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Fighting Fire With Water: Partisan Procedural Strategies and the Senate Appropriations Committee

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Abstract

While White (1989) thoroughly examined the House Appropriations Committee after the congressional reforms of the 1960s and 1970s, we begin to offer an updated picture of the counterpart committee in the Senate. We find that there has been considerable change in the behavior of appropriators in the postreform era. Specifically, partisanship within the Senate has increased substantially, but even more interesting is the rise of partisanship within the Appropriations Committee itself. Table motions have become an increasingly partisan device used by the majority party to inhibit minority amending challenges. Indeed, table motions have clearly become the preferred strategy to defend appropriations legislation from attacks on the floor. In spite of the partisan conflict within the Appropriations Committee, we continue to find that committee members retain considerable institutional advantages in relation to nonmembers in affecting funding decisions on the Senate floor.

Fenno's seminal work during the textbook era provided a comprehensive analysis of Congress's power of the purse. In general, Fenno found little change in the behavior of the Appropriations Committees during the sixteen year period of his study. The reform movement in the late 1960s and early 1970s, however, fundamentally altered the way in which the House, and to a lesser extent the Senate, conducted its business. Not only was the influence of the conservative coalition diminished, but the appropriations process came under assault from members wanting to centralize budgetary power in order to more effectively address a ballooning federal deficit. Despite weathering the jurisdictional challenges, the Senate Appropriations Committee was forced to adjust to a new legislative environment in which committee members have needed to embrace alternative strategies to pursue their policy goals. In particular, the relationships, both within the committee, and between the appropriators and the floor, have changed noticeably since Fenno wrote *Power of the Purse*.

Our intention is to update and extend earlier works which afforded the Appropriations Committee a central position in the institutional division of labor within Congress. Both Fenno (1966) and Horn (1970) offered a picture of the Senate Appropriations Committee prior to the reform era. While White (1989) has thoroughly examined House Appropriations after the reforms, we begin to offer an updated picture of the counterpart committee in the Senate. In particular, our analysis attempts to understand better the changing relationship between the Senate Appropriations Committee and the Senate chamber with respect to floor activity in the postreform era.

The organization of the paper is as follows: the first section offers a picture of the Senate Appropriations Committee in the prereform era and discusses some of the central differences between the House and Senate Appropriations Committees. The next section outlines important changes, both internal and external, that have affected those committees during the reform and postreform periods. The intent of these sections will be to identify some of the theoretical, institutional and contextual issues that may shape the committee-floor relationship. The third section presents and discusses the empirical findings. Finally, the last section reflects on the significance of the evidence regarding the theoretical questions that directed the study.

THE POWER OF THE PREREFORM PURSE

Fenno's (1966) study of the prereform Appropriations Committee (1947-1962) focused upon factors that influenced spending decisions. Committee behavior was understood in part as a response to the chamber's expectations of the committee and in part as a response to the committee's own member expectations (1966: 529). Fenno conceptualized the committee as a sub-system dependent upon the external demands of larger systems like the expectations of the parent chamber, and similarly upon internal demands like those relating to individual member goals.

Distinguishing Between the Chambers

Fenno's system-theoretic approach saw a balance between the internal and external demands placed upon the committee that could be achieved through structural differentiation between the system-sub-system and through integration within the committee.¹ In the broadest of terms, Fenno explained how the system-sub-system relationship in the House (e.g., parent chamber and Appropriations Committee respectively) was characterized by greater structural differentiation than as compared to the system-sub-system relationship in the Senate.²

The degree of structural differentiation had important implications for committee integration and the level of independent committee influence in decision making. On the one hand, the high degree of structural differentiation between the chamber and committee in the House provided the incentive for the Appro-

priations Committee to develop stronger committee integration or internal cohesion which could then facilitate the transformation of committee autonomy into committee influence. On the other hand, the relatively lower degree of structural differentiation characteristic of the Senate meant that the Senate Appropriations Committee did not have the same incentive for strong committee integration.³ In particular, Fenno maintained that the Senate chamber-Appropriations Committee relationship was characterized by "minimum structural differentiation" both between the chamber and committee (external differentiation) and also within, in relation to the committee and subcommittees (internal differentiation) (1966: 560).

Differences in the Appropriations Committees were understood best in terms of the differences in member goals. House members desired a seat on the Appropriations Committee because it offered a relatively unparalleled platform to pursue individual power and prestige within the institution. The committee's intra-institutional influence in effect came from its role in protecting the House's inter-chamber power over the purse (Fenno 1966: 96). Individual goals, then, could best be achieved by maintaining high levels of committee integration or unity with respect to the chamber. Senators though sought a seat on Appropriations because they were concerned with both constituency interests and institutional power. But the institutional power resulting from membership on Senate Appropriations revolved around the committee's ability to affect particular constituency interests (Horn 1970: 14). In effect, the relative lack of structural differentiation facilitated the assimilation and representation of chamber interests through the Senate Committee while preserving a sufficient amount of committee influence in order to serve the constituency interests of individual members.

Distinguishing Between Appropriations and the Senate Chamber

With our empirical focus upon the committee-floor relationship in the Senate, it may be useful to discuss further some of the specific institutional features that, according to Fenno (1966), contributed to the minimal structural differentiation characteristic of Senate Appropriations. For example, the size of the committee during Fenno's study included over one-quarter of the chamber while the same committee in the House was only about one-ninth of the total membership (1966: 507). Thus, the very size of the membership in proportion to the rest of the chamber made Senate Appropriations less exclusive relative to the House Appropriations Committee.

Furthermore, Senate rules provided that all Appropriations Committee members served on other Senate committees. These rules also provided that for eight of the appropriations bills, three members from the relevant policy committee sat as ex-officio members with voting rights (Fenno 1966: 507-508). By tradition, the three ex-officio members from the substantive policy committee included the two most senior majority members and the ranking minority member (Fenn 1966: 508).⁴ Moreover, in the prereform Senate, there existed a tradition in which leaders from the majority and minority party sat as participating members of Appro-

priations. In relation to these features and Senate maintenance expectations, Fenno (1966: 509) noted that Senate Appropriations represented a tripartite system of interlocking memberships between the Appropriations Committee, policy committees, and the party leadership.

Fenno portrayed the prereform Senate Appropriations Committee as the less powerful of the two purse-string committees. This inter-institutional comparison was at least in part due to the sequence in which the House committee acts, first-setting the parameters of the appropriations decisions, and the Senate committee mainly reacting to the House's spending decisions.⁵ For example, Fenno (1966: 575) found that one-third of House appropriations decisions were not altered at all by the Senate Appropriations Committee. For those instances in which House decisions were changed, the majority (fifty-six percent) of the changes were for increased spending. Moreover, Fenno argued that the institutional characteristics of the committee-floor relationship (e.g., minimal structural differentiation) helped explain the Senate Appropriations success in conference. In negotiations with the House Committee, the Senate Committee tended to be advantaged through the collective support of the chamber (Fenno 1966: 682).⁶

More importantly for the purposes of our analysis, Fenno portrayed the Appropriations Committee-Senate chamber relationship as highly reflective of and responsive to chamber interests. For example, Fenno found that out of nearly six-hundred Appropriations Committee decisions, nearly ninety percent were unchanged by the chamber. Out of the handful (sixty-six) of changes in committee decisions that were made on the floor of the Senate, the overwhelming majority were for increased spending (1966: 505).⁷ These findings reflect in the textbook era the effective integration of goals within the committee, the accommodation of interests between the committee and the chamber, as well as the dominance in Senate expectations of program support over economic restraint.

THE REFORM ERA AND BEYOND

The reform movement in the late 1960s and early 1970s fundamentally altered the way in which the House, and to a lesser extent the Senate, conducted its business. With the rise in popular movements, such as civil rights, environmentalism, and opposition to the Vietnam War, a new contingent of liberal activists came to Congress poised to shatter the conservative consensus that had inhibited legislative change (Davidson 1992; White 1989). Committee rooms were thrown open, their barons restricted, and the legislative process became more open and amenable to individual member participation.

The changes were meant to encourage responsiveness by committees and their leaders to the rank-and-file. The selection of committee leaders solely by seniority inhibited committee responsiveness to the increasing number of liberal members entering Congress (White 1989). Particularly on civil rights, junior members felt they were at a disadvantage because many committee chairmanships were held by Southern conservatives (Riple 1985; Rohde, Ornstein and Peabody 1985). At the same time as chairmen were being constrained, the rank-

and-file were being given the resources with which to play a more integral role in decisionmaking (Smith 1989: 10). Such resources enabled members to acquire the knowledge and relevant information to directly challenge committee decisions in both committee and on the floor (Shepsle 1989). The result of all these reforms was the systematic erosion of the 'textbook congress.'

In the Senate, however, where power had traditionally been and continues to be more equitably distributed and committees were less important in the legislative process, the institutional reforms of the 1960s and 1970s were not as extensive (Rohde 1992). During the prereform era, committee membership provided senators with a sufficient means of influence, while after the 1970's reforms the institutional boundaries demarcated by norms and the committee system were gradually overwhelmed by senators' growing incentives to affect policy on the floor. Indeed, Sinclair (1986: 898) argued that "restrained activism" characterized Senate behavior before the reform era, but evolved to "unconstrained activism" in the latter period. To a large extent, the same issue agenda and partisan electoral forces affecting House changes also affected the Senate. However, the costs of institutional change tended to outweigh the advantages so senators were therefore more reluctant to embrace reform as compared to the House (Sinclair 1989).

That is not to say, though, that the upper chamber could ignore changing public opinion. In fact, Senate norms and the Senate agenda were transformed by the upheaval of the era (Sinclair 1989). According to Rohde, Ornstein and Peabody (1985: 152), general benefit norms, such as legislative work, courtesy, reciprocity, and institutional patriotism have tended to remain relatively stable. Limited benefit norms, however, such as apprenticeship and specialization, that predominately benefited Southern conservatives who were in committee leadership positions,⁸ were sacrificed by the incoming liberals whose electoral fates required policy change at a more rapid rate.⁹

Despite the changing membership, the institution itself remained remarkably stable. The individual and minority rights enshrined in the Senate's rules have made, and continue to make, both a decentralized committee system and a centralized party leadership structure less effective (Smith 1992: 171). Along with the filibuster and lack of a germaneness rule, the smaller size of the Senate chamber, the heterogeneous districts, and the overlapping jurisdictions and memberships of the Senate committees all contribute to the active participation by Senators across multiple issue domains (Smith 1992).

The Politics of Fiscal Austerity

While the *institutional* structure of the Senate remained largely unchanged following the reform era (Deering and Smith 1997: 36), the appropriations process was an exception.¹⁰ To be sure, the Appropriations Committees in both chambers were already highly decentralized. Even in the House, where Cannon and Mahon had both been powerful committee chairmen, each of the thirteen subcommittees was largely left in charge of forging its own funding measure. Nevertheless, appropriators began to see some of their institutional clout stripped away. For

one thing, authorizing committees began to reclaim their place in the pecking order through annual authorizing bills (White 1989: 84).¹¹ Furthermore, these committees found 'backdoor' methods for spending money, such as entitlements, that according to Davidson (1992: 12), stripped "the appropriations panels of much of their formal fiscal guardianship." In addition, the Budget and Impoundment Control Act of 1974 created further impediments for House and Senate appropriators. Budget Committees in both chambers plus the Congressional Budget Office were erected to develop an annual comprehensive government budget that would guide appropriators in their funding decisions (Kiewiet and McCubbins 1991: 79).

The new politics of the budget were not only a response to policy disagreements Congress had with President Nixon. The budget process also was a top-down method of controlling a ballooning federal deficit (Thurber 1992). Many advocates of reform agreed that the decentralized appropriations process could not adequately manage the government's checkbook. For some, then, budgetary power was designed to flow directly to party leaders and the Budget Committees (Thurber 1992: 261).

If the budget process had worked the way many activists originally intended, perhaps the Appropriations Committees in both chambers would have continued to see their stars dim. Such was not the case. Despite the spending constraints established by the Budget Resolution, and later by the Gramm-Rudman-Hollings (GRH) plan and the Budget Enforcement Act of 1990, substantial funding authority stayed with the appropriators (Kiewiet and McCubbins 1991: 83). For instance, the funding categories established by the Budget Committees and expressed in the Budget Resolution do not conform to the Appropriations subcommittee structure, allowing the appropriators to continue to set targets for each of the thirteen funding measures (White 1989).

In addition, the Budget Committees have often had difficulty passing their resolutions. In fact, these budget plans are frequently debated by Congress well after their scheduled adoption time (Kiewiet and McCubbins 1991). With the zero-sum politics of the 1980s, the decline in deference, the rise in partisanship, and the strong policy disagreements Congress had with the Reagan Administration, the budget process became the locus of intense intra-chamber squabbling. As a result, the Appropriations Committees, according to Schick (1984), recaptured a large portion of their institutional clout (quoted in Kiewiet and McCubbins 1991: 80).

Following the reform era it appeared as if the traditional appropriations process had been fundamentally and permanently altered. Kiewiet and McCubbins (1991: 79) go as far as suggesting that the budget process, had it functioned as many intended, would have eliminated any need for the appropriators. Indeed, this may have been more true in the Senate where the Budget Committee was established as a permanent committee with a fixed membership.¹² Yet, the ranking members of the Budget Committees and party leaders never completely centralized the budget process despite being given the authority, through budget reconciliation, to bring both the authorizing and appropriating committees in line with leadership spending priorities (Thurber 1992).

The Committee-Floor Relationship in the Postreform Era

While the Appropriations Committees in both chambers weathered the jurisdictional challenges of the reform era, they were forced to adjust to a new legislative environment. This environment is characterized by a less predictable legislative process, the erosion of informal norms guiding floor activity, the rise of partisanship and the importance of central leadership (Weingast 1992: 142). In this new environment, committees have embraced new strategies to assure passage of their legislation. In particular, the relationship between the appropriators and the floor has changed noticeably since Fenno wrote *Power of the Purse*.

With regards to partisanship, White (1989) found the House Appropriations Committee to be less partisan than the chamber floor, but challenges by the floor had become more common, particularly in the 1980s by Republican deficit hawks. Before the reforms, the House Appropriations Committee was extremely successful in passing its thirteen regular spending bills. Stanley Bach (1986: 48) found that the success of amendments on the floor increased dramatically following the Legislative Reorganization Act of 1970. Indeed, from 1963-1973 the success of contested amendments on the House floor almost never exceeded 30 percent. After 1973, this figure never fell under 30 percent. Not only did recorded roll-call votes make amendment activity more common, but it also destroyed the appropriators' advantage in controlling the schedule (Bach 1986; White 1989), making the bills more vulnerable on the chamber floor.

Weingast (1992) also found floor activity and challenges to appropriations bills to have increased dramatically following the reforms of the 1960s and 1970s. However, he argued that House committees in general adapted to these challenges by countering first-degree amendments with first- and second-degree amendments of their own. This implies that committees developed, and continue to develop, alternate strategies to defend their legislation on the chamber floor. Besides counter-amendments, committees, particularly the Appropriations Committee, were more likely to secure restrictive rules from the Rules Committee (Weingast 1992; White 1989). Especially during the Reagan administration, rules were used much more frequently to protect bills from Republican attacks (Smith 1989; White 1989). With respect to the Senate, despite its open floor environment, it remains more advantageous for a senator to influence legislation as a member of the committee rather than as a non-member on the floor. As a result, Appropriations continues to be a highly sought after assignment.

More recent strife experienced by the appropriators on the floor has had more of a partisan bent. Indeed, it has become more common for the ranking minority members on the subcommittees to oppose the chairman (White 1989). However, White argued that appropriators, notwithstanding their loss of control over the floor, remained quite capable of defending their thirteen regular bills. This might in part have been a result of non-members choosing to fight policy battles on supplemental funding measures and continuing resolutions (White 1989).¹³

While the tools available to appropriators in the House have been discussed at length by congressional scholars such as White (1989), Kiewiet and McCubbins

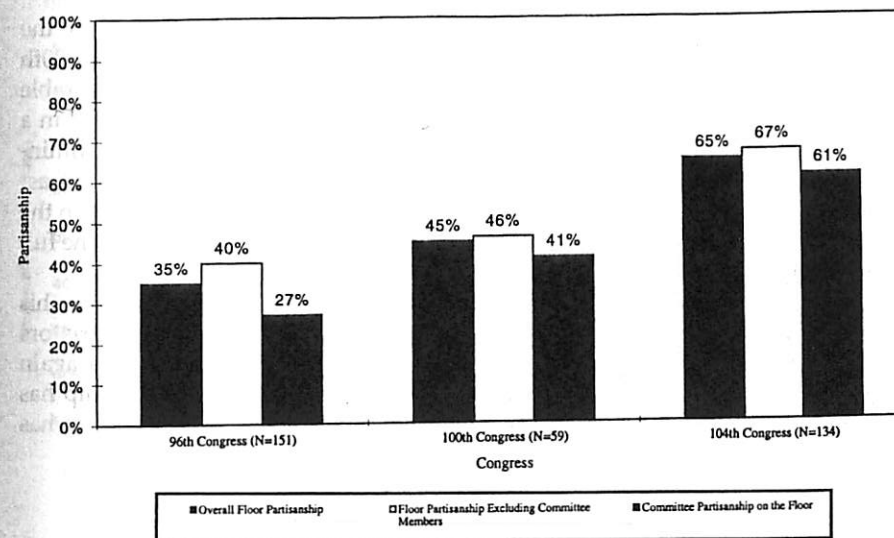
(1991), Weingast (1992), and Aldrich and Rohde (1996), Senate appropriators have received little attention in the reform and postreform eras. The changes in the legislative environment and the subsequent decline of informal norms have clearly resulted in increased floor activity (Smith 1989; Sinclair 1986). In order to resist these floor challenges, Senate committees, like House committees, have been forced to adopt new legislative strategies. As a result, table motions became increasingly used in the Senate to thwart amending attempts. Due to the lack of a general rule to restrict floor debate and because the floor has become an increasingly used avenue for senators to pursue their goals, motions to table have become a non-debatable device to quickly kill amendments that could potentially bring down legislation (Smith 1989). Non-committee members, particularly, have become more likely to offer amendments to bills and have become more successful in having them adopted (Smith 1989: 143-145). Senate appropriations bills remain some of the most challenged on the chamber floor.¹⁴ Second-degree amendments and table motions, thus, have become potentially useful weapons of the committee to enervate or do away with inimical amendments offered by discontented committee or non-committee members (Weingast 1992; Smith 1989).

What we have seen is that the appropriations process has changed dramatically since Fenno's classic study. In the House, appropriators have been forced to ally themselves with the party leadership in order to ensure smooth passage of their legislation (Aldrich and Rohde 1996). They also have been forced to fund through continuing resolutions when the thirteen regular bills became stymied in committees or on the floor. Even then, funding measures continue to generate significant conflict on the chamber floor. In the Senate, though, the institutional structure has remained remarkably stable since Fenno's work on the prereform Congress. Senators on Appropriations are still concerned with affecting particular constituency interests. However, it has become much more difficult for appropriators to accommodate the personal and constituency interests of non-committee members due to the budget deficit environment. As a result, tension between the committee and the floor has increased in the postreform era. Furthermore, the increasingly partisan agenda in the post-reform era has created a less integrated committee environment. Similar to the House, then, one might expect that the Senate Appropriations Committee would become less a tool of the full chamber and more a tool of the majority party leadership.¹⁵

EMPIRICAL EVIDENCE

In this section, we present evidence that reflects the changing appropriations process and the changing legislative environment of the Senate.¹⁶ Not surprisingly, the patterns of decision making on the floor reveal an Appropriations Committee that is different than the one presented by Fenno (1966). Not only has the committee-chamber relationship become much more conflictual and partisan, but the relationship among appropriators has followed a similar trend. We additionally find the transformation in floor activity to be indicative of the use of alternative strategies to affect appropriations-related legislation. Lastly, our evidence on

FIGURE 1
*Levels of Partisanship (Conflictual Votes Only),
Senate and Appropriations Committee Members, 96th–104th Congresses*



floor decision making illustrates the continuing influence of the Appropriations Committee on funding measures.

The Changing Legislative Environment

Both Fenno (1966) and White (1989) discussed at length the bipartisan nature of the appropriations process. White (1989) contended that regardless of the reforms, the House Appropriations Committee continued to remain one of the least partisan on the Hill. In fact, White (1989) went so far as to say that there was little difference with regards to partisanship between the House Appropriations Committee after the reforms and the one that existed in the 'textbook era.' Admittedly, as mentioned previously, we would expect the differences in partisanship between the committee and the floor to be less evident in the Senate than in the House due to certain institutional features. However, as Figure 1 demonstrates, partisanship has been increasing since the reforms.¹⁷ The mean floor partisanship has gone from 35% in the 96th Congress to 65% in the 104th.¹⁸ During the same period, though, the partisanship of Appropriation members increased even more sharply from 27% to 61%. It is interesting to note that during the period between the 96th and 100th congresses, the mean levels of partisanship increased less noticeably than during the period between the 100th and 104th. The relatively small degree of change in mean partisanship from the 96th to the 100th may indi-

cate that there was a lag in partisan effects with respect to appropriations-related decisions. This seems consistent with the norms of minimal partisanship associated with appropriations legislation described by Fenno (1966) before the reforms and by White (1989) after the reforms.

What we see in the Senate then is consistent with White's assessment of the House committee up through the middle of the 1980s. Yet, following the 100th Congress our evidence suggests that the Senate has undergone considerable change. In particular, appropriators during the 96th Congress largely acted in a bipartisan fashion on the floor while by the 104th such bipartisanship had diminished markedly. What this suggests is that the Appropriations Committee, at least in the Senate, has been systematically affected by the growing partisanship in the chamber. As a result, the committee has begun to look more and more like the full chamber: sharply divided along party lines.

Evidence from committee-floor disagreement scores further supports this conclusion.¹⁹ In the 96th Congress 28% of the time a majority of the appropriators voted against a majority of the floor. In the 100th this drops to 16% and again drops to 14% in the 104th Congress. So, it would seem that as partisanship has increased over time, the difference between the committee and the floor has decreased.

Floor Activity: Alternative Strategies of Committee Influence

The relationship between the floor and the Appropriations Committee has changed substantially since Fenno's work. Less deference, greater floor challenges to funding bills, and more partisanship are all emblematic of the new legislative environment. Furthermore, the committee itself has not been immune to such changes and reflects the growing partisanship within the chamber.

The postreform legislative environment has led to the use of alternative strategies for affecting public policy. In the House, floor activity has increased dramatically since the reforms. With greater resources, members have gained the information necessary to actively challenge committee decisions on the floor. Restrictive rules have been necessary in the postreform era to counteract the rise of amending challenges on the chamber floor. In the Senate, where floor activity with few exceptions is unconstrained, except by unanimous consent motions, no such rules exist (Smith 1989). Despite the lack of this leadership tool, floor activity in the Senate has also exhibited remarkable change in the postreform era. Table motions, particularly, have become one method of blunting attacks on legislation.

Table motions make up a plurality of the votes taken on the Senate floor on appropriations-related legislation. Of all votes on appropriations bills, table motions comprise about 35%, but of those that are conflictual, table motions make up over 45%. So, not only are table motions prominent, but they additionally tend to be associated with substantial chamber conflict. Moreover, such conflict has been and continues to be predominately partisan in nature. An important change, though, is the increasingly partisan use of the table motion on funding legislation by Appropriations members.

FIGURE 2
Cross-Party Use of Table Motions, U.S. Senate, 96th–104th Congresses

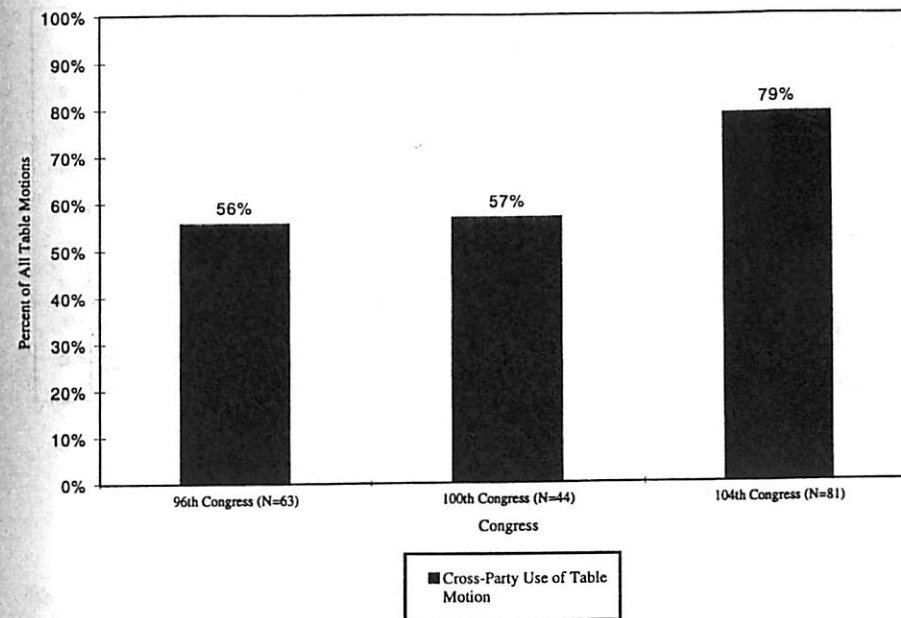


Figure 2 presents evidence of the growing use of this procedural strategy. The cross-party use of table motions increases slightly from 56% in the 96th to 57% in the 100th, and then leaps to 79% in the 104th Congress. However, we additionally find that table motions have become primarily a partisan tool used by the majority party. Figure 3 shows that table motions by the majority have become much more common. In the 96th Congress, 57% of all table motions were proposed by members of the majority party. This increased to 73% in the 100th and to nearly 90% in the 104th. More importantly, though, is that these majority party table motions increasingly have targeted minority sponsored amendments (also shown in Figure 3). In the 96th Congress only 38% of the time were minority party amendments the recipient of majority party table motions. By the 100th, however, this had increased to 50% and by the 104th Congress it was up to 70%. While table motions clearly became a partisan tool, the use of such a strategy had rarely been used by members of the Appropriations Committee against other Appropriations members. By the 104th Congress, however, the substantial partisanship on the floor had evidently infected the Appropriations Committee. As Figure 4 demonstrates, appropriations members tabled amendments proposed by other appropriations members 16% of the time in the 96th and 13% of the time in the 100th. By the 104th Congress this had increased to nearly 30% of the time.²⁰

FIGURE 3

Majority Party Use of the Table Motion, U.S. Senate, 96th–104th Congresses

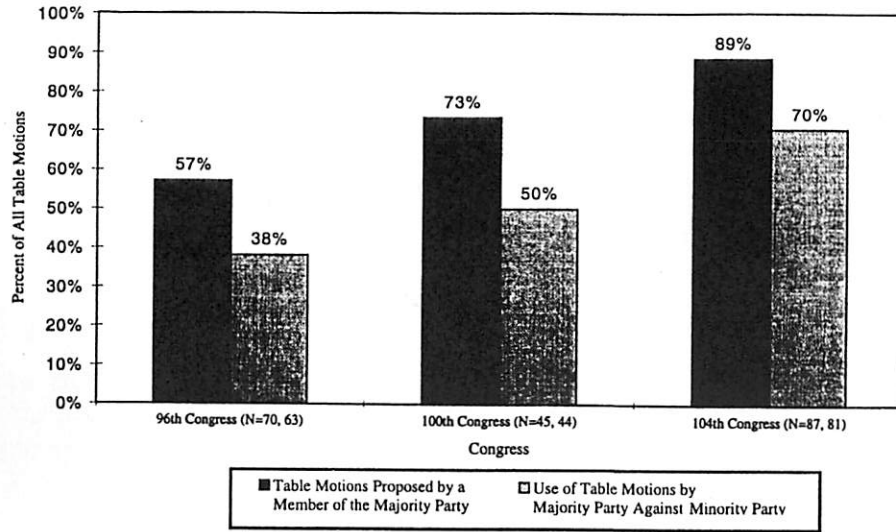


FIGURE 4

Use of Table Motions by Appropriations Members Against Amendments Proposed by Appropriations Members, U.S. Senate, 96th–104th Congresses

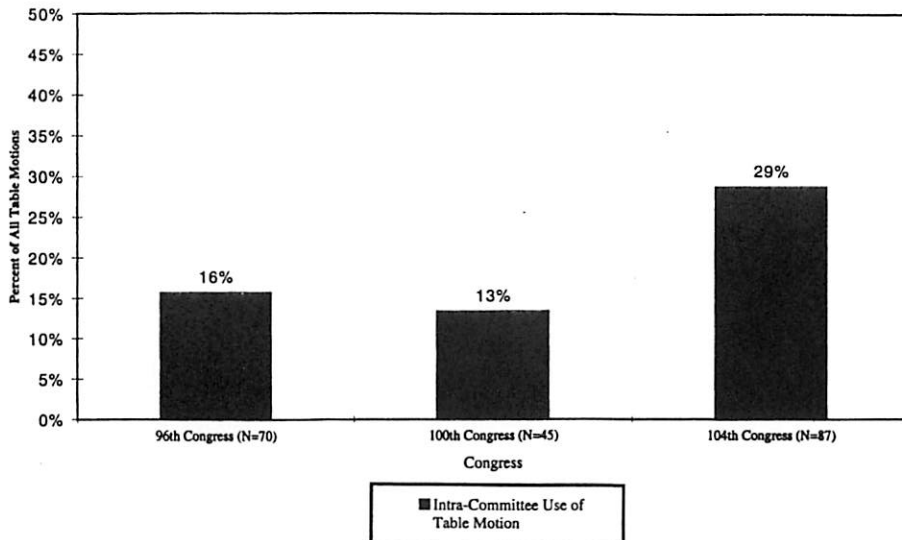
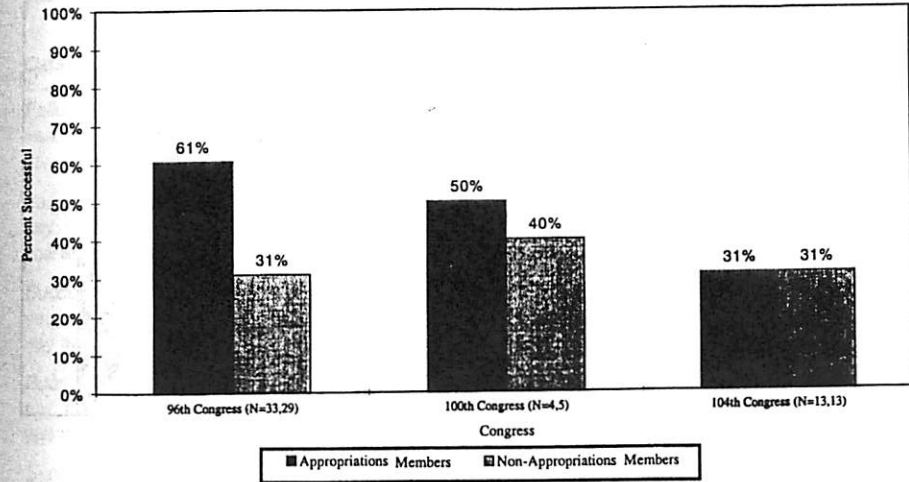


FIGURE 5

Successful First-Degree Amendments (Conflictual Votes Only), Appropriations Bills, U.S. Senate, 96th–104th Congresses



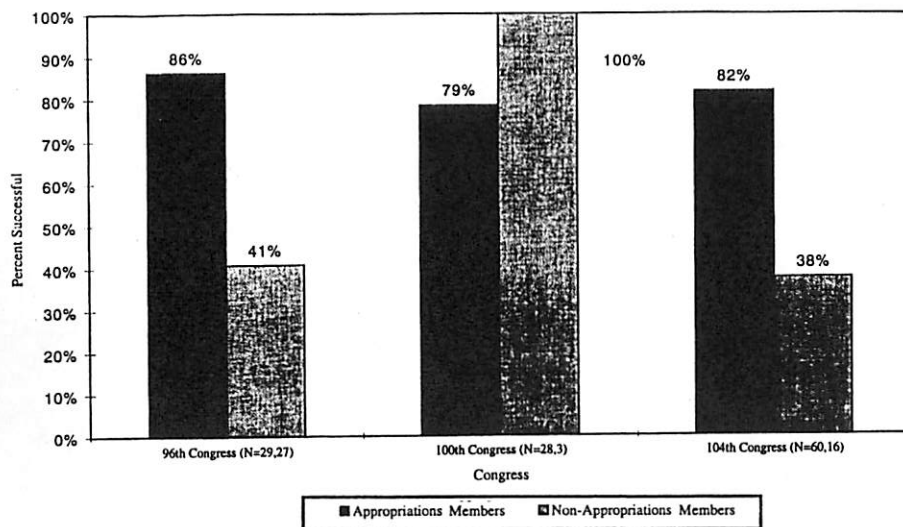
The Continuing Legislative Power of the Appropriations Committee

Despite the rise in partisanship within the chamber and within the committee, the appropriators retain considerable influence on the floor when it comes to funding-related legislation. For instance, of all the table motions proposed against amendments to appropriations bills, 75% were proposed by members of the Appropriations Committee. Moreover, 75% of those were directed against amendments offered by non-members. This finding suggests that the Senate Appropriations Committee may at times act independently of the party and/or chamber in protecting its legislation from floor challenges.

Additionally, Figures 5 and 6 show that committee power has remained fairly constant over time. Committee members have been able successfully to affect legislation at a higher rate than non-members. Figure 5 demonstrates that in the aggregate first-degree amendments producing conflictual votes have been proposed by members of the Appropriations Committee nearly as frequently as non-members, but they have tended to be more successful than similar amendments proposed by non-members. However, the success of first-degree amendments by committee members is shown to be decreasing over time and during the 104th Congress dropped to the same level of success as non-members.

Figure 6 illustrates that the success rate of committee members bringing table motions remained around 80% from the 96th to the 104th Congress. One can see that not only do non-members use table motions proportionately less frequently, but their success rates tend to be far lower as compared to the success rates of

FIGURE 6
Successful Table Motions (Conflictual Votes Only),
Appropriations Bills, U.S. Senate, 96th–104th Congresses



Appropriations members.²¹ Although not included in the figures immediately above, we find that second-degree amendments are used infrequently by both members of the Appropriations Committee and by non-members.²² This does not parallel Weingast's (1992) discussion of the use of second-degree amendments in the House. He maintained that such proposals were strategically used by committee members to protect legislation under their jurisdiction from significant first-degree alterations. In the Senate, however, table motions are clearly the preferred strategy to defend legislation from attacks on the floor.

This makes perfect sense. Second-degree amendments counter first-degree challenges by accommodating a portion of the proposed first-degree modification. Table motions, though, offer the ability to kill outright an attempt to modify legislation on the floor. Thus, why accommodate when one has been given the tool to avoid it altogether? In other words, why would one in Weingast's words 'fight fire with fire,' when one can 'fight fire with water'?

It is additionally true, however, that despite the onset of intra-committee partisan conflict, the Appropriations Committee has voted and continues to vote as a cohesive unit to affect legislative outcomes in certain instances. In general, one can see from Table 1 that the incidence of the committee majority voting opposite the chamber majority is non-trivial. Specifically, this occurs nearly 18% of the time on all votes and over 30% of the time on conflictual votes. Breaking this down even further, Table 1 demonstrates that the committee wins about as often as it

TABLE 1
Frequency of Committee Success on Floor Votes (All Votes and Conflictual Votes),
Appropriations Bills, U.S. Senate, 96th–104th Congresses

Category	Frequency		Percent	
	All Votes	Conflictual Votes	All Votes	Conflictual Votes
Failure: Floor majority voted yea, committee majority voted nay and proposal passed	33	33	5.7	9.6
Failure: Floor majority voted nay, committee majority voted yea and proposal did not pass	22	22	3.8	6.4
Success: Floor majority voted yea, committee majority voted nay and proposal did not pass	16	16	2.7	4.7
Success: Floor majority voted nay, committee majority voted yea and proposal passed	33	33	5.7	9.6
Success: Both majorities voted yea and proposal passed	359	149	61.6	43.3
Success: Both majorities voted nay and proposal did not pass	120	91	20.6	26.5
Total	583	344	100.0	100.0

loses when the committee and chamber majorities oppose one another on the floor. Of the subset of conflictual votes, the committee majority is able to roll the chamber majority over 14% of the time and alternatively the chamber majority is able to roll the committee majority nearly 16% of the time.²³ Thus, committee and chamber majorities not only oppose one another with some frequency on appropriations-related proposals, but the committee majority can often successfully assert its influence on these measures in the face of a challenge by an opposing chamber majority²⁴

CONCLUSION

Our empirical analysis explored three aspects of the theoretical discussion we presented: the impact of the changing political context on the handling of appropriations bills on the Senate floor, the evolution of the use of defensive strategies by the Appropriations Committee on the floor, and the question of whether the Committee has retained disproportionate influence over appropriations policy. Regarding the impact of political change, we saw that the pattern of bipartisan-

ship on appropriations bills in the Senate had become eroded (as it apparently had in the House). Partisan conflict in floor voting has increased substantially both among committee members and the rest of the Senate membership, and the shift was even more pronounced among the committee's members. No longer can the appropriations process in the Senate be characterized as bipartisan, even among the committee specialists. Even this bastion has been significantly affected by the increase in partisanship in American national politics in general, and in the Congress in particular.

Second, our analysis reflects, on appropriations bills, the growing propensity to challenge committee bills on the Senate floor that had been described in the literature. As a reaction to that growing propensity, however, we also find increased use of strategic devices by the members of Appropriations to defend the committee's decisions. This was particularly visible in the progressively greater use of table motions against first-degree amendments on the floor, to the point where they accounted for over half of the conflictual roll calls on appropriations bills in the 104th Congress (Marshall, Prins, and Rohde 1997). This defensive activity, however, also increasingly reflected the growing partisanship of appropriations politics in the Senate. Voting on table motions was increasingly likely over time to divide Democrats from Republicans, both among appropriators and among the floor rank-and-file. Moreover, the motions themselves were more frequently used by a member of one party (usually the majority party) against a member of the other party. Perhaps most striking in light of the history of committee bipartisanship in the era described by Fenno, this partisan use of table motions was increasingly directed against minority members of the Appropriations Committee by its majority members.

Finally, while we see that the ends to which committee influence have been directed has changed (away from protecting bipartisan agreements and more toward the service of majority-party interests), the influence itself has not been markedly dissipated. That is, the Senate Appropriations Committee still exhibits substantial influence over appropriations outcomes on the floor. Non-committee members have not become more successful at passing floor amendments to appropriations bills, and committee members (largely from the minority party) have become less so. Moreover, despite the increasing frequency of the committee members' resorting to table motions to defend committee policy, their success on such motions has remained relatively stable since the 96th Congress. On the other hand, the increasingly partisan nature of appropriations politics has clearly decreased the differences between the committee and the floor. As noted, partisan splits are more likely among both groups and the levels of partisanship have become more similar. Further, while it is still true that the majority of committee members from time to time votes differently from a majority of non-committee members, and the committee wins some of those conflicts, such instances became less frequent in the 104th Congress than earlier.

Given these findings, we feel justified in concluding that the appropriations process in the Senate has changed significantly from the picture painted in the previous literature, and that the changes conform to what one would generally

expect from the theoretical discussion we outlined earlier. It is also true, however, that our analysis here has been limited, and that many aspects of the process remain to be evaluated. In particular, it will be important to discover to what degree the changes discussed here are reflected in the appropriations process in the House, and in the legislative activities of other committees in both bodies. Beyond those matters, it will also be important to explore further the variations within committees by comparing the actions of each committee's subcommittees over time, and the evolution of the pre-floor decisions within the committees.

Notes

Authors' note: We would like to thank Joe White, Roger Moiles, and two anonymous reviewers for their comments on earlier versions of this article. Of course, the authors remain culpable for errors and omissions.

¹Differentiation means that there existed separate decision-making structures in the committee distinct from the parent chamber (Fenno 1966: 188). These decision-making structures were associated with certain roles and expectations of behavior that tended to be reinforced through norms (e.g., deference and apprenticeship), institutional, and/or procedural mechanisms (e.g., exclusive memberships, closed hearings, or rules). Committee integration implied that member roles mesh together, in effect minimizing internal conflict (Fenno 1966: 191).

²In this regard, Fenno (1966: 682) offered the following description of chamber differences: "The Senate achieves control over its Appropriations Committee primarily by maintaining a close working relationship with it—by a kind of structural absorption. The House, on the other hand, curbs the autonomy of its Appropriations Committee more through the periodic exercise or threat of overt sanctions—by a kind of structural check and balance."

³A relatively higher degree of structural differentiation also implied that there existed a permanent tension between the committee-chamber relationship in the House that did not exist to the same extent in the Senate (Fenno 1966: 506-507).

⁴Horn argued that the representation of policy committee interests were more a function of overlapping memberships than the structural device of ex-officio membership (1970: 62).

⁵In addition, Fenno (1966: 378-383) suggested that the success of appropriations bills varied between the chambers. For example, bureaus from the Departments of Commerce and Interior were likely to be more successful in the Senate as compared to the House. Alternatively, bureaus from the Departments of Agriculture and HEW were likely to be more successful in the House as compared to the Senate. These variations were due in part to the non-controversial nature of the bureau's service, a well-defined workload, the differential effect of clientele groups, partisan controversy, or some combination thereof.

⁶Fenno (1966: 690) pointed out that inter-institutional conflict was really between the House Appropriations Committee and the Senate. "Given the lack of structural differentiation, it is correct to view the antagonists here as the Senate as a body and the House Committee on Appropriations."

⁷The success of committee decisions in the House also approached ninety percent. However, of those changes made on the floor, the majority were for decreases in spending (Fenno 1966: 450).

⁸In 1957 conservatives controlled two-thirds of the chairmanships. In 1973 this had decreased to less than one-half (Rohde, Ornstein and Peabody 1985).

⁹The 'Johnson Rule,' adopted in 1953 (which guaranteed at least one major committee assignment to all members), additionally helped transform the Senate power structure (see Sinclair 1989; Rohde, Ornstein, and Peabody 1985).

¹⁰We recognize that the budget process is both complex and dynamic. Consequently, given the focus here, we simply do not have the space to characterize all of the important budgetary issues intertwined with appropriations policymaking. Nonetheless, we believe that the changes in the budget process are extremely important for understanding the changing institutional context as well as the increase in partisan conflict we observe on appropriations policy in the Senate.

¹¹ Not only did yearly authorizations create jurisdictional conflicts, but authorizing committees often did not pass their bills thus leaving the unpleasant task to the Appropriations Committees.

¹² In the House, each member of the Budget Committee serves only temporarily and a portion of the members are drawn from the Appropriations and Ways and Means committees (White 1989). As a result, members have an incentive to maintain loyalty to those committees where their own membership is permanent and they are able to work their way up the seniority ladder. In the Senate, however, the Budget Committee may be seen as another avenue for developing legislative influence.

¹³ Particularly in the Senate, the minority has shown itself to be a formidable obstacle when it comes to supplemental appropriations bills. Recall Clinton's stimulus package in 1993 that met with a unified resistance by Senate Republicans. After a lengthy filibuster Senate Majority Leader George Mitchell was forced to pull the plug on the bill (see *Congressional Quarterly Weekly Report* April 24, 1993). In the 1988 supplemental GOP leader Robert Dole attempted to include a funding rider for the Nicaraguan contras that stymied the bill on the chamber floor (see *Congressional Quarterly Weekly Report* August 6, 1988).

¹⁴ Similar to the House, the Senate does not allow legislative riders on appropriations bills. Such amendments can be stricken by a point of order on the chamber floor. A super-majority of 60 votes is needed to overturn a point of order brought against authorizing or funding measures. A unanimous consent agreement is the only other way of avoiding a point of order brought against non-germane amendments tacked on to appropriations bills (Smith 1989).

¹⁵ Aldrich and Rohde (1996) found that due to the increasing homogeneity of the parties within the House, the leadership and conference of the Republican party were able to use the Appropriations Committee in order to tilt legislative outcomes closer to the preferences of the rank-and-file.

¹⁶ The data presented here represent all roll-call votes (N = 583) on legislation debated on the Senate floor in the 96th, 100th, and 104th Congresses that fell under the jurisdiction of the Appropriations Committee. This includes primarily votes relating to the thirteen regular appropriations bills, plus supplemental and continuing resolutions. We recognize that an analysis of three congresses limits the inferences we can draw. In particular, we are aware that the high degree of partisan conflict associated with the 104th Congress may be somewhat unique. However, similar patterns appear in the House during the 105th Congress, providing preliminary evidence that the 104th is not merely an historical aberration (see Marshall, Prins, and Rohde, 2000).

¹⁷ A portion of our analysis in this paper utilizes conflictual votes. We have defined conflictual votes as those votes with majorities less than seventy percent. We think that the conflictual subset of votes reflect the more substantive floor decisions from which to make comparisons and draw inferences. Throughout our analysis, we have remained sensitive to majority sizes and the potential they have for affecting the patterns we analyze. With only minor exceptions, our findings remain robust when majorities of sixty and eighty percent are used as the conflictual criterion.

¹⁸ The mean partisanship from Figure 1 is calculated from the absolute value of the percentage of Democrats voting aye minus the percentage of Republicans voting aye. This variable ranges from zero (no partisan conflict) to one (complete partisan conflict).

¹⁹ The disagreement scores are coded as dummy variables and indicate when a majority of the committee vote differently than a majority of the floor.

²⁰ Across all three congresses, only two of these intra-committee tabling motions were not proposed by the majority party. In addition, we find that this intra-committee conflict is almost invariably characterized by committee members of the majority party proposing these table motions against minority party amendments. In the 96th Congress, 50% of the table motions brought by the majority party targeted minority amendments. By the 100th Congress, this had risen to 67%, and by the 104th this had leaped to over 95%.

²¹ The uncharacteristically high rate of table motion success for non-members in the 100th Congress seems likely a function of the relatively few votes during that period. In fact, there were only three conflictual and successful table motions by non-members in the 100th Congress compared to twenty-seven in the 96th and sixteen in the 104th.

²² There were a total of twenty-one second-degree amendments proposed on appropriations-related bills across the three congresses. Of those, there were eleven conflictual second-degree amendments proposed by non-members and only three conflictual second-degree amendments proposed by

Appropriations Committee members.

²³ Although not indicated in Table 1, we find that the committee majority's ability to roll the chamber varies over time. In the 96th and 100th congresses the committee majority succeeded in rolling the chamber majority about 20% and 17% of the time respectively. By the 104th Congress, the committee majority won relative to the floor less than 8% of the time.

²⁴ We recognize that measures of committee power can be tricky. Indeed, it is often difficult to separate out the independent effects of party and committee on legislative outcomes. The evidence presented in Table 1, however, offers some indication that the Appropriations Committee in the Senate does command considerable influence apart from party. In particular, on over 14% of the conflictual roll-call votes, the position of the committee prevailed even though it was opposed by a majority of non-committee members on the chamber floor.

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Qualitative Research and the Study of the U.S. Presidency

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Abstract

Research on the U.S. presidency is among the areas of political science that have suffered in prestige due to its alleged underdevelopment as a "scientific" field. Here, we challenge that charge, and in the spirit of trying to strengthen analyses, we identify some common issues in presidency research (especially that relying on qualitative data) and suggest possible responses. In doing so, we adopt the somewhat unusual tactic of taking a hard look at our own recent work, with an eye to learning from its weaknesses and communicating what we have learned to others.

Research on the U.S. presidency is among the areas of political science that have suffered in prestige due to its alleged underdevelopment as a "scientific" field.¹ Even now, one reads entreaties to make presidency research more theoretically sophisticated, more rigorous, and more systematic (e.g., Edwards, Kessel, and Rockman 1993). Even as scholars strive to move beyond "squabbles about the second-class status of the field" (Ragsdale 1998, 13) and claims about the inherent superiority of quantitative research are challenged (e.g., Kritzer 1996; Mohr 1996), debate persists over how to go about improving understanding of the presidency. In what follows, we explore the contributions to be gained by paying more self-conscious attention both to the nature of the explanatory tasks undertaken by presidency scholars and to issues of research design and implementation.

SCOPE AND ANALYTICAL FOCUS

At the outset, however, we should be clear about the boundaries of the discussion. First, although *explanatory* research will be highlighted, this scarcely means that systematic description and descriptive inference are unimportant. Not only are they valuable in enhancing understanding of the presidency, but they also provide the necessary foundation for explanatory efforts (cf. King, Keohane, and Verba 1994; Ragsdale 1998). Meanwhile, we agree with Gary King (1993) and