Agenda Control in Congress: Evidence from Cutpoint Estimates and Ideal Point Uncertainty

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ABSTRACT

This paper develops two new tests of partisan and non-partisan theories of lawmaking using cutpoint estimates and measures of uncertainty about ideal point estimates. Theories of congressional organization make explicit predictions about the absence of cutpoints in certain intervals of the policy space, which we test with new cutpoint estimates. As a second way to test theories of congressional organization, we exploit the fact that the ideal points of members located far from the density of cutpoints are generally estimated with less precision. After validating our empirical approach through simulations, we test three models of congressional organization using roll call data from the 86th (1959-61) through the 108th (2003-05) House of Representative. We find strong evidence of partisan agenda control at least since the 94th Congress (1975-1977). Our findings show some modest differences with Cox and McCubibns' partisan cartel theory. We find that negative agenda control appears to increase over time and that it is negatively related to the size of the blockout region.

A central question in the congressional literature is whether political parties influence lawmaking. Some scholars (Krehbiel 1993, 1996, 1998, Brady and Volden 1998, and Mayhew 1974) argue that the institution is best understood as driven by members' electorally induced preferences rather than by partisan control. Others argue that political parties play a central role in organizing and constraining congressional politics (e.g., Aldrich and Rohde 2001, Cox and McCubbins 1993, 2002, 2005, Sinclair 1995, 2002). In this essay, we implement two new tests to examine the empirical plausibility of negative agenda power, a recent and influential partisan theoretical innovation (Cox and McCubbins 2005).

We begin by considering three models of congressional organization. As a baseline from which to gauge the effects of party, we consider a simple majoritarian model. In this model, proceedings are effectively controlled by the median of the House. Any and all status quos that differ from the floor median receive floor consideration, moving policy to the floor median. We also consider pivotal politics as a second non-partisan theory (Brady and Volden 1998, Krehbiel 1998). Incorporating important institutional details of the American constitutional system, this well-known theory turns on the location of three players: the floor median (M), the filibuster pivot (F), and a veto pivot (V) who can overturn Presidential vetoes. Any one of these three players can block a bill's passage. A principal implication of the theory is that a "gridlock interval" exists, spanning from V to F. Because any movement from a status quo in this region makes either V or F less well off, no bill can pass the legislature. Political parties play no role in this model.

Cox and McCubbins's (2002, 2005) partisan theory of the U.S. House focuses on negative agenda power. In their theory, the majority party possesses the ability to prevent bills from reaching a vote on the floor. They model this power by assuming that the majority party possesses a veto over possible bills — or, in Cox and McCubbins's terms, negative agenda power. Once a bill reaches the floor, however, the bill is subject to majoritarian forces and results in a policy at the ideal point of the median legislator.[1]

We exploit the implications of these theories in two ways. First, we follow Krehbiel et al (2005) in noting that the theories make explicit predictions about the absence of cutpoints, which we test with cutpoint estimates produced by ideal point scaling techniques. As we substantiate below, the negative agenda model predicts no cutpoints between the floor and majority party medians — a region we refer to as the majority party interval. Evidence of cutpoints in this majority party interval, therefore, is inconsistent with Cox and McCubbins (2005). Pivotal politics, on the other hand, predicts no cutpoints in the gridlock interval between V and F. Evidence of cutpoints in the gridlock interval is inconsistent with the pivotal politics model.

Second, in part because estimates of cutpoints are imprecise — a claim that we demonstrate below — we also implement tests among these theories based on the uncertainty associated with estimated member ideal points. Intuition from simple voting scores, such as ADA scores, suggests that we cannot use voting behavior to differentiate members within the blockout zone or gridlock interval because no differentiating cleavage points exist for these sets of members. It turns out that this intuition does not apply to the more sophisticated measures of ideal point estimation, which assume that members vote with error. A random utility model permits estimation of ideal points for members who fall within the blockout interval (Synder and Groseclose 2001; see also the simulations in our appendix).

Blockout regions influence ideal point estimates in another way (Cox, Kousser and McCubbins 2006; Kim 2006). The statistical techniques estimate members' ideal points more precisely when many cleavage points fall around their locations. This insight yields predictions about the uncertainty associated with ideal point estimations for particular legislators under the three models. For the majoritarian model, the statistical techniques should estimate ideal points with highest precision around the median. The pivotal politics model, on the other hand, predicts that members located between F and V — the gridlock interval — possess low precision estimates. In contrast, the negative agenda model predicts an asymmetry in the error structure: the precision of the estimates for members between the floor median and the majority party median is low compared to the precision of estimates for members on the opposite side of the floor median.

Our tests generally support the negative agenda model. Using data on roll call votes from the House in the 86th through the 108th Congress, we find that cutpoint estimates fall predominately on the minority side of the legislature. As predicted by the change in majority party following the 1994 elections, the distribution of cutpoints shifts sharply to the left at the point when the Republicans assumed control of the House. Moreover, the pivotal politics model performs poorly in this crucial period of partisan turnover. Over the four Congresses that straddle the 1994 election, no *fewer* than 60 percent of cutpoints fall inside the region that pivotal politics predicts an absence of cutpoints. By contrast, over the same period no *more* than 6 percent of cutpoints fall in the region the negative agenda model predicts no cutpoints. Our results based on ideal point uncertainty largely corroborate the results based on cutpoints.

Our results are at variance, however, with two important implications of Cox and McCubbins (2005) negative agenda theory. First, we find that negative agenda control is not unconditional. Instead, negative agenda control appears to strengthen over time, particularly after the committee reforms of the mid-1970s. Second, our results indicate that negative agenda control is negatively related to the size of the majority party interval. These findings both suggest that the mechanisms behind negative agenda control are not fully understood.

This paper proceeds as follows. First, we discuss the three models and our empirical strategy. Second, we detail the statistical techniques employed. Third, we present results from a series of simulations that demonstrate the validity of our general approach. Fourth, we report results when our method is applied to House roll call votes in the 86th to the 108th Congresses. Our conclusions follow.

Models and Empirical Strategy

Cox and McCubbins' negative agenda model has attracted widespread attention due to its important implications for policy outcomes. To see the policy implications of negative agenda control, consider a simple example with a symmetric distribution of status quos around the floor median. If plenary time exists for all status quos, the simple majoritarian model holds that all policies collapse on the ideal point of the floor median, greatly reducing the variance of public policies, but not altering the mean policy. Likewise, the pivotal politics model maintains that status quos converge, although incompletely, to the floor median. Unlike these majoritarian models, however, the negative agenda control model argues that the symmetric distribution of status quos maps to an asymmetric distribution of policy activity, as the majority party median protects status quos over an interval of interest to the majority party. This censoring, in turn, implies that the mean policy before legislation differs from the mean policy after legislation, unlike the majoritarian models. Negative agenda control, therefore, carries the ability to greatly alter the character of public policy in the aggregate.

We employ two approaches to distinguish between these models of congressional organization. The approach with respect to cutpoints is simple. As depicted in Figure 1, the theories of congressional organization make explicit predictions about where we should observe an absence of cutpoints. The negative agenda model predicts no cutpoints between the median of the House (M) and the median of the majority party (P). Pivotal politics, on the other hand, predicts no cutpoints between the positions of the boundary pivots, V and F in this depiction. In contrast, the simple majoritarian model predicts no censoring of cutpoints. We compare the predicted distributions of cutpoints against the distribution of cutpoints revealed by standard statistical methods.

Our second approach involves the uncertainty around member ideal points. Our predictions rest on the random utility model underlying the statistical estimators.[2] In the statistical models we discuss, members usually vote for the closest alternative to their ideal point. Sometimes, however they make "errors" and vote for the alternative they prefer less, perhaps due to perceptual error or because of unmeasured factors. The likelihood of making such an error decreases in the distance between the member and the cleavage point. This feature of the models enables ideal point estimation techniques to differentiate members located inside the blockout zone and gridlock region.

An example helps make clear this observation. Consider Figure 1. The floor median ideal is at M, the majority party median at P, the minority party median at p. The blockout zone spans from the floor median, M, to that point reflected about the median of the majority party, $2P - M$. Suppose that the status quo lies outside the blockout zone, at point q_1. Although all members in the blockout zone prefer the floor median to q_1, some erroneously vote for the status quo. The legislators most likely to make a mistake are those with ideal points close to the cutpoint point, on left-hand edge of the blockout interval; those located on the right hand side of the interval, on the other hand, are very unlikely to make a mistake. Now suppose instead that the status quo lies to the right of the blockout interval, at q_2. Then just the opposite is true: the likelihood of a member within the blockout region making a mistake increases in the distance from the floor median. In this fashion, the scaling techniques leverage the error in members' voting behavior to differentiate the ideal points of members within the blockout interval.[3]

Moreover, the distribution of cutpoints influences ideal point estimates. The underlying intuition is that it is more difficult to differentiate among members contained in regions with no cutpoints. In a world with a limited number of roll call votes, the statistical techniques estimate ideal points with less precision for members contained in a blockout region, a proposition we examine through simulation below.

In view of this property, the simple majoritarian model predicts that members near the floor median have high precision estimates, as these members enjoy proximity to a disproportionate number of cutpoints. The pivotal politics model predicts relatively high levels of uncertainty for members in the gridlock interval — between F and V — as as no cutpoints should fall in this interval. The gridlock interval straddles the median legislator, although it need not be symmetric about the median. Therefore, the model predicts low precision estimates for members both to the immediate right and the left of the median, and of course for the median herself. Finally, the negative agenda control model implies that we have more uncertainty about the location of members between the median of the floor and the majority party median than those outside this interval, producing a distribution of uncertainty that is asymmetric about the median.

Previous Empirical Work

Two works hold central relevance for our paper. First, Krehbiel, Meirowitz and Woon (2005) develop an empirical strategy that, like our paper, exploits cutpoint estimates to test these theories. Second, the widespread application of "roll rates" to test the negative agenda model.

Consider first Krehbiel, Meirowitz and Woon (2005). In their article, they derive the set of intervals (a) that are inconsistent with both partisan and non-partisan theories, (b) that are consistent with one theory but not the other, and (c) that are consistent with both theories. The first two classes of intervals provide the authors an opportunity to test the theories against each other. For example, if the pivotal politics gridlock interval extends rightwards from the median to the point x and the median ideal point in the majority party is $x' > x$, this arrangement implies that any cut point in the interval $[x, x']$ is consistent with the pivotal politics theory but inconsistent with the Cox and McCubbins cartel theory. The observation of a cutpoint in an interval inconsistent with both models, similarly, weighs in against both theories. Using this approach, they conclude that, "The results, then, are mixed and inconclusive regarding cartel and pivot theories" (Krehbiel, Meirowitz and Woon, 2005, 15).

Two features of Krehbiel et al's analysis give us pause. First, they test the models' predictions against roll call votes in the Senate. Although Cox and McCubbins have articulated a version of their theory for the Senate (Campbell, Cox and McCubbins 2002), the decision to examine the Senate is odd because Cox and McCubbins explicitly develop their core theory with the House in mind (2002, 2005).[4] Agenda setting in the Senate differs from the House in obvious and important ways. The Senate permits non-germane amendments whereas the House does not, implying that any member can "tack" his or her bill onto most measures already on the floor; the Senate allows individual members to access the agenda directly through Rule XIV whereas the House members can skirt the committee system and rules committee only through the discharge petition, a measure that passes with 218 votes; similarly, when a Senate committee discharges a bill the measure goes directly to the calendar whereas a House committee's bill must generally pass through the Rules Committee, a legislative organ that the majority party leadership influences heavily (Schneider 2005).

These considerations suggest that it is far more difficult for the majority party to control the agenda in the Senate than in the House.[5] Krehbiel et al, therefore, examine Cox and McCubbins' theory in a setting (the Senate) that differs in direct and potentially highly consequential ways from the one the theory sets out to describe (the House). It is unclear whether (a) their inconclusive results derive from the fact that they examine an theory developed for the House in the context of data from the Senate or (b) the underlying legislative dynamics, in fact, are inconclusive. We address this concern directly by focusing on data from the U.S. House.

A second concern lies in the measures of cutpoints they employ in their analysis. Although scholars have devoted substantial effort into understanding the properties of ideal point estimates, virtually no work has examined the properties of cutpoint estimates. It is commonly understood, for example, that ideal point estimates on the first dimension derived from Poole and Rosenthal's Nominate closely resemble the scores derived from Clinton, Jackman and Rivers' procedure. But no one has established whether the different procedures produce similar cutpoint estimates, or whether one method tends to produce more accurate estimates an the other method.[6]

We address this issue with Monte Carlo simulations. In brief, we find that the Clinton et al (2004) technique produces more accurate cutpoint estimates than Nominate. Nonetheless, the accuracy of the Clinton et al (2004) technique is insufficient to determine whether a cutpoint falls in a narrow interval of the policy space. The inconclusive results of Krehbiel et al (2005), therefore, may be attributable to the fact that they both employ the less accurate of the two measures (Nominate) and test theories of congressional organization based on whether a cutpoint falls in narrow intervals. Our approach is similar in spirit to the Krehbiel et al (2005) paper, although we avoid the problems noted above and find results that support the partisan cartel theory.

Scholars' use of roll rates to study congressional organization also relates closely to our work. A group of legislators (or individual legislator) is said to have been rolled when the group prefers the status quo to the bill yet the bill nevertheless passes the legislative chamber. Originally developed to examine the incidence of committee rolls (e.g., Fenno 1966), Cox and McCubbins (2002, 2005) use the number of times the majority and minority parties are rolled in a Congress as a method to test their partisan cartel theory. Their theory predicts substantially higher number of minority than majority party rolls in any Congress.

Although Cox and McCubbins have put the roll rates measure to good use and we do not question their findings (2002, 2005), it is important to look beyond roll rates for two reasons. First, unlike cutpoints, the pivotal politics theory does not make clear and direct predictions about partisan roll rates. This fact makes it difficult to compare the two theories in a setting focused on roll rates. Second, Krehibel (2006a) argues that the pattern of roll rates reported by Cox and McCubbins is consistent with a non-partisan theory. Krehbiel's

(2006a) argument, however, does not apply to cutpoints.

Simulations

We test three main areas in the simulations. First, we determine whether commonly used statistical techniques — W-Nominate and Ideal (Poole and Rosenthal 1997; Clinton, Jackman and Rivers 2004)[7] — accurately bill recover cutpoints. Second, we evaluate whether one technique is superior to the other in cutpoint estimation. Third, we examine whether deal point uncertainty reflects the underlying distribution of cutpoints according to our conjecture above.

We implement these models in the simulations in a straightforward way. In the first legislature, we allow the median member to have her will: any status quo that arises is converted to her ideal point. In the second legislature, we generate roll calls based on the pivotal politics model. No legislation for status quos between the filibuster pivot (set at the floor median -.2) and the veto pivot (set at the floor median + .2) reaches the floor. Legislation converts any status quo outside this interval to the median ideal point, subject to the qualification that when the status quo falls to one side of all three veto points, but one veto player prefers the status quo to the median member's ideal point, the proposer moderates her proposal to ensure that all veto players at least weakly prefer her bill to the status quo. For the negative agenda model, no status quo located between the ideal point of the median of the legislature and the reflection of this point about the majority party median reaches the floor for a vote. The legislative process converts all status quos outside this interval to the median's ideal policy.

Other than the institutional structures mentioned above, the legislatures share all the same features. We posit 51 majority members and 50 minority or independent members. Majority member ideal points are randomly drawn from a normal distribution with mean .25

and standard deviation .25; minority members are distributed similarly but with mean -.25. Status quos are generated by 200 random draws from the uniform distribution (-1,1). All simulations are run on the same realization of these random draws. Members vote according to a quadratic loss utility function, with a normally distributed (0, .05) disturbance term. In this way, we create a simulated roll call matrix based on the institutional structure specified in each model. We then use the standard scaling techniques to recover estimates of ideal points and cutpoints. We repeat this procedure 25 times to produce 25 sets of ideal point and cutpoint estimates for each model for each scaling technique (Nominate and Ideal).[8]

In reporting the results from these Monte Carlo simulations, we focus on cutpoints and measures of ideal point uncertainty. Because researchers have demonstrated in earlier work the capacity of ideal point techniques to recover estimates for members in regions of the policy space without cutpoints, we relegate results related to ideal point estimates to an appendix (see Snyder and Groseclose 2001).

Simulation Results: Cutpoint Estimates

To illustrate graphically the success of the scaling techniques, we plot the results from *one* of the twenty-five simulations. In Figure 2 we use kernel density plots to compare the estimated against true distribution of cutpoints. The top set of graphs contains the results from the Clinton, Jackman and Rivers (2004) procedure; the bottom set of graphs plots the estimates derived from Nominate. We use solid lines to represent the estimated cutpoints and dashed lines to denote the true cutpoints. The shaded grey area marks the region over which a model predicts the absence of cutpoints — and in which, by construction, no true cutpoints exist.[9]

Our principal interest in this paper is to determine which procedure is best suited to discriminate between the three theoretical models. This objective amounts to determining which procedure estimates no cutpoints where, in fact, no cutpoints exist. By this metric, Ideal clearly outperforms Nominate in the simulations. This fact is most readily observable in our comparison of the true and estimated cutpoints for the negative agenda model. Whereas the distribution of Ideal's cutpoint estimates exhibits a pronounced dip in the majority party interval, the distribution of Nominate's cutpoint estimates actually reaches a mode inside the interval. Figure 2 suggests that Ideal may be a more appropriate procedure for our tests than Nominate.

More systematic analysis bears out this intuition. Over the 25 simulations, an average of 14 percent of Ideal's estimates fall into the majority party interval. Nominate commits this error over twice as often: an average of 34 percent of Nominate's estimates locate in the majority party interval. Results for the pivotal politics model differ little. An average of 18 percent of Ideal's cutpoints fall in pivotal politics' gridlock interval. The corresponding figure for Nominate is notably higher: 26-percent. Another way to examine the results is to find the percentage of times, over the 25 simulations, that one procedure outperforms the other. We find that the percentage of misplaced estimates contained in the majority party interval, is smaller with Ideal in 96 percent of the simulations. Similarly, Ideal outperforms Nominate in 72 percent of the simulations with respect to pivotal politics' gridlock interval.[10]

These simulations therefore, indicate that Ideal is the more appropriate measurement procedure. At the same time, however, the results suggest that cutpoint estimates are not sufficiently accurate to test theoretical predictions that turn on the absence of cutpoints in very narrow intervals of the policy space. In the simulations we find, for example, that Ideal places an average of 14 percent of cutpoints between the floor and majority party median when no true cutpoints fall in this interval. Nevertheless, Ideal faithfully recovers the more general features of the distribution of true cutpoints.

Simulation Results: Measures of Uncertainty

We use the size of the 95-percent highest probability density (HPD) intervals — the Bayesian analogue to confidence intervals (see Chen and Shao 1999) — as our measure of uncertainty for members' ideal points. A large HPD interval indicates that high level of uncertainty is associated with the member's ideal point. We turn to a regression framework to summarize the simulation results with respect to ideal point uncertainty. In particular, we estimate,

$$HPD_i = \alpha + \beta_1 NoCuts + \beta_2 MedDistance_i + \beta_4 MedDistance_i^2 + \epsilon_i \quad (1)$$

where HPD_i is the size of member i's 95 percent HPD interval; $NoCuts$ is an indicator that takes 1 if the member falls in a region with no cutpoints (i.e, the gridlock interval in the pivotal politics model or the majority party interval in the negative agenda model) and 0 otherwise; and $MedDistance_i$ is the distance between the member and the floor median. We estimate separate equations for each of the 25 simulations.[11]

Our central interest is in the coefficient on $NoCuts$. We expect to find a positive coefficient on this indicator variable — indicating ideal points for members contained in regions with no cutpoints associate with more uncertainty. Clearly this outcome is only relevant for the pivotal politics and negative agenda models. In Figure 3, we plot the coefficient on $NoCuts$ (y-axis) against the associated p-value (x-axis) for the negative agenda and pivotal politics models. The dashed vertical line at .05 represents the conventional level for statistical significance: points to the left of this line represent regressions in which the coefficient on the variable $NoCuts$ was statistically significant; points to the right of the line represent regressions in which the coefficient is not statistically distinguishable from zero. The left panel of the plot contains results relevant to the pivotal politics model and the right panel presents the corresponding information for the negative agenda model.[12]

The results from these regressions partially affirm and partially disaffirm our expectations. Consistent with our predictions, ideal points for members inside the negative agenda model's majority party interval tend to exhibit higher levels of uncertainty than members outside the interval (see figure 3). In 24 of the 25 simulations, the coefficient on $NoCuts$ is positive; in 20 simulations the coefficient is positive and statistically significant at the 90 percent level. In no simulation was the relevant coefficient negative and statistically significant. This pattern of results largely supports our expectations.

By contrast, the simulations for the pivotal politics model return with more mixed results. The number of positive coefficients is close to the number in the negative agenda model simulation (22). However, only 8 of these 22 coefficients reaches significance at the 90-percent level — less than half the number of as in the negative agenda model. This weaker pattern of results holds because, unlike the negative agenda model, the legislator with proposal rights behaves strategically. If one of the veto players prefers the status quo to the floor median's ideal point, the floor median moderates her proposal to ensure that the veto player weakly prefers her proposal to the status quo. This strategic behavior induces an accumulation of cutpoints on the boundaries of the gridlock interval. The statistical technique takes advantage of these accumulated cutpoints to estimate ideal points for members inside the gridlock interval and, apparently, is often able to compensate for the fact that no cutpoints fall in the interval itself.

This inconsistent pattern of results implies that it is problematic to attempt to test the pivotal politics model using measures of uncertainty. In the tests involving measures of uncertainty that follow we focus our efforts on the negative agenda model.

Testing Theories Using Congressional Roll Call Data

Sample Selection and Assumptions

We apply our approach to U.S. House of Representatives. We include all Congresses from the 86th to the 108th (1959-2004). For our assessment of the different theories, we depart from standard roll call analysis in two ways. First, we include only substantive votes, removing procedural and amendment votes. Second, rather than estimate ideal points and cutpoints for each Congress independently, we jointly estimate cutpoints for the 86th through 108th Congresses for the analysis of cutpoints. When examining HPDs, however, we estimate each Congress separately, as explained below.

To ensure clean tests of our hypotheses, we include only substantive votes in this analysis. We follow Theriault (2006) and classify final passage, veto override, and conference report roll calls as "substantive votes."[13] The majoritarian and negative agenda models make no predictions about the location of bills upon introduction; nor do they make predictions about the location of proposed amendments.[14] Because no theory makes clean predictions about the location of amendments and their cutpoints, we exclude votes on amendments from the analysis. In contrast, using votes on final passage and other substantive issues provide clean predictions about cleavage points.

To see more clearly the complications that arise from amendments, consider a bill first introduced at the ideal point of the majority party median. If a legislator then proposes to amend the bill to the floor median, members vote for the amendment if they prefer the amended location and against if they prefer the initially proposed location. This entails a cutpoint halfway between the floor and majority party medians — precisely in the center of the majority party interval, where the Cox and McCubbins theory predicts no cutpoints. Yet their theory about the absence of cutpoints in the majority party interval holds only for substantive votes, in which members weigh the status quo against some alternative.

A second virtue of focusing on substantive votes is that the assumption of voting based solely on policy considerations becomes more plausible. Unlike procedural votes, for example, where members exhibit strong tendencies to vote with their party regardless of their preferences (Snyder and Groseclose 2000; Theriault 2006), substantive votes show fewer signs of party influence. The assumption of policy-motivated voting is made both in the theoretical models — Cox and McCubbins and Krehbiel — and also in the statistical models used for ideal point estimation.

For our analysis, we estimate ideal points and cutpoints for all members from the 86th to the 108th Congress at once rather than a single Congress at a time. We do so to enable comparison of members and cutpoints across different Congresses, a useful feature of the data that we exploit in some tests. Although independently estimating these quantities for each Congress is less computationally intensive, that procedure makes it impossible to readily compare one Congress with another, as scaling is valid only within and not across Congresses.

An assumption required for the inter-Congress comparisons is that member ideal points do not evolve over the course of their careers. Previous work indicates that that this assumption is not demanding. Poole and Rosenthal (1997) find that member preferences do not change substantially over the course of a career. The authors note that, "Contemporary members of Congress do not adapt their positions during their careers but simply enter and maintain a fixed position until they die, retire, or are defeated" (74).

When it comes to measures of uncertainty, we estimate member ideal points for each Congress independently. We do so for two reasons. First, the blockout region is not constant from one Congress to the next. Consequently, a member outside the majority party interval region in one Congress may fall inside the region in the next; that is, the member may be exposed to cutpoints in the second but not first Congress. Such movements create clear complications for our effort to assess the precision of ideal point estimates for members inside the majority party interval region of a particular Congress, as roll call records for some members involve votes from different Congresses with different majority party intervals.

A second, related concern also points toward independently estimated Congresses: we do not want to confuse our inferences regarding agenda control with the consequences of member tenure. In principle, simply by virtue of the number of votes they cast, members with long tenures have less uncertainty associated with their ideal point. We wish ideal point uncertainty to reflect agenda control — not office tenure. For these two reasons, we based our conclusions regarding HPDs on computations conducted for each Congress independently.

Congressional Results: Cutpoints

The most important period to consider surrounds the turnover of party control — from Democratic to Republican — following the 1994 elections (103rd to 104th Congress). The theories supply clear predictions regarding the distribution of cutpoints before and after this transition. The cartel theory predicts that the distribution of cutpoints flips about the floor median: whereas cutpoints fall predominantly to the right of the median in the 103rd Congress, they fall predominantly to the left of the median in the 104th Congress. That is, the cartel model predicts that, regardless of which party is in control, cutpoints tend to locate on the minority party side of the legislature.

The pivotal politics model, on the other hand, predicts little change in the distribution of cutpoints between the 103rd and 104th Congresses. Most of the Democrats who lost their seats held relatively conservative views, so the overall distribution of preferences does not shift substantially after the election. And because 1994 represents a midterm election the president's position remains constant in the 103rd and 104th Congress. Consequently, the governing parameters for the pivotal politics model change little between the 103rd and 104th

Congress, and the model's predictions remain essentially constant. The modest changes in the pivots' locations should not induce anything approaching the dramatic reflection predicted by the cartel model.

In Figure 4 we depict the results for the two Congresses prior to and following the 1994 election. The solid black line represents the density estimate for the cutpoints recovered by Ideal, the dashed red line represents the density estimate for Republican members (always on the right), and the dashed blue line represents the density estimate for Democratic members. We represent the predictions of the pivotal politics and cartel models using shaded regions: the pivotal politics model predicts no cutpoints in the hashed region; the cartel model predicts no cutpoints in the solid grey area. For the first two Congresses depicted, the right edge of the shaded box represents the location of the chamber median; after the transition, the left edge of the box represents the median location.[15]

The results depicted in Figure 4 are striking. Consistent with the cartel theory's predictions, the distribution of cutpoints dramatically flips between the 103rd and 104th Congresses. The cutpoints fall almost exclusively on the minority party Republican side of the House in the 102nd and 103rd Congress; they fall almost exclusively on the minority party Democratic side of House for the 104th and 105th Congresses. The pivotal politics model, by contrast, performs poorly both before and after the party turnover: the highest density of cutpoints always falls in the region that pivotal politics predicts an absence of cutpoints. These observations reflect broad distributional features of the data — features our simulations indicate that the statistical model recovers with accuracy.

The numbers are as clear as the graphics. Across the four Congresses, no *more* than 6 percent of cutpoints in a Congress fall in the region inconsistent with the negative agenda model. In contrast, over the same period, no *less* than 60 percent of cutpoints fall in the region inconsistent with the pivotal politics model.[16] Notice, further, that these conclusions do not rest on any assumptions about the distribution of status quos. Under any distribution, a cutpoint in the gridlock interval (majority party interval) is inconsistent with the pivotal politics (negative agenda) model.

This basic pattern of results carries through the other Congresses.[17] In almost every Congress over the past 40 years, the proportion of cutpoints on the majority side of the legislature is significantly smaller than the proportion on the minority side of the legislature. In Table 1, we report results from a series of t-tests examining the hypothesis that the proportion of cutpoints to the left of the floor median is different from $\frac{1}{2}$. We reject the null hypothesis in all Congresses except the 91st (p-value of .51), and perhaps the 88th (p-value of .11). Since the 94th Congress, the proportion of estimated cutpoints on the majority side of the legislature never exceeds .31, and in most cases is substantially lower. From the 103rd to 104th Congress, the proportion of cutpoints on the Republican side of the legislature falls from .91 to .07.

The results from Figure 4 and Table 1 are consistent with the negative agenda model. Moreover, the distributions of cutpoints reported in Figure 4 weigh heavily against the pivotal politics model: in each of the four Congresses, the number of status quos contained *in* the gridlock interval exceeds the number of cutpoints *outside* the gridlock interval. However, the asymmetric distribution of cutpoints indicated in Table 1 is not *necessarily* inconsistent with a dynamic majoritarian perspective (Krehbiel 2006b). If status quos converge to the floor median in time t, M_t, then, after an election induces movement in the floor median, cutpoints fall asymmetrically about the floor median as the legislature shifts policy from M_t to M_{t+1}. The key implication of this majoritarian argument is that if $M_t > M_{t-1}$, then $M_t > C_t$, where C_t denotes some measure of central tendency for the cutpoints in Congress t. Similarly, if $M_t < M_{t-1}$, then $M_t < C_t$. In other words, when the median moves to the right (left) from one Congress to the next, we expect the cutpoints to fall principally on the left (right) of the new median.

Because we scale all Congresses jointly, we can test this proposition using our roll call data. We run a logit analysis to examine the relative contributions of median movements and party control to the distribution of cutpoints. We consider the influence of three independent variables: (1) the distance between the median in the current Congress and the median of the previous Congress, $M_t - M_{t-1}$; (2) Democratic control of Congress; and (3) the size of the blockout region. Specifically, we estimate,

$$Pr(C_i = 1) = F(\alpha + \beta_1 MedMove_i + \beta_2 DemControl_i + \beta_3 BlockoutSize_i) \tag{2}$$

where C_i takes 1 for a cutpoint if it falls to the left of the floor median and 0 otherwise, $MedMove_i$ denotes movements in the floor median, $DemControl$ is an indicator for Democratic control of Congress, and $BlockoutSize$ is a measure of the blockout interval, discussed below. F denotes the CDF of the logistic distribution.

With respect to $MedMove$, the majoritarian model clearly predicts a positive coefficient: a rightward movement produces a distribution of cutpoints that concentrates to the left of the new floor median. The implications of the negative agenda model with respect to this coefficient, however, are slightly more involved. When the majority party median falls to the right (left) of the floor median, moving the median to the right (left) produces the same effect for the negative agenda control model and majoritarian model. However, due to the presence of the blockout region, the negative agenda control model produces no clear prediction regarding the first coefficient when the median moves to the left (right). The concentration of status quos at the old median is censored through negative agenda control, and the distribution of non-censored status quos depends on factors unrelated to the previous median's location. Thus, in addition to the full sample of cutpoints, we also run the statistical model on the subset of cutpoints for which the negative agenda model makes clear predictions. In this subset of cases, the predictions for the negative agenda control and majoritarian models are the same for the first coefficient.[18]

The two models present distinct predictions for the coefficient on the party variable. The majoritarian perspective holds that, once we account for movements of the floor median, party control does not matter. The negative agenda control model, on the other hand, maintains that party control is important even after we account for movements of the floor median. Therefore, the majoritarian model predicts a coefficient on party control not distinguishable from zero, and the negative agenda control model predicts a negative coefficient (Democratic control corresponds to fewer left-of-median cutpoints).

Majoritarian and negative agenda control models also produce starkly different predictions for the third independent variable. Denote the reflection of the floor median about the majority party median as M'. The size of the blockout region is represented by subtracting M from M'. Our measure, therefore, takes positive values for Republican Congress, and negative values for Democratic Congresses.[19] The negative agenda model predicts that increases in this measure correspond to more left cutpoints in both Democratic and Republican Congresses. In contrast to the negative agenda control model, the majoritarian model predicts that the size of the blockout region bears no relationship to the distribution of cutpoints.

As can be seen in Table 2, the results strongly support the hypothesis that party control significantly influences the distribution of cutpoints. Regardless of whether we run the model on the full sample of cutpoints, or the restricted sample for which the negative agenda control model makes unambiguous predictions, Democratic control of Congress significantly reduces the likelihood of a cutpoint to the left of the floor median. Holding movement in the floor median at its mean, and the size of the blockout region at its mean conditional on party control, the statistical model indicates that Democratic control reduces the likelihood of a cutpoint to the left of the floor median by 63 and 65 percent in the full and restricted samples, respectively.

At the same time, movements in the median also produce a significant effect on the probability of a left-cutpoint, at least in the full sample. However, the magnitude of the effect produced by movements in the median is far smaller than the effect of party control. Whereas changing party control of the chamber alters the probability of a left-of-median cutpoint by between 63 and 65 percentage points, moving the median by one standard deviation from its mean only changes the probability by about 3 percentage points, regardless of whether Democrats or Republicans control the chamber. Additionally, in the restricted sample, where we are most confident in our comparison of the models, the coefficient on median movements is not significant, although it maintains the predicted sign.

Interestingly, the coefficient on the size of the blockout region is significant, but is signed incorrectly. Contrary to the negative agenda control model, this result indicates that larger blockout intervals correspond to more left-of-median cutpoints in Democratic Congresses, and fewer left-of-median cutpoints in Republican Congresses. Rohde's (1991) theory of conditional party government (CPG) offers one potential explanation for this coefficient. CPG holds that, as the majority party becomes more homogeneous in terms of policy preferences, majority party members permit the majority party an increasing control over legislation. One plausible measure of party homogeneity is the size of the blockout region. From the perspective of CPG, therefore, the fact that the majority party seems better able to control the agenda — that is, prevent cutpoints from falling on the majority party side of the legislature — when the blockout region is small is not surprising.

Congressional Results: Measures of Uncertainty

Our second empirical strategy involves measures of uncertainty. We summarize the results using a regression framework, estimating the following equation,

$$HPD_i = \alpha + \beta_1 MPty_i + \beta_2 MPI_i + \beta_3 MedDistance_i + \beta_4 MedDistance_i^2 + \epsilon_i \qquad (3)$$

where HPD_i, and $MedDistance$ follow the definitions identified in the simulations section; $MPty_i$ is a variable that takes 1 if the members belongs to the majority party and 0 otherwise; and MPI_i is an indicator that takes 1 if the member is contained in the majority party interval and 0 otherwise. Note that we re-scale ideal points within each Congress to range from 0 to 1. With this re-scaling, the HPDs have a nice interpretation: a member's HPD represents the percentage of the policy space required to span an area containing the member with probability 95 percent.

We formulate expectations regarding the coefficients in this model based on theory and the discussion of cutpoints above. Because relatively few cutpoints fall on the majority side of the legislature, we expect a positive coefficient on majority party status. The negative agenda model predicts, in particular, that relatively few cutpoints fall in the majority party interval. Thus, we similarly expect a positive coefficient on MPI. Finally, because cutpoints tend to cluster around the floor median, we expect members located near the floor median to have relatively precise (small HPD) estimates, implying a negative coefficient on $MedDistance$. We allow a non-linear relationship in $MedDistance$ by including a squared term, but we have no strong a priori sense of the sign on the associated coefficient.

Instead of reporting 23 separate regressions in the body of the paper we graph the results in Figure 5.[20] This figure contains two panels. The left panel plots the coefficient on majority party interval for each Congress; the right panel plots the coefficient associated with majority party status. We use solid dots to represent significant (at $\alpha = .05$) coefficients and circles to represent insignificant coefficients.

The results largely support the findings from the cutpoint analysis. In 20 of the 23 Congresses, the members of the majority party have larger HPDs than members of the minority party. This pattern holds across eras of both Democratic and Republican control. On average, the regressions indicate that, relative to minority party members, about 5 percent more of the policy space is required to cover the 95-percent credible intervals of majority party members. If a member is contained in the majority party interval, he or she tends to have a larger HPD — an additional 2 percent, roughly, of the policy space is required to cover his or her 95 percent credible interval. The coefficients on this second variable, however, are not as consistent as the coefficients on majority party status. Only 9 of the 23 Congresses return with a positive and significant coefficient. Notwithstanding this observation, the results from our analysis of HPDs largely corroborate our findings discussed in the previous section.

Discussion

We offer new tests among several recent models of congressional behavior: the majoritarian, the pivotal politics, and the negative agenda control models. We find clear evidence of negative agenda control by the majority party in recent Congresses. The number of cutpoints in the majority party interval is small relative to other regions of the policy space. Complementary analysis of the uncertainty associated with member ideal points, although weaker, generally supports these conclusions.

The majoritarian models perform relatively poorly in our analysis. For example, in a finding that poses obvious problems for pivotal politics, we find that more cutpoints fall in the gridlock interval than outside the interval in the four Congresses surrounding the 1994 election. Similarly, the view that dynamic medians and status quos induces the asymmetric distribution of cutpoints proves relatively unimportant. It is clear that the identity of the majority party plays a much more important role in determining the location of cutpoints than the identity of the previous floor median.

Our results also suggest that the mechanisms behind negative agenda control are not fully understood. First, contrary to Cox and McCubbins (2005, 134), negative agenda control is not unconditional (see Table 1). The majority party leadership is substantially more successful at negative agenda control after the 94th Congress: from the 86th to the 93rd Congress, an average of 32 percent of cutpoints fell on the majority Democratic side of the House; from the 94th to 103rd Congress, an average of only 13 percent fell on the Democratic side of the House. The break at the 94th Congress coincides with the House committee reforms (e.g., Rohde 1991), indicating that these reforms may have increased the ability of the majority party leadership to censor status quos.

Second, the results in Table 2 suggest that the majority party is more successful at censoring status quos when the majority party interval is small. Cox and McCubbins's (2005) theory suggests that the size of the majority party interval is positively related to status quo censoring: the larger the majority party interval, the larger the region of censorship on the majority side of the legislature, so the greater the proportion of cutpoints on the minority side. But we find just the opposite. This second finding also suggests that the mechanisms behind negative agenda control require further theoretical and empirical scrutiny. Because the inverse of the size of the majority party interval is a plausible measure of majority party homogeneity, one promising direction to investigate follows the spirit of conditional party government (Aldrich and Rohde 1995; Rohde 1991), which posits a link between majority party homogeneity and the ability of the majority party leadership to control legislative proceedings.

Our results have implications for other tests of partisan influence. For example, Krehbiel et al (2005), who test theories of congressional organization using cutpoints, conclude that the data support neither pivotal politics nor negative agenda models. We believe the difference between their findings and ours primarily results for four reasons. First, they use Nominate to estimate cutpoints. We find that Ideal estimates cutpoints more accurately than Nominate. Second, scholars estimate these cutpoints on roll call matrices that include all roll calls (including votes on procedural and amendments), not just votes on substantive issues. Although they analyze the subset of final passage cutpoints, it is possible that these cutpoints are affected by the fact that they were jointly estimated with procedural and amendment votes. Third, they examine the Senate instead of the House. This decision is potentially problematic because Cox and McCubbins develop their partisan theory with the House and not the Senate in mind. These observations point in the same direction: their inconclusive results may stem from a series of decisions in their analysis rather than from the underlying relationships between the theoretical models and the available data.

The broad distribution of cutpoints estimated in our analysis clearly indicates that the majority party exerts substantial influence over the legislative agenda. Importantly, after the 1994 elections, a striking transition occurs as the distribution of cutpoints shifts sharply from the Republican side into the Democratic Party side. This shift happens despite the fact that the distribution of member preferences does not alter substantially between the two Congresses, as most Democrats that lost in the 1994 election held relatively conservative views. Analysis in a regression framework bears out this observation: party control of the chamber strongly influences the distribution of cutpoints, even controlling for movements in the floor median from one Congress to the next.

Finally, we observe that the cutpoint estimates and measures of uncertainty shown for the 86th through 108th Congresses clearly reflect much more than merely negative agenda control. Cutpoints and uncertainty associated with ideal points seem to vary in complex but systematic ways across legislators and over time. These patterns likely reflect other facets of congressional politics worth scholarly attention.

Notes

[1]We interchangeably refer to the "cartel theory," the "cartel model," the "negative agenda theory," and the "negative agenda model." All terms refer to the theory in Cox and McCubbins (2005).

[2]We report results below for both the Poole and Rosenthal (1991) and Clinton, Jackman, and Rivers (2004) techniques below; both procedures employ a random utility model.

[3]Indeed, it is possible to recover valid ideal point estimates with only one cutpoint. We simply need to repeat the vote many times, and the error term in member utility functions allows us to estimate member ideal points. In simulations available upon request, we show that these techniques are capable of recovering ideal points with surprising accuracy when only a single cutpoint exists. In various simulations, we attempt ideal point estimates with 100, 1000, and 10,000 roll call votes, all based on the same cutpoint. As we increase the number of roll call votes, the interval around the cutpoint for which we are able to recover accurate ideal point estimates increases. See Hirsch (2009) for a detailed analysis on this topic.

[4]Notice the title of their book: "Setting the Agenda: Responsible Party Government in the U.S. House of Representatives."

[5]Campbell et al (2002), too, reach the same conclusion based on a discussion of the two institutions.

[6]The Heckman and Snyder (1997) procedure also produces highly correlated ideal point estimates on the first dimension. The technique does not produce cutpoint estimates so we do not discuss it in this paper.

[7]Throughout the analysis, we implement Nominate using the W-Nominate Ideal Point Package (Poole, Lewis, Lo, and Carroll 2007); the scaling method described in Clinton, Jackman and Rivers (2004), referred to as "Ideal" in this essay, is implemented using the Political Science Computational Laboratory (pscl) package (Jackman et al 2007). Both packages are freely available from cran.r-project.org.

[8]Thus, we have a total of 150 sets of ideal point and cutpoint estimates. We run only 25 simulations because Ideal requires a non-trivial amount of time to run.

[9]Notice that the density plots suggest that some true cutpoints fall into the gridlock and majority party intervals (the shaded regions). This observation is just a product of the smoothing algorithm employed by the kernel density estimator. In fact, no true cutpoints exist in the gridlock and majority party intervals.

[10]Note that this finding does not rely on the quadratic loss utility function we assume in the simulations. When we conduct these simulations with a normal utility function — consistent with the assumption in Nominate — the qualitative nature of the finding is unchanged: Ideal appears to estimate cutpoints with more accuracy.

[11]Recall that we re-scale ideal points in these simulations to span from -1 to 1. Also note that we drop

from the regressions the members used to identify the model. These members have HPD intervals of size zero — we posit their locations with certainty — and hold no interest to our analysis.

[12]See appendix for the full set of regression results. To conserve space, we highlight only the most important aspects of these simulations in the main text.

[13]Roll call vote categories are identified using Rohde's (2004) excellent dataset.

[14] Indeed, too many different types of amendments exist, making it nearly impossible to make any predictions about the location of amendments or their cutpoints. Some amendments fine tune the bill; other amendments raise a related but different issue (new issues can be germane, e.g., another aspect of auto-safety that is not wholly correlated with the first); finally, other amendments are wholly symbolic, introduced solely for credit claiming and that everyone knows will fail.

[15]To generate the gridlock region for the pivotal politics model we require Senate members' scale-consistent ideal points. To acquire these estimates, we run Ideal on a pooled Senate roll call matrix. We then place the Senate and House estimates on the same scale by finding "bridge" actors — members who have roll call records in both chambers (N = 58)— and regressing their Senate ideal points against their House ideal points. This basic procedure is described in more detail in Poole and Rosenthal (1997) and Shor et al (2008). We then use these scale-consistent ideal points to determine the gridlock interval. For example, in the 102nd Congress the left boundary of the gridlock region is given by the member at the 40th percentile in the Senate; the right boundary is given by the 67th percentile (veto pivot) in the House or Senate, whichever is more extreme.

[16]In particular, 3.4, 6, 3.3 and 5.9 percent of cutpoints fall in the majority party interval in the 102nd, 103rd, 104th, and 105th Congresses, respectively. In these same Congresses, 83.4, 77.4, 72.2 and 61 percent of cutpoints fall in the pivotal politics gridlock interval.

[17]To conserve space, we relegate the Figures depicting the remaining 19 Congresses to the appendix. It is clear from Table 1 that, in general, cutpoints tend to fall on the minority side of the legislature, a finding consistent with the cartel theory but difficult to explain with a non-partisan theory. Notice that we examine the percentage falling to the left of the median as a check against the imprecision of cutpoitns noted in our simulation section. If we examine the percentage of cutpoints that fall inside the majority party interval over these 23 Congresses, we find broadly similar results. For example, an average of only 7.8 percent of cutpoints fall inside the majority party interval since the 94th Congress (compared to about 23 percent from the 86th to the 94th Congress.

[18]The Congresses included in the restricted sample are the 89th, 91st, 92nd, 93rd, 94th, 98th, 100th,

102nd, 104th, 105th, 106th, and 107th.

[19]Note that an increase in our measure relates to an increase in the blockout region of a Republican Congress, but a decrease in the blockout region of a Democratic Congress.

[20]We present the full set of regressions in the appendix. The R^2 on these regressions varies quite a bit. The mean R^2 is .24. The lowest R^2 is .02 in the 90th Congress; the highest R^2 is .74 in the 108th Congress.

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Table 1: Percentage of Cutpoints to Left of Floor Median: 86th to 108th Congress

Congress	% Left of Median	t-statistic	P-Value
86	0.24	−4.98	0.00
87	0.37	−2.71	0.01
88	0.42	−1.60	0.11
89	0.09	−15.71	0.00
90	0.40	−2.58	0.01
91	0.47	−0.67	0.51
92	0.35	−3.94	0.00
93	0.22	−10.71	0.00
94	0.11	−21.54	0.00
95	0.20	−12.01	0.00
96	0.19	−10.98	0.00
97	0.31	−4.53	0.00
98	0.11	−13.97	0.00
99	0.09	−14.54	0.00
100	0.09	−16.65	0.00
101	0.08	−17.88	0.00
102	0.07	−20.41	0.00
103	0.09	−16.43	0.00
104	0.93	20.13	0.00
105	0.84	9.98	0.00
106	0.84	10.78	0.00
107	0.68	3.59	0.00
108	0.84	9.98	0.00

Table 2: Testing the Dynamic Majoritarian and Negative Agenda Models

	Full	Restricted
Median Movement	1.43*	0.33
	(0.57)	(1.05)
Democratic Control	-8.09***	-10.25***
	(0.63)	(1.08)
Blockout Measure	-3.21***	-4.44***
	(0.36)	(0.59)
Constant	4.21***	5.32***
	(0.35)	(0.56)

*** p-value<.0001, * p-value<.05. Dependent variable takes 1 if the cutpoint is left of the floor median, and 0 otherwise. Full model run on all available cutpoints; restricted model run only on cutpoints for which the negative agenda control model makes unambiguous predictions.

Figure 1: Theories of Congressional Organization and the Absence of Cupoints

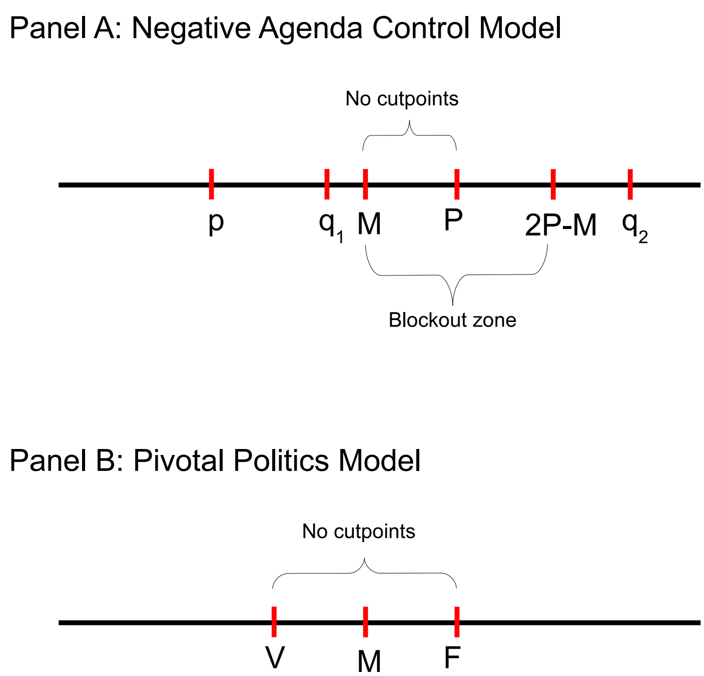

Figure 2: Simulation Results: Cutpoint Estimates

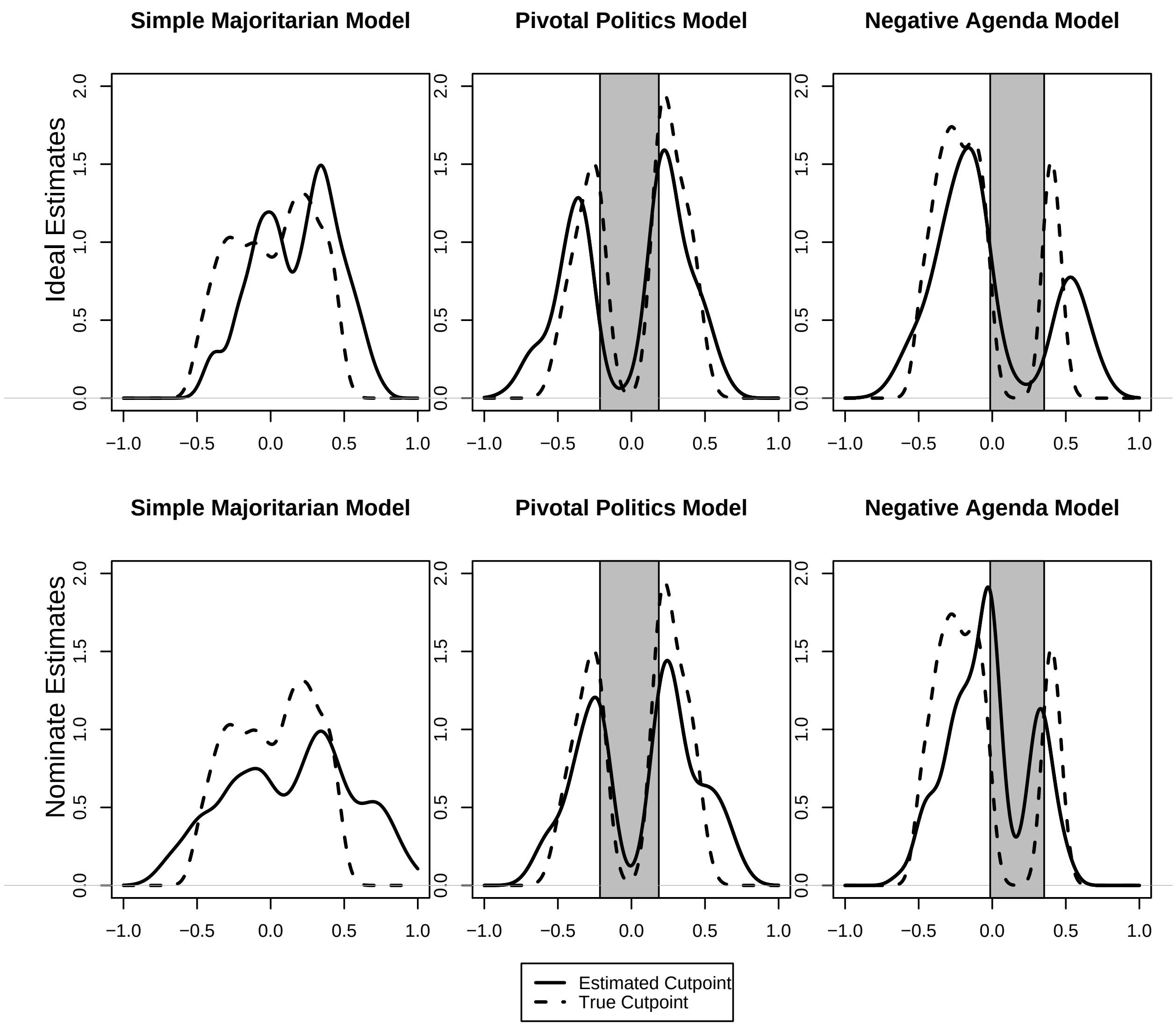

Figure 3: Simulation Results: Measures of Uncertainty

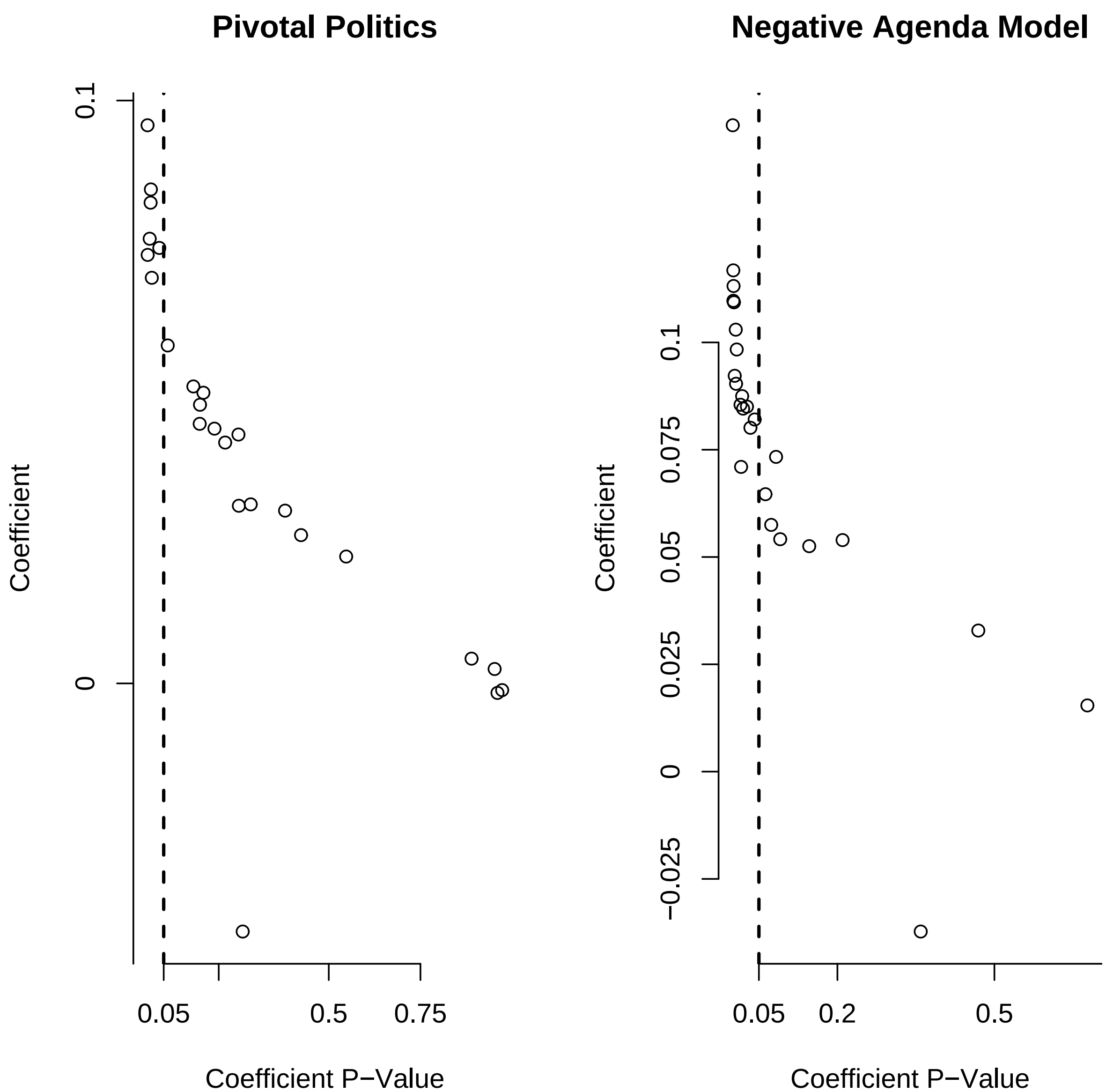

Figure 4: Distribution of Cutpoints: 102nd to 105th Congress

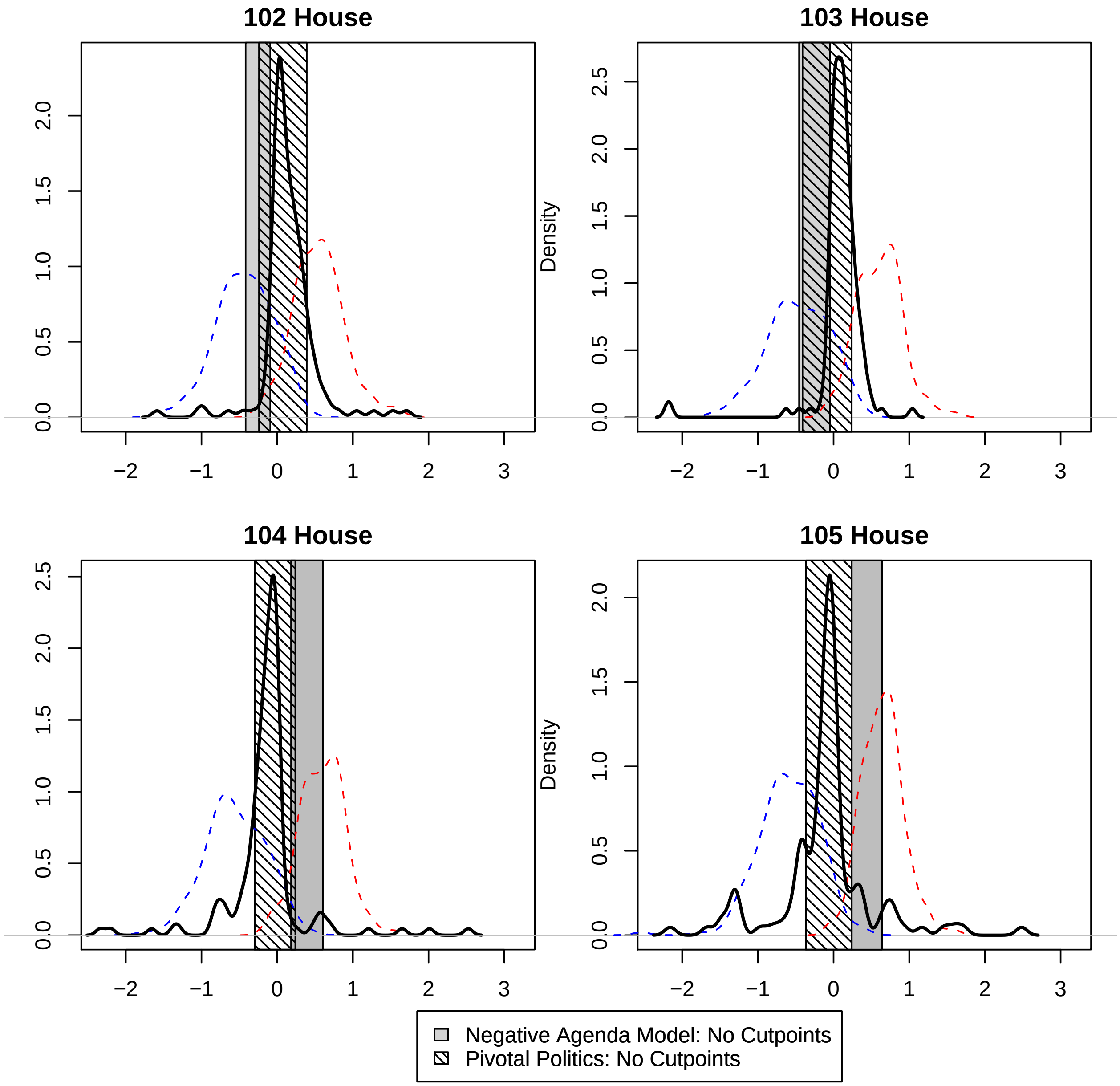

Figure 5: Predicting the Uncertainty Associated with Members' Ideal Points