THE INSTITUTIONAL CONSEQUENCES OF CONGRESSIONAL POLARIZATION

A Dissertation

by

NATHAN ARTHUR ILDERTON

Submitted to the Office of Graduate Studies of
Texas A&M University
in partial fulfillment of the requirements for the degree of

DOCTOR OF PHILOSOPHY

December 2009

Major Subject: Political Science

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Approved by:

Chair of Committee,	Jon Bond
Committee Members,	Patricia Hurley
	Cary Nederman
	William West
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ABSTRACT

The Institutional Consequences of Congressional Polarization. (December 2009)

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Chair of Advisory Committee: Dr. Jon Bond

Polarization, defined as the ideological distance between the Democrat and Republican parties in Congress, has increased dramatically in Congress since the 1970s. Research on polarization in the U.S. Congress primarily focuses on the sources of this increase. Relatively little work has been done on the consequences of polarization for Congress' relationship with the president and the passage of legislation. This dissertation corrects this omission by examining the influence of polarization on several key aspects of the legislative process. It examines the impact of polarization on the interaction between Congress and the president, including the president's strategy in supporting or opposing legislation and the success the president has on bills when he takes a position. It also examines the effect polarization has on the overall passage of legislation. An empirical examination was undertaken using significant bills in Congress over a sixty year time period (1947-2006).

The results indicate that the effects of polarization on the legislative process are contingent upon the presence of divided government, defined as times when the president and a majority of members of Congress are from different parties, and the chamber of Congress under examination. As polarization increases, the president is

more likely to support legislation and be successful when his party controls Congress, but he opposes more legislation and is less successful as polarization increases under divided government. Legislative gridlock, the inability of Congress to pass important or innovative legislation, tends to decrease in both the House and Senate as polarization increases under unified government. However, as polarization increases under divided government the overall passage of bills into law decreases.

The dissertation also offers an improved method for modeling the impact of divided government on gridlock. Prior studies model divided government without regard for whether the president takes a position on a given bill. This study shows that when the president takes a position on a bill under divided government the probability it passes decreases, but the probability of passage increases when the president does not take a position. This finding implies that previous research may underestimate the true effects of divided government on gridlock.

DEDICATION

This dissertation is dedicated to the loving memory of my grandfathers, Bobby Ilderton and Rudy Mason. Their lifetimes of hard work and dedication to their families opened opportunities that their children and grandchildren, including myself, would not have otherwise enjoyed. I remain ever grateful for their dedication, love, and the legacy that I try to live up to everyday.

ACKNOWLEDGEMENTS

This dissertation was a long and, at times, difficult project. I have accumulated many debts of gratitude, both for substantive suggestions and for general encouragement.

I would like to thank my committee chair, Jon Bond, for his suggestions and advice and the late nights he labored with me to improve this dissertation. I also thank the other members of my committee, Pat Hurley, Cary Nederman, and Bill West for their helpful suggestions. I acknowledge the support of the Texas A&M University Department of Political Science. Other political science faculty who provided helpful suggestions included Guy Whitten, Ken Meier, and Dan Wood. I would be remiss not to mention friends and colleagues in the department who offered both substantive advice and encouragement throughout this project. Among them are Jason Smith, Tyler Johnson, Jesse Chupp, Laron Williams, David Rossbach, and Erik Godwin.

I would have never completed this project without the love and support of my family including my father, Clent, my mother, Betsy, my brothers, Rob and Marty, my sister-in-law, Jenny, my niece, Miriam, my grandmothers Pattie Ilderton and Lu Mason, and numerous aunts, uncles, and cousins. I am also grateful for the encouragement I received from my friends at Westminster Presbyterian Church. I am also grateful for the advice and encouragement from afar of my longtime friends Joel Simoneau and Andy Pennock, and my undergraduate advisor Dr. Dave Woodard.

TABLE OF CONTENTS

CHAPTER Page

LIST OF FIGURES

LIST OF TABLES

TABLE Page

CHAPTER I

INTRODUCTION: ANALYZING POLARIZATION IN CONGRESS

Political science has long been critical of the functioning of political parties in the American system of government. Nearly half a century ago the American Political Science Association issued a report that called on parties to accentuate their differences and to offer distinct choices for the electorate (APSA 1950). Today, the polarized parties are blamed for the gridlock in Washington that prevents the passage of innovative and important legislation (Binder 2003), leading political scientists to the opposite extreme, pining for the times when bipartisanship reigned supreme in Washington and problems like social inequality could be addressed (Rosenthal 2004). Political practitioners outside of academia issue position papers against partisanship and lament its affects on governance (Hamilton 2008).

The electoral sources of partisan polarization have been scrutinized to the point that such studies make for a "cottage industry both among political scientists and pundits," according to McCarty (2007, 223). The consequences of polarization, especially for the elected branches of government, are less well understood. There is a great deal of anecdotal evidence: speeches seem nastier, legislation takes longer to pass or does not pass at all, etc. Though such observations are sufficient evidence for polemics and position papers, they do not and cannot satisfy the social scientist.

This study will examine the effects of party polarization with an emphasis on its effects on the functioning of Congress. It tests if and how the recent resurgence in

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This dissertation follows the style of *American Political Science Review.*

polarization has changed the way Congress passes legislation and how it works with the president. The first order of business is to discuss the existing research on congressional polarization and outline the puzzle it has left.

Party Polarization Literature

Since the 1970s, political scientists have observed an increase in the partisanship of and hostility between the major political parties in Congress. The trend has been measured in multiple ways, including documenting the disappearance of moderates (Fleisher and Bond 2004), measuring the distance between party medians using a roll call vote measures such as Poole and Rosenthal's (1997) NOMINATE scores, or a combination of the two (Binder 2003). The latter two measures are illustrated in Figures 1-1 and 1-2. The Poole and Rosenthal measure is simply the distance between the median member of the Democrat and Republican caucuses in the House and the Senate. Binder's measure combines the measure of ideological distance and a count of the number of moderates within a chamber. These were averaged together to create a Congressional index of moderation or the opposite of polarization. Regardless of methodology, the increase in partisanship is evident.

This trend led congressional scholars to research and model the sources of polarization. This research has found two interrelated sources of congressional polarization. Most scholars agree that the ultimate cause of congressional polarization is electoral, that changes in the electorate filtered into Congress. The electoral changes eventually caused changes in the institution of Congress, which act as a secondary source of polarization, reinforcing the partisanship derived from the electorate. The two

categories of polarization models often overlap, but individual works tend to emphasize one source over the other.

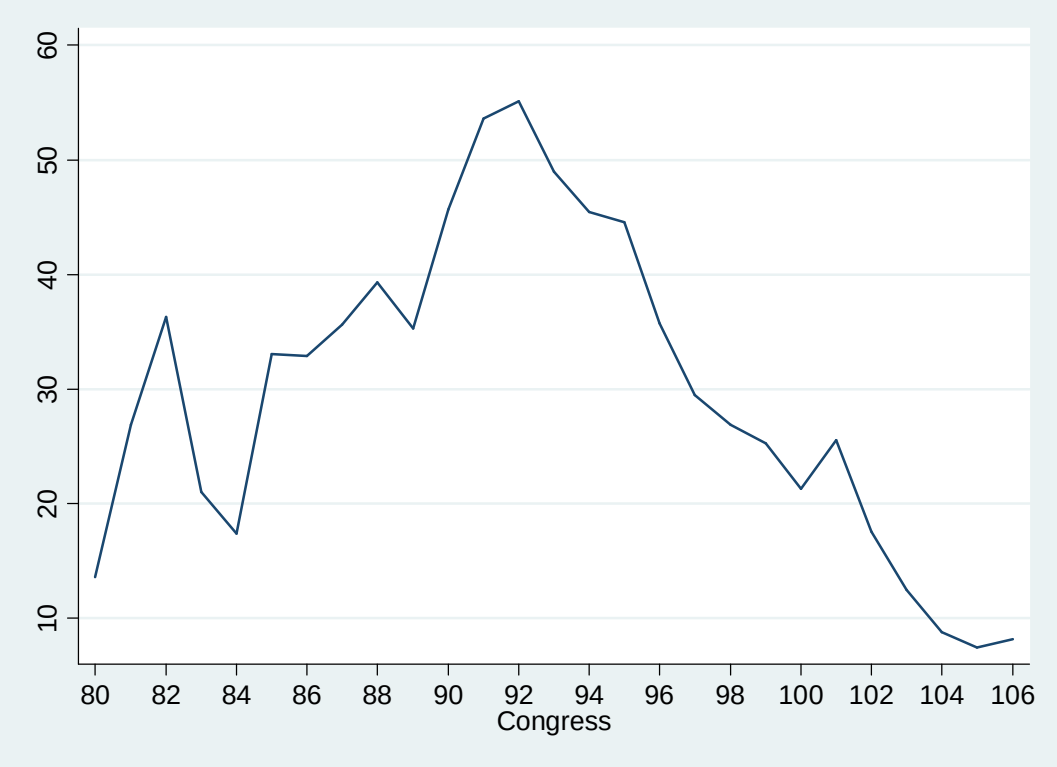
Figure 1.1
NOMINATE Measure of Polarization

Source: Poole and Rosenthal (1997)

Models focusing on changes in the electorate either emphasize a particular trend (usually the realignment of the South) or divisions over certain issues. The southern realignment hypothesis emphasizes the replacement of conservative Democrats, in the South with Republicans (Rohde 1991, Taylor 1996, Fleisher and Bond 2004) and new found success by liberal Democrats in the North (Brewer, Mariani, and Stonecash 2002).

As conservative Republicans in the South replaced conservative Democrats the caucuses of both parties became more ideologically homogenous. As the caucuses became more homogenous, they became more different from one another creating a larger ideological distance between the two.

Figure 1.2
Binder's Measure of Moderation



Source: Binder (2003)

Several studies concluded that certain issues divided the electorate in recent decades and led to polarization in Congress. Some scholars posit cleavages created by issues such as macroeconomic issues (Coleman 1997), income inequality and

immigration (McCarty, Poole, and Rosenthal 2006), and race (Carmines and Stimson 1989) are the source of the increase in polarization. As the public became divided on these issues, the parties began to take opposite sides, leading to sharper ideological divisions. Stonecash, Brewer, and Mariani (2003) track ideological change across issues and regions, creating a comprehensive view of polarization in the electorate that is not restricted to explaining change in one issue area or in one region (i.e. the South).

A second proposed source of polarization is institutional change in Congress itself. This literature is closely tied to models of changes in the electorate and emphasizes that polarization in the electorate leads to polarization in Congress, which in turn allows members of Congress to make institutional changes that reinforces the existing polarization. Rohde (1991), for example, finds that the increased homogeneity of the Democratic caucus resulting from the southern realignment enabled Democrats to launch institutional reforms in the 1970s that allowed for more partisan outcomes, particularly in the House. Power was removed from senior and conservative committee chairs and given to party leaders and subcommittee chairs, which allowed for the passage of legislation that reflected the views of the caucus as a whole. Cox and McCubbins (1993, 2005) find that as the parties become more ideologically homogenous, the leaders of the majority party are better able to control the agenda and reduce the chances of getting rolled on the floor on issues important to party members. These institutional advantages are enhanced as the majority party becomes more unified, which occurs during partisan eras.

Polarization resulting from both electoral and institutional sources has allowed a greater leeway to party leaders, particularly in the House to assert control over the legislative agenda (Rohde 1991, Aldrich 1995). Party leaders have incentives to protect their members from casting politically difficult roll call votes. Specifically, they seek to maintain their majority status and to do this they cannot put their fellow partisans in jeopardy (Cox and McCubbins 1993, 2005). Majority party leaders, therefore, free their members to vote against the party on passage votes if necessary, but expect party loyalty to hold on procedural votes, which allow party leaders to control the agenda and debate. Indeed, Congress, particularly the House, is more polarized on procedural votes than on substantive roll calls (Theriault 2008).

Though much has been written about the causes of polarization, with few exceptions little has been said about the consequences of polarization. Clearly, the consequences of polarization need more attention. Though there has been some attention to the consequences of polarization, the quantity of this research pales in comparison to the amount of attention given to the causes of polarization. Most of the work on the consequences of polarization has been in the context of the literature on policy gridlock, but polarization has received less attention as an explanation for gridlock than factors such as party control and divided government.

For example, Binder (2003) used the inverse of polarization, moderation, as an explanatory variable and found that polarization contributes to legislative gridlock. Rosenthal (2004) asserts that polarization exacerbates economic inequality because the gridlock that results from polarization defeats policies intended to address inequality.

McCarty (2007) casts the net a little wider and finds that polarization in conjunction with divided government and institutional obstacles that require supermajorities to overcome reduces the chances of significant legislation being passed. The general conclusion from these three studies is that polarization enhances legislative gridlock.

However, these general conclusions ignore the potential subtleties to the process by which one would expect polarization to create gridlock. Sinclair (2008) points out that given the known effects of the rules of the House and Senate, it can be anticipated that polarization's effect on gridlock would vary across these chambers. The House, as understood by the conditional party government and cartel theories (Rohde 1991, Aldrich 1995, Cox and McCubbins 1993, 2005) should be less likely to gridlock as party cohesion and differences between the parties increase, i.e. an increase in legislative productivity should be observed in the House as polarization increases. On the other hand, in the Senate, where individual members have more influence over the legislative process, polarization should lead to an increase in gridlock as the members of the minority party have more incentive to try to stop legislation sponsored by the majority.

The gridlock literature does not account for chamber differences in any rigorous way. Most of the gridlock studies are aggregate studies that look at the rate at which Congress passed legislation on important issues, exemplified by Mayhew's (1991) study on the effects of divided government on the passage of significant legislation. A few account for the effects of policy and ideological differences between the chambers (Binder 1999, 2003, Jones 2001), but no study was found that breaks down the legislative process and examines bill passage in the House and Senate separately.

Aside from its lack of attention to polarization and House and Senate differences, the gridlock literature appears to underestimate the importance of the president when modeling the effects of divided government. By placing a variable for divided government in their models, researchers studying gridlock implicitly bring the president into the model. It is reasonable to expect that divided government will have the greatest impact on bills the president supports (Congress under divided government will be more likely to oppose them) and on bills he opposes (the president will veto any such bills under divided government). Aggregate studies of gridlock, particularly those that focus on divided government, generally fail to take this into account. Binder (2003) models the effect of issues being mentioned by the president in the State of the Union Address on gridlock, but did not explicitly model presidential position taking. Edwards, Barrett, and Peake (1997) model the effects of divided government on presidential position taking and presidential success, but did not look at how presidential position taking affected overall policy gridlock.

In sum, the literature as it currently stands contains two deficiencies. First, the congressional literature as a whole and the gridlock literature specifically have yet to account for the consequences of party polarization. A great deal of research has been conducted on the sources of polarization and on the consequences of divided government, but relatively little attention as been paid to the consequences of polarization. Second, models of the effects of divided government do not adequately account for the role of the president, leaving such models underspecified. The purpose

of this dissertation is to correct these deficiencies and produce a better model of the passage of legislation. The next section outlines the plan for how this will be done.

Plan of the Dissertation

This dissertation will argue that aggregate models that fail to account for differences in the lawmaking process between the House and Senate, have divided government as the primary explanatory variable, and do not account for the position the president takes on legislation provide an incomplete picture of lawmaking and gridlock in the United States Congress. This argument will be made in several stages.

Chapter II will begin this process by providing an in depth review of the gridlock literature and the small literature that discusses the consequences of polarization. I will then discuss a theory that more fully accounts for the all of the subtleties that surround legislative gridlock and the effects divided government and polarization have on it. The essential premise is that divided government and polarization interact, that the effects of polarization are in part determined by the presence or absence of divided government and that the impact of divided government is determined by the level of polarization. The chapter will conclude with a discussion of a dataset constructed to test the theory.

The assertion that models in the gridlock literature are underspecified by leaving out the position of the president is the main focus of the middle portion of the dissertation. Studies of presidential influence, especially Edwards, Barrett, and Peake (1997), show that the president's position taking and success in Congress is often contingent on the presence and absence of divided government. If the theory that the effects of polarization and divided government are interactive is correct, then

polarization will have an influence on position taking and success as well. These issues must be sorted out before presidential positioning can be added to the gridlock model. Chapter III will examine the effects of polarization and divided government on presidential position taking. Chapter IV will look at the success the president has in getting Congress to support his position. This chapter examines presidential success in Congress as a whole and in the House and Senate.

Chapter V will present the improved models of bill passage in Congress. These models account for the impact of polarization, differences between the House and Senate, and the position of the president. These models will show that the effects of polarization and divided government are interactive and vary according to the chamber being analyzed and the position of the President.

The final chapter of the dissertation concludes by summarizing the key findings and placing them in context with the rest of the literature. It will also discuss avenues for future research. The dissertation will conclude with some speculation on the long term consequences should the current upward trend of polarization continue indefinitely.

CHAPTER II

A THEORY OF POLARIZATION AND CONGRESSIONAL GRIDLOCK

To address the flaws and oversights of the gridlock literature, a theory must be specified. Such a theory must account not just for the general effects of divided government and polarization on legislative productivity, but also for the fact that the effects of both are contingent on other factors. The theory constructed in this chapter holds that divided government and polarization increase gridlock overall, but the effects they have on the process are interactive, meaning that the effects of polarization are contingent on the presence of divided government and that the effects of divided government depend on the level of polarization. Also, these effects vary depending on the chamber and the president's position on a given piece of legislation.

The discussion of this theory will proceed in three steps. It will begin with a review of the congressional politics research on the effects of party on roll call voting, the gridlock literature that focuses on divided government, and the scant literature that deals with the consequences of polarization for legislative productivity. This will be followed with a discussion of the theory that will guide the empirical work in the remainder of the dissertation. The chapter will conclude with an overview of the research design used to test the theory.

Party Voting, Divided Government, and Polarization

The gridlock literature as it currently stands is a product of three lines of research. It began with empirical research oriented towards understanding the influence party has over the individual roll call vote, and the studies that made the connection

between large seat swings between the parties and the potential for policy change. The gridlock literature then sought to understand why periods of large policy change were so rare. Divided government was thought to be the cause, at least for gridlock after World War II. Most recently, gridlock studies have begun to examine party polarization as another cause of policy gridlock.

Political scientists have examined the influence of party on legislative output in two areas: the influence that party has over individual legislators on roll call votes; and the role of the parties in macro level changes in public policy. On the individual level, the question has centered around the extent to which party influences decision making on roll call votes. At least one prominent line of study holds that parties have little or no influence over the decision making process of individual members of Congress. Mayhew (1974) in his seminal work asserts that "no theoretical treatment of the United States Congress that posits parties as analytic units will go very far" (27). Rational choice theorists, most prominently Krehbiel (1993, 1998), model congressional decision making as a function of individual ideal points. In such models party is assumed to have no independent influence over the individual member's decision, and any pattern a member may have of voting with his or her party is a product of the member's individual preferences.

When roll call votes have been scrutinized, however, party has been shown to have at least some influence over the decisions of individual members of Congress. A number of roll call voting studies found that party is the best single predictor of vote, even during an era when intra-party regional differences were also an important

predictor of certain roll call votes (Clausen 1973, Kingdon 1977, Weisberg 1978). As issues become more contentious, party becomes a better predictor of roll call votes.

Recent studies test the limits of party influence over roll call votes. Most find at least some evidence of party influence on roll call votes. Ansolabehere, Snyder, and Stewart (2001) compare roll call behavior to the preferences of House members revealed by surveys across three Congresses and find that both party and individual preferences influence roll call decisions. However, party exerted an influence independent of preferences in 40 percent of the roll calls and generally occurred on procedural votes, close votes and on issues of importance to the parties. Other studies, using longer periods of time, find that party has an influence over roll call voting over time (Hager and Talbert 2000; Cox and Poole 2002; Lawrence, Maltzman, and Smith 2006).

Like the individual roll call voting decision, policy change at the national level in American politics is often correlated with changes in party politics both in political institutions and in the electorate. Brady (1978, 1988), for example, shows that major changes in public policy occur after realigning elections that change the partisan balance in the electorate and in policy making institutions. Research also shows that the potential for changes in policy across Congresses over time is contingent not only on the raw number of seats won by the respective parties, but also on the cohesiveness of majorities (Hurley, Brady, and Cooper 1977, Hurley 1979). Thus, conditions necessary for large scale changes in public policy are rare.

The literature on legislative gridlock began as an effort to understand why periods conducive to significant legislative change such as the New Deal or Great

Society are relatively rare. A certain amount of gridlock is built into the constitutional system itself. Some political scientists go so far as to claim that the Founders, in particular James Madison, "designed a system for deadlock and inaction" (Burns 1963, 6). In other words, the Founders intentionally created a system that would naturally gridlock. However, the constitutional system is also a delicate balance between creating a working government and protecting the public from tyrannical majorities (Jones 1995). Even institutional features intended to divide power (e.g. bicameralism) were intended to slow down excesses rather than create general gridlock (Lee and Oppenheimer 1999, 27-9). Gridlock is no longer assumed to be "a desirable and untouchable gift of the Founding Fathers" (Binder 2003, 6).

When political scientists look beyond constitutional causes of gridlock the most frequently examined factor came to be divided government. At least since Woodrow Wilson's (1911) work in the early 20th century, the parties have been considered the most effective means of overcoming constitutional barriers such as the separation of powers in order to produce major change in public policy (Rossiter 1960, Truman 1971). Thus the regular occurrence of divided government after World War II was an alarming development (Sundquist 1988), at least for those who desired frequent innovations in public policy. The need emerged for new theories of government policymaking when the separate institutions were controlled by different parties.

This research began in earnest with Mayhew's (1991) study of the passage of important legislation in the post World War II era. Though political scientists had examined the importance of divided government prior to Mayhew's work (see for

example Key 1964, Ripley 1969), Mayhew's finding that divided government had no effect on the passage of legislation triggered a flurry of research that reexamined Mayhew's surprising finding. This flurry became the gridlock literature as we know it today.

Most of the research subsequent to Mayhew finds that divided government has at least some impact on the passage of legislation, especially for significant or important enactments. However, there is a great deal of variation across the various studies in the strength and nature of the findings. The results appear to vary according to how various authors define significant legislation.

For example, Kelly (1993) refines Mayhew's list of significant enactments and finds that divided government significantly reduced the passage of such legislation. Mayhew (1991) formed his list of important legislation using two sweeps. The first was a contemporary assessment of the importance of the legislation. The second sweep utilized retrospective analysis of the impact of the legislation. Mayhew analyzed legislation that appeared in one or both lists. Kelly used only legislation that appeared in both lists. Howell et al. (2000) examine all public laws for a forty year period, splitting them into four categories based on the significance of the law. The results indicate that divided government reduces the amount of landmark enactments, increases the passage of trivial legislation, but has no effect on the rate of passage of legislation in the middle categories. Edwards, Barrett, and Peake (1997) examine important legislation that failed and find that the odds of important legislation failing increases under divided government, but found that divided government does not affect the amount of important

legislation that passes. There are several more approaches to determining a sample of important legislation (Thorson 1998; Binder 1999, 2003; Thorson and Nitzsche 2000), but all find at least some effect for divided government on the passage of legislation.

Close reflection on this research identifies an important weakness in the divided government literature regardless of the approach used to determine a sample of important legislation. By definition divided government implies that partisan differences between the president and Congress are the source of gridlock. Yet, few gridlock studies explicitly account for the president as fully as they should. Edwards, Barrett, and Peake (1997) come the closest by examining the effects of divided government on the positions that the president takes on legislation and the impact of divided government on the whether or not the president wins on an issue. Much of the remaining divided government literature fails to account for the president's position on legislation. Binder (2003) examines the impact of the priority the president puts on an issue in gridlock, but this does not account for the weakness. There is little theoretical reason to believe that Congress and the president will conflict on issues on which the president has taken no position, yet all of the studies discussed (with the exception of Edwards, Barrett, and Peake) examine all important legislation regardless of presidential position. This is a possible reason for the variation in the strength of the impact on divided government across the literature and needs to be addressed.

In spite of the weaknesses remaining in the divided government studies, the gridlock literature has recently moved towards explanations for the lack of legislative productivity in Congress that go beyond divided government. Binder (1999) cites

bicameral differences between the House and the Senate, by which she means ideological differences between the chambers, as one of the causes of gridlock. Elsewhere, Binder (2003) suggests that partisan polarization and divided government work in concert to depress the legislative productivity of Congress. Others have found that polarization is the primary cause of gridlock (Jones 2001, Rosenthal 2004). Jones goes as far to suggest that divided government has no effect once polarization and seat division is taken into account. McCarty (2007) finds that institutional features such as holds and filibusters in the Senate enable polarization to create gridlock.

Several studies like McCarty's posit that characteristics unique to the Senate enable polarization to increase gridlock. The logic of the theory is that as polarization increases, the minority party in the Senate will be more willing to use the filibuster to stop legislation sponsored by the majority. This line of reasoning leads to two conclusions. First, increased polarization will lead to an increase in gridlock unless the majority party attains enough seats to overcome filibusters via cloture (Jones 2001). Second, if gridlock is increasing in a polarized Congress, the most likely place where it occurs should be the Senate, the chamber whose rules allow for the party minority to block legislation (Sinclair 2008).

Furthermore, much of the gridlock literature ignores these subtleties in the process. These studies make, either explicitly or implicitly, the seemingly reasonable assumptions that (1) any increase in gridlock in the Senate will appear as gridlock in Congress as a whole given that it takes only one veto point (in this case the Senate) to

kill legislation, and (2) for most if not all the era normally studied, the majority party in the Senate failed to attain a filibuster proof majority.[1]

The most common approach in the gridlock literature is to collect information on issues that needed to be addressed by Congress during a particular session or Congress and see whether or not Congress passed legislation to address the issue (Binder 1999, 2003; Jones 2001). Studies of legislative gridlock commonly assume that if Congress as a whole did not pass legislation on a topic it ended in gridlock. Binder's models in particular take an aggregate approach to modeling the legislative process, meaning they look at the effects of divided government and polarization on the amount of legislation that is passed in a given Congress.

Aggregate models of gridlock, however, miss two theoretically important characteristics of polarization. First, the aggregate approach misses the differences in effects that polarization should have in the House and Senate. Binder (1999, 2003) accounts for the ideological differences between the chambers in her aggregate model, but does not account for how different chamber rules might cause polarization to have different effects in the House and Senate. Jones (2001) does a better job of accounting for differences by including measures of both House and Senate polarization in his models. Binder accounts for polarization by averaging the House and Senate scores of

[1] The gridlock literature reviewed here does not contain a study that traces gridlock prior to the 80th Congress (1947-49). Prior to 1975, cloture required 67 votes to end a filibuster. Democrats held this number of seats in the 88th (1963-65) and 89th (1965-67) Senates, well prior to the observed increase in polarization. After 1975, when the cloture requirement was reduced to 60 votes, the Democrats held enough seats to invoke cloture in the 94th (1975-77) and 95th (1977-79) Senates, which would be on the leading edge of the upward trend in polarization (Davidson, Oleszek, and Lee 2008).

her measure of moderation Nonetheless, both Binder and Jones still model an aggregate process.

Sinclair (2008) suggests that the effects of polarization in the House and Senate are the opposite of one another. In the House, polarization would be expected to increase the amount of legislation that passes, while polarization in Senate causes a decrease in the passage of legislation. The divergent effects of polarization in House and Senate are the result of differences in rules that governing lawmaking in each chamber. These rules make lawmaking in the respective chambers two very different processes (Sinclair 2000). This insight shows that the effects of polarization on legislative productivity in the House and Senate should be modeled separately.

Second, the aggregate models of gridlock miss the interactive effect between divided government and polarization. Increased party unity is a characteristic of gridlock. Increased party unity in the Senate is likely to produce more gridlock because the ability of party leaders to build coalitions large enough to overcome filibusters is attenuated (McCarty 2007; Sinclair 2008). Divided government creates gridlock due to partisan differences between Congress and the president. Thus, the interaction of polarization and divided government compounds the problem as the majority parties in both chambers will refuse to pass the president's program and the minority party in the Senate will filibuster the majority party's agenda. Though Binder (2003) includes both a polarization and a divided government variable in her gridlock models, she does not account for the interactive affect between the two. Indeed, no research could be found that directly addresses the interaction between divided government and polarization.

Though the gridlock literature has taught us much about the legislative process, it contains several flaws. The divided government literature sometimes looks for conflict between Congress and the president where none should exist. The effects of polarization and the combined effects of polarization and divided government have not been fully explored. The next section will specify a theory that will guide the empirical investigations in subsequent chapters that will fill these gaps.

A Theory of the Effects of Polarization on the Legislative Process

To understand gridlock properly, models of the legislative process must be correctly specified. As discussed above, the gridlock literature as it currently stands falls short on three counts. Studies that examine divided government do not properly account for the role of the president even though the president is implicitly included in the standard gridlock model in the form of a dummy variable for divided government. Gridlock models that examine polarization fail to account for the different effects polarization has in the House and the Senate. The gridlock literature also fails to account for the interactive effects of divided government and polarization. This section will outline a theory that will guide the construction and testing of a series of models that account for both shortcomings.

As recounted above, with few exceptions the gridlock literature fails to account for the president's role in divided government. By including a variable for divided government, scholars are stating implicitly that party differences between the president and Congress causes legislation to fail at some point in the process. However, in

modeling legislative change in the aggregate, most studies lump together legislation the president takes a position on and legislation on which he takes no position.

There is no theoretical reason to believe that divided government affects legislation on which the president takes no position. The theory behind divided government is that party differences between Congress and the president lead to a reduction in the probability of significant legislation being enacted into law (Ripley 1969; Coleman 1999; Howell et al. 2000), but there is no greater incentive for Congress or the president to stop legislation on which the president takes no position. Congress gains nothing in a partisan battle with the president by stopping legislation when the president has no stake in its passage. Likewise the president has no added incentive under divided government to veto legislation when he is neutral regarding the merits of its enactment.

In contrast, Edwards, Barrett, and Peake (1997) have shown that divided government affects the patterns by which the president takes positions on legislation and the overall passage of legislation. There is reason to believe that divided government increases the failure of legislation—legislation the president supports will be blocked or killed by a hostile Congress, and legislation the president opposes is likely to fail because he can kill it with a veto if the threat of a veto does not deter a hostile Congress from passing it. Any apparent effects that divided government may have on legislation with no presidential position may be due to the effects of party polarization, a factor for which Edwards, Barrett, and Peake fail to account.

It is, therefore, necessary to model the passage of legislation on which the president takes no position, legislation he opposes, and legislation he supports as separate processes. Divided government should have no impact on the probability that legislation on which the president does not take a position becomes public law. Partisan differences between the branches should not impact the passage of legislation on which the president for all intent and purposes is neutral. On the other hand, divided government should reduce the probability of passage for legislation that the president takes any position on. Under divided government, Congress has increased incentives to kill legislation the president supports. At the same time, the president has the option to veto any legislation that he opposes that the opposition Congress sends to his desk.

The gridlock literature as a whole and Sinclair (2006, 2008) imply that the effect of polarization will vary according to how and at what point in the legislative process legislative productivity is modeled. The gridlock literature provides a solid foundation for examining legislative productivity in Congress as a whole. Several gridlock studies investigate the passage of legislation through both chambers and to the desk of the president (Jones 2001; Binder 2003; Rosenthal 2004; and McCarty 2007). All agree that polarization affects the overall productivity of Congress, at least on significant legislation, and that the affect is negative.

Yet a shortcoming of the gridlock literature is that it does not adequately account for the effects of institutional differences between the chambers. Binder (1999, 2003) does posit that differences in the distribution of policy preferences between the chambers

contribute to gridlock. However, Sinclair (2006, 2008) brings into sharper focus the way polarization interacts with the institutional structures that vary between the chambers.

The conditional party government and party cartel theories (see Rohde 1991; Cox and McCubbins 1993, 2005; and Aldrich and Rohde 2000) hold that in the House, leaders gain more leeway to exercise agenda control as the majority party caucus becomes more homogenous. Under these circumstances, majority party leaders will be more effective in bringing to the floor legislation that a majority of their members favor. The minority party has little recourse to stop legislation in the face of a unified majority. Polarized parties are more unified than non polarized parties. Therefore, polarization would not necessarily act as an agent for gridlock in the House.

Senate rules, in contrast, invest individual Senators with great power over legislation. The non-majoritarian features that McCarty (2007) cites as allowing polarization to interfere in the passage of legislation are located in the Senate. One Senator can place a hold on legislation, often to gain concessions on unrelated matters. The oft cited filibuster requires a coalition of only forty-one Senators (a threshold easily attained by most partisan minorities) to slow down and possibly stop legislation. The more cohesive minority party under polarization will be more likely to defeat cloture votes, leading to increased gridlock. In sum, the institutional features of the Senate require broad legislative coalitions for bill passage. Polarization makes it less likely these coalitions will assemble.

The rule structures of the two chambers lead to the theory that gridlock caused by polarization will be located primarily in the Senate. The overall lack of legislative

productivity observed by the gridlock literature is likely the result of gridlock in the Senate. At the same time polarization will lead to increasingly cohesive majority parties in the House, which allows leaders of the majority party the leeway to use House rules to pass the party's program.

The final consideration concerns the interactive effects of polarization and divided government. Polarization and divided government are reinforcing mechanisms, so it is to be expected that that gridlock would be higher when both factors are present instead of just one. Prior to the recent resurgence of polarization in the late 1970s and early 1980s, the parties in Congress contained more moderate and cross-pressured members (Fleisher and Bond 2004).[2] From the 1930s through the early 1970s, the parties were less ideologically cohesive and party voting was low compared to prior and subsequent periods (Brady, Cooper, and Hurley 1979; Collie and Brady 1985; Hager and Talbert 2000; Cox and Poole 2002; Roberts and Smith 2003). Though divided government was an obstacle, bipartisan coalitions provided a means around it. However, since the parties began becoming more ideologically homogenous and polarized, there is now a decreased potential for bipartisan coalitions to form. This makes divided government a more difficult obstacle to overcome.

In the aggregate, high polarization under divided government will decrease the probability that legislation will become public law. However, the interactive effects of divided government will also vary according to chamber and presidential position. In the House, high polarization under divided government should lead to an increase in the

[2] Fleisher and Bond define cross-pressured members as members "who have policy preferences outside the ideological mainstream of their party" (430).

passage of legislation which the president opposes, as the majority party uses the chamber rules to pass its agenda. The same circumstances will lead to a decrease in the passage of legislation supported by the president. It is likely that the majority party would not even let such legislation reach the floor for a vote. Since divided government should not matter on legislation on which the president takes no position, high polarization will increase the passage of this legislation regardless of the presence of divided government.

In contrast, the Senate under divided government in an atmosphere of high party polarization will yield a decrease in legislative output regardless of the president's position. The majority party will block legislation the president favors, and the minority party would be expected to filibuster any legislation the president opposes. For bills on which the president has not taken a position, the parties will stop any legislation except a bill that attracts the support of at least 60 senators. That level of support would be unusual for important legislation in a polarized environment.

Methods and Data

With a theory that accounts for the key shortcomings of the gridlock literature, the next task is to select a research design to test the theory. The final section of this chapter is devoted to a discussion of the methodological approach the next three chapters will take, the dataset constructed to test the theory, and measures of the key concepts used throughout the study.

The most important design decision for this study is the level of aggregation. Gridlock can be modeled in two ways and research in the gridlock literature utilizes both

methods. On the one hand, gridlock can be thought of in terms of the overall productivity of a Congress or series of Congresses. Studies with this view of gridlock examine the overall rate of passage or the number of "significant" laws passed in a given Congress (Mayhew 1991; Kelly 1993; Binder 1999, 2003; Coleman 1999; Howell et al. 2000). This type of research tends to utilize time series methodologies when estimating their models.

On the other hand, gridlock can also be examined in terms of the probability individual pieces of legislation will be passed. In such studies the unit of analysis is individual bills rather than the productivity of a Congress. Studies using this approach estimate models using a nonlinear probability model such as the logit or probit (Thorson 1998; Jones 2001).

This study will use the latter method. There are several reasons for this decision. On a practical level, aggregating data into a count or passage rate by Congress greatly reduces the number of observations in the model. The number of observations is low enough to make it difficult to correct for estimation problems such as autocorrelation and non-stationary variables inherent to time series modeling. But more importantly, from a theoretical perspective, it makes little sense to discuss concepts such as presidential positions on a bill, or the passage of bills in the House or Senate, in terms of aggregate percentages by Congress. Every bill is different and proceeds through the legislative process differently. Indeed, Sinclair (2000) shows that Congress increasingly uses innovative, procedures to get around procedural roadblocks in order to pass major legislation. Any aggregation involves a loss of information. Because the theory of this

study calls for the examination of subtleties in the legislative process, the use of bills as a unit of analysis makes more theoretical sense.

Therefore, all the models presented in subsequent chapters use maximum likelihood techniques to estimate nonlinear probability models. The model of presidential position taking in Chapter III has a dependent variable with three categories—president opposes, takes no position, or supports a bill—and uses a multinomial logit model. All other models in the study have dichotomous dependent variables and use probit to estimate coefficients. Using probit is essentially a random choice as there is virtually no difference in results between the logit and probit models (Long 1997).

After specifying the unit of analysis and the method for analyzing it, the next step is to collect the data. Divided government and gridlock studies inevitably narrow the scope of the legislation they examine. For example, Rosenthal (2004) tested his theory using bills pertaining to social policy. The more common approach is to select legislation across issues with potential to significantly change public policy. Mayhew (1991) constructed a dataset of significant enactments in a two stage process utilizing both contemporary and retrospective judgments of the enactments impact on public policy. Edwards, Barrett, and Peake (1997) later added proposals that would have been significant, but failed to pass. Binder (2003) used *New York Times* editorials to reconstruct significant legislative agendas throughout the period of her study.

A common theme when narrowing the universe of bills for a gridlock study is the notion that some legislation is more significant than others. For Mayhew (1991), this

meant legislation that is "both innovative and consequential" (37) should be considered important. Though methods for determining which pieces of legislation are innovative and consequential varies across the gridlock literature (see Coleman 1999 for a discussion of these variations), there is wide agreement that some standard of importance should be used to narrow the scope of legislation being studied in gridlock models (for an exception see Howell et al. 2000).

Though I agree that a study of legislative productivity should include innovative and consequential legislation, there is also a need to analyze the more ordinary politics within a given Congress. The passage of legislation that is not necessarily important by Mayhew's standard can still be affected by divided government and party polarization. Though I do not advocate examining all pieces of legislation, an effort should be made to extend the examination of gridlock to the level of more routine politics rather than just legislation that changes the course of public policy over the near and long term.

To that end, I constructed a dataset consisting of a sample of bills from the 80th through the 109th Congress (1947-2006). I sought out proposals that had the attention of key political actors regardless of whether or not these proposals significantly changed the direction of public policy over the near or long term. To construct a dataset that fulfilled this requirement, the *Congressional Quarterly Almanac* (Congressional Quarterly no date) was consulted. The *Congressional Quarterly Almanac* is a publication that summarizes the activities of the Congress on a yearly basis. For each year, Congressional Quarterly constructs several roll call vote studies. These roll call studies include key votes, which the editors select as the most important roll calls of the

session. The dataset for this study was constructed using the bills from the yearly key votes studies.

The bills chosen from the *Congressional Quarterly Almanac* were supplemented by Mayhew's list of important enactments (1991 extended by Mayhew) and Edwards, Barrett, and Peake's list of significant failed legislation (1997 extended by Edwards). Treaties and constitutional amendments were dropped because of the special legislative procedures associated with them.

Also dropped from the dataset are bills that commonly pass. Because these bills pass almost all the time, leaving them in the dataset may skew the results of the analyses in subsequent chapters. Two types of commonly passed bills were dropped. First, budget bills, even though their content may be controversial, tend to pass more often than other bills (Schick 2007). Budget bills include authorization bills, appropriations bills, budget resolutions, and reconciliations (Fisher 1979; Davidson, Oleszek, and Lee 2008). There were 230 budget bills dropped from the dataset, of those 195 passed (84.8 percent).

The second type of bill dropped from the analysis is omnibus legislation. Omnibus bills address multiple policy areas at once and are often used to ease the passage of controversial measures by attaching them to non-controversial ones. Evidence from prior research indicates that omnibus bills almost always pass (Krutz 2001). Omnibus bills in the dataset were identified and removed based on a list compiled by Krutz (1999) that includes omnibus legislation through the 103rd Congress. I extended the list through the 109th Congress, but was unable to exactly duplicate

Krutz's technique. It is probable that several bills that should have been dropped were not. One hundred and ninety one bills in the dataset come from Congresses subsequent to the 103rd Congress and many of the omnibus bills within this subset were identified. Any error resulting from this limitation is likely to be small and is unlikely to affect the analyses in subsequent chapters. I identified 125 omnibus bills in the data set, of those 95 passed (78.4 percent).[3]

At the end of the process the dataset consisted of 1154 bills from 30 Congresses or about 38 bills per Congress. Of these bills 886 were also on the combined lists of Mayhew and Edwards, Barrett, and Peake. Information on each bill was gleaned from the *Congressional Quarterly Almanac* (Congressional Quarterly, no date) and Adler and Wilkerson's (no date) *Congressional Bills Project*. A list of all the bills in the dataset can be found in Appendix A.

The nature of the data presents some potential methodological problems. Using bills as the unit of analysis across multiple Congresses creates a pooled time series. The pooled time series created here is atypical because the pool is unbalanced. This means that the typical method for accounting for the estimation errors associated with a pooled time series can not be applied.

In a typical pooled time series analysis (also called a cross sectional time series analysis) the data consists of observations of the same units across multiple time periods (Stimson 1985). For example, a typical study of this type could consist of comparing the unemployment rate of several European countries. In this scenario the researcher would

[3] Fifty-one bills were classified as both omnibus and budget bills, meaning a total of 304 bills were dropped due to common passage.

have to account for correlation in the error terms for the same unit across time and correlations in the errors between units. In my hypothetical study, the researcher would have to account for correlation between observations for Italy at time t and time t+1, and for correlation between observations for Italy and Austria at time t. In a balanced pool, both types of correlation can be accounted for with techniques such as estimating panel corrected standard errors (Beck and Katz 1995).

The pool for this study is clearly different from the pooled time series that cause the problems described above. The data is stacked with individual bills by Congress, but some Congresses have more bills than others. The number of important bills observed in a given Congress range from 24 in the 83rd (1953-4) to 68 in the 94th (1975-6). Further the bills are not repeated observations of the same unit. Though there are some instances where a bill covering the same topic appears in multiple Congresses, it is difficult if not impossible to draw exact parallels between bills in different Congress in the same way one would draw parallels between repeated observations of unemployment in the same country. The nature of the dataset gives little cause for concern about correlation between observations across Congresses.

The second problem, the correlation of residuals for observations in the same time period, is likely present in this dataset. It is possible that certain circumstances within an individual Congress affect all the bills within that Congress, but not bills from other Congresses. To account for the correlation of residuals for observations within each Congress, robust standard errors clustered by Congress are estimated and used for the testing of all hypotheses in this study. Clustered standard errors transform the

variance-covariance matrix to account for relationships between errors within clusters, while maintaining independence between clusters (Huber 1967). Clustering the standard errors by Congress accounts for any effects specific to individual Congresses not accounted for by the independent variables in the model. This is the optimal solution given that the uneven nature of the pool precludes other solutions such as panel corrected standard errors.

There are three key independent variables that will be used in each of the subsequent chapters. These are divided government, polarization and the interaction of the two. Though there are several ways to measure each concept, every model in this study will use the measurement techniques described here.

Divided government has traditionally been measured as a dichotomous variable that takes the value of one when Congress and the presidency have been controlled by different parties. In recent years a few studies have begun to measure divided government in a slightly different manner (Binder 1999, 2003). Specifically, they will include a dummy variable for pure divided government when both chambers are controlled by the party opposed to the president, and a second dichotomous variable for quasi-divided government for Congresses when the president's party controls one chamber. For the purposes of this study, divided government is defined as any Congress in which the government is not unified, i.e. pure and quasi-divided government are treated the same. In theory, it takes only one veto point to stop a piece of legislation. Therefore quasi-divided government should present a similar obstacle to the president's program as pure divided government.

There are several ways to measure polarization. It has been measured by the disappearance of moderates and cross pressured members from Congress (Fleisher and Bond 2004), measuring the gap between the parties using an ideological scale (Stonecash, Brewer, and Mariani 2003) or some combination of the two (Binder 2003). Measuring polarization in terms of the departure of moderates and cross pressured members from Congress is clumsy when a scale is available that purports to measure the ideological distance between the parties. Binder's measure is unsatisfactory because it measures moderation. Though this may be the inverse of polarization, for the purpose of this study, it was decided to use the most direct means available. Therefore, polarization was measured using the second method. Specifically, the polarization variable was constructed by calculating the difference between the Democrat and Republican Party medians in each chamber using DW NOMINATE scores originally constructed by Poole and Rosenthal (1997). The measure for polarization across the entire Congress is the average polarization of the House and Senate. All measures of polarization are centered on their mean.

This measure of polarization creates some problems for the research design. The measure of polarization varies by Congress, while the unit of analysis is individual bills. This creates a situation where two variables with different levels of measurement are being compared. This is not an ideal setup, but necessary for this study.

Polarization is an aggregate concept. Polarization is determined by the ideology of the representatives and senators elected to a particular Congress. This does not vary

from bill to bill within a given Congress.[4] There is no compelling theoretical reason to measure polarization by bill. Polarization is an aggregate concept and is most appropriately measured to indicate an aggregate condition of each Congress in the study. This is a case where theory trumps methodology.

The final key variable is a measure of the combined effects of polarization and divided government. This was done by creating an interaction with the two variables discussed above. Using a polarization term centered on its mean eases the interpretation of the interaction term and its constituent parts. When the interaction term is in the model the polarization term is interpreted as the effects of polarization under unified government. The divided government coefficient is interpreted as the effects of divided government when polarization is zero, in this case its mean. The interaction term gives the effects of polarization under divided government.

The intent of this chapter was to outline the flaws of the gridlock literature, specify a theory that corrects them, and discuss the data and methods that will be used to test the theory. With these tasks complete I am ready to move on to test empirically the theory outlined above. I will begin with an examination of presidential position taking in a partisan environment.

[4] While the replacement of members of Congress due to death or resignations occurs during every Congress, these replacements do not greatly affect measures of polarization for a particular Congress.

CHAPTER III

POLARIZATION AND PRESIDENTIAL POSITION TAKING

The first task in building a model that addresses the shortcomings of the gridlock literature as it pertains to both divided government and polarization is to correct certain theoretical and empirical flaws that remain in the modeling of divided government. As stated in Chapter II, a flaw in previous attempts to model the impact of divided government is the lack of distinction between legislation on which the president takes a position and legislation on which he does not. To correct this flaw, a fuller understanding of presidential position taking is needed.

The task of this chapter is to investigate how political circumstances affect the position the president takes on legislation. Edwards, Barrett, and Peake's (1997) research on presidential position taking and success accounts for divided government, but does not account for polarization. Therefore, this chapter will also provide an account of the effects of party polarization on the strategy the president implements when he supports or opposes legislation.

The chapter will proceed in three stages. First, it will briefly examine the literature on presidential success in Congress and the president's attempts to influence the legislative process. This is to provide the necessary context beyond the gridlock literature discussed in Chapter II. It will then present two hypotheses derived from the theory presented in Chapter II and present empirical tests of those hypotheses. Finally, the conclusion will place the results in the broader context of the congressional-presidential literature and this study.

The Presidential-Congressional Relationship

Though presidential-congressional interaction is not the focus of this study as a whole, it is important given the shortcomings of the divided government literature's theoretical treatment of the president. Most of the important work on the presidential-congressional relationship does not directly overlap with the gridlock literature discussed in Chapter II. Therefore, it will be briefly reviewed here to provide the theoretical context for examining presidential position taking in this chapter and presidential success in Chapter IV.

The starting point for the presidential-congressional literature is Neustadt's (1960) classic work on presidential power. Neustadt asserts that the president's power lies primarily in his ability to persuade others to do as he wishes. As it relates to Congress, this power is enhanced when the president is able to bring increased public attention to an issue and when his prestige is enhanced by personal popularity.

Empirical tests of Neustadt's assertions have yielded mixed results at best. There are some studies that provide evidence that public approval of the president can prompt Congress to give the president what he wants (Ostrom and Simon 1985, Brace and Hinckley 1992, Edwards 1997). Yet there have been numerous studies that find the effects of presidential approval on roll call voting to be marginal (Edwards 1989, Bond and Fleisher 1990, Mouw and MacKuen 1992, Collier and Sullivan 1995, Cohen et al. 2000, Fleisher and Bond 2000, Bond, Fleisher, and Wood 2003) or their approval only effects certain issues such those on which the president's position is popular (Canes-

Wrone 2001). Furthermore, evidence is lacking that the personal skills of presidents make them more or less successful legislatively (Fleisher, Bond, and Wood 2007).

The alternative is to assert that presidential success in Congress is attributable to the political circumstances in which the president finds himself. The most important of these political circumstances is the size of the president's party in Congress (Edwards 1989, Bond and Fleisher 1990, Edwards, Barrett, and Peake 1997, Edwards and Barrett 2000), and more broadly the distribution of ideological preferences across Congress and the parties (Bond and Fleisher 1990 and Binder 1999).

This Congress oriented approach to presidential success has found that political circumstances such as divided government have a substantial impact on the legislative process. Though divided government has been found to have little impact on the president's ability to get legislation on the agenda (Edwards and Barrett 2000), it tends to increase the amount of significant legislation that the president opposes (Edwards, Barrett and Peake 1997).

Additionally, the distribution of preferences across members of Congress affects the ability of presidents to exercise leadership and create coalitions to support their initiatives (Binder 1999). Bond and Fleisher (1990) found that the distribution preferences of members within parties and between members in the ideological core of the parties and moderate or cross pressured members create difficulties for the president to build coalitions. Though there is some evidence that the president can convert

members initially hostile to a piece of legislation to his cause (Sullivan 1988)[5], the source of the ideological distribution of Congress are elections, outcomes which are beyond the president's control. Since considerations such as personal ideology, party cues, and constituency positions come before the consideration of the president's position in the roll call vote calculus (Kingdon 1981), the personal ideology of members is difficult for the president to overcome.

Though the individual ideology of members of Congress has figured prominently in some studies of presidential success in Congress, examination of polarization as a factor in presidential success is relatively rare. Bond, Fleisher and Wood (2003), in their examination of the effects of presidential approval, found that approval's marginal effect on success is time varying and is dependent on the level of partisanship. Jacobson (2003) found that as the Congress polarized presidents and the members of Congress of the opposite party have fewer electoral constituencies in common. This leads to a greater incentive for opposition members of Congress to vote against presidential agenda items.

The presidential-congressional literature as it presently stands holds that political circumstances, in particular party control in Congress, have a greater impact on whether or not the president's agenda passes Congress than the political skills of individual presidents. Additionally, there is evidence that divided government influences the positions the president takes on legislation, at least in terms of the amount of important legislation that the president opposes (Edwards, Barrett, and Peake 1997). However,

[5] It must be noted that Sullivan's (1988) empirical evidence for his model is limited to the Johnson administration, a period of unified government and relatively low party polarization.

polarization remains unexamined as a potential influence on presidential position taking. Given the interaction between polarization and divided government anticipated in Chapter II, polarization should have some influence over presidential position taking. The next section briefly discusses a theory for the effects of divided government and polarization on presidential position taking and derives two hypotheses to test the theory.

Presidential Position Taking in a Polarized Congress

There are two primary sources for developing a theory on the effects of polarization on presidential position taking. The first is the literature that focuses on the role of polarization in gridlock. The second is from certain parts of the existent presidential-congressional literature. Both will be used to develop hypotheses about the effect polarization has on the presidential position taking.

Divided government is one of the more important factors considered in the existing presidential literature. Edwards, Barrett and Peake (1997) find that under divided government the president is more likely to oppose legislation and legislation that the president opposes is more likely to fail. On the other hand, they found that divided government had little impact on the amount of legislation the president supported, and legislation that the president did support under divided government passed at the same rate as under unified government.

However, Edwards, Barrett, and Peake fail to consider the role of polarization in presidential position taking. In addition to representing the ideological distance between the parties, polarization is also associated with increase internal cohesion within the parties as moderates leave Congress or move closer to their party's median (Fleisher and

Bond 2004). This ideological solidification of the parties means that under divided government, the president faces a Congress controlled by the opposition that is more unified ideologically than when the parties were less polarized. In the House, as the majority party becomes more unified, the party leadership will be more willing to exercise its agenda setting powers to the benefits of its members leading to an increase in legislation favorable to the majority party (Cox and McCubbins 1993, 2005).

This leads to the expectation that polarization will enhance some of the effects of divided government found by Edwards, Barrett, and Peake (1997). Under divided government, a polarized Congress will produce more legislation that the president will dislike, leading to an increase in presidential opposition to legislation. Under unified government, the party in opposition to the president has no real means of getting its proposals serious consideration regardless of the level of polarization. This leads to the following hypothesis:

Presidential Opposition Hypothesis (H1): The greater the polarization in Congress under divided government the more likely the president is to oppose legislation in Congress.

However, there is little reason to expect this same mechanism to carry over into the president's support for legislation. The president always has a policy program he wishes to get through Congress. Research has shown that the president is able to get legislation he favors on the agenda regardless of the presence of divided government (Edwards and Barrett 2000). Edwards, Barrett, and Peake (1997) find no relationship between the amount of legislation that the president supports and divided government. From this the following hypothesis can be derived:

Presidential Support Hypothesis (H2): Polarization will have no effect on the probability that the president supports a piece of legislation regardless of the presence of divided government.

These hypotheses are partially based on the findings of Edwards, Barrett, and Peake (1997), except that they account for polarization where Edwards, Barrett, and Peake fail to do so. Including polarization allows for a more thorough and complete examination of presidential position taking. The next section will discuss how this test will be conducted.

Data and Variables

To test the hypotheses, I utilize the dataset discussed in Chapter II. For this chapter the dependent variable was whether or not the president supported or opposed the bill. To determine the position of the president on each of the bills in the dataset, the *Congressional Quarterly Almanac* was consulted. The *Almanac* offers a comprehensive legislative history of each Congressional session and in stories involving specific pieces of legislation discusses the president's position on a given bill. Each bill was coded according to whether the president supported, opposed, or took no position on the particular piece of legislation.

At times the coding solution was less than obvious, and there were cases where the president ended up signing a bill that he opposed. The coding decision was ultimately made based on whether the president got his way on the substantive issue that was the main focus of the disagreement between Congress and the president. This commonly occurred on bills that urgently needed to be passed, but carried politically contentious riders. For example, President Nixon signed a debt limit bill that was coded

as a bill he opposed because it had a 20 percent increase in social security benefits attached to it (Congressional Quarterly 1972). In 1987, President Reagan signed the Defense Department's budget authorization even though the bill narrowed the interpretation of the ABM treaty to his disliking (Congressional Quarterly 1987). Since the primary political issue was the interpretation of the ABM treaty, the bill was coded as the president opposing the legislation.

Of the 1154 bills in the original dataset, the president supported 621 and opposed 282. The president took no position on 251.[6] The dependent variable is presidential position. The variable is coded as 1 when the president supports a bill, -1 when he opposes a bill, and zero when he takes no position.

The nature of the dependent variable allows for the estimation of a multinomial logit model. The multinomial logit allows for the comparison of the effects of independent variables on one value of the dependent variable relative to another value of the dependent variable. In other words, the model will create equations that allow for the comparison of each presidential position to the other. In two of the equations, presidential support is the baseline for comparison with presidential opposition and no position. The third equation has presidential opposition as the baseline category and compares it to no position.

The independent variables for polarization, divided government and the interaction of the two were described in Chapter II. The first and third equations of the

[6] Sixty-two bills were dropped from the analysis because the House and Senate both defeated their own versions of a bill with the same policy focus. When this occurred either the House or Senate bill was dropped at random. They were dropped in this analysis so that the president would not be recorded as supporting or opposing the same bill twice.

multinomial logit test presidential opposition hypothesis. In the first equation, divided government should be positive and statistically significant as I expect the president to oppose more legislation under divided government. Polarization is not expected to exert an independent effect, but the interaction term of divided government and polarization should be positive and significant, again because I expect the president to oppose more legislation under divided government. The key independent variables should be negative in the third equation as the president opposes more legislation than he takes no position on under divided government and as polarization increases.

In the second equation, if Edwards, Barrett, and Peake (1997) and the presidential support hypothesis are correct, none of the three key independent variables will be significant. It is expected that divided government and polarization will not have any effect on the probability that the president supports a piece of legislation. Therefore, we should not see the president decreasing the number of bills he supports relative to those on which he has no position.

Several control variables are included in the model to account for other possible explanations for the president supporting or opposing a piece of legislation. Though the effect of public approval has been shown to be marginal at best (Bond and Fleisher 1990, Edwards 1989), the notion that public approval enhances presidential prestige remains an important alternative hypothesis to political conditions in the presidential literature and must be accounted for. Two measures of public approval are included. The first was the average monthly percentage of those who approved of the president's job performance according to the Gallup Poll (Edwards with Gallup 1990, updates from

Gallup) based on the bill's introduction date. For each bill introduced prior to the twentieth of the month, the president's average approval from the prior month was used. For bills introduced on or after the twentieth of the month, the current month's average was used.[7] The second measure was the change in presidential approval from the time the bill was introduced to the time it exited the congressional agenda (i.e. passed, failed, or the Congress ended). High public approval theoretically emboldens the president to support more legislation in an effort to use his popularity to broaden his agenda.

Several control variables were included to account for the point in the president's term that the bill was considered. There is evidence that the president enjoys more success early in his tenure than later when he becomes a lame duck (Pfiffner 1988; Grossman, Kumar, and Rourke 1998; Barrett and Eshbaugh-Soha 2007). To account for this, five dummy variables were included in the model. These variables were coded one if the bill was introduced in the first year of the president's first term, the first year of his second term, in a presidential election year, in a presidential year in which the incumbent president was running, and in a midterm election year. These variables are intended to capture any effects that either the political calendar or electoral mandates may have on the president's position taking.

The final control variable accounts for the ideological distance between the president and the sponsor of the bill. The president can be expected to oppose legislation sponsored by members of Congress who are on the opposite end of the

[7] During the first month of a presidential term (i.e. the January following a presidential election year) the president's average approval for the month of January was used for all bills introduced that month. Early in the dataset, there were several months when the Gallup did not ask the approval question. In these cases the nearest available monthly average was used. For gaps longer than two months, the two closest months' averages were averaged together.

ideological spectrum from him. Conversely, the president is more likely to support legislation sponsored by members with whom he shares ideological similarities. This variable accounts for this by measuring the absolute difference between the president and the sponsor of the bill. This was done using DW NOMINATE scores which include scores for each of the presidents during the period under study (Poole and Rosenthal 1997). Summary statistics for all the variables are available in Appendix B.

Results

Table 3.1 displays the coefficient estimates of the multinomial logit model of presidential position taking. The results for individual bills partially confirm Edwards, Barrett and Peake's (1997) aggregate analysis. The president is more likely to oppose a bill during divided government than under unified government. This can be seen in the coefficient estimates in equation 1. Divided government is positive and statistically significant when presidential opposition is compared to presidential support. This indicates that under divided government when polarization is at its mean the president has a higher probability of opposing a bill rather than supporting it.

There is also some evidence that polarization under divided government leads to an increase in the probability of the president opposing a piece of legislation. The positive coefficient for the interaction term in equation 1 indicates that the president is more likely to oppose legislation rather than support it as polarization increases under divided government. Similarly, the statistically significant and negative coefficient for the interaction term in the equation 3 means that the president is less likely to take no position relative to the likelihood he opposes a bill. Taken together,

Table 3.1
Multinomial Logit Model of Presidential Position Taking on Legislation

Variables	Equation 1 Coefficient (Standard Error)	Equation 2 Coefficient (Standard Error)	Equation 3 Coefficient (Standard Error)
Polarization	-1.19**	.74	1.92**
	(.51)	(.84)	(.95)
Divided Government	.87***	.54**	-.33
	(.14)	(.21)	(.23)
Polarization* Divided Government	1.42*	-1.63	-3.05*
	(.73)	(1.16)	(1.81)
Presidential Approval at Introduction	-.001	-.01	-.01
	(.006)	(.01)	(.01)
Change in Presidential Approval	-.005	-.006	-.001
	(.008)	(.01)	(.01)
1st Year of 1st Term	-.86***	-.44*	.42
	(.21)	(.23)	(.34)
1st Year of Second Term	-.24	-.05	.19
	(.18)	(.25)	(.18)
Presidential Election Year, President Running	-.39	-.27	.12
	(.40)	(.53)	(.41)
Presidential Election Year	.13	-.20	-.32
	(..32)	(.38)	(.24)
Midterm Election Year	-.24	-.12	.11
	(.21)	(.19)	(.30)
Ideological Distance	1.72***	.21	-1.51***
	(.33)	(.32)	(.32)
Constant	-2.14***	-.72	1.41**
	(.38)	(.48)	(.51)
Baseline Equation	Support Opposed	Support No Position	Opposed No Position

Prob < chi²= .0000***
Pseudo R^2 = .0745
AIC= 1.92
N=1085

* significant at p < .10 ** significant at p < .05 *** significant at p < .001

Note: Standard errors are clustered by Congress.
Polarization is centered on its mean.

these results mean that the president opposes more legislation under divided government as polarization increases. This is critical evidence for the presidential opposition hypothesis. On top of confirming the findings of Edwards, Barrett, and Peake (1997), I have found that polarization in concert with divided government influences position.

On the other hand, the model appears to contradict the presidential support hypothesis. The hypothesis held that polarization will have no effect on the probability that the president supports a piece of legislation. However, polarization is negative and significant in the equation 1. This indicates that the probability that the president opposes a piece of legislation relative to his probability of supporting it decreases as polarization increases. In other words the president is supporting more legislation as polarization increases under unified government. This evidence clearly forces the rejection of the presidential support hypothesis. Additionally, the president has a higher probability of taking no position on a piece of legislation than opposing as polarization increases. This is indicated by the positive and significant coefficient in equation 3. It appears that the president opposes less legislation overall when his party controls a polarized Congress.

The divided government coefficient estimates in equations 1 and 2 produce a result that contradicts the previous literature, particularly Edwards, Barrett, and Peake (1997). In both equations, the divided government variable was statistically significant and positive, indicating that divided government leads to a decrease in the probability that the president will support a bill under divided government. Equation 1 indicates that

divided government increases the probability that the president opposes a bill rather than supports a bill. This means that the president is supporting less and opposing more legislation under divided government.

Equation 2 indicates that the president is taking no position more often relative to supporting legislation under divided government. This likely indicates a strategic choice by the president. He may decide to take no position on a bill he really supports under divided government in the hope that the opposition Congress will not kill it solely on the basis of his support. There is some evidence in the literature that the president strategically takes no position on legislation, but this has only emerged on relatively minor bills during the Kennedy and Johnson era (Covington 1987). This finding is evidence that this type of strategic behavior extends to significant legislation.

Conclusion

This chapter provides several findings critical for our understanding of the effects of polarization and divided government on presidential position taking. First, it shows that under certain circumstances polarization enhances the propensity of the president to take opposing positions under divided government. When facing a hostile Congress the president does oppose more legislation. A polarized divided Congress offers more legislation that the president dislikes and therefore forces him to oppose even more legislation at least relative to the number of bills on witch he takes no position.

Secondly, polarization plays a greater role in presidential position taking than I theorized. The increased presidential opposition to legislation under divided government was anticipated. The increase in presidential support for legislation under unified

government was not. A polarized unified Congress provides the president with more legislation to support just as a polarized divided Congress provides more legislation for him to oppose. The finding may indicate that polarized parties in Congress more enthusiastically press their own agendas and the president reacts to the legislation according to which party is in the majority.

Finally, this chapter finds that divided government decreases the probability that the president supports a given bill. As stated above, this result stands in contrast to Edwards, Barrett, and Peake's (1997) finding that divided government has no impact on the amount of legislation the president supports. There are several possible reasons for this. Edwards, Barrett, and Peake only included data through the 102nd Congress (1991-92). It is possible that including data from an era when a Democratic president faced a Republican Congress switched the finding. Another possibility is that Edwards, Barrett, and Peake lost information when they aggregated their data to look at the total number of bills per Congress supported by the president rather than individual bills.

The most likely explanation is that Edwards, Barrett, and Peake reached this conclusion by comparing the average number of bills supported by administrations under unified and divided government, but never conducted a systematic statistical test. They do note that the only time that president's supported less legislation under divided government was late in their sample, but they dismiss this as "reflecting the limited legislative agendas of the second Reagan and Bush administrations" (558). However, they seem reluctant to consider divided government as an explanation for these limited agendas. In light of the shortcomings of Edwards, Barrett, and Peake, the finding that

divided government does impact the probability that the president supports a bill is not all that surprising.

In the context of this study, this chapter has provided an important base for the next two chapters. Now that the effects of divided government and polarization on presidential position taking have been clarified, this study can move on to examining the impact of polarization on presidential success in Congress and the ultimately the impact of polarization on the passage of legislation.

CHAPTER IV

PRESIDENTIAL SUCCESS IN THE POLARIZED CONGRESS

Having established an understanding of how polarization and divided government affect presidential position taking, I now move on to examine presidential success. Presidential success is defined in terms of whether or not the president gets what he wants from Congress. In other words, this chapter will look at how polarization affects whether or not bills that the president supports pass, and bills he opposes fail.

It is here that I will begin to explore the differences between the House and the Senate. While there is no theoretical reason to believe that the president treats House and Senate bills differently when he takes positions, theory gives ample reason to believe that the House and Senate treat legislation differently, particularly when Congress is polarized. These differences begin to emerge upon examining presidential success. The examination of these differences will begin with specifying hypotheses about presidential success in Congress in general and in the House and Senate specifically.

A Theory of Presidential Success

There are two primary sources for creating a theory on the effects of polarization on the presidential success. The first is the literature that focuses on the role of polarization in gridlock. The second is from certain parts of the existent presidential-congressional literature. Both will be used to hypothesize about the effect polarization has on presidential success.

As discussed in Chapter II, the literature that has dealt with the effects of polarization on the legislative process find that polarization leads to gridlock (Binder 2003; McCarty 2007; and Rosenthal 2004). Rosenthal examines one issue area (social welfare policy), while McCarty and Binder cast the net wider. The general conclusion remains the same--polarization increases gridlock across the board. Further, McCarty asserts that polarization works in concert with divided government and the supermajoritarian features of the Senate to produce gridlock. There is good reason to expect that polarization will lead to gridlock on issues that the president supports.

The literature reviewed in Chapter III on the presidential-congressional relationship is the source of my theory of presidential success. There is no need summarize this literature again here, other than to note the general finding that political conditions rather than the personal skills of the president determine presidential success in Congress. The most important of these conditions are the size of the president's party (Edwards 1989), the distribution of ideological preferences within the parties (Bond and Fleisher 1990), and divided government (Edwards, Barrett, and Peake 1997). The president has little direct influence over the roll call votes of individual members (Edwards 1989; Kingdon 1981) and there is little systematic evidence that the personal skills of presidents affect legislative outcomes (Fleisher, Bond, and Wood 2007).

I will examine two aspects of presidential success: (1) the probability that the president wins when he takes a position regardless of what that position is, and (2) the probability that president is successful based on the position he takes. Findings of the gridlock literature suggest that divided government should lead to fewer presidential

victories regardless of whether the president supports or opposes a bill and which chamber of Congress is being examined. With the exception of Mayhew (1991), aggregate analyses of divided government find that divided government leads to a decrease in the passage of legislation overall (Howell et al. 2000; Kelly 1993; Thorson 1998). This effect should be higher for legislation on which the president takes a position, particularly legislation he supports.

Edwards, Barrett, and Peake (1997) find that divided government does not affect the failure of legislation that the president supports, i.e. the president losses on bills he supports at the same rate under unified and divided government. However, the dependent variable in this study was the number of bills the administration supported that failed to pass. This specification limited the sample size and thus did not account for other legislation that the president supported and passed. This means that Edwards, Barrett, and Peake's null result is based on the comparison of a count, but not the rate that the bills passed. In other words, this result does not account for whether the number of bills the president supported changed under divided government and cannot tell us whether or not the president really won at the same rate under divided government as under unified government. This conclusion needs to be reexamined.

When we look at the effects of divided government on presidential victories, we should expect a decrease in the overall number of victories when the opposition party controls Congress. The president is likely to see fewer bills he supports pass under divided government. The majority party in a hostile House can use the chamber rules to insure that the president's agenda never reaches the floor. In the Senate, the opposition

party can block passage of legislation the president supports with a filibuster, and if the opposition party has a majority, the majority leader has great discretion of the floor agenda. Therefore, presidential victories on legislation he supports should decrease under divided government.

On the other hand, divided government may not affect the probability that the president wins on legislation he opposes. The legislative process has multiple veto points, and failure to clear any one can kill legislation. As a result, the president is more likely to win when he opposes legislation. Under unified government, party leaders in the House can use the rules of the chamber to keep legislation that the president opposes from passing. Under divided government, the president's party can stop legislation in the Senate with the filibuster, and should a bill the president opposes get past a Senate filibuster the president can always veto it. Therefore, in an aggregate model of presidential victories, the presence of divided government should make no difference in the probability that the president wins on legislation he opposes.

In summary, it can be anticipated that under divided government, presidential victories will decrease overall as a result of the president losing on bills he supports. However, there should be no effect for divided government on bills the president opposes. This leads to the following hypothesis:

Divided Government Hypothesis (H1a): Divided government decreases the probability of presidential victories overall.
Divided Government Support Hypothesis (H1b): Divided government decreases the probability that the president will win on legislation he supports.
Divided Government Opposition Hypothesis (H1c): Divided government makes no difference on legislation the president opposes.

Polarization, on the other hand, has different effects depending upon the chamber being investigated. In the House, the majority party can pass anything its members can agree upon (Cox and McCubbins 1993, 2005). Polarization is characterized by increased cohesion within the parties. This leads to an increase in the overall legislative productivity of the chamber (Sinclair 2008).

In terms of presidential success, under unified government the president can expect to see an increase in overall legislative victories and see more of the bills he supports pass as polarization increases. The leaders of the president's party in the House will use their procedural prerogatives to push through the president's agenda and stop any bills he opposes. However, under divided government, the president will see a decrease in success in the House as the opposition party uses the same legislative devices to stop legislation the president supports and pass legislation he opposes. This leads to the following hypothesis:

House Polarization, Unified Government Hypothesis (H2a): In the House, the probability the president wins on individual bills he takes a position on increases as polarization increases under unified government.
House Polarization Divided Government Hypothesis (H2b): The probability of success decreases as polarization increases under divided government.

In the Senate, the increased cohesiveness of the parties leads to a decrease in presidential support. Parliamentary devices such as holds and filibusters empower individual members of the Senate. In a polarized environment, members of the minority party have increased incentives to use these devices, leading to gridlock (McCarty 2007; Sinclair 2008). Under divided government, a cohesive majority party will block presidential priorities. Under unified government with polarized parties, the Senate

minority party will have an increased incentive to filibuster legislation the president supports. This leads to the following hypothesis.

Senate Polarization Hypothesis (H3): As polarization increases, the probability of presidential victories in the Senate will decrease.

Finally, an increase in polarization leads to a decrease in presidential victories in Congress as a whole. It takes the veto of only one of three players--the House, the Senate, or the president--to stop a bill. Because polarization is hypothesized to decrease the probability of presidential victories in the Senate, we should see a decrease in presidential victories in the aggregate. Therefore, I posit the following.

Congressional Polarization Hypothesis (H4): An increase in polarization will lead to a decrease in the probability of presidential victories in Congress.

Designing the Models

Four models were estimated to test the above hypotheses. Three of them examine the impact of divided government and polarization in the overall process, in the House, and in the Senate, respectively. Because of the expectations of the divided government hypothesis, a model that takes into account presidential positions across the entire process was also estimated. The dependent variables for the models are coded in three different ways. For the Congress model and the presidential positions model, it is coded one if a bill that the president supported became law or a bill that the president opposed failed and zero otherwise. Bills on which the president took no position are excluded. The dependent variable for the House and Senate models of the president's victories for all positions taken has the same coding scheme for bills considered by the House and the Senate, except bills need only pass or fail in the chamber instead of

becoming public law. The sample of bills for each chamber included all bills that originated in the chamber and all bills from the other chamber that passed that chamber and were therefore considered by both chambers. For example the House model includes all House bills and all Senate bills that passed the Senate. For the models of total victories, there were 777 bills in the House model, 795 in the Senate, and 846 in the Congress model.

For the House, Senate and congressional models all the independent variables used in the models for this chapter were used in Chapter III. The coefficient estimates for the divided government variable should be negative in all the models in this chapter. The polarization variables are anticipated to be positive in the House models and negative in the Senate and congressional models. The polarization and divided government interaction term is expected to be negative in all the models it is in as well. The same control variables that were used in Chapter III were also used in this chapter. These include the president's public approval at the introduction of the bill and the change in presidential approval from the time it was proposed until it left the agenda. A measure of ideological distance between the president and the primary sponsor of the bill is also included. Finally, several dummy variables denoting key points during the president's term are also in the model.

For the model of presidential victories by positions taken, a series of interaction terms were included to estimate the effects of polarization and divided government on the probability of presidential success on bills the president supported. Presidential support was selected because it is on such bills that polarization and divided government

are expected to make a difference. These interaction terms included an interaction of polarization and presidential support, divided government and presidential support, and a three way interaction of presidential support, divided government, and polarization.

In addition to the probit estimates, Monte Carlo simulations of each model were run to estimate the probability of presidential victory in several scenarios. These simulations were run using King, Tomz, and Wittenberg's (2000) program "clarify." "Clarify" estimates the set of coefficients for each model 1000 times and uses those estimates to estimate values of the dependent variable at substantively interesting levels of the independent variables. Because the dependent variable in these models is dichotomous, "clarify" estimates the probability that the dependent value takes on the value of 1 under the specified circumstances. For every set of simulations in this chapter, mean polarization is defined as zero and high polarization as .25. This value is selected because it is near the maximum value that polarization takes in each model. Because it is dichotomous, divided government is defined as either zero or one depending on the scenario. The values of the interaction terms are set according to the value of their constituent parts. All continuous control variables are set to their mean and all dichotomous control variables are set to their modal category.

Models of Congressional Presidential Success

The first set of models is intended to test the divided government hypotheses and congressional polarization hypotheses. These models look at the probability of presidential victories throughout the process. In other words, they examine the probability that bills the president supports become public law and bills the president

oppose fail to become public law. Table 4.1 displays the probit estimates and changes in predicted probability of presidential victories across the entire process. The probit model performs well in terms of statistical significance, but the goodness of fit measures are small. However, a 1.3 percent reduction in error indicates at least some added predictive power over a naïve model.

Table 4.1
Congressional Model of Presidential Victories

	Coefficient	Standard Error	Pr Change
Polarization	0.35	0.46	0.001
Divided Government	-0.25	0.17	-0.09
Polarization*Divided Government	-0.47	0.80	0.01
Presidential Approval at Introduction	0.01	0.01	0.04
Change in Presidential Approval	0.01	0.01	0.05
1st Year, 1st Term	-0.19	0.13	-0.07
1st Year 2nd Term	0.15	0.14	0.05
Presidential Election Year	-0.21**	0.10	-0.09
President Running for Reelection	-0.15	0.17	-0.04
Midterm Election Year	-0.07	0.18	-0.03
Ideological Distance	0.87***	0.22	0.26
Constant	-0.36	0.30	

Prob < chi^2= .0000***
AIC= 1.28
Correctly Classified= 65.1%
Reduction in Error= 1.3%
N=846
P(y=1|x)=.6445
* significant at p < .10 ** significant at p < .05 *** significant at p < .001

Notes: Standard errors are clustered by Congress.
Polarization is centered at its mean.
Pr Change is the change in predicted probability of a presidential victory as continuous variables increase by one standard deviation and as dichotomous variables move from zero to one.

The model appears to provide no support for either hypothesis. The coefficient for divided government is statistically insignificant in the probit model even though substantively it has one of the larger impacts on the predicted probability of presidential success. Only ideological distance has a greater substantive impact. But with interaction terms, proper interpretation requires consideration of the joint significance of all the variables and interactions.

To that end, I ran 1000 Monte Carlo simulations of the model in Table 4.1 and used those simulations to estimate the probability of presidential success on a piece of legislation under certain scenarios. These estimates are reported in Table 4.2. These estimates show that at both mean and high polarization, the presence of divided government reduced the probability of presidential success. At mean polarization, the probability of presidential decreases from 72 percent to 63 percent, a statistically significant decrease according to difference of means test 1. When polarization is high, divided government reduces the probability of success from 75 percent to 62 percent, again a statistically significant decrease (difference of means test 2). Though a difference of means test is a low hurdle, these changes are substantively large especially in comparison to the changes in probability for polarization. While the president's success rate does not drop below 50 percent, the decreases under divided government are large enough to not reject the overall divided government hypothesis (H1a)

Returning to Table 4.1, the coefficient estimates in the model do not support the congressional polarization hypothesis. There is no evidence that polarization decreases the probability of presidential victories either under unified or divided government. The

changes in predicted probability for both polarization and the interaction of polarization and divided government indicate that polarization under both unified and divided government has little substantive impact on the probability of presidential success.

The simulations in Table 4.2 support the findings in the probit model. Though there are differences in the probability of presidential success between mean and high polarization, these differences are much smaller than the differences between unified and

Table 4.2
Estimated Probabilities of Presidential Victory in Congress with Difference of Means Tests

Scenario	
Mean Polarization, Unified Government	0.72
Mean Polarization, Divided Government	0.63
High Polarization, Unified Government	0.75
High Polarization, Divided Government	0.62

Difference of Means Tests

1. Divided Government at Mean Polarization
   Ho: Mean (Divided Government) - Mean (Unified Government)= 0
Difference= -.09 t= -65.6*

2. Divided Government at High Polarization
   Ho: Mean (Divided Government) - Mean (Unified Government)= 0
Difference= -.12 t= -48*

3. Polarization Under Unified Government
   Ho: Mean (High Polarization) - Mean (Low Polarization)= 0
Difference= .03 t= 17.5*

4. Polarization Under Divided Government
   Ho: Mean (High Polarization) - Mean (Low Polarization)= 0
Difference= -.01 t= -6.66*

Notes: The mean probabilities of passage for each scenario are derived using 1000 simulations of the model in Table 4.1 using King, Tomz, and Wittenberg's (2000) clarify, and setting variables to key values. Mean polarization is defined as polarization=0, high polarization is defined as polarization = .25. President's position and divided government alternate between 0 and 1. Continuous control variables are held at their mean, dichotomous control variables are held at their modal category.
For all difference of means tests N=1000.

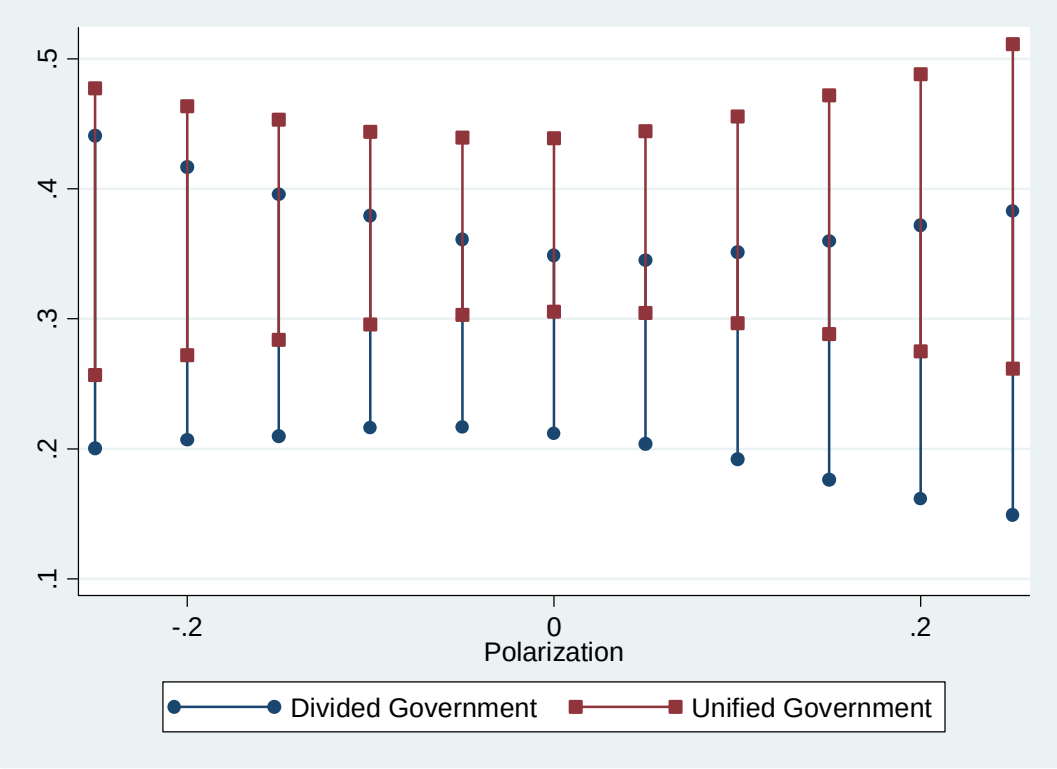
divided government. As small as they are, they are still statistically significant according to difference of means tests 3 and 4. Interestingly, the probabilities shift in opposite directions under unified and divided government. Under unified government, the probability of presidential victory increases from 72 percent to 75 percent. Under divided government, the probability of presidential success decreases from 63 percent to 62 percent. Thus, although the differences are statistically significant, the substantive impact of polarization is trivial. Regardless of the position that the president takes on a bill, divided government has a larger impact on the probability of presidential success than polarization.

The finding that polarization has opposite effects under unified and divided government implies that there may be an interactive relationship between polarization and divided government. In other words, polarization may have a different effect on the probability of presidential success under unified government than it does under divided government. This possibility is examined in Figure 4.1. Figure 4.1 displays the 95% confidence intervals around the estimates the probability of presidential success at different levels of polarization under unified and divided government. If the there were an interactive relationship between unified and divided government there would be a space in between the confidence intervals of the two series. The confidence intervals overlap across all the estimated values of polarization, leading to the conclusion of no significant interaction.

The divided government hypothesis predicts that there should be differences in the effects for divided government depending upon whether the president supports or

opposes a bill. To test this aspect of the theory a second congressional probit model was specified. The estimates for this model are found in Table 4.3. This model included interaction terms intended to tease out the differences between bills the president supported and those he opposed. An interaction term that includes the presidential support variable would give the effects of the other portions of the interaction when the president supported legislation. Terms that did not include the presidential support

Figure 4.1 Estimates of the Effects of Polarization on the Probability of Presidential Victory in Congress for Unified and Divided Government



variable give the effects for when the president opposed legislation. Overall, the model performs fairly well. Like most models in this study the reduction in error is low (1.7 percent), but the model still provides better leverage than a naïve prediction of the modal category.

The results in Table 4.3 provide no support for either portion of the divided government hypothesis. None of the variables or interaction terms that included divided government were statistically significant. If the divided government hypothesis pertaining to bills the president supports was correct (H1b) the coefficient for the interaction of divided government and presidential support would be negative and significant. As it stands neither divided government nor polarization have an impact when the president supports a bill.

On the other hand, the coefficients that examine the effects of divided government and polarization when the president opposes legislation are also statistically insignificant. This is the result anticipated by the hypothesis pertaining to the effects of divided government on legislation the president opposes (H1c). However, the number of interaction terms in this model makes it difficult to clearly interpret the results based upon coefficients alone. The large and negative decrease in the predicted change in probability for the divided government and presidential support interaction implies that the evidence against H1b in particular may not be as strong as it appears.

To account for this possibility, estimates of the probability of presidential success under different circumstances were estimated once again using 1000 simulations of the probit model in Table 4.3. The results of these simulations are displayed in Table 4.4.

The comparisons that stand out in Table 4.4 are the differences between unified and divided government when the presidents supports legislation. At mean polarization, divided government reduces the probability of presidential success from 68 percent to 53 percent. At high polarization, the presence of divided government reduces the

Table 4.3
Presidential Victories in Congress by Presidential Position

	Coefficient	Standard Error	Pr Change
Polarization	0.79	1.65	0.03
Divided Government	-0.06	0.24	-0.02
President Support	-0.33	0.22	-0.12
Polarization * Divided Government	-0.23	1.91	-0.01
Polarization * President Support	-0.40	1.77	-0.01
Divided Government * President Support	-0.32	0.25	-0.12
Polarization * Divided Government * President Support	-0.61	2.10	-0.02
Presidential Approval at Introduction	0.009*	0.005	0.04
Change in Presidential Approval	0.012**	0.005	0.05
1st Year, 1st Term	-0.12	0.14	-0.04
1st Year 2nd Term	0.16	0.14	0.06
Presidential Election Year	-0.21	0.23	-0.08
President Running for Reelection	-0.11	0.26	-0.04
Midterm Election Year	-0.04	0.14	-0.02
Ideological Distance	0.69***	0.18	0.09
Constant	-0.04	0.33	

Prob < chi^2= .0000***
AIC= 1.26
Correctly Classified= 65.5%
Reduction in Error= 1.7%
N=846
P(y=1|x)=.6517
* significant at p < .10 ** significant at p < .05 *** significant at p < .001

Notes: Standard errors are clustered by Congress.
Polarization is centered at its mean.
Pr Change is the change in predicted probability of a presidential victory as continuous variables increase by one standard deviation and as dichotomous variables move from zero to one.

probability of presidential victory from 71 percent to 49 percent. The president loses more than half of the time when he supports legislation under divided government when parties are highly polarized.

When the probability of presidential success on legislation the president opposes is examined, a much different story emerges. First, note that the president is successful

Table 4.4
Estimated Probabilities of President Victory in Congress with Difference of Means Tests by Presidential Position

Scenario	Support	Oppose
Mean Polarization, Unified Government	0.68	0.79
Mean Polarization, Divided Government	0.53	0.77
High Polarization, Unified Government	0.71	0.82
High Polarization, Divided Government	0.49	0.80

Difference of Means Tests

Legislation the President Supports

1. Divided Government at Mean Polarization
   Ho: Mean (Divided Government) - Mean (Unified Government)= 0
   Difference= -.14 t= -93.9*

2. Divided Government at High Polarization
   Ho: Mean (Divided Government) - Mean (Unified Government)= 0
   Difference= -.23 t= -70.5*

3. Polarization Under Unified Government
   Ho: Mean (High Polarization) - Mean (Low Polarization)= 0
   Difference= .03 t= 19.3*

4. Polarization Under Divided Government
   Ho: Mean (High Polarization) - Mean (Low Polarization)= 0
   Difference= -.05 t= -22.9*

Legislation the President Opposes

5. Divided Government at Mean Polarization
   Ho: Mean (Divided Government) - Mean (Unified Government)= 0
   Difference= -02 t=-8.16*

Table 4.4 (continued)

6. Divided Government at High Polarization
Ho: Mean (Divided Government) - Mean (Unified Government)= 0
Difference= -.02 t= -5.29*

7. Polarization Under Unified Government
Ho: Mean (High Polarization) - Mean (Low Polarization)= 0
Difference= .04 t= 12.2*

8. Polarization Under Divided Government
Ho: Mean (High Polarization) - Mean (Low Polarization)= 0
Difference= .03 t= 16.3*

Notes: The mean probabilities of passage for each scenario are derived using 1000 simulations of the model in Table 4.2 using King, Tomz, and Wittenberg's (2000) clarify, and setting variables to key values. Mean polarization is defined as polarization=0, high polarization is defined as polarization = .25. President's position and divided government alternate between 0 and 1. Continuous control variables are held at their mean, dichotomous control variables are held at their modal category.
For all difference of means tests N=1000.

more than three quarters of the time when he opposes legislation regardless of the political circumstances. Under both mean and high polarization, divided government decreases the probability of presidential success, but the decrease is no where near as dramatic as the drop in presidential success under divided government when the president supports legislation. The differences of means test that examine divided government when the president opposes a bill (5 and 6) show that the differences are statistically significant at the .05 level. Again this is a fairly low hurdle and the differences are not nearly as dramatic as the differences when the president supports legislation. The small differences in the simulation probabilities and the insignificant probit coefficients are enough to not reject the presidential opposition portion of the divided government hypothesis.

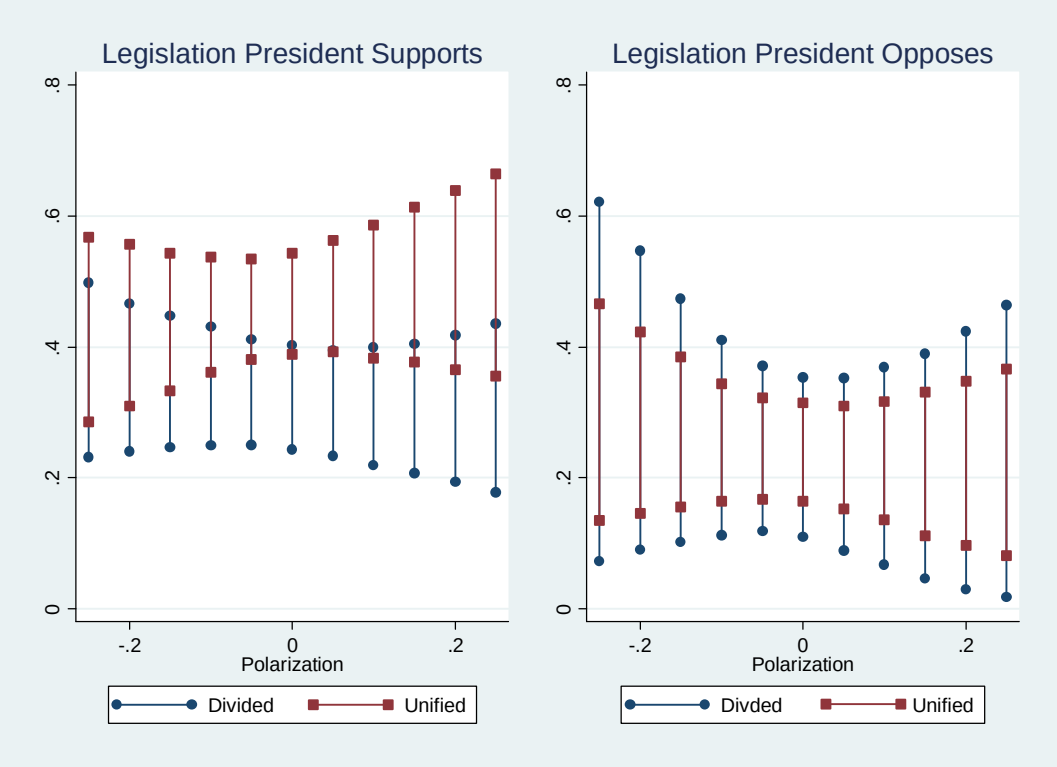
No hypothesis posited a differences for the effects of polarization between legislation the president supports and legislation the president opposes. Both the probit model and the simulations illustrate that there are differences in the way polarization affects legislation the president supports and legislation he opposes. None of the coefficients for variables modeling polarization are statistically significant. The differences in means in the simulation (difference of means tests 3, 4, 7 and 8), though statistically significant, are again much smaller than those for divided government. The difference in direction between polarization under unified and divided government when the president takes a position hints polarization and divided government interact. However, there is no such evidence in Figure 4.2, which leads to the conclusion of no significant interaction.

In summary, the congressional models partly meet the expectations laid out by the hypotheses. Divided government is the key determinant of overall presidential success and polarization plays a rather small role. The position the president takes on a bill makes a large difference for presidential success under divided government. The president wins at a high rate when he opposes legislation regardless of the political circumstances. He is much less successful pushing a positive agenda under divided government. This section provides strong evidence for all three parts of the divided government hypothesis, but the congressional polarization hypothesis must be rejected.

House Model of Presidential Success

The two part hypothesis on presidential victories in the House proposed an interactive effect for divided government and polarization. Under unified government

Figure 4.2 Estimates of the Effects of Polarization on the Probability of Presidential Victory in Congress for Unified and Divided Government by Presidential Position



polarization should have a positive impact on the probability of presidential victory. When the government is divided, polarization should have a negative effect. These expectations were only partially supported. Polarization leads to an increase in the probability of presidential success in the House, regardless of the presence of divided government. Likewise divided government reduces the odds of presidential victory regardless of the level of polarization. There is no significant interaction.

The results of the probit model can be seen in Table 4.5. This model performs better than the other models in the chapter showing a reduction in error of 3.9 percent.

The other goodness of fit indicators are unimpressive, but still indicate that the model is a better predictor of legislative success than a model that simply holds that every observation of presidential success falls into the modal category.

Table 4.5
House Model of Presidential Success

	Coefficient	Standard Error	Pr Change
Polarization	1.36**	0.55	0.07
Divided Government	-0.31*	0.16	-0.12
Polarization*Divided Government	-0.99	0.85	-0.03
Presidential Approval at Introduction	0.00	0.01	-0.01
Change in Presidential Approval	0.00	0.01	0.02
Majority Party	0.02	0.17	0.01
1st Year, 1st Term	0.11	0.14	0.04
1st Year 2nd Term	0.22	0.18	0.08
Presidential Election Year	-0.08	0.27	-0.03
President Running for Reelection	0.02	0.35	0.01
Midterm Election Year	0.04	0.20	0.01
Ideological Distance	-0.37	0.24	-0.05
Constant	0.71*	0.39	

Prob < chi^2= .0001***
AIC= 1.32
Correctly Classified= 64.5%
Reduction in Error= 3.9%
N=777
P(y=1|x)=.6118
* significant at p < .10 ** significant at p < .05 *** significant at p < .001

Notes: Standard errors are clustered by Congress.
Polarization is centered at its mean.
Pr Change is the change in predicted probability of a presidential victory as continuous variables increase by one standard deviation and as dichotomous variables move from zero to one.

The probit models of presidential victories in the House illustrate the findings. Divided government is negative and statistically significant as expected. Polarization

also performs as expected. It is positive and statistically significant. However, the interaction term is statistically insignificant indicating that polarization does not have a statistically significant impact under divided government. The changes in predicted probability for divided government and polarization are strong, but the predicted probability changes for the interaction term is small, a mere 3 percent.

Once again, the results of several simulations bring more clarity to the results than probit coefficients and changes in predicted probability can on their own. The simulations for the House model are displayed in Table 4.6. Divided government had the expected negative impact regardless of the levels of polarization. At mean polarization, the presence of divided government leads to a drop in the estimated probability of presidential success from 66 percent to 54 percent. At high polarization the drop is even steeper. Divided government leads to a drop in the probability of presidential success from 77 percent to 57 percent. Difference of means tests 1 and 2 show that these changes are statistically significant.

Polarization behaves as expected only under unified government--as polarization moves from its mean to a high level, the probability of passage increases by 11 percent from 66 percent to 77 percent. This is the only instance in any of the models where polarization produces a change in estimated probability nearly as large as a change created by divided government. This provides support for the polarization and unified government portion of the hypothesis in the House.

In contrast, polarization has the opposite effect than was expected under divided government. As polarization moves from its mean to a high level under divided

government, the probability of legislative success increases from 54 percent to 57 percent. A statistically significant difference according to difference of means test 4, but the size of the difference is once again modest. The probability of presidential success also moves in the opposite of the hypothesized direction. When combined with the findings of the probit model, these simulations lead to the unequivocal rejection of the portion of H2 that deals with polarization under divided government.

Table 4.6
Estimated Probabilities of President Victory in the House with Difference of Means Tests

Scenario	
Mean Polarization, Unified Government	0.66
Mean Polarization, Divided Government	0.54
High Polarization, Unified Government	0.77
High Polarization, Divided Government	0.57

Difference of Means Tests

1. Divided Government at Mean Polarization
   Ho: Mean (Divided Government) - Mean (Unified Government)= 0
Difference= -.12 t= -73.8*

2. Divided Government at High Polarization
   Ho: Mean (Divided Government) - Mean (Unified Government)= 0
Difference= -.20 t= -73.1*

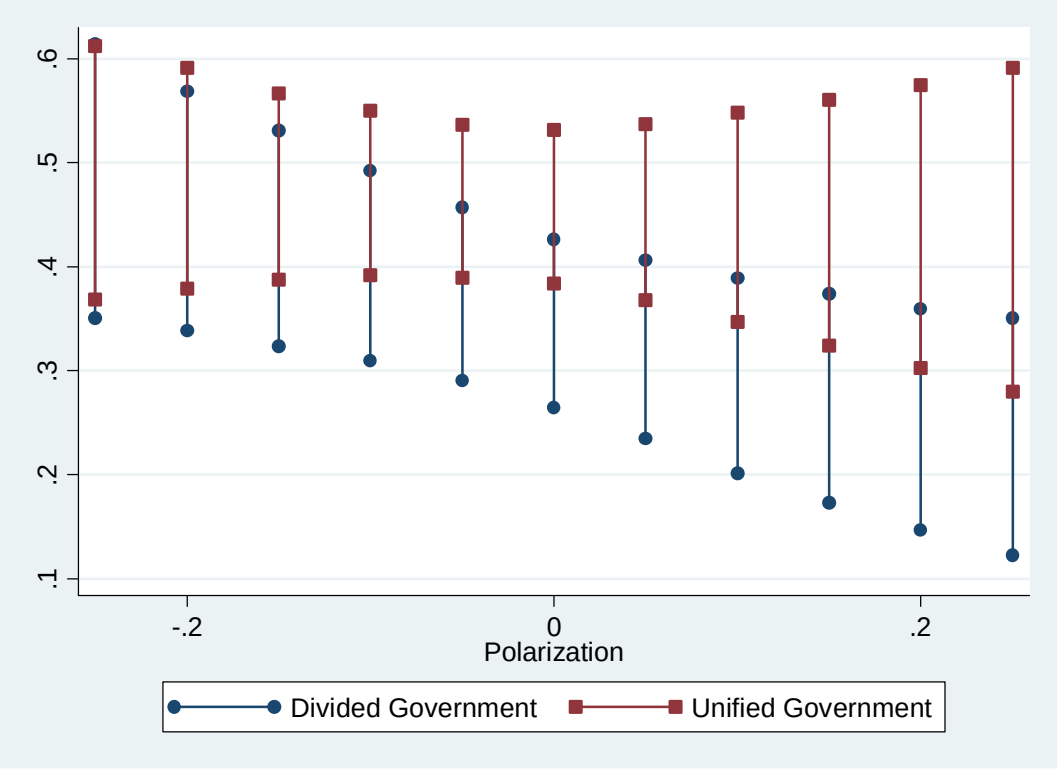
3. Polarization Under Unified Government
   Ho: Mean (High Polarization) - Mean (Low Polarization)= 0
Difference= .11 t= 81.2*

4. Polarization Under Divided Government
   Ho: Mean (High Polarization) - Mean (Low Polarization)= 0
Difference= .03 t= 16.6*

Notes: The mean probabilities of passage for each scenario are derived using 1000 simulations of the model in Table 4.5 using King, Tomz, and Wittenberg's (2000) clarify, and setting variables to key values. Mean polarization is defined as polarization=0, high polarization is defined as polarization = .25. President's position and divided government alternate between 0 and 1. Continuous control variables are held at their mean, dichotomous control variables are held at their modal category.
For all difference of means tests N=1000.

Based on the simulations derived from the results of the probit model, polarization has a positive effect on the probability of presidential success in the House and divided government has a negative impact on the probability of presidential success. There was no interactive effect for polarization and divided government as anticipated by H2. Figure 4.3 provides a final check on the possibility of an interaction between polarization and divided government, but no such relationship is evident in the graph.

Figure 4.3 Estimates of the Effects of Polarization on the Probability of Presidential Victory in the House for Unified and Divided Government



The findings of the House model indicate that only part of the hypothesis regarding polarization can be accepted. The evidence for the polarization and unified government hypothesis is clear. Polarization increases the probability of presidential success under unified government. On the other hand, polarization also increases the probability of presidential success under divided government. This the opposite of what the divided government portion of the House polarization hypothesis anticipated. This leads to the conclusion that in the House polarization does not impede the president, and can actually help him, but there is no help for the president's position when he faces a House controlled by the opposition party.

Senate Model of Presidential Success

The Senate model yields some unexpected results. The Senate polarization hypothesis anticipated that polarization in the Senate would lead to a decrease in the probability of presidential success regardless of the presence of polarization. Yet, the probit models and the simulations show the exact opposite effects. This finding leads to the rejection of the Senate polarization hypothesis. The model presented in this section also provides the first hint in this study that the Senate does not behave as theorized in a polarized environment.

Table 4.7 displays the probit estimates for presidential success in the Senate. The model is weaker than the other models in the chapter. Though the model is statistically significant, the reduction in error is a paltry 0.7 percent. The results from the model and the simulations must be interpreted with a certain amount of caution. However, it does provide enough evidence for the rejection of the Senate polarization hypothesis.

Table 4.7
Senate Model of Presidential Victories

	Coefficient	Standard Error	Pr Change
Polarization	1.05*	0.53	0.05
Divided Government	-0.32**	0.13	-0.12
Polarization*Divided Government	-0.48	0.64	-0.02
Presidential Approval at Introduction	0.004	0.004	0.02
Change in Presidential Approval	0.01	0.01	0.03
Majority Party	0.12	0.09	0.05
1st Year, 1st Term	0.13	0.08	0.05
1st Year 2nd Term	0.03	0.13	0.01
Presidential Election Year	-0.33***	0.10	-0.13
President Running for Reelection	0.37*	0.20	0.13
Midterm Election Year	-0.03	0.13	-0.01
Ideological Distance	0.02	0.21	0.00
Constant	0.10	0.29	

Prob < chi^2= .0661*
AIC= 1.36
Correctly Classified= 59.8%
Reduction in Error= 0.7%
N=795
P(y=1|x)=.5933
* significant at p < .10 ** significant at p < .05 *** significant at p < .001
Notes: Standard errors are clustered by Congress.
Polarization is centered at its mean.
Pr Change is the change in predicted probability of a presidential victory as continuous variables increase by one standard deviation and as dichotomous variables move from zero to one.

The probit estimates reveal remarkable similarities between the House and Senate. Polarization is significant and positive with a change in predicted probability of 5 percent. This should be interpreted as polarization increasing the probability of presidential success in the Senate under unified government. At the same time divided government is significant and negative. These are the same results as those in the House.

Table 4.8 displays the simulations based on the probit results from the Senate model. As in the congressional and House models, divided government is large and negative force when it comes to presidential success. At mean polarization, the probability of presidential victory falls from 67 percent under unified government to 54 percent under divided government. At high polarization, divided government reduces

Table 4.8
Estimated Probabilities of President Victory in the Senate with Difference of Means Tests

Scenario	
Mean Polarization, Unified Government	0.67
Mean Polarization, Divided Government	0.54
High Polarization, Unified Government	0.75
High Polarization, Divided Government	0.60

Difference of Means Tests

1. Divided Government at Mean Polarization
Ho: Mean (Divided Government) - Mean (Unified Government)= 0
Difference= -.12 t= -89.6*

2. Divided Government at High Polarization
Ho: Mean (Divided Government) - Mean (Unified Government)= 0
Difference= -.16 t= -59*

3. Polarization Under Unified Government
Ho: Mean (High Polarization) - Mean (Low Polarization)= 0
Difference= .08 t=56.9*

4. Polarization Under Divided Government
Ho: Mean (High Polarization) - Mean (Low Polarization)= 0
Difference= .05 t= 30.2*

Notes: The mean probabilities of passage for each scenario are derived using 1000 simulations of the model in Table 4.7 using King, Tomz, and Wittenberg's (2000) clarify, and setting variables to key values. Mean polarization is defined as polarization=0, high polarization is defined as polarization = .25. President's position and divided government alternate between 0 and 1. Continuous control variables are held at their mean, dichotomous control variables are held at their modal category.
For all difference of means tests N=1000.

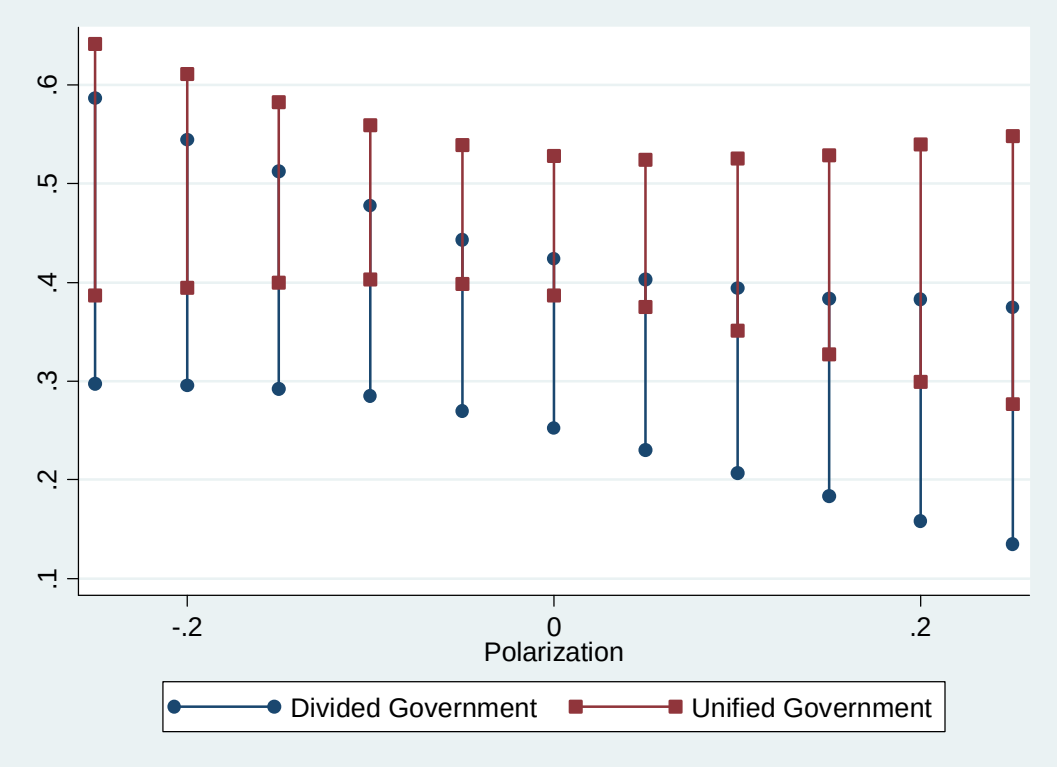
the probability of presidential success from 75 percent to 60 percent. Difference of means test 1 and 2 show that these drops are statistically significant. Given the effects in the House and congressional models, these results were to be expected.

The unexpected result is that polarization increases the probability of presidential success in the Senate regardless of whether party control is unified or divided. The positive effect appears to be stronger under unified than under divided government. During unified government, the probability of presidential success on a given piece of legislation increases from 67 percent to 75 percent as polarization increases from its mean to a high value. Under divided government, the same change in polarization only yields an increase from 54 percent to 60 percent. Both changes are statistically significant according to difference of means tests 3 and 4.

Figure 4.4 finishes the analysis by testing for an interactive relationship between polarization and divided government. Such a relationship is not hypothesized, and neither the probit model nor the simulations provide any indication of one. This final test is employed out of an abundance of caution. However, the graph in Figure 4.4 provides no surprises. There is no significant difference between the estimated probability of presidential victory under unified and divided government at any plausible value of polarization.

Based on the evidence in the probit model and simulations, it appears that scholars have underestimated the ability of a cohesive majority party in the Senate to win legislative battles for a president of their own party. Though majority party control is not as much of an advantage in the Senate as it is in the House, the majority party is

Figure 4.4 Estimates of the Effects of Polarization on the Probability of Presidential Victory in the Senate for Unified and Divided Government



not thwarted all the time. A possible explanation for this unexpected result is that the filibuster is a tool that the minority party uses selectively. It may be that the minority party picks its battles with the president rather than trying to stop every piece of legislation the president supports. They are selective enough for the majority party to get what it wants most of the time, which means presidential victories increase in the Senate as polarization increases under unified government.

An explanation for why polarization leads to an increase in the probability of presidential success under divided government is more difficult to conjecture. However,

it should be noted that once again the increase in the probability of presidential victory as polarization increases under divided government is small compared to the change under unified government. It should also be noted that in the Senate, the differences in probability between divided and unified government are larger than the differences between mean and high polarization. Party differences with the president rather than differences between the parties are the more important factor when it comes to determining presidential victories in the Senate.

Conclusion

The key finding of the analysis in this chapter is the negative impact of divided government on presidential success. Divided government consistently has a significant negative impact on the probability of presidential success. This finding is consistent with what is known in the previous literature. Works like Bond and Fleisher (1990) find that partisan make up of the chambers has the greatest impact on presidential success, rather than factors like the personal skill of individual presidents.

Although polarization has a minimal impact in the aggregate, it does have an effect in the individual chambers. In the House, polarization leads to an increase in the probability that the president gets what he wants, especially under unified government. When the president's party is in the majority, it is more willing to give the president what he wants as the parties become ideologically more distinct. The House performs as expected under unified government.

The surprising finding in this chapter is that the Senate treats the president in much the same way as the House as polarization increases. Though the differences in

probability are smaller than in the House, the Senate majority party also shows a greater tendency to support the president of there own party as polarization increases. This is the first evidence this study finds that the Senate reacts to polarization in a similar manner as the House. This is the first indication in this study that researchers who focus on the filibuster as the way of drawing distinctions between the House and the Senate may be overestimating its importance. The following chapter will provide further evidence of this possible error.

Taken together, the findings of this chapter and Chapter III make it clear that to a certain extent party label trumps ideology. Polarization does not enhance the effects of divided government on presidential position taking and presidential success. The opposition party does not want to hand the president victories regardless of how ideologically close or distance the parties might be. The president understands this and adjusts his position taking strategy under divided government. The only exception to this is that under unified government, the president's party in both chambers is more willing to use their power under the rules to help their president achieve his goals. At the same time, polarization does not increase the hostility to the president's position of the opposing party under divided government. Party difference is reason enough to try to stop the president regardless of the ideological distance between the parties.

This chapter completes the task that began in Chapter III. Given the theory that the impact of divided government on the law making process is contingent on whether or not the president takes a position on a bill and the impact of polarization is contingent on divided government, it is critical to establish an empirical foundation for how these

factors impacted presidential position taking and presidential success. With these tasks complete, the effects of polarization and divided government on bill passage and gridlock can now be explored.

CHAPTER V

PASSING LEGISLATION IN A POLARIZED CONGRESS

With a better understanding of the presidential-congressional relationship, I now turn to the main object of this study, the effects of polarization on the passage of legislation. This chapter has two objectives. The first objective is to gain an understanding of the effects of polarization on the legislative process. This is the most important institutional feature this study examines, as making decisions on the passage of legislation is one of the primary purposes of Congress. If it can be shown that polarization has changed the way that Congress passes legislation we will have evidence that the increase in polarization over the past several decades has altered the way Congress functions as an institution, and alters more than just the tone of debate on Capitol Hill.

The second objective is to contribute to the gridlock literature by properly modeling both polarization and divided government. As discussed in Chapters I and II, studies of gridlock make two errors. First, previous studies use aggregate the data and miss the different effects of polarization in the House and Senate. Second, they improperly model divided government by not accounting for presidential position. This chapter corrects these errors by breaking down the process by the House and Senate and by whether or not the president takes a position. If this modeling strategy proves viable, then the traditional modeling strategy of the gridlock literature must be altered to account for these findings. The investigation begins by outlining a few specific hypotheses that are tested in this chapter.

A Theory of Polarization and Legislative Productivity

The gridlock literature leaves us with general conclusions regarding the role of divided government and polarization in the legislative process. Both conditions contribute to gridlock. Yet, the gridlock literature does a poor job of explaining where in the legislative process divided government and polarization actually produce gridlock. It is, therefore, necessary to specify a theory about how divided government will affect the passage of legislation in the House and Senate respectively, and how the presence of polarization under divided government would affect the productivity of each chamber.

A basic flaw in the study of divided government is the failure to properly account for the role of the president. Studies that model the passage of legislation in the aggregate generally assume that party differences between the president and Congress uniformly cause gridlock across important legislation (see Howell et al. 2000; Kelly 1993; among others). Apparently, little thought has been given to whether divided government affects legislation when the president has no position. There is no theoretical reason to assume that either Congress or the president is hostile to such legislation in general, nor should they be more hostile towards it under divided government.

Divided government should manifest its effects on legislation where the president takes a position, regardless of that position. Under divided government, the majority party in the House is more likely to stop legislation the president supports and pass more legislation the president opposes. Even if his fellow partisans in the Senate are able to stop some of the legislation the president opposes, they will be unable to put

forth an agenda the president supports. This means that the president has to veto any of the legislation he opposes that gets past the filibuster in the Senate. This leads to the following hypothesis:

Divided Government Hypothesis (H1): Divided government causes a decrease in the probability that a bill passes, but only if the president takes a position on the bill.

Though divided government has independent effects on the probability that legislation passes, it also interacts with polarization. The effects of polarization are theorized to be different in each chamber. In the case of the House, if the conditional party government and cartel theories (Aldrich and Rohde 2000; Cox and McCubbins 1993; 2005) hold, then it is likely that divided government will have no impact within the House itself. Under unified government, the president's party passes the president's agenda. Under divided government, the majority party will substitute its own program for the president's. Further, as polarization increases in the House, the better the condition of the conditional party government theory is satisfied, leading to an increase in the probability of important legislation passing. Although legislation passing the House under these circumstances may have less chance of passing the more bipartisan Senate, or of ultimately being signed by the president, whatever the ultimate fate of the legislation the House passes, it is clearly not the chamber in which one would expect to find gridlock. Therefore, I posit the following hypothesis about bill passage in the House:

House Polarization Hypothesis (H2): Increased polarization will lead to an increase in the probability of passage of legislation in the House of Representatives regardless of the presence of divided government.

As polarization increases in the Senate, however, members of the minority party are more likely to exercise their prerogatives under Senate rules to block majority party legislation. The filibuster is a more effective roadblock when parties are polarized because the more cohesive minority party is better able to keep its members together on cloture votes. McCarty (2007) and Sinclair (2008) anticipate this effect of polarization. The question is whether the minority party has additional incentives under divided government to filibuster. Once again the premise of the gridlock literature is that partisan difference between Congress and the president prevents policy change under divided government. But minority members of Congress can use Senate rules to block legislation under both unified and divided government. Thus, while polarization in the Senate will lead to a decrease in the passage of legislation, divided government should have little if any effect on this relationship. This leads to the following hypothesis:

Senate Polarization Hypothesis (H3): Increased party polarization leads to a decrease in the probability of passage of legislation in the Senate regardless of the presence of divided government.

With respect to the overall legislative process, most of the gridlock literature, especially that which concentrates on the effects of divided government, looks at the passage of legislation through the entire process--i.e., legislative success is defined as a bill that passes the House, Senate, and is signed by the president and becomes law. With few exceptions (Jones 2001), previous studies do not disaggregate the process. The models implicitly assume that divided government causes gridlock because the president and Congress disagree. But disagreement between the president and Congress is not the only reason significant legislation fails. Bicameralism builds gridlock into the legislative

process. For example, some gridlock occurs when both chambers pass a bill, but one rejects a conference report, or they fail to go to conference either for lack of time or because of policy disagreements. Binder (2003) includes a variable to control for bicameral differences that may account for this source of gridlock. The gridlock literature in the main finds that divided government causes an increase in gridlock. Although the strength of the effect varies according to how researchers define "significant legislation" (see Kelly 1993 and Howell et al. 2000), the definition of divided government is consistent—the presidency and one or both houses of Congress controlled by different parties. This definition of divided government assumes that the observed effect is the result of policy disagreement between the president and Congress.

Even with the differences in strength across models, the finding is consistent enough to posit that divided government increases the overall occurrence of gridlock or reduces the number of bills that become law. But if differences between the president and Congress are the source of gridlock, this effect should occur only on bills on which the president takes a position. Furthermore, I provide a more complete explanation of why gridlock occurs.

Because the minority party in the Senate always has an incentive to slow down and if possible stop legislation and polarization should enhance their ability to do so, an increase in polarization should lead to a decrease in the passage of legislation under both unified and divided government. Divided government creates a situation where the House is no longer passing legislation the president is willing to sign. This means that whatever gets past the Senate filibuster is more likely to get vetoed by the president.

Thus the combination of divided government and polarization should create even more gridlock then either of the two factors could alone. This can all be distilled into the following hypothesis:

Polarization Interaction Hypothesis (H4): As party polarization increases, the probability of passage of legislation into law will decrease. The probability of passage will decrease more as polarization increases under divided government.

Setting up the Models

To test the hypotheses discussed above, three models were estimated. These examined legislation in the House, Senate, and overall legislative process. Each model includes a series of interaction terms whose coefficients measure the significance of the impacts of divided government and polarization when the president did or did not take a position. Once again, the data used to test the hypotheses was the set of bills described in Chapter I and listed in Appendix A. Bills were placed in the House, Senate and congressional models according to the methods discussed in Chapter IV. After these adjustments, the House model contained 973 bills, the Senate models 1003, and the congressional models 1093.

The dependent variable for each model is whether or not a bill passed each body under investigation, coded one if it passed the chamber, zero otherwise. For the congressional model, bills are coded one if they became public law, zero otherwise. These are bills that passed both chambers, were signed by the president or had the president's veto over ridden. The binary dependent variables necessitate the use of probit for all of the models estimated in this chapter.

As in Chapters IIII and IV, all models include the polarization variable, divided government variable and the polarization and divided government interaction term. These variables are fully described in Chapter II. Once again, polarization is centered on its mean.

The models in this chapter also include a series of interaction terms designed to estimate the effects of divided government and polarization when the president takes a position on a bill. An interaction term between divided government and the presidential position variable is specifically designed to test the divided government hypothesis. The interaction of polarization and presidential position is included to see if the effects of polarization change when the president takes a position on a bill. To test the influence of polarization on the probability of a bill passing when that bill is considered under divided government and the president has taken a position on the bill requires a three-way interaction between divided government, polarization, and presidential position.

The inclusion of multiple interaction terms and a three-way interaction term makes the direct interpretation of probit coefficients and the predicted changes in probability associated with them difficult. To ease the interpretation of the results, I utilized the statistical software package "Clarify" (King, Tomz, and Wittenberg 2000). Using Monte Carlo simulations of the model under analysis, "Clarify" calculates the mean expected value of a dependent variable under various conditions of interest. The specific scenarios created for each model are discussed more in depth below.

All the models in this chapter had one control variable in common. Time to Congress close captures the effects of the timing of the introduction of legislation. A bill

introduced at the beginning of a Congress has a better chance of passing than one introduced at the end simply because of time considerations. The variable is measured in days. For the congressional models it is the number of days between the introduction date and the close of the Congress. For the House and Senate models it is the number of days from when the chamber received it, either through the bill being introduced or the bill arriving from the other chamber, until the end of the Congress.

Three additional control variables are included in the House and Senate models to account for other party factors that may affect the passage of legislation. A dummy variable for party is coded one for when the Democrats were the majority in the chamber and zero otherwise. Majority party size is the percentage of seats held by the majority party in a given chamber. Majority party cohesion is the measure used by Cooper and Young (1997, 2002) to measure the internal cohesion of congressional parties. The measure is the difference in the average absolute percentage of members of the majority voting yes and average absolute percentage of majority party members voting no across all roll call votes in a given Congress. These party measures are included because there is some evidence that changes in the majority party or an increase in the number of seats or cohesion of the majority party can at least create an opportunity for policy change (Hurley, Brady, and Cooper 1977, Brady 1978, Hurley 1979). Descriptive statistics for all variables in the models in this chapter are available in Appendix B.

Congressional Model

Because the congressional model is most comparable to the models from the previous gridlock literature, I will discuss it first. The model of congressional bill

passage is displayed in Table 5.1. Though the model is statistically significant, the goodness of fit measures are not especially impressive. However, the 2.1 percent reduction in error is about average for the models throughout this study and is the largest reduction in error in this chapter. The model is increasing our ability to predict the passage of legislation compared to a naïve model that always predicts the modal category. At the very least, the model provides us with an ability to predict the passage of legislation based on polarization and divided government.

Table 5.1
Probit Estimates and Probability Changes for the Congress Model

	Coefficient	Standard Errors	Pr Change
Polarization	2.02**	0.94	.09
Divided Government	0.43*	0.23	.16
President Takes a Position	1.07***	0.24	.35
Polarization * Divided Government	-1.59	1.65	-.06
Polarization * President Takes a Position	-1.52*	.92	-.06
Divided Government * President Takes a Position	-0.80**	0.26	-.30
Polarization * Divided Government * President Takes a Position	0.71	1.44	.02
Time to Congress Closes	0.00	0.00	.001
Constant	-0.98***	0.25	

Prob < chi^2= .0000***
AIC= 1.31
Correctly Classified= 61.8%
Reduction in Error= 2.1%
N=1093
P(y=1|x)= .3975
* significant at p <.10 ** significant at p < .05 *** significant at p < .001

Notes: Standard errors are clustered by Congress.
Polarization is centered at its mean.
Pr Change is the change in predicted probability of a bill becoming public law as continuous variables increase by one standard deviation and as dichotomous variables move from zero to one.

This model provides the best test of the divided government hypothesis in this chapter. The evidence indicates that, as expected, divided government has a negative and statistically significant impact, but only when the president takes a position on a bill. Substantively, legislation has a 30 percent less chance of becoming public law when the president takes a position on it under divided government. In contrast, under divided government when the president takes no position on a bill, the probability of its passage actually increases by 16 percent. This illuminates the finding from Chapter III. Recall that the president has a greater chance of taking no position on bills under divided government relative to supporting bills. These two findings illustrate that he has incentives to take no position on legislation under divided government. Not only does the president avoid setting up an extra obstacle, taking no position actually gives his bills a boost. He also has greater incentive to oppose legislation he dislikes as taking any position leads to an increased probability that the legislation fails.

The simulations in Table 5.2 further illustrate both points. In the top part of the table are the mean estimates of eight simulations created using the congressional model in Table 5.1. The values represent the mean probability that a bill passes under the defined circumstances. For the dichotomous variables, divided government and presidential position, they were set at one according to whether the scenario included them or not. For the mean polarization scenarios, polarization was set at zero, in high polarization scenarios it was set to .25.[8] This value was chosen because the objective of this work is to understand the consequences of high polarization. Therefore, a value was

[8] Polarizations maximum value in the congressional model was .30.

Table 5.2
Estimated Mean Probability of a Bill Becoming Public Law and Difference of Means Tests

Scenario	President Takes Position	President Takes No Position
Mean Polarization, Unified Government	0.54	0.17
Mean Polarization, Divided Government	0.39	0.29
High Polarization, Unified Government	0.58	0.33
High Polarization, Divided Government	0.35	0.33

Difference of Means Tests

1. Divided Government at Mean Polarization when the President Takes a Position
   Ho: Mean (Divided Government) - Mean (Unified Government)= 0
Difference= -.15 t=-130.0*

2. Divided Government at High Polarization when the President Takes a Position
   Ho: Mean (Divided Government) - Mean (Unified Government)= 0
Difference= -.22 t=-90.8*

3. Divided Government at Mean Polarization when the President Takes a No Position
   Ho: Mean (Divided Government) - Mean (Unified Government)= 0
Difference= .13 t= 71.9*

4. Divided Government at High Polarization when the President Takes a No Position
   Ho: Mean (Divided Government) - Mean (Unified Government)= 0
Difference= .01 t=1.83

5. Polarization Under Unified Government When President Takes a Position
   Ho: Mean (High Polarization) - Mean (Low Polarization)= 0
Difference=.05 t=28.5*

6. Polarization Under Divided Government When President Takes a Position
   Ho: Mean (High Polarization) - Mean (Low Polarization)= 0
Difference= -.03 t= -23.8*

Notes: The mean probabilities of passage for each scenario are derived using 1000 simulations of the model in Table 5.1 using King, Tomz, and Wittenberg's (2000) clarify, and setting variables to key values. Mean polarization is defined as polarization=0, high polarization is defined as polarization = .25. President's position and divided government alternate between 0 and 1. Continuous control variables are held at their mean, dichotomous control variables are held at their modal category.
For all difference of means tests N=1000. * significant at $p < .05$

selected near the maximum value of polarization for all three models. The interaction terms were set according to the values of their constituent parts. Continuous control variables were set at their mean and dichotomous control variables to their modal category.

The simulations show that under divided government when the president takes a position, the probability of passage of significant legislation takes a noticeable drop regardless of the level of polarization. The probability of passage decreases from 54 percent under unified government to 39 percent under unified government when polarization is held at its mean. The probability of passage shows a similar decline when polarization is high, moving from 58 percent to 35 percent. Difference of means tests 1 and 2 in the second portion of Table 5.2 confirm that these declines are statistically significant.

The same effects do not hold when the president takes no position on legislation. At mean polarization the probability of passage of legislation shows a counterintuitive increase from 17 percent to 29 percent when moving from unified to divided government, a statistically significant increase according to difference of means test 3. At a high level of polarization the difference is negligible as shown in difference of means test 4.

This is strong evidence for the divided government hypothesis. Divided government behaves as expected. The concept of divided party control, assumes that the president and Congress are likely to have opposite policy preferences, and these policy differences will lead to more gridlock. If the president takes no position, there is no

basis to expect divided government to contribute to gridlock. The simulations show that when the president is not explicitly accounted for in models of legislative gridlock, the effect of divided government is underestimated. At mean levels of polarization, bills on which the president has no position are more likely to pass under divided government. By bills on which the president expressed no position, in their models of legislative gridlock, previous studies underestimate the true effects of divided government.

Moving to polarization, Tables 5.1 and 5.2 also provide the statistics necessary to test the polarization interaction hypothesis, which holds that the effects of divided government become increasingly negative as polarization rises. For this hypothesis, the simulations in Table 5.2 prove to be indispensable. Based purely on the coefficients in the probit model, the effects of polarization are less than impressive. First, the coefficient for polarization is in the opposite direction than was anticipated by polarization interaction hypothesis, suggesting that the probability of passage increases as polarization increases on bills under unified government when the president took no position. At the same time, the coefficient for the polarization and presidential position interaction term is negative and significant. This seems to suggest that an increase in polarization decreases the probability of passage when the president takes a position under unified government. There is no theoretical reason why this should occur. Furthermore, none of the interaction terms that account for both polarization and divided government are significant in this model. Regardless of whether the president takes a position, polarization in combination with divided government does not create gridlock. The large number of interactions in the model, however, muddles the picture.

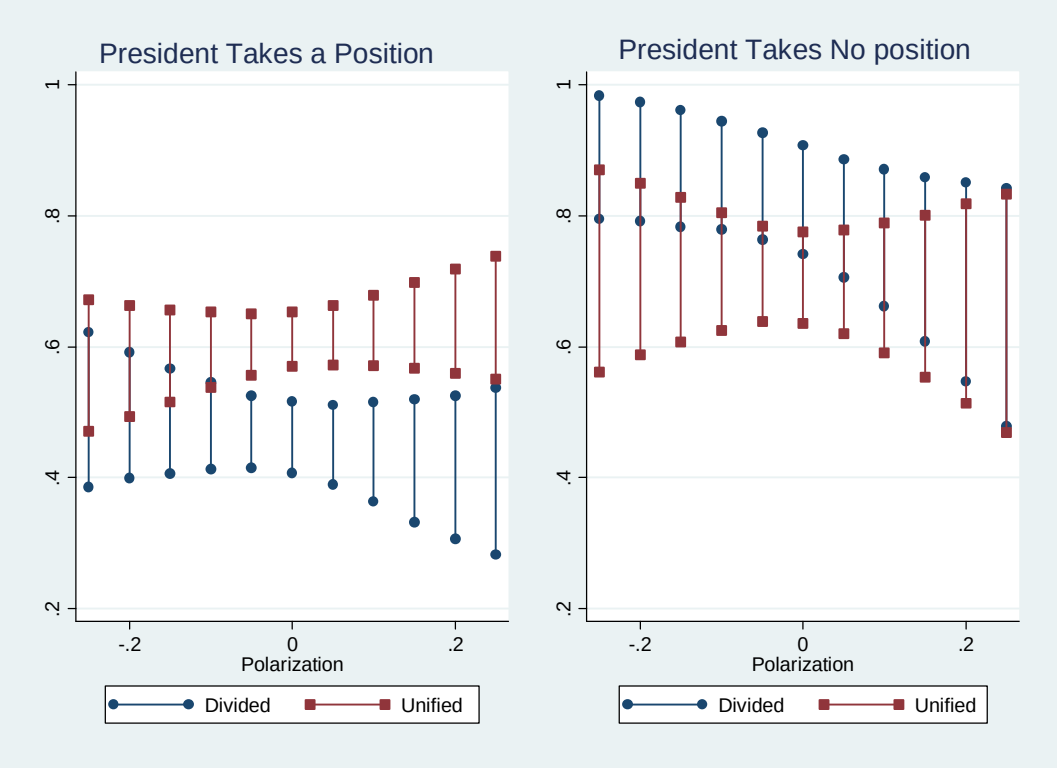
The simulations in Table 5.2 provide a clearer picture of the effects polarization, particularly when it interacts with divided government. In the interests of simplicity the discussion of the effects of polarization will only involve scenarios for bills on which the president took a position. I do this primarily because the theory in this chapter does not posit significant differences for the effects of polarization based on presidential position. In effect, my discussion of polarization will treat presidential position as a control variable. Under unified government, the probability that a bill passes increases from 54 percent to 58 percent when polarization moves from its mean to a high value. In contrast, under divided government, as polarization moves from its mean to .25, the probability of passage decreases from 39 percent to 35 percent. Though these differences are modest, difference of means tests 5 and 6 show that both changes are statistically significant.

This provides partial evidence for the hypothesis that an increase in polarization should lead to a decrease in the probability of passage in general. The simulations show evidence that polarization interacts with divided government, as illustrated by the differences in the direction of the t statistic in difference of means tests 5 and 6.

The difference in the effects of polarization under unified and divided government is illustrated graphically in Figure 5.1. The lines in the graphs represent 95 percent confidence intervals around the probability of passage at different levels of polarization. When the lines do not overlap there is a statistically significant difference between the two series at the .05 level. At low levels of polarization, the estimated probability of passage is not statistically different between unified and divided

government. As polarization increases above its mean level (zero), a statistically significant difference emerges. This may be why the coefficient for the polarization and divided government interaction is not significant in the probit model. Only 489 bills in the dataset occur in Congresses with above average polarization. Because there are no differences in the estimated probability of passage when polarization is low, it unlikely that the probit model was able to discern the differences between unified and divided government when polarization was high.

Figure 5.1 Effects of Polarization under Unified and Divided Government, Congress Model



The evidence presented so far makes a strong case for both the divided government hypothesis and the polarization interaction hypothesis. The effects of divided government are clearly contingent on whether or not the president takes a position on a piece of legislation. Polarization has a significant affect on the probability a bill becomes law, but the effects are different under unified and divided government. Polarization increases the probability of passage under unified government and decreases it under divided government. This is evidence not only of the importance of polarization, but of the interactive effects between polarization and divided government. However, it should be noted that difference of means tests are a low barrier, especially when comparing means for series with such a high number of observations. Though the comparison of means were significant for both polarization and divided government, the much larger differences for the divided government tests indicate that divided government rather than polarization is the primary cause of gridlock at the overall Congressional level. At the same time, the impact of polarization under divided government should not be ignored. I now turn to the effects polarization has in the individual chambers.

House Model

The House polarization hypothesis anticipates that polarization leads to an increase in the probability of bills passing the House regardless of the presence of divided government. In other words, the influence of polarization under both unified and divided government should be positive and significant. A combination of both the

coefficients in the probit model of bill passage and the House and simulations based on that model support this interpretation.

The results for the probit model of House passage of legislation are displayed in Table 5.3. The model performs as well as the other models in this chapter and throughout the study. Again, the actual reduction in error, 1.1 percent, is not impressive, but it does indicate that the model explains more about the passage of legislation in the House than the simple alternative.

This model indicates that when the president does not take a position under unified government, polarization is significant and positive. Conversely, under divided government when the president does not take a position polarization is significant and negative, leading to the conclusion that polarization interacts with divided government in the House the same way it does in the general model.

However, as I argue above, when looking at polarization, it is useful to treat presidential position as a control variable at least when analyzing the simulations. In the model itself, the interaction terms between polarization and presidential position are insignificant under both unified and divided government. This indicates that polarization does not influence bills on which the president takes a position. However, the scenarios in Table 5.4 indicate that when the president takes a position, an increase from mean to high polarization leads to an increase in the probability of significant legislation passing under both unified and divided government.

These changes in means are small. Under unified government, an increase from mean to high polarization increases the probability of passage from 79 percent to 87

Table 5.3
Probit Estimates and Probability Changes for the House Model

	Coefficient	Standard Errors	Pr Change
Polarization	2.69**	1.10	0.11
Divided Government	-0.10	0.20	-0.03
President Takes a Position	0.59**	0.20	0.20
Polarization * Divided Government	-3.49**	1.59	-0.10
Polarization * President Takes a Position	-1.29	1.09	-0.05
Divided Government * President Takes a Position	0.06	0.23	0.02
Polarization * Divided Government * President Takes a Position	2.58	1.79	0.07
Majority Party	-0.11	0.17	-0.03
Majority Party Size	0.01	0.01	0.01
Majority Party Cohesion	0.002	0.01	0.01
Time to Congress Closes	0.001**	0.0003	0.04
Constant	-0.49	0.86	

Prob < chi^2= .0000***
AIC= 1.10
Correctly Classified= 75.5%
Reduction in Error= 1.1%
N=973
P(y=1|x)= .7557
* significant at p <.10 ** significant at p < .05 *** significant at p < .001

Notes: Standard errors are clustered by Congress.
Polarization is centered at its mean.
Pr Change is the change in predicted probability of a bill passing the House as continuous variables increase by one standard deviation and as dichotomous variables move from zero to one.

percent. Under divided government, the same increase in polarization leads to an increase in the probability of passage from 78 percent to 81 percent. These changes are not as dramatic as the effects of divided government in the congressional model, but they are statistically significant (see difference of means tests 1 and 2 in Table 5.4). There

are some more dramatic increases under unified government when the president takes no position.

This leads to the conclusion that an increase in polarization from its mean to near its high leads to an increase in the probability of passage.[9] Note that the effects of polarization only occur when polarization is above its mean. It is likely that a lack of

Table 5.4
Estimated Mean Probability of a Bill Passing the House and Difference of Means Tests

	President Takes Position	President Takes No Position
Mean Polarization, Unified Government	0.79	0.58
Mean Polarization, Divided Government	0.78	0.54
High Polarization, Unified Government	0.87	0.80
High Polarization, Divided Government	0.81	0.46

Difference of Means Tests

1. Polarization Under Unified Government When President Takes a Position
   Ho: Mean (High Polarization) - Mean (Low Polarization)= 0
   Difference= .08 t= 64.9*

2. Polarization Under Divided Government When President Takes a Position
   Ho: Mean (High Polarization) - Mean (Low Polarization)= 0
   Difference= .03 t= 18.4*

3. Divided Government at Mean Polarization when the President Takes a Position
   Ho: Mean (Divided Government) - Mean (Unified Government)= 0
   Difference= -.01 t= -12.6*

4. Divided Government at High Polarization when the President Takes a Position
   Ho: Mean (Divided Government) - Mean (Unified Government)= 0
   Difference= -.06 t= -34.6*

Notes: The mean probabilities of passage for each scenario are derived using 1000 simulations of the model in Table 5.3 using King, Tomz, and Wittenberg's (2000) clarify, and setting variables to key values. Mean polarization is defined as polarization=0, high polarization is defined as polarization = .25. President's position and divided government alternate between 0 and 1. Continuous control variables are held at their mean, dichotomous control variables are held at their modal category.
For all difference of means tests N=1000. * significant at $p < .05$

[9] The maximum value of polarization in the House was .30.

effects for polarization below its mean is the reason why the polarization and presidential position interactions are insignificant in the probit model. The fact that the coefficients in the probit model for polarization when the president does not take a position are statistically significant is also important. These results lead to the conclusion that polarization leads to an increase in the probability of significant legislation passing the House regardless of whether the president takes a position and the presence of divided government. This is compelling evidence for the House polarization hypothesis.

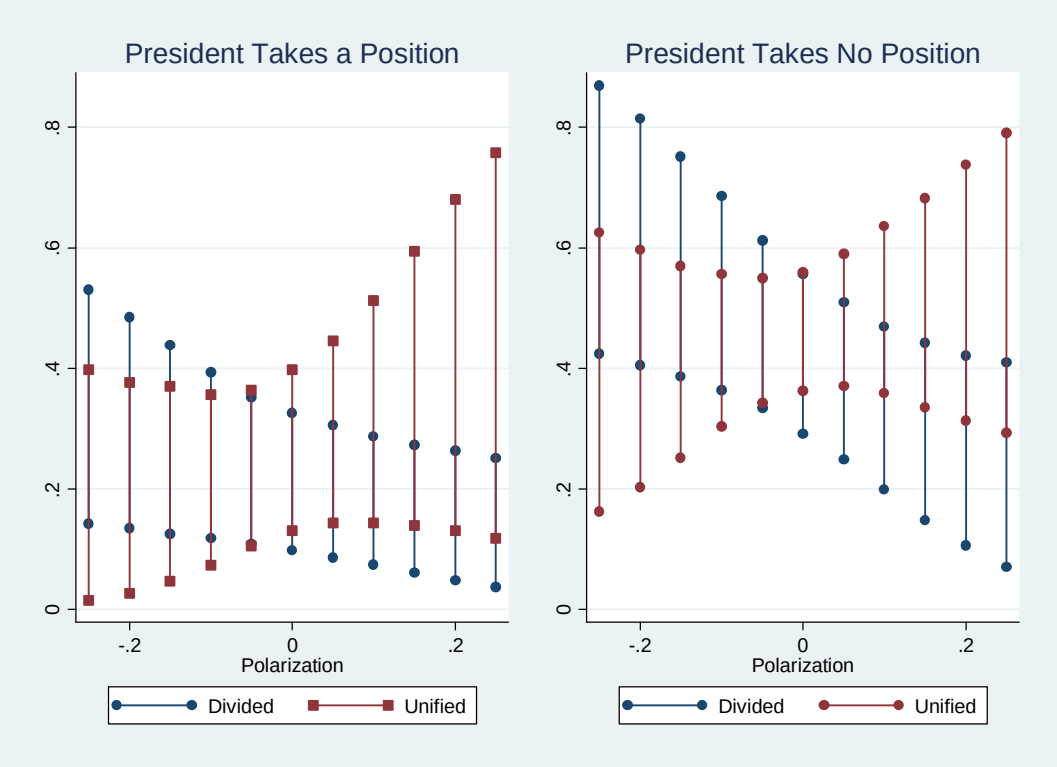
There are few more noteworthy features to the simulations for the House models. The difference of means tests for divided government when the president takes a position (tests 3 and 4 in Table 5.4) are statistically significant and negative. This was unexpected. House rules allow the majority party to push through its agenda regardless of the president. One would not expect the House to show a decrease in the probability of passage due to divided government.

However, it should be noted that the actual movement due to divided government, a reduction from 79% to 78% at mean polarization and 87% to 81% at high polarization, are small compared to the decreases divided government caused in the congressional model. According to the simulations, legislation has a very good chance of passing the House regardless of divided government. In contrast, the congressional models show that legislation goes from about a 50-50 chance of becoming law under unified government to odds on failure under divided government. This does not take away from the statistical significance of the differences between unified and divided

government in the House. It should be pointed out that the effects of divided government are much more devastating to legislative productivity in the context of the general model.

Unlike the congressional model, there is no evidence of an interaction between polarization and divided government in the House. Polarization does not enhance the negative effects of divided government in the House. Evidence for this can be found in the positive results in difference of means test 2 in Table 5.4. Figure 5.2 illustrates this graphically. If there were an interactive effect, Figure 5.2 would show a gap between

Figure 5.2 Effects of Polarization under Unified and Divided Government in the House



the confidence intervals of the divided and unified government series like in Figure 5.1. There is no evidence of such a gap in either graph in the figure.

The House model and simulations show the expected results. Polarization leads to an increase in the probability of passage of significant legislation in the House. These results lend credence to the conditional party government and cartel models of party rule in the House (Cox and McCubbins 1993, 2005; Aldrich and Rohde 2000). Polarization helps to satisfy the condition of conditional party government which leads to an increase in the probability of passage in the House. With the effects of polarization in the House now understood, I turn my attention to the Senate.

Senate Model

The final model examines the impact of polarization and divided government in the Senate. Unlike the House and congressional models, the Senate model and simulations provide no evidence for the stated hypothesis. However, like the House model, polarization increases the probability that significant legislation passes the Senate. I will speculate below on why this is so, but first I will take a closer look at the evidence.

The probit model for bill passage in the Senate, displayed in Table 5.5, performs about as well as the congressional and House models in terms of goodness of fit. Again, the 1.6 percent reduction in error is far from overwhelming, but does indicate that the model has some explanatory value.

The positive and significant results for the polarization variable indicates that polarization leads to an increase in the probability of the passage of significant legislation, but only under unified government and when the president does not take a

Table 5.5
Probit Estimates and Probability Changes for the Senate Model

	Coefficient	Standard Errors	Pr Change
Polarization	1.55*	0.83	0.06
Divided Government	0.33	0.21	0.12
President Takes a Position	0.69***	0.18	0.26
Polarization * Divided Government	-1.66	1.45	-0.05
Polarization * President Takes a Position	0.06	0.79	0.002
Divided Government * President Takes a Position	-0.24	0.22	-0.09
Polarization * Divided Government * President Takes a Position	0.31	1.40	0.01
Majority Party	0.12	0.11	0.04
Majority Party Size	-0.01	0.01	-0.02
Majority Party Cohesion	-0.02*	0.01	-0.06
Time to Congress Closes	0.001**	0.0002	0.05
Constant	1.39	1.02	

Prob < chi^2= .0000***
AIC= 1.24
Correctly Classified= 64.8%
Reduction in Error= 1.6%
N=1003
P(y=1|x)= .6739
* significant at p <.10 ** significant at p < .05 *** significant at p < .001

Notes: Standard errors are clustered by Congress.
Polarization is centered at its mean.
Pr Change is the change in predicted probability of a bill passing the Senate as continuous variables increase by one standard deviation and as dichotomous variables move from zero to one.

position. All of the interaction terms that model the effects of polarization present null results. Divided government also has no impact in the probit model. The raw coefficients lead to the expectation that the only impact of polarization is found in the least controversial of circumstances.

However, like the House and congressional models, the interaction terms in the Senate model make it difficult to sort out the effects of polarization and divided government based on coefficients and predicted probabilities alone. The simulations in Table 5.6 reveal effects for polarization that are strikingly similar to the House.

Under unified government, the increase in the probability of passage under high polarization compared to mean polarization is even higher than it is in the House. When the president took a position, an increase in polarization increases the probability of passage from 71 percent to 82 percent. Difference of means test 1 in Table 5.6 indicates that this increase is significant. The increase in the mean probability of passage under divided government is much smaller, 74 percent to 76 percent, but is still statistically significant according to difference of means test 2. There is a similar pattern of an increase in the probability of passage as polarization increases under unified government when the president takes no position. These combined results force the rejection of Senate polarization hypothesis, polarization clearly does not lead to a decrease in the probability of passage of significant legislation in the Senate.

Why does the Senate model not only fail to yield the expect result, but also shows the opposite of the expected effect? The institutional structure of the Senate may account for these findings. A comparison to the House will be useful to illustrate this

point. Both of the polarization hypotheses for the House and Senate were derived based on key institutional features unique to each chamber. The House procedures that allow the majority party to control the floor and the agenda apply to every bill. This means that the mechanism through which polarization affects legislative productivity is universal in the House.

Table 5.6
Estimated Mean Probability of a Bill Passing the Senate and Difference of Means Tests

Scenario	President Takes Position	President Takes No Position
Mean Polarization, Unified Government	0.71	0.45
Mean Polarization, Divided Government	0.74	0.57
High Polarization, Unified Government	0.82	0.60
High Polarization, Divided Government	0.76	0.56

Difference of Means Tests

1. Polarization Under Unified Government When President Takes a Position
   Ho: Mean (High Polarization) - Mean (Low Polarization)= 0
   Difference= .12 t= 74.6*

2. Polarization Under Divided Government When President Takes a Position
   Ho: Mean (High Polarization) - Mean (Low Polarization)= 0
   Difference= .02 t= 8.86*

3. Divided Government at Mean Polarization when the President Takes a Position
   Ho: Mean (Divided Government) - Mean (Unified Government)= 0
   Difference= .03 t= 27.1*

4. Divided Government at High Polarization when the President Takes a Position
   Ho: Mean (Divided Government) - Mean (Unified Government)= 0
   Difference= -.07 t= -34.2*

Notes: The mean probabilities of passage for each scenario are derived using 1000 simulations of the model in Table 5.5 using King, Tomz, and Wittenberg's (2000) clarify, and setting variables to key values. Mean polarization is defined as polarization=0, high polarization is defined as polarization = .25. President's position and divided government alternate between 0 and 1. Continuous control variables are held at their mean, dichotomous control variables are held at their modal category.
For all difference of means tests N=1000. * significant at $p < .05$

On the other hand, the filibuster, the mechanism through which polarization was expected to cause gridlock in the Senate is only selectively applied. The minority party uses the filibuster strategically, perhaps on issues key to their constituency. This means that the filibuster is not an obstacle for every bill that passes though the Senate. It also suggests that the increase in polarization does not affect every bill via the filibuster.

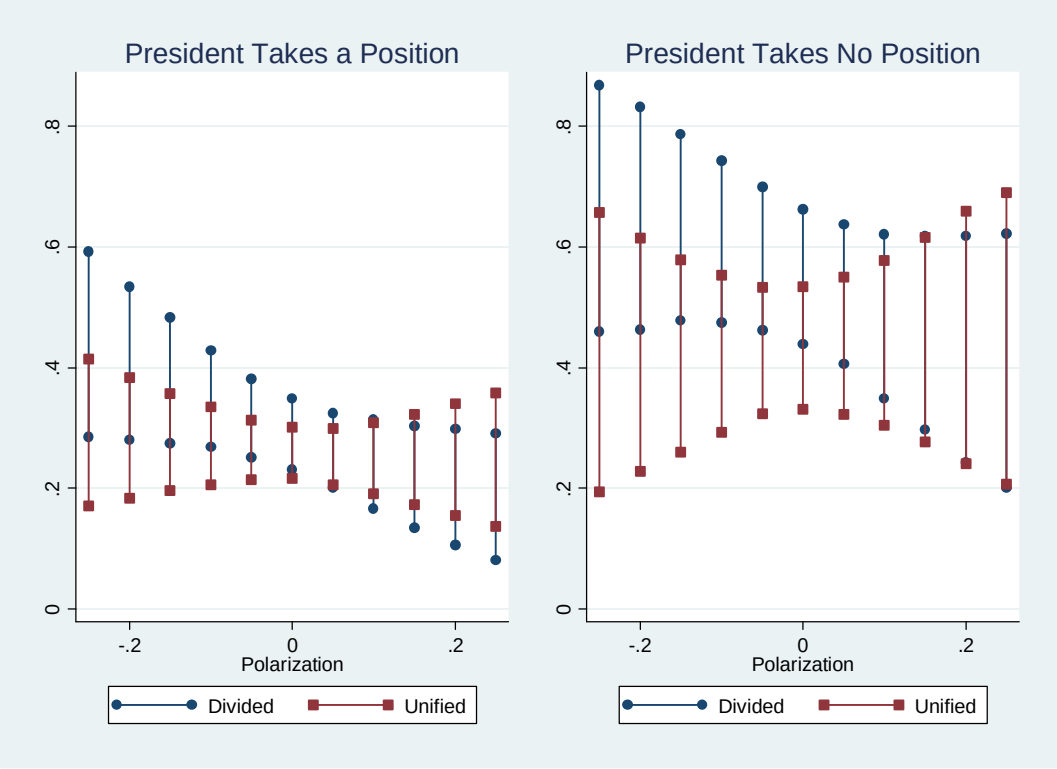
Further, the filibuster may not completely kill legislation. In some cases, the threat of a filibuster can be used by the minority party to negotiate with the majority party for concessions on the substance of legislation. Therefore it is likely that the true impact of polarization on legislation in the Senate is on the substance of legislation rather than on the passage of legislation. If polarization is forcing the majority party to negotiate more with the minority, it could create more bipartisan legislation that in turn passes the Senate. This is a possible explanation for why polarization actually increases the probability of important legislation passing the Senate.

Divided government also behaves in an unexpected manner in the Senate. Like the House, divided government should not have an impact on the probability of passage in the Senate. However, when polarization is at its mean divided government leads to a statistically significant increase in the passage of legislation (see difference of means test 3), but at high polarization divided government leads to a decrease in the probability of passage (see difference of means test 4). This suggests an interactive relationship between polarization and divided government, but the simulations in Figure 5.3 shows no significant difference between the unified and divided government series as was seen in Figure 5.1. Like divided government in the House simulations, divided government

in the Senate simulations has a much smaller substantive impact than was found in the congressional simulation. The evidence for an interactive effect between polarization and divided government in the Senate is mixed at best.

The important point from the Senate model is the lack of evidence that polarization increases gridlock through the filibuster. Neither the probit coefficients nor the simulations derived from them provide any evidence that polarization decreases the probability that significant legislation passes the Senate. This finding based on a more comprehensive sample of major bills calls into question the conclusions reached by the prior literature, especially those of McCarty (2007) and Sinclair (2008).

Figure 5.3 Effects of Polarization under Unified and Divided Government in the Senate



However, it is still possible that polarization in the Senate is having an impact on policy outputs. The increase in polarization may allow the minority party to use a threat of a filibuster to force concessions in the content of legislation. This effect does not show up in an analysis of the passage of legislation, but could still create a type of gridlock. The central normative complaint about gridlock is that it inhibits policy innovation (Binder 2003 provides a good overview of such arguments). McCarty, Poole, and Rosenthal (2006), for example, find that polarization prevents new solutions to income inequality. It is possible that bills are still being passed, and at an even higher rate. But if the most innovative features of the bills are being stripped out in the Senate, they might as well not pass at all.

Conclusion

The results of this chapter provide evidence that both divided government and polarization impact the legislative process. Divided government, as expected, decreases the probability that a bill becomes law and polarization increases this effect. Polarization also increases the probability that bills pass both the in House and in the Senate. In the House this was expected, in the Senate it was not.

The contributions of this chapter are two-fold. First, in terms of divided government, the findings of this chapter underscore the importance of explicitly accounting for the president's position when examining the impact of divided government on the legislative process. The conceptual definition of divided government suggests that party differences between the president and Congress is a cause of gridlock, yet the previous literature generally does not account for the position the

president takes on legislation. The difference in the impact of divided government between when the president does or does not take a position shows that the literature is underestimating the effects of divided government. The common methods of modeling divided government need to be reconsidered.

The second contribution pertains to both polarization and divided government. The influence of polarization and divided government were with a few exceptions remarkably similar in the House and the Senate. The House and Senate both display a tendency to pass the bills that come before them. When the president takes a position on a bill, the mean probabilities of passage of legislation in both chambers ranges between 70 and 80 percent regardless of the status of divided government or polarization.

In contrast, the congressional model shows a large impact for divided government and that polarization enhances the effect of divided government. Further, there is a much broader range of probabilities of passage in the congressional model. When the president takes a position, under unified government the probability of a bill becoming law ranges between 54 and 58 percent, but under divided government the probability range plunges to 39 to 35 percent. The most important finding is that the probability of passage of legislation in the congressional model falls below 50%. It indicates that the source of gridlock is located in the differences between the president and Congress rather than in bicameral differences.

This is important because of the tendency of some in the literature, particularly McCarty (2007) and Sinclair (2008) to locate the source of gridlock in differences between the House and Senate. This emphasis appears to be ill founded. The fact that

gridlock connected with polarization was only found in the congressional model indicates that the separation of powers rather than bicameralism is the primary source of gridlock. This further underscores the importance of cooperation between the branches to advance policy change. This is not to say that bicameralism should be dismissed as an obstacle to legislative productivity. However, the institutional mechanism through which polarization and divided government create gridlock is clearly friction between the branches rather than bicameral differences.

CHAPTER VI

CONCLUSIONS

This dissertation began with the challenge laid down by McCarty (2007), which was to push beyond examinations of the sources of party polarization and begin to build an understanding of the changes that the recent resurgence in polarization has brought to Congress as an institution. As a first step, I chose to examine the impact of polarization on one of Congress' most basic function, the passage of legislation. Because of the interactive effects of divided government and polarization, errors in the way divided government was modeled in previous research had to be corrected. This was done by examining the influence of divided government and polarization in the presidential-congressional relationship and by accounting for the president's position when modeling the passage of legislation. This allowed for the specification of a more complete model of legislative gridlock. This approach revealed a great deal about the workings of the polarized Congress.

Yet much work in this area remains. The passage of legislation is only one of the basic tasks. Congress is also a representative institution. It is likely that polarization has affected the relationship between members of Congress and their constituents. Further, this dissertation does not map out the entire legislative process. Committee activity, for example, is a key component of the legislative process. The effects of polarization on committees need to be accounted for as well. The findings of this study reveal the need for a broader research agenda that moves beyond policy gridlock into these areas of congressional politics.

As a first step in the process this chapter undertakes two tasks. It summarizes the key findings of this study, tying together the seemingly disparate conclusions from the previous three chapters. Second, it will suggest multiple directions that future research may take as the study of the consequences of polarization moves forward. Particular attention will be paid to moving the study of the consequences of polarization beyond the confines of the gridlock literature.

The Consequences of Polarization

The main objective of this dissertation is to increase the understanding of the effects of party polarization on Congress. The findings of the previous three chapters on this point are best summarized in terms of context. The effects of polarization on the functioning of Congress vary according to the object under study (i.e. presidential-congressional relations, bill passage), the venue (House, Senate, aggregate process), and other institutional factors (divided government).

This summary in and of itself is unsatisfactory. It is a complicated way of saying, "it depends." What it does make clear is that an aggregate analysis, heretofore the most common type in the gridlock literature, is incomplete. It misses important variations in the effects of polarization that become evident once the process is broken down. For example, one important finding of this study is that polarization increases the passage of legislation in the House and in the Senate under unified government. This finding would be missed in an aggregate analysis.

From a theoretical perspective, the findings in the House on the effects of polarization support the cartel and conditional party government perspectives (Rohde

1991; Cox and McCubbins 1993, 2005; Aldrich and Rohde 2000). In contrast to parliamentary democracies, parties in the U.S. Congress lack the ability to discipline their members. Because voters in states and districts control nominations, members of Congress will rebel against party leaders when they have electoral incentives to do so (Mayhew 1974). Members of Congress must have incentives to support their party leaders. When the electorate polarizes and elects members that are more extreme, polarization increases. Under these circumstances, members have more incentives to support the party's program. In other words, polarization creates a de facto party discipline. The parties become more discipline because the ideology of the electorate allows members to support their party's program. Polarization satisfies the conditions of conditional party government in the House.

Conditional party government and cartel theories, however, tend to concentrate on the House. Institutional complications, such as the filibuster and other individual prerogatives available to the minority, suggested that party polarization might play out differently in the Senate. This study initially made the Senate a key venue, theorizing that polarization would create gridlock because of institutional features like the filibuster that allow members of the minority party to obstruct legislation. I found no evidence to support the expectation that polarization in the Senate leads to more gridlock.

Instead, the results from Chapters IV and V indicate that polarization affects the process in the Senate in a nearly identical way as in the House. The simulations for the Senate model of presidential success show that as polarization increases in the Senate the probability of presidential success increases. Increasing polarization also leads to a

substantial increase in the probability that the Senate passes significant legislation. Both effects hold regardless of the presence of divided government, though they are stronger under unified government.

These results suggest that we need to rethink the theory. The basis for the expectation that the Senate and the House will be different is the differences in rules of each chamber. House rules give a great deal of power to the leaders of the majority party. Legislation in the House must go through the Rules Committee controlled by the majority party to be considered on the floor. Closed and restrictive special rules, which have come into greater use as polarization has increased (Sinclair 2000), allow the majority party to control the agenda and the terms of debate in the House. The procedures that allow the majority party control of the floor are virtually absolute. It is easy to develop theory about a process that leaves few exceptions. As the parties become more ideologically distinct, the majority party will use its prerogatives more to pass its agenda.

In contrast, Senate rules protect prerogatives of the minority. The filibuster and 60-vote requirement to invoke cloture provides great leverage for the minority party. Sinclair (2000) presents evidence that filibuster problems have more common in recent years, but the filibuster is not applied to all significant legislation. Rather, it is used strategically to delay and kill legislation unless some of the minority party's concerns are accommodated. Just the threat of a filibuster can be effective. They are often disposed of by informal deals that change legislation rather than killing it. In other words, the filibuster is not a factor conducive to theories that posit a pass/fail outcome. The more

important effects of the filibuster may be in the changes it causes in the content of legislation. The threat of a filibuster may lead the majority party to make the legislation in question more bipartisan, decreasing the probability that the minority party will filibuster. This may create a type of gridlock that can not be measure in terms of the passage or failure of legislation. If the process of negotiations between the parties in the Senate leads to important policy changes being removed from the bill, the bill may pass but significant changes to policy will have been blunted.

Though polarization may not lead to the failure of legislation in the Senate, there is evidence that polarization leads to an increase in what Sinclair (2000, 54) refers to as a "filibuster problem," as indicated by the correlation between polarization and the number of cloture votes in Congress. The two are correlated at .73.[10] Sinclair finds that major bills subject to extended debate have less of a chance to pass. It is possible that polarization amplifies this effect, which would mean that bills filibustered in a polarized Senate are less likely to pass than bills filibustered in a less partisan Senate.

It is also worth keeping in mind that the Senate rules are not as rigid as House rules. The Senate is a body with a tradition of strong informal norms. Matthews (1973) outlined several of these. Informal norms such as courtesy provide the basis for some of the individual prerogatives. For example, there are no formal chamber rules allowing for holds other than the willingness of the majority leader to honor them. This environment suggests that informal negotiations blunt the effect of filibusters, allowing legislation to pass through the polarized Senate, though in a vastly changed form.

[10] Statistics on cloture votes from Ornstein, Mann, and Malbin (2008).

Sinclair (2000) has found evidence that bills in the Senate that are heavily amended are more likely to pass.

The findings of this study indicate that polarization tends to help the president rather than creating more gridlock. In both the House and Senate, an increase in polarization under unified government leads to an increase in presidential victories. In a polarized House, the majority party is more willing to support their president through passing legislation he supports and stopping legislation he opposes. The majority party in the Senate also appears more willing to fight for the president's position as polarization increases.

There is one area in which polarization produces gridlock. The simulations for the congressional model in Chapter V indicate that high polarization under divided government creates a modest decrease in the probability of significant legislation becoming public law. This indicates that in the aggregate there is an interactive effect between divided government and polarization. Polarization enhances the negative effects of divided government on legislation on which the president has a position.

Based on the findings reported in prior chapters, the story of polarization is less about creating gridlock than it is a story of enhancing majority party prerogatives. This can be seen in the passage of legislation and in presidential victories in the individual chambers. Polarization allows the majority party in each chamber to better pass its agenda and support its president. In the aggregate it leads to gridlock when combined with divided government. Had this study followed the research designs of most of the gridlock literature, it would have found the aggregate gridlock effect, but missed the

important findings on the enhancement of majority party power in the House and the Senate. This illustrates the importance of disaggregating analyses of the legislative process and examining the process in the individual chambers, rather than simply looking only at overall outcomes.

A Proper Understanding of Divided Government

A secondary goal of this study was to illustrate the need to account for the president when modeling divided government. As discussed above, divided government and polarization interact. It is critical to properly model divided government in a study of polarization and gridlock. This study shows that when the president's position is explicitly accounted for when modeling bill passage, the substantive impact of divided government on the passage of legislation changes dramatically. According to the simulations in Chapter V, when the president does not take a position on a bill the probability of passage under divided government increases by 12 percent at mean polarization and is static at high polarization. In contrast, when the president takes a position on a bill, the probability of passage decreases by 15 percent at mean polarization and by 22 percent when polarization is high.

Chapters III and IV illustrate the importance of divided government in the presidential-congressional relationship. Polarization has only a minimal impact on presidential position taking. Divided government affects the strategic calculations of the president. As expected the president is significantly more likely to oppose legislation when the opposition party controls Congress. But I also find that the president is

significantly more likely to "stay private" (Covington 1987) and take no position under divided government.

Divided government is also the key factor determining overall presidential victories. Divided government significantly reduces the probability of the president winning on a bill overall and in the House and Senate individually. It was also shown that divided government significantly reduces the probability of presidential victory on legislation he supports, though it has little impact on legislation he opposes.

However, key to the gridlock literature and this study is the effect of divided government on the passage of legislation. In that context, divided government must be properly accounted for. This study shows that when gridlock studies fail to account for presidential position on legislation, the effects of divided government are misestimated. The congressional model of bill passage in this study was specified to account for the presidential position taking. Divided government was significant and negative when the president takes a position, and positive and significant when the president takes no position. When researchers examine divided government without regard for the position of the president, they not only set up their models in a theoretically unsatisfactory way, they underestimate the effects of divided government. To have a proper understanding of the causes of gridlock, divided government must be properly accounted for, and this study illustrates a means to accomplish this goal.

Future Research

There are several ways that research on the consequences of polarization can be extended. I will discuss three. First, I discuss another area in the lawmaking process

that polarization is likely to have an impact, in congressional committees. Second, I will discuss ways that research on polarization can be extended to cover a broader historical time period. Finally, I will discuss ways that research on the impact of polarization can be extended to examining the quality of representation that Congress gives its constituents.

Though this study has looked at several key areas of the lawmaking process, it has not exhausted the possible ways that polarization could affect the lawmaking process. One venue that has been left untouched is congressional committees. It has long been known that committees are extremely important in the shaping of policy outcomes (Wilson 1911; Fenno 1973). Committees are also partisan entities. The parties choose who among their membership sits on which committee and under certain conditions parties expect loyalty to party aims by members of committees. One of the objects of the congressional reforms by liberal House Democrats in the 1970s was bringing to heel conservative committee chairs and forcing committees to create legislation more in line with the desires of the party caucus (Rohde 1991).

Clearly, committees are partisan entities, and should be affected by polarization. One way to assess the effects of polarization on committees would be to determine whether a shift in polarization at the committee level changes the amount of significant legislation that is reported by a particular committee. Committee polarization could be determined by measuring the ideological distance between the committee chair and the ranking minority member or between the median of the members of each party on the committee.

Most legislation in Congress is referred to a committee, but never reaches the floor of either chamber. A detailed understanding of the consequences of polarization on the institution of Congress needs to account for the fundamental institutional role that committees play. A closer examination of committees would benefit the polarization literature specifically and the gridlock literature at large.

Moving to the issue of examining polarization over a longer historical interval, a great weakness of both the gridlock literature and the literature on the sources of polarization is the time bounds that researchers in these areas have artificially placed on their research. I could find no study that tries to explore the causes of gridlock or of polarization that examines data prior to the 80th Congress in a comprehensive manner. There are some examples of work that examines partisanship in the electorate and in Congress. These studies also look at the consequences this partisanship for the functioning of Congress. One example is Brady's (1978, 1988) work on critical elections that examines changes in Congress in the late 19th century and during the early 1930s, but this research only examines the effects of certain key elections on policy outputs in Congress. The American political development literature also examines partisanship in Congress for certain defined periods (see Jenkins, Schickler, and Carson 2004; Jenkins and Nokken 2008). However, there is no Congress by Congress examination of changes in polarization and its consequences prior to the 80th Congress like this study or the rest of the gridlock literature.

One reason for not going back farther than the 80th Congress is the absence of convenient data sources prior to the late 1940s. In this study, a key data source, *The*

Congressional Quarterly Almanac, was not published prior to the 79th Congress. There also would have been difficulties duplicating the methods used by Mayhew (1991) and Edwards, Barrett, and Peake (1997) in creating lists of significant legislation for time periods prior to the 80th Congress. Yet data sources that extend farther back in time are becoming available. For example, older editions of *The Congressional Record* are becoming more widely available in searchable electronic form. These can be used to examine the legislative process in earlier Congresses when secondary sources are unavailable.

There is an incentive for researchers to undertake such a project. An examination of polarization as measured by DW-NOMINATE scores (Poole and Rosenthal 1997) shows that congressional polarization was the norm from the end of reconstruction until the 1920s. The decrease in polarization beginning in the late 1920s and 1930s is a digression from the norm, and the resurgence in polarization in the late 1970s and early 1980s can be seen as a return to more typical levels of partisanship. This raises several important questions. What caused the dip in polarization in the 1920s and 1930s? How did the operation of Congress change during this period? Does the current polarized Congress operate in the same way as the polarized Congresses before the dip? If not, why are they different? All of these questions could be answered if political scientists are willing to undertake the admittedly difficult task of examining pre-World War II data.

Finally, future research should look into the consequences of polarization in terms of the quality of representation Congress provides its constituents. Congress is

both a lawmaking body and a representative body. This study and the gridlock literature in general concentrate on the legislative function of Congress. Polarization also potentially affects the representational function of Congress. Future research along these lines will be made more complicated because of the normative implications involved in setting a standard for quality representation. In particular, creating empirical measures for normative concepts of representation will prove challenging.

The standards of good representation have been discussed by normative theorists such as Burke (1999), Mill (1991), and Pitkin (1967). These normative standards have been used, either explicitly or implicitly, to create empirical hypotheses for testing by researchers from Miller and Stokes (1963) to Stimson, MacKuen, and Erickson (1995). It is possible that the increase in polarization changed the representational relationship between members of Congress and their constituents.

Representation is a rare area where empirical research lends itself to normative interpretation. Political theorists have created standards by which representation in a democracy can be judged. Empirical political scientists have and can use these standards to assess the quality of representation in Congress. If it can be shown that polarization has affected the representational relationship, we would have evidence of how polarization affects the democratic elements of the American system of government. We will be able to assess whether or not politicians like Lee Hamilton (2008) are correct in their dire warnings about the impact of polarization on our system of representative democracy.

Concluding Remarks

Partisanship has become the bane of the American political system, at least in the rhetoric of contemporary pundits and political observers. There is no end to the myriad of evils for which polarization has been blamed by the political class. In recent years, politicians of all political stripes have campaigned for office on the basis of bringing bipartisan cooperation to government. These campaigns implicitly lead the electorate to conclude that their dissatisfaction with government can be traced to ideological differences between the parties and the lack of cooperation these differences create.

Social scientists cannot be satisfied with the gripes and campaign tactics of the political class. Gaining a scientifically based and objective understanding of the consequences of polarization is essential for political scientists. It was with this in mind that this study was undertaken.

The findings of this research indicate that polarization in terms of gridlock is not quite the boogie man that the pundits suppose. The evidence indicates that under the right conditions polarization can increase policy innovation rather than slow it down. The true source of gridlock is divided partisan control of the executive and legislative branches of the government. In times of unified party control polarization should allow for an increase in policy innovation.

The question is whether or not contemporary politicians are capable of taking advantage of the opportunity polarization potentially provides. Since polarization began to increase in earnest in the 1980s, the two presidents who could have benefited from unified government under high polarization, Bill Clinton and George W. Bush, have

both eventually faced opposition Congresses. Can President Obama and future presidents take advantage of the opportunities for change polarization provides without losing control of Congress? It all depends upon whether the electorate is willing to tolerate the extremes to which a unified and partisan government will want to go.

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APPENDIX A

LIST OF BILLS USED IN ANALYSIS

80th Congress (1947-48)

H J RES	296	Social Security
HR	1	Income Tax Reduction
HR	29	Anti-Poll Tax Bill
HR	49	Hawaii Statehood
HR	573	Department of Health, Education and Security
HR	1237	Pesticides
HR	2157	Portal to Portal Pay
HR	2245	Repeal of Margarine Taxes
HR	3203	Rent Control
HR	3950	Second Tax Reduction Bill
HR	4273	Equal Pay for Women
HR	4278	Universal Military Training
HR	4790	Tax Reduction
HR	5666	Alaska Statehood
HR	5673	Anti-Lynching Bill
HR	5852	Mundt-Nixon Anti-Communist Bill
HR	6227	DC Home Rule
HR	6248	Agriculture Act of 1948
HR	6481	Government Corporations
S	110	Railroad Anti-trust Exemption
S	418	Water Pollution
S	472	Aid to Education
S	526	Science Funding
S	545	National Health Act
S	758	Unification of Armed Forces
S	814	Wool Price Controls
S	866	Housing Bill
S	938	Greek-Turkish Aid Bill
S	984	Federal Fair Employment Practices
S	1320	National Health Insurance
S	1390	Labor Extension Service
S	1556	Equal Pay for Women
S	1774	Foreign Relief Bill
S	1988	Tidelands

S	2062	Minimum Wage Increase
S	2202	European Recovery Plan
S	2242	Displaced Persons
S	2622	Federalize National Guard
S	2655	Selective Service
S	2860	Anti-Lynching Bill
S J RES	111	St. Lawrence Seaway
S J RES	157	Anti-Inflation
S J RES	167	Anti-Inflation

81st Congress (1949-50)

H J RES	238	Naturalization without Racial Discrimination
HR	49	Hawaii Statehood
HR	184	Department of Health, Education, and Security
HR	331	Alaska Statehood
HR	782	Establish Department of Welfare
HR	1211	Trade Agreement Extension Act of 1949
HR	1758	Natural Gas Act Amendment
HR	2032	Labor-Management Relations Act
HR	3199	Anti poll tax bill
HR	4286	Columbia Valley Administration
HR	4453	Fair Employment Practices Commission
HR	4617	Veterans' Pensions
HR	5345	Agriculture Act of 1949
HR	5856	Fair Labor Standards Act Amendment (Minimum Wage Increase)
HR	5895	Mutual Defense Assistance Act
HR	5992	Submerged Lands
HR	6000	Social Security Act Amendments of 1949
HR	6567	Commodity Credit Corp. Borrowing Authority
HR	7797	Foreign Economic Assistance Act of 1950
HR	8195	Postal Delivery Service Restoration
HR	8920	Revenue Act
HR	9176	Defense Production Act
HR	9827	Excess Profits Tax
S	75	Central Arizona Water and Power Project
S	91	Anti-lynching Bill
S	246	Educational Finance Act
S	247	National Science Foundation

S	249	National Labor Relations Act
S	706	Equal Pay for Equal Work
S	1008	Basing Point Pricing
S	1070	National Housing Act of 1949
S	1160	Missouri Valley Authority
S	1209	European Recovery Program
S	1527	DC Home Rule
S	1631	Columbia Valley Administration
S	1679	National Health Insurance
S	2213	Postmaster Appointments
S	2319	Aid to Korea
S	2912	Labor Unions Anti-trust
S	3181	Housing and Rent Act of 1950
S	3463	Railway Strike Bans
S	4062	Universal Military Training

82nd Congress (1951-52)

HR	403	Racial Restrictions on Naturalization
HR	1612	Trade Agreements Extension Act
HR	2536	Saint Lawrence Seaway
HR	3193	Disability Pension Increase
HR	4473	Revenue Act of 1951
HR	5678	Immigration, Naturalization, and Nationality Revision
HR	5743	Hell's Canyon Project
HR	5904	Universal Military Training and Service
HR	7005	Mutual Security Act of 1952
HR	7800	Social Security Increase
S	49	Hawaii Statehood
S	50	Alaska Statehood
S	75	Central Arizona Water and Power Project
S	719	Good Faith Pricing
S	1140	Federal Department of Health
S	1203	New Federal Judgeships
S	1717	Defense Production Act
S	1976	D.C. Home Rule
S	2441	Universal Military Training and Service
S	2594	Defense Production and Housing and Rent Amendments
S	2999	Seizure of Vital Plants During Labor Disputes
S	3368	Civil Rights, FEPC

S	3407	Permit Truman to Operate Steel Industry
S J RES	20	Tidelands Leases
S J RES	27	St. Lawrence Seaway

83rd Congress (1953-54)

HR	2545	Taft-Hartley Revisions
HR	3575	Hawaii-Alaska Statehood
HR	4198	Tidelands
HR	4351	Niagara River Power
HR	4449	Upper Colorado River Project
HR	4663	First Independent Offices Appropriation
HR	5134	Continental Shelf
HR	6672	National Debt Limit
HR	7839	Housing Redevelopment
HR	8356	Health Re-insurance
HR	8649	Wiretapping
HR	9366	Social Security Extension
HR	9474	Reciprocal Trade Extension
HR	9678	Mutual Security Authorization
HR	9709	Unemployment Compensation
HR	9757	Atomic Energy
S	1555	Upper Colorado River Project
S	2150	Saint Lawrence Seaway
S	2601	School Construction
S	2650	Taft-Hartley Revisions
S	3067	Secretary of State Reports on International Agreements
S	3114	Health Re-insurance
S	3706	Communist Control Act

84th Congress (1955-56)

H J RES	159	Formosa Policy
HR	1	Reciprocal Trade Extension
HR	3	State Sedition Laws
HR	12	Farm Price Supports
HR	627	Civil Rights
HR	2535	Alaska-Hawaii Statehood
HR	4259	Tax Reduction
HR	4719	Hells Canyon Dam
HR	6645	Natural Gas

HR	6888	Immigration Bill
HR	7225	Social Security
HR	7535	School Aid Bill
HR	7886	Veterans' Pensions
HR	9424	Anti-trust Revisions
HR	10660	Highway Construction
HR	11380	Postal Rates
HR	11742	Public Housing
S	1	Postal Service Pay Raise
S	500	Colorado River Storage
S	636	Campaign Finance Reform
S	669	D.C. Home Rule
S	1333	Hells Canyon Dam
S	2126	Housing Act of 1955
S	2168	Minimum Wage Increase
S	2663	Depressed Areas
S	3617	State Sedition Laws
S	4050	Federal Employee Security Firing
S	4146	Atomic Reactors

85th Congress (1957-58)

H J RES	117	President's Mideast Doctrine
HR	1	School Construction
HR	3	Preemption Doctrine
HR	10	Self Employed Retirement Funds
HR	49	Hawaii Statehood
HR	6127	Civil Rights Act of 1957
HR	7125	Technical Changes to Excise Tax
HR	7383	Nuclear Insurance
HR	7999	Statehood for Alaska
HR	8525	Natural Gas
HR	12065	Temporary Unemployment Compensation
HR	12181	Mutual Security Act of 1958
HR	12541	Defense Reorganization
HR	12575	NASA Established
HR	12591	Trade Agreements Extension Act
HR	12695	Corporate and Excise Tax Extension
HR	13067	Farm Surpluses for Food Stamps

HR	13247	National Defense Education
HR	13254	Food Additives
HR	13549	Social Security Amendments
S	11	Price Discrimination in cosmetics, food, and drugs
S	50	Hawaii Statehood
S	555	Hell's Canyon Dam
S	1411	Federal Employee Security Firings
S	1451	Financial Institutions Act
S	1846	D.C. Home Rule
S	2150	Campaign Finance
S	2646	Supreme Court Powers
S	2792	Immigration Law Revisions
S	3497	Community Facilities
S	3778	Transportation Act
S	3974	Labor-Management Reporting and Disclosure Act
S	4035	Housing Act
S	4036	Domestic Minerals Stabilization
S	4071	Agriculture Bill
S	4110	Communists Passports
S J RES	162	Agriculture Price Supports

86th Congress (1959-60)

HR	3	Limits on Federal Courts Striking Down State Laws
HR	5	Foreign Investment Incentive Tax
HR	10	Self Employed Retirement Taxes
HR	781	Department of Urban Affairs
HR	3460	TVA Authorization
HR	3610	Water Pollution
HR	4267	College Construction
HR	4957	Mallory Rule
HR	7500	Mutual Security Act of 1959
HR	7523	Tax Rates
HR	7650	Veterans' Pensions
HR	8121	Industrial Security
HR	8601	Civil Rights
HR	8678	Federal Highway Aid
HR	9035	Savings Bonds Interest Rates
HR	9069	Passports for Communists
HR	9070	Common Site Picketing

HR	9883	Postal and Federal Employees Salary Increase
HR	10128	School Construction
HR	12261	Wheat Program
HR	12677	Minimum Wage
HR	13062	Dominican Sugar
S	1	Federal Airport Grants
S	8	Emergency Federal Assistance for School Construction
S	50	Hawaii Statehood
S	57	Housing Bill
S	144	Rural Electrification Administration Functions
S	722	Economic Redevelopment Loans
S	812	Youth Conservation Corp
S	1017	College Construction
S	1138	Veterans' Benefits
S	1555	Labor-Management Reporting and Disclosure Act
S	1697	Economic Aid to Communist Countries
S	2436	Clean Elections
S	2539	Housing Bill
S	2643	Common Site Picketing
S	2759	Wheat Program

87th Congress (1961-62)

H J RES	636	Quality Stabilization Act
HR	2010	Mexican Farm Labor Program Extension
HR	3935	Fair Labor Standards Amendments (minimum Wage Increase)
HR	4222	Medical Insurance for the Aged
HR	4510	Emergency Feed Grain Program
HR	4806	Temporary Extended Unemployment Compensation
HR	4999	Medical Training Aid
HR	6027	Social Security Amendments
HR	7053	Mallory Rule
HR	7300	School Assistance
HR	7446	Tax Rate Extension
HR	7500	Peace Corps
HR	7576	Atomic Energy Commission Authorization
HR	8429	Establish Department of Urban Affairs and Housing
HR	8723	Welfare and Pensions
HR	8890	Emergency Educational Funding
HR	8900	College Aid Bill

HR	9118	Establish U.S. Arms Control Agency
HR	10117	Unemployment Compensation
HR	10144	Federal Equal Employment Opportunity Commission
HR	10264	Enlargement of House of Representatives
HR	10682	Youth Conservation Corp
HR	11040	Communications Satellites
HR	11677	Equal Pay Act
HR	11970	Trade Expansion
HR	12479	Campaign Finance Reform
S	1	Area Redevelopment
S	174	Establish National Wilderness Preservation System
S	204	Equal Time Rules
S	349	Cold War G.I. Bill
S	404	Youth Conservation Corp
S	1021	School Assistance
S	1633	Establish Department of Urban Affairs and Housing
S	1643	Agriculture Act
S	1740	Truth in Lending
S	1983	Foreign Assistance
S	1991	Manpower Development and Training
S	2393	Extend Laws on Federal Aid to School Districts
S	2750	Civil Rights Bill (literacy Tests)
S	2768	United Nations Bonds
S	2813	Wiretapping
S	2965	Public Works Acceleration
S	2996	Foreign Assistance

88th Congress (1963-64)

H J RES	247	Suspension of Equal Time Rule for 1964 Election
HR	12	Health Professions Educational Assistance
HR	1839	Beef Import Quotas
HR	3669	Quality Stabilization
HR	4955	Vocational Education Act
HR	5130	Bank Deposit Insurance
HR	6074	Shared Time Proposal
HR	6143	Higher Education Facilities Grants
HR	6196	Wheat-Cotton Subsidy
HR	6518	Clean Air Act
HR	7152	Civil Rights

HR	7351	Accelerated Public Works
HR	7525	D.C. Crime Bill (Mallory Rule)
HR	7700	Immigration Reform
HR	7885	Foreign Assistance
HR	9631	Federal Reserve Overhaul
HR	9802	40 Hour Work Week/Overtime Protection
HR	10088	Services for the Elderly
HR	10222	Food Stamp Bill
HR	11049	Federal Workers Salary Increase
HR	11865	Social Security Amendments
HR	11926	Remove Supreme Court Jurisdiction Over State Legislature Reapportionment
S	1	Youth Employment
S	4	Wilderness Act
S	6	Urban Mass Transit
S	387	Deceptive Packaging Labels
S	649	Water Pollution Control Amendments
S	750	Truth in Lending
S	1163	Area Redevelopment Amendments
S	1321	National Service Corps
S	1409	Equal Pay for Women Act
S	1576	Community Mental Health Centers
S	1658	Central Arizona Water and Power Project
S	1666	Freedom of Information Bill
S	1856	Accelerated Public Works
S	1932	Immigration Reform
S	1975	Gun Control
S	2214	International Development Association
S	2272	Stockpiling Strategic Materials
S	2486	40 Hour Work Week/Overtime Protection
S	2782	Appalachian Development Act
S	3140	Aid to College Students
S J RES	102	Rail Strike Arbitration Commission

89th Congress (1965-66)

HR	77	Right to Work Repeal
HR	2362	Elementary and Secondary Education Act
HR	2580	Immigration Bill
HR	4347	Copyright Law Revisions

HR	4644	D.C. Home Rule Charter Board
HR	4671	Upper Colorado River Project
HR	5505	Congressional District Size
HR	5688	D.C. Crime Bill
HR	6675	Compulsory Health Insurance (Medicare)
HR	6927	Establishment of HUD
HR	7179	Department of Consumers
HR	7750	Foreign Assistance
HR	7984	Housing and Urban Development Act
HR	8283	Economic Opportunity Amendments (Anti-poverty)
HR	8371	Excise Tax Reduction
HR	9567	Higher Education
HR	10027	Common Site Picketing
HR	10065	Equal Employment Opportunity Act
HR	12047	Punishment for Aiders of Viet Cong
HR	13103	Foreign Investors Tax
HR	13712	Minimum Wage Increase
HR	14765	Civil Rights
HR	15111	Economic Opportunity Amendments (Anti-poverty)
HR	15119	State Unemployment Standards
HR	15317	Elections Reform
HR	15963	Establish Transportation Department
HR	17488	Veterans Pensions
HR	17607	Investment Tax Credit
S	3	Appalachian Regional Development Act
S	4	Water Quality Act
S	306	Clean Air and Waste Disposal Acts
S	596	Heart Disease, Cancer, Stroke Grants
S	985	Truth in Packaging
S	1336	Administrative Procedure Act Revisions
S	1446	National Wild Rivers
S	1483	Establish National Foundation on the Arts and Humanities
S	1564	Voting Rights Act
S	1592	Gun Control
S	2084	Scenic Highways
S	2097	Lawsuits over Aid to Church Related Schools
S	2275	Truth in Lending
S	2934	Rural Community Development Districts

S	2947	Clean Water Restoration
S	3005	Traffic Safety
S	3009	Hospital Modernization
S	3112	Clean Air Act Amendments
S	3435	Elections Reform
S	3848	Congressional Reform Bill
S J RES	186	Airline Strike

90th Congress (1967-68)

HR	8	Punishment for Aiding Viet Cong
HR	1400	Rural Electrification
HR	2508	Congressional Districts Standards
HR	2512	Patent Law Revision
HR	2516	Civil Rights-Open Housing
HR	4070	Tax Sharing
HR	5386	Wiretapping
HR	7659	Mid Decade Census
HR	10943	Teacher Corps, Teacher Education
HR	11000	Rat Control and Extermination
HR	11233	Campaign Finance Reform
HR	12144	Meat Inspection
HR	15263	Foreign Assistance
HR	15414	Income Tax Surcharge
HR	16014	Agriculture Workers Strikes
HR	16363	Wholesome Poultry Products
HR	17735	Gun Control
S	3	Taxpayer Lawsuits Over Federal Aid to Church Related Institutions
S	5	Truth in Lending
S	355	Legislative Reorganization
S	780	Air Quality
S	827	Scenic Trails
S	830	Age Discrimination
S	928	Wiretapping
S	1004	Central Arizona Water Project
S	1155	Export-Import Bank
S	1160	Corporation for Public Broadcasting
S	1166	Natural Gas Pipeline Safety
S	1760	Abolish Death Penalty

S	1872	Foreign Assistance
S	1880	Election Reform
S	2307	Constitution Conventions
S	2973	National Agricultural Bargaining Act
S	3132	Surface Mining Reclamation Act
S	3206	Water Pollution
S	3249	Jobs for Unemployed
S	3418	Federal Aid Highway Bill
S	3465	Equal Employment Opportunities
S	3769	Higher Education
S J RES	81	Railway Labor Dispute
S J RES	175	Televised Presidential Debates

91st Congress (1969-70)

H J RES	1355	War Powers Resolution
HR	514	Elementary and Secondary Education Act Amendments
HR	1045	Private Pension Security
HR	4148	Water Quality Act
HR	4249	Voting Rights
HR	6543	Ban on TV and Radio Cigarette Ads
HR	9951	Unemployment Tax Collection
HR	11102	Hospital Construction
HR	12806	Preventive Detention
HR	14001	Selective Service Reform
HR	14465	Airport and Airway Development Act
HR	14705	Unemployment Compensation
HR	14931	Consumer Class Action Suits
HR	15628	Foreign Military Sales
HR	17070	Postal Reorganization
HR	17123	Military Procurement Authorization
HR	17255	Air Quality Standards
HR	17550	Social Security
HR	17654	Legislative Reorganization
HR	17849	Rail Passenger Corporation
HR	18429	Environmental Protection Act
HR	18546	Agriculture Act
HR	18582	Food Stamps
HR	18583	Drug Abuse Prevention
HR	18970	Trade

HR	19446	Elementary School Aid
S	30	Organized Crime Control
S	1075	Environmental Policy
S	1830	Alaska Land Claims
S	2060	Head Start
S	2193	Occupational Safety and Health
S	2453	Equal Employment Opportunities Enforcement
S	2483	Federal/State Revenue Sharing
S	2600	Preventive Detention
S	2876	Campaign Finance- TV Advertising
S	2917	Coal Mine Safety
S	3154	Mass Transit
S	3201	Consumer Class Action Suits
S	3220	Sexually Oriented Mail
S	3575	Environmental Protection Act
S	3637	Equal Time Amendment
S	3867	Manpower Training
S	4297	National Health insurance
S	4459	Consumer Protection Agency

92nd Congress (1971-72)

HR	1269	Private Pensions
HR	1746	Equal Employment Opportunities Enforcement
HR	3596	Transportation Strike Intervention
HR	5408	Law Enforcement Revenue Sharing
HR	6181	Manpower Revenue Sharing
HR	6482	Strip Mining
HR	6531	Military Draft
HR	6962	Department of Community Development
HR	7130	Minimum Wage Increase
HR	8395	Rehabilitation Act
HR	8414	Death Penalty Moratorium
HR	8432	Emergency Loan Guarantees
HR	9910	Foreign Aid Authorizations
HR	10729	Pesticides
HR	10835	Consumer Protect Agency
HR	11453	Legislative Activities Disclosure
HR	12202	National Health Insurance
HR	12846	Military Drug Treatment

HR	13366	Cyclamate Compensation
HR	13915	Equal Educational Opportunities
HR	14153	Census
HR	14370	General Revenue Sharing
HR	15390	Social Security
HR	16071	Public Works-Economic Development
HR	16141	Tuition Tax Credits
HR	16742	Foreign Travel Restrictions
S	2	Private Pensions
S	31	Emergency Public Service Employment
S	382	Federal Election Campaign
S	560	Transportation Strike Intervention
S	575	Appalachian Regional Development
S	632	Land Use Bill
S	870	Federal Mass Transit Funding
S	945	No Fault Insurance
S	1087	Law Enforcement Revenue Sharing
S	1243	Manpower Revenue Sharing
S	1669	Education Revenue Sharing
S	1828	National Cancer Act
S	2007	Economic Opportunity Act Amendments
S	2507	Gun Control
S	2574	National Voter Registration
S	2770	Water Pollution Control
S	2891	Economic Stabilization Act Extension
S	2956	War Powers
S	3178	Equal Time Repeal
S	3327	Health Maintenance Organizations
S	3419	Consumer Product Safety
S	3617	Child Development
S	3818	Endangered Species
S	3939	Federal Aid Highway Program
S	3994	Safe Drinking Water

93rd Congress (1973-74)

H J RES	542	War Powers
HR	2	Pension Reform
HR	69	Elementary and Secondary Education Act Extension

HR	982	Employment of Illegal Aliens
HR	5823	Education Revenue Sharing
HR	5928	News Reporter's Privilege
HR	6912	Dollar Devaluation
HR	9142	Northeast Rail Reorganization
HR	9286	Defense Procurement
HR	10294	Land Use Planning
HR	10710	Trade Reform
HR	11104	Debt Limit
HR	11333	Social Security Increase
HR	11510	Nuclear Regulatory Commission
HR	12471	Freedom of Information Act
HR	12684	National Health Insurance
HR	13834	Standby Energy Emergency Authority
HR	14368	Energy Supply and Coordination
HR	14449	Community Services
HR	14747	Sugar Act Amendments
HR	16596	Public Service Employment
HR	16994	Savings Interest Tax Exemption
S	1	Criminal Law Reform
S	14	Health Maintenance Organizations
S	352	Voter Registration
S	354	No Fault Auto Insurance
S	356	Consumer Warranties
S	386	Urban Mass Transit
S	394	Rural Electrification Loan Program
S	398	Wage-Price Control Extensions
S	424	National Resource Lands Management
S	425	Strip Mining
S	426	Toxic Substances Control
S	597	New Judgeships
S	707	Consumer Protection Agency
S	1081	Alaskan Pipeline
S	1319	Education Revenue Sharing
S	1401	Capital Punishment
S	1435	D.C. Home Rule
S	1559	Comprehensive Employment and Training Act
S	1868	Rhodesia Chrome Sanctions

S	1988	Ocean Fisheries Jurisdiction
S	2432	Executive Privilege
S	2589	National Energy Emergency (energy tax)
S	2747	Minimum Wage Increase
S	2776	Federal Energy Administration
S	2994	Health Planning
S	3044	Federal Election Campaign Financing
S	3221	Outer Continental Shelf Oil leasing
S	3585	Health Manpower Programs
S	3830	Executive Agreements Veto
S	4016	Watergate Tapes

94th Congress (1975-76)

H J RES	683	Sinai Agreement
HR	15	Lobbying Law Amendments
HR	25	Strip Mining
HR	50	Full Employment
HR	2559	Executive Level Pay Raises
HR	3510	Land Use Bill
HR	4222	School Lunch and Child Nutrition Programs
HR	4296	Agriculture Act Amendments
HR	4481	Emergency Job Bill
HR	4485	Emergency Housing Assistance
HR	5900	Common Site Picketing
HR	6096	South Vietnam Assistance
HR	6219	Voting Rights Act Extension
HR	6222	National Health Insurance
HR	6971	Fair Trade Laws
HR	8401	Uranium Enrichment
HR	8532	Antitrust Enforcement
HR	8603	Postal Service
HR	8617	Hatch Act (public Employees in Federal Campaigns)
HR	9464	Natural Gas Deregulation
HR	9771	Airport Development
HR	10028	Catastrophic Health Insurance
HR	10210	Unemployment Compensation
HR	10481	Aid to New York City
HR	10909	Ground Transportation Deregulation
HR	11193	Gun Control

HR	11453	Public Service Jobs
HR	11552	National Voter Registration
HR	12048	Congressional Regulatory Veto
HR	12175	Social Services Block Grants
HR	12196	Education Block Grants
HR	12233	Health Block Grants
HR	12438	Weapons Procurement
HR	13501	Medicare/Medicaid Revisions
HR	13555	Mine Safety and Health
HR	14232	Ending Federal Aid for Abortion
HR	14262	Defense Spending/ B-1 Bomber
HR	14553	Busing
S	1	Criminal Code Revisions
S	22	Copyright Law Revisions
S	50	Full Employment
S	200	Agency for Consumer Protection
S	249	Securities Act Amendments
S	287	Federal District Judgeships
S	354	No Fault Auto Insurance
S	495	Watergate Reforms
S	507	Land Management Policies
S	622	Energy Policy and Conservation Act
S	846	Military Aid to Turkey
S	961	200-Mile Fishing Zone
S	2150	EPA Hazardous Waste
S	2255	Patent Law Revision
S	2310	Emergency Natural Gas
S	2387	Oil Company Divestiture
S	2470	Catastrophic Health Insurance
S	2662	Foreign Military Aid
S	2718	Railroad Reorganization
S	2925	Sunset Legislation
S	2929	Ground Transportation Deregulation
S	3065	Federal Election Law
S	3084	Export Administration Act Revisions
S	3091	Forest Management
S	3136	Food Stamps
S	3137	Health Block Grants

S	3149	Toxic Chemicals Controls
S	3197	Domestic Wiretapping
S	3201	Public Works Jobs
S	3219	Clean Air Act Amendments

95th Congress (1977-78)

H J RES	638	Extension of Time to Ratify ERA
HR	2	Surface Mining Control and Reclamation Act
HR	10	Hatch Act Amendments
HR	15	Elementary and Secondary Education Act
HR	39	Alaska Lands
HR	50	Full Employment Act
HR	1037	Cargo Preference
HR	3199	Water Pollution Control
HR	3744	Minimum Wage
HR	4018	National Energy Act- Public Utility Rates-CPEP
HR	4250	Common Site Picketing
HR	5037	Energy Conservation-CPEP
HR	5146	Coal Conversion-CPEP
HR	5263	Energy Tax Incentives-CPEP
HR	5285	Hospital Cost Controls
HR	5289	Natural Gas Pricing-CPEP
HR	5400	Election Day Voter Registration
HR	5885	Waterway User Fees
HR	6655	Community Development Block Grants
HR	6782	Emergency Farm Aid
HR	6805	Consumer Protection Agency
HR	8309	Waterway User Fees
HR	8410	Labor Law Reform
HR	8494	Lobby Disclosure
HR	8729	Airline Noise Control
HR	9030	Welfare Reform
HR	9346	Social Security Financing
HR	9937	Carson City Silver Dollars/ Textile Tariffs
HR	10929	Weapons Procurement Bill
HR	11315	Campaign Finance Bill
HR	11488	National Health Insurance
HR	11942	Civil Antirust Lawsuits
HR	12050	Tuition Tax Credits

HR	12736	Social Security Tax Rollback
HR	12928	Public Works Water Policy
HR	12931	Foreign Aid Bill
HR	13048	No Fault Auto Insurance
HR	13611	Child Health Assessment Program
HR	13750	Sugar Stabilization Act
S	2	Sunset Bill
S	555	Ethics in Government
S	926	Public Funding of Congressional Races
S	991	Establishment of Education Department
S	1072	Election Day Voter Registration
S	1381	No Fault Auto Insurance
S	1392	Child Health Assessment Program
S	1613	Magistrate Act of 1978 (Diversity Jurisdiction)
S	1874	Civil Antirust Lawsuits
S	2084	Welfare Reform
S	2493	Airline Deregulation
S	2640	Civil Service Reform
S	3075	Military Aid Bill
S	3100	Elimination of Supreme Court Mandatory Review

96th Congress (1979-80)

H J RES	521	Selective Service Funding-Draft
HR	39	Alaska Lands
HR	111	Panama Treaties Implementation
HR	1197	Ship Tonnage (Strip Mining Rider)
HR	2172	Sugar Bill
HR	2313	Federal Trade Commission Authorization
HR	2479	Taiwan Relations
HR	2626	Hospital Cost Control
HR	2977	Domestic Violence
HR	3919	Windfall Profits Tax
HR	4395	Lobby Disclosure
HR	4904	Welfare Reform
HR	4962	Child Health (Medicaid)
HR	4986	Banking Regulation
HR	5200	Fair Housing Act Amendments
HR	5829	Tax Cuts (attached to private bill)
HR	5860	Chrysler Loan Guarantees

HR	5980	Countercyclical Aid
HR	6081	Central American Aid
HR	6233	Criminal Code Revision
HR	7020	Hazardous Waste Disposal (Superfund)
HR	7112	Revenue Sharing
S	2	Sunset Legislation
S	114	Federal Death Penalty
S	210	Education Department
S	450	Supreme Court Jurisdiction/ School Prayer
S	562	Nuclear Regulatory Commission
S	662	International Development Bank
S	760	National Health Insurance
S	932	Defense Production Act/ Synthetic Fuels
S	1308	Energy Mobilization Board
S	1309	Food Stamps
S	1722	Criminal Code Revision
S	1724	Home Energy Assistance
S	1946	Railroad Deregulation
S	2147	Regulatory Reform
S	2153	OSHA Restrictions
S	2189	Nuclear Waste Policy
S	2245	Trucking Deregulation

97th Congress (1981-82)

H J RES	521	Nuclear Arms Freeze
HR	1635	Tuition Tax Credit
HR	2289	Eliminate Department of Education
HR	3112	Voting Rights Act Extension
HR	3809	Nuclear Waste Policy Act
HR	4331	Minimum Social Security Benefits
HR	5133	Automobile Domestic Content Requirements
HR	5252	Clean Air Act Rewrite
HR	5427	Freedom Broadcasts to Cuba
HR	6250	Job Creation Bill
HR	6267	Depository Institutions Act
HR	6590	Tobacco Program Revisions
HR	6838	Soviet Economic Sanctions
HR	6954	Department of Defense/Joint Chiefs Reorganization
HR	7397	Caribbean Basin Initiative

S	114	Federal Death penalty
S	509	Milk Price Supports
S	995	Antitrust Law Revisions
S	1080	Regulatory Reform Act
S	1503	Standby Petroleum Allocation Act
S	1629	TV and Radio Regulation Reduction
S	1630	Criminal Code Revision
S	1821	Eliminate Department of Education
S	2036	Job Training
S	2172	Cable TV Regulation
S	2222	Immigration Reform
S	2372	Anti-abortion Bill
S	2590	Clean Water Act Rewrite
S	2631	Product Liability Damage Limits

98th Congress (1983-84)

H J RES	13	Nuclear Freeze
H J RES	308	Debt Limit Increase
H J RES	364	Multinational Forces In Lebanon
HR	999	American Conservation Corp
HR	1010	Coal Pipeline Act
HR	1183	Tax Rate Equity Act (tax caps)
HR	1234	Auto Domestic Content Requirement
HR	1652	Reclamation Dam Safety
HR	1904	Child Abuse Amendments
HR	1983	Emergency Housing Act
HR	2544	Public Works Job Creation
HR	2973	Interest and Dividend Tax Withholding
HR	3021	Unemployment Health Insurance
HR	3385	Dairy Production Stabilization
HR	3706	Martin Luther King, Jr. Holiday
HR	4072	Agricultural Programs Adjustment
HR	4102	Universal Telephone Service
HR	4230	Export Administration Act
HR	4616	Motor Vehicles Safety
HR	5314	Clean Air Act
HR	5490	Civil Rights
HR	5640	Superfund Expansion
HR	5916	Banking Deregulation

S	44	Product Liability Limits
S	55	Broadcast Deregulation
S	66	Cable Communications Policy Act
S	121	Trade Department
S	431	Clean Water Act
S	529	Immigration Reform and Control Act
S	663	Sodbuster Soil Conservation
S	768	Clean Air Act
S	774	FOIA Overhaul
S	1715	Natural Gas Deregulation
S	1764	Exclusionary Rule Limitation
S	1765	Capital Punishment
S	1917	Broadcast Freedom (Equal Time)
S	2181	Banking Deregulation
S	2496	Education Amendments
S	2649	Safe Drinking Water

99th Congress (1985-86)

HR	1	Housing Act
HR	99	American Conservation Corp
HR	281	Construction Labor Law Amendments
HR	700	Civil Rights (Grove City)
HR	1096	African Relief/Farm Credit
HR	1400	Federal to Local Government Revenue Sharing
HR	1460	Anti-Apartheid Act
HR	1562	Textile Import Quotas
HR	1616	Plant Closing Notification
HR	2005	Superfund Reauthorization
HR	2100	Farm Programs Reauthorization
HR	2369	Family Planning Assistance
HR	2482	Pesticide Control Reauthorization
HR	3008	Federal Pay Equity
HR	3622	Joint Chiefs of Staff Reorganization
HR	4300	Family and Medical Leave Act
HR	4759	Intelligence Authorization
HR	4868	South Africa Sanctions
HR	5050	Social Security Amendments
S	43	Line Item Veto
S	47	School Prayer

S	49	Firearm Owner's Protection
S	100	Product Liability Overhaul
S	655	Campaign Finance (Attached to Unrelated Bill)
S	1128	Clean Water Act
S	1200	Immigration Reform and Control Act
S J RES	71	MX Missile Procurement
S J RES	283	Aid to Nicaraguan Rebels
S J RES	316	Saudi Arms Sale

100th Congress (1987-88)

H J RES	444	Contra Military Aid
HR	1	Clean Water Act Reauthorization
HR	27	FSLIC Rescue
HR	442	Japanese-American Internment Reparations
HR	1115	Product Liability
HR	1154	Textile and Apparel Trade Act
HR	1157	Farm Disaster Assistance
HR	1158	Fair Housing
HR	1414	Nuclear Insurance Amendments
HR	1580	South Africa Sanctions
HR	2470	Catastrophic Health Insurance
HR	2939	Independent Counsel Law
HR	3054	Clean Air
HR	3396	Rehiring of Former Air Traffic Controllers
HR	3400	Hatch Act Revision
HR	3436	Long Term Health Care
HR	3601	ANWR Oil Drilling
HR	3651	Arms Sales to Terrorist Nations
HR	3660	Better Child Care
HR	3822	Covert Action Limitation
HR	3966	Children's Television Programs
HR	5043	Lobbying Restrictions
HR	5337	Iraq Sanctions
S	2	Senate Campaign Finance
S	508	Whistleblower Protections
S	557	Civil Rights Restoration Act
S	742	Fairness In Broadcasting
S	825	Housing and Community Development
S	837	Minimum Wage Restoration

S	1721	Intelligence Oversight
S	1886	Bank Deregulation
S	1894	Clean Air
S	2214	ANWR Oil Drilling
S	2455	Death Penalty for Drug Related Killings
S	2488	Parental Leave
S	2749	Military Base Closings
S J RES	194	War Powers Compliance
S J RES	243	Contra Military Aid
S J RES	305	Persian Gulf Escorts

101st Congress (1989-90)

HR	20	Hatch Act Revisions
HR	467	Brady Handgun Bill
HR	486	Defense Production Act
HR	770	Family and Medical Leave Act
HR	1278	Savings and Loan Restructuring
HR	1465	Oil Spill Liability
HR	1750	Contra Aid
HR	2710	Minimum Wage Increase
HR	2712	Chinese Students
HR	3368	Whistleblower Protection
HR	3402	Aid to Poland and Hungary
HR	3628	Capital Gains Tax Cut
HR	3660	Government Pay and Ethics Package
HR	3847	Department of Environmental Protection
HR	4328	Textile Trade Act
HR	4653	Export Control Act Amendments
HR	4825	NEA Authorization
HR	4939	China Trade Status
HR	5267	Cable TV Regulation
HR	5400	Campaign Finance Overhaul
HR	5855	Enterprise for America Initiative
HR	5932	Educational Excellence and Equity Act
S	436	Whistleblower Protection
S	566	Housing Programs Reauthorization
S	594	Administrative Law Judge Corps
S	684	ANWR Oil Drilling
S	695	Education Programs

S	874	Motor Voter Bill
S	933	Americans with Disabilities Act
S	1236	Brady Handgun Bill
S	1400	Product Liability
S	1430	National Service Act
S	2104	Civil Rights Act
S J RES	113	FS-X Plane Development

102nd Congress (1991-92)

H J RES	77	Use Of Force Against Iraq
HR	5	Striker Replacement
HR	7	Handgun Waiting Period
HR	25	Abortion on Demand
HR	429	Western Water Bill
HR	776	National Energy Policy
HR	918	Mining Law Overhaul
HR	2164	Line Item Veto
HR	2212	Conditional MFN for China
HR	2507	National Institutes of Health Reauthorization
HR	2929	California Desert Protection
HR	2950	Surface Transportation Reauthorization
HR	3030	Product Liability
HR	3160	OSHA Overhaul
HR	3435	RTC Financing
HR	3807	CFE Treaty Implementation
HR	4210	Tax Bill
HR	4547	Russian Aid
HR	4718	D.C. Statehood
HR	4899	Old Growth Forest Protection
HR	5100	Trade Bill
HR	5249	Independent Social Security Administration
HR	5260	Extended Unemployment Benefits
S	2	Elementary and Secondary Education
S	3	Campaign Finance
S	5	Family and Medical Leave Act
S	12	Cable Television Reregulation
S	25	Abortion on Demand
S	173	Baby Bells Antitrust

S	250	National Motor Voter Registration
S	323	Family Planning Amendments
S	433	Mining Law Overhaul
S	533	EPA Cabinet
S	543	Bank Reform
S	640	Product Liability
S	1128	Arms Proliferation Sanctions
S	1722	Unemployment Benefits Extension
S	1745	Civil Rights Act
S	1936	Health Care Reform
S	2532	Aid to Former Soviet Republics
S	2766	Lobby Disclosure

103rd Congress (1993-94)

HR	1	Family and Medical Leave
HR	2	Motor Voter Registration
HR	5	Striker Replacement
HR	25	Freedom of Choice
HR	322	Mining Law Overhaul
HR	1025	Brady Bill (Gun Control)
HR	1804	School Improvement (Goals 2000)
HR	1845	National Biological Survey
HR	2010	National Service
HR	3392	Safe Drinking Water Act Reauthorization
HR	3400	Spending Cuts and Government Restructuring
HR	3425	Department of the Environment
HR	3450	NAFTA Implementation
HR	3626	Telecommunications Regulations
HR	3800	Superfund Reauthorization
HR	3948	Clean Water Act
HR	4604	Entitlement Spending Control
HR	5110	General Agreement on Tariffs and Trade
S	3	Campaign Finance
S	21	California Desert Protection
S	25	Freedom of Choice
S	349	Lobbying Disclosure
S	636	Freedom of Access to Abortion Clinics
S	687	Product Liability
S	714	Resolution Trust Corporation

S	1114	Clean Water Act
S	1834	Superfund Reauthorization
S	2019	Safe Drinking Water Act Reauthorization

104th Congress (1995-96)

HR	4	Welfare Overhaul
HR	7	National Security
HR	927	Cuban Liberty and Democratic Solidarity
HR	956	Product Liability Overhaul
HR	961	Clean Water Act Revisions
HR	1058	Shareholder Lawsuits
HR	1617	Job Training Overhaul
HR	1627	Pesticide Regulations
HR	1833	Abortion Procedures
HR	2128	Affirmative Action
HR	2500	Superfund Overhaul
HR	2520	Banking Glass-Steagall Repeal
HR	2606	Bosnia Troop Deployment Prohibition
HR	2854	Farm Bill
HR	3103	Health Insurance Revisions
HR	3448	Small Business Tax Package/Minimum Wage
HR	3820	Campaign Finance Overhaul
S	1	Unfunded Mandates
S	2	Congressional Compliance
S	4	Line Item Veto
S	21	Bosnian Arms Embargo
S	440	National Highway Systems
S	652	Telecommunications
S	735	Anti-Terrorism
S	1060	Lobbying Disclosure
S	1085	Affirmative Action
S	1219	Campaign Finance Overhaul
S	1260	Public Housing
S	1285	Superfund Overhaul
S	1635	National Missile Defense
S	1936	Nuclear Waste Storage
S	2056	Sexual Orientation Non-Discrimination

105th Congress (1997-98)

HR	1	Overtime Pay
HR	2	Public Housing System Overhaul
HR	3	Juvenile Crime
HR	6	Higher Education Reauthorization
HR	10	Financial Services Overhaul
HR	478	Endangered Species Act Flood Waivers
HR	655	Electricity Deregulation
HR	867	Foster Children Adoption
HR	1119	Defense Authorization
HR	1122	Abortion Procedure Ban
HR	1534	Private Property Rights
HR	1984	Block EPA Clean Air Regulations
HR	2183	Campaign Finance Overhaul
HR	2400	Transportation Equity Act
HR	2631	Line Item Vetoes
HR	2644	Caribbean and Central American Trade
HR	2646	Education Savings Accounts
HR	2676	Internal Revenue Service Overhaul
HR	2746	Private School Vouchers
HR	3000	Superfund Overhaul
HR	3150	Bankruptcy Overhaul
HR	4250	Managed Care Regulations
S	8	Superfund Overhaul
S	104	Interim Nuclear Waste Repository
S	621	Electricity Deregulation
S	648	Product Liability
S	830	FDA Overhaul
S	981	Federal Rule Making
S	1150	Food Stamps for Illegal Immigrants
S	1269	Fast Track
S	1415	Tobacco Restrictions
S	1601	Cloning Ban
S	1723	Skilled Workers Visas
S	1768	IMF Funding

106th Congress (1999-2000)

HR	4	Anti-Missile Defense
HR	8	Estate Tax Repeal

HR	117	Independent Counsel
HR	417	Campaign Finance Overhaul
HR	775	Y2K Liability
HR	800	Education Flexibility
HR	975	Steel Imports
HR	1000	FAA Reauthorization
HR	1283	Asbestos Liability
HR	1300	Superfund Overhaul
HR	1501	Juvenile Justice
HR	1995	New Teachers and Training Programs
HR	2260	Physician Assisted Suicide
HR	2415	Bankruptcy Overhaul
HR	2418	Organ Procurement
HR	2436	Criminal Penalties for Harming a Fetus
HR	2488	Tax Reconciliation
HR	2614	Tax Cut Package
HR	2723	Managed Care Patient Protection
HR	3846	Minimum Wage
HR	4444	China Trade
HR	4680	Prescription Drugs
HR	4762	Campaign Finance Disclosure
HR	4810	Alleviate Marriage Penalty
S	761	Electronic Signature Authorization
S	900	Financial Services Overhaul
S	1090	Superfund Overhaul
S	1134	Education Savings Accounts
S	1287	Nuclear Waste Storage
S	1297	Independent Counsel
S	1344	Managed Care Revisions
S	1692	Abortion Procedure Ban
S	2071	Electricity Deregulation
S	2796	Florida Everglades Restoration
S	2962	MTBE

107th Congress (2001-02)

H J RES	114	Use of Force- Iraq
HR	1	ESEA Reauthorization (No Child Left Behind)
HR	4	Energy Plan
HR	7	Faith Based Imitative

HR	333	Bankruptcy Overhaul
HR	586	Permanent Tax Cuts
HR	1542	High Speed Internet Access
HR	1619	Investment Tax Cut
HR	2213	Supplement Agriculture Subsidies
HR	2356	Campaign Finance Overhaul
HR	2505	Human Cloning Ban
HR	2563	Patients' Rights
HR	2646	Farm Bill
HR	2926	Airline Bailout
HR	3009	Trade Promotion Authority (Andean Trade)
HR	3162	Anti-Terrorism Authority (Patriot Act)
HR	3210	Terrorism Insurance
HR	3295	Election Overhaul
HR	3448	Bioterrorism Defense
HR	3762	Employee Pensions
HR	3763	Corporate Accountability Act
HR	4737	Welfare Renewal
HR	4954	Prescription Drug Coverage
HR	5005	Homeland Security Department
S	149	Export Control Law
S	812	Drug Patients
S	1052	Patients' Rights
S	1447	Airport Security
S J RES	6	Objection to Ergonomics Rule
S J RES	23	Use of Force- War on Terror

108th Congress (2003-04)

HR	1	Medicare Prescription Drug Benefit
HR	2	Tax Reductions
HR	4	Welfare Reauthorization/Minimum Wage
HR	5	Medical Malpractice
HR	6	Energy Policy
HR	1036	Gun Liability
HR	1115	Class Action Lawsuits/Minimum Wage
HR	1298	AIDS Funding for Africa
HR	1308	Family and Corporate Tax Breaks
HR	1904	Forest Thinning
HR	1997	Fetal Protection

HR	2115	FAA Reauthorization
HR	2210	Head Start Reauthorization
HR	2427	Importation of Prescription Drugs
HR	2557	Water Projects
HR	3030	Community Service Block Grants
HR	3161	Do Not Call Registry
HR	3550	Surface Transportation
HR	4341	Postal Service Reform
HR	4496	Vocational Training
HR	4520	Corporate Tax Overhaul
HR	5005	Disaster Relief
S	3	Partial Birth Abortions
S	1920	Bankruptcy
S	2062	Class Action Lawsuits
S	2370	Minimum Wage
S	2468	Postal Service Reform
S	2686	Vocational Training
S	2845	Intelligence Overhaul

109th Congress (2005-06)

HR	3	Surface Transportation Reauthorization
HR	4	Pension Overhaul
HR	6	Energy Policy
HR	8	Estate Tax Permanent Repeal
HR	9	Voting Rights Act Reauthorization
HR	810	Embryonic Stem Cell Research
HR	3045	CAFTA
HR	3100	Arms Sales to China
HR	3199	Patriot Act Reauthorization
HR	3645	Katrina Relief
HR	3824	Endangered Species Act Reauthorization
HR	4297	Tax Reconciliation
HR	4772	Eminent Domain
HR	4954	Port Security
HR	4975	Lobbying and Ethics Overhaul
HR	5252	Telecommunications Overhaul
HR	5682	U.S.-India Nuclear Agreements
HR	5825	Warrantless Wiretapping
HR	6061	Border Fencing

HR	6111	Oil Drilling in Gulf of Mexico/Trade Measures
HR	6407	Postal Service Reform
S	5	Class Action Overhaul
S	256	Bankruptcy Overhaul
S	397	Gun Liability
S	403	Parental Notification (Abortions)
S	686	Schiavo Medical Care
S	852	Asbestos Trust Fund
S	2349	Lobbying and Ethics Overhaul
S	2611	Immigration Overhaul
S	3930	Military Tribunals

APPENDIX B

DESCRIPTIVE STATISTICS

This appendix contains tables of descriptive statistics for all variables in the models of this study. The tables are broken down by the key independent variables in the first table and the control and dependent variables by chapter. If a variable was used in more than one chapter it is in the table for the first chapter in which it appears.

Table B.1
Descriptive Statistics for the Primary Independent Variables

Variable	Mean	Standard Deviation	Minimum Value	Maximum Value
Congressional Polarization	0	0.12	-0.22	0.30
Congressional Divided Government	0.61	0.49	0	1
Congressional Polarization * Divided Government	0.001	0.09	-0.22	0.23
House Polarization	0	0.13	-0.18	0.33
House Divided Government	0.59	0.49	0	1
House Polarization * Divided Government	-0.003	0.09	-0.18	0.24
Senate Polarization	0	0.11	-0.25	0.27
Senate Divided Government	0.53	0.5	0	1
Senate Polarization * Divided Government	0	0.08	-0.18	0.24

Table B.2
Descriptive Statistics for Variables Used in Chapter III

Variable	Mean	Standard Deviation	Minimum Value	Maximum Value
Presidential Position	0.29	0.83	-1	1
Presidential Approval at Introduction	55.4	12.5	22.2	88
Change in Presidential Approval	-2.57	11.4	-49	30.7
1st Year, 1st Term	0.16	0.37	0	1
1st Year, 2nd Term	0.17	0.37	0	1
Presidential Election Year	0.14	0.35	0	1
President Running for Reelection	0.10	0.30	0	1
Midterm Election Year	0.16	0.37	0	1
Ideological Distance	0.57	0.36	0.004	1.41

Table B.3
Descriptive Statistics for Variables Used in Chapter IV

Variable	Mean	Standard Deviation	Minimum Value	Maximum Value
Congress Models				
Presidential Victories	0.64	0.48	0	1
President Support	0.53	0.5	0	1
Polarization * Presidential Support	-0.004	0.09	-0.22	0.30
Divided Government * Presidential Support	0.27	0.44	0	1
Divided Government * Presidential Support* Polarization	-0.001	0.06	-0.22	0.23
House Model				
Presidential Victories	0.61	0.49	0	1
Senate Model				
Presidential Victories	0.59	0.49	0	1

Table B.4
Descriptive Statistics for Variables Used in Chapter V

Variable	Mean	Standard Deviation	Minimum Value	Maximum Value
Congress Model				
Bill Becomes Law	0.49	0.50	0	1
President Takes a Position	0.78	0.41	0	1
President Position * Polarization	-0.002	0.11	-0.22	0.30
President Position * Divided Government	0.47	0.50	0	1
President Position * Polarization * Divided Government	0.003	0.08	-0.22	0.23
Time to Congress Closes	434	190.9	2	719
House Model				
Bill Passes House	0.63	0.48	0	1
President Takes a Position	0.78	0.41	0	1
President Position * Polarization	-0.003	0.12	-0.18	0.33
President Position * Divided Government	0.45	0.50	0	1
President Position * Polarization * Divided Government	-0.001	0.08	-0.18	0.24
Time to Congress Closes	394.5	194.8	1	719
Majority Party	0.78	0.42	0	1
Majority Party Size	58.6	5.04	50.8	67.8
Majority Party Cohesion	71.3	7.95	60.2	88.7
Senate Model				
Bill Passes Senate	0.58	0.49	0	1
President Takes a Position	0.78	0.41	0	1
President Position * Polarization	-0.001	0.08	-0.25	0.27
President Position * Divided Government	0.42	0.49	0	1
President Position * Polarization * Divided Government	0.001	0.07	-0.25	0.24
Time to Congress Closes	384.1	199.3	1	717
Majority Party	0.72	0.45	0	1
Majority Party Size	56.8	5	50	68
Majority Party Cohesion	65.6	9.10	52.2	87.7

VITA

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