

Coordination and Partisanship in Modern Conference Committees

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Abstract

Congressional conference committees serve a crucial legislative purpose: to reconcile bicameral disagreement. Though we articulate this fact in introductory government courses, in secret we offer a separate detail: conference committees are organized to advance the majority's preferred policies. The purpose of this paper is to assess these competing perspectives. Using data from the 104th – 110th Congresses I find that in the current era of strong parties, the bicameral function of conference committees—coordinating the behavior of both chambers—serves as an institutional constraint on the majority in their pursuit of party median policy. This is not to say that conference committees cannot be marked by party politics: quite the contrary. In assessing the two perspectives (the *partisan* and *coordinating* theories) I find that small conference delegations with non-jurisdictional conferees advance the policy goals of the majority party while large conference delegations with policy experts expedite the bicameral reconciliation process.

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Introduction

Though the Constitution is silent about how to resolve bicameral disagreements, formal institutions and procedural mechanisms nonetheless exist to guide the House and Senate in reconciling competing versions of public policy. Most significant in this regard is the congressional conference committee, which has been a distinct feature of our legislative organization since the first session of the first Congress (Longley and Oleszek 1989). But conference committees, like any formal institution, evolved from their original form as arbiters of bicameral agreement. McCown (1927) highlights one notable transformation in contrasting antebellum and post-antebellum era conference committees. The purpose of the original conference committee “was to bring about agreement between the Houses where there had been disagreement” (48). Following the Civil War and extending through the turn of the century, however, McCown identifies the bipolar nature that came to characterize these institutions. Some were “capable of *sinister* interpretation, some of them undoubtedly *constructive*” (48, emphasis added). The “sinister” purpose to which McCown alluded was the use of conference committees to facilitate partisan outcomes. Yet, at the same time, McCown suggests that despite strong the party forces in this era, conference committees could still be “constructive.” To what extent is this feature reflected in our modern legislature? Has the resurgence of partisanship undermined cooperation in conference? Do majority party members in conference, like in standing committees, behave as a “species of legislative cartel” (Cox and McCubbins 1993, 2005)? Rohde summarized these questions appropriately: “We just don’t know a lot about conference committees... and in particular we don’t know whether and how their patterns of operation have changed in the current era of strong partisanship (2002, 347).

Unfortunately the relevant literature has little to offer us regarding conference committees in the modern era of intense party polarization. In their seminal work on congressional conference committees, Longley and Oleszek (1989) remarked that post-passage politics is, “the most significant aspect of the congressional legislative process about which we know the least” (2). Others have noted “the theoretical lenses through which to view data on postfloor behavior are not well-polished” (Krehbiel 1991, 194). This is regrettable not only because of the pivotal role conference committees play in the legislative

process (Shepsle and Weingast 1987), but also because of the significant attention scholars have paid related topics such as standing committees and bicameralism.

The present research attempts to answer to Rohde's question about the interaction of conference committee politics and partisanship. The overarching conclusion is that in the current era of strong parties, the bicameral function of conference committees—that is, coordinating the behavior of both chambers—serves as an institutional constraint on the majority in their pursuit of party median policy. In other words, I argue that in the current context of hyper-partisanship conference committees remain, first and foremost, institutions that engender cooperation between the House and Senate. This conclusion stands in contrast with an emerging literature which argues essentially the opposite: that conference committees facilitate the policy goals of strong parties. I believe this work, despite its fit within the modern party literature, has incorrectly assigned secondary characteristics (most notably the Speaker's assignment power) a central role in the operation of conference committees. This is not to say that conference committees cannot be marked by party politics: quite the contrary. In assessing the two perspectives (hereafter the *partisan* and *coordinating* theories) I reconcile the divergent predictions regarding legislative outcomes. Despite the emphasis in this paper on conference committees as cooperation-producing coordinating bodies, I find a specific context in which conference committees do indeed promote partisan outcomes.

Conference Committee Politics

Neo-institutional theory shifted the conference committee literature from questions about which chamber “wins” most often (Fenno 1966; Manley 1970; Steiner 1951; Strong and Rundquist; Vogler 1970) to the role of conference committees in constraining behavior. In the wake of this paradigm shift, Shepsle and Weingast (1987) offered a pioneering explanation of standing committee preeminence. Their overarching conclusion was that standing committees possess an “ex post veto” via legislative procedure.

Specifically, since standing committee members are almost always named as managers in conference committee the standing committee can modify the policy back to its original committee-approved position or simply defeat the proposal (the latter denoting the ex post veto). While Shepsle and Weingast's theory proved fruitful during a legislative era marked by high committee autonomy, it became reasonable to question their findings under modern (a decentralized committee structure with strong parties) legislative context (Dodd and Oppenheimer 1993; Rohde 1991).

Highlighting the departure from the "ex post veto" strong committees thesis, Steven S. Smith (1989) examined challenges to conference committee autonomy by the parent chamber—through devices such as the exchanging of amendments in disagreement and the rejection of conference agreements—and found "a substantial weakening of committee autonomy at the conference stage" (232). In a summary postulate, Smith linked the devolution of committee autonomy with cooperation in conference. He noted that "patterns of decisionmaking in both chambers remain far more collegial in character than they were before the 1970s" (232). Smith's suggestion is, in a sense, the central feature of the proposed coordinating theory. The central question is: As Congress transitioned (in a period after Smith penned *Call to Order*) from an era of committee dominance to party dominance, has collegiality and cooperation in conference eroded?

Adopting a theoretically similar position as Smith (1989), Keith Krehbiel (1991) sought to identify whether the main features of U.S. legislative organization are primarily distributive—where the policy process is marked by competition among legislators for a limited set of political goods—or informational—where legislators pursuit of policy advance the "collective good" through policy expertise and the transmission of information. In his book-length research, Krehbiel dedicates a chapter to examining conference committee organization. He poses three questions: "What legislation goes to conference? Who goes to conference? Does a well-worn path exist on which legislation traverses after its initial passage by the House?" (194). The answer to the first question is that specialized committee bills, not highly distributive bills, tend to go to conference. In regards to the third question, Krehbiel

asserts, much like Smith (1989), that the ex post veto/committee dominance theory incorrectly assumes an equilibrium (by which they mean routine) path through the conference stage.

The answer to Krehbiel's (1991) second question—*who goes to conference?*— is particularly relevant for the current research. Krehbiel notes that, at first blush, the Speaker's unlimited power to name conferees may seem "oligarchic and partisan" (216). That is, taking a distributive perspective we would expect "high-demanders" or "preference outliers" to be overrepresented in conference committee. But, if we apply an informational lens and consider the role of expertise in conference committee procedure we can see that "majoritarianism lurks (perhaps deeply) beneath the surface of these alleged institutions of oligarchy" (Krehbiel 1991, 216). Armed with data from the 99th Congress, Krehbiel demonstrates that after controlling for expertise the coefficient on "preference outliers" is negative: suggesting that the distributive model is untenable regarding conferee selection. Thus, the Speaker restrains her partisan impulses and appoints conference managers who are policy experts and thus likely to produce majoritarian outcomes (244).

Taken together, the work of Keith Krehbiel and Steven S. Smith locate conference committees firmly in a majoritarian framework. With the rise of political polarization and partisanship (Aldrich 1995; Fleisher and Bond 2000; Hetherington 2001; Poole and Rosenthal 1997), however, new theories have once again shifted our understanding of congressional conference committees. Collectively dubbed "partisan theories of lawmaking" (Cox and McCubbins 1993, 2005; Dion and Huber 1996; Aldrich 1995; Aldrich and Rhode 2001; Rhode 1991), these perspectives posit that the chamber majority will use institutional mechanisms and procedures to skew legislative outcomes away from the median member and toward the majority party's preferred policy position. Though primarily formulated for standing committees and floor activity, these theories are ubiquitous in political science scholarship and have recently been applied to conference committee politics.

The first published work in taking up the partisan conference committee perspective attempted to identify the strategic calculus involved in selecting conferees (Nagler 1989). Using a revised version of Shepsle and Weingast's (1987) ex post veto theory, Nagler links the strategic selection of conferees,

determined to be a function of the potential conferee's ideological proximity to the Speaker, and the outcome of conference committees. In a related study, Carson and Vander Wielen (2002) find that as party polarization increases, seniority is less predictive of conference committee assignment while ideology increases in significance. Thus, by the mid-1990s seniority and ideology were equally important determinants of conference committee selection. Both studies suggest that the selection of conferees has a strong partisan component.

Lazarus and Monroe (2007) take the next logical step. They propose that when “the Speaker has reason to believe that a delegation composed solely of jurisdictional-committee members will produce a party-damaging conference report, the Speaker can use his appointment power to select a preferable conference delegation.” (4). The novelty of Lazarus and Monroe's rational choice theoretical framework is that their perspective is consistent with modern partisan theories of lawmaking (Cox and McCubbins 1993, 2005). Using an impressive dataset of conference committee politics from the 97th through 106th Congresses they demonstrate that under the conditions identified by their theory¹ the Speaker will name partisans as conferees *in addition* to committee members. This strategic maneuver, dubbed “packing the conference,”² maintains the norm of naming conferees that are familiar with the bill while simultaneously allowing the Speaker to put the party stamp on legislation. While this conclusion may seem convincing, no published study has empirically verified whether partisan outcomes result from stacking the conference. The relevant alternative is that stacking the conference is used to promote coordination between the two chambers. In the first step of this paper I address this limitation in the literature. More than simply filling a gap, the conclusions from this section have important implications for the theory of bicameral coordination and cooperation.

¹ The first condition identified by Lazarus and Monroe is when there is a significant difference in the position of the jurisdictional committee and the Speaker. The second condition is when members of the jurisdictional committee are able to “write the outlying policy position into a conference report” (p. 4).

² In this paper I will use the terms “stacking the conference”, “packing the conference” and “additional non-jurisdictional members” interchangeably.

Testing the Link between Stacking the Conference Hypothesis: Data and Methods

In order to identify when legislative outcomes shift in the direction of the majority party via the conference stage, House and Senate roll-call data was collected for each conference committee successfully reconciling bicameral policy disagreements for the first session of 104th Congress through the first session of the 110th Congress using the Thomas database. Four observations were recorded for each conference—the chamber vote totals for the majority and minority on approving the original chamber-passed bill (t_1) and the chamber vote totals for the majority and minority on approving the conference report (t_2). This data was used to construct two dependent variables. House partisan skew is the net difference from t_2 to t_1 for the majority party subtracted from the net difference from t_2 to t_1 for the minority party. Net difference for both parties is calculated as the proportion voting to approve the original chamber passed bill subtracted from the proportion voting to approve the conference report. Net difference, in other words, taps the extent to which each party increases or decreases their vote margin on the conference report compared to the original bill. The assumption here is that the net difference scores, and by extension the construction of the dependent variable, reflects substantive changes in the conference committee bill.

$$\text{Net Difference}_{\text{House Majority}} = \left[\left(\frac{\text{Majority Aye}_{t_2}}{\text{Majority Voting}_{t_2}} \right) - \left(\frac{\text{Majority Aye}_{t_1}}{\text{Majority Voting}_{t_1}} \right) \right]$$

$$\text{Net Difference}_{\text{House Minority}} = \left[\left(\frac{\text{Minority Aye}_{t_2}}{\text{Minority Voting}_{t_2}} \right) - \left(\frac{\text{Minority Aye}_{t_1}}{\text{Minority Voting}_{t_1}} \right) \right]$$

$$\text{House Partisan Skew} = \text{Net Difference}_{\text{House Majority}} - \text{Net Difference}_{\text{House Minority}}$$

Table 1 reports an example of this coding scheme. The legislation is H.R.1 in the 109th Congress, a bill “implementing the recommendations of the 9/11 commission.” In this example we can clearly see that the conference report shifted the final policy in the direction of the minority party (Republicans). That is, the conference agreement was approved by a larger proportion of Republicans than the bill originally passed by the House. In this case Republican negotiators agreed to the bicameral agreement

after gaining a key concession in conference that would limit lawsuits.³ The conference committee skew, in this case, was in the direction opposite the majority party median (or toward the chamber median).

[Table 1 about here]

The same construction was used for the corresponding Senate roll-call votes.

Net Difference_{Senate Majority} = [(Majority Aye_{t2}/Majority Voting_{t2}) - (Majority Aye_{t1}/Majority Voting_{t1})]

Net Difference_{Senate Minority} = [(Minority Aye_{t2}/Minority Voting_{t2}) - (Minority Aye_{t1}/Minority Voting_{t1})]

Senate Partisan Skew = Net Difference_{Senate Majority} - Net Difference_{Senate Minority}

Table 2 presents descriptive statistics for the net difference and partisan skew data. Also reported are difference of means tests (the null hypothesis value is zero). Patterns in the descriptive statistics and results of the hypothesis tests challenge the notion that conference committees systematically skew legislation toward the majority party median (at an aggregate level at least). In most cases the opposite appears to be true; conference committees skew legislation in the direction of the minority party (toward the chamber median). This trend is evident in the aggregate (pooling all seven Congresses) for the House but not the Senate. The pattern appears most pronounced during periods of divided government. There is some evidence, however, that unified government enhances the ability of the majority party to skew outcomes in the direction of their party's median (though these results fail to meet conventional standards of statistical significance).

[Table 2 about here]

For the 104th- 107th Congresses the minority in the House had statistically significant and positive net difference scores. For three of these four congresses (105th-107th) the net difference

³ Yoest, Patrick and Tim Starks. "Lawmakers Clear Sept. 11 Compromise." *CQ Weekly Online* (July 30, 2007): 2284-2285. <http://library.cqpress.com.lp.hscl.ufl.edu/cqweekly/weeklyreport110-000002561346> (accessed April 6, 2009).

score for the majority was statistically significant and negative. Partisan skew in all four cases was clearly in the direction of the chamber median. For the 108th and 109th (unified government) the results are in the direction of majority partisan skew but fail to reach statistical significance. Even in these cases, however, the majority party has a statistically significant negative net difference score. These results for the House exhibit a very clear pattern where legislation shifts toward the chamber median in conference committee with unified government apparently attenuating this trend.

The interpretation of the results for the Senate is less straightforward. It appears that the Senate (as a collective body) favors their original chamber passed bill more than the conference agreement. The net difference measures for the majority and minority are consistently negative—except for the 107th (minority) and 109th (majority) Congresses. Of the fourteen net difference cells, nine are statistically discernible from zero (.10 level) and negative. This apparent result conflicts with research that finds the Senate tends to “win” in conference (Fenno 1966; Manley 1970; Strom and Rundquist 1977; Vogler 1970). Regarding partisan outcomes in conference the results are ambiguous in the Senate data. There is some evidence that unified government (108th and 109th) increases the ability of the majority party to skew legislative outcomes. Divided government exhibits a similar (opposite) trend whereby partisan skew data is in the direction of the minority. The 104th and 110th Congresses provide the exception to these patterns. Regarding the ability of the majority to skew legislative outcomes in conference the evidence is very weak; though as with the House it appears majority party skew is greater under unified government.

While these results cast doubt on the partisan conference committee hypothesis at an aggregate level, and suggest that conference committees skew legislation toward the chamber rather than majority party median, the theory proposed by Lazarus and Monroe (2007) is specified at the conference-level. They conclude that when “the Speaker has reason to believe that a delegation composed solely of

jurisdictional-committee members will produce a party-damaging conference report, the Speaker can use his appointment power to select a preferable conference delegation.” (4). In other words the partisan conference committee hypothesis is conditional on the appointment of non-jurisdictional members. Lazarus and Monroe, however, test the partisan hypothesis with data on the conferee selection. Thus, they do not take the next step and test their proposition against actual outcomes. Next, I perform a multivariate test of this proposition using the dependent variable reported above. At the same time I conduct a simple test of the patterns revealed in the descriptive statistics suggesting that conference committees shift roll-call patterns away from the majority party median and toward the chamber median. The formal hypotheses being tested are:

H1 (Partisan Hypothesis): If stacking the conference is used to facilitate majority party median policy outcomes, then conference delegations with a greater proportion of non-jurisdictional members should exhibit a positive partisan skew. That is, we would expect the majority party to increase their net difference from the pre-conference to post-conference roll-call votes relative to the net difference for the minority.

H2 (Non-Partisan Hypothesis): If conference committees serve as an institutional constraint on the majority party in their pursuit of party median policy outcomes, then highly partisan legislation should exhibit a negative partisan skew. That is, if conference committees skew legislation away from the majority party median we would expect a highly partisan chamber passed bill to emerge from conference negotiations less partisan.

The primary independent variables in this analysis are “stacking the conference” and the level of partisanship on the original chamber roll-call (t_1). Following Lazarus and Monroe (2007) I code stacking the conference as the proportion of non-jurisdictional members serving in conference for each chamber. For this variable (*Stack*) higher values indicate a greater proportion of non-jurisdictional conferees. Partisan roll-calls on the original chamber passed bill (*Party Vote t_1*) are coded as the proportion of the majority party voting to approve the original bill subtracted from the corresponding proportion for the

minority. Higher values indicate that the bill was in the direction of the majority party median at original passage (t_1).

A number of controls are included in the model specifications as well. I control for the size of the conference committee (*Conference Size*) using a count of the total number of conferees from the House and Senate. Majority and minority saliency (*Majority Saliency* and *Minority Saliency*) are coded as the number of majority (minority) members who cosponsored⁴ the original chamber bill (see Kessler and Krehbiel 1996). The variable *Narrow Passage* indicates the roll-call margin of approval on the original chamber passed bill; the maximum is 1 and the minimum is .50. *Referrals* is a count of the number of jurisdictional committees receiving bill referral. I code for two forms of divided government. The variable *Pure Divided* is a dichotomous variable which takes the value one whenever both chambers were controlled by a single party while the president was of the opposing party. *Quasi-Divided* is a dichotomous variable which assumes the value one whenever opposing parties controlled the House and Senate (Binder 1999). In all models unified government is the reference category. The size of the majority party's seat advantage (*Majority Size*) is coded as the number of majority seats divided by the number of minority seats. The variable *Conf.-Cham. Distance* is the ideological divergence⁵ between the median conference committee member and the chamber median. *H-S Roll-Call Divergence* taps the partisan divergence between the House passed bill and the Senate passed bill. It may be that when the Senate passes a moderate or "bipartisan" bill and the House passes a bill at the majority party median (Krehbiel 1998) the ability of the majority party (or preference) to skew legislative outcomes is attenuated by intra-party heterogeneity. The variable *Time Horizon* is a count of the number of days from when the second chamber named their conferees until the final legislative session of Congress. Finally I control for differences in partisan skew due to the type of committee(s) with jurisdiction over the bill. The first taps whether the legislation being reconciled is an appropriations bill⁶ (*Appropriations*). The remaining

⁴ I would like to thank James Fowler for making this data available on his website. Any errors in the application and interpretation of this data are my own. See <http://jhfwolwer.ucsd.edu/>.

⁵ This variable was calculating using Keith Poole's Optimal Classification (OC) scores. I would like to thank him for making this data available on his website. http://voteview.ucsd.edu/Optimal_Classification.htm

⁶ Fenno (1966) argued that the Appropriations Committee is a highly cooperative body guided by a norm of "consensus" (this finding was later empirically verified by Carson, Finocchiaro, and Rohde 2001).

committee controls code referral to one of Deering and Smith's (1997) committee typology (*Policy, Constituency, Prestige, Mixed*).

Results I

The results of the multivariate analysis for the House and Senate are presented in table 3. Since the dependent variables are continuous the models were estimated via OLS. Standard errors were clustered by Congress to control for within-cluster correlated errors. The proceeding model interpretation is restricted to the primary independent variables. In a subsequent analysis I interpret the full model.

The primary independent variable testing the partisan hypothesis (*Stack*) is in the intended direction (positive) but insignificant in both models. I cannot confirm the theory that the appointment of non-jurisdictional members to serve in conference results in legislation skewed toward the majority party median. This contrasts with the emerging literature on conference committee politics (Lazarus and Monroe 2007). The non-partisan hypothesis, however, is verified by the results⁷ in the House and Senate. Legislation passed at the majority party median in the chamber is likely to shift in the direction of the chamber median (that is toward the minority party) in conference. Conference committees attenuate partisan outcomes. For example, a bill passed in the House by a vote of 81-118 for the minority and 222-18 for the majority (a standard deviation above an "average" vote) is estimated to shift toward the chamber median in conference by about -.34 (a 34% change in the pre-conference roll-call pattern). If we allocate this shift equally to majority and minority using the 104th Congress as our baseline, the Democrats (minority) are estimated to have a net increase of about thirty-five roll-call votes while the Republicans (majority) are estimated to have a net decrease of about thirty-nine roll-

⁷ In the Senate model the coefficient is only significant at the .10 level.

call votes.⁸ This trend may explain the declining use of conference committees in the hyper-partisan era. The majority may be attempting to avoid conference negotiations.

[table 3 about here]

The findings thus far suggest that bicameralism, specifically legislative conference committees, serve as an institutional constraint in the majority party in their pursuit of party median policy outcomes (see also Oppenheimer and Hetherington 2008). In both the descriptive statistics and multivariate analysis I find no evidence to confirm the partisan conference committee theory. Rather, the results suggest that the only systematic partisan skew in conference is in the direction of the minority party (though this trend is most pronounced in the House). This matches a majoritarian description of conference committees (Smith 1989; Krehbiel 1991).

From here I elaborate the theoretical justification for the bicameral coordination hypothesis. The goal here is not to identify the most likely cause(s) of bicameral cooperation in conference—for some of the theoretical explanations are necessarily limited while others may seem far-fetched. Rather the aim is to convince the reader that the theory guiding this research has enough theoretical traction to warrant an empirical investigation. Ultimately we arrive at a perspective that potentially explains both partisan and cooperative conference committee outcomes.

An Alternative Theory of Stacking the Conference: Institutionalizing Cooperation

Certainly the Speaker and Senate majority leader (in consultation with other members of the leadership and relevant committee chairman) have the formal authority to name whomever

⁸ Allocating the partisan skew equally to each party results in the following calculations: $(204 \text{ Democrats} * .34/2)=34.68$ and $(230 \text{ Republicans} * .34/2)=39.1$.

they desire to serve in conference. This much is without question. House rules, for example, state that the Speaker shall:

appoint all. . . conference committees ordered by the House. . . [and in fulfilling this requirement] the Speaker shall appoint no less than a majority who generally supported the House position. . . shall name those who are primarily responsible for the legislation, and shall, to the fullest extent feasible, include the principal proponents of the major provisions of the bill or resolution passed or adopted by the House. (Rule I, Section 11)

Thinking of the Speaker as a party agent it is intuitive to interpret this rule as the premise to partisan conference outcomes *a priori*. But, there are also good reasons to expect that the Speaker (and Senate majority leader) will often restrain their partisan impulses and appoint non-jurisdictional managers who can foster successful bicameral reconciliation and cooperation. Perhaps the strongest argument for why conference committees are likely marked by bicameral cooperation is that this is the primary purpose these institutions are meant to serve (Longley and Oleszek 1989; McCown 1927). Before a bill can be agreed to in conference at least half of each chamber's delegation must approve of the compromise bill. But there are a number of other, less obvious, reasons as well.

Scholars have long recognized that norms such "seniority" (Rohde 1991; Sinclair 2005) and "committee deference" (Diermeier 1995; Shepsle and Weingast 1987) influence legislative politics. In a study of the House Ways and Means Committee, Manley (1965) identified the norm of "restrained partisanship." Manley's research was motivated by two seemingly mutually exclusive observations: that despite a highly partisan atmosphere (Fenno 1973) the Ways and Means Committee maintained high levels of collegiality (see also Mayhew 1974). He argued that "The norm of restrained partisanship means that members should not allow partisanship to interfere with a thorough study and complete understanding of the technical complexities of the bills they consider. Members have a bipartisan responsibility to the House and to the nation to write sound legislation." (929). Manley explained this observation of Ways and Means as a

manifestation of the demands imposed on the committee by the chamber. In the case of conference committees, the demand imposed by each chamber is fairly straightforward: reach bicameral agreement.⁹ Or, as Longley and Oleszek (1989) put it, conference committees operate in an “agreement-oriented” institutional context (194). Similar arguments have been advanced with respect to judicial decision-making, where a “consensual norm” can serve as an institutional constraint on dissenting behavior and encourage compromises (Caldeira and Zorn 1998; Walker, Epstein, and Dixon 1988). The argument here is straightforward—conference committee norms, which are determined by demands imposed by their bicameral responsibility, engender a collegial interaction and attenuate party conflict.

Additional theoretical treatments of legislative decision-making can be brought to bear on conference committee politics as well. Most notably, we can think of the conference committee process as one of the final stages in a path dependent sequence (North 1990; Pierson 2004). Once legislation reaches the conference stage the majority of the work (writing the legislation, introduction, committee markup, approval) is complete. Suffice it to say that many members, one could argue *the entire chamber*, have invested their limited resources (time, money, bargaining power, vote trading, hearing time, campaign promises, staff expertise, etc.) in the legislation waiting in conference. Appointing partisans to reconcile bicameral differences may upset fragile voting coalitions or cause the minority to engage in dilatory tactics and thereby increase the prospect that the member’s resources will be “wasted.” Skewing the composition of conference committees away from the normal chamber distribution introduces uncertainty into the process. Additionally, the range of policy options available to conferees is restricted by the inherent nature of bicameralism (Stewart III 2001, 71-74) and the “interval rule” (Longley and

⁹ Fenno (1966), in his study of the House Appropriations Committee makes a series of similar arguments. He details “committee integration”, defined as “the degree to which there is a working together or a meshing together or mutual support among its roles and subgroups” (p. 310). Committee integration, Fenno explains, is driven by the “purpose” of the committee.

Oleszek 1989; Lazarus and Monroe 2007; McCown 1927). It is not the case that conferees are unconstrained in their decision making; the policy space for conference agreement is constrained before the conferees are even named. Taken together, the ultimate fate of bills which go to conference is largely determined in earlier stages when members invest their resources in a particular outcome and by rules which limit the policy space.

We can also look to partisan theories of lawmaking for theoretical reasons why the Speaker may appoint members to conference who will foster quick bicameral reconciliation and cooperation. For example, if we accept that parties are a species of “legislative cartel” (Cox and McCubbins 1993, 2005) and assume that the chamber passed legislation reflects the policy preferences of the majority, then the hypothesis that the Speaker will stack the conference for partisan gain may be, as a practical matter, redundant. That is, if the original chamber passed bill is located at the ideal point of the majority party, then the Speaker (at the pre-conference stage) prefers the chamber passed bill to the status quo. It may be that the advantageous strategy for the Speaker is to name conferees that will foster quick bicameral reconciliation, engender a kind of reciprocal norm from the minority members, and thereby ensure the majority’s favored bill makes it to the president’s desk with little resistance. This point suggests that partisan theories of lawmaking are not necessarily inconsistent with the proposed theory.

We can also imagine instances where electoral motivations (Mayhew 1974; Fiorina 1989) may pressure the House leadership to name conferees that will foster collegiality rather than partisanship. Institutionally speaking, the simple fact that the Speaker is elected by a chamber majority may constrain the range of choices available to her in favor of bipartisan policy compromises (Krehbiel 1991). On the other hand, we can consider exogenous electoral motivations for the House leadership to behave in a cooperative fashion. In a theoretical treatment of the factors which may attenuate conditional party government, Dodd and

Oppenheimer (1997) detail what they term constructive partisanship. They argue that a majority seeking to remain in control of the legislative branch may need to govern effectively, by working with the minority and approving some of their preferred policies, rather than pursue strict partisan advantage. In evolutionary psychology and related fields this form of behavior is labeled “reciprocal altruism” (see Axelrod 1984). Demonstrating to the public that they are able to wield the reins of power efficiently, the majority increases their rapport within the electorate: an argument in line with the notion of credit claiming.¹⁰ As a corollary, effective governance may have the additional benefit of enhancing institutional legitimacy (Dodd 1981; Polsby 1968).

While the foregoing paragraphs have situated the linkage between stacking the conference and cooperative outcomes in a strategic calculus and/or contextual factors, there is a *procedural* mechanism which may be at play as well. When bicameral disagreements are fairly complex, spanning multiple policy domains, conferees are frequently appointed as either “limited” or “exclusive” conferees (see Smith 1989, 213). These members are restricted to reconciling the provisions in disagreement on which they have some sort of expertise. Policy experts, in turn, are better able to locate compromise positions in the policy space. Since many of these members are technically “outsiders,” it may be that any association between stacking the conference and cooperation is derivative of limiting conferees bargaining options. That is, by restricting the purview of these members there is less *potential* for disagreement and conflict.

What I hope to have demonstrated up to this point is that there are plausible theoretical reasons to expect that, strict partisanship aside, conference committees, including the strategic selection of conferees, may operate in a context where bicameral coordination is the overarching feature. While the question of which explanation(s) motivate bicameral cooperation is beyond

¹⁰ Murphy (1974) makes a similar argument in his examination of Public Works. He argues that projects with national constituency appeal tend to be low in party conflict and high in cooperation. Since conference bills are often important national policy matters we can logically apply Murphy’s findings here and posit that cooperation, not partisanship, is the dominant feature of conference committees.

the scope of this paper, the reality is that they are not mutually exclusive. An important question remaining is: Can we reconcile the goals of facilitating bicameral coordination with the majority's desire to skew legislative outcomes toward its median?

Published research has theorized that the connection between conference committees and partisan outcomes stems from the preferences of the conferees. When the majority desires a partisan outcome they will appoint loyal partisans to serve in conference, or so the theory goes. No work (that I am aware) has addressed the *size* of conference delegations as another relevant factor for the majority to consider. The logic behind positing a connection between conference size and partisan outcomes is straightforward: small conference delegations are easier for the majority leadership to control. This proposition is not new. Longley and Oleszek (1989) made exactly this argument noting that chamber and committee leaders prefer small conference delegations because it preserves their influence over the negotiation process (185-186). But, it may also be the case that the leadership is better able to predict the outcome of conference committee negotiations when they only have to consider the behavior of a few members. Thus, we may be able to reasonably expect that when pursuing party median policy the majority party leadership—*ceteris paribus*—will appoint small conference delegations. When this condition is met, stacking the conference is likely to produce the desired effect (Lazarus and Monroe 2007). In other words the stacking the conference partisan hypothesis is conditional on the size of the conference committee. The formal hypothesis is:

H3 (Small Conference Partisan Hypothesis): For conference committees with small delegations, stacking the conference increases the ability of the majority to shift policy outcomes toward their median member.

Conversely, when the Speaker and majority party leadership appoint large conference delegations (usually when House-Senate disagreements are complex), the goal is greater coordination between the chambers. Non-jurisdictional members serving in this capacity are appointed primarily because of their policy-expertise rather than strict partisanship. The advantage of appointing policy experts is that they are better able to identify compromise policies that satisfy both chambers. Perhaps more importantly, appointing groups with specific areas of expertise permits the establishment of a division of labor. We know, for example, that during large conference committee meetings subconferences are formed and tasked with reconciling specific matters on which their members are experts. Moreover, these members are frequently constrained in the provisions on which they act (Smith 1989, 213). Assuming large conferences with non-jurisdictional members are appointed to promote bicameral coordination and cooperation we would expect two outcomes: (1) these conference delegations should produce conference reports which skew toward the chamber median (away from the majority party median) and (2) bicameral disagreements should be reconciled in an expedited manner. The formal hypotheses are thus:

H4 (Large Conference Non-Partisan Hypothesis): For conference committees with large delegations, stacking the conference decreases the ability of the majority to shift policy outcomes in conference toward their median member.

H5 (Large Conference Coordination Hypothesis): For conference committees with large delegations, stacking the conference should increase bicameral cooperation by reducing the amount of time it takes for conferees to reconcile House and Senate policy disagreements.

Reconciling the Partisan and Coordinating Theories: Data and Methods

To test hypotheses H3 and H4 the models estimated in table 2 were reexamined. The dependent variable, again, is the level of partisan skew. This time, however, the primary

independent variable is the interaction of stacking the conference and the size of the conference committee (denoted *Stack*Conference Size*). To aid interpretation of the interaction term conference size was first centered at its minimum value (8 conferees).

In order to examine the final hypothesis (H5; the conference committee coordination hypothesis) I needed to construct an alternative dependent variable. The theory states that the appointment of non-jurisdictional members in large conference negotiations is an attempt to promote bicameral coordination and cooperation. The important question at this stage is: How can we operationalize an abstract concept such as bicameral cooperation? As I see it, the primary dimension demarcating bicameral cooperation from conflict is temporal. In conference, *quick reconciliation of bicameral differences is indicative of cooperation.*¹¹ Despite the fact that each chamber can, as a procedural matter, remain steadfast in their position, quid pro quo compromises epitomize conference committee politics (Longley and Oleszek 1989). Though technically referring to standing committees, Baughman (2006) noted: “one omnipresent method of cooperating with another panel sharing a referral on a bill in the House is to recede in the other’s favor” (85). Some have even claimed that unnecessary provisions are intentionally added to legislation likely to go to conference to serve as bargaining chips, or facilitators of compromise in this manner (Fenno 1966; Longley and Oleszek 1989). For the present purposes the number of legislative days from when the second chamber to act named their slate of conferees until the committee filed the conference agreement serves as the primary metric of cooperation.¹²

¹¹ A counter point can be raised that it may only take conferees a short time to realize they are deadlocked. This is a valid point. Thus, the sample was restricted to include only conferences that were successful in reaching bicameral agreement.

¹² Other operationalizations were considered. For example, it is possible to count the number times the conferees met in conference. This is problematic, as conference negotiation frequently occurs informally. Though not as problematic, the current metric similarly underestimates the actual amount of time members spent negotiating. Simply put, there is no way to gauge the level of informal negotiation that goes on behind the scenes. The metric of

While time is an excellent proxy for the amount of cooperation and coordination in conference there is one fatal limitation. As Longley and Oleszek note, conference proceedings “differ markedly concerning the *length of conference proceedings*. Particularly on contentious or multifaceted legislation, lengthy conferences are not uncommon” (133, emphasis in original). Thus, “contentiousness” or “issue complexity” must be taken into account when constructing the measure of bicameral cooperation. Fortunately, a direct source of information regarding the issues being reconciled in conference exists. Regarding the filing of conference agreements, House Rule XXII clause 7(e) states that “Each such [conference] report shall be accompanied by a joint explanatory statement... [which] shall be sufficiently detailed and explicit to inform the House of the effects of the report on the matters committed to conference.” As Bach (2003) explains, “The joint explanatory statement typically identifies each major matter in disagreement that was submitted to the conferees” (2). Using text analysis software a word count was conducted on each joint explanatory statement. The number of words serves as the proxy for issue complexity.

To construct the actual measure of bicameral coordination, both time and complexity were first converted to z-scores. Since length of time is negatively associated with cooperation the standardized variable was computed and multiplied by negative one. The two measures were then combined in an additive index where higher values indicate more cooperation (zero indicates an average value). Figure 1 reports the distribution of the dependent variable.

[figure 1 about here]

time utilized in this research represents the best alternative when balancing both formal and informal aspect of conference negotiation.

Results II

Table 4 reports results for the House and Senate models examining the modified partisan theory (H3) and the first component of the coordinating theory (H4). The models were estimated via OLS. A number of controls variables are statistically significant and in the intended direction. Eras of divided government, both pure and quasi varieties, constrain the ability of the majority party to skew legislative outcomes in conference committee. Or, stated in the opposite direction, divided government results in conference agreements which shift the policy toward the chamber median. This effect is confirmed in both the House and Senate models. Divergent House-Senate roll-call votes on the original chamber passed bill is also found to reduce the ability of the majority to skew legislative outcomes (though this effect is only evident in the House model). When the House passes a bill at the majority party median and the Senate passes a moderate or “bipartisan” bill, the conference outcome is expected to skew away from the House majority median position.

[table 4 about here]

As with the original results in reported in table 2 I find evidence to confirm H2. When partisan chamber-passed bills are reconciled in conference committee the conference agreement shifts the bill toward the minority-party position. In other words conference agreements tend to be less (more) favorable to the majority (minority) party when the original chamber passed bill is highly partisan. A similar effect is evident in the Senate model (though only significant at the .10 level). This finding suggests that conference committees, in the aggregate, constrain the ability of the majority to skew legislative outcomes. Conference committees serve a primarily non-partisan purpose.

In the House model the interaction effect between conference size and stacking the conference (the primary independent variable) is significant and in the hypothesized direction. Figure 2 plots the House interaction effect. The three lines represent conference committees a standard deviation below their mean size (low), at their mean (medium), and a standard deviation above their mean size (high). The x-axis varies the proportion of non-jurisdictional members serving in conference (“stacking”) from its minimum to maximum values. The y-axis plots the estimated partisan skew. We can see that for smaller size conference committees (about 19 House and Senate members) the effect of stacking the conference increases the level of partisan skew. That is, when the Speaker appoints non-jurisdictional members to serve in small sized conference negotiations the conference report is estimated to shift in the direction of majority party. For conference committees of average size (about 46 House and Senate members) the effect of stacking the conference is minimal (slightly decreasing in partisan skew). For large conference committee delegations (about 74 House and Senate members) the effect of stacking the conference *decreases* the level of partisan skew. That is, when the Speaker appoints non-jurisdictional members to serve in large conference negotiations the conference report shifts in the direction of the chamber median. These findings confirms hypothesis 3 and 4.

In the Senate models the interaction effect between stacking the conference and conference size is insignificant. I find no evidence of hypothesis 3 and 4. There appears to be little evidence that differences in conference size and the appointment of non-jurisdictional members has any discernable effect on shifting roll-call patterns from the pre-conference to post-conference bills. In the discussion section I elaborate on why this may be the case. In the Senate model the only statistically effect is with divided and quasi-divided government. Both are found to decrease the ability of the majority party to skew legislative outcomes in conference.

In testing the coordination hypothesis (H5) the House and Senate models were rerun in a similar¹³ format as the previous models. Table 5 reports the results of bicameral reconciliation in conference committee. The interaction effect of stacking the conference and conference committee size is statistically discernable from no effect and positive. Figure 3 plots the interaction effect. As with the previous presentation of the interaction effect the lines represent conference committees a standard deviation below their mean size (low), at their mean (medium), and a standard deviation above their mean size (high). We can see from the figure that for conference committees classified as low size the effect of stacking the conference is quite small. For conference committees of medium and high size, however, the positive slope indicates that stacking the conference results in faster reconciliation of House and Senate differences (controlling for all else). For a conference committee of medium size, a standard deviation increase in the number of non-jurisdictional conferees increases cooperation by about .40, or about 22 fewer legislative sessions required to reconcile differences. For a conference committee of high size, a standard deviation increase in the number of non-jurisdictional conferees increases cooperation by about .72 or about 27 fewer legislative sessions. These results confirm the coordination hypothesis—when non-jurisdictional members are appointed to serve in large conference committees the results is faster reconciliation of bicameral disagreements.

[table 5 about here]
[figure 3 about here]

¹³ In the previous models narrow passage, referral and majority size were all separate variables for the House and Senate. So, for example, narrow passage in the House models was proportion of representatives voting to approve the original chamber bill. In the Senate models, however, it was the proportion of senators voting to approve the original chamber bill. In this model rather than add each of these variables individually I combined them into a single variable. The recoded variables are H-S Narrow Passage, H-S Referral and H-S Majority Size. I included separate variables for House conference-chamber distance and Senate conference chamber distance.

A number of controls are relevant in this model as well. The coefficient on the number of referral committees is significant and positive, indicating that multiply referred legislation is more efficiently bargained in conference committee. The explanation for this effect may be that during multiple referral a greater number of policy experts are involved in the reconciliation process (even if it is informal). At the same time it may be that when multiple committees have invested their resources in a bill waiting in conference, the pressure exerted by members of the chamber speeds quid pro quo bargaining. I also find that that the greater the number of legislative days between when the second slate of conferees is named and the final legislative session the longer it takes conferees to iron out differences. When conferees are tasked with reconciling differences toward the end of a congressional session, however, the negotiation process is noticeably expedited, as expected.

Conclusions and Discussion

The overarching conclusions of this paper are as follows. First, the aggregate data patterns reveal that conference committees are primarily non-partisan bodies. Systematic majority party partisan skew is noticeably absent from the descriptive statistics. Moreover, in the House at least, it appears that the opposite is true: legislation skews toward the minority party (chamber median) when it goes to conference. At the same time I find that partisan chamber passed legislation emerges from conference negotiations skewed in the same manner (H2). This pattern is evident in the House and Senate. Second, I find no evidence to confirm the *standard* partisan hypothesis (H1). This does not mean that partisan outcomes are always absent from the conference process. Rather, partisan outcomes occur when non-jurisdictional members to serve in large conference negotiations (H3). Third, when conference committees are composed of many members and the leadership appoints non-jurisdictional members to serve in negotiations—presumably because of their policy expertise—the result is legislation which

skews toward the chamber median (H4) and is reconciled in a more expedited manner (H5; the coordinating hypothesis). Summarized in a single sentence, I have argued that it is best to characterize conference committees as non-partisan bodies that facilitate bicameral cooperation—though partisan outcomes occur under limited circumstances.

Questions will inevitably arise as to what promotes cooperation in conference. Indeed, the theory section had very little to say about many topics. The goal, however, was not an exhaustive discussion but rather to build a foundation for the theory that conference committees institutionalize cooperation in spite of high party forces. Future work has already begun seeking to more adequately examine the institutionalization of cooperation in conference and other legislative settings. One interesting possibility is that bicameral cooperation has partisan origins. That is, if we assume chamber outcomes are located at the preferred policy position of the majority party, then advancing cooperation may be a strategic decision by the leadership to ensure the passage of these legislative wins. Thus, while partisans in conference are not a “species of legislative cartel”, this conclusion should not be interpreted as evidence that partisan theories of lawmaking are somehow wrong.

One of the vexing issues in this research is the tenuous conclusions regarding the Senate. Though I find evidence of H2—the non-partisan hypothesis—and H5—the coordination hypothesis—in the Senate, I find no evidence of systematic partisan skew. What can explain the less robust Senate results? The most obvious answer is that the partisan theories being tested here are better suited for the House. Highlighting the work of organizational theorist Karl Weick, Dodd (2002) argues that the House and Senate operate in different contexts—where the House is highly structured and belief driven while the Senate is characterized by informal institutions and lacks a general reality. Dodd argues: “The thrust of these observations is to suggest that the Senate has proven elusive because the theories of substantive rationality that legislative scholars

have learned to use in extensive study of the highly structured House of Representatives inhibit our ability to comprehend the fluid patterning of senatorial politics” (359). While this insight certainly captures important theoretical differences between House and Senate it should not be taken as a scholarly “get out of jail free” card. There may be some plausible explanations for the lack of findings for the Senate.

First, recall the descriptive statistics reported in table 2 which showed that both the Senate majority and minority tended to lose provisions in conference. Second, recall that the mean partisan skew (aggregate) for the Senate data is not statistically different from zero. Third, closer inspection of the Senate partisan skew data reveals that the variation in this variable is about half that of the House data. What do these trends mean? These observations may reflect that the Senate is voting as a cohesive body. Unlike the House, where provisions removed or added in conference are thought to benefit (majority) partisans, provisions removed or added to the Senate bill in conference are seen as affecting the entire body. Though party cohesiveness may be higher in the modern Senate (Sinclair 2005), Fenno (1966) made a similar observation—that Senators are the more cohesive body in conference negotiations. Thus, partisan considerations may be the wrong manner of thinking about Senate conference strategies as the underlying logic motivating behavior may be based on chamber considerations.

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Table 1: Coding Scheme for H.R. 1 (110th Congress)

	Majority Aye	Majority Nay	Minority Aye	Minority Nay
Chamber Passage (t ₁)	231	0	68	128
Conference Report (t ₂)	221	1	150	39
Majority Net Gain	$(221/222) - (231/231) = -0.0045$			
Minority Net Gain	$(150/189) - (68/196) = 0.4467$			
House Partisan Skew	$-0.0045 - 0.4467 = -0.4512$			

Table 2: Conference Committee Net Difference and Partisan Skew (104th-110th)

	House			Senate		
	Net Difference Majority	Net Difference Minority	Partisan Skew	Net Difference Majority	Net Difference Minority	Partisan Skew
104 th	-.0102	.1169**	-.1271***	-.0009	-.0534*	.0525*
105 th	-.0229*	.1196***	-.1425***	-.0297*	-.0043	-.0254
106 th	-.0560***	.1967***	-.2527***	-.0513***	-.0374	-.0139
107 th	-.1497*	.0774*	-.2271**	-.0110**	.0188*	-.0298**
108 th	-.0158**	-.0501	.0343	-.0099**	-.0889**	.079**
109 th	-.0152**	-.0289	.0137	.0137	-.0285*	.0422*
110 th	-.0093	.0379	-.0472	-.0076*	-.0111	.0035
Aggregate	-.0224***	.0791***	-.1015***	-.0174***	-.0316**	-.0143

Notes: *P<.10, **P<.05, ***P<.01; Stars adjacent to the mean indicate the value is statistically discernable from zero.

Table 3: Determinants of Partisan Outcomes in Conference

	<u>House</u>		<u>Senate</u>	
	Partisan Skew	S.E.	Partisan Skew	S.E.
Stack	0.2095	0.1689	0.0891	0.0554
Conference Size	0.0011	0.0014	-0.0011**	0.0004
Party Vote t_1	-0.6160***	0.1105	-0.3505*	0.1745
Majority Saliency	0.0011	0.0011	-0.0009	0.0008
Minority Saliency	-0.0019	0.0018	-0.0006	0.001
Narrow Passage	-0.2015	0.1561	0.1919	0.3853
Referrals	-0.0104	0.0146	-0.0356	0.0653
Pure Divided	-0.1440***	0.0186	-0.0623**	0.0239
Quasi Divided	-0.1296**	0.0441	-0.1286***	0.0314
Majority Size	1.0316*	0.5111	-0.331	0.2002
Conf.-Cham. Distance	0.0608	0.3251	0.0537	0.0746
H-S Roll-Call Divergence	-0.1981**	0.0795	0.1127	0.0709
Time Horizon	-0.0004	0.0004	-0.0004	0.0003
Appropriations	-0.1019	0.0681	-0.0321	0.0344
Policy	0.0436	0.0633	0.0439	0.0932
Constituency	-0.0779	0.0669	0.0543	0.1169
Prestige	0.0633	0.045	-	-
Mixed	-	-	0.0778	0.1097
Constant	0.24	0.2251	-0.0319	0.3608
N	211		211	
R ²	.55		.25	

*** p<0.01, ** p<0.05, * p<0.1; standard errors clustered by congress. Both models were estimated via OLS.

Table 4: Determinants of Partisan Outcomes in Conference

	<u>House</u>		<u>Senate</u>	
	Partisan Skew	S.E.	Partisan Skew	S.E.
Stack	0.3831	0.1976	0.1802	0.1577
Conference Size	0.0061**	0.0021	-0.0009	0.0007
Stack * Conference Size	-0.0110**	0.0038	-0.0031	0.0068
Party Vote t_1	-0.6232***	0.096	-0.3500*	0.1744
Majority Saliency	0.0011	0.001	-0.0011	0.0008
Minority Saliency	-0.0018	0.0015	-0.0003	0.0012
Narrow Passage	-0.2483	0.1743	0.1654	0.4017
Referrals	-0.0185	0.015	-0.0389	0.0674
Pure Divided	-0.1512***	0.02	-0.0633**	0.0242
Quasi Divided	-0.1414***	0.0381	-0.1281***	0.0298
Majority Size	0.9478*	0.4397	-0.3123	0.1914
Conf.-Cham. Distance	0.1096	0.3119	0.0535	0.0743
H-S Roll-Call Divergence	-0.2323**	0.074	0.1107	0.0714
Time Horizon	-0.0004	0.0004	-0.0004	0.0003
Appropriations	-0.1259	0.0689	-0.0354	0.0348
Policy	0.0316	0.058	0.0541	0.1015
Constituency	-0.0573	0.0595	0.064	0.1235
Prestige	0.0665	0.0468	-	-
Mixed	-	-	0.0783	0.1114
Constant	0.2513	0.2276	-0.019	0.3687
N	211		211	
R ²	.57		.25	

*** p<0.01, ** p<0.05, * p<0.1; standard errors clustered by congress. Models 1 and 2 were estimated as censored normal regressions. Both models were estimated via OLS.

Table 5: Determinants of Cooperation in Conference

	Cooperation	S.E.
Stack	-1.1993	0.9713
Conference Size	-0.0029	0.0059
Stack * Conference Size	0.1055**	0.0291
Party Vote t_1	1.129	0.8073
Majority Saliency	0.0099	0.0051
Minority Saliency	-0.0202*	0.0096
H-S Narrow Passage	-0.7506	1.3006
H-S Referral	0.1277**	0.0426
Pure Divided	-0.2615	0.4083
Quasi Divided	-0.7107	0.5095
H-S Majority Size	-2.138	1.7088
House Conf.-Cham. Distance	-2.1844	1.2994
Senate Conf.-Cham. Distance	-0.1051	0.6874
H-S Roll-Call Divergence	-0.0498	1.0373
H-S Conference Distance	-0.0019	0.4254
Time Horizon	-0.0222***	0.0047
Appropriations	0.4307*	0.1952
Policy	-0.3937	0.2758
Constituency	-0.0912	0.2265
Constant	1.6259	1.1756
N	211	
R ²	0.5	

*** p<0.01, ** p<0.05, * p<0.1; standard errors clustered by congress. The model was estimated via OLS.

Figure 1: Predicted Effect of Conference Size and Stacking the Conference on Partisan Skew (House)

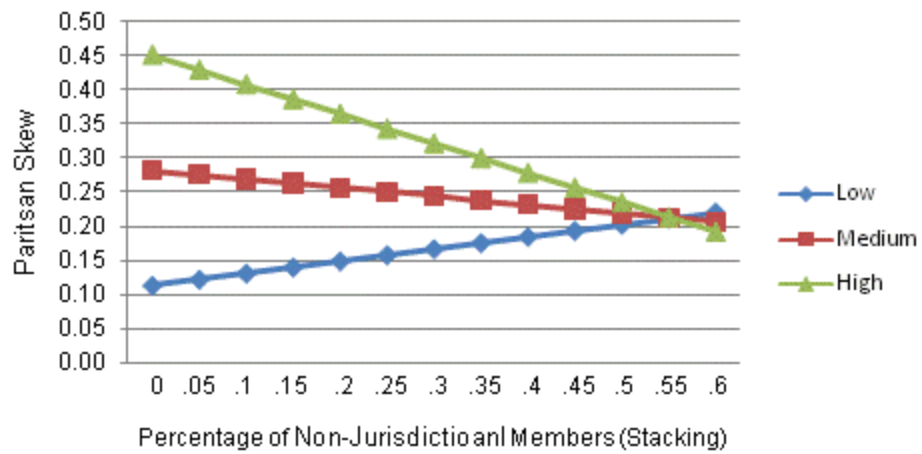


Figure 2: Distribution of Bicameral Cooperation

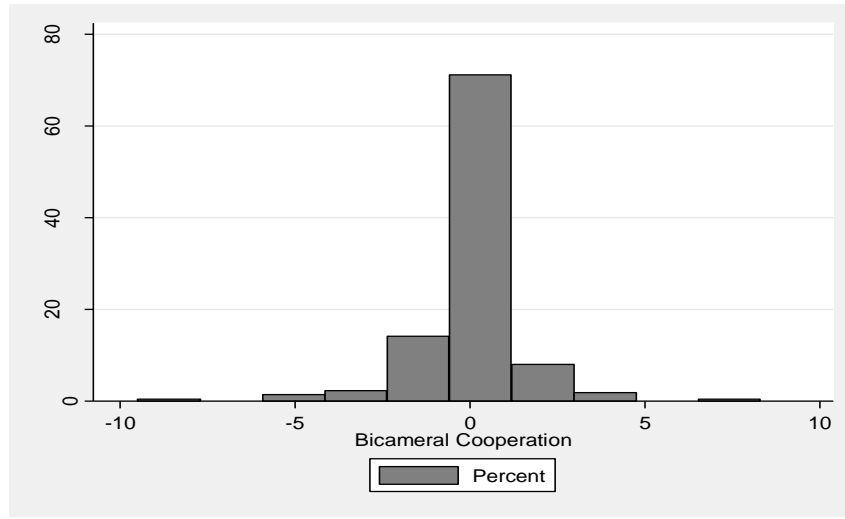


Figure 3: Predicted Effect of Conference Size and Stacking the Conference on Conference Committee Cooperation (House and Senate)

