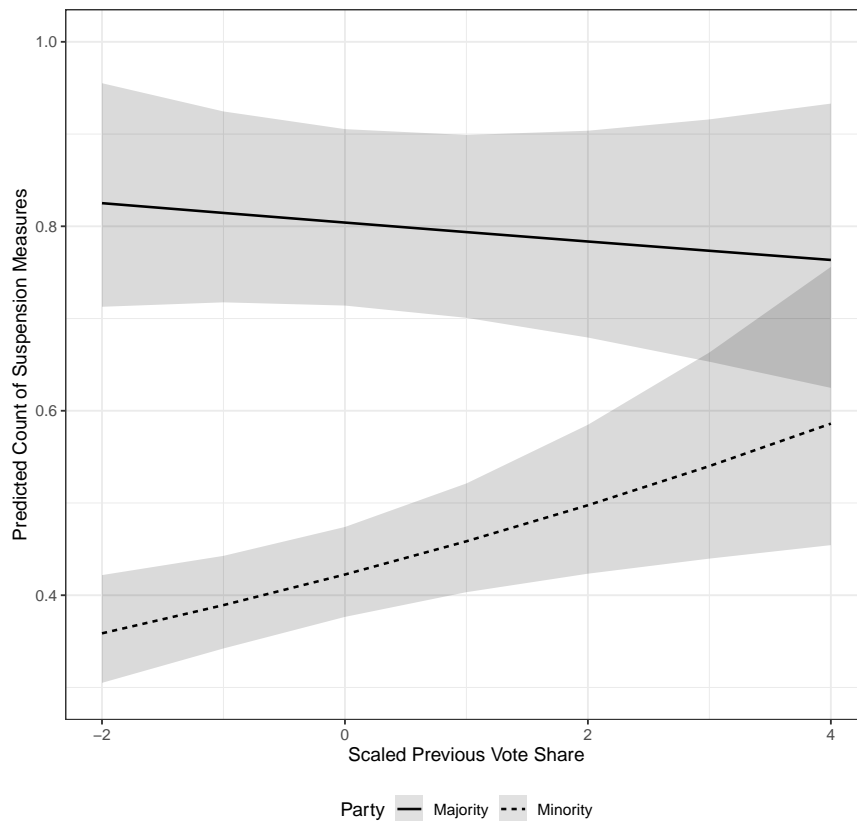
As is evident from the Majority Sponsors, Pooled, and Interaction models, I find strong support for Hypothesis 2—stating that full committee and subcommittee chairs are favored in the distribution of suspension measures. The coefficients on both the committee chair variable and the subcommittee chair variable are positive and statistically significant ($p < .01$) for every model in which they are

included. Focusing on the Majority Sponsors models, being a committee chair, as opposed to being a non-chair majority party member, increases a member's expected log count of suspension measures by 0.862. The equivalent effect for being a subcommittee chair is an increase of 0.492 in the expected log count of measures considered under suspension. These are similar effect sizes to those in the Pooled and Interaction models, for which the reference categories are all other members of the House (as opposed to all other majority party members of the House, as is the case in the Majority Party Only model.)

While the models presented above make it clear that chairs of full committees and subcommittees have been consistently favored in the distribution of suspension bills, Figure 2.7 gives a more granular look at the data by breaking down suspension measure sponsors in each Congress by majority party status and institutional position. The figure is a stacked bar graph that breaks out the sponsors of suspension measures into four categories: committee chairs, subcommittee chairs, rank-and-file majority members (those who do not hold either a full committee or subcommittee chair), and minority party members. It displays the percentage of all suspension measures sponsored by legislators from each of these categories. One caveat for interpreting the graph is that the sizes of the groups have not remained perfectly consistent over time.[23]

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[23] House standing committees during the time period of our study have ranged from a low of 19 (104th-108th Congresses) to a high of 22 (93rd-103rd Congresses). The number of subcommittees has exhibited more variation over time, ranging from a low of 84 in the 104th Congress to a high of 151 in the 94th Congress. The average number of subcommittees across all Congresses in the data is just over 106. On average, full committee and subcommittee chairs comprise just over 27% of the full House. This figure was at its lowest in the 106th Congress, when just under 23% of House members held a full committee or subcommittee chair, and it peaked in the 96th, when just over one-third of all House members held a full committee or subcommittee chair.

Figure 2.7: Breakdown of Suspension Measure Sponsorship
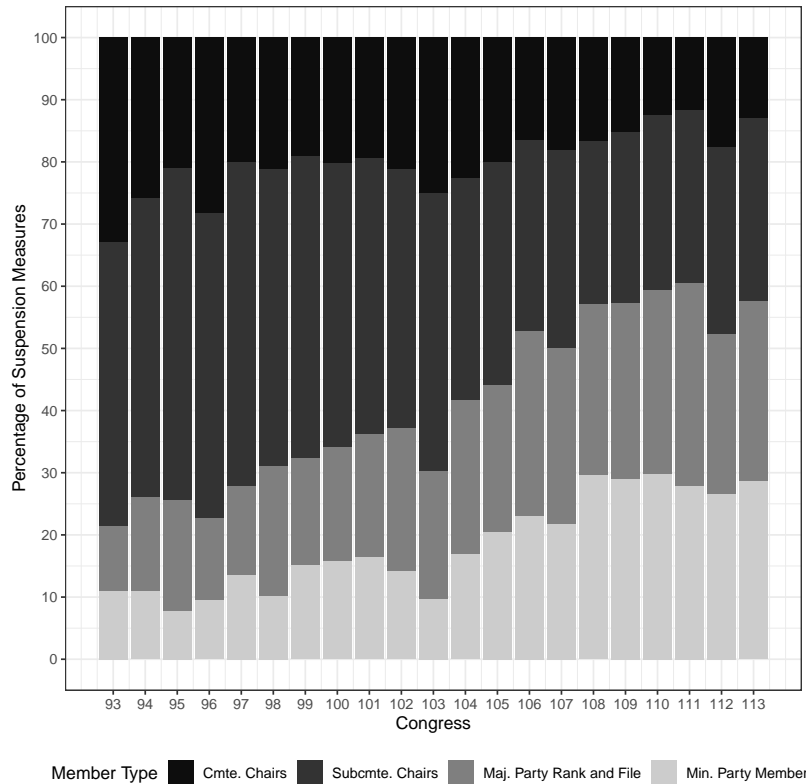
Note: This figure uses data on all House-sponsored measures considered under suspension of the rules, collected from the PIPC roll call database (Crespin & Rohde 2019), congress.gov, and the Calendars of the United States House of Representatives. Data from the Legislative Effectiveness Project (Volden & Wiseman 2014) was used for members' partisanship and institutional positions.

Despite the variation in the sizes of the majority party and the number of full committee and subcommittee chairs across time, Figure 2.7 provides a helpful visualization of how suspension measures have been distributed in the postreform House. It is evident that suspension measures have gone from being the nearly-exclusive province of full committee and subcommittee chairs in the mid-1970s, to being much more evenly distributed across groups in more recent Congresses. In the 93rd Congress (1973-1975), the 22 committee chairs in the House, despite making up just over 5% of the full chamber, sponsored roughly one-third of all measures considered under suspension of the rules. The relative gains made by the minority party over time have come largely as a result of the erosion of this full committee and subcommittee chair dominance of suspension measures. Rank-and-file majority party members, those not holding a full committee or subcommittee chair,

have also gained more of a share of suspension measures over time, although this is at least partially a function of the decrease in the number of subcommittees since the 104th Congress (1995-1997).

Figure 2.8 below lends a sense of scale to the results reported in Table 2.1. Among other interesting patterns, Figure 2.8 emphasizes the relative rarity with which most members of the House have their introduced measures considered under suspension of the rules across most of the time period I examine. The only Congresses in my data in which an average member of the House, who did not hold a subcommittee or full committee chair, could be expected to have a single bill considered under suspension are the 106th-111th Congresses (1999-2011). The average minority party member in the House could expect to have at least one bill considered under suspension of the rules in only the 108th-111th Congresses (2003-2011).[24]

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[24]In Figure 2.8, there is a clear peak in suspension activity at the 111th Congress that falls precipitously in the 112th Congress. This can be explained by the fact that Democrats had the largest majority in the House since the early 1990s, a sizeable majority in the Senate, and a Democratic president in the White House. This situation of unified government generally helps to account for the apparent burst of legislative activity. The dropoff in the 112th Congress coincides with the 2010 midterm election, which brought a Republican majority to the House, making for a largely unproductive Congress during a period of newly-divided government.

Figure 2.8: Average Number of Suspension Measures by Member Type
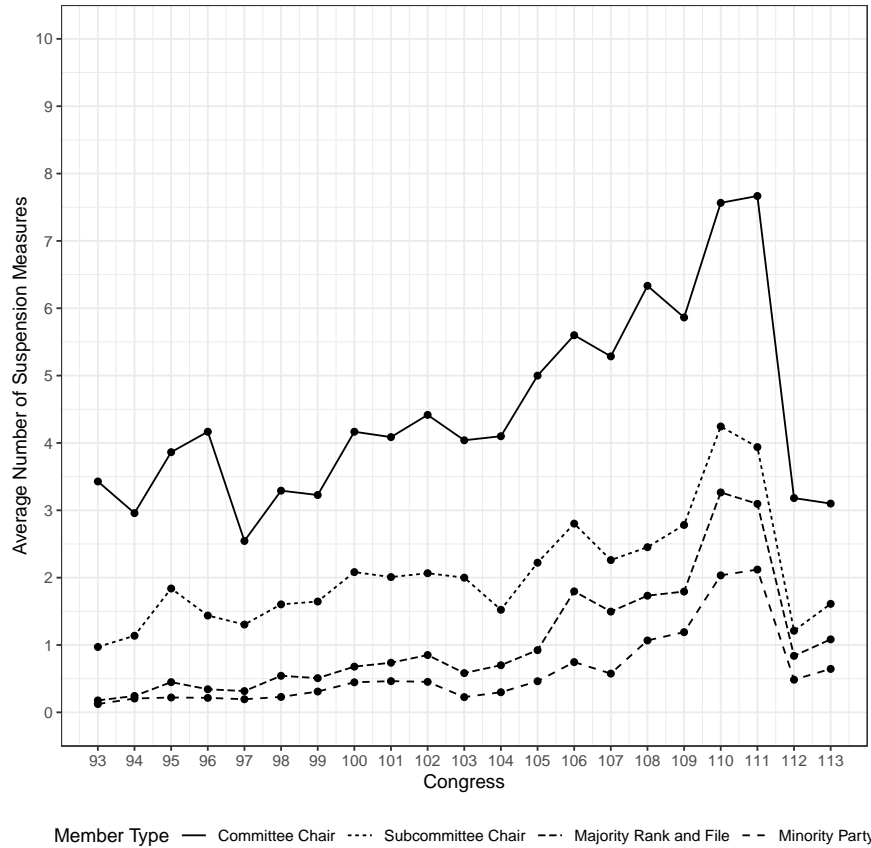
Note: This figure uses data on all House-sponsored measures considered under suspension of the rules, collected from the PIPC roll call database (Crespin & Rohde 2019), congress.gov, and the Calendars of the United States House of Representatives. Data from the Legislative Effectiveness Project (Volden & Wiseman 2014) was used for members' partisanship and institutional positions.

Interestingly, I find no support for Hypothesis 3—that moderate members of the majority party would have more of their sponsored legislation get consideration under suspension. Neither the Moderate Majority variable nor the 30% Zone variable attain statistical significance in the Majority Sponsors model, demonstrating that location in these particular ideological ranges is not expected to increase the count of measures that moderate majority party members get considered under suspension, relative to their co-partisans. The coefficients on the Moderate Majority variable in both the Pooled and Interaction models are negative and statistically significant ($p < 0.1$), meaning that being a majority party member on the minority party side of the floor median is associated with an expected decrease in the number of sponsored bills considered under suspension of the rules. In these models, the reference category for the Moderate Majority indicator variable is all minority

party members, and all majority party members who are on the majority party side of the floor median. Compared to these members, majority party members on the minority party side of the floor median are expected to see a statistically significant decrease of 0.130 in the log count of measures considered under suspension (focusing on the Interaction model). While moderate members of the majority party may occasionally be allowed to offer bills under suspension of the rules in order to help offset their policy losses under negative agenda control, my analyses do not indicate that this happens systematically.

### 2.5.1 Suspension for Commemorative vs. Non-Commemorative Legislation

It is possible that there are systematic differences in the way the suspension procedure operates for different types of legislation. For example, Moffett (2016) shows that minor bills are more likely to be considered under suspension of the rules. However, the descriptive data presented in this chapter make it clear that substantive legislation is also frequently considered under suspension. Do majority party leaders use a different set of criteria when deciding whether to grant suspension consideration to a commemorative versus a substantive bill?

While a comprehensive answer to this question is beyond the scope of this chapter, and is a promising area for future work, I am able to provide some analytical leverage here. I split my data into commemorative and noncommemorative bills considered under suspension, and fit models similar to the ones presented above on those subsets of the data.[25] Full results of these analyses are available in Appendix B, but in Figure 2.9 below I have plotted the exponentiated coefficients from the pooled negative binomial model (similar to the Pooled model in Table 2.1).

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[25]The only difference between these models and the models in Table 2.1 is that, in lieu of the Bills Introduced variable from Table 2.1, I use a variable measuring commemorative bills introduced for the Commemorative Bills model, and a variable measuring non-commemorative bills introduced for the Non-Commemorative Bills model. I am able to construct these variables using the breakdowns of introduced bill types provided by Volden & Wiseman (2014).

Figure 2.9: Effects of Member-Level Variables, Comm. and Non-Comm. Suspension Measures
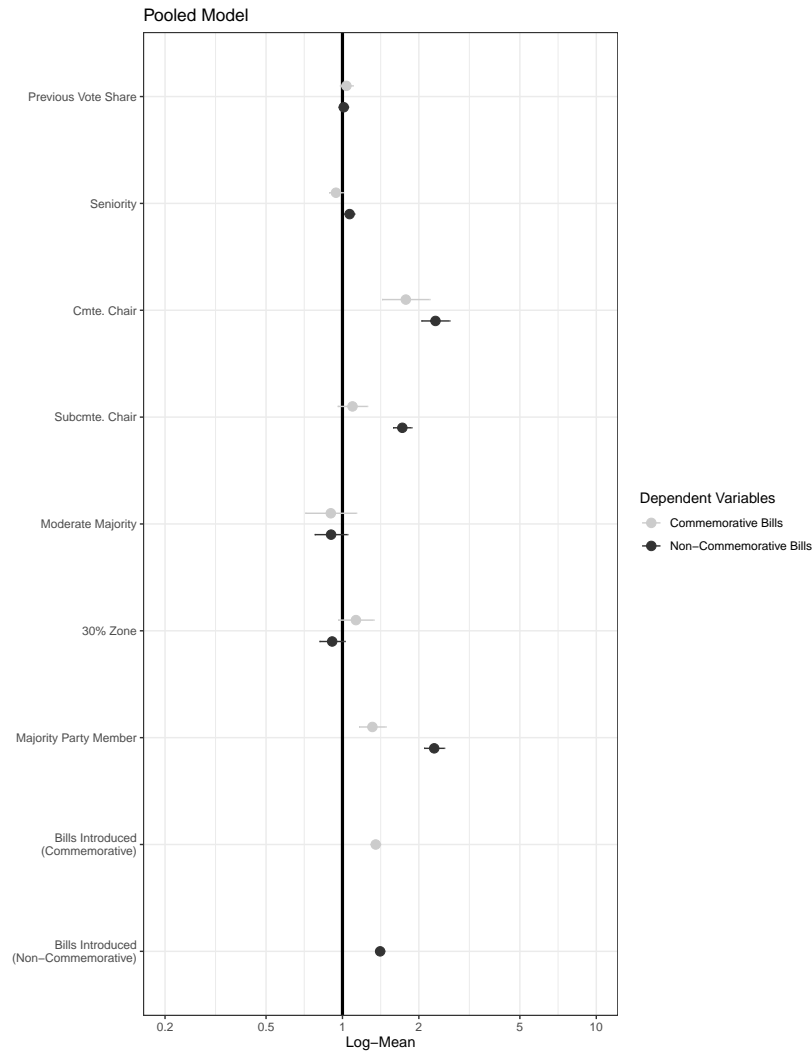
Note: The points on the plot represent exponentiated coefficients from two multilevel negative binomial models—one which uses a count of commemorative suspension measures as the dependent variable (grey dots), and the other which uses a count of non-commemorative suspension measures as the dependent variable (black dots). The whiskers on the dots represent standard errors. The models were fit using all of the Congress-level controls from Table 2.1, but they are excluded from this figure.

Figure 2.9 shows a couple of clear patterns that help illuminate the use of suspension of the rules. Being a subcommittee chair offers no statistically significant benefit in terms of the expected count of commemorative suspension measures. However, subcommittee chair status does correspond with an expected increase in the number of non-commemorative suspension measures. Additionally, the coefficients on the Majority Party Member variable demonstrate that majority party members are more heavily favored in the distribution of non-commemorative suspension measures compared

to commemorative suspension measures, although the coefficients in both models are positive and statistically significant. The strong committee chair effects evident in the models from Table 2.1 stay consistent in these models, although the Cmte. Chair coefficient from the non-commemorative bills model is slightly larger than the coefficient from the commemorative bills model. Interestingly, members in the 30% zone appear to be disfavored in the distribution of non-commemorative bills and favored in the distribution of commemorative bills, although the coefficients on the 30% Zone variable do not attain statistical significance in either model. This provides suggestive, although far from definitive, evidence of side-payments being made to these members. I would expect these side-payments, if they were being made in the form of access to the legislative agenda, to be focused on more commemorative or valence issues, as opposed to more substantive legislation proposals that would likely be quashed by negative agenda control if offered by ideologically moderate members of the majority.

2.6 Conclusion

As the descriptive data clearly demonstrate, from the 93rd Congress (1973-1975) through the 113th Congress (2013-2015), an increasing share of the legislative business of the House has been conducted under suspension of the rules. In fact, suspension of the rules has been the modal procedure by which legislative measures pass the House since the 106th Congress (1999-2001). During the time period I examine, the share of measures considered under suspension that are sponsored by members of the minority party has grown from less than 10% in the 93rd Congress (1973-1975) to around 30% from the 108th (2003-2005) to the 113th (2013-2015) Congresses. Rather than an indicator of truly increased bipartisanship, I interpret the increase in reliance on suspension of the rules as a reflection of a change in the composition of the House legislative agenda (Crespin et al. 2011).

Given the sustained increasing trend in the use of restrictive rules by the majority party beginning with the 104th Congress (1995-1997), amending activity has been considerably reduced, thereby diminishing the opportunity for many members to build a legislative record and obtain votes on measures of personal importance. In recent Congresses, representatives who seek to sponsor legislation that makes it to the House floor—whether they be motivated by constituency concerns, signaling to interest groups and donors, or simply establishing a record of legislative effectiveness—may well

view the suspension route as the most fruitful. The member-level demand to have bills considered under suspension of the rules is formally regulated by the Speaker of the House, who decides which measures will be considered under this procedural route. The Speaker exercises her discretion over the use of suspension of the rules to further a number of goals, ranging from efficiently conducting legislative business to selectively allocating credit-claiming opportunities to certain members. Additionally, the shift toward a heavier reliance on passing bills under suspension of the rules could be a manifestation of Harbridge's strategic partisan agenda-setting framework (Harbridge 2015). Especially in the recent Congresses of the insecure majorities era (Lee 2016), majority party leaders may be turning to suspension of the rules as a mechanism through which to build a party reputation for good governance and the ability to successfully address valence issues in a bipartisan manner.

One particularly strong finding from my empirical analyses demonstrates that measures sponsored by full committee and subcommittee chairs are disproportionately likely to be considered under suspension. I take this finding to be, in part, an indicator of these members' institutionally privileged positions within the House—which allow them to generate support for their bills within their own committees, and then communicate that support to majority party leaders as evidence that their bills should be considered under suspension. Importantly, though, I also argue that these members are allowed to offer more narrow, constituency-oriented bills under suspension of the rules as a reward for the legislative work they perform for the majority party, and for the chamber.

Additionally, I find empirical evidence for what one Democratic leadership staffer referred to as "the political screen"[26]—namely that the Speaker's discretion over suspension of the rules may be used to systematically exclude electorally vulnerable members of the minority party, while funneling opportunities towards vulnerable majority party members. Given that measures considered under suspension of the rules often have the look of custom-made credit claiming opportunities, it is unsurprising that partisan electoral motivations would affect leadership decisions about who can offer them.

While I did not uncover systematic evidence that suspension of the rules is used to "buy" the votes of moderate majority party members, I would argue that these sorts of transactional deals certainly occur on a case-by-case basis. Allowing a member to bring a bill to the floor under suspension of the

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[26]Interview, March 29th, 2019

rules is just one tool in the majority party leadership toolbox—and likely not the most powerful one. Sought-after committee assignments, spots in the extended party leadership network (Meinke 2016), the ability to offer amendments under a structured rule (Lynch et al. 2016), and support from the party's campaign arm (Jenkins & Monroe 2012*a*) are all valuable resources that may be given or withheld by majority party leadership, and these various inducements are likely used in occasional combination with the selective granting of suspension.

Suspension of the rules is a dynamic and flexible tool that serves a number of different purposes in the House of Representatives. From the perspective of an individual member, the procedure represents the ability to have their voice heard above the cacophony of 434 other members. Importantly, from the perspective of the individual member, it allows them to direct the attention of the House towards noncontroversial but parochial bills that constituents will appreciate. Most members of the House do not have strong preferences over whether the Secretary of the Interior is authorized to facilitate the production of hydroelectric power at a facility in Utah,[27] or whether the Forestry Department allows for the construction of an elementary school on federal land in Nevada,[28] or whether the Secretary of Education is authorized to make a grant to Texas A&M University.[29] However, the sponsors of those suspension bills—Jason Chaffetz (R-UT), Jim Gibbons (R-NV), and Joe Barton (R-TX)—and their constituents, care immensely about these issues. These members all had the ability to tell voters and influential groups in their district that no less a body than the U.S. House of Representatives considered, and passed, these bills dealing with hyper-local concerns. Opportunities such as these are viewed by members as fundamental to the achievement of their electoral, and occasionally their policy, goals.

In this chapter, I applied a theoretical framework emphasizing the member-level demand for suspension measures, as well as the role of those measures in helping majority party leaders achieve chamber and party objectives, to explain the distribution of these measures across members and parties. Given the increasing rate at which House legislative business is being dealt with under suspension of the rules, it is particularly important to develop a nuanced understanding of how this

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[27]H.R. 254, 113th Congress

[28]H.R. 4656, 106th Congress

[29]H.R. 3803, 104th Congress

procedure operates in practice, and why it operates the way it does. This work represents a step in that direction.

CHAPTER 3: PRE-FLOOR BUNDLING IN THE HOUSE RULES COMMITTEE: DRIVERS AND IMPLICATIONS OF AN UNORTHODOX PROCESS

> "My friends across the aisle continue to play fast and loose with their pledge to address one issue at a time[...] H.R. 2954 is 10 unrelated bills stitched together. Some of the provisions we are looking at today are not controversial, but rather than pass noncontroversial provisions through less contentious means, my friends have packaged them together with partisan measures for rank political purposes. It is Frankenstein's parliamentary monster."

-Alcee Hastings (D-FL), *Congressional Record*, February 5th, 2014

3.1 Introduction

House Resolution 472, the object of Representative Hastings' (D-FL) lament in the quote above, was a special rule reported by the House Rules Committee governing the floor consideration of H.R. 2954, the Public Access and Lands Improvement Act. Hastings' primary procedural complaint about the rule was that it made in order a substitute amendment that would turn a four-page bill conveying a parcel of land to Escambia County, FL into a 40-page public lands bill with national implications for environmental policy, natural resource conservation, and the protection of endangered species.

Representative Doc Hastings (R-WA), the Republican chair of the Natural Resources committee at the time, was quick to push back against allegations that his party was violating "regular order" by allowing for the substitute amendment. He mentioned in floor debate that the 10 individual bills that became part of the package had all received individual consideration in his committee before being combined by the amendment made in order by H. Res. 472.[1] While this is true of the bills in question in this particular instance, a systematic evaluation of the use of special rules to combine bills together at the pre-floor stage reveals a flexible process that occasionally transcends standing committee jurisdictions and precludes the traditional committee consideration process.

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[1]Doc Hastings (R-WA), *Congressional Record*, February 6th, 2014

This chapter seeks to empirically examine the use of this evolving practice in the House of Representatives in order to better understand the conditions under which majority parties rely on such resolutions, and the characteristics of legislation included in such packages. My findings demonstrate that this practice operates differently from more traditional omnibus legislating, as studied by Krutz (2001) and others. The packages of bills that I study are not particulalry likely to become law—a fact which undermines conventional explanations for omnibus legislating. Additionally, bills that are opposed by the minority party in committee are more likely to be included in these bill packages, and the packages themselves are disproportionately likely to receive a party unity vote on the floor. This suggests that the construction of these packages is informed more by intraparty considerations and party messaging strategies than by the desire to build bipartisan support.

These findings have important implications for our understanding of agenda setting in the House, and for efforts to measure individual-level legislative effectiveness by focusing on bill advancement (Volden & Wiseman 2014). Focusing on the policy areas and standing committees that are most frequently involved in these pre-floor bill combinations can help shed light on the specifics of majority party strategy and coalition maintenance techniques. Additionally, because some bills that are given floor consideration are actually agglomerations of multiple bills sponsored by different members, this suggests that measures of legislative effectiveness that depend on bill sponsorship (Volden & Wiseman 2014) may be telling an incomplete story.[2] This chapter raises important questions about *whose* bills are likely to be included in the packages that are given floor consideration.

The chapter proceeds as follows. First I place my work in the context of the relevant literatures on omnibus legislating, legislative procedure, agenda setting, and party messaging. Then I lay out a theory of pre-floor bundling in the House, and provide testable hypotheses about the use of this unorthodox procedure. In the next section, I describe my data collection process and empirical tests. After discussing the results of these tests, I conclude the chapter with a discussion of the broader implications of my findings, and of potential future directions for related research.

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[2]A similar argument is made by Casas et al. (2020), who use a supervised learning technique to identify legislative "hitchhikers"—or bills that are ultimately enacted into law as provisions of larger bills.

3.2 Pre-Floor Bundling in Context

Special rules for consideration reported by the House Rules Committee are important institutional mechanisms for setting the legislative agenda and structuring the available choice sets over which votes are cast (Bach & Smith 1989). The organizing resolution that establishes the chamber rules each Congress specifies that the majority party will hold a supermajority of seats on the House Rules Committee, partially to ensure that the committee acts as a faithful partisan agent in agenda setting. Most major legislation is assigned a special rule for consideration by the Rules Committee before reaching the floor, and that rule determines the duration of debate on the bill, as well as which amendments, if any, will be in order. As such, these resolutions allow for the careful and strategic structuring of the choices put in front of legislators. Special rules for consideration can be written to protect cross-pressured members from taking politically-risky votes, to suppress questions that may reveal fractures in the majority party, or to accentuate the differences between the two parties on salient issues.

This chapter focuses specifically on the House Rules Committee practice of bundling multiple bills together for floor consideration as one package. This once-unorthodox practice has become increasingly prevalent in the past decade. Recent work by Meinke (2020) explores a related, but distinct, practice of bringing multiple bills to the floor under one rule, and demonstrates how this procedural manuever affords majority party leaders the flexibility to pursue multiple goals simultaneously. Bringing multiple separate bills to the floor under one special rule allows leaders to efficiently manage floor time, and can also facilitate party messaging goals by training the chamber's attention on multiple bills that are important to the majority party's brand (Lee 2016, Cox & McCubbins 2005). Additionally, Meinke (2020) explains that this practice helps leaders to balance party and individual member goals by strategically pairing together leadership priority bills with bills that advance more individualistic priorities.

While both multiple-measures rules and the "bundling" rules considered in this chaoter bring multiple bills to the floor for consideration, they do so in fundamentally different ways. Multiple-measures rules are procedural mechanisms by which multiple separate measures are brought to the floor to receive separate votes—and occasionally to be considered under different parameters. For example, a multiple-measures rule could specify a closed rule for one bill, and a structured

rule for another. In contrast, the bundling rules that are the focus of this chapter provide for the combination of multiple bills into one legislative package that is then considered as one bill on the floor. Bundling rules create these combinations by one of two paths—either by making in order a substitute amendment that would replace the text of a single bill with the combined texts of multiple bills, or by making that amendment self-executing pursuant to passage of the rule.

The practice of pre-floor bundling in the Rules Committee also shares some similarities with omnibus legislating. Although there is no mutually agreed-upon technical definition for omnibus legislating, scholars have generally identified omnibus bills by some combination of the number of issue areas covered, the length of the bill, and the complexity of the bill (Krutz 2001, Sinclair 2016, Oleszek et al. 2016). Perhaps the most widely accepted characterization of omnibus legislating is that omnibus bills are understood to be made up of multiple individual bills that were eventually rolled into one package. Hanson & Reynolds (2018) write specifically about omnibus appropriations bills, which are typically introduced as a package of multiple previously-introduced individual appropriations bills. Krutz (2001, pg. 46) casts a wider net, defining an omnibus bill as any piece of major legislation that meets a number of scope and length requirements.[3] Work by Casas et al. (2020), while not primarily interested in defining omnibus legislation per se, is nonetheless relevant because it focuses on identifying bills that become law as provisions of larger legislative packages.

One common element of case selection binds together the work by Krutz (2001), Hanson & Reynolds (2018), and Casas et al. (2020)—but separates that vein of scholarship from the work presented here. Namely, these treatments of omnibus legislating select on—or, in the case of Krutz (2001), come close to selecting on—the enactment of a bill into law. Hanson & Reynolds (2018) are interested in identifying non-spending provisions that become law as part of omnibus appropriations bills, and Casas et al. (2020)—while explicitly excluding appropriations bills—are similarly interested in identifying legislative hitchhikers that are ultimately enacted into law. While Krutz (2001) does not specifically select on enactment, 98% of the omnibus bills in his dataset became law (Krutz 2001, pg. 62).

This constitutes an important difference between omnibus legislating as it has typically been studied, and the pre-floor bundling rules I consider here. While the authors cited above have valid

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[3]Specifically, for Krutz (2001), omnibus bills must span at least three major topic areas or at least 10 subtopic policy areas (Baumgartner & Jones 2013) and be longer than the average bill by at least one standard deviation.

reasons for focusing on bills that ultimately become law, selecting on enactment elides important questions about why certain bills are combined together into packages in the first place. The frequently-used metaphor of a train leaving the station is apt, as the inevitability of the train's arrival is all that is necessary to explain passengers' demand to get on board. If enactment is a foregone conclusion, the interesting questions become about which bills get attached, and which types of decision rules can be deduced by examining the process. However, as my examination of pre-floor bundling in the House Rules Committee demonstrates, not all legislative packages are destined to become law—and it is likely that the actors involved in their construction are aware of this.[4]

3.3 Explaining the Use of Bundling Rules

Why, then, are certain bills bundled together rather than being considered on the floor individually? Time management is one potential answer—and one that Meinke (2020) finds mixed support for in his study of multiple-measures rules. The argument here is fairly intuitive. Consider the case of H.R. 2578, the Conservation and Economic Growth Act introduced by Jeff Denham (R-CA) in the 112th Congress. H. Res. 688, the rule under which the bill was considered, contained a self-executing amendment that combined the text of the existing half-page bill with the text of 13 other bills to create a 106-page legislative package for floor consideration. The time-saving effect of considering this 14-bill package as one bill on the floor is obvious and substantial.

Particularly as fundraising activities take up more of members' time, many legislators may look to decrease the amount of time they have to spend on the floor debating and voting on legislation (Heberlig & Larson 2005). In this light, the strategy of pre-floor bundling looks particularly attractive. However, while it is possible that this scheduling strategy came about as a response to increased non-legislative demands on members' time, we would not expect it to be used with equal frequency across all policy areas or types of bills. Because an alternative—and technically more effective—time-saving method would be to not bring the legislation to the floor at all, we must also consider the importance of the specific legislation in question to the goals of the majority party.

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[4]Suzan DelBene (D-WA), whose Green Mounatin Lookout Heritage Protection Act bill was included, presumably without her consent, in the GOP-constructed 10-bill Public Access and Lands Improvement Act, spoke to this phenomenon: "The Green Mountain Lookout presents a significant piece of the Pacific Northwest's history, and it deserves to be protected for outdoor enthusiasts to enjoy for years to come. It does not deserve to be wrapped up in a package of bills that we all know will be dead on arrival in the Senate" (*Congressional Record*, February 6th, 2014).

The agenda setting process in the House is infused with considerations about how bills will affect the majority party's brand (Cox & McCubbins 2005). However, it is not immediately clear why or how a bundle of bills packaged together in the Rules Committee would better serve the party's brand than a series of bills considered individually. One potential explanation has to do with the electoral needs and policy preferences of individual majority party members. Work by Canes-Wrone et al. (2002), Carson et al. (2010), Koger & Lebo (2017, ch. 4), and others demonstrates that partisan voting records can be electorally costly for legislators. Additionally, Nyhan et al. (2012) and Bussing et al. (2020) document the negative electoral implications of individual votes cast on highly-salient partisan legislation. Lindstädt & Vander Wielen (2014) show that majority party leaders, likely because they are aware of the electoral risk involved with casting votes on partisan legislation, tend to avoid scheduling such bills near an upcoming election. If each vote cast by a majority party legislator on a contentious partisan bill entails some marginal increase in electoral risk, it would make sense to decrease the number of specific instances in which legislators are asked to do this.[5] Bundling multiple contentious bills into one package, and doing so in a venue like the Rules Committee which is less publicly salient than the House floor, could certainly serve this purpose.

Another relevant consideration is the policy preferences of individual members. Perhaps the most important observable implication of partisan agenda setting in the cartel theory vein is that the majority party is rarely ever deeply divided on legislation that makes it to the floor (Cox & McCubbins 2005). What is typically less explored, however, is the extent to which this partisan cohesion is a product of the agenda setting process itself. It is unclear how much of the partisan cohesion we observe on the floor comes from an agenda setting process that selects bills on which the majority party is already unified, and how much is a reflection of pre-floor intraparty bargaining or leadership manuevering. It is possible that in some cases pre-floor bundling is used as a mechanism of coalition maintenance, and that the resulting packages of bills are the products of intraparty negotiations. Curry (2017), in a paper on majority party leadership's use of self-executing rules in the House, finds some support for this idea, demonstrating that self-executing amendments often allow leaders "to take policy action they may not have been able to otherwise" (Curry 2017, pg. 23). Applying this to the bundling rules that are the focus of this chapter—many of which use

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[5]Bussing & Treul (2021) make a similar argument, based partially on the fact that bringing contentious partisan bills to the floor often necessitates the devotion of limited majority party leadership time and resources.

self-executing amendments—we may expect that the individual components of the ultimate package may not have the support to pass by themselves. In these cases, the majority party cohesion observed on the floor is the product of intraparty deals enshrined in the package of bills.

3.4 Theoretical Expectations and Hypotheses

I conceive of pre-floor bundling as a balancing act performed by majority party leadership, in which the imperative of partisan messaging to external audiences is balanced against the political needs and policy preferences of individual majority party members. Of course, this construction implies that these imperatives are sometimes conflicting—that the messaging needs of the party are occasionally in tension with the political and policy demands of individual party legislators. Bundling bills together at the Rules Committee stage can help to resolve this tension in three ways. First, bundling reduces the number of party-line votes that cross-pressured members are asked to take on the floor. Additionally, the construction of the legislative package itself may be a form of intraparty dealmaking to accommodate majority party legislators' diverse political needs and policy preferences. Lastly, the relatively low public salience of the Rules Committee helps leaders to obscure parts of the legislative package that might not have broad public appeal—but that are important to the attentive policy demanders that are integral to the party coalition. This may help legislators escape direct accountability for potentially unpopular policy moves while still allowing the party to collectively reap credit from interest groups that are incentivized to pay close attention.

Following from this understanding of the logic behind pre-floor bundling, I provide a series of hypotheses considering different steps of the legislative process. First, based on the assumption that pre-floor bundling is important for partisan messaging to external audiences, I expect that contentious partisan bills are more likely to end up in these packages than bills with bipartisan support.

- *Hypothesis 1:* Bills that are opposed by the minority party in committee are more likely to be subject to pre-floor bundling.

Packaging bills together through an amendment made in order (or self-executed) by the Rules Committee constitutes a considerable exertion of power by the majority party leadership. In certain instances, Rules Committee amendments have taken bills reported by different standing committees and merged them together into one bill—a clear violation of the traditional understanding of

54

committee jurisdictions. In fact, regardless of the invididual characteristics of the bills involved in pre-floor bundling, the practice technically violates committee jurisdiction because no standing committee is given the opportunity to consider the bill as a cohesive whole before it reaches the floor. However, the requirement that special rules for consideration must be approved by a majority in the House provides some theoretical constraints on the power that can be exercised by the majority party contingent of the Rules Committee. To help ease some of the jurisdictional tensions that may be provoked through the use of pre-floor bundling, I expect that bundled bills will be more likely to be considered under a structured rule than a closed rule. A structured rule allows for the consideration of certain pre-screened amendments on the floor, giving majority party leaders the ability to provide some semi-choreographed deliberation without having to go through the messier process of putting the combined bill through a full committee markup. Rank-and-file members may view the use of a Rules Committee resolution to combine bills together and disallow all floor amendments to the resulting package as an overreach of leadership power.

- *Hypothesis 2:* Bills that are the product of pre-floor bundling are more likely to be considered under a structured rule than a closed rule.

If Hypothesis 1, which states that contentious partisan bills are more likely to become part of legislative packages created in the Rules Committee, it follows that the resulting combined bills would be more likely to receive party unity votes on the floor. Additionally, if these legislative packages are designed with partisan messaging in mind—to demonstrate the party's ideological and policy commitments to certain external audiences—we would expect these bills to demonstrate stark differences between the two parties on the floor. This hypothesis is particularly important theoretically, because it pushes back against an alternative logic for pre-floor bundling—that these legislative packages are designed in an attempt to forge bipartisan support.

- *Hypothesis 3:* Bills that are the product of pre-floor bundling are more likely to be the subject of a party unity vote on the floor, relative to other bills that receive roll call votes.

My next hypothesis deals with the fate of bundled bills once they have reached the House floor. I take it as a foregone conclusion that such bills, conditional on reaching the floor, will pass. However, given that I expect little to no minority party support for these packages or for their component

parts, I expect that such bills are less likely to become law than bills that were brought to the House floor under more traditional procedures. If this hypothesis is confirmed, it would demonstrate that conventional understandings of omnibus legislating, based on the assumption that the legislative vehicle is destined to become law, cannot easily be applied to this new method of pre-floor bundling.

- *Hypothesis 4:* Bills that are the product of pre-floor bundling are less likely to become law relative to other bills considered on the House floor.

My final hypothesis has to do with the sponsorship of the legislative packages that emerge from the Rules Committee. Work on legislative effectiveness has demonstrated that committee chairs are consistently highly effective at getting their bills to move through the legislative process (Volden & Wiseman 2014). However, Adler & Wilkerson (2012), Casas et al. (2020), and others have argued that these findings are driven by the well-established institutional mechanisms through which the chamber conducts business, rather than by the individual characteristics or skills of any given committee chair (but see Volden & Wiseman 2017). While I do not seek to fully adjudicate these differences in this chapter, my data does allow me to test a relevant proposition—that committee chairs are uniquely situated to take credit for collective work products. I hypothesize that, when bills are combined in the Rules Committee, committee chairs are more likely than rank-and-file members to be the sponsor of the vehicle bill that emerges.

- *Hypothesis 5:* Committee chairs are more likely than rank-and-file members to sponsor bills that end up as the vehicle for pre-floor bundling.

3.5 Data

To test the above hypotheses, I collected data on all bills that were involved in combinations formed by House Rules Committee resolutions from the 112th-114th Congress (2011-2017). To identify these bills, I read all committee prints released by the House Rules committee during my period of study. These committee prints are relevant because they contain the text of the bill as it will be considered on the floor conditional on the passage of the special rule for consideration. Rules Committee resolutions will often make reference to the text of a specific Rules Committee Print, as in the following text, taken from a special rule for consideration of H.R. 2804, the Achieving Less Excess in Regulation and Requiring Transparency (ALERRT) Act of 2014:

After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Oversight and Government Reform now printed in the bill, it shall be in order to consider as an original bill[...] an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-38.

Rules Committee Print 113-38 reads, in part:

Text of H.R. 2804[...] Showing the texts of H.R. 2804, as ordered reported by the Committee on Oversight and Government Reform; H.R. 2122 and H.R. 1493, as reported by the Committee on the Judiciary; and H.R. 2542 as reported by the Committee on the Judiciary and the Committee on Small Business.

Conditional on the passage of H. Res. 487, the version of H.R. 2804 that would be considered on the floor would actually be the original text of H.R. 2804 plus the text of the three other bills listed in the committee print above.

Reading all of the Rules Committee Prints from the 112th-114th Congresses yielded 28 "vehicle" bills which, in all, contained the text of 126 different bills. For interested readers, all of these bills are included in a table in Appendix C. Bundled bills frequently covered multiple different issue areas. On average, each vehicle bill contained 1.8 issue topics as coded by the Policy Agendas Project (Baumgartner & Jones 2013). Two vehicle bills spanned four different issue areas each, and five other vehicle bills all spanned three different issue areas. One of these multi-issue bills, H.R. 4078, was introduced as a six page bill that sought to enjoin all significant regulatory activity until the unemployment rate fell below 6%. By the time the bill emerged from the Rules Committee it had been combined with six other bills, spanned 92 pages, and encompassed domestic commerce, foreign trade and environmental issues, in addition to its original topic code of government operations. While this is an example of a relatively extreme transformation, cross-issue bundles were fairly common in the data.

In order to test the hypotheses I have laid out above, I merged this collected data in with a number of existing data sources. For Hypothesis 1, which posits that contentious partisan bills are more likely to end up as part of these Rules Committee packages, I relied on the Congressional Bills Project (Adler & Wilkerson 2014) for data on all bills introduced in the House during my period of

study. To identify contentious partisan bills, I used an indicator variable from Bussing & Treul (2021) for bills that were reported out of a House committee with minority or dissenting views attached to the committee report.

To test Hypothesis 2, about the types of special rules for consideration assigned to bundled bills, I used data on House Rules Committee resolutions made available by Lynch et al. (2020). Data on roll call votes to test Hypothesis 3 come from the Political Institutions and Public Choice (PIPC) Roll-Call Database (Crespin & Rohde 2019), while data on bill enactment for Hypothesis 4 also comes from the Congressional Bills Project (Adler & Wilkerson 2014). Finally, data on the institutional status of bill sponsors necessary to test Hypothesis 5 come from the Center for Effective Lawmaking (Volden & Wiseman 2014).

3.6   Results

My first hypothesis deals with the composition of legislative packages constructed in the Rules Committee, and posits that contentious bills that split the two parties are more likely to be included than bills with bipartisan support. To test this, I fit a logistic regression on a dataset of all House bills that were given consideration in any standing committee from the 112th-114th Congresses. My dependent variable in this model takes on a value of 1 if the bill ends up being part of a legislative package constructed in the Rules Committee and a 0 otherwise. My primary independent variable of interest is a dichotomous indicator for whether or not the committee report for each bill was the subject of minority or dissenting views. Because minority or dissenting views document dissatisfaction with the underlying legislation, this variable provides an indicator that the bill generated partisan disagreement in committee (Fenno 1973, Bussing & Treul 2021).

I also include a number of control variables that may be related to the propensity for a bill to be bundled in the Rules Committee. If these bills are used at least partially for partisan messaging purposes, bills sponsored by majority party members should have a higher likelihood of being included, so I include an indicator variable for majority party sponsored bills. I also include a dichotomous variable that indicates whether or not each bill has a bipartisan cosponsorship coalition. Following Harbridge (2015), if at least 20% of the bill's cosponsors are from the minority party, that bill is considered to have a bipartisan cosponsorship coalition. I am agnostic about the direction of

the coefficient on this variable. If bills are included in these packages in order to try to win votes from members of the minority party, it is possible that a bipartisan cosponsorship coalition may be seen as a positive for majority party leaders. However, if such packages are purely partisan messaging efforts, it is unlikely that bills with bipartisan support would be included.

I include an indicator variable for multiply-referred bills for two reasons. In his work on omnibus legislating, Krutz (2001) argues that this form of legislating is an adaptive reaction by Congress to a more complex policy environment. Because bills that are referred to multiple committees deal with multiple different policy areas, or at least exist in some jurisdictional grey area, these bills may be more likely to be included in legislative packages constructed by the Rules Committee. Additionally, if these packages are constructed in order to help build a supportive coalition within the majority party, multiply-referred bills may be prime candidates for inclusion. For example, bills that deal with policy areas like the trading of derivatives, which is within the jurisdiction of both the Agriculture Committee and the Financial Services Committee, may end up in compromise packages that include bills reported from both committees. Lastly, I included a random effect for policy area, as the practice of pre-floor bundling varies across issue area.

Table 3.1: Estimating the Likelihood of Pre-Floor Combination for Committee-Considered Bills

	Dependent variable:
	Pre-Floor Combination
Multiple Referral	0.315
	(0.281)
Bipartisan Cosponsorship Coalition	0.148
	(0.228)
Minority or Dissenting Views	2.359*
	(0.245)
Majority Party Sponsor	1.115
	(0.612)
Constant	−6.330*
	(0.729)
Observations	2,454
Policy Area Random Effects	Yes
Log Likelihood	−380.892

*p$<$0.05

Note: Coefficients are from a multilevel logistic regression with varying intercepts estimated by policy area. Standard errors are presented in parentheses below. The unit of analysis is a bill.

The results presented in Table 3.1 above demonstrate strong support for Hypothesis 1. Bills that were the subject of partisan disagreement in committee are considerably more likely to be included in packages constructed by the Rules Committee, controlling for other relevant factors.

Moving a step forward in the legislative process, Hypothesis 2 posits that bills that are the product of pre-floor bundling are more likely to be considered under a structured rule than a closed rule. Given that there are only 28 bundled bills during my period of study, hypothesis testing is fairly straightforward in this instance. 21 of the 28 bundled bills were considered under structured rules that allowed for pre-cleared amendments to be offered on the floor. Of the seven bills that were considered under closed rules, five were reported out by the Ways and Means Committee—a committee that is traditionally more likely to have its legislation considered under closed rules due to the complex nature of tax policy under its jurisdiction (Fenno 1973, Smith & Deering 1984). In general, then, it can be said that a large majority (75%) of the legislative packages that are created in

the Rules Committee are considered under a structured rule on the floor. However, given the small sample size, this trend should be interpreted with caution.

Another way to test Hypothesis 2 would be to fit a logistic regression using data on all bills that received special rules for consideration, with the dichotomous dependent variable taking a value of 1 if the bill was considered under a structured rule, and 0 otherwise. Technically what such a model would be testing is the proposition that bundled bills are more likely to be considered under a structured rule compared to all other bills that receive special rules for consideration. Table 3.2 below reports the results of three simple logistic regression models. The first is a bivariate model with the independent variable being an indicator for bundled bills which takes a value of 1 if the bill is a legislative package constructed in the Rules Committee and 0 otherwise. The second model includes a random effect for the primary referral committee for each bill, since the committee of jurisdiction likely has an effect on the type of rule assigned to a bill. The third model adds an indicator for multiply-referred bills to the multilevel structure of the second model. Multiply-referred bills may be more likely to receive a structured rule on the floor because the jurisdictional overlap of such bills will likely attract more interest in floor amendments.

Table 3.2: Estimating the Likelihood of Structured Rule Assignment

	Dependent variable:		
	Structured Rule		
	Bivariate Model	Cmtes. Model	Mult. Ref. Control
Bundled Bill	1.130*	1.118*	1.081*
	(0.448)	(0.503)	(0.514)
Multiple Referral			0.790*
			(0.325)
Constant	−0.032	0.231	−0.402
	(0.103)	(0.288)	(0.388)
Observations	408	408	408
Primary Ref. Cmte. Random Effects	No	Yes	Yes
Log Likelihood	−279.094	−249.976	−246.966

*p<0.05

Note: The first model is a bivariate logistic regression. The second and third models include a varying intercept by primary referral committee. Logit coefficients are presented, with standard errors in parentheses below. The unit of analysis is a bill.

In all three of these models, bundled bills are found to be positively associated with the assignment of a structured rule. These models further support Hypothesis 2, and provide suggestive evidence that structured rules, as opposed to the more restrictive closed rules, may be offered as part of an intraparty compromise to build support for the unorthodox use of Rules Committee resolutions to package bills together.

Hypothesis 3 posits that legislative packages constructed in the Rules Committee are more likely to receive a party unity vote on the floor compared to other bills that receive roll call votes. This expectation is largely a reflection of the findings reported above (Table 3.1) that partisan bills are more likely to become the components of these packages. The model reported in Table 3.3 below is a logistic regression with the dichotomous dependent variable indicating the presence (1) or absence (0) of a party unity vote on passage of each non-commemorative bill receiving a roll call vote. A party unity vote is defined here, as per PIPC coding, as a vote on which at least 50% of one party voted against at least 50% of the other party. The model includes a random effect for policy area, taken from congress.gov, as the propensity for partisan disagreement likely varies by policy.

Table 3.3: Estimating the Likelihood of a Party Unity Vote on Non-Commemorative Legislation

	Dependent variable:
	Party Unity Vote
Bipartisan Cosponsorship Coalition	−2.508*
	(0.215)
Bundled Bill	2.653*
	(0.701)
Majority Party Sponsor	2.895*
	(0.562)
Constant	−2.019*
	(0.576)
Observations	822
Policy Area Random Effects	Yes
Log Likelihood	−380.914
	*p<0.05

Note: Coefficients are from a multilevel logistic regression with varying intercepts estimated by policy area. Standard errors are presented in parentheses below. The unit of analysis is a bill.

The primary independent variable of interest in the table above is the indicator for whether or not a bill was part of a pre-floor combination made in the Rules Committee (Bundled Bill). Controlling for whether the sponsor of the bill is a member of the majority party (Majority Party Sponsor) and the extent of pre-floor bipartisan support for the bill (Bipartisan Cosponsorship Coalition), I find that pre-floor bundling has a strong positive association with party unity votes on the floor. This finding supports Hypothesis 3 and casts doubt on the proposition that these legislative packages are constructed in an attempt to win over minority party support.

Hypothesis 4 deals with the fate of these bundled bills after they are voted on in the House—positing that these bills are less likely to become law than bills that reached the floor through more traditional procedures. Simply looking at the descriptive data, five of the 28 bundled bills ended up becoming law, while the other 23 did not. This is a conversion rate of just over 17%, compared with a conversion rate of nearly 34% for all H.R. bills that passed the House during my period of study.[6]

In order to more systematically test Hypothesis 4, I fit a logistic regression using data on all House-sponsored H.R. bills that were considered on the House floor. My dependent variable in this model is a dichotomous indicator for whether or not the bill became law. In order to account for Congress- and policy-level heterogeneity in the underlying likelihood that any given bill will go on to become law, I included a random effect for Congress and for policy area. In addition to my primary independent variable of interest—Bundled Bill—I include a number of other controls that may be associated with the likelihood that a bill becomes law. These are—an indicator for whether or not the bill is commemorative in nature, an indicator for whether or not the bill is sponsored by a member of the House majority party, an indicator for whether or not the bill has a bipartisan cosponsorship coalition, and an indicator for whether or not the bill was the subject of minority or dissenting views at the committee stage.

While the coefficient on the indicator for bundled bills is not statistically significant, it is positive—which is unexpected in light of Hypothesis 4. Although we cannot definitively say that these legislative packages are *less likely* to become law than other floor-considered bills, these results demonstrate that they certainly are not more likely to become law. Even this qualified finding suggests that this particular type of pre-floor bundling should be studied in a framework other than

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[6]These rates are calculated by the author based on data made available by the Congressional Bills Project (Adler & Wilkerson 2014).

Table 3.4: Estimating the Likelihood of Bill Enactment

	Dependent variable:
	Bill Enactment
Bundled Bill	0.861
	(0.566)
Majority Party Sponsor	−0.234
	(0.133)
Bipartisan Cosponsorsip Coalition	0.361*
	(0.122)
Commemorative Bill	1.802*
	(0.219)
Minority or Dissenting Views	−1.670*
	(0.246)
Constant	−0.770*
	(0.233)
Observations	1,868
Congress Random Effects	Yes
Policy Area Random Effects	Yes
Log Likelihood	−1,001.525

*p<0.05

Note: Coefficients are from a multilevel logistic regression with varying intercepts estimated by policy area and Congress. Standard errors are presented in parentheses below. The unit of analysis is a bill.

that developed for omnibus legislating, which is premised on an assumption that legislative vehicles nearly always become law.

Finally, I test Hypothesis 5, which states that the bills that end up becoming the vehicles for these legislative packages are more likely to be sponsored by committee chairs. To test this hypothesis, I fit a logistic regression on all bills that became part of these legislative packages constructed in the Rules Committee. The dependent variable in this model is an indicator of whether the bill was selected as the vehicle, or the H.R. number under which the package was ultimately considered on the floor. In addition to my primary independent variable of interest—an indicator for sponsor committee chair status—I also include an indicator for subcommittee chair status, and a continuous variable for sponsor seniority.

Table 3.5: Estimating Vehicle Bill Selection as a Function of Sponsor Characteristics

	Dependent variable:
	Vehicle Bill
Committee Chair	1.590
	(0.885)
Subcommittee Chair	−0.362
	(0.484)
Seniority	−0.099
	(0.089)
Constant	−0.930*
	(0.382)
Observations	126
Log Likelihood	−64.149

*p$<$0.05

Note: Coefficients are from a logistic regression. Standard errors are presented in parentheses below. The unit of analysis is a bill.

The results in Table 3.5 above do not demonstrate support for Hypothesis 5, as the coefficient on the committee chair indicator is positive, but misses the traditional threshold for statistical significance ($p = 0.073$). This finding raises questions about the basis upon which a vehicle bill is chosen. If sponsorship of a vehicle bill is desirable from a credit claiming standpoint, it might be the case that

the selection criteria has more to do with electoral need than with institutional position. Regardless, given the prominence of legislative effectiveness measures that allocate credit for bill advancement exclusively to the original sponsor of the bill (Volden & Wiseman 2014), it is important to work towards a better understanding of who gets to claim sponsorship of combined measures.

3.7   Conclusion

The use of special rules for consideration from the House Rules Committee to combine different bills together into one legislative package is a relatively recent development in congressional politics. In this chapter, I provide a systematic analysis of the use of this unorthodox procedure, demonstrating that it is used more as a partisan messaging tactic than as a strategy to enact favored policies into law. Bills that pit the two parties against each other in committee are more likely to be included in these legislative packages, which end up being more likely to garner a party unity vote when they move to the floor. These contentious legislative packages are no more likely to become law than bills that were brought to the House floor by themselves, which pushes back on the traditional logic ascribed to omnibus legislating.

One normative concern about this procedure is that it reduces the opportunities for deliberation in committee, since the legislative packages created in the Rules Committee are not able to be considered by a committee of jurisdiction in their ultimate form. That is to say, while some of the individual pieces of these legislative packages may have received committee consideration on their own, the package as a whole was never considered by a substantive committee. This chapter provides suggestive evidence that, in a tradeoff for this decrease of deliberative opportunity in committee, the rules under which these packages are considered are more likely to allow pre-cleared amendments on the floor.

While the use of special rules for consideration to bundle bills together certainly acts as a time-saving mechanism for majority party leadership, it is unlikely that efficiency is the only relevant concern motivating this procedural innovation. I posit that such rules are used strategically to reduce the number of times that cross-pressured members of the majority party have to cast votes on partisan priorities that may not be particularly popular in their districts. In addition to cutting down on the sheer number of times members are asked to take tough votes for their party, the use of the less

publicly salient Rules Committee to create these packages may help to obscure some of their less popular components. Future work in this area should focus more closely and directly on the intraparty bargaining, and the communications between party leaders and rank-and-file members, that go into the pre-floor construction of these packages.

CHAPTER 4: GATEKEEPING IN THE HOUSE RULES COMMITTEE

4.1 Introduction

The allocation of proposal rights in a legislative assembly has important implications for the internal divisions of influence within the chamber, the content of the legislative agenda, and, ultimately, the shape and thrust of public policy. While members in most legislatures are legally and constitutionally equals, they collectively create institutions that establish and reinforce unequal distributions of influence and power, affecting members' ability to advance their preferred policy proposals. One such institution, which has been the subject of much study within American politics, is the standing committee.

The members of standing committees in the U.S. Congress are believed to exercise special influence over issues within their policy jurisdictions, although the extent to which committees operate autonomously in these areas is disputed. Specifically in the House of Representatives, which is more procedurally-regimented than the Senate, the institutional bases of committee power are rooted in proposal rights and gatekeeping rights. Neither of these sets of rights is inviolable, but studying patterns in their use—conditions under which they are exerted or violated—helps to define the boundaries of committee power.

For example, scholarly debates about the discharge petition (Pearson & Schickler 2009, Cox & McCubbins 1993), a procedure by which a simple majority of legislators in the House can expel a bill from a recalcitrant committee to the floor, focus on bottom-up constraints on committee gatekeeping rights. Relatedly, studies that focus on committee bypass (Bendix 2016) or the extraction of bills from committee pursuant to a special rule reported by the Rules Committee, demonstrate that committee gatekeeping is also threatened by top-down, leadership-driven decisions. Jurisdictional battles between committees seeking to expand their issue turf (King 1997), combined with the strategic leadership use of multiple referrals, serve to limit any one committee's exclusive claim

of influence over a policy area. Committee gatekeeping ability, then, seems to be besieged on all sides—from the floor, from the majority party leadership, and from other committees.

Particularly in the modern era of partisan polarization, the lines between committee power and party power can be quite blurred. Committee chairs who would seek to bottle up majority party agenda items would not remain chairs for long—and legislators with preferences that are antithetical to majority party priorities would find it nearly impossible to become a chair in the first place. But while independent committee gatekeeping rights may be circumscribed—or even superfluous—in this era, the same does not have to be true of committee proposal rights. In the language of cartel theory, committees may no longer be able to exercise meaningful negative agenda power, independent of the majority party leadership, but that does not inherently stop committee members from seeking to use positive agenda power to advance preferred proposals.

The strongest form of committee proposal rights, or positive agenda power, would require the chamber to consider any proposal reported out of committee as a take-it-or-leave-it offer versus the status quo (Romer & Rosenthal 1978). Nothing like this exists in the current Congress, with the possible exception of certain bills reported out of the Appropriations Committee, and a select handful of other privileged resolutions.[1] Typically, in order for a bill reported out of committee to receive consideration on the floor, it would have to be assigned a special rule by the Rules Committee, or be brought to the floor under the supermajoritarian suspension of the rules procedure. Effectively, then, committee proposal rights are conditioned on the approval of other actors in the legislature.

In practice, the constraints on committee proposal rights may be exercised in both ex-ante and ex-post manners. Ex-ante constraints—those largely based in the anticipated reactions of the floor or the majority party leadership—may influence the behavior of committee members in ways that would be nearly-imperceptible in large-N quantitative analyses of bill advancement data. However, the exercise of ex-post constraints is much more easily observable. In this chapter, I examine ex-post constraints on committee proposal power by analyzing decisions about whether or not to bring committee-reported bills up for consideration on the floor. Using data from all House-sponsored bills favorably reported by a House standing committee from the 104th–114th Congresses (1995-2017), I

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[1]House Rule XIII, clause 5, allows the House Appropriations Committee to make a motion to bring appropriations bills to the floor without a special rule for consideration from the Rules Committee (Saturno et al. 2016).

test a number of hypotheses about how sponsor, committee, and Congress-level variables affect the likelihood of floor consideration.

My empirical strategy differs from much of the existing work on legislative organization, in that I focus on the more general decision of whether or not to bring a reported bill to the floor, as opposed to more specific decisions about special rule assignment (Krehbiel 1991, Sinclair 1994, Dion & Huber 1996, Marshall 2002, Roberts 2010). For my purposes, focusing on special rule assignment would effectively be selecting on the dependent variable, because, conditional on being assigned a special rule, the bills in question are almost undoubtedly headed to the floor. Since I am interested in ex-post constraints on committee proposal rights, I focus primarily on the more fundamental, and presumably prior, decision about whether to assign a rule at all.

The chapter will proceed as follows. First, I describe the process by which committee-reported legislation either reaches or fails to reach the House floor, reviewing the literature in this area and focusing on change and continuity in this process across time. I then develop my theoretical approach, and provide testable hypotheses. Next, I discuss my data on committee-reported bills from the 104th–114th Congresses (1995-2017), and present descriptive data on House committee and floor legislative activity during this period. I then move from descriptive data to an overview of my empirical tests of the relationship between Congress, committee, sponsor, and bill-level factors and the likelihood of floor consideration. After describing these tests, I present and discuss the results. Finally, I conclude with a discussion that situates the findings of this chapter within the literatures on legislative organization and agenda setting, and point out a number of avenues for future research.

4.2 Substantive Committees, the Rules Committee, and the Floor Agenda

When a committee favorably reports a bill, the members of that committee are recommending that the bill be taken up for consideration on the floor.[2] However, in the vast majority of cases, the report itself does not technically compel the floor to take up the bill. Generally, after a committee reports a bill, it must be assigned a special rule for consideration by the Rules Committee, or be brought to the floor by either unanimous consent or the supermajoritarian suspension of the rules procedure.

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[2]Of course, not all favorable committee reports are indicative of unanimous support among committee members. Members have the opportunity to write up minority or dissenting views detailing their opposition to the underlying legislation. Additionally, any roll call votes taken in committee are contained within the committee report, and those votes often reveal disagreement between committee members.

Because a motion to suspend the rules requires a two-thirds supermajority vote, this procedure is rarely used to consider legislation on which there is any substantial disagreement. Therefore, to be considered on the floor, most major legislation must rely on a special rule for consideration reported out of the Rules Committee and passed on the House floor. These special rules set the parameters for consideration of the underlying legislation, including time limits on debate and which amendments, if any, can be offered to the bill.

The House Rules Committee, then, is in a position to serve as a sort of upper-level gatekeeper between substantive committees and the House floor. Given this rather important role, much scholarship has focused on the extent to which the Rules Committee exercises its gatekeeping rights as an agent of the majority party leadership, an agent of the floor, or as an independent entity. While cartel theory (Cox & McCubbins 1993, 2005) holds that the Rules Committee unconditionally acts as an agent of majority party leadership, Conditional Party Government theory (Rohde 1991, Aldrich & Rohde 2001) posits that leadership control of the Rules Committee is conditional on the degree of ideological homogeneity within the majority party, and the degree of polarization between the two parties. On the other hand, Krehbiel's informational theory, and particularly the remote majoritarian principal, states that the Rules Committee—and all other committees—serve as agents of the floor (Krehbiel 1991).

While the distributive theory of legislative organization (Weingast & Marshall 1988) does not establish explicit expectations about the role of the Rules Committee, it has been interpreted to suggest that the committee should assign restrictive rules to pork-barrel legislation to sustain inter-committee logrolls. A voluminous literature has been devoted to empirically testing the propositions of informational, partisan, and distributive theories of legislative organization by analyzing the assignment of either restrictive or open rules to committee-reported legislation (Krehbiel 1991, Sinclair 1994, Dion & Huber 1996, Marshall 2002, Schickler & Pearson 2009, Roberts 2010). A full review of this literature is not necessary here, but one point in particular is worth emphasizing to better contextualize the work being presented in this chapter. In various different ways, this literature demonstrates that special attention needs to be paid to the broader political context in which committees, parties, and legislators are interacting—both when conducting analyses of multiple Congresses over time, and when conducting within-Congress analyses.

For my purposes here, the broader political context refers to the majority party and chamber rules governing committee assignment and service, the underlying preference distributions that sustain those rules, and the issue area dynamics that are relevant to institutional and procedural choice. Rules governing committee assignments and service have important implications for the extent to which the Rules Committee should be expected to operate as an independent power base, an arm of the majority party leadership, or an agent of the floor. However, even under similar sets of rules, the role of the Rules Committee relative to the majority party can change as ideological homogeneity within that party changes. Because changes in the underlying distribution of preferences across parties and legislators are not automatically and immediately translated into rules changes, there is room for a variety of different outcomes even as rules are held constant in the short term. Therefore, while majority party rules changes that have increased the responsiveness of the Rules Committee, and committees in general, to the preferences of the majority party are relevant to my analyses of recent Congresses, I do not assume that they perfectly and unilaterally determine outcomes.

Another important source of variation in the agenda setting role of the Rules Committee is the issue domain in which the substantive committee is operating. Even in polarized eras in which it is relatively safe to assume that the Rules Committee is operating more or less as an arm of the majority party leadership, rule assignment—or refusal to assign a rule—will likely vary based on the policy content of the underlying bill. Rohde (1994) discusses the variation in issue domains across substantive committees, and argues that the issue domain in which a committee operates has important implications for institutional choices about the composition of that committee, and for procedural choices about how the committee's bills are brought to the floor. For example, he expects that informational and distributive theories of legislative organization may be more apt in analyses of committees that rarely deal with issues on which the two parties disagree (Rohde 1994, pg. 355). When a committee frequently deals with partisan issues, on the other hand, majority party influence is likely to be a significant influence on the internal operations of the committee, and in decisions about how the committee's bills are dealt with by the Rules Committee (Rohde 1994, pg. 356).

Considerations about issue domains, House and majority party rules, and the distribution of policy preferences within and across parties are all important in considering questions about the agenda setting role of the House Rules Committee. Accordingly, I seek to integrate these considerations into my analyses that focus on one particular facet of Rules Committee agenda setting—selective

gatekeeping of bills reported favorably by substantive committees. The next section lays out my theoretical framework and expectations for these analyses.

4.3   Rules Committee Gatekeeping: A Theoretical Framework

In order to establish theoretical expectations for the exercise of gatekeeping rights by the Rules Committee, I need to make explicit a number of fundamental assumptions about the relationship between the Rules Committee and the majority party, as well as the goals pursued by the Rules Committee in the rule assignment process. First, I assume that, during the time period I study (104th–114th Congresses, 1995–2017), the Rules Committee acts as an agent of the majority party. During this time period, the conditions for active majority party leadership—intraparty homogeneity and interparty heterogeneity—are decidedly met.[3] Additionally, the caucus rules for House Democrats and the conference rules for House Republicans governing Rules Committee membership selection make it doubtful that the committee is acting autonomously.

If the Rules Committee is in fact acting as an agent of the majority party, what goals are majority party committee members pursuing in their agenda-setting capacity? Here I posit three general goals, and explore the interactions between them. One of these goals is to achieve non-median policy outcomes that are biased away from the floor median and towards the majority party median—and conversely to prevent the consideration of bills that would move policy away from the majority party median. Another goal is to facilitate the achievement of individual members' policy goals, and the broader governance goals of the party and the chamber, when doing so does not involve partisan disagreement. And thirdly, the Rules Committee seeks to protect the collective electoral goals of the majority party.

Two of these goals—achieving non-median policy outcomes and protecting the collective electoral goals of the majority party, interact in non-obvious ways when it comes to their effect on Rules Committee gatekeeping. The pursuit of non-median policy outcomes through the legislative process can impose electoral costs on marginal majority party legislators representing districts that lean towards the other party. Almost by definition, the passage of partisan legislation in the House

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[3]While the conditions laid out by the Conditional Party Government theory are more or less uniformly met during this time period, I do expect that Congress-to-Congress variations in these conditions have the potential to affect Rules Committee gatekeeping.

requires near-party-line votes, but legislators incur non-negligible electoral risks by casting these votes (Canes-Wrone et al. 2002, Carson et al. 2010, Nyhan et al. 2012, Bussing et al. 2020). Work by Lindstädt & Vander Wielen (2014), showing that majority party leaders are less likely to schedule votes on partisan legislation as an election approaches, demonstrates that House agenda setters strategically balance the pursuit of non-median policy with the electoral needs of majority party members.

The House Rules committee can aid the majority party's pursuit of non-median policy outcomes by assigning restrictive rules to bills that seek to move policy towards the majority party median, or by blocking bills that would seek to move policy away from the majority party median. The assignment of restrictive rules can be costly to the majority party leadership, as their passage on the floor requires the support of moderate majority party members who could achieve better policy outcomes in expectation under an open rule (Jenkins & Monroe 2012*a,b*). As Bussing & Treul (2021) argue, majority party leaders must be selective in deciding when to engage in the kind of intraparty negotiations necessary to pass legislation without support from the minority party.

In contrast to the costs associated with pursuing non-median policies, the Rules Committee can very easily facilitate the passage of legislation on which there is no substantial disagreement. In fact, most of the time, the passage of such legislation requires no action from the Rules Committee, as noncontroversial bills that are not the subject of partisan disagreement are often brought to the floor under suspension of the rules.[4] The efficient consideration of these bills facilitates the achievement of both individual and chamber goals, and blocking such bills from the floor would likely prove extremely unpopular.

While I assume that the Rules Committee can help the majority party to obtain non-median outcomes, for the reasons outlined above, I expect that the committee will be more likely to close

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[4]The Rules Committee actually can play some positive agenda setting role here, as special rules for consideration can make it in order to consider bills under suspension of the rules on specified days. For example, Section 2 of H. Res. 775 from the 113th Congress reads:

> It shall be in order at any time on the legislative day of December 11, 2014, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

There are also examples of special rules for consideration that name specific bills which can be brought up under suspension of the rules on a certain day.

the gates for reported bills that may generate a party-line vote if they were to reach the floor. Of course this is not an expectation that the Rules Committee will prevent any partisan legislation from reaching the floor, but simply a statement that the committee must be more discerning and selective when deciding *which* partisan proposals reach the floor. As will be discussed further below, I use the presence or absence of minority or dissenting views in a committee report as a pre-floor indicator of the partisan content of legislation. Therefore, Hypothesis 1 is stated as follows:

- *Hypothesis 1:* Legislation reported out of committee with minority or dissenting views will be less likely to receive floor consideration than less-divisive legislation.

Because I assume that one role of the Rules Committee, as an agent of the majority party, is to help prevent policy from moving away from the majority party median, I expect that the committee will be more likely to exercise its gatekeeping rights on bills that seek to do this. I settle on two alternative specifications for measuring a bill's ideological location—the first-dimension DW-NOMINATE score of the median majority party legislator on the committee that reported the bill, and the first-dimension DW-NOMINATE score of the bill's sponsor. Since not all bills tap into ideological differences between the two parties, regardless of the ideology of their sponsor or reporting committee, I also specify hypotheses for interaction terms below. The negative effect of ideological distance from the majority party median on the likelihood of floor consideration should be exacerbated for partisan legislation.[5] In regard to the committee-specific hypotheses, majority party leaders can look to committee reports for information about how a bill is likely to fare on the floor, and whether or not a bill would require leadership involvement. This information may be helpful in deciding whether or not to bring a given bill to the floor. However, when bills are reported by committees that are not particularly representative of the majority party on the floor, party leaders may view these committee reports with a heightened degree of skepticism—particularly when they contain minority or dissenting views. Accordingly, the following hypotheses are stated:

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[5]Even though partisan legislation sponsored by a majority party member would likely be seeking to move policy away from the floor median and towards the majority party median, the cost and difficulty of passing such a proposal on the floor increases with the ideological distance between the bill's sponsor (or reporting committee) and the majority party median.

- *Hypothesis 2:* The likelihood of floor consideration for reported legislation will decrease as the ideological distance between the majority party contingent of the reporting committee and the majority party floor median increases.

- *Hypothesis 2a:* The negative effect of the ideological distance between the majority party contingent of the reporting committee and the majority party floor median will be larger for legislation with minority or dissenting views.

- *Hypothesis 3:* The likelihood of floor consideration for reported legislation will decrease as the ideological distance between the bill sponsor and the majority party median increases.

- *Hypothesis 3a:* The negative effect of the ideological distance between the bill sponsor and the majority party floor median will be larger for legislation with minority or dissenting views.

Additionally, I test two Congress-level factors that I hypothesize may affect the gatekeeping role of the Rules Committee in the House. First, I anticipate that the degree of majority party heterogeneity should affect the likelihood of floor consideration for partisan legislation. Specifically, when partisan majorities are more ideologically homogeneous, the Rules Committee should be more likely to bring bills with minority or dissenting bills to the floor. However, as ideological homogeneity within the majority party decreases, such bills should become less likely to receive consideration on the floor. As discussed above, passage of partisan legislation entails electoral costs for certain majority party members, as well as negotiation costs that are incurred by the party leadership. These costs should be lower when the majority party is more homogeneous, and should increase as the party becomes less cohesive. Therefore, Hypothesis 4 states:

- *Hypothesis 4:* The likelihood of floor consideration for legislation reported with minority or dissenting views should decrease as the ideological homogeneity of the majority party decreases.

Finally, I hypothesize that the patterns of floor consideration for committee-reported bills will be different depending on whether the Republican or Democratic Party holds the majority in the House. The House tends to be much more active in terms of the volume of legislation processed and number of committee hearings held under Democratic leadership than under Republican leadership

76

(Grossman & Hopkins 2016, ch. 6). This may be reflective of the ideological tendency of the Democratic Party to seek to address social problems through government intervention, and the countervailing tendency of the Republican Party to try to shrink the role of the federal government. Tellingly, in 2013 John Boehner (R-OH), then serving as Speaker of the House, stated his belief in a CBS interview that his Republican majority "should not be judged on how many new laws we create. We ought to be judged on how many laws we repeal" (O'Brien 2013). While the refusal by the Rules Committee to grant a special rule for consideration to a committee-reported bill is not equivalent to repealing legislation, this gatekeeping behavior does certainly slow the legislative productivity of the House. I expect that the Rules Committee will be more active in this gatekeeping role during Republican majorities than during Democratic majorities. Therefore, Hypothesis 5 states:

- *Hypothesis 5:* Committee-reported legislation will be less likely to be given floor consideration under Republican majorities than under Democratic majorities.

4.4 Descriptive Data

In this section, I review descriptive data on committee and floor activity from the 104th–114th Congresses, emphasizing general patterns. Table 4.1, below, provides an overview of the volume of committee reported legislation by Congress, and the frequency with which such legislation receives floor consideration. The percentages in the far-right Floor Rate column demonstrate that a favorable report by a standing committee does not guarantee floor consideration. Proposal rights of standing committees, then, are clearly circumscribed during this period.

Table 4.1: Floor Consideration Trends for Committee-Reported Bills

	Bills Considered on Floor	Bills Not Considered on Floor	Floor Rate
104th Congress	395	95	81%
105th Congress	391	94	81%
106th Congress	448	139	76%
107th Congress	350	126	74%
108th Congress	347	141	73%
109th Congress	278	130	68%
110th Congress	515	103	83%
111th Congress	340	93	79%
112th Congress	305	175	64%
113th Congress	341	187	65%
114th Congress	497	204	71%

Note: This table only includes information on House-sponsored bills that were favorably reported from committee. The 'Floor Rate' column shows the percentage of committee-reported bills that were given floor consideration.

Another trend to note from Table 4.1 is that the Congresses during which committee-reported bills were considered at the highest frequencies were those in which partisan control of the chamber had switched hands. During the 104th and 105th Congresses (1995-1999), the first Republican-majority Houses in 40 years, 81% of all bills that were reported favorably from committee received consideration on the floor. This is only surpassed during my period of study in the 110th Congress, when the Democratic Party took back the House majority, and 83% of all committee-reported bills were considered on the floor. This pattern of elevated floor consideration rates, and therefore decreased Rules Committee gatekeeping activity, after a change in partisan control points to the fluctuating contextual salience of policy goals. It could be the case that majority party members on the substantive committees and the Rules Committee are more likely to agree on policy when they are seeking to overturn policy changes that occurred while they were in the minority.

The one conspicuous outlier to this trend is the 112th Congress (2011-2013), which saw the Republicans retake the House majority in the 2010 midterm election. During this Congress, only 64% of bills that were favorably reported out of committee made it to the House floor—the lowest observed rate in the period of this study. The next Congress, during which Speaker Boehner expressed his hope that his party would be judged more by its repealing efforts than by its legislative productivity, the

floor consideration rate for committee-reported bills was 65%. The Rules Committee during this more recent period of Republican majorities was declining to assign special rules for consideration to over one-third of bills that were favorably reported by a substantive committee. This seemingly-enhanced gatekeeping role is possibly reflective both of the ideological commitments of the Republican Party to a more limited role for the federal government, and of an increasingly-prominent split within the party between Tea Party conservatives and more establishment Republicans.

While the descriptive data in Table 4.1 is not sufficient to support or reject Hypothesis 5, about the differences between Republican and Democratic majorities, it does provide suggestive evidence that the Rules Committee is more likely to block committee-reported legislation when the House is run by Republicans. With the exception of high rates of floor consideration during the 104th and 105th Congresses, the Rules Committee in almost all Republican majorities in the data blocks over a quarter of committee-reported bills from the floor. However, given the variation that exists across Congresses, as well as the importance of other considerations discussed in the previous section, it may be informative to condition on other factors in multivariate analyses of the data.

4.4.1   Committee-Level Data

Different committees in the House deal with different types of policy issues and, partially as a function of their different issue portfolios, have varying relationships with the majority party leadership. As Rohde (1994) and Sinclair (1994) argue, majority party leadership is more likely to get involved in committee business—and questions of how to handle reported legislation on the floor—when a committee frequently deals with issues that are the subject of partisan disagreement. While party leadership involvement may be evident in the reporting of restrictive rules from the Rules Committee to protect partisan bills from amendment on the floor, leadership involvement also might be seen in exercises of Rules Committee gatekeeping. As discussed above, the Rules Committee can help the majority party to achieve non-median policy outcomes through the strategic assignment of restrictive rules, but it also can perform a protective role with regard to members' electoral prospects by keeping some partisan bills from the floor.

Figure 4.1, below, shows the number of H.R. bills that each standing committee reported to the floor in each Congress from the 104th–114th. The data here are restricted to bills that are only referred to one committee, and excludes multiply-referred bills, in order to focus more exclusively on bill

reports that can be attributed to only one committee. Reported bills are color-coded grey if they were reported without minority or dissenting views attached, and black if they were reported with minority or dissenting views attached. This categorization is meant to provide a sense of the proportion of a given committee's legislative agenda devoted to issues on which the two parties disagree.

Figure 4.1: Committee Reporting Activity, 104th–114th Congress
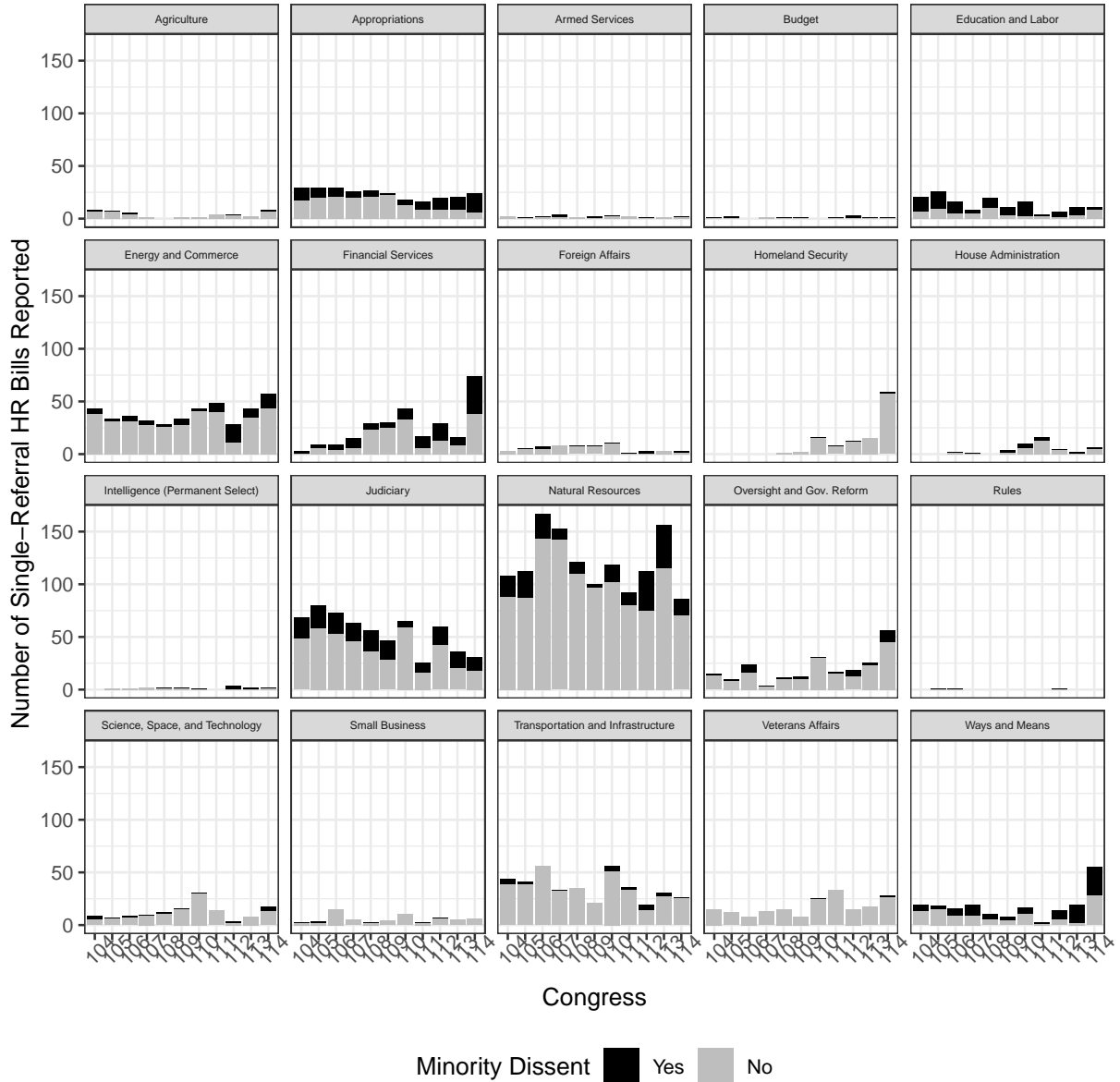
Note: This figure was constructed using data collected by the author from congress.gov. Bills that were referred to multiple committees are excluded from the figure.

Figure 4.1 gives a sense of the variation that exists across committees both in volume of legislation processed, and in the partisan content of legislation dealt with by each committee. For example, the House Natural Resources committee regularly reports out over 100 bills per Congress, but the vast majority of those bills deal with issues that do not provoke partisan disagreement. On the other hand, the House Committee on Education and Labor deals with a much smaller legislative agenda, but much of that agenda deals with partisan issues. Committees like Veterans' Affairs, Agriculture, Small Business, Foreign Affairs, and Science, Space, and Technology also have relatively small legislative agendas, but almost never report out legislation on which the two parties disagree.

These systematic differences in the issue portfolios of substantive committees should be associated with different floor consideration rates for the bills reported by those committees. Figure 4.2 below depicts the bivariate relationship between the proportion of reported bills with minority or dissenting views and the proportion of bills that are considered on the floor, by committee. Since the unit of analysis here is a committee-Congress pair, this simple analysis cannot directly speak to bill-level factors that may be associated with floor consideration. Therefore, this descriptive data cannot support or reject Hypothesis 1, about the relationship between bill-level partisan disagreement and floor consideration. However, it does provide suggestive evidence that the Rules Committee engages in more discerning gatekeeping when dealing with bills reported by committees that frequently deal with partisan issues.

Figure 4.2: Prevalence of Partisan Disagreement and Floor Consideration Rate by Committee
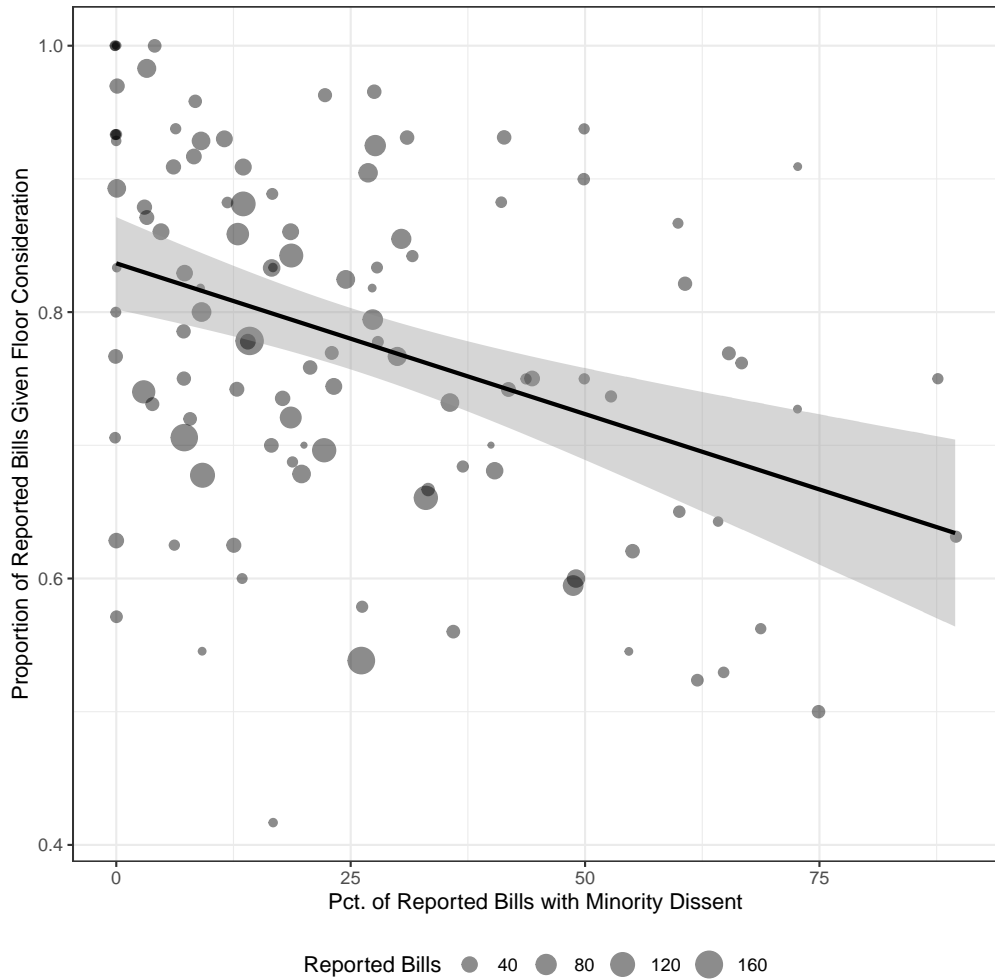
Note: Dots represent committee-Congress pairs. Only committees that favorably reported at least 10 bills to the floor in the course of a Congress are included. Dots are sized proportionally to the number of bills reported by each committee in each Congress. The regression line, with 95% confidence intervals on either side, is produced from a bivariate regression of the floor consideration rate for committee-reported bills on the proportion of committee-reported bills with minority or dissenting views attached to the committee report.

Because my hypotheses deal with Congress-level, committee-level, bill-level, and sponsor-level data, they can be more directly tested through multilevel regression on bill-level data. The descriptive data presented in this section reveal suggestive relationships between key variables, but more rigorous analyses is needed to fully test my hypotheses. The details of those analyses are covered in the next section.

4.5 Data and Methods

I consider a dataset of all H.R. bills that are favorably reported by House committees from the 104th–114th Congresses. The data are hierarchical in structure, with bills nested within sponsors, committees, and Congresses. Because my hypotheses deal in some way or another with each of these levels—and in some cases, with the interactions between them—I opt for a multilevel regression approach. In all models presented below, the dependent variable is a dichotomous indicator of whether or not a bill is given consideration on the House floor.[6] Given the dichotomous nature of the outcome of interest, the models presented below are logistic regression models. Unless otherwise noted, all models include random effects for the primary committee to which the bill was referred, as well as the Congress in which the bill was introduced.

4.5.1 Independent Variables

Because a number of my hypotheses deal with the partisan content of legislation, I need a measure of whether or not a bill deals with an issue on which there is disagreement between the two parties. Importantly, I cannot rely on floor votes to inform my choice, as my outcome of interest is whether or not a bill is given consideration on the floor. While previous literature has inferred this bill-level characteristic from information on each bill's cosponsorship coalition (Harbridge 2015), I opt for a more direct indicator—whether or not there were minority or dissenting views attached to the committee report for the bill. This dichotomous indicator provides a pre-floor bill-level measure of partisan disagreement.

Additionally, as mentioned above, Hypotheses 2, 2a, 3 and 3a leverage committee and sponsor data in order to make inferences about bill-level information. In models presented below, I use a committee-level ideological measure of the absolute distance between the first-dimension DW-NOMINATE score of the median majority party member of the reporting committee and the first-

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[6]It is important to note that this indicator is not a direct measure of whether or not a bill was assigned a special rule for consideration from the Rules Committee, as committee-reported bills can be brought to the floor under suspension of the rules. However, it is the case that every bill in my dataset that was assigned a special rule for consideration was considered on the floor—although a small handful of these bills were pulled from the floor without receiving a vote on passage. Therefore, at least in the data being analyzed here, being assigned a special rule for consideration is a sufficient, but not a necessary, condition for receiving floor consideration. I assume that bills that did not reach the floor failed to do so because they were not assigned a special rule for consideration by the Rules Committee.

dimension DW-NOMINATE score of the median member of the majority party on the floor.[7] In other models, I use a sponsor-level ideological measure of the absolute distance between the the first-dimension DW-NOMINATE score of the bill sponsor and the the first-dimension DW-NOMINATE score of the median member of the majority party on the floor. These variables provide alternative methods of measuring the extent to which the bill in question seeks to move policy closer to or farther from the majority party median.[8] While these measures may be tapping into a similar concept as the indicator that I use for partisan legislation, they provide information that is distinct from that dichotomous measure. For example, a partisan bill sponsored by an ideologically extreme majority party member would likely be treated differently by the Rules Committee than a noncontroversial bill sponsored by the same member.

The Congress-level variables that I use to test Hypotheses 4 and 5 are fairly straightforward. The majority party ideological dispersion measure that I use to test Hypothesis 4 is constructed by taking the standard deviation of the first-dimension DW-NOMINATE scores of all majority party members in a given Congress. To test Hypothesis 5, I include a dichotomous indicator for Congresses with a Democratic majority.[9]

I also include a number of other covariates that may be associated with the likelihood of floor consideration for reported legislation. I include a dichotomous indicator of whether the bill is commemorative in nature, as noncontroversial commemorative legislation which can be quickly processed may be more likely to reach the floor.[10] Additionally I include a Bipartisan Cosponsorship Coalition indicator variable that is coded 1 if at least 20% of a bill's original cosponsors are from

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[7]The use of DW-NOMINATE scores here is potentially problematic. These scores are derived from the roll call record, but if that record is strategically constructed based on the underlying preferences of party members, as I argue here, then roll call based measures of ideology may be misleading. In the absence of readily-available and obviously-superior measures of member ideology, however, I cautiously move ahead with DW-NOMINATE—and note that tackling this endogeneity problem may be a fruitful avenue for future measurement-oriented work.

[8]These measures are not perfect, as they rely on assumptions about the ideological location of the status quo policy, which are difficult to verify. However, these ideological distance variables should still provide meaningful information about how, or whether, reported bills are likely to be considered on the floor.

[9]This variable is equal to 1 for the 110th and 111th Congresses, and 0 for all other Congresses.

[10]Using the list provided in Volden & Wiseman (2014) as a starting place, I used a search for the following words in bill descriptions given by the Congressional Bills Project (Adler & Wilkerson 2014) to identify commemorative measures: commemorat-, commending, for the relief of, medal, posthumous, public holiday, to designate, to encourage, to rename, to name, to redesignate, retention of the name, congratulat-, honoring, recogniz-.

the opposite party of the bill sponsor, and 0 otherwise. I borrow the 20% threshold from Harbridge (2015), who uses the partisan composition of a bill's cosponsorship coalition to identify bills that have bipartisan support. Bipartisan support of legislation may indicate easy passage on the floor, lack of electoral risk to members, and lack of necessity for majority party leadership involvement. Therefore, such bills may have a higher baseline likelihood of being considered on the floor. Finally, I include a (scaled) continuous variable of the number of days left in the meeting of Congress after the bill was reported from committee. If time is a factor in Rules Committee decisions to send committee-reported legislation to the floor, I want to account for variation in floor consideration that may be attributable to time concerns. Finally, I include an indicator for whether or not the bill sponsor is a member of the majority party.

4.6   Results

Table 4.2 below presents the results of models designed to test Hypotheses 1–3a. To review, Hypothesis 1 posits that bills reported out of committee with minority or dissenting views are less likely to be considered on the floor. Hypothesis 2 states that bills reported by committees that are less representative of the majority party will also be less likely to be given consideration on the floor, and Hypothesis 2a states that the negative committee-level effect will be accentuated for partisan legislation reported with minority or dissenting views. Finally, Hypothesis 3 holds that the likelihood of floor consideration will decrease as a function of the ideological distance between the bill sponsor and the majority party median, and Hypothesis 3a posits that this sponsor-level effect will be accentuated for partisan legisation reported with minority or dissenting views.

Table 4.2: Estimating the Likelihood of Floor Consideration for Reported Bills

	Dependent variable:				
	Floor Consideration				
	Hyp. 1	Hyp. 2	Hyp. 2a	Hyp. 3	Hyp. 3a
Minority or Dissenting Views	−1.211*	−1.423*	−1.233*	−1.215*	−1.052*
	(0.079)	(0.094)	(0.158)	(0.079)	(0.105)
Abs. Dist. (Cmte. Maj. Median - Floor Maj. Median)		0.974	2.237		
		(1.487)	(1.719)		
Minority or Dissenting Views X Abs. Dist. (Cmte. Maj. Median - Floor Maj. Median)			−3.792		
			(2.547)		
Abs. Dist. (Sponsor - Floor Maj. Median)				−0.281	0.0001
				(0.338)	(0.359)
Minority or Dissenting Views X Abs. Dist. (Sponsor - Floor Maj. Median)					−1.185*
					(0.506)
Bipartisan Cosponsorship Coalition	0.043	0.040	0.038	0.042	0.052
	(0.080)	(0.097)	(0.097)	(0.081)	(0.081)
Majority Party Sponsor	0.134	0.130	0.135	−0.087	0.061
	(0.093)	(0.106)	(0.106)	(0.248)	(0.256)
Days Left in Congress (Scaled)	0.512*	0.518*	0.517*	0.515*	0.515*
	(0.034)	(0.041)	(0.041)	(0.035)	(0.035)
Commemorative Bill	0.492*	0.300	0.303	0.501*	0.489*
	(0.206)	(0.222)	(0.222)	(0.208)	(0.208)
Constant	1.402*	1.683*	1.615*	1.661*	1.460*
	(0.175)	(0.226)	(0.229)	(0.324)	(0.335)
Congress-Level Random Effects	Yes	Yes	Yes	Yes	Yes
Committee-Level Random Effects	Yes	Yes	Yes	Yes	Yes
Observations	5,684	4,558	4,558	5,582	5,582
Log Likelihood	−2,939.843	−2,162.523	−2,161.417	−2,884.731	−2,881.916

*p<0.05

Note: The columns of this table present coefficients from multilevel logistic regressions with varying intercepts estimated at the committee and Congress level. Standard errors are listed below the coefficients in parentheses. The unit of analysis for all models is a bill. The $N = 5,684$ for the model in the first column includes the entire bill-level dataset. The $N = 4,558$ for the second and third models only includes single-referral bills. Multiple-referral bills are excluded from these models because of the inclusion of a committee-level covariate. These models seek to estimate the effect of relative committee ideology on the likelihood of floor consideration for committee-reported bills, so it is important to focus on bills that are reported by only one committee. The $N = 5,582$ in the fourth and fifth columns represents the loss of bills sponsored by territorial delegates, who do not have DW-NOMINATE scores.

The models above demonstrate strong support for Hypothesis 1.[11] The coefficient on the Minority or Dissenting Views indicator variable is negative and statistically significant in the model in the first column, meant to directly test the hypothesis, as well as in all other models. This finding suggests that much of Rules Committee gatekeeping functions to keep contentious partisan legislation off the floor. While this may seem counterproductive to the assumed goal of helping the majority party achieve non-median policy outcomes, it is in line with an electorally-oriented strategy that seeks to protect members from too frequently having to take potentially risky party line votes. Additionally, this gatekeeping strategy may be reflective of constraints on the capacity of majority leadership to engage in pre-floor intraparty negotiations. During the modern era I study, majority party leaders hold some degree of delegated authority to exercise positive agenda power—but there are limits on that authority. The Rules Committee, then, may selectively usher some partisan bills to the floor when party leaders are willing and able to work for their passage, but more frequently screen such legislation from reaching the floor.

Hypotheses 2 and 2a are not supported by the results presented above. Looking at the second model in Table 4.2 (Hyp. 2), the coefficient on the reporting committee ideological distance measure is not in the expected direction, although it is also not statistically significant. In the third model (Hyp. 2a), the coefficient on the interaction term between Minority or Dissenting Views and the committee ideological distance measure is in the expected direction, but does not attain statistical significance. Hypotheses 2 and 2a were premised on the idea that the Rules Committee may view favorable committee reports with heightened scrutiny when they came from committees that were not particularly representative of the majority party. Based on the evidence from the two models discussed, there is not a strong basis of support for these hypotheses.

Hypothesis 3, which expects that the likelihood of floor consideration is decreasing as a function of the ideological distance between the bill sponsor and the majority party median, is not supported

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[11]Given the fluctuations of floor consideration rates across Congresses evident in Table 4.1 above, as well as my expectations about differences between Republican and Democratic majorities, I test Hypotheses 1–3a on different subsets of the data in Appendix D. I test each hypothesis separately on Democratic majorities (110th and 111th Congresses), all Republican majorities (104th–109th and 112th–114th Congresses, pooled), and the earlier (104th–109th Congresses) and later (112th–114th Congresses) Republican majorities. The results are substantively similar, with some interesting differences. For example, a model fit on data from the Democratic majorities (110th and 111th Congresses) found support for Hypothesis 2a, and the support for Hypotheses 3 and 3a seem to be largely driven by Republican majorities. All results can be found in Appendix D.

by the fourth model in Table 4.2 (Hyp. 3). While the coefficient on the variable for sponsor ideological distance is in the expected negative direction, it is not statistically signifcant. However, Hypothesis 3a, which states that the expected negative effect of sponsor ideological distance on the likelihood of floor consideration should be stronger for partisan legislation, is supported by the results of the fifth model (Hyp. 3a). The coefficient on the interaction term between the Minority or Dissenting Views indicator and the sponsor ideological distance measure is negative and statistically significant. The plot in Figure 4.3 below depicts this interaction effect, with a rugplot on the x-axis showing the density of bill sponsors across the relative ideological distance dimension. The interaction plot demonstrates that the ideological distance between a bill sponsor and the majority party median negatively affects the likelihood of floor consideration for bills reported out with minority or dissenting views, but does not affect the likelihood of floor consideration for non-controversial bills.

Figure 4.3: The Conditional Effect of Sponsor Ideological Distance on the Likelihood of Floor Consideration
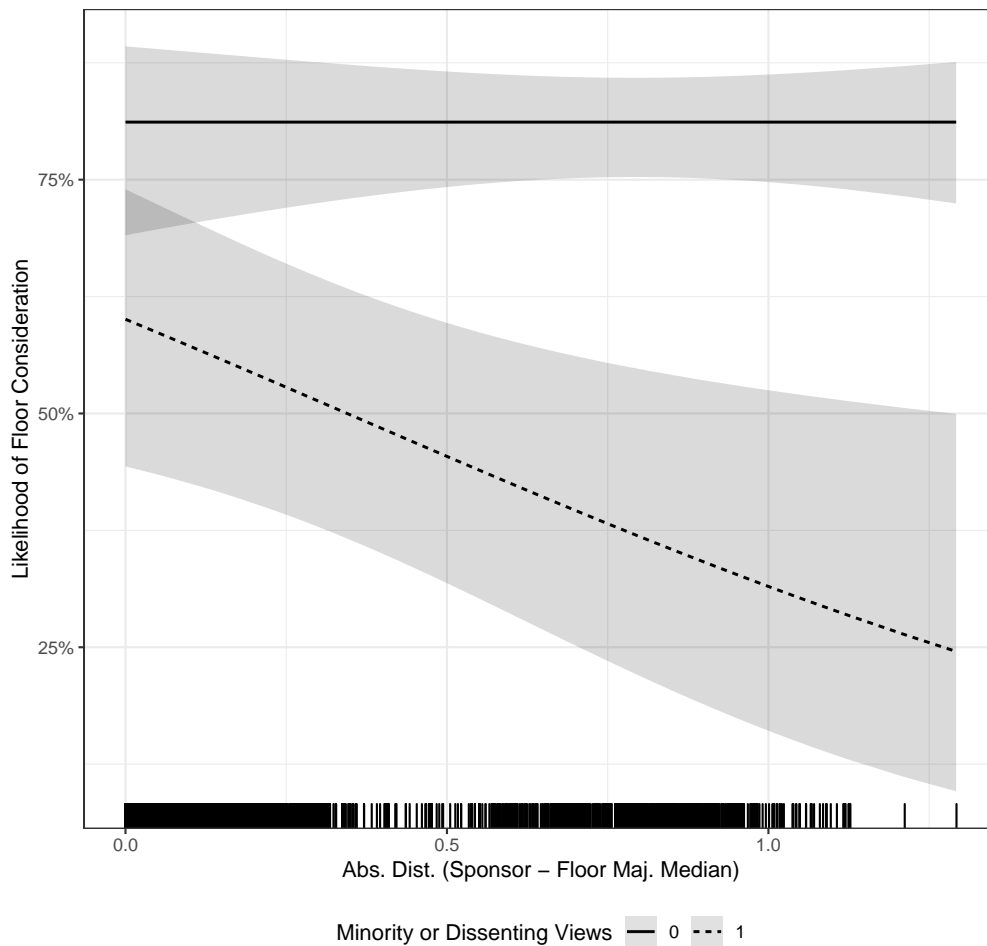
Hypotheses 4 and 5, which both deal with Congress-level variables, are tested in models presented in Table 4.3 below. The first model in Table 4.3 (Hyp. 4) tests Hypothesis 4 by including an interaction term between the variable measuring the ideological dispersion of the majority party in each Congress and the bill-level Minority or Dissenting Views indicator. The results of this model provide support for Hypothesis 4, as the coefficient on the interaction effect is negative and statistically signifcant. This suggests that partisan bills are less likely to be brought to the floor during Congresses in which the majority party is relatively ideologically heterogeneous. While congressional parties in the House are generally characterized by high levels of ideological homogeneity in the period of my study, this finding suggests that even small variations in ideological homogeneity

may be relevant in decisions about whether to bring partisan legislation to the floor.

Table 4.3: Estimating the Likelihood of Floor Consideration for Reported Bills, Congress-Level Hypotheses

	Dependent variable:	
	Floor Consideration	
	Hyp. 4	Hyp. 5
Minority or Dissenting Views	−1.181*	−1.208*
	(0.080)	(0.079)
Maj. Party Ideological Dispersion (Scaled)	0.020	
	(0.092)	
Minority or Dissenting Views X	−0.221*	
Maj. Party Ideological Dispersion (Scaled)	(0.080)	
Democratic Majority		0.363
(110th & 111th Congresses)		(0.189)
Bipartisan Cosponsorship Coalition	0.044	0.049
	(0.080)	(0.080)
Majority Party Sponsor	0.138	0.134
	(0.093)	(0.093)
Days Left in Congress	0.516*	0.511*
	(0.035)	(0.034)
Commemorative Bill	0.479*	0.496*
	(0.206)	(0.206)
Constant	1.401*	1.330*
	(0.176)	(0.174)
Congress-Level Random Effects	Yes	Yes
Committee-Level Random Effects	Yes	Yes
Observations	5,684	5,684
Log Likelihood	−2,935.891	−2,938.265

$^*p<0.05$

Note: The columns of this table present coefficients from multilevel logistic regressions with varying intercepts estimated at the committee and Congress level. Standard errors are listed below the coefficients in parentheses. The unit of analysis for all models is a bill.

The plot in Figure 4.4 below depicts the interaction from the Hyp. 4 model in Table 4.3. The majority party ideological dispersion variable is measured as the standard deviation of the first-

dimension DW-NOMINATE scores of the majority party members in each Congress, such that lower values indicate more homogeneity and higher values indicate more dispersion. The variable is scaled in the plot below, with negative numbers indicating the Congresses in which majority parties were more homogeneous than average, and positive numbers indicating the Congresses in which majority parties were more dispersed than average. The rugplot on the x-axis shows the location of each Congress on the majority party dispersion dimension. The Democratic majority in the 110th Congress (2007-2009) is on the far left of the plot as the most homogeneous majority party, while the Republican majority in the 104th Congress is on the far right of the plot as the least homogeneous majority party.

Figure 4.4: The Conditional Effect of Majority Party Dispersion on the Likelihood of Floor Consideration
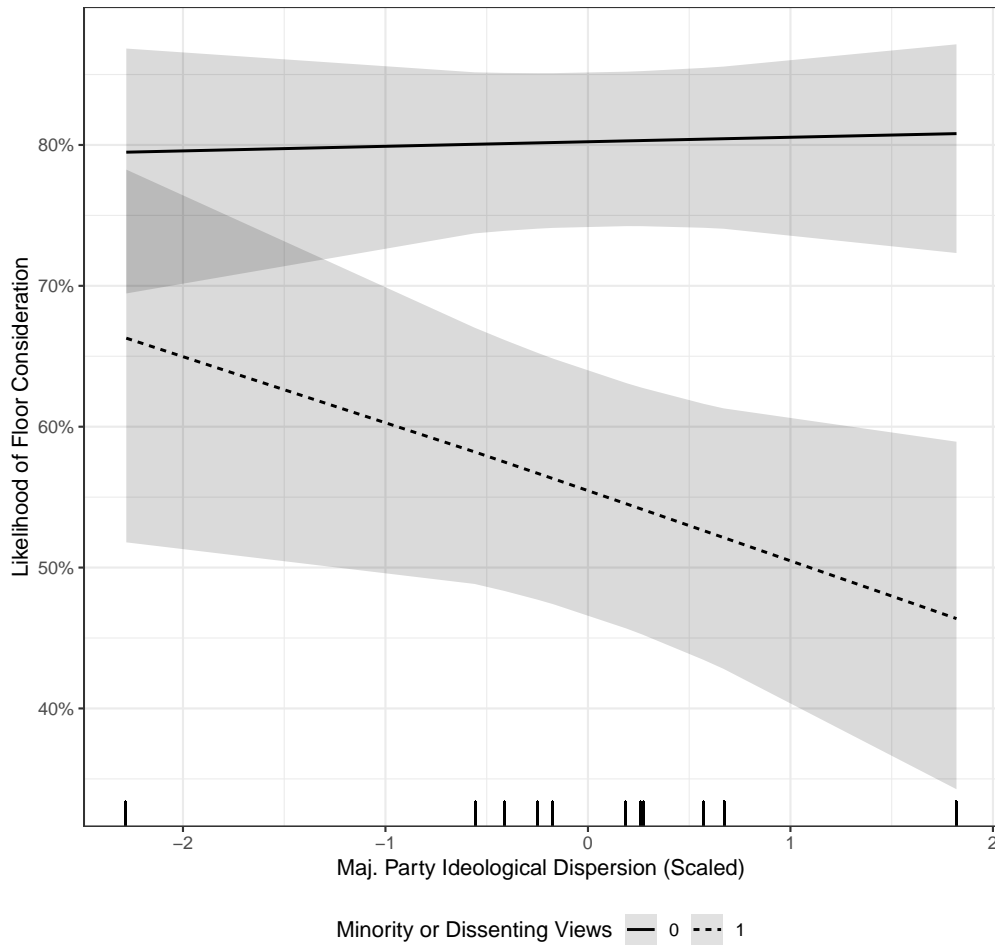
The results of the second model (Hyp. 5) in Table 4.3, above, do not provide strong support for Hypothesis 5, which posited that Congresses with Democratic majorities would see committee-reported legislation brought to the floor at higher rates than Congresses with Republican majorities. The hypothesis was tested by including an indicator variable for Congresses with Democratic majorities, and while the coefficient on this variable is in the expected positive direction, it narrowly misses traditional levels of statistical significance ($p = 0.055$).

4.7   Conclusion

The analyses presented in this chapter provide insights into the gatekeeping role of the House Rules Committee. I find that partisan bills, rather than always being ushered to the floor under restrictive rules, are more likely to be held back from floor consideration than bills with bipartisan support. Additionally, I find that the likelihood of floor consideration for partisan bills is decreasing as a function of the ideological distance between the bill sponsor and the majority party median. This particular finding suggests two interesting explanations, which may not be mutually exclusive. The first is that the Rules Committee refuses to grant rules for consideration to bills that would move policy away from the majority party median. The second is that the committee gatekeeps some bills that would move policy *towards* the majority party median, because floor votes on those bills would be electorally risky for some majority party members, or impose excessive transaction costs on majority party leaders seeking to build the coalition for passage.

I also demonstrate that the likelihood of floor consideration for partisan legislation is increasing as a function of majority party ideological homogeneity. While the range of this variable is fairly restricted in the 11 Congresses I study, this finding suggests that even small variations in majority party cohesion can be relevant to decisions about which bills to bring to the floor. Future work in this area could extend the data back in time in order to encompass much more variation in the degree of majority party ideological homogeneity. This may also be a fruitful direction for determining how variation in intraparty homogeneity and interparty heterogeneity affect Rules Committee gatekeeping.

I devote the remainder of this conclusion section to the discussion of a lingering theoretical question about committee-reported legislation that is not considered on the floor. Across the time period I study, over a quarter of all bills that were favorably reported by House committees were

never taken up on the House floor. Without historical baselines, it is impossible to say whether this is a particularly high or low rate of floor consideration for committee-reported bills. However, it does suggest a certain level of inefficiency in the legislative process of the House. If substantive committees and the Rules Committee all operate as agents of an ideologically homogeneous majority party, what can account for the occurrence of favorably reported bills being kept from the floor?

One likely explanation is that legislators have imperfect information about the preferences of their colleagues (Cameron 2000). Legislation may be reported out of a committee based on the chair's belief that it will be brought to the floor. However, in some cases this belief may be incorrect, and the legislation—reported based on the chair's mistaken assumption that it would be considered and passed on the floor—never makes it there.

Another possible explanation is that bills are reported out of committee without regard to whether or not they will be considered on the floor. Committee chairs and other committee members may benefit from position-taking on reported legislation, even if that legislation is never considered on the floor. However, the suggestion that there are majority party members who would benefit from position-taking on bills that the party leadership would prefer to keep from the floor implies some degree of preference heterogeneity within the party. Under this framework, the gatekeeping capacity of the Rules Committee protects the collective reputation of the majority party by screening unrepresentative legislative proposals from the floor. At the same time, it allows the legislators who would sponsor such unrepresentative proposals—and the committee members who would report them—the opportunity to burnish their individual reputations without tarnishing the party's.

However, this particular equilibrium is only stable given certain assumptions about members' motivations. The hypothetical legislators I have described above, content to work on perpetually-doomed legislation outside the mainstream of their party, could be characterized as single-minded seekers of reelection, hewing to the maxim that "the electoral payment is for positions, not for effects" (Mayhew 1974, pg. 146). On the other hand, if members are also motivated to make good public policy (Fenno 1973), they may not acquiesce for long to a Rules Committee that keeps their policy proposals from the House floor.

The occurrence of Rules Committee gatekeeping suggests a certain level disagreement within the majority party, over policies, priorities, or both. Gatekeeping itself can suppress these disagreements by preventing them from reaching the House floor—thereby perpetuating an external perception of

party cohesion. But how can political scientists and congressional observers determine the extent to which the cohesion of the majority party is genuine, and how much of it is manufactured through strategic pre-floor agenda setting? This is an important and vexing question, because the ability of the majority party leadership to engage in strategic pre-floor agenda setting is premised upon a certain degree of party cohesion. Therefore, majority party cohesion both produces and is produced by leadership-driven agenda setting processes such as Rules Committee gatekeeping. Future work should seek to resolve this tautology in order to better understand intraparty dynamics in a polarized era.

APPENDIX A: DESCRIPTIVE STATISTICS AND COMMEMORATIVE BILL CODING, CH. 2

A.1 Descriptive Statistics

Table A.1: Descriptive Statistics

Statistic	N	Mean	St. Dev.	Min	Pctl(25)	Pctl(75)	Max
Suspension Bills	7,707	1.253	2.118	0	0	2	24
Previous Vote Share (Scaled)	7,707	0.004	0.976	−1.592	−0.783	0.653	3.337
Seniority (Scaled)	7,707	−0.028	0.987	−1.048	−0.803	0.423	6.063
Bills Introduced (Scaled)	7,707	0.015	1.009	−0.939	−0.550	0.227	13.388
Percent Restrictive Rules (Scaled)	7,707	0.004	1.007	−1.631	−0.545	0.504	2.185
Margin of Control (Scaled)	7,707	−0.002	1.001	−1.325	−0.862	0.527	2.008
Tot. Bills Passed by Non-Susp. Routes (Scaled)	7,707	−0.003	1.007	−1.392	−0.582	0.386	2.146
Tot. Bills Considered (Scaled)	7,707	−0.014	1.005	−1.544	−0.521	0.434	2.667

A.2 Words Used to Identify Commemorative Bills

Using the list provided in Volden & Wiseman (2014) as a starting place, I used a search for the following words in bill descriptions given by the Congressional Bills Project (Adler & Wilkerson 2014) to identify commemorative measures:

commemorat-, commending, for the relief of, medal, posthumous, public holiday, to designate, to encourage, to rename, to name, to redesignate, retention of the name, congratulat-, honoring, recogniz-

APPENDIX B: SUPPLEMENTAL APPENDIX, CH. 2

B.1 Supplemental Appendix

Table 1 below reports results of robustness check models, which include three independent variables not included in the models presented in the main paper. The first of these (Total Non-Commemorative Chair-Sponsored Suspension Measures) is a structural control variable helpfully suggested by an anonymous reviewer. I mention in the paper that "[it] is also likely that many of the chair-sponsored measures considered under suspension are important reauthorization bills that they have marked up within their committee." In an attempt to control for the effect of this particular use of suspension of the rules on the dependent variable, I attempted to create a Congress-level variable that measures the number of major chair-sponsored reauthorization bills considered under suspension of the rules in each Congress. Unable to directly identify all reauthorization bills,[1] I created the Total Non-Commemorative Chair-Sponsored Suspension Measures by collapsing the number of non-commemorative bills that were sponsored by committee chairs, reported by a House committee (ReportH == 1 in the Congressional Bills Project data), and referred to the committee chaired by the bill's sponsor (ChRef == 1 in the Congressional Bills Project data) per Congress.

The results in Table 1 below also include two additional variables based on work by Jenkins & Monroe (2012*a*,*b*), and used in suspension-specific work by Moffett (2016). These variables are indicators for a bill sponsor's location in two distinct zones of ideological space based on their DW-NOMINATE score—Between 30% Zone and Maj. Party Median, and Between Maj. Party Median and $2M - F$. A discussion of these variables, and the rationale for their exclusion from the main models presented in the paper, can be found in footnote 19 of the article.

The models presented in the article are fit with scaled versions of the continuous independent variables. Table 2 below presents the results of the models fit with unscaled independent variables. Table 3 presents the results of models fit separately on commemorative and non-commemorative bills. The first two columns of Table 3 are the models used to create Figure 2.9 in Chapter 2.

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[1]One issue I ran into was the difficulty of identifiying reauthorization bills. There is no variable in the Congressional Bills Project data that allows me to identify these bills, and due to variation in naming conventions, it is not always the case that such bills have "reauthorization" in their titles. For example, farm bills reauthorize many programs, but rarely, if ever, include the word reauthorization in their titles.

Table B.1: Predicted Count of Suspension Measures by Member (Robustness Check)

	Dependent variable:			
	Suspension Measures (Count)			
	Maj. Party	Min. Party	Pooled	Int.
Percent Restrictive Rules	0.041	−0.048	−0.025	−0.023
	(0.092)	(0.106)	(0.100)	(0.098)
Margin of Control	−0.122	−0.196*	−0.186*	−0.180*
	(0.068)	(0.069)	(0.064)	(0.063)
Total Bills Passed by Non-Suspension Routes	−0.729*	−0.649*	−0.693*	−0.692*
	(0.114)	(0.117)	(0.111)	(0.109)
Total Bills Considered	0.507*	0.315*	0.378*	0.384*
	(0.052)	(0.061)	(0.058)	(0.056)
Total Non-Commemorative Chair-Sponsored Suspension Measures	0.088	0.202*	0.181*	0.181*
	(0.059)	(0.063)	(0.060)	(0.059)
Previous Vote Share	0.121*	0.003	0.016	0.085*
	(0.033)	(0.022)	(0.018)	(0.029)
Seniority	0.012	0.008	0.025	0.023
	(0.032)	(0.025)	(0.020)	(0.020)
Bill Introductions	0.313*	0.329*	0.338*	0.337*
	(0.038)	(0.019)	(0.018)	(0.018)
Cmte. Chair		0.861*	0.822*	0.838*
		(0.064)	(0.059)	(0.060)
Subcmte. Chair		0.491*	0.480*	0.489*
		(0.041)	(0.039)	(0.039)
Moderate Majority		−0.033	−0.098	−0.134
		(0.087)	(0.084)	(0.084)
30% Zone		0.021	−0.032	−0.071
		(0.077)	(0.073)	(0.074)
Between 30% Zone and Maj. Party Median		−0.011	−0.027	−0.061
		(0.076)	(0.073)	(0.074)
Between Maj. Party Median and $2M - F$		0.052	0.042	0.027
		(0.064)	(0.062)	(0.062)
Majority Party Member			0.623*	0.647*
			(0.065)	(0.065)
Previous Vote Share X Majority Party Member				−0.102*
				(0.033)
Constant	−1.052*	−0.227*	−0.857*	−0.861*
	(0.054)	(0.078)	(0.052)	(0.051)
Sponsor Random Effects	Yes	Yes	Yes	Yes
Congress Random Effects	Yes	Yes	Yes	Yes
Observations	3,437	4,270	7,707	7,707
Log Likelihood	−3,194.692	−6,606.308	−9,823.734	−9,819.079

*p<0.05

Note: Coefficients are from multilevel negative binomial models with varying intercepts estimated by bill sponsor and Congress. Standard errors are presented in parentheses below. The unit of analysis is a member-Congress.

Table B.2: Predicted Count of Suspension Measures by Member with Unscaled Independent Variables

	Dependent variable:			
	Suspension Measures (Count)			
	Minority Sponsors	Majority Sponsors	Pooled Model	Interaction
Percent Restrictive Rules	0.002	−0.002	−0.003	−0.001
	(0.004)	(0.005)	(0.003)	(0.004)
Margin of Control	−-0.003	−0.005*	−0.005*	−0.004*
	(0.002)	(0.002)	(0.001)	(0.001)
Tot. Bills Passed by Non-Susp. Routes	−-0.004*	−0.004*	−0.004*	−0.004*
	(0.001)	(0.001)	(0.000)	(0.001)
Tot. Bills Considered	0.002*	0.001*	0.002*	0.001*
	(0.001)	(0.000)	(0.000)	(0.000)
Tot. Non-Comm. Chair-Sponsored Susp. Measures	0.007	0.016*	0.011*	0.015*
	(0.005)	(0.005)	(0.003)	(0.005)
Previous Vote Share	0.013*	0.0003	−0.0001	0.009*
	(0.004)	(0.002)	(0.002)	(0.003)
Seniority	0.005	0.001	0.013*	0.005
	(0.008)	(0.006)	(0.006)	(0.005)
Bill Introductions	0.018*	0.018*	0.019*	0.337*
	(0.002)	(0.001)	(0.001)	(0.001)
Cmte. Chair		0.867*	2.587*	0.844*
		(0.065)	(0.102)	(0.060)
Subcmte. Chair		0.495*	0.582*	0.493*
		(0.041)	(0.057)	(0.039)
Moderate Majority		−0.032	−-0.138	−0.132
		(0.087)	(0.121)	(0.085)
30% Zone		0.022	−0.057	−0.071
		(0.077)	(0.108)	(0.074)
Between 30% Zone and Maj. Party Median		−0.011	−0.231**	−0.060
		(0.077)	(0.108)	(0.074)
Between Maj. Party Median and $2M - F$		0.053	−0.030	0.027
		(0.064)	(0.093)	(0.062)
Majority Party Member			0.820*	1.358*
			(0.094)	(0.246)
Previous Vote Share X Majority Party Member				−0.011*
				(0.004)
Constant	−2.062*	−0.062	−0.049	−1.426*
	(0.515)	(0.513)	(0.351)	(0.499)
Sponsor Random Effects	Yes	Yes	Yes	Yes
Congress Random Effects	Yes	Yes	Yes	Yes
Observations	3,437	4,270	7,707	7,707
Log Likelihood	−3,192.7	−6,609.2	−14,714.5	−9,822.0

*p<0.05

Note: Coefficients are from multilevel negative binomial models with varying intercepts estimated by bill sponsor and Congress. Standard errors are presented in parentheses below. The unit of analysis is a member-Congress.

Table B.3: Predicted Counts of Commemorative and Non-Comemmorative Measures

	Dependent variable: Suspension Measures (Count)			
	Pooled (Comm.)	Pooled (Non-Comm.)	Int. (Comm.)	Int. (Non-Comm.)
Percent Restrictive Rules	−0.222	−0.052	−0.218	−0.051
	(0.171)	(0.113)	(0.166)	(0.112)
Margin of Control	−0.304*	−0.075	−0.292*	−0.072
	(0.118)	(0.071)	(0.115)	(0.070)
Tot. Bills Passed by Non-Susp. Routes	−1.344*	−0.553*	−1.335*	−0.552*
	(0.216)	(0.128)	(0.211)	(0.127)
Total Bills Considered	0.680*	0.344*	0.691*	0.347*
	(0.095)	(0.063)	(0.092)	(0.063)
Previous Vote Share	0.036	0.012	0.139*	0.045
	(0.030)	(0.021)	(0.042)	(0.035)
Seniority	−0.059	0.065*	−0.059	0.064*
	(0.032)	(0.022)	(0.032)	(0.022)
Bill Introductions (Comm.)	0.302*		0.296*	
	(0.021)		(0.021)	
Bill Introductions (Non-Comm.)		0.342*		0.342*
		(0.019)		(0.019)
Cmte. Chair	0.575*	0.844*	0.619*	0.851*
	(0.110)	(0.065)	(0.111)	(0.065)
Subcmte. Chair	0.091	0.543*	0.113	0.547*
	(0.068)	(0.043)	(0.069)	(0.043)
Moderate Majority	−0.106	−0.103	−0.162	−0.111
	(0.118)	(0.076)	(0.119)	(0.076)
30% Zone	0.122	−0.093	0.076	−0.101
	(0.082)	(0.058)	(0.083)	(0.059)
Majority Party Member	0.272*	0.832*	0.289*	0.834*
	(0.062)	(0.047)	(0.062)	(0.047)
Prev. Vote Share X Maj. Party Member			−0.177*	−0.046
			(0.052)	(0.039)
Constant	−2.340*	−1.317*	−2.346*	−1.318*
	(0.092)	(0.061)	(0.090)	(0.061)
Sponsor Random Effects	Yes	Yes	Yes	Yes
Congress Random Effects	Yes	Yes	Yes	Yes
Observations	7,707	7,707	7,707	7,707
Log Likelihood	−4,243.211	−8,545.859	−4,237.444	−8,545.187
Akaike Inf. Crit.	8,518.423	17,123.720	8,508.888	17,124.370
Bayesian Inf. Crit.	8,629.621	17,234.920	8,627.036	17,242.520

*p<0.05

Note: Coefficients are from multilevel negative binomial models with varying intercepts estimated by bill sponsor and Congress. Standard errors are presented in parentheses below. The unit of analysis is a member-Congress.

APPENDIX C: LIST OF BUNDLED BILLS, CH. 3

Table C.1: Bundled House Bills, 112th–114th Congresses

Vehicle Bill	Hitchhiker Bill(s)	Reporting Committees
112-HR-2578 (Conservation and Economic Growth Act) Sponsor: Jeff Denham (R-CA)	112-HR-2352 112-HR-460 112-HR-4234 112-HR-4094 112-HR-4039 112-HR-3685 112-HR-3100 112-HR-3065 112-HR-258 112-HR-2352 112-HR-1545	Natural Resources
112-HR-3409 (Stop the War on Coal Act of 2012) Bill Johnson (R-OH)	112-HR-910 112-HR-2401 112-HR-2273 112-HR-2018	Natural Resources Energy and Commerce Transportation and Infrastructure
112-HR-3606 (Jumpstart Our Business Startups Act) Stephen Fincher (R-TN)	112-HR-2930 112-HR-2940 112-HR-1070 112-HR-2167	Financial Services
112-HR-4078 (Red Tape Reduction and Small Business Job Creation Act) Tim Griffin (R-AR)	112-HR-2308 112-HR-373 112-HR-1840 112-HR-3862 112-HR-4377 112-HR-4607	Financial Services Judiciary Oversight and Goverment Reform Agriculture
112-HR-4480 (Domestic Energy and Jobs Act) Cory Gardner (R-CO)	112-HR-4383 112-HR-4382 112-HR-4381 112-HR-2752	Energy and Commerce Natural Resources

Continuation of Table C.1		
Vehicle Bill	**Hitchhiker Bill(s)**	**Reporting Committees**
	112-HR-4471	
	112-HR-2150	
112-HR-5 (Protecting Access to Healthcare Act) Phil Gingrey (R-GA)	112-HR-452	Judiciary Energy and Commerce Ways and Means
112-HR-6156 (The Magnitsky Act of 2012) Dave Camp (R-MI)	112-HR-4405	Ways and Means
113-HR-2279 (Reducing Excessive Dealine Obligations Act of 2013) Cory Garder (R-CO)	113-HR-2318 113-HR-2226	Energy and Commerce
113-HR-2728 (Protecting States' Rights to Promote American Energy Security Act) Bill Flores (R-TX)	113-HR-2850	Natural Resources Science, Space, and Technology
113-HR-2804 (ALERRT Act of 2014) George Holding (R-NC)	113-HR-1493 113-HR-2542 113-HR-2122	Oversight and Government Reform Judiciary Small Business
113-HR-2954 (Public Access and Lands Improvement Act) Jeff Miller (R-FL)	113-HR-585 113-HR-2095 113-HR-739 113-HR-3188 113-HR-3492 113-HR-657 113-HR-1170 113-HR-819 113-HR-908	Natural Resources
113-HR-3193 (Consumer Financial Freedom and Washington Accountability Act) Sean Duffy (R-WI)	113-HR-3519 113-HR-2385 113-HR-2571	Financial Services

Continuation of Table C.1		
Vehicle Bill	**Hitchhiker Bill(s)**	**Reporting Committees**
	113-HR-2446	
113-HR-4315 (Endangered Species Transparency and Reasonableness Act) Doc Hastings (R-WA)	113-HR-4317 113-HR-4316 113-HR-4318	Natural Resources
113-HR-4413 (Customer Protection and End User Relief Act) Frank Lucas (R-OK)	113-HR-1256 113-HR-1003 113-HR-742 113-HR-634 113-HR-677	Agriculture Financial Services
113-HR-4453 (S Corporation Permanent Tax Relief Act of 2014) David Reichert (R-WA)	113-HR-4454	Ways and Means
113-HR-4719 (America Gives More Act of 2014) Tom Reed (R-NY)	113-HR-2807 113-HR-4619 113-HR-4691 113-HR-3134	Ways and Means
114-HR-1270 (Restoring Access to Medication and Improving Health Savings Act) Lynn Jenkins (R-KS)	114-HR-4723 114-HR-5445	Ways and Means
114-HR-1675 (Capital Markets Improvement Act of 2016) Randy Hultgren (R-IL)	114-HR-2356 114-HR-686 114-HR-1965 114-HR-2354	Financial Services
114-HR-1927 (Fairness in Class Action Litigation and FACT Act) Bob Goodlatte (R-VA)	114-HR-526	Judiciary
114-HR-2262 (U.S. Commercial Space Launch Competitiveness Act) Kevin McCarthy (R-CA)	114-HR-2263 114-HR-1508 114-HR-2261	Science, Space and Technology
114-HR-2357 (Accelerating Access to Capital Act of 2016)	114-HR-4850 114-HR-4852	Financial Services

Continuation of Table C.1		
Vehicle Bill	**Hitchhiker Bill(s)**	**Reporting Committees**
Ann Wagner (R-MO)		
114-HR-3189 (Fed Oversight Reform and Modernization Act of 2015) Bill Huizenga (R-MI)	114-HR-2912	Financial Services
114-HR-3716 (Ensuring Access to Quality Medicaid Providers Act) Larry Bucshon	114-HR-3821	Energy and Commerce
114-HR-4361 (Government Reform and Improvement Act of 2016) Gary Palmer (R-AL)	114-HR-3023 114-HR-4921 114-HR-4358 114-HR-4612 114-HR-4392 114-HR-901	Oversight and Government Reform
114-HR-5711 (No U.S. Financing for Iran Act) Bill Huizenga (R-MI)	114-HR-5715	Financial Services
114-HR-636 (FAA Extension, Safety, and Security Act of 2016) Patrick Tiberi (R-OH)	114-HR-629 114-HR-630	Ways and Means
114-HR-644 (Trade Facilitation and Trade Enforcement Act of 2015) Tom Reed (R-NY)	114-HR-641 114-HR-640 114-HR-637	Ways and Means
114-HR-712 (Sunshine for Regulations and Regulatory Decrees and Settlements Act) Doug Collins (R-GA)	114-HR-1759 114-HR-690	Judiciary Oversight and Government Reform
114-HR-8 (North American Energy Security and Infrastructure Act) Fred Upton (R-MI)	114-HR-2358 114-HR-2295	Energy and Commerce Natural Resources
End of Table		

Table D.1: Testing Hypothesis 1 on Different Partisan Majorities

	Dependent variable:			
	Floor Consideration			
	Dem. Majorities	GOP Majorities	Early GOP Majorities	Later GOP Majorities
	110th–111th	104th–109th & 112th–114th	104th–109th	112th–114th
Minority or Dissenting Views	−1.308*	−1.212*	−1.122*	−1.247*
	(0.204)	(0.086)	(0.114)	(0.134)
Bipartisan Cosponsorship Coalition	0.379*	−0.035	0.024	−0.046
	(0.190)	(0.089)	(0.119)	(0.136)
Majority Party Sponsor	0.050	0.154	0.296*	−0.049
	(0.260)	(0.101)	(0.130)	(0.164)
Days Left in Congress (Scaled)	0.617*	0.487*	0.445*	0.549*
	(0.091)	(0.037)	(0.048)	(0.060)
Commemorative Bill	2.293*	0.311	0.540*	−0.097
	(1.029)	(0.217)	(0.272)	(0.374)
Constant	1.709*	1.365*	1.229*	1.389*
	(0.314)	(0.193)	(0.230)	(0.243)
Congress-Level Fixed Effects	Yes	No	No	No
Congress-Level Random Effects	No	Yes	Yes	Yes
Committee-Level Random Effects	Yes	Yes	Yes	Yes
Observations	1,051	4,633	2,924	1,709
Log Likelihood	−439.293	−2,478.653	−1,503.119	−961.052

*p$<$0.05

Note: The columns of this table present coefficients from multilevel logistic regressions. The GOP Majorities, Early GOP Majorities, and Later GOP Majorities models all include varying intercepts estimated at the committee and Congress level. The Dem. Majorities model includes a dummy variable for the 111th Congress and varying intercepts estimated at the committee level. The coefficient on that dummy variable has been suppressed. Standard errors are listed below the coefficients in parentheses. The unit of analysis for all models is a bill.

Table D.2: Testing Hypothesis 2 on Different Partisan Majorities

	Dependent variable:			
	Floor Consideration			
	Dem. Majorities 110th–111th	GOP Majorities 104th–109th & 112th–114th	Early GOP Majorities 104th–109th	Later GOP Majorities 112th–114th
Minority or Dissenting Views	−1.252*	−1.481*	−1.366*	−1.488*
	(0.255)	(0.103)	(0.137)	(0.157)
Cmte. Ideological Distance	5.438	0.943	−4.219	4.793
	(5.237)	(1.709)	(2.525)	(3.587)
Bipartisan Cosponsorship Coalition	0.296	−0.008	0.118	−0.110
	(0.237)	(0.107)	(0.143)	(0.163)
Majority Party Sponsor	−0.175	0.183	0.419*	−0.178
	(0.326)	(0.115)	(0.144)	(0.192)
Days Left in Congress (Scaled)	0.639*	0.490*	0.478*	0.514*
	(0.111)	(0.044)	(0.058)	(0.070)
Commemorative Bill	1.865	0.171	0.393	−0.200
	(1.041)	(0.235)	(0.293)	(0.399)
Constant	2.063*	1.611*	1.474*	1.550*
	(0.437)	(0.244)	(0.285)	(0.360)
Congress-Level Fixed Effects	Yes	No	No	No
Congress-Level Random Effects	No	Yes	Yes	Yes
Committee-Level Random Effects	Yes	Yes	Yes	Yes
Observations	851	3,707	2,375	1,332
Log Likelihood	−313.430	−1,831.676	−1,112.973	−706.336

$^*p<0.05$

Note: The columns of this table present coefficients from multilevel logistic regressions. The GOP Majorities, Early GOP Majorities, and Later GOP Majorities models all include varying intercepts estimated at the committee and Congress level. The Dem. Majorities model includes a dummy variable for the 111th Congress and varying intercepts estimated at the committee level. The coefficient on that dummy variable has been suppressed. Standard errors are listed below the coefficients in parentheses. The unit of analysis for all models is a bill. Due to the inclusion of a committee-level covariate, these models are fit on a subset of the data that only includes singly-referred bills. The variable labeled "Cmte. Ideological Distance" (for the purposes of space) is the same variable that is called Abs. Dist. (Cmte. Maj. Median - Floor Maj. Median) above.

Table D.3: Testing Hypothesis 2a on Different Partisan Majorities

	Dependent variable:			
	Floor Consideration			
	Dem. Majorities 110th–111th	GOP Majorities 104th–109th & 112th–114th	Early GOP Majorities 104th–109th	Later GOP Majorities 112th–114th
Minority or Dissenting Views	−1.524* (0.275)	−1.329* (0.177)	−1.166* (0.231)	−1.868* (0.314)
Cmte. Ideological Distance (Scaled)	0.331* (0.196)			
Minority or Dissenting Views X Cmte. Ideological Distance (Scaled)	−1.089* (0.415)			
Cmte. Ideological Distance		2.075 (2.024)	−2.584 (2.970)	2.698 (3.921)
Minority or Dissenting Views X Cmte. Ideological Distance		−2.894 (2.768)	−4.543 (4.245)	5.847 (4.135)
Bipartisan Cosponsorship Coalition	0.298 (0.237)	−0.010 (0.107)	0.110 (0.144)	−0.111 (0.163)
Majority Party Sponsor	−0.200 (0.326)	0.187 (0.115)	0.423* (0.144)	−0.177 (0.192)
Days Left in Congress (Scaled)	0.633* (0.112)	0.490* (0.044)	0.478* (0.058)	0.514* (0.070)
Commemorative Bill	1.805* (1.040)	0.175 (0.235)	0.391 (0.293)	−0.224 (0.401)
Constant	2.239* (0.398)	1.553* (0.249)	1.403* (0.291)	1.679* (0.377)
Congress-Level Fixed Effects	Yes	No	No	No
Congress-Level Random Effects	No	Yes	Yes	Yes
Committee-Level Random Effects	Yes	Yes	Yes	Yes
Observations	851	3,707	2,375	1,332
Log Likelihood	−310.053	−1,831.130	−1,112.404	−705.330

*p<0.05

Note: The columns of this table present coefficients from multilevel logistic regressions. The GOP Majorities, Early GOP Majorities, and Later GOP Majorities models all include varying intercepts estimated at the committee and Congress level. The Dem. Majorities model includes a dummy variable for the 111th Congress and varying intercepts estimated at the committee level. The coefficient on that dummy variable has been suppressed. Standard errors are listed below the coefficients in parentheses. The unit of analysis for all models is a bill. Due to the inclusion of a committee-level covariate, these models are fit on a subset of the data that only includes singly-referred bills. The variable labeled "Cmte. Ideological Distance" (for the purposes of space) is the same variable that is called Abs. Dist. (Cmte. Maj. Median - Floor Maj. Median) above.

Table D.4: Testing Hypothesis 3 on Different Partisan Majorities

	Dependent variable:			
	floor			
	Dem. Majorities	GOP Majorities	Early GOP Majorities	Later GOP Majorities
	110th–111th	104th–109th & 112th–114th	104th–109th	112th–114th
Minority or Dissenting Views	−1.291*	−1.222*	−1.131*	−1.246*
	(0.207)	(0.086)	(0.114)	(0.133)
Sponsor Ideological Distance	0.552	−0.404	−1.246*	0.965
	(0.944)	(0.365)	(0.449)	(0.678)
Bipartisan Cosponsorship Coalition	0.393*	−0.038	0.013	−0.033
	(0.193)	(0.090)	(0.121)	(0.138)
Majority Party Sponsor	0.396	−0.145	−0.462	0.526
	(0.659)	(0.270)	(0.318)	(0.528)
Days Left in Congress (Scaled)	0.610*	0.490*	0.444*	0.559*
	(0.092)	(0.038)	(0.049)	(0.061)
Commemorative Bill	2.281*	0.321	0.623*	−0.193
	(1.030)	(0.219)	(0.279)	(0.376)
Constant	1.273	1.724*	2.149*	0.707
	(0.783)	(0.356)	(0.420)	(0.637)
Congress-Level Fixed Effects	Yes	No	No	No
Congress-Level Random Effects	No	Yes	Yes	Yes
Committee-Level Random Effects	Yes	Yes	Yes	Yes
Observations	1,019	4,563	2,885	1,678
Log Likelihood	−427.904	−2,435.934	−1,478.501	−937.411

*p<0.05

Note: The columns of this table present coefficients from multilevel logistic regressions. The GOP Majorities, Early GOP Majorities, and Later GOP Majorities models all include varying intercepts estimated at the committee and Congress level. The Dem. Majorities model includes a dummy variable for the 111th Congress and varying intercepts estimated at the committee level. The coefficient on that dummy variable has been suppressed. Standard errors are listed below the coefficients in parentheses. The unit of analysis for all models is a bill. The variable labeled "Sponsor Ideological Distance" (for the purposes of space) is the same variable that is called Abs. Dist. (Sponsor - Floor Maj. Median) above.

Table D.5: Testing Hypothesis 3a on Different Partisan Majorities

	Dependent variable:			
	floor			
	Dem. Majorities	GOP Majorities	Early GOP Majorities	Later GOP Majorities
	110th–111th	104th–109th & 112th–114th	104th–109th	112th–114th
Minority or Dissenting Views	−1.126*	−1.057*	−0.892*	−1.195*
	(0.281)	(0.114)	(0.151)	(0.179)
Sponsor Ideological Distance	0.731	−0.102	−0.862	1.091
	(0.975)	(0.390)	(0.477)	(0.742)
Minority or Dissenting Views X Sponsor Ideological Distance	−1.306	−1.223*	−1.712*	−0.388
	(1.281)	(0.555)	(0.721)	(0.924)
Bipartisan Cosponsorship Coalition	0.405*	−0.028	0.023	−0.029
	(0.192)	(0.090)	(0.121)	(0.138)
Majority Party Sponsor1	0.443	0.019	−0.278	0.607
	(0.667)	(0.280)	(0.327)	(0.563)
Days Left in Congress (Scaled)	0.620*	0.489*	0.445*	0.558*
	(0.092)	(0.038)	(0.049)	(0.061)
Commemorative Bill	2.234*	0.311	0.598*	−0.195
	(1.031)	(0.219)	(0.278)	(0.376)
Constant	1.109	1.505*	1.899*	0.604
	(0.795)	(0.369)	(0.431)	(0.683)
Congress-Level Fixed Effects	Yes	No	No	No
Congress-Level Random Effects	No	Yes	Yes	Yes
Committee-Level Random Effects	Yes	Yes	Yes	Yes
Observations	1,019	4,563	2,885	1,678
Log Likelihood	−428.029	−2,433.422	−1,475.489	−937.322

*p<0.05

Note: The columns of this table present coefficients from multilevel logistic regressions. The GOP Majorities, Early GOP Majorities, and Later GOP Majorities models all include varying intercepts estimated at the committee and Congress level. The Dem. Majorities model includes a dummy variable for the 111th Congress and varying intercepts estimated at the committee level. The coefficient on that dummy variable has been suppressed. Standard errors are listed below the coefficients in parentheses. The unit of analysis for all models is a bill. The variable labeled "Sponsor Ideological Distance" (for the purposes of space) is the same variable that is called Abs. Dist. (Sponsor - Floor Maj. Median) above.

BIBLIOGRAPHY

Adler, E. S. & Wilkerson, J. (2014), *Congressional Bills Project: 1993-2012, NSF 00880066 and 00880061*.

Adler, E. S. & Wilkerson, J. D. (2012), *Congress and the Politics of Problem Solving*, Cambridge University Press, New York, NY.

Aldrich, J. H. & Rohde, D. W. (2000), 'The republican revolution and the house appropriations committee', *The Journal of Politics* **62**(1), 1–33.

Aldrich, J. H. & Rohde, D. W. (2001), The logic of conditional party government, *in* L. C. Dodd & B. I. Oppenheimer, eds, 'Congress Reconsidered', Vol. 7th, Congressional Quarterly, Washington D.C, pp. 269–92.

Anderson, W. D., Box-Steffensmeier, J. M. & Sinclair-Chapman, V. (2003), 'The keys to legislative success in the u.s. house of representatives', *Legislative Studies Quarterly* **28**(3), 357–386.

Bach, S. (1990), 'Suspension of the rules, the order of business, and the development of congressional procedure', *Legislative Studies Quarterly* **15**(1), 49–63.

Bach, S. & Smith, S. S. (1989), *Managing Uncertainty in the House of Representatives and Innovation in Special Rules*, Brookings Institution, Washington, DC.

Balla, S. J., Lawrence, E. D., Maltzman, F. & Sigelman, L. (2002), 'Partisanship, blame avoidance, and the distribution of legislative pork', *American Journal of Political Science* **46**(3), 515–525.

Baumgartner, F. R. & Jones, B. D. (2013), 'Policy agendas project', *Department of Government at the University of Texas at Austin* .

Bawn, K. (1998), 'Congressional party leadership: Utilitarian versus majoritarian incentives', *Legislative Studies Quarterly* **23**(2), 219–243.

Bendix, W. (2016), 'Bypassing congressional committees: Parties, panels rosters, and deliberative processes', *Legislative Studies Quarterly* **41**(3), 687–714.

Berry, C. R. & Fowler, A. (2016), 'Cardinals or clerics? congressional committees on the distribution of pork', *American Journal of Political Science* **60**(3), 692–708.

Bickers, K. N. & Stein, R. M. (1996), 'The electoral dynamics of the federal pork barrel', *American Journal of Political Science* **40**(4), 1300–1326.

Box-Steffensmeier, J. M. & Grant, J. T. (1999), 'All in a day's work: The financial rewards of legislative effectiveness', *Legislative Studies Quarterly* **24**(4), 511–523.

Bussing, A., Patton, W., Roberts, J. M. & Treul, S. A. (2020), 'The electoral consequences of roll call voting: Health care and the 2018 election', *Political Behavior* .

Bussing, A. & Treul, S. A. (2021), Majority party agenda setting: Picking fights or avoiding them?

Cameron, C. M. (2000), *Veto Bargaining: Presidents and the Politics of Negative Power*, Cambridge University Press, Cambridge.

Canes-Wrone, B., Brady, D. W. & Cogan, J. F. (2002), 'Out of step, out of office: Electoral accountability and house members' voting', *American Political Science Review* **96**(1), 127–40.

Carr, T. P. (2005), Suspension of the rules in the house of representatives, Technical report, Congressional Research Service.

Carson, J. L., Koger, G., Lebo, M. J. & Young, E. (2010), 'The electoral costs of party loyalty in congress', *American Journal of Political Science* **54**(3), 598–616.

Casas, A., Denny, M. J. & Wilkerson, J. (2020), 'More effective than we thought: Accounting for legislative hitchhikers reveals a more inclusive and productive lawmaking process', *American Journal of Political Science* **64**(1), 5–18.

Chappie, D. (2003), 'House caught in a state of suspension', *Roll Call* .

Cooper, J. & Young, C. D. (1989), 'Bill introduction in the nineteenth century: A study of institutional change', *Legislative Studies Quarterly* **14**(1), 67–105.

Cox, G. W. & McCubbins, M. D. (1993), *Legislative Leviathan: Party Government in the House*, University of California Press.

Cox, G. W. & McCubbins, M. D. (2005), *Setting the Agenda: Responsible Party Government in the U.S. House of Representatives*, Cambridge University Press, New York.

Cox, G. W. & Terry, W. C. (2008), 'Legislative productivity in the 93rd-105th congresses', *Legislative Studies Quarterly* **33**(4), 603–618.

Crespin, M. H. & Rohde, D. W. (2019), *Political Institutions and Public Choice Roll-Call Database*, University of Oklahoma, Carl Abert Center.

Crespin, M. H., Rohde, D. W. & Wielen, R. J. V. (2011), 'Measuring variations in party unity voting: An assessment of agenda effects', *Party Politics* **19**(3), 432–457.

Curry, J. M. (2015), *Legislating in the Dark: Information and Power in the House of Representatives*, University of Chicago Press.

Curry, J. M. (2017), Self-executing rules: Leadership strategy in the u.s. house of representatives.

Curry, J. M. (2018), 'Knoweldge, expertise, and committee power in the contemporary congress', *Legislative Studies Quarterly* **44**(2), 203–237.

Dion, D. & Huber, J. D. (1996), 'Procedural choice and the house committee on rules', *The Journal of Politics* **58**(1), 25–53.

Dodd, L. C. & Schraufnagel, S. (2009), 'Re-thinking legislative productivity: Commemorative legislation and policy gridlock', *Congress and the Presidency* **36**(2), 132–147.

Erikson, R. S. (1971), 'The electoral impact of congressional roll call voting', *American Political Science Review* **65**(4), 1018–32.

Fenno, R. F. (1973), *Congressmen in Committees*, Little, Brown, and Company, Boston.

Ferejohn, J. A. (1974), *Pork Barrel Politics: Rivers and Harbors Legislation, 1947-68*, Stanford University Press.

Grimmer, J., Messing, S. & Westwood, S. J. (2012), 'How words and money cultivate a personal vote: The effect of legislator credit claiming on constituent credit allocation', *American Political Science Review* **106**(4), 703–719.

Grossman, M. & Hopkins, D. A. (2016), *Asymmetric Politics: Ideological Republicans and Group Interest Democrats*, Oxford University Press.

Hanson, P. C. (2014), 'Abandoning the regular order: Majority party influence on appropriations in the u.s. senate', *Political Research Quarterly* **67**(3), 519–532.

Hanson, P. C. & Reynolds, M. E. (2018), Just how unorthodox? assessing deliberation on omnibus spending bills.

Harbridge, L. (2015), *Is Bipartisanship Dead? Policy Agreement and Agenda-Setting in the House of Representatives*, Cambridge University Press.

Hasecke, E. B. & Mycoff, J. D. (2007), 'Party loyalty and legislative success: Are loyal majority party members more successful in the u.s. house of representatives', *Political Research Quarterly* **60**(4), 607–617.

Heberlig, E. S. & Larson, B. A. (2005), 'Redistributing campaign funds by u.s. house members: The spiraling costs of the permanent campaign', *Legislative Studies Quarterly* **30**(4), 597–624.

Hendrickson, S. A. & Roberts, J. M. (2016), 'Short-term goals and long-term effects: The mongrel tariff and the creation of the special rule in the u.s. house', *The Journal of Policy History* **28**(2), 318–341.

Hinds, A. C. (1907), *Hinds' Precedents of the House of Representatives*, Vol. 4 and 5, Government Printing Office, Washington, D.C.

House, A. V. (1935), 'The contributions of samuel j. randall to the rules of the national house of representatives', *American Political Science Review* **29**(5), 837–841.

Jacobson, G. C. (2015), 'It's nothing personal: The decline of the incumbency advantage in u.s. house elections', *Journal of Politics* **77**(3), 861–873.

Jenkins, J. A. & Monroe, N. (2012*a*), 'Buying negative agenda control in the u.s. house', *American Journal of Political Science* **56**(4), 897–912.

Jenkins, J. A. & Monroe, N. W. (2012*b*), 'Partisan agenda control in the us house: A theoretical explanation', *Journal of Theoretical Politics* **24**(4), 555–570.

King, D. C. (1997), *Turf Wars: How Congressional Committees Claim Jurisdiction*, University of Chicago Press.

King, D. C. & Zeckhauser, R. J. (2003), 'Congressional vote options', *Legislative Studies Quarterly* **28**(3), 387–411.

Koger, G. & Lebo, M. J. (2017), *Strategic Party Government: Why Winning Trumps Ideology*, University of Chicago Press, Chicago, IL.

Krehbiel, K. (1991), *Information and Legislative Organization*, University of Michigan Press, Ann Arbor, MI.

Krehbiel, K., Meirowitz, A. & Wiseman, A. E. (2015), 'A theory of competitive partisan lawmaking', *Political Science Research and Methods* **3**(3), 423–448.

Krehbiel, K. & Wiseman, A. (2005), 'Joe cannon and the minority party: Tyranny or bipartisanship', *Legislative Studies Quarterly* **30**(4), 479–505.

Krutz, G. S. (2001), *Hitching a Ride: Omnibus Legislating in the U.S. Congress*, Ohio State University Press, Columbus, OH.

Lazarus, J. (2009), 'Party, electoral vulnerability, and earmarks in the u.s. house of representatives', *Journal of Politics* **71**(3), 1050–1061.

Lazarus, J. (2010), 'Giving the people what they want? the distribution of earmarks in the u.s. house of representatives', *American Journal of Political Science* **54**(2), 338–353.

Lazarus, J. & Reilly, S. (2010), 'The electoral benefits of distributive spending', *Political Research Quarterly* **63**(2), 343–355.

Lebo, M. J., McGlynn, A. J. & Koger, G. (2007), 'Strategic party government: Party influence in congress, 1789-2000', *American Journal of Political Science* **51**(3), 464–481.

Lee, F. E. (2003), 'Geographic politics in the u.s. house of representatives: Coalition building and distribution of benefits', *American Journal of Political Science* **47**(4), 714–728.

Lee, F. E. (2016), *Insecure Majorities: Congress and the Perpetual Campaign*, University of Chicago Press.

Levitt, S. D. & Synder, J. M. (1995), 'Political parties and the distribution of federal outlays', *American Journal of Political Science* **39**(4), 958–980.

Lindstädt, R. & Vander Wielen, R. J. (2014), 'Dynamic elite partisanship: Party loyalty and agenda setting in the us house', *British Journal of Political Science* **44**(4), 741–772.

Lynch, M. S., Madonna, A. J. & Roberts, J. M. (2016), 'The cost of majority-party bias: Amending activity under structured rules', *Legislative Studies Quarterly* **41**(3), 633–655.

Lynch, M. S., Madonna, A. J. & Vick, A. (2020), The erosion of "regular order" in the u.s. house: A historical examination of special rules, *in* J. L. Carson & M. S. Lynch, eds, 'New Directions in Congressional Politics', second edn, Routledge.

Marshall, B. W. (2002), 'Explaining the role of restrictive rules in the postreform house', *Legislative Studies Quarterly* **27**(1), 61–85.

Mayhew, D. R. (1974), *Congress: The Electoral Connection*, Yale University Press.

Meinke, S. R. (2016), *Leadership Organizations in the House of Representatives: Party Participation and Partisan Politics*, University of Michigan Press.

Meinke, S. R. (2020), 'The rise of multiple-measures rules in the house of representatives', *Congress and the Presidency* .

Moffett, K. W. (2016), 'Partisan vote buying and suspensions in the postreform house', *Party Politics* **22**(4), 478–489.

Nyhan, B., McGhee, E., Masket, S., Greene, S. & Sides, J. (2012), 'One vote out of step? the effects of salient roll call votes in the 2010 election', *American Politics Research* **40**(5), 844–879.

O'Brien, M. (2013), 'Boehner: Judge congress by how many laws it repeals, not passes', Online.

Oleszek, W. J., Oleszek, M. J., Rybicki, E. & Jr., B. H. (2016), *Congressional Procedures and the Policy Process*, 10th edn, CQ Press.

Ornstein, N. J., Mann, T. E., Malbin, M. J. & Reynolds, M. E. (2018), Vital statistics on congress: 2018, Technical report, The Brookings Institute.

Pearson, K. (2015), *Party Discipline in the U.S. House of Representatives*, University of Michigan Press.

Pearson, K. & Schickler, E. (2009), 'Discharge petitions, agenda control, and the congressional committee system, 1929-76', *The Journal of Politics* **71**(4), 1238–1256.

Roberts, J. M. (2010), 'The development of special orders and special rules in the u.s. house, 1881-1937', *Legislative Studies Quarterly* **35**(3), 307–226.

Rohde, D. W. (1991), *Parties and Leaders in the Postreform House*, University of Chicago Press.

Rohde, D. W. (1994), 'Parties and committees in the house: Member motivations, issues, and institutional arrangements', *Legislative Studies Quarterly* **19**(3), 341–359.

Romer, T. & Rosenthal, H. (1978), 'Political resource allocation, controlled agendas, and the status quo', *Public Choice* **33**(4), 27–43.

Rybicki, E. (2015), Suspension of the rules in the house: Principal features, Technical report, Congressional Research Service.

Saturno, J. V., Jr., B. H. & Lynch, M. S. (2016), The congressional appropriations process: An introduction, Technical report, Congressional Research Service.

Schickler, E. & Pearson, K. (2009), 'Agenda control, majority party power, and the house committee on rules, 1937-52', *Legislative Studies Quarterly* **34**(4), 455–491.

Sinclair, B. (1994), 'House special rules and the institutional design controversy', *Legislative Studies Quarterly* **19**(4), 477–494.

Sinclair, B. (2016), *Unorthodox Lawmaking: New Legislative Processes in the U.S. Congress*, 5th edn, Congressional Quarterly Press.

Smith, S. S. & Deering, C. J. (1984), *Committees in Congress*, 1st edn, Congressional Quarterly Press.

Stein, R. M. & Bickers, K. N. (1994), 'Congressional elections and the pork barrel', *Journal of Politics* **56**(2), 377–399.

Stein, R. M. & Bickers, K. N. (1995), *Perpetuating the Pork Barrel: Policy Subsystems and American Democracy*, Cambridge University Press.

Stevens, N. (2005), Naming post offices through legislation, Technical report, Congressional Research Service.

Volden, C. & Wiseman, A. (2014), *Legislative Effectiveness in the United States Congress: The Lawmakers*, Cambridge University Press.

Volden, C. & Wiseman, A. E. (2017), *Legislative Effectiveness and Problem Solving in the U.S. House of Representatives*, Congressional Quarterly Press, Washington, DC, chapter 11.

Wawro, G. J. (2000), *Legislative Entrepreneurship in the U.S. House of Representatives*, University of Michigan Press, Ann Arbor, MI.

Weingast, B. & Marshall, W. (1988), 'The industrial organization of congress', *Journal of Political Economy* **96**, 132–163.

Wolfensberger, D. (2002), Suspended partisanship in the house: How most laws are really made. Paper presented at the 2002 Annual Meeting of the American Political Science Association.