*Politics & Policy*, formerly *The Southeastern Political Review* (ISSN 0730-2177) is published in March, June, September, and December by Georgia Southern University on behalf of state political science associations led by the Georgia Political Science Association. Opinions expressed are those of the authors and not necessarily the positions of the university or state associations.



*Politics & Policy* is indexed by International Political Science Abstracts, Public Affairs Information Service International, Ulrich's International Periodicals Director, and United States Political Science Documents.



# Politics & Policy

Politics & Policy • Volume 29 • No. 2 • June 2001

## CONTENTS

## Book Reviews





# Articles of General Interest

# PARTISANSHIP AND THE PURSE: THE MONEY COMMITTEES AND PROCEDURES IN THE POST-REFORM CONGRESS

**Bryan W. Marshall**
*University of Missouri, St. Louis*

**Brandon C. Prins**
*University of New Orleans*

**David W. Rohde**
*Michigan State University*

*We analyze floor decision making on taxing and spending legislation during the 96th, 100th, and 104th Congresses in order to assess how electoral forces, fiscal pressures, and institutional change have affected the role of the money committees. Examination of decision making on legislation from these committees provides insight into how different committees and different institutions responded to this volatile post-reform environment. We find that partisanship on floor decision making increased considerably over time across committee legislation in both chambers. Still, partisan conflict tended to be greater on taxing legislation than on appropriating legislation. This reflects the differential impact of partisanship across the different types of policies under the jurisdiction of the money committees. By the 104th, patterns of differences were particularly pronounced across committees, rather than across chambers, suggesting the common exogenous forces at work affecting both institutions similarly. In addition, we find that members adapted procedural devices in both chambers for partisan purposes in order to limit amending activity on legislation from the money committees. Together, these changes reflect both the dramatically altered decision making process and the increasing tendency toward a party-dominated role for the money committees.*

Richard Fenno (1973, xiii) began his comparative study of congressional committees with the simple assumption that "committees matter" and with the basic theme that "committees differ". For example, there exist considerable differences between the taxing and spending committees, the committees chosen for this analysis.[1] These differences vary over time, but in systematic ways, and will be augmented or abated depending on the dynamic interaction of member goals and interests within the legislative environment. Indeed, the post-reform legislative environment has experienced dramatic change, and committees in both chambers have been forced to respond to exogenous forces with strategies designed to protect jurisdictional turf and maintain member influence over public policy.

Since the reform era, the once autonomous role over the purse string enjoyed by the money committees has eroded appreciably and given way to a decision making process that tends to reflect majority-party policy priorities. Three important factors have contributed to the changing role of these committees in the post-reform era: (1) Increasing levels of intra party preference homogeneity; (2) A zero-sum budget environment, and (3) Institutional reforms that delegated greater powers to party leaders. In particular, we argue that to the extent that party homogeneity is a result of exogenous electoral forces, partisanship in floor decision making should be similarly reflected in both chambers. In addition, the more homogeneous the parties become, the greater the incentive for the rank-and-file to empower leaders with institutional mechanisms to affect policy outcomes. As a result, we would expect institutional tools to be increasingly used for partisan purposes, thereby sharpening party conflict on the floor.

To test our suppositions regarding party homogeneity and floor conflict, we use the committees vested with Congress's most important power, the power over the purse. Specifically, we analyze floor decision making during the 96th (1979-80), 100th (1987-88), and 104th (1995-96) Congresses. This provides us with a temporal vantage point to assess particular committee/floor relationships, plus it provides us with the ability to make comparisons between committees, between chambers, and over time. The analysis of the money committees holds another advantage in that these committees possess similar policy jurisdictions, deal with similar bills, and as a consequence provide a comparable legislative baseline to assess the effects of a changing legislative environment.

We find that partisanship within both the House and Senate increased over the post-reform era. The changes, however, are not invariant to policy areas. Partisan conflict on appropriations legislation is consistently less than that observed on taxing legislation. In addition, we find the increase in partisanship to be associated with the use of procedural tools in both chambers. Table motions in the Senate and restrictive rules in the House have been



increasingly used by leaders for partisan advantage. Furthermore, the patterns of change are remarkably similar across chambers. Despite significant institutional differences, the Senate–much like the House–has succumbed to a party-dominated decision making process with respect to purse string issues.

## Electoral Forces, Fiscal Constraints, and a Dynamic Legislative Environment

A 1997 floor fight between House appropriators and the GOP leadership over a supplemental funding measure vividly portrays the vastly different legislative environment that exists today in the House, particularly the relationship between the majority-party leadership and prestige committees such as Appropriations and Ways and Means. During this floor confrontation, majority leader Dick Armey characterized this new committee-floor relationship. "The supposition that the supplemental bill . . . or any appropriations bill . . .," he asserted, "is the property of that committee and that committee alone is a supposition that is errant and could only provoke mischief (*Roll Call* June 2, 1997, 14)." This serious challenge to committee autonomy was consistent with other aspects of Republican rule (Wilcox 1995; Aldrich and Rohde 1997-98).

What is especially interesting about the 104th Congress was that it evinced a combination of characteristics that originated both in the reform era and in the subsequent environment created by the profound budgetary difficulties of the 1980s. Indeed, the legislative atmosphere in both the House and Senate under the new Republican leadership was quite different from the pre-reform and immediate post-reform Congress (Shepsle 1989). Not only have the electoral forces that originally brought many more liberal northern Democrats to Washington in the 1960s and 1970s continued to exacerbate the policy differences between the two parties, but the growth in the federal debt similarly tended to increase the partisan conflict in both the House and Senate.

### Harmony of Interests and Policy Discord

The postwar legislative agenda was characterized to a large extent by accommodation; accommodation between institutions, accommodation between parties, and accommodation between committees and their parent chamber (see White 1989). It is safe to say that an expanding federal budget helped create an environment that mitigated intense partisan conflict

(Fiorina 1977; Strahan 1990; Rohde 1991; Wright 1997). Such expansion enabled members to protect effectively their electoral interests by securing federal moneys for their districts.[2] At the same time, a fragmented legislative agenda helped contribute to the development of multiple power centers within Congress. Committees and committee chairmen quite clearly became the depositories of congressional power (Deering and Smith 1997; Cooper and Brady 1981; Kiewiet and McCubbins 1991). Not only were committees and committee chairmen able to distribute policy influence through their institutional dominance over the agenda and decision making. But, the pre-reform committee system also offered considerable stability by balancing member interests based on geography, jurisdiction, and political party (Shepsle 1989; Cox and McCubbins 1993).

The legislative environment was rapidly transformed in the late 1960s and early 1970s by incoming northern liberals bent on reshaping and redirecting the congressional agenda (Davidson 1992). As the issues that grounded the pre-reform congress were replaced by concerns over the Vietnam War, civil rights, and environmentalism, institutional structures were altered to reflect this new legislative agenda (Strahan 1990, 27; Rohde, Ornstein, and Peabody 1985, 152; Ripley 1985). Further, the democratization of the floor environment enabled the new liberal majority to directly challenge committee decisions that failed to represent the collective preferences of the majority's members (Smith 1989; White 1989). Insightfully, Fenno argued that changing environmental forces—changes in the House membership in particular—have the potential for the greatest influence on the taxing and spending committees (1973, 15-20). This was because member goals were inextricably tied to the influence and autonomy of these committees, which was in turn largely based on the committee's responsiveness to the interests of the House membership.

### Fiscal Constraints

The rise of an agenda dominated by large budget deficits helped create a very different legislative environment (Strahan 1990; Thurber 1992). As Wright (1997) recently asserted, a congressional context characterized by decreasing federal expenditures for domestic programs tends to emphasize a dimension of politics that more naturally breaks along partisan lines. Moreover, it seemingly became evident to the rank-and-file that their electoral fates rested increasingly on their ability to address this highly salient issue (Davidson 1992, 14). This further polarized the legislative environment and made the budget process especially conflictual as party leaders were able to define fiscal priorities in partisan terms (Deering and Smith 1997). Here again, Fenno (1973, 24) thoughtfully surmised, "If ever Appropriations debates became general debates over spending and balanced budgets, partisanship would surely blossom."

In addition, the budget deficit contributed significantly to the centralization of power in the party leadership, something that had been originally built into the structural reforms of the early 1970s, but not fully realized then (Davidson 1992). Budget Committees were established in both chambers and theoretically given the power through reconciliation to bring revenue generating and appropriating legislation in line with leadership policy and spending priorities (Thurber 1992). The centralization of authority in the Budget Committees and the party leadership were strategies designed to compel independent-minded committee chairmen and the rank-and-file to reduce spending in a fiscally constrained legislative environment (Sinclair 1992; Thurber 1992; Deering and Smith 1997; Wright 1997). Predictably, the taxing and spending committees in both chambers were targeted by both the reform and post-reform legislative agendas (Oleszek 1996).

### Institutional Change: The Taxing and Spending Committees Meet the Reformers

Specific institutional and procedural reforms targeted the independence of the revenue generating and appropriating committees directly, affecting both chambers in varying degrees (Smith 1989; Rohde 1991). House Appropriations, for instance, was generally subject to the same assault on committee autonomy that the rest of the institution experienced during this period, perhaps the most important aspect of which was that committee chairmen were stripped of their power to appoint subcommittee heads and additionally were made accountable to the Democratic caucus (White 1989). The structure of Appropriations with its thirteen subcommittees and its larger size, though, meant that it was already considerably more decentralized and integrated with the chamber as compared to the taxing committee which had no subcommittees at all.

House Ways and Means, on the other hand, was affected more extensively by the reformers. In particular, committee membership was expanded by fifty percent, subcommittees were established, committee meetings were to be held in an open public forum, the closed rule was modified, and the Democrats on the committee lost the power of committee assignment to the leadership dominated Steering and Policy Committee (Rudder 1985; Strahan 1990).[3] In terms of partisanship at least, these reforms ultimately supplanted the structures and behavioral norms that had effectively restrained partisanship on the Ways and Means Committee during the pre-reform era (Strahan 1990, 113).

On the Senate side, the costs of institutional change generally outweighed the anticipated advantages, and therefore senators did not embrace institutional reform with the same fervor as members in the House. The size, lack of structural differentiation, and greater permeability of Senate committees, meant that committees tended to be more responsive to the interests of the Senate and consequently senators felt less need to reform as compared to their House counterparts. Still, the same electoral forces affecting the House significantly changed Senate norms and behaviors. In effect, the demands placed on newly elected liberal senators overcame the institutional norms of behavior that maintained the influence of the conservative coalition (Sinclair 1986).

Policy and Membership Differences Between the Taxing and Spending Committees

The potential for partisan conflict was, and continues to be, inherent in the nationally salient issues under the jurisdiction of the taxing committees (Manley 1970; Evans 1991). Indeed, the issues under the jurisdiction of Ways and Means were customarily of central importance to the party leadership due to their electoral significance for the political parties (Fenno 1973, 23-24). The potential for partisan conflict was additionally reinforced through the membership recruitment process (Manley 1970, 44). Tax committee chairmen from both chambers sought members that were generally conservative on money matters and committed to the most responsible fiscal legislation possible (Manley 1970, 295-97). In effect, the members on the committee were characterized as responsible legislators who were drawn from the ranks to accurately represent the preferences of the majorities of both parties. In the committee, partisan conflict was restrained during the early stages of decision making but could spill over reflecting the partisan conflict in the chamber when decision making was extended to the floor.

In contrast, the policies handled by the Appropriations Committees tended to have less potential for invoking partisan cleavages. In essence, the committee's focus on budgeting, and the necessity of passing appropriations bills, tended to mitigate the conditions that fostered partisan conflict.



Similar to members on the taxing committees, though, appropriators were fiscally conservative which largely prevented vast ideological differences from emerging (White 1989; Maltzman 1997). On Appropriations, minimal partisanship was the guiding decision rule that prescribed members would attempt to avoid partisanship at all stages of policy decisions (Fenno 1973, 88). As a consequence, even well after the crystallization of the reforms, bipartisanship was the central characteristic of appropriations decision making (White 1989).

Member Goals and the Changing Role of the Money Committees

Before the onset of the reform era, the overriding goal of members on Ways and Means and Appropriations was to gain institutional influence (Fenno 1973, 2). Re-election and policy goals of members on the money committees were subordinate to, and to a certain extent dependent upon, the prestige and power of the money committees within the House. In the Senate, members on Finance and Appropriations were less concerned with using their committees as a vehicle to gain institutional influence. Instead, members on Appropriations were primarily concerned with using the committees to further their reelection interests, while the interests of members on the Finance Committee tended to be more evenly distributed between affecting public policy and reelection (Fenno 1973, 142-44; Horn 1970).

Testifying to the influence of the institutional reforms and the changing legislative demands, members on Ways and Means, although still concerned with institutional influence, became more and more concerned with policy and constituency interests (Strahan 1990, 77). Members on House Appropriations, on the other hand, continued to be quite similar to their predecessors in the pre-reform era (White 1989, 15). On the Senate side, there is little reason to believe that member interests on Appropriations and Finance have changed substantially in the post-reform period. Committees aren't as important in securing institutional clout in the Senate as compared to the House. Still, Senate Appropriations and Finance remain desirable committees for members to promote their reelection and policy interests. Instead of dramatic changes in member interests, it appears more plausible to argue that members were forced to adapt to a more partisan environment in which their interests became more closely linked to their political party.

To be sure, before the reform era, members viewed the power of the purse as the core of their collective institutional power. Elaborate institutional features were extended to the money committees in order to preserve their prerogatives over the purse (Fenno 1966). This procedural and policy autonomy point to the collective stakes the membership shared with the money committees. In effect, members would be more likely to achieve their own individual goals as long as the money committees remained responsive to the needs of the chamber. However, the new legislative environment changed the memberships' incentives and also influenced the role of the money committees in Congress. In effect, the rank-and-files need to respond to the collective demands of the parties began to outstrip the institutional sanctity associated with the power of the purse. The money committees and especially the appropriations process became the focal point of partisan struggles as the majority party usurped the institutional prerogatives associated with the purse to promote its policy initiatives (Aldrich and Rohde 1996).

## Partisanship and its Implications for the Money Committees

We have argued that changes in the legislative context such as the increasing preference homogeneity of the majority party, the fiscal budgetary pressures, and the institutional reforms that conditionally empowered party leaders all have implications for partisan conflict on legislation from the money committees. First, we expect the effect of partisanship over time to vary across the taxing and spending committees (Fenno 1973; Cox and McCubbins 1993; Aldrich and Rohde 1996). That is, the types of issues, their saliency to the majority party's agenda, and the externalities they produce, all help determine how a committee will respond to changing legislative conditions. In this regard, given the significant electoral consequences of policies under the jurisdiction of the taxing committees, we expect in general that the appropriating panels will be more insulated from the growing partisan environment as compared to the taxing committees. This also implies that members of the taxing committees should become more responsive to their respective parties on the floor as compared to their counterparts on appropriations. In general, then, the level of conflict found on appropriations policy should be less than the level found on taxing policy.

We also expect a growing similarity across the two legislative chambers with respect to levels of partisan conflict. Despite the fact that we agree with Maltzman (1997, 148) that institutional differences may mute partisanship in the Senate, we argue that partisanship is also a result of important exogenous forces as well. From Maltzman's (1997) perspective, although the money committees in both chambers have similar agendas, one might expect patterns of individual party loyalty and thus the degree of partisan conflict to be buffered by the Senate's institutional context. That is, the relative levels of partisan conflict between the two chambers should be different because the consensus-building structures of the Senate would attenuate partisan cleavage on the floor. However, due in part to the common exogenous origin of these partisan forces, we expect the patterns of partisan conflict to grow increasingly similar across chambers.

Finally, we expect the over time patterns of partisanship to reflect the fact that party leaders in the House are better able to utilize the institutional structures as compared to Senate party leaders when the majority party becomes more homogeneous. That is, the Senate should reflect a higher threshold before electoral and fiscal forces affecting party homogeneity produce analogous levels of partisanship as observed in the House.

It is also true that the budget process additionally influenced the partisan nature of floor decision making. Yet neither the centralization of authority created by the budget process, nor the ideological dimension of decision making that was a consequence of the Budget Resolution, nor did the subsequent reconciliation procedure immediately lead to partisan conflict. In fact, it was not until electoral forces created greater similarity of preferences within the two parties, and greater differences between them, that the budget process came to represent the locus of partisan conflict.



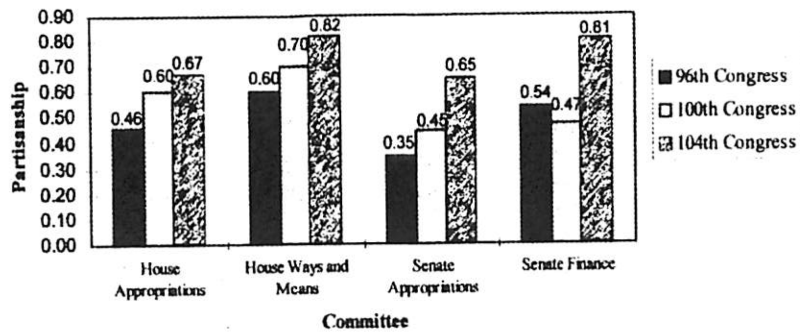
## Empirical Evidence

In this section, we present evidence that reflects the changing legislative environment in both the House and Senate in the post-reform era.[4] Given the common exogenous forces at work, we expect the two chambers to respond similarly, both in terms of patterns of floor decision-making and in terms of the use of procedural devices. In this respect, the polarization of floor decision-making and the adaptation in the use of procedural devices available to members in both Houses should reflect an ideologically divided and increasingly partisan environment.[5]

### The Dynamic Changes in Decision Making on the Money Committees

The increasingly partisan nature of floor decision making is illustrated in Figure 1, which captures the relative degree of partisan conflict over time.[6] The patterns reflect the growth in partisanship in both chambers and across all four committees from the 96th to the 104th Congress.[7] Two patterns in Figure 1 are of particular interest. First, the average level of partisanship on

**FIGURE 1:** Floor Partisanship on Appropriations, Ways and Means, and Finance Legislation (Conflictual Votes Only)



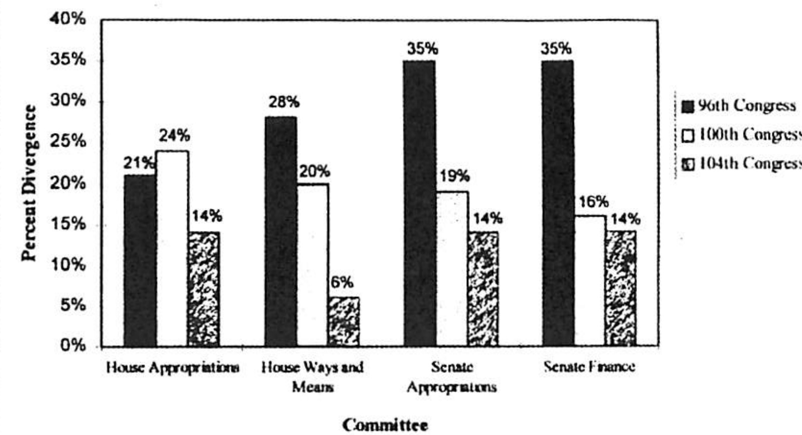

Note: Ns by committee and Congress: House Appropriations (141,97,335); Ways and Means (39,40,120); Senate Appropriations (151,59,134); Finance (49,19,102).

Ways and Means and Finance legislation tended to be greater than the mean level on Appropriations legislation. Second, by the 104th partisanship between the two chambers was more similar than partisanship between different committees within each chamber. In fact, by the 104th Congress partisanship on taxing legislation was virtually identical across chambers (.81 for Senate Finance and .82 for House Ways and Means). As one can see, this mirrors the findings on Appropriations legislation (.65 for Senate Appropriations and .67 for House Appropriations). Ostensibly, then, the differences we observe between the committees, and not the chambers, supports the argument that exogenous electoral forces are generating this partisan conflict and affecting both chambers similarly. Maltzman's (1997) supposition, then, is incomplete. Despite rather sizable institutional differences, during this period of time Senate decision making over issues related to the purse tended to reflect the patterns observed in the House.

Because committees are not random subsets of the chamber, it is quite conceivable that committees may from time to time disagree with the floor on the appropriate legislative response to public policy problems. We find that both chambers appeared responsive to the increasingly partisan legislative environment. Figure 2 shows the percentage of conflictual votes that involved a majority of the committee voting opposite a majority of the floor.



**FIGURE 2:** Committee Divergence (Conflictual Votes Only)




Note: Ns by committee and Congress: House Appropriations (141,97,335); Ways and Means (39,40,120); Senate Appropriations (151,59,134); Finance (49,19,102).

As partisanship grew from the 96th to the 104th Congresses, disagreement between a majority on the committee and a majority on the floor decreased accordingly. We can attribute this to conflict over public policy becoming increasingly defined in partisan terms, thus creating greater similarity between decisions made by committee members and nonmembers on the floor.

In the Senate, both Appropriations and Finance responded similarly to the polarized atmosphere. During the 96th Congress, over 30 percent of conflictual votes involved a committee-floor disagreement. By the 104th Congress, this level of disagreement had been cut in half. In the House, there was greater variation in the response to partisanship. Ways and Means was much more accommodating to the House majority than Appropriations. One might not expect this pattern due to the size of the House Appropriations Committee relative to the chamber.[8] The breadth and ideological nature of the legislation under the jurisdiction of the Ways and Means Committee may have been a more important factor in the similarity between the committee's decisions and those of the floor. The differential levels of disagreement between the two House committees may also reflect the greater autonomy of appropriations. In the 104th Congress, a majority on Ways and Means disagreed less than half as often with the majority on the floor relative to what was found with House Appropriations.

A similar pattern is present for the party contingents on each of the committees, although not shown. For example, Democrats on the two taxing committees were more similar to Democratic floor majorities in the House and Senate than the corresponding comparison between the Democrats on the Appropriations Committees and Democrats on the chamber floors. Republican members on the taxing committees, as well, were considerably more representative of both chambers than Republican appropriators. In fact, the Republican contingent on Ways and Means disagreed with a majority of the floor Republicans 10 percent of the time in the 96th Congress, yet by the 104th Congress, this disagreement was down to only 2 percent. The increasing similarity between the decision making of Republicans on Senate Finance and Republicans on the floor was even more dramatic. Divergence occurred 31 percent of the time in the 96th Congress, but fell to only 1 percent in the 104th. Republican appropriators in both chambers, on the other hand, continued to disagree with their colleagues on the floor over 10 percent of the time in the 104th. So, although the nature of the money committees' response over time reflected a greater alignment with the chambers and political parties, the degree of this response still varied widely between the appropriating and taxing committees.

Notably, disagreement between House Republican appropriators and the floor increased markedly from the 96th to the 100th Congress. Both White (1989) and Aldrich and Rohde (1996) argued that there existed considerable disagreement between GOP moderates on the House committee and GOP confrontationalists on the House floor over spending priorities. Speaker Gingrich's actions during the 104th, in which he appointed seven freshmen and four sophomores (all party loyalists) to fill out the committee roster, may have been a response to the recalcitrant behavior by Republican appropriators during previous congresses (Aldrich and Rohde 1996, 11). After Gingrich's new appointments, the decisions of the Republican contingent on House Appropriations were considerably more representative of the Republican majority. This finding further attests to the importance of the majority party delegating powers to the leadership in order to prosecute the majority party's agenda. Here, the evidence suggests that the leadership appointments did dramatically alter the behavior of the House Appropriations Committee. The change in the 104th Congress shows that the committee's autonomy with respect to the majority party was greatly reduced. The committee's role as protector of the purse became increasingly conditioned upon and responsive to the policy priorities of the majority party.

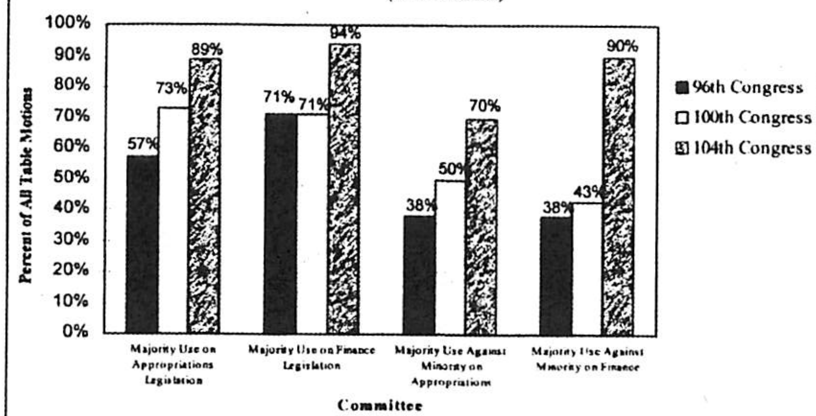


Cross-Chamber Procedural Comparisons in a Partisan Legislative Environment

In the dynamic legislative environment of the post-reform era, members have changed their strategies to increase their influence over floor decisions. The variation in strategies reflected the effects of partisanship on member behavior, but different tactics were manifested in each chamber. For example, the cross-party use of the table motion in the Senate on taxing and appropriating legislation increased from the 96th to the 104th Congress.[9] A cross-party table motion refers to the attempt by members of one party to table, or kill, amendments proposed by members of the opposite party before a vote on the merits could be taken. The data clearly indicate how differently the table motion was used in the 104th Congress as compared to previous congresses. By the 104th Congress, the use of the table motion was largely cross party. For Senate Finance legislation in particular, virtually all (97 percent) table motions were directed at amendments proposed by members of the opposing party. In contrast, the cross-party use of the table motion on appropriating legislation was nearly 80 percent by the 104th, but this still was notably lower than Finance. The difference in the cross-party use of this procedural device across committees may likely be due to the differences in policy issues under each committee's respective jurisdictions. That is, the taxing committee deals with national policy areas in which the political parties fundamentally disagree. Policy conflict in this area has tended to provide the issue content for party identification and fueled the ideological divide between the parties (Fenno 1973). On the other hand, the policy jurisdiction of Appropriations is partitioned into thirteen parts that unequally affect partisan and individual member interests. Thus, to the extent that these issues cut across party lines differently, we observe considerable variation in the partisan use of these procedures.

Figure 3 provides evidence on the majority party use of this procedural device over time. More precisely, the data show the use of the table motion by the majority party on legislation from both Senate committees, and also the use of the table motion by the majority party against the minority party.[10] Figure 3 illustrates not only has majority party use become more prevalent over time, but the majority party has increasingly used the table motion against minority-party amendments. This procedural strategy enabled the

FIGURE 3: Senate Majority Party Use of the Table Motion
(All Table Motions)




Note: Ns by committee Congress: Majority Use: Senate Appropriations (70,45,87); Finance (21,14,31). Finance (21, 14, 31). Majority Use Against Minority: Senate Appropriations (63, 44, 81); Finance (21, 14, 31).

majority party to prevent votes on the merits of minority-party amendments.

Although the data are not displayed here, we additionally found that table motions on appropriations legislation were overwhelmingly brought by Senate appropriators. In fact, over 70 percent were brought by committee members. Of those, over 70 percent were directed at nonmember amendments.[11] The use of the table motion in this fashion suggests that Senate appropriators used this device to protect committee legislation from nonmember amendments. In contrast, 70 percent of the table motions on Finance legislation were brought by nonmembers and mostly against nonmember amendments. Due to the breadth of Finance legislation, nonmembers may have a greater interest in restricting amending activity.[12] Moreover, two of the bills under the jurisdiction of the Finance Committee in the 104th Congress were reconciliation bills.[13] As a result, procedural activity on this legislation involved members of the Budget Committee. However, even if we remove votes on the reconciliation bills, over 50 percent of table motions were still brought by nonmembers of the Finance Committee, which remains different from the pattern found on appropriations legislation. Indeed, table motion activity by nonmembers directed against nonmembers on this subset of votes was over three times greater on finance legislation than appropriations legislation.

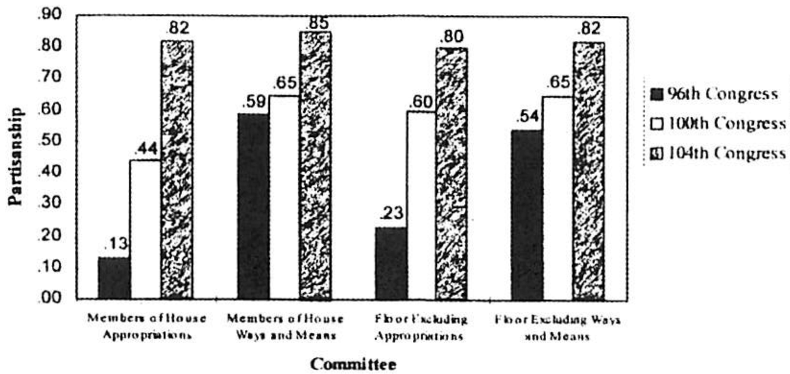


There is one last point to note on the partisan use of procedural devices in the Senate. While table motions were increasingly used in the Senate on appropriations and taxing legislation, budget waivers presented an additional tool that was extensively used in the 104th on reconciliation. Reconciliation bills presented a unique decision making context in which members could utilize the budget waiver as a procedural device to prevent voting on the merits of controversial amendments. The budget waivers used on the reconciliation bills in the 104th were extremely partisan in nature. In fact, of the thirty-five budget-waiver votes, over 90 percent involved cross-party conflict.

Procedural strategies in the House also generated cross-party conflict. For example, special rules increasingly became a partisan tool.[14] Although procedurally different than table motions in the Senate, we find that special rules tended to be used by the House majority party to similarly restrict amending activity.[15] Certainly, to some extent these less visible procedures offered members cover from having to explain votes on substantive policy issues. But, in addition, these procedural strategies were increasingly used to protect committee proposals from minority amendment challenges. This was especially true for Appropriations. In the Senate, the evidence suggests that table motions were usually used by committee members against nonmember amendments. But, over time this strategy had taken a clearly partisan bias. By the 104th Congress table motions were overwhelmingly employed by majority-party committee members to kill amendment challenges from both members and nonmembers of the minority party. In the House, restrictions in the special rules were used for this same purpose. The leadership-directed Rules Committee provided amendment protections and waivers of points of order to increase the likelihood that majority-party priorities in the bills would pass (Aldrich and Rohde 1996).

Figure 4 illustrates the increasing levels of partisanship associated with votes on rules attached to Appropriations and Ways and Means legislation. Clearly, partisanship on rules grew dramatically across both committees, among members and nonmembers, during the 96th, 100th, and 104th Congresses. Yet there are important differences between Ways and Means and Appropriations. In the 96th and 100th Congresses, not only was partisanship generally greater on Ways and Means rules votes, but Ways and Means members were considerably more partisan than members of the Appropriations Committee. In fact, partisanship among Appropriations members was only .13 in the 96th Congress while it was .59 for Ways and Means members.

FIGURE 4: Partisanship on Special Rules Votes
(All Special Rules)




Note: Partisanship is the % of Republicans voting aye. Ns by committee and Congress: House Appropriations (7,18,33); House Ways and Means (16,14,22).

There additionally existed differences in partisanship between members and nonmembers of these two committees with respect to votes on the rules during the 96th and 100th Congresses. Appropriations members tended to be less partisan than nonmembers, while in contrast, Ways and Means members were as partisan, if not more partisan, than nonmembers. By the 104th Congress, though, the differences between committees and the differences between members and nonmembers that had existed in the 96th and 100th Congresses had virtually disappeared. Strikingly, partisanship on rules votes among Appropriations and Ways and Means Committee members was nearly identical (.82 and .85 respectively) in the 104th. For nonmembers, partisanship was virtually identical, as well (.80 and .82 respectively).

## Conclusion

Our empirical analysis has focused on the dynamic legislative context of the post-reform era and the way in which the money committees in the House and Senate have responded to this environment. In particular, we have argued that the changing electoral alignments during and after the reform era significantly transformed the membership in both chambers. The result was an increase in the homogeneity of member preferences



within each party, and a divergence of preferences between the parties. Zero-sum budgeting in the post-reform era also tended to exacerbate the ideological and partisan cleavages between the two parties. Coupled with the exogenous electoral forces, the fiscally constrained congressional agenda led to increased levels of partisan conflict on legislation from the money committees.

Indeed, the decision context in which member preferences were at odds with the preferences of members of the opposing party shaped the opportunity and incentive for members in both institutions to pursue policy, and subsequently institutional procedures, from a partisan perspective. As a result, we find interesting similarities in partisanship across the chambers and yet distinct differences between taxing and appropriating policies. Moreover, procedures evolved in the House and Senate not only to protect committee proposals but also were increasingly employed to advantage policy priorities of the majority party. Perhaps, the effects of these electoral and institutional changes on partisanship are indicative that the differences between the chambers are not as important as their shared similarities (Maltzman and Smith 1995, 256-57).

While decision making on legislation from the money committees was characterized during the pre-reform by inter-party accommodation, we find that from the 96th to the 104th Congresses, decision making on fiscal policy was increasingly characterized by inter-party confrontation. However, for both the House and Senate, appropriations legislation tended to be less partisan than revenue generating legislation. This can be attributed in part to the very structure of the Appropriations agenda in both chambers, where interests are parceled into thirteen parts, unequally affecting political interests across and within parties. Tax committee legislation, on the other hand, tends to be national in scope, more strongly invoking partisan interests.

In response to the more polarized legislative environment, the procedures that controlled the congressional agenda on taxing and spending policy became increasingly used for partisan purposes. The basic strategy of members in both houses was to prevent opponents from securing votes on the merits of proposed changes to these bills. In the Senate, table motions were increasingly employed by the majority party against the minority party to restrict amending activity on Appropriations and Finance legislation. In the House, special rules were increasingly used on Appropriations funding measures, and partisan conflict on these floor votes dramatically increased from the 96th to the 104th Congress. While Ways and Means legislation had traditionally received restrictive or closed rules, the votes to adopt them were generally not partisan. By the 104th, however, they were overwhelmingly so, from which we can infer that the impact of these rules were apt to provide a partisan advantage over the legislative agenda. In effect, members from one party employed these institutional tools in both chambers to prevent the opposition party from amending legislation on the floor. So, the specific tactics practiced by members may have differed between the chambers, but the purposes for which they were increasingly used were clearly the same. In sum, the parallel patterns we find in the House and Senate, both in terms of decision making and in terms of procedural strategies, reflects the increasing importance of partisanship in shaping member behavior on legislation from the money committees.



## Notes

[1] For ease of discussion, sometimes we will refer to the taxing and appropriating committees jointly as the money committees.

[2] To illustrate the federal role in the U.S. economy, federal government spending as a percentage of GDP increased from 8.6 percent in 1937 to 27.0 percent in 1960. In comparison, the increase from 1960 to 1980 was 27.0 percent to 31.8 percent. (*The Economist* September 20, 1997, 8).

[3] One of the justifications for the use of the closed rules on House Ways and Means legislation was to prevent unrestrained logrolling like that seen in the Senate. One member said, "The Senate is the best argument for the closed rule. They put all those screwball things on there." (Manley 1970, 251).

[4] The data presented here are based on all floor roll-call votes (N = 2068) from legislation under the jurisdiction of the House and Senate Appropriations Committees, House Ways and Means, and Senate Finance for the 96th, 100th, and 104th Congresses. This provides 1215 House roll-call votes and 853 roll calls from the Senate.

[5] Most of our analysis in this paper utilizes conflictual votes. We have defined conflictual votes as those votes with majorities less than seventy percent in both chambers. We think that the conflictual subset of votes reflect the more substantive floor decisions from which to make comparisons and draw inferences. Furthermore, by confining our attention to conflictual votes, we are more confident that we are dealing with comparable sets of decisions across committees and congresses. 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.

[6] Partisanship in Figure 1 measures 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).

[7] The one notable exception to this pattern of growing partisanship was Senate Finance during the 100th Congress. We find that over half of the votes on this legislation were consensual, indicating that the legislative agenda did not evoke the same partisan cleavages that were evident in the committee's agenda during the 104th.

[8] For example, in the 104th Congress there were fifty-seven members on House Appropriations as compared to thirty-seven on House Ways and Means.

[9] The one exception to this pattern was table motion activity on Finance legislation during the 100th Congress.

[10] In Figure 3, the Ns are different with respect to majority use of the table motion and majority use of the table motion against minority amendments because several amendments were proposed by the committee and thus, could not be identified by party.

[11] This percentage would be higher had it not been for a large number of table motions brought by Republican appropriators directed at amendments offered by Democratic appropriators in the 104th. This intra-committee conflict was extremely rare in both the 96th and 100th Congresses (Marshall, Prins, and Rohde 1999 forthcoming).

[12] It may additionally be the case that Senate Appropriators retain considerably more influence over the legislation under their jurisdiction.

[13] Although the two reconciliation bills accounted for nearly two-thirds of the roll-call votes on Finance legislation in the 104th, the Finance Committee had other legislation debated on the floor. In fact, a large number of Finance bills were dealt with on the Senate floor; however, the vast majority of these bills were debated under unanimous consent agreements and no roll-call votes were recorded.

[14] Special rules set the terms for debate on particular bills and may include exceptions to the standing rules of the House (see Bach and Smith 1988; Rohde 1991).

[15] Both the table motion in the Senate and the special rule in the House can be used to manage conflictual amending activity on the floor. However, unlike the table motions in the Senate, special rules in the 104th were designed to undermine the independence of committees and enhance party leadership authority (see Aldrich and Rohde 1996, 12).



## References


Aldrich, John H., and David W. Rohde. 1996. "The Republican Revolution and the House Appropriations Committee." Paper presented at the Annual Meeting of the Southern Political Science Association.

______. 1997-1998. "The Transition to Republican Rule in the House: Implications for Theories of Congressional Politics." *Political Science Quarterly* 112 (4): 541-67.

Bach, Stanley, and Steven S. Smith. 1988. *Managing Uncertainty in the House of Representatives*. Washington, D.C.: Brookings Institution.

Cooper, Joseph, and David W. Brady. 1981. "Institutional Context and Leadership Style: The House From Canon to Rayburn." *American Political Science Review* 75: 411-25.

Cox, Gary W., and Mathew D. McCubbins. 1993. *Legislative Leviathan: Party Government in the House*. Berkeley: University of California Press.

Davidson, Roger H. 1992. "The Emergence of the Postreform Congress." In *The Postreform Congress*, edited by Roger H. Davidson. New York: St. Martins Press: 3-23.

Deering, Christopher J., and Steven S. Smith. 1997. *Committees in Congress,* 3d ed. Washington, D.C.: Congressional Quarterly Inc.

Evans, C. Lawrence. 1991. *Leadership in Committee: A Comparative Analysis of Leadership Behavior in the U.S. Senate.* Ann Arbor: The University of Michigan Press.

Fenno, Richard F., Jr. 1966. *The Power of the Purse: Appropriations Politics in Congress*. Boston: Little, Brown and Company.

______. 1973. *Congressmen in Committees*. Boston: Little, Brown.

Fiorina, Morris P. 1977. *Congress: Keystone of the Washington Establishment*. New Haven: Yale University Press.

Horn, Stephen. 1970. *Unused Power: The Work of the Senate Committee on Appropriations.* Washington, D.C.: The Brookings Institution.

Kiewiet, Roderick, and Matthew McCubbins. 1991. *The Logic of Delegation: Congressional Parties and the Appropriations Process*. Chicago: University of Chicago Press.

Maltzman, Forrest, and Steven Smith 1995. "Principals, Goals, Dimensionality, and Congressional Committees." In *Positive Theories of Congressional Institutions*, edited Kenneth A. Shepsle and Barry R. Weingast. Ann Arbor: The University of Michigan Press: 253-72.

Maltzman, Forrest. 1997. *Competing Principals: Committees, Parties, and the Organization of Congress*. Ann Arbor: The University of Michigan Press.

Manley, John F. 1970. *The Politics of Finance: The House Committee on Ways and Means*. Boston: Little, Brown and Company.

Marshall, Bryan, Brandon C. Prins, and David W. Rohde. 1999. "Fighting Fire With Water: Partisan Procedural Strategies and the Senate Appropriations Committee." In *Congress and the Presidency.*

Oleszek, Walter J. 1996. *Congressional Procedures and the Policy Process*, 4th ed. Washington, D.C.: CQ Press.

Ripley, Randall 1985. "Power in the Post-World War II Senate." In *Studies of Congress,* edited by Glenn R. Parker. CQ Press, Washington D.C: 297-320.



Rohde, David W., Norman J. Ornstein, and Robert L. Peabody. 1985. "Political Change and Legislative Norms in the U.S. Senate, 1957-74." In *Studies of Congress*, edited by Glenn R. Parker. Washington, D.C.: CQ Press: 147-88.

Rohde, David W. 1991. *Parties and Leaders in the Postreform House*. Chicago and London: The University of Chicago Press.

Rohde, David W. 1992. "Electoral Forces, Political Agendas, and Partisanship in the House and Senate." In *The Postreform Congress*, edited byRoger H. Davidson. New York: St. Martins Press: 27-47.

*Roll Call*, June 2, 1997, p. 14.

Rudder, Catherine E. 1985. "Fiscal Responsibility and the Revenue Committees." In *Congress Reconsidered,* 3d ed. Edited by Lawrence C. Dodd and Bruce I. Oppenheimer. Washington, D.C.: CQ Press; 211-22.

Shepsle, Kenneth A. 1989. "The Changing Textbook Congress." In *Can the Government Govern?* Edited by John E. Chubb and Paul E. Peterson. Washington, D.C.: The Brookings Institution: 238-66.

Sinclair, Barbara. 1986. "Senate Styles and Senate Decision Making, 1955-1980." *Journal of Politics* 48: 877-908.

Sinclair, Barbara. 1992. "House Majority Party Leadership in an Era of Legislative Constraint." In *The Postreform Congress*, Roger H. Davidson, ed. St. Martins Press, New York: 91-111.

Smith, Steven S. 1989. *Call to Order: Floor Politics in the House and Senate*. Washington, D.C.: The Brookings Institution.

Strahan, Randall. 1990. *New Ways and Means: Reform and Change in a Congressional Committee*. Chapel Hill: University of North Carolina Press.

Thurber, James A. 1992. "New Rules for an Old Game: Zero -Sum Budgeting in the Postreform Congress." In *The Postreform Congress*, edited by Roger H. Davidson. St. Martins Press, New York: 257-78.

White, Joseph. 1989. "The Function and Power of the House Appropriations Committee." Ph.D. dissertation, the University of California, Berkeley, CA.

Wilcox, Clyde. 1995. *The Latest American Revolution? The 1994 Elections and Their Implications for Governance*. New York: St. Martin's Press.

Wright, Fiona M. 1997. "The House in an Era of Fiscal Austerity: Institutional and Strategic Responses to the New Deficit Politics, 1974-1996." Paper presented at the Annual Meeting of the American Political Science Association.