

Parties and Agenda-Setting in the Senate, 1973-1998

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Abstract

We analyze a new dataset of all Senate bills from 1973 to 1998 to determine if and how parties influence legislative outcomes in a filibuster-prone environment. We find that the Senate majority party has a subtle but significant influence on the Senate agenda through its domination of the committee system. Our results also highlight the importance of cues that bills are high quality and broadly supported, such as committee membership and large and diverse cosponsoring coalitions.

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Over the last three decades, scholars have sought to understand the role of legislative parties. Most recent research on Congressional parties has focused on the House of Representatives¹ and suggests that the House is heavily influenced—and sometimes dominated—by party leaders who are able to sway votes, suppress inconvenient proposals, and help party members pass bills that suit their policy preferences and electoral interests. It is unclear, however, if and how Senate parties also influence legislative outcomes. The classic image of Senate party leaders is that they are providers of public goods and personal services (Davidson 1985; Sinclair 1989; Smith 2007) whose power (if any) resulted from personal charisma and external allies (Huitt 1961; Caro 2002). While Senate majority leaders do have a limited right to make agenda-setting proposals (discussed below) any senator can filibuster these motions or almost any bill that comes up on the Senate floor.² Unless the majority party can muster 60 votes from its own members, it must attract the support of at least some minority party members to invoke cloture (Brady and Volden 2006; Chiou and Rothenberg 2003, 2006; Krehbiel 1998, Sinclair 2002). Senators may also use clandestine filibustering threats to block legislation and extort concessions. Given these procedural constraints, a recent survey of legislative party research calls for additional research to determine if and how Senate parties can sway outcomes (Smith 2007, 213-4).

Toward this end, this article evaluates the influence of legislative parties on the Senate agenda using a new dataset of every bill introduced in the Senate from 1973 to 1998. The success of senators' bills tells us a great deal about the distribution of power in the Senate and the influence of its supermajority rules. Even if bills are revised and moderated during the legislative process, the sponsor of a bill often gets a large share of the political credit for its success. By studying the fate of individual bills we can, at the least, understand the distribution of acclaim.

¹ This is a generalization, of course. Recent work on Senate parties includes Campbell, Cox, and McCubbins 2002; Den Hartog and Monroe 2008a; Lawrence et al. 2006; Lebo, McGlynn, and Koger 2007; Lee 2008; Monroe et al 2008.

² Some bills are protected from obstruction by federal statutes that impose a time limit on Senate debate (Binder and Smith 1997).

Also, to the extent that it is difficult to completely revise a bill once it has reached the floor, the initial proposal may have some advantage due to sheer inertia.³ Like Lawrence, Maltzman, and Smith (2006), this paper specifies and tests alternative distributions of legislative success. We also test for the influence of signals of a bill's quality and cost, e.g. support from the committee of jurisdiction, number and diversity of cosponsors, and bipartisan support.

We find that the Senate majority party has a subtle but significant influence on the Senate agenda, and that the broader process of agenda-setting rewards legislation that is high quality and broadly supported. First, we find that the Senate majority party has a distinct advantage through its control of the committee system. This advantage seems to benefit majority senators uniformly and does not vary with ideological proximity to the chamber median or party median. We also find that signals of quality and low cost—committee leadership, committee tenure, and number of cosponsors—improve the likelihood that a bill will advance on the Senate agenda. Once bills are ready for the Senate floor, our results highlight the importance of cost advantages in Senate lawmaking. Bills reported early on and bills supported by bipartisan and diverse coalitions are more likely to pass the Senate. When we focus our analysis on bills with two or more cosponsors, we find that the majority party seems to possess significant influence on the Senate agenda, since the likelihood that a bill will advance increases with the number of majority party cosponsors on a bill and decreases for minority party members up for reelection. On the other hand, there is a significant advantage for bills with diverse and ideologically balanced cosponsors. Taken together, these results suggest that, despite the procedural limitations on Senate majority parties, they have an advantage due to their ability to screen bills at the committee stage. More broadly, our results suggest the importance of relative costs in legislative agenda-setting. Legislators are more likely to obtain their goals if they are more willing to invest

³ Indeed, if there is any cost to amending a proposal on the chamber floor then it is unclear why an agenda-setter would propose a bill that is unacceptable and then pay the cost to improve it.

effort, if their costs are subsidized by external actors or internal staff, and if they can convince agenda-setters that their proposals will pass easily (Bawn and Koger 2008; den Hartog and Monroe 2008b; Hall 1996; Hall and Deardorff 2006).

Parties and Senate Agenda-Setting

Congressional scholars have long held that parties wield indirect power by influencing the legislative agenda (e.g. Cox and McCubbins 2005; Hasbrouck 1927; Sinclair 1995). In the House of Representatives, majority party leaders—working with committee chairs—have a strong influence on which policy topics the chamber will debate, the content of key proposals, and the terms of debate on the House floor. From this perspective, the essence of party influence is not inducing members to vote against their preferences but highlighting the issues on which majority party members agree and suppressing issues that divide the majority party. Indeed, Cox and McCubbins (2005) assume—at least for the sake of argument—that party members vote freely on roll calls as they test for majority party influence on the agenda of the U.S. House. Their analysis of coalitions on procedural and final passage votes finds that the majority party in the House has long enjoyed *negative* agenda power, i.e. the majority party has historically managed to suppress proposals opposed by most majority party members and supported by most minority party members. Two works have extended this roll call approach to the Senate and found that bills opposed by the majority party rarely pass (Campbell, Cox, and McCubbins 2002; Gailmard and Jenkins 2007).

While current research suggests that parties in both chambers of Congress possess some degree of negative agenda control, legislative leaders may also wield *positive* agenda power, i.e. the ability to place some proposals on the chamber schedule (Rohde 1991; Sinclair 1995). Working with the chairs of policy committees, party leaders can help formulate and pass a core party agenda of high-profile bills. More broadly, the party leadership (including chairs) can help

select which bills advance out of committee and onto the chamber floor. Although the House majority party's ability to promote its positive agenda power, it is less obvious that the majority party in the Senate enjoys a significant advantage. The majority party leader's primary procedural advantage is the right of "first recognition" by the presiding officer, which amounts to the ability to make agenda-setting motions at any time. As in the House, these motions to proceed to the consideration of a specified bill are subject to ratification by a simple majority vote, pending debate on the motion. Nominally, then, committee chairs have agenda-setting power within their jurisdiction subject to the approval of a majority of the committee, while the majority leader has the ability to schedule committee-reported bills—or other bills placed directly on the Senate calendar—to suit his or her party's needs.⁴

However, the power of majority party leaders in the Senate is constrained by the right to filibuster. Filibustering is the strategic delay of a decision (e.g. a final passage vote) by making very long speeches or using other dilatory tactics. In the modern Senate, the typical response to a filibuster is "cloture," a process for limiting debate with the approval of three-fifths of the chamber.⁵ Obviously, one reason filibustering can be influential is that a minority of 41+ senators can block a bill indefinitely (under current practice) until the majority party makes policy and procedural concessions (Krehbiel 1998).⁶ More subtly, the process for overcoming a filibuster is costly, so agenda-setters may prefer to bargain with single senators or groups of less than 40 senators merely to avoid the difficulty of invoking cloture (Koger n.d.).

⁴ In the House, bills are automatically referred to a committee when introduced. In the Senate, referral is customary, but a senator can choose to make the bill eligible for floor action immediately.

⁵ From 1917 to 1949 and 1959 to 1975 the cloture threshold was two-thirds of all senators voting. From 1949 to 1959 the threshold was two-thirds of the entire Senate.

⁶ This "veto" power, however, is relatively new to the Senate. While filibustering has always been possible, traditional filibustering was difficult. Thus simple majorities could often win before and after the adoption of the Senate cloture rule in 1917 (Mayhew 2003; Wawro and Schickler 2004). In the mid-20th century, the scarcity of floor time made it costly for majorities to waste time waiting out a filibuster, so cloture became the dominant response to filibustering (Oppenheimer 1985; Koger 2004).

One consequence of the right to filibuster is that members of each party retain a great deal of power relative to their leaders. Since any senator can delay a measure and generally interrupt the flow of legislation, party leaders must give due respect to their members. Filibustering also influences the relationship between the majority and minority parties. While a unified majority party in the House can dictate which bills come up and how they are debated, the majority party in the Senate must often negotiate with the minority party on both questions. These negotiations are typically conducted with minority party leaders, but occasionally the majority party solicits enough defectors from the minority party to impose cloture on the rest.

Thus the procedural advantages of majority party leaders are negated to some extent by the ability of any senator to threaten to filibuster. Nonetheless, some research indicates that proposals by majority party senators are more likely to advance in the Senate (Krutz 2005; Moore and Thomas 1991; Schiller 1993). These studies, however, do not rule out alternative models of legislative organization, so it is unclear if this "party effect" is due to partisan influence per se. Furthermore, it is possible that agenda influence is distributed unequally within the majority party, so further analysis is required to determine how the majority party's advantage, if it exists, varies across party members. In an effort to evaluate the distribution of legislative success more precisely, the next section surveys possible models of the Senate.

Theories of Agenda-Setting

There are three basic elements of a theory of agenda-setting. First, we must define who has the power to propose legislation. In practice, there are many ways to bring legislation to the floor in both the House and Senate, but our main interest is in who has the greatest influence and lowest costs for making proposals. Second, we should define the utility function of the agenda-setter: what is he or she trying to accomplish, and what strategies promote those goals? Third, who has the power to veto legislation? A veto player may be the q^{th} legislator in a chamber that

requires a q-sized majority to close debate and/or pass legislation. There may be additional conditions for exercising a veto, e.g. special effort or cost may be required to block a proposal (Koger 2004).

The standard process for developing a model of Senate agenda-setting would be to make assumptions, develop a single model, and test its implications. However, it is unclear which assumptions are most reasonable given the limited empirical literature on Senate agenda-setting. In addition, there are several extant theories whose implications for the selection of proposals have not been fully tested for the Senate. Thus this article proceeds by quickly summarizing these accounts and their implications for which bills are most likely to advance in the Senate. In most cases, the works cited *inspired* the agenda-setting predictions but do not state them explicitly. We stress that we name authors only for further reading, and that our efforts to test implied predictions may represent only a simplified version of the predictions these authors might make.

The most basic model is a *chamber median-dominated* system, in which a legislature operating by simple majority rule is controlled by the member at the ideological center, assuming that each issue—or all issues—can be cast as a single dimension (e.g. Krehbiel 1991). At the least, the median member is the single veto player in this setting. If we further assume that legislative decision-making is frictionless and thus a chamber casts votes pitting each proposal on a single issue against all other proposals on that issue, then we can further treat the chamber median as the agenda-setter since he or she selects the proposal which is pitted against the status quo. In the median-dominated system, the closer a senator is to the ideological center of the Senate, the more likely his or her bills will advance on the Senate agenda.

A second model is the *party median-dominated* system, in which the median member of the majority party sets the agenda.⁷ In this view, the majority party sets the agenda (or at least censors proposals) and decision-making within the majority party is made by majority vote—and hence dominated by the party median—or a leader chosen by majority vote and thus by the party median. In its simplest form, this model would predict that the closer a senator is to the ideological center of the majority party, the more likely his or her bills will advance on the Senate agenda.

Third, the majority party may function as a universal party coalition, i.e. benefits are distributed evenly amongst all the members of a long coalition. While it is conceivable that each legislative item supported by a party benefits each member of a party equally, it is more likely that party members engage in a logroll organized and enforced by party leaders. Thus we would expect that bills proposed by majority party members enjoy a uniform advantage over those proposed by minority party senators. A variation on this approach is that the majority party might prioritize the needs of an electorally vulnerable subset of its members, so senators up for reelection might be more likely to see their bills advanced (Bawn 1998).

The remaining model incorporates the influence of filibustering. The pivot model posits that the Senate median sets the agenda, and that the median proposes bills that are acceptable to enough legislators to overcome both a presidential veto and a filibuster, i.e. the *veto pivot* and the *filibuster pivot* (Krehbiel 1998). The median prefers to offer a bill at his or her ideal point, but will propose bills within the *gridlock zone* between the two pivots to defeat status quo policies that are just outside the gridlock zone. Thus legislators located in the gridlock zone should be more likely to see their proposals advance on the Senate agenda.

⁷ This is a simplified variation on Aldrich's claim that the majority party strives to move policy toward the ideal point of the party median. See below for variations that probably better reflect Aldrich and Rohde's "conditional party government" framework.

Figure 1 summarizes the predicted pattern of agenda-setting for each model in a hypothetical legislature with members distributed evenly across a single preference dimension. These archetypes do not exhaust the range of theoretically plausible patterns, but they do illustrate how common claims about parties agenda-setting might translate into patterns of proposals. As we explore the data and test for patterns below we take these theoretical patterns as the hypotheses we are testing.

[FIGURE 1 ABOUT HERE]

Other Costs and Benefits. Agenda-setters may consider factors other than the party and ideology of each bill's sponsor as they assess the net utility offered by a bill. They may prefer legislation that is low-cost, i.e. the agenda-setter will have to invest little effort to ensure the bill's passage (Cox and McCubbins 1993). For this reason, signals that a bill is low-cost should be correlated with that bill advancing on the chamber agenda. One such signal is the number of cosponsors on a bill; the more senators there are supporting a measure, the less effort required to muster a winning coalition (Koger 2003). Furthermore, we might expect that a bill's chances improve if it is introduced early in a Congress. These bills can be considered and passed before the Senate is clogged by House bills, appropriations, and other accumulated priorities. Thus the earlier (later) a bill is introduced, the better (worse) its chances of success should be.

Finally, agenda-setters may prefer legislation that provide high benefits, either because key actors support the bill or because the supporters of a bill signal its quality. Below, we test two variations on this theme: first, whether bills introduced by committee leaders are especially likely to advance, and second whether agenda-setters favor bills by legislators with Senate experience.

III. Data and Methods

We evaluate patterns of Senate proposals with a dataset of every Senate bill introduced from 1973 to 1998. This dataset is made available through the effort and generosity of Scott

Adler and John Wilkerson at congressionalbills.org.⁸ Our goal is to understand which bills are reported by Senate committees and approved by the Senate.

Dependent Variables. Senators introduced an average of 3119 bills per Congress for a total of 40,541 bills, with a high of 4,210 (1973-74) and a low of 2,153 (1995-96). The modal action on these bills is inaction: 86% of all bills are referred to committee without any further formal progress.⁹ Only 10.5% of all bills pass the Senate in one form or another.

Table 1 presents a summary of the number of bills referred, reported, and passed for each committee that existed after the Senate realigned its committees in 1977. Almost two-thirds of all Senate bills during this era went to five committees: Finance; Judiciary; Energy and Natural Resources; Health, Education, Labor & Pensions; and Commerce. On the other hand, less than 6% of all bills went to Indian Affairs, Rules, Budget, Appropriations, Small Business, and Intelligence combined.

[TABLE 1 ABOUT HERE]

The prospect for referred bills varies significantly across committees. While only 1.6% of all Finance bills are reported or passed, 28.6% of Commerce bills merit some committee or floor action while 48.9% of all Indian Affairs bills are reported or passed. One reason we may observe such variety is that some committees, like Finance, tend to package ideas into large packages, while others tend to report and pass many smaller bills. Second, many committee-reported bills do not pass the Senate. In some cases the chamber simply ignores a committee-supported bill,

⁸ As Adler and Wilkerson 2005 make clear, there are two ways to approach these data. This paper takes a “top-down” approach to explain the choices of chamber leaders. An alternative—and equally interesting—“bottom-up” approach focuses on the entrepreneurial strategies of individual members as they strive to steer their bills through the legislative process. Adler and Wilkerson also caution that bills differ in their *scope* (some name a single post office, others revise our nation’s energy policy) and their *urgency*. To some extent we accommodate this approach by including variables for committee leadership and membership; further research is warranted to fully analyze the importance of scope and urgency.

⁹ These inactive bills may be offered, in whole or part, as amendments on the Senate floor or incorporated into other bills in committee. Bills which THOMAS indicates are incorporated into other legislation or passed as a substitute for a House bill were recoded as “passed.”

but other bills actually are debated and amended by the Senate only to be attached as a substitute amendment to a House bill. The last column in Table 1 shows that a few bills referred to a committee pass without being reported by any committee. In addition, 450 bills in the dataset from 1977 to 1999 passed the Senate without being referred to any committee. The rules of the Senate permit the sponsor of a bill to place the bill directly on the Senate calendar, and hundreds of bills have passed the Senate this way.

Independent Variables. We are generally interested in the relationship between the party and preferences of each bill's sponsor (and cosponsors) and legislative outcomes. Thus one variable is simply *Majority Party*, coded "1" for members of the largest party. Second, *Chamber Median Distance* is the absolute difference between the sponsor's first dimension Common Space NOMINATE score and the chamber median, while *Party Median Difference* measures the same distance relative to the median of the majority party. Third, *Pivot Zone* is coded "1" for bills sponsored by members whose 1st dimension Common Space NOMINATE score is located between the filibuster pivot and the veto pivot. As noted above, we are interested in multiple configurations of these variables; these are fully specified in equations below. A final variable estimating the "benefit" of scheduling a bill is *Reelection Congress*. This variable is coded "1" for senators in the last two years of their terms, "0" otherwise. Of course, if majority party leaders are setting the agenda they may favor majority party members up for reelection, so we interact *Reelection Congress* with *Majority Party* to create *Majority Reelection*.

A second set of variables measure the *costs* of bringing up a bill. First, the number of *Cosponsors* on a bill signals the number of previously committed votes and hence the effort required to form a winning coalition for a bill (Koger 2003). The number of cosponsors on a bill can also convey that a bill has significant support from interest groups and constituents (Koger 2003). Also, *Days Remaining* is the number of calendar days remaining from the date a bill is

introduced until the end of the two-year Congress. We expect that floor time becomes more valuable as each Congress progresses since there is an increasing volume of committee-reported and House-passed bills waiting for the attention of the Senate and a decreasing number of days available to consider these bills. Fourth, *Seniority*—i.e. terms of Senate service—can be a cue of a sponsor’s political experience and policy knowledge.¹⁰ Fifth, *Committee Leader* is coded “1” for bills sponsored by a committee chair or ranking member. These bills may offer both extra benefits (because an agenda-setter can please another powerful member) and lower costs, since the bill benefits from the expertise and extra resources of a committee chair. We might also expect that committee leaders will author bills that are urgent and therefore quite likely to pass (Adler and Wilkerson 2005). Similarly, committee membership can be a signal that a member is knowledgeable or influential in a policy domain, so we use two dichotomous variables—*Committee Member* and *Majority Committee Member*—to denote whether a member is on the committee of jurisdiction and is a member of the majority party on the committee. Finally, at the floor stage we include a control variable—*No Referral*—for bills that go directly to the Senate calendar without being referred to committee.

We are interested in a two-step process: whether a bill is available for floor consideration or not, and whether a bill passes the Senate or not. Most bills that pass the Senate are reported out of committee but, as noted above, some bills bypass committee and are immediately available on the Senate “calendar” for floor debate. Thus we refer to this first step as the *calendar* phase and the second step as the *passage* phase. We analyze this process using a Heckman selection probit model that estimates both stages simultaneously using maximum likelihood.

These variables combine into two equations with the basic form

$$\Pr(y_i = 1) = \Phi(\beta' x_i); \quad \Pr(z_i = 1) = \Phi(\alpha' \omega_i) \quad (1)$$

¹⁰ Seniority may also be correlated with personal relationships between a senator and chamber leaders, and also with a senator’s skill at navigating bill through the Senate.

Where z_i is a binary variable indicating whether a bill reaches the Senate calendar or not, and y_i is whether it passes the Senate or not. Bills that do not reach the calendar ($z_i = 0$) are not considered and therefore cannot pass ($y_i = 0$).

Variables in the model for reaching the calendar (x_i) include *Reelection Congress*, *Majority*Reelection Congress*, *Cosponsors*, *Days Remaining*, *Seniority*, *Committee Leader*, *Committee Member Sponsor*, *Majority Committee Member Sponsor*. Variables in the model for passing the Senate (ω_i) include: *Reelection Congress*, *Majority*Reelection Congress*, *Cosponsors*, *Days Remaining*, *Seniority*, *Committee Leader*, and *No Referral*. We also include a dummy variable for each Congress to control for general shifts in legislative activity over time. Notice that we exclude the *No Referral* variable from ω_i because unREFERRED bills do not reach the calendar from committee.

We are interested in the effect of partisanship and individual preferences at both stages of the process, so we include the following four variables in both x_i and ω_i .

Chamber Median-Centered:	$ S_{\text{med}} - h_i $
Party Median-Centered:	$ MAJ_{\text{med}} - h_i $
Party Difference:	MAJORITY
Pivot Model:	<i>Pivot Zone</i>

Where S_{med} is the position of the median member of the Senate on the DW-NOMINATE 1st dimension, h_i is the position of the bill's sponsor (or, the mean score of the bill's cosponsors), MAJ_{med} is the position of the median member of the majority party, MAJORITY is coded "1" for members of the majority party, and *Pivot Zone* is coded "1" for members between the filibuster pivot and the veto pivot. As discussed below, we also estimate regression models using combinations of these variables.

Methods. We are interested in a dichotomous selection process and outcome, so we use a Heckman probit model to predict the relationship between the explanatory variables and the likelihood that a choice is observed and an event occurs (Van de Ven and Van Pragg 1981). This is appropriate in cases when the observed process (bills passing or failing) is preceded by some preceding selection process (committees report a bill or not). In particular, if the error term for the outcome process is correlated with the error term from the selection process then estimation of the outcome equation alone would yield biased results.

Heckman models are widely used in political science (Berinsky 1999; Lemke and Reed 2001; Reed 2000; Schaffner 2005; Timpone 1998), but they have recently been criticized (Sartori 2003; Simmons and Hopkins 2005). The main critique centers on implementations of the Heckman model that use exactly the same independent variables for both the selection and outcome process—under these conditions, the model is identified only by distributional assumptions about error correlation between the first and second stage of the model. However, introducing variables that appear in one stage and not the other helps to identify the model (Sartori 2003). As recommended by Simmons and Hopkins (2005), we have provided theoretical justification above for exclusion of certain variables that appear in only one of the two stages.

IV. Predictors of Senate Agenda-Setting

This section begins with an exploratory analysis of the data and then presents the results of multivariate regression. Since this is the first work with this dataset of Senate bills, we can learn a great deal from visually inspecting the relationship between party, preferences, and success. Thus as a basic measure of success we calculated each senator's "report rate," i.e. the percentage of bills she or he introduced which were reported by a committee. If party and preferences do not matter, then we should observe a constant expected report rate across all senators. If the majority party does have greater influence on the agenda, we should observe that majority members enjoy

a higher report rate. Similarly, if the success of a proposal is contingent upon the proposer's proximity to a key actor (e.g. the chamber median) then we should see report rates rising to the extent that proposers agree with the agenda-setter.

Figure 2 displays scatterplots of each member's success rate against his or her 1st dimension DW-NOMINATE score for Congresses that precede and follow changes in majority party control. Democrats are generally on the left side while most Republicans are on the right. Minority party members are circles, majority party members are triangles. Each party's pattern is summarized by a simple regression line, with a solid line for the majority party and a dotted line for the minority party. For the 96th Congress, for example, the members of the Democratic majority (triangles) generally enjoyed a much higher report rate than Republicans (circles). The trend lines indicate this fact; the Democratic line is generally higher than the Republican line, with the Republican pattern essentially constant while success rates seem to decrease slightly for moderate Democrats.

{FIGURE 2 ABOUT HERE}

A key pattern in Figure 2 is that majority party transitions following the elections of 1980, 1986, and 1994 highlight the agenda influence of the majority party. In each case, the members of the losing party suffer a significant decline in reporting rates while members of the winning party enjoy a general increase. Between the 103rd and 104th Congresses, for example, the Democrats maintain the same general patterns but there is a real drop in their success rate after the Republicans take over. These shifts suggest more than a glacial shift in policy attitudes; results shift immediately when party control changes.

Multivariate Analysis

Next we estimate the determinants of legislative outcomes. There are many possible configurations of variables and scope, so we hold a "competition" of multiple versions of partisan

and preference effects. We test three combination models: a full version with all four measures of party and preferences, a version pairing *Pivot Model* and *Majority*, and a model combining *Pivot Model*, *Majority*, and *Chamber median distance*. These combination models provide a mechanism for comparing theoretical models and for developing hybrid explanations of Senate decision-making. A table in the appendix presents the full results for a base model and seven different distributions of partisan and preference outcomes. Control variables for each Congress were included in the estimation. Overall, these results illustrate the value of specifying and testing *multiple* accounts of Senate agenda-setting.

We begin with a comparison of model fit to select the “best” statistical model. Table 2 displays the χ^2 statistics for two sets of comparisons. The middle column displays the results of the test that each complex model, i.e. with partisan or preference variables, does not improve upon a base model with no such variable. Each complex model does provide a statistically significant improvement in log-likelihood, with two hybrid models making the largest improvements.

The right-hand column compares each complex model to an all-inclusive model, i.e. one which simultaneously tests for partisan, party-centered, chamber-centered, and pivot zone effects. As the results in Appendix One indicate, in the all-inclusive model three variables are statistically significant: *Majority Party*, *Inter-Pivot Zone*, and *Chamber Median Distance*; only *Party Median Distance* is not. The all-inclusive model improves on each single-variable model, suggesting there are multiple patterns of bill success in the Senate. Only the model with *Majority Party*, *Inter-Pivot Zone*, and *Chamber Median Distance* as key variables explains bill success as well as the all-inclusive model. We use this “winning” model for our presentation of results.

[TABLE 2 ABOUT HERE]

The substantive implications of the best-fitting model are summarized in Table 3. Table 3 displays the influence of each explanatory variable on the likelihood that a bill advances to the

Senate calendar, passes the Senate once it reaches the calendar, and on the overall likelihood that a bill passes. For each stage, Table 3 displays the effect of a one-standard deviation increase from the mean of the variable, and from the lowest to highest values. All variables are statistically significant at $p < .05$ except the shaded variables.¹¹

[TABLE 3 ABOUT HERE]

Our results support the claim that committee agenda-setters respond to cues that a bill offers high benefits and low costs. First, bills by committee leaders are about 4.9% more likely to be reported out of committee. Second, the more senior the senator sponsoring the bill, the more likely it was to advance out of committee; a bill sponsored by a senator in his or her 25th year was .7% more likely to be reported than one by a senator with 16 years of experience. To the extent that committee chairs set committee agendas, it is not surprising that they find their own bills promising, or that they favor the bills of senior members. The number of cosponsors on a bill has an even stronger influence on committee-level success. An eight-senator increase in the number of cosponsors increases a bill's prospects by 3.4%, while a bill with 95 cosponsors (the highest observed total) has a 60.5% chance of advancing. Last, one curious result is that the earlier a bill is introduced, the *less* likely it is to advance. One possible explanation is that many bills introduced early in a Congress may be repeat offerings that have failed before, whereas bills introduced later in a Congress are new ideas that a committee has not already rejected. Also, many bills introduced early on may be primarily for position-taking purposes.

The results also suggest partisan and ideological biases at the committee stage. Bills sponsored by majority party senators enjoy a generic 8.9% advantage, while committee members from the majority party enjoy an additional 5.3% advantage in bill success. The remaining results

¹¹ Again, full results are available in [Appendix One](#). Table 3 is based on predicted values of the statistical model for hypothetical cases. This technique does not yield confidence intervals, but we remind readers that these predictions are subject to error.

provide an odd combination. On one hand, bills sponsored by moderate senators in the inter-pivot zone are 2.9% more likely to advance to the calendar. On the other hand, in the combined models senators are more likely to succeed the greater their difference in NOMINATE scores (i.e. disagreement with) the median member of the Senate. A senator who was the maximum distance from the chamber median enjoyed a 7.0% increase in bill success. Tested by itself, however, distance from the chamber median had a weakly negative effect.

Floor Stage. The middle two columns of Table 3 estimate the influence of the explanatory variables on the likelihood a bill already on the Senate calendar would pass the Senate. The noticeable pattern is that several variables switch signs: number of Cosponsors, Seniority, Majority Committee Member, Chamber Median Distance, and Inter-Pivot Zone all reverse patterns. To some extent this may be a reaction to the set of bills approved by committees; the high value of ρ (.9956) suggests that errors are closely linked across the two stages. The best positive predictor of bill success is time. Bills that reach the calendar early in a Congress are much more likely to pass than bills that reach the calendar just as time is running out. Also, majority party status adds a 2.15% boost on the floor.

The final two columns summarize the overall influence of explanatory variables on whether a bill introduced in the Senate eventually passes the chamber. The key pattern is that the effects closely track the committee results. That is, *the primary hurdle for bills in the Senate is getting onto the calendar*. This, in turn, means getting the approval of standing committees; bills reported out of committee fare better than bills placed directly on the calendar. As Evans and Oleszek (2001) note, party leaders bypass committee to aid bills on party priorities, but this is a narrow strata of bills; most bills that go directly to the calendar are less likely to succeed.

V. Cosponsoring and Agenda-Setting

The preceding analysis uses information about each bill's sponsor to make inferences about the quality and ideological content of Senate bills. Recent research suggests, however, that the cosponsors of a bill also provide a great deal of information to legislators and scholars (Fowler 2006a, 2006b; Kessler and Krehbiel 1997; Koger 2003; Wilson and Young 1997). Senators "cosponsor" when they allow their names to be listed as supporters of a bill. Senators have cosponsored since the 1930s, and there is no limit on how many cosponsors a bill can have.¹² In the 105th Congress, e.g., the McCain-Finegold campaign finance bill (S. 25) was sponsored by John McCain (R-AZ) and cosponsored by 30 Democrats (including Finegold (D-WI)).

A bill's cosponsors can convey three kinds of information. First, the ideological diversity of a bill's cosponsors can signal that a bill is high-quality legislation that attracts supporters from across the spectrum of senators (Kessler and Krehbiel 1997; Koger 2003). Second, cosponsors can signal the balance of party support for a bill. Instead of simply assuming that the party affiliation of the sponsor indicates the value of the bill to agenda-setters, the partisan balance of a bill's cosponsors may be a better cue of a bill's appeal. The McCain-Finegold bill mentioned above was formally sponsored by a Republican, but almost all of its support came from Democrats.

For this analysis, we focus on the 14,512 Senate bills which had two or more cosponsors from 1973 to 1998. This cut-off threshold balances the quality of the information conveyed by cosponsor data with the loss of cases required as the threshold for inclusion increases. Collectively, these cosponsored bills are similar to the excluded bills in most respects, including party status, seniority, and ideological proximity of the sponsors to the chamber and majority party median. Cosponsored bills tend to be introduced earlier: the *Days Remaining* mean is 426, compared to 393 for bills with zero or one cosponsors. Also, a higher share of cosponsored bills were referred to the Committee on Health, Education, Labor, and Pensions (12.7% of cosponsored

¹² Koger (2003) explores the incentives for House members to cosponsor bills. He finds that members both seek to advance policy proposals they favor and to gain favor with sponsors and interest groups who solicit their support.

bills versus 7.6% of excluded bills) and less likely to be referred to the Energy and Natural Resources Committee (6.2% of cosponsored bills versus 13.7% of excluded bills).

[Figure 3 ABOUT HERE]

Figure 3 illustrates the percentage distribution of cosponsored (i.e. 2 or more cosponsors) bills and cosponsored bills reported by committees before and after the majority-switching elections of 1980 and 1994. The distribution of all cosponsored bills is shown by the dotted lines, while the distribution of committee-reported bills is shown by solid lines. Where the dotted line is above the solid line, bills are especially unlikely to advance on the Senate agenda. Note that during the Democratic-controlled 96th (1979-80) and 103rd (1993-94) Congresses these areas of disadvantage are on the conservative side, but when the Republicans take office in 1981 and 1995 bills on the liberal side of the spectrum are less likely to advance.¹³

We use two new variables to measure the breadth of support for bills. *Partisan Imbalance* measures the extent to which a bill's cosponsors come from one party more than the other. Specifically, it is the absolute value of the percentage of all majority party cosponsors on a bill minus 50 percent, i.e. the deviation from an even balance. Second, *Cosponsor Diversity* is the standard deviation of the 1st dimension common-space scores of the cosponsors of each bill. Thus it measures the extent to which a bill is supported by senators with diverse preferences.¹⁴

We recalculated the four idealized models of party- and preference-driven agenda-setting using the mean 1st dimension common-space scores of each bill's cosponsors rather than the sponsor's score. This provides a more precise measure of the "location" of bills relative to Senate agenda-setters and veto points. Finally, we use *Percent Majority Cosponsors* to measure each bill's support within the majority party relative to the minority party.

¹³ During the 104th Congress there is also an increase in the number of bills on the conservative side of the spectrum, many of which do not advance on the agenda.

¹⁴ Since party affiliations and policy preferences are intertwined, these variables are highly correlated ($r = -.7152$) but the effects of these variables are robust when each one is estimated separately. These results are not shown but are available from the authors.

Multivariate Analysis

Our analysis of cosponsored bills provides an interesting comparison to the full dataset. Again, a table with the full results from a base model and seven variations is included in an appendix. The base model estimates the effects of the number of cosponsors, seniority, committee membership and position, reelection term (separately by party), and cosponsor diversity. As above, other models estimate the influence of the chamber median, party median, pivotal players, majority party support, and combinations of these variables. While we use Heckman probit for consistency, the errors from the selection equation are not strongly correlated with those of the outcome equation in any of the models.¹⁵ Table 3 presents the results of likelihood ratio tests comparing the base model to each variation, and comparing each constrained model to a “full” model. In every case, adding ideological and partisan variables offers a significant improvement in model fit. Furthermore, the “full” model fits the data better than any constrained model, suggesting there are multiple patterns of bill success.

[Table 3 About Here]

Table 4 presents our analysis of which bills advance to the Senate calendar, pass the Senate once they are on the calendar, and on the overall likelihood of passage. Several results from this analysis are consistent with the previous section. Committee leaders and majority party committee members enjoy an advantage at the committee level. Again, the likelihood that a bill reaches the Senate calendar increases with the number of cosponsors and the seniority of its sponsor. Once again, these patterns shift when bills reach the Senate calendar: the likelihood of passage does not vary significantly with the number of cosponsors, committee position, or seniority; nor does whether the bill skipped committee influence floor outcomes.

¹⁵ This null result helps us understand the significant ρ coefficient from the previous analysis. It seems that there is a subset of bills with zero or one cosponsor that progress through the legislative process for unexplained reasons, e.g. they advance due to the skill or connections of their sponsors, or due to news events that spontaneously increase the salience of a legislative proposal.

[Table 4 About Here]

One major difference between the previous results and the cosponsorship analysis is that the fates of bills sponsored by senators up for reelection vary widely by party. In every specification, senators up for reelection are less likely to have their bills reported out of committee or passed by the Senate, while majority party senators up for reelection see their bills' prospects improve at the committee and floor stage. However, since Majority Reelection is an interaction term and the coefficients for both electoral variables are of similar magnitude, the implication is simply that majority party members are less likely to suffer a dropoff in legislative productivity as they run for reelection.

Other results suggest both partisan and centrist patterns in agenda-setting. The percentage of majority party cosponsors is not a clear predictor of committee action but it does help explain which bills on the calendar pass the Senate. An increase in majority cosponsorship by one standard deviation increases a bill's overall chances of passing the Senate by 5.2 percent, while an increase from zero to 100% majority party cosponsorship increases a bill's chances by 14.5 percent. On the other hand, this does not imply that the majority party is getting the policies it wants. At both the committee and floor stage, a bill's prospects decline with distance from the chamber median, while on the Senate floor a bill is more likely to advance to the extent its supporters *disagree* with the median of the majority party. Taken together, these results suggest the importance of moderate members of the majority party: majority party support for a bill is important but bills supported primarily by the majority party's extreme (using the term neutrally to mean "outside the party median") members are unlikely to advance.

Is this result better explained by a pivotal politics framework? On one hand, the variable we use to test the pivot model is dominated by a simple chamber median approach. On the other hand, the underlying logic of the pivot model—that the threat (or reality) of Presidential vetoes

and Senate filibusters restrain parties in the Senate—remains a viable explanation for the patterns of nonpartisan success we observe in our analysis of cosponsored bills. However, the results also indicate a clear pattern of partisan behavior in the electoral disadvantage incurred by minority party members up for reelection, and in the preference for bills with majority party cosponsors. This suggests the utility of incorporating a role for the majority party as an agenda-setter in the Senate (e.g. Chiou and Rothenberg 2003, 2006).

Finally, the results suggest that agenda-setters prefer low-cost legislation. First, the diversity of a bill's cosponsors is correlated with both committee and floor success; an increase of one standard deviation in diversity is correlated with a 5.6% increase in overall success. This is consistent with the claim that an ideologically diverse set of cosponsors signals that a bill is a well-designed solution to a policy problem (Kessler and Krehbiel 1997) and that it is unlikely to face political opposition (Koger 2003). Second, as above, the availability of floor time is a significant predictor of floor action; a bill introduced at the beginning of a Congress rather than the end is 7.7% more likely to pass the Senate. Finally, the number of cosponsors on a bill is still correlated with increased probability of passage among bills with two or more cosponsors.

VI. Discussion

This paper has explored the influence of parties and preferences on legislative outcomes in the Senate. Compared to the U.S. House, the rules of the Senate provide ample opportunities for individual members to promote their bills, and for a minority of the chamber to filibuster bills indefinitely. Consequently, research is necessary to determine the extent of majority party influence on Senate outcomes.

We used a new and comprehensive dataset of all bills introduced in the Senate from 1973 to 1998 to test multiple models of legislative agenda-setting. Our results suggested that the majority party does have significant influence on the selection of bills for committee approval and

chamber passage. For our analysis of all Senate bills, majority party status was the primary determinant of bill success; all else equal, the best predictors of whether a bill is reported from committee and passed by the Senate are the party and committee affiliations of the bill sponsor.

We found similar patterns when we focused our analysis on bills with multiple cosponsors. Some results suggest majority party control of the agenda: bills offered by minority party senators up for reelection are more likely to fail, while the percentage of majority cosponsors is correlated with legislative progress. On the other hand, bills with mean cosponsor ideology close to the chamber median are more likely to advance while proximity to the majority party median actually *reduces* a bill's odds of success. Our findings suggest that, in addition to ideological or partisan concerns, a key factor in bill success is the effort required to push it out of committee and through the Senate. Agenda-setters treat the number of cosponsors on a bill and the diversity of those cosponsors as signals that a bill will be popular and easy to pass. Furthermore, as one might expect, the fate of Senate bills awaiting floor consideration depended on how much time remained available before the end of the Congress.

We hope that our work provides a useful baseline for future research on Senate agenda-setting. One limitation on this work is that we focus on reporting and passage of individual bills. In addition to these clear indicators of success, senators may enjoy a fair degree of legislative influence—especially relative to their House counterparts—due to their ability to attach their policy initiatives to committee-reported bills and other legislation on the Senate floor. Senators may also influence the content of bills through participation in committee markups and backroom negotiations, neither of which is captured in our dataset. Furthermore, it would be interesting and worthwhile for subsequent research to analyze agenda-setting patterns by issue content, committee, scope, and urgency.

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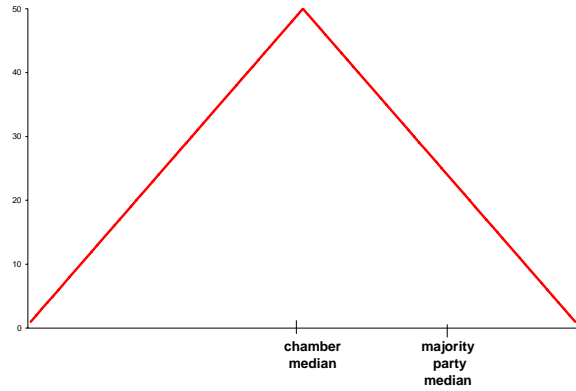
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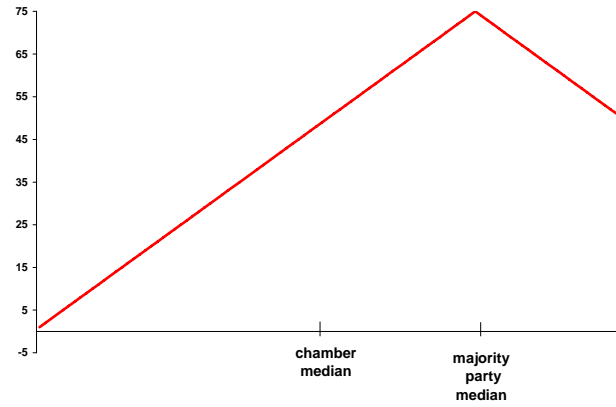
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FIGURE 1: Distributions of Legislative Success by Party and Preferences

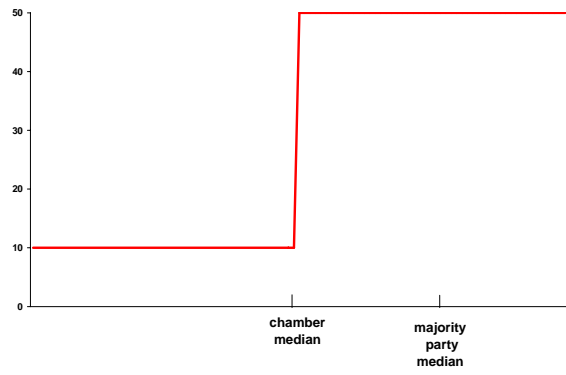
1A. Chamber Median-Centered



1B. Party Median-Centered



1C. Party Difference



1D. Pivot Model

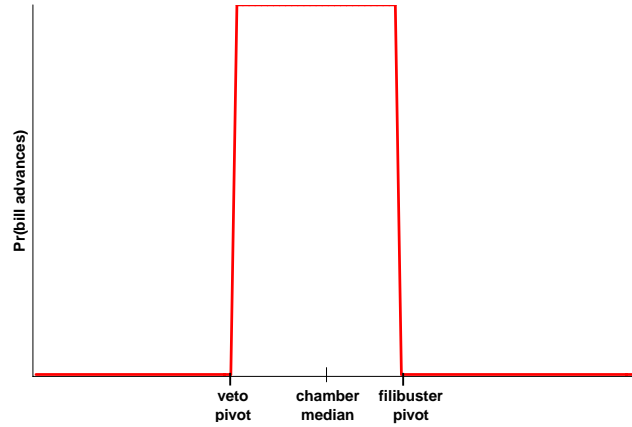
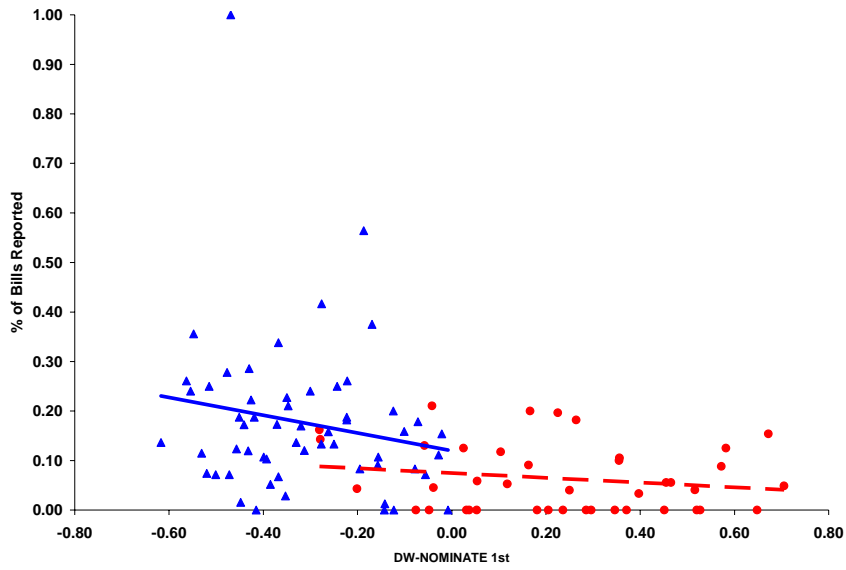


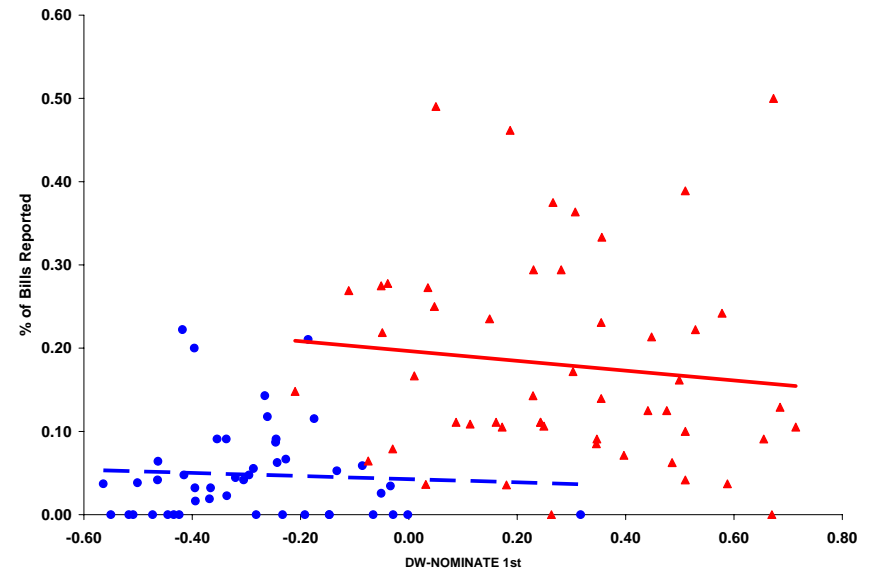
TABLE 1: Bills Referred and Outcomes, 1977-1999

	Bills Referred	No Action	Reported		Not Reported but Passed
			Not Passed	Passed	
Agriculture	1497	1325	33	114	25
Appropriations	254	178	36	40	0
Armed Services	998	804	45	142	7
Banking	1406	1234	44	123	5
Budget	206	171	24	11	0
Commerce	2203	1575	281	340	7
Energy Natural Resources	2898	2107	231	548	12
Environment and Public Works	2014	1693	105	209	7
Finance	7469	7364	60	39	6
Foreign Relations	880	727	56	95	2
Govt Affairs	1837	1552	74	201	10
HELP	2788	2384	149	237	18
Indian Affairs	539	281	59	197	2
Intelligence	49	40	3	6	0
Judiciary	5285	4754	151	367	13
Rules	395	303	27	64	1
Small Business	187	148	6	31	2

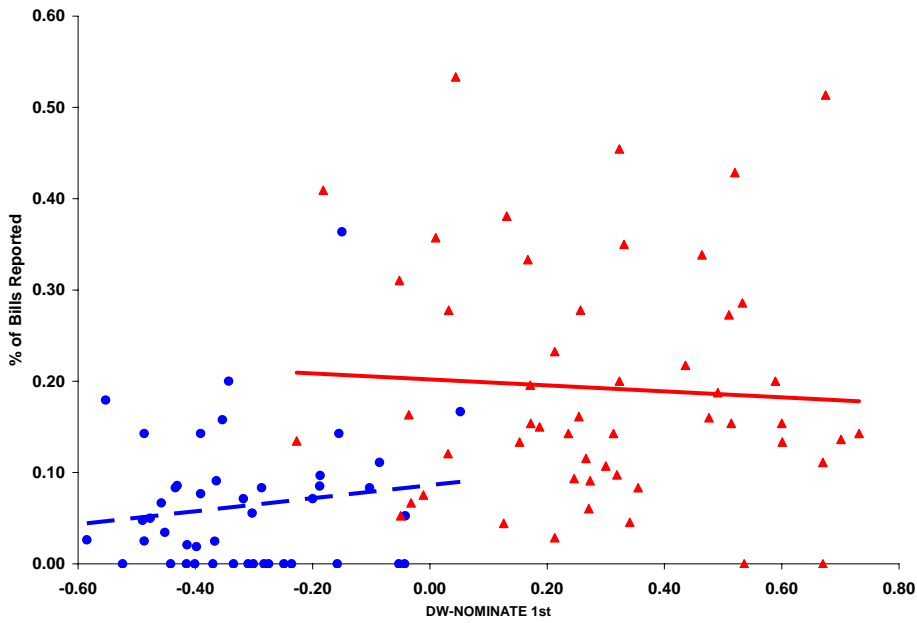
FIGURE 2: Party, Preferences, and Report Rates by Congress
96th Congress, 1979-80



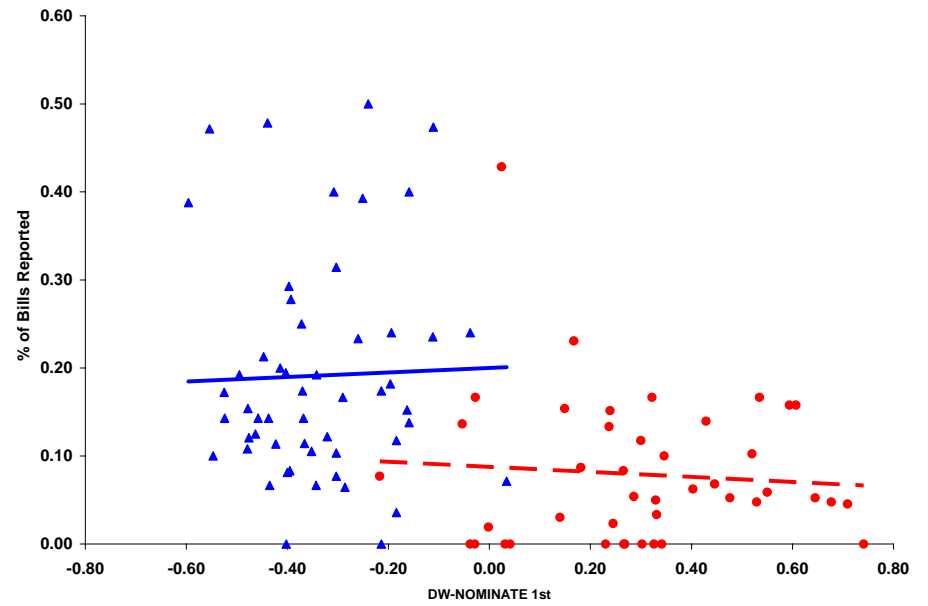
97th Congress, 1981-82



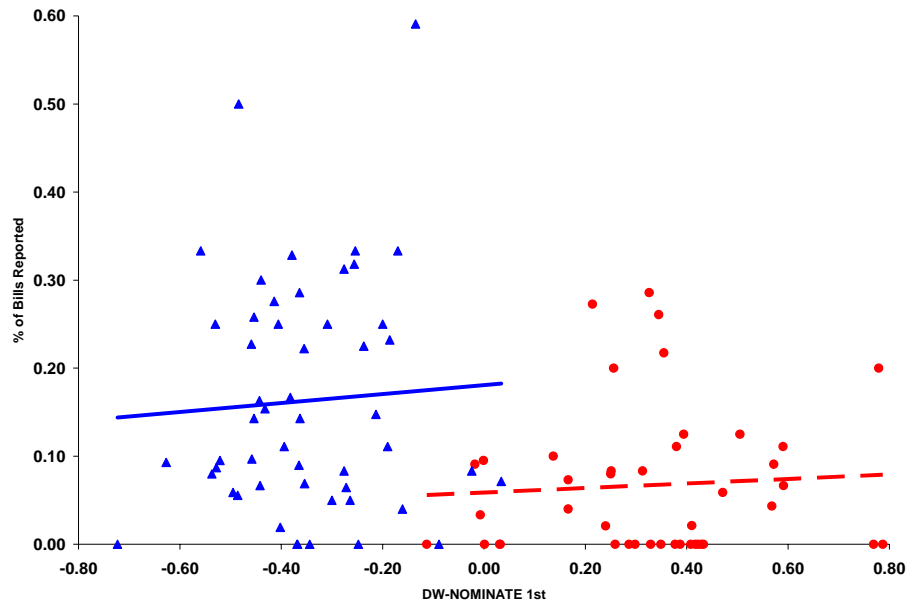
99th Congress, 1985-86



100th Congress, 1987-88



103rd Congress, 1993-94



104th Congress, 1995-96

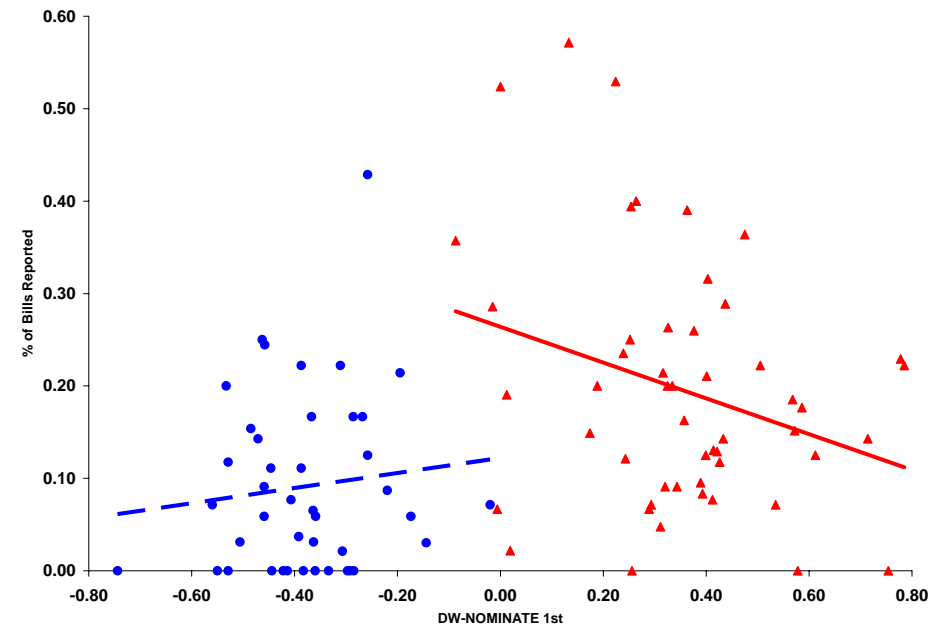


TABLE 2: Comparison of Agenda-Setting Models

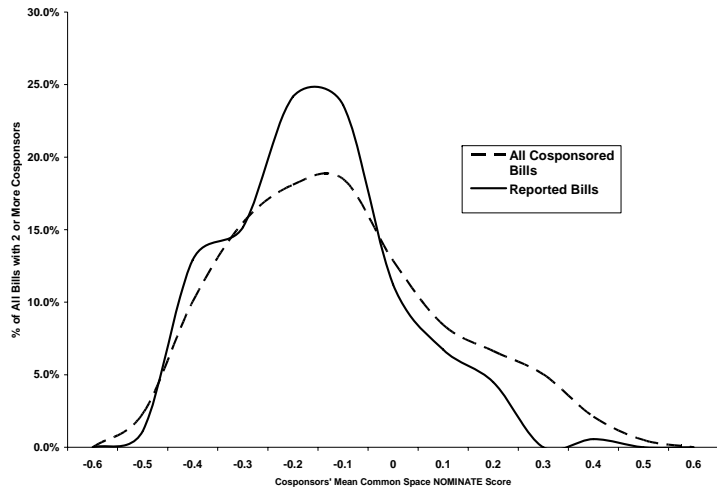
	Base	All-Inclusive
Chamber Median	6.46***	214.03***
Majority Party Median	41.12***	179.37***
Majority Party	183.46***	37.03***
Inter-Pivot Zone	15.73***	204.76***
Majority + Pivot	190.23***	30.26***
Majority + Pivot + Chamber Median	220.29***	.20
All-Inclusive	220.49***	

TABLE 3: Estimated Effects of Majority/Pivot/Chamber Median Model

	$\Delta Pr(\text{Bill Advances to Calendar})$		$\Delta Pr(\text{Bill on Calendar Passes Chamber})$		$\text{Overall } \Delta Pr(\text{Passage})$	
	+1 S.D.	Minimum to Maximum	+1 S.D.	Minimum to Maximum	+1 S.D.	Minimum to Maximum
Cosponsors	3.41%	60.52%	-2.85%	-14.96%	2.44%	44.36%
Seniority	0.70%	3.64%	-0.44%	-2.27%	0.54%	2.82%
Committee Leader		4.90%		1.26%		4.76%
Reelection Congress		-1.05%		-1.92%		-1.36%
Majority Reelection		0.29%		0.58%		0.39%
Days Remaining	-0.52%	-1.87%	2.33%	8.90%	0.04%	0.15%
Not Referred				-16.42%		-2.65%
Committee Member		3.24%		0.75%		3.13%
Majority Comm. Member		5.30%		-8.85%		2.91%
Chamber Median Distance	1.38%	7.03%	-1.87%	-9.20%	0.86%	4.33%
Majority Party		8.90%		2.15%		8.58%
Inter-pivot Zone		2.88%		-2.03%		2.19%

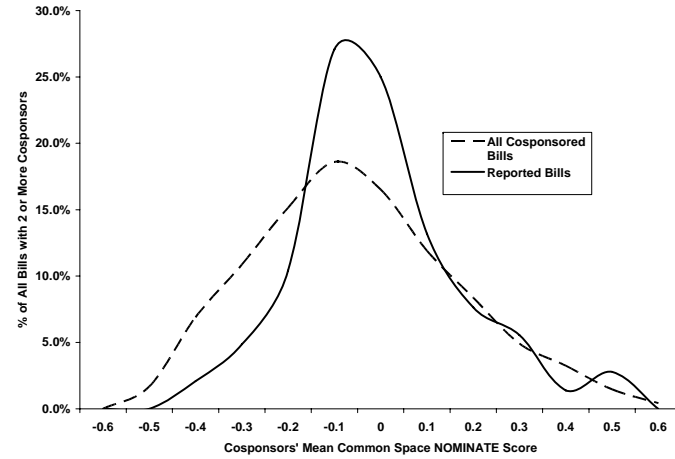
Cells represent percentage change in the probability of the specified event from a baseline estimate in which all variables are held at their means. For the first four columns of estimates, cells are shaded if $p < .05$. The final two columns represent a summary of the two stages.

FIGURE 3: Cosponsored Bills Introduced and Reported, Pre- and Post-Party Switch
96th Congress, 1979-80



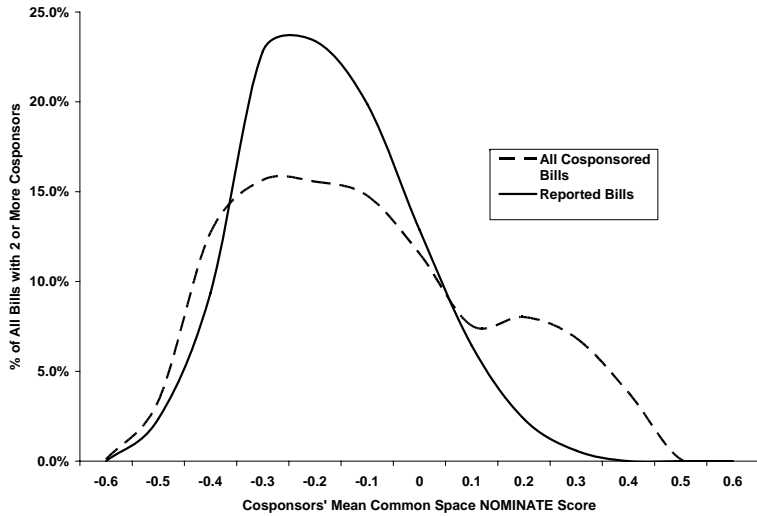
All = 995 Reported = 178

97th Congress, 1981-82



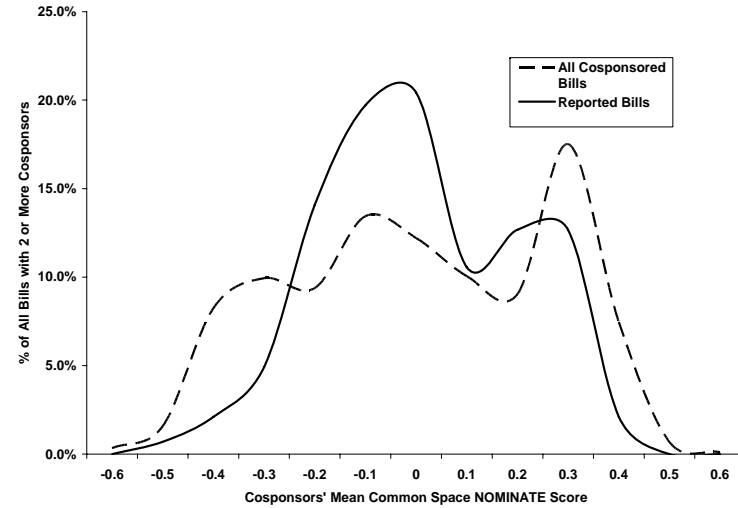
All = 957 Reported = 144

103rd Congress, 1993-94



All = 1022 Reported = 171

104th Congress, 1995-96



All = 885 Reported = 142

Table 4: Comparison of Regression Models for Cosponsored Bills

	Base	Full Model
Chamber Median	79.04***	17.35**
Majority Party Median	35.90***	60.50***
Party Balance	33.45***	62.95***
Majority Party Share	18.55***	77.84***
Inter-Pivot Zone	42.62***	53.77***
Majority Share + Pivot + Chamber Median	85.09***	11.30**
Full Model	96.39***	

Table 5: Estimated Effects of Full Model, Cosponsored Bills

	<i>Pr(Bill Advances to Calendar)</i>		<i>Pr(Bill on Calendar Passes Chamber)</i>		<i>Overall Effect on Pr(Passage)</i>	
	+1 S.D.	Minimum to Maximum	+1 S.D.	Minimum to Maximum	+1 S.D.	Minimum to Maximum
Cosponsors	4.3%	46.8%	-0.3%	-1.6%	2.0%	15.6%
Seniority	1.1%	6.2%	-0.4%	-2.0%	0.0%	0.2%
Committee Leader		5.3%		-0.8%		1.7%
Reelection Congress		-3.6%		-4.3%		-9.9%
Majority Reelection		5.3%		3.4%		9.6%
Days Remaining	-0.3%	-1.2%	1.2%	4.8%	2.1%	7.7%
Committee Member		1.9%		1.9%		4.7%
Majority Comm. Member		14.7%		-3.2%		2.8%
Chamber Median Difference	-2.9%	-14.4%	-2.4%	-14.8%	-6.1%	-33.4%
Party Median Difference	-0.1%	-0.4%	3.7%	15.1%	7.4%	31.6%
Cosponsor Diversity	2.2%	15.0%	2.2%	13.0%	5.6%	33.3%
Pivot Zone		0.8%		0.6%		1.5%
% Majority Cosponsors	0.7%	2.0%	2.4%	7.4%	5.2%	14.5%
Not Referred				-3.3%		-5.5%

Unshaded cells are statistically significant at the p<.05 level, except for the “overall effects” columns.