

**Non-Party Government:
Bipartisan Lawmaking and Theories of Party Power in Congress¹**

James M. Curry
Department of Political Science
University of Utah
james.curry@utah.edu

Frances E. Lee
Department of Government & Politics
University of Maryland
flee1@umd.edu

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To what extent has centralization of power in Congress enabled majority party leaders to shepherd their programmatic platforms into law? To address this question, we examine congressional votes on all enacted laws from 1973-2014, as well on the subset of landmark laws identified by Mayhew (2005). In addition, we analyze the efforts of congressional majority parties to enact their legislative agendas between 1993 and 2017. We find that legislating in recent congresses is nearly as bipartisan as it was in the 1970s. Most laws, including landmark enactments, continue to garner substantial bipartisan support, and laws are rarely enacted over the opposition of a majority of the minority party. Furthermore, there is no evidence that majority parties have gotten better at enacting their legislative programs. In fact, contemporary congressional majorities fail in enacting their agenda items at rates that are equivalent to (and often inferior to) benchmarks set in less party-polarized congresses. When majority parties succeed in legislating on their agenda priorities, they usually do so with support from a majority of the opposing party in at least one chamber of Congress and with the endorsement of one or more of the opposing party's top leaders.

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¹ We thank Katrina McNally and Zachary Stickney for excellent research assistance in helping compile the data for this study.

Do today's majority parties in Congress amass more impressive records of partisan legislative achievement than the less cohesive parties of earlier eras? The dramatic rise in congressional party conflict since the 1970s has attracted much scholarly attention.² But despite a burgeoning literature on the subject, scholars have not given much consideration to the legislative impact of increased partisanship. As Congress polarized along party lines, members instituted more centralized, leadership-driven legislative procedures that are thought to facilitate partisan lawmaking (see, Rohde 1991; Sinclair 2016). Given these changes, majority parties in Congress should have greater capacity to legislate a partisan program, but there has been little analysis of the bottom-line success of contemporary congressional parties in enacting their agendas. To what extent has centralization of power in Congress enabled majority party leaders to shepherd their programmatic platforms into law?

To address these questions, we take stock of majority parties' success in lawmaking over time. We begin first by examining patterns in party support for enacted legislation. If today's more cohesive parties are more legislatively efficacious, then one would expect to see increases in the frequency with which majority parties succeed in passing legislation over the opposition of minority parties. We thus examine congressional votes on all the laws passed by Congress and signed by presidents from 1973-2014, as well on the subset of landmark laws identified by Mayhew (2005). In addition, we analyze the efforts of congressional majorities throughout the Clinton, Bush, and Obama presidencies (1993-2017) to pass laws addressing the agenda items that party leaders identify as priorities at the start of each Congress.

Altogether, we find that lawmaking today is not significantly more partisan than it was in the 1970s and 1980s. Despite dramatic rises in partisan conflict on roll-call voting generally,

² For a recent review of the literature, see Barber and McCarty (2015) and Lee (2015).

legislating in recent congresses is about as bipartisan as it was in the 1970s. Congressional majorities do not enact laws on party-line votes much more frequently than in the past. Most laws, including landmark enactments, continue to garner very substantial bipartisan support. Despite increases in party cohesion, contemporary congressional majority parties do not more frequently marshal chamber majorities on important legislation solely from within their own ranks. Indeed, majority parties still need to recruit support from the minority party in order to pass legislation just as often as they did in the 1970s and 1980s. While heightened partisanship may be found on messaging votes (Egar 2016; Gelman 2017; Lee 2016) and on procedural votes (Theriault 2008), actual lawmaking still usually elicits acceptance and support from the minority party. This is roughly as true in the first decades of the 2000s as it was four decades ago, and it is true under conditions of both unified and divided government.

Furthermore, there is no evidence that majority parties have gotten better at enacting their legislative programs. In fact, contemporary congressional majorities fail in enacting their agenda items at rates that are equivalent to (and often inferior to) benchmarks set in the less party-polarized Congress of the early 1990s. Even when they do achieve policy aims, congressional majorities are rarely able to do so in a manner that allows them to clearly establish a partisan record of lawmaking accomplishment. They do not often win by rolling the minority party. Instead, when they win, they usually do so by coopting support from the minority party, usually from one or more of the minority party's top leaders.

We then consider what these findings mean for theories of congressional organization. We do not deny that parties are centrally important organizations in the contemporary Congress. However, we argue that the weakness of congressional majorities in *enacting partisan laws* has important implications for prominent theories of party influence in Congress. These patterns

direct us to reconsider and revise our understanding of congressional party government and the role parties and party leaders play in congressional policymaking.

Party Government in the U.S. Constitutional System

In today's era of polarized parties and strong legislative party organizations, congressional majority parties are expected to pursue and enact laws so as to shift public policy in accord with their ideological preferences (Aldrich and Rohde 2000a; 2000b; Rohde 1991) and create a record of partisan lawmaking accomplishments to campaign on in the next election (Cox and McCubbins 2005; Koger and Lebo 2017). At the same time, however, these parties must still work within a constitutional system that persistently checks partisan ambitions (Krehbiel 1998; Mayhew 2005; 2011). Institutional changes inside Congress—including the centralization of power in leadership offices (Curry 2015; Rohde 1991; Oppenheimer 1977), greater party cohesion (Harbridge 2015; Roberts and Smith 2003), and stronger legislative party organizations (Lee 2016; Meinke 2016; Pearson 2015)—may avail little against the constitutional system's constraints.

Theories of Party Power

While theories of congressional party government differ in various respects, they share at least one commonality: they argue that the majority party organizes Congress in order to facilitate the enactment of its programmatic agenda.

Aldrich and Rohde's *conditional party government* (2000a, 33-34) posits that when "the preferences of party members are homogenous, especially within the majority party, and different between the parties," members of Congress will provide their "legislative party

institutions and party leadership stronger powers and greater resources” and encourage their party leaders to “use those powers and resources more often.” The purpose of these organizational changes is to “enact as much of the party’s program as possible” (Aldrich and Rohde 2000a, 38). Den Hartog and Monroe (2011, 182) apply a similar logic to the Senate: “a more homogenous majority is likely to delegate more agenda-setting powers to party leaders, thereby lowering majority consideration costs.” In other words, more cohesive legislative parties under polarized conditions are thought to enable majority party leaders to set the agenda and advance legislation they favor.

Other theories of party power, including Cox and McCubbins’s (2005) *procedural cartel theory* and Koger and Lebo’s (2017) *strategic party government*, contend that the majority party in Congress structures the institution to enable it to construct a record of accomplishments to aid the party in future elections. Cox and McCubbins (2005) argue that the majority party collectively empowers its leaders, or “senior partners,” to both block legislation likely to split the party and facilitate the passage of legislation that its members can tout in subsequent elections. Importantly, parties seeking to claim credit must be able to pass their policies despite the opposition of the minority. If most of the minority party also supports the legislation being advanced, the majority party cannot gain much advantage in party reputation from the effort (rather, both parties can claim a win). As such, Cox and McCubbins (2005) focus on how often the majority rolls the minority—passing legislation over the opposition of a majority of the minority party—and thereby wins credit for the achievement.

Key changes in congressional procedure and organization over time would suggest that contemporary majority parties should be better able to achieve these electoral and policy aims. Today’s Congress frequently eschews traditional, decentralized, and committee-led processes in

favor of unorthodox and behind-the-scenes processes managed by party leaders (see, Bendix 2016; Curry 2015; Hanson 2014; Sinclair 2016; Tiefer 2016). Members have provided their leaders a bevy of procedural and agenda-setting tools to structure the legislative process in ways that stand to benefit the majority party.

In the process, stronger party leadership is expected to “make congressional life less rewarding for moderates” and “lead to more extreme policy outcomes” (Pearson 2015, 15). Centrist members are thought to pay a policy cost for empowering leaders to use procedural tactics that allow for non-median policy outcomes (Jenkins and Monroe 2012; Monroe and Robinson 2008; Young and Wilkins 2007). Frustrated by their limited influence, moderates may increasingly decline to run for Congress at all (Thomsen 2014; 2017).

The implication of these theories and studies for policymaking are clear: under contemporary, party-polarized conditions, the majority party will take the lead on lawmaking. Legislation should advance with majority party support alone or with the support of just enough minority legislators to clear any super-majoritarian hurdles. If these characterizations are correct, party polarization, and the reorganization of Congress to centralize power and decision-making in partisan leaders, should have resulted in more partisan lawmaking.

Obstacles to Party Government

Theories of party power in Congress tend to deemphasize the harsh constitutional realities that stand in the way of parties’ ability to enact a partisan platform. Regardless of how the House and Senate might organize themselves internally to facilitate party power, the broader constitutional system’s bicameralism, separation of powers, and electoral incentives can persistently frustrate efforts at partisan lawmaking (Krehbiel 1998; Mayhew 2005; 2011). These

obstacles can render majority parties incapable of enacting legislation that will advance their policy preferences or allow them to tout partisan policy achievements in electioneering campaigns.

The separation of powers between Congress and the President regularly stands in the way of passing a partisan platform. A president's signature, equal in weight to two-thirds of each congressional chamber, is required for any congressionally enrolled bill to become law. Not surprisingly, vetoes and veto threats are more common under divided government (Cameron 2000). Divided government has been the typical state of affairs since the middle of the 20th century, with different parties controlling Congress and the presidency 69% of the time since 1954 and 79% of the time since 1980.

Congress's bicameral structure also frequently necessitates bipartisanship. The two chambers' different methods of apportionment, election, and internal procedure can frustrate bicameral agreement. The staggered election of senators can put the Senate and House out of sync, especially following electoral waves. The Senate's super-majoritarian cloture requirements often prevent the majority from advancing legislation on simple party lines (Binder and Smith 2001; Koger 2010; Smith 2014; Wawro and Schickler 2006), which can impede bicameral agreement with the more majoritarian House. Divided party control of the House and Senate presents an additional challenge. Binder (2003, 81) finds that "bicameralism is perhaps the most critical structural factor shaping the politics of gridlock." When policymaking does occur, reaching bicameral agreement will often require some amount of bipartisan compromise.

Finally, party unity often falls short of party rhetoric in a political system where individual members of Congress are separately elected to represent different geographic constituencies. Members of Congress have limited incentive to cast votes that put themselves in

electoral danger (Mayhew 1974). It is by no means clear that marginal members will be willing to defer to party leaders on policy questions at the cost of their own electoral security (Carson et al 2010) even if doing so might have collective benefits for the party brand overall. Inducing members to support a symbolic partisan messaging bill with no practical implications may not be a great challenge, but party leaders may struggle to obtain sufficient support from within their own party on votes with significant policy consequence.

Taken together, while theories of party government in Congress expect that rising party polarization and party organizational strength inside the chambers should result in more partisan lawmaking, there are numerous systemic obstacles in the way of parties achieving their goals. The U.S. constitutional system of separated powers, bicameralism, and separate elections in geographic constituencies may still render bipartisan accommodation necessary for successful legislating even in a more partisan context.

Assessing Partisan Efficacy in Lawmaking

The key question, then, is whether the stronger congressional parties of recent decades have a better track record of legislative success compared to the weaker parties of earlier eras. There has been surprisingly little examination of this question.

Many of the empirical findings that make a case for majority party power in Congress analyze legislative action in just one chamber or do not track whether the majority's efforts actually resulted in a new law. For instance, Monroe and Robinson (2008) and Young and Wilkins (2007) show that the House majority party successfully uses restrictive rules to achieve non-median outcomes in the House-passed version of bills. Cox and McCubbins (2005) analyze final passage votes to assess the abilities of majorities to avoid majority party rolls and to roll the

minority. But these studies analyze only the House and do not consider whether the majority party's efforts translate into new, partisan-favorable *laws*. Likewise, Aldrich and Rohde (2000a; 2000b) provide many cases of the majority leadership using its powers to advance partisan policies in the House, but most did not pass into law. For example, House Republicans in the 104th Congress were able to achieve non-median outcomes on a number of House spending bills, but most of these partisan achievements were stripped from the fiscal year 1996 spending packages before President Clinton's vetoes in late 1995 or were dropped from the final spending deal enacted in April 1996.³

In this paper, we take stock of majority party power over legislation, or the lack thereof, by analyzing two sources of data: (1) patterns of party support and opposition on new laws and (2) tracking the success of congressional majority parties in enacting their partisan agendas.

Passage Votes

We compiled passage votes in the House and Senate on bills becoming law from 1973-2014 (the 93rd-113th congresses). We analyze all House bills (H.R.) receiving passage roll-call votes in the House that went on to become law,⁴ and all bills and joint resolutions receiving passage roll-call votes in the Senate that went on to become law.⁵ We focus on the *initial* passage roll-call votes in each chamber and not votes on bicameral reconciliations (i.e., conference

³ Similarly, when Rohde (1991, 105-118) focuses on House Democrats efforts to pass a partisan platform in 1987, he finds that the Democrats were initially successful, but of the six agenda items he analyzes closely, four ultimately won bipartisan support in one or both chambers: the Water Quality Act [PL 100-4], the Highway Bill [PL 100-17], the defense authorization bill [PL 100-180], and the Family Support Act [PL 100-485]). The remaining two—the budget resolution and a budget reconciliation package—were both considered under special rules that allowed for more majoritarian lawmaking.

⁴ We use Congressional Bills Project data on each house bill for these analyses.

⁵ We use a unique dataset of measures receiving passage votes in the Senate for these analyses.

reports, receding or accepting chamber amendments, etc.) that typically broaden support. Such an approach biases our analyses toward finding higher levels of partisanship on legislation.⁶ But by analyzing the initial passage votes in each chamber separately, we can ascertain whether bipartisanship typically results only when the House must accommodate the Senate's supermajoritarian processes in reaching bicameral agreement or whether the House legislates in a bipartisan manner from the outset. We also analyze separately the enactments on Mayhew's list of landmark laws from 1973-2012, assessing the final roll call taken in each chamber on each measure.⁷ Looking at this subset of laws allows us to assess whether lawmaking has become more partisan on major legislation, even if it remained bipartisan on less substantial lawmaking efforts.

Party Agendas

Second, we analyze the partisan nature of congressional lawmaking by taking a close look at the efforts of congressional majority parties to enact their priority agenda items in each congress during the Clinton, Bush, and Obama presidencies (1993-2017, the 103rd-114th congresses). This analysis required first establishing a list of all the priority agenda items for each congressional majority party and then tracking the legislative outcomes on each item.

⁶ Looking at these initial passage votes should indeed find more partisanship than we might find looking at the final votes in each chamber before a bill is enrolled. A bill might pass the House or Senate by a close party-line vote, but need to have its bipartisan appeal broadened to get through the other chamber. It is quite common for conference reports, for instance, to earn more votes than earlier versions of a bill.

⁷ Mayhew's landmark laws data can be obtained here: <http://campuspress.yale.edu/davidmayhew/datasets-divided-we-govern/>. The data include information on the final roll call taken in each chamber on each law. We verified these roll call totals and added in missing data on party splits on each vote.

We used a multi-pronged approach to identify majority party priorities during each Congress. First, we read the opening speeches made by the leader of the majority party in each chamber at the start of each Congress.⁸ In each speech, we identified any policy items or issues the leaders indicated they hoped or planned to address in the coming two years and recorded those items as priorities. Second, we looked at the bills inserted into the slots reserved for the Speaker of the House and the Senate Majority Leader.⁹ The policy proposals introduced in these slots were recorded as priority agenda items for the majorities in each Congress. Third, we read articles in *CQ Magazine* during the weeks before and after the start of each Congress that discussed policy items expected to be on the congressional agenda. Items addressed in leader speeches or introduced into leadership bill slots were often discussed in some detail in *CQ Magazine*, allowing us to sharpen our understanding of the agenda items.

Most agenda items were identified in more than one source. For instance, some agenda items were mentioned in one or both speeches, introduced in reserved bill slots in one or both chambers, and discussed by *CQ Magazine*. Other items were identified in just one or two sources—perhaps in just one leader’s speech, or just introduced via a leadership slot in one chamber. Most items (62%) were identified in at least two sources, and the average agenda item was found in 2.2 sources.

These efforts yielded a list of 197 priority agenda items. A majority’s agenda for a Congress ranged in size from six items (the Republicans in the 113th Congress) to 24 items (the Republicans in the 105th Congress), with the average number of priority agenda items around

⁸ In the House, these speeches immediately follow the vote to elect the Speaker of the House. In the Senate, these speeches take place at some point during the first day of the new Congress.

⁹ Each Congress, the first several bill slots (typically H.R. 1-10 in the House and S. 1-10 in the Senate, though it varies) are reserved for the majority leadership and are typically filled with priority bills. See Curry (2015, 93-94) for more on the use of this metric to identify party priority issues.

13. In the few congresses with split partisan control of the House and Senate (the 107th, 112th, and 113th), we identified agenda items for both majority parties. The full list of agenda items is found in the Appendix.

For each agenda item, we coded the outcome obtained by the majority into one of three categories. Either: (1) the majority got most of what it wanted in that new legislation was enacted achieving most of what the majority set out to achieve; (2) the majority got some of what it wanted, passing a new law falling short of the party's goals or requiring substantial compromise; or (3) the majority got none of what it wanted, failing to enact any new legislation on its policy priority. We relied on journalistic coverage of each item to do this coding, drawing primarily on coverage in *CQ Magazine* and on articles providing an overview of the accomplishments of each congress in various editions of the *CQ Almanac*. Occasionally, we also drew upon other periodicals such as *Roll Call*, *The Hill*, and the *Washington Post*. Based on coverage in these sources, it was not difficult to differentiate between bills widely regarded as a "win" for the majority party and bills where the majority party had to drop key priorities or accept significant concessions. After coding each item for its outcome, we also recorded the partisan split on the relevant final passage votes (if any).¹⁰ We also noted the amount of majority and minority party support for the new law, as well as the support or opposition from the top elected leaders of each party in each chamber.

Using this list, we assess whether congressional majorities succeed or fail to enact their agendas and whether they are able to do so over the opposition of the minority party, thereby enabling the majority party to claim partisan credit for the achievement.

¹⁰ It was not unusual for priority items to fail to receive floor votes in House or Senate. Often, committees would report bills that never advanced to floor consideration.

The Persistence of Bipartisan Lawmaking in Congress

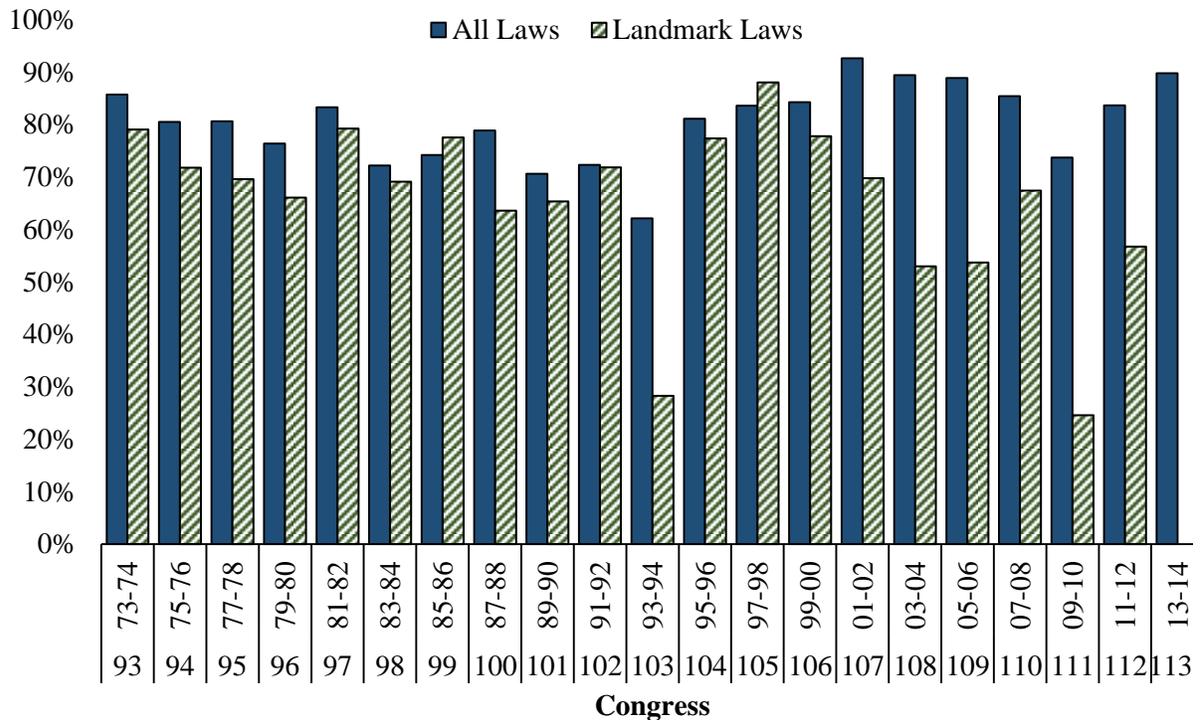
Are today's stronger congressional parties more effective at legislating their agendas? Do the more cohesive majority parties of recent years enact laws on a partisan basis more often than majority parties in less party-polarized contexts? Assessing more than 40 years of data on passage votes that result in new laws and 24 years of congressional majorities' efforts to enact their agendas, we find the answer to these questions is generally: no. There are few trend lines in the data. To a similar degree across the decades, congressional majorities continue to struggle to enact a partisan agenda. Majority parties rarely get most of what they want out of the legislative process. When they are successful in addressing an item on their agenda, majority parties usually need bipartisan support to get it done.

Minority Party Support on Passage Votes

If majority parties are better able to legislate their preferences under contemporary conditions of increased party cohesion and party polarization, then one would expect to find more laws enacted by party-line votes and over the opposition of a majority of the minority party. Figures 1 and 2 show the average percent of minority party lawmakers voting in favor of the passage of all new laws enacted during each Congress from 1973-2014 and for Mayhew's landmark laws from 1973-2012. The most striking patterns here are the lack of any clear trend lines in the data and the persistence of robust minority party support for new laws.

Figure 1 shows that in every Congress since the early 1970s the percent of minority party members supporting new laws on the initial House passage vote was better than 60% on average. In most Congresses the share exceeds 80%. Interestingly, minority party support for all new laws

FIGURE 1
Average Percent of the Minority Party Support on Final Passage on Bills Becoming Law
in the House of Representatives, 1973-2014



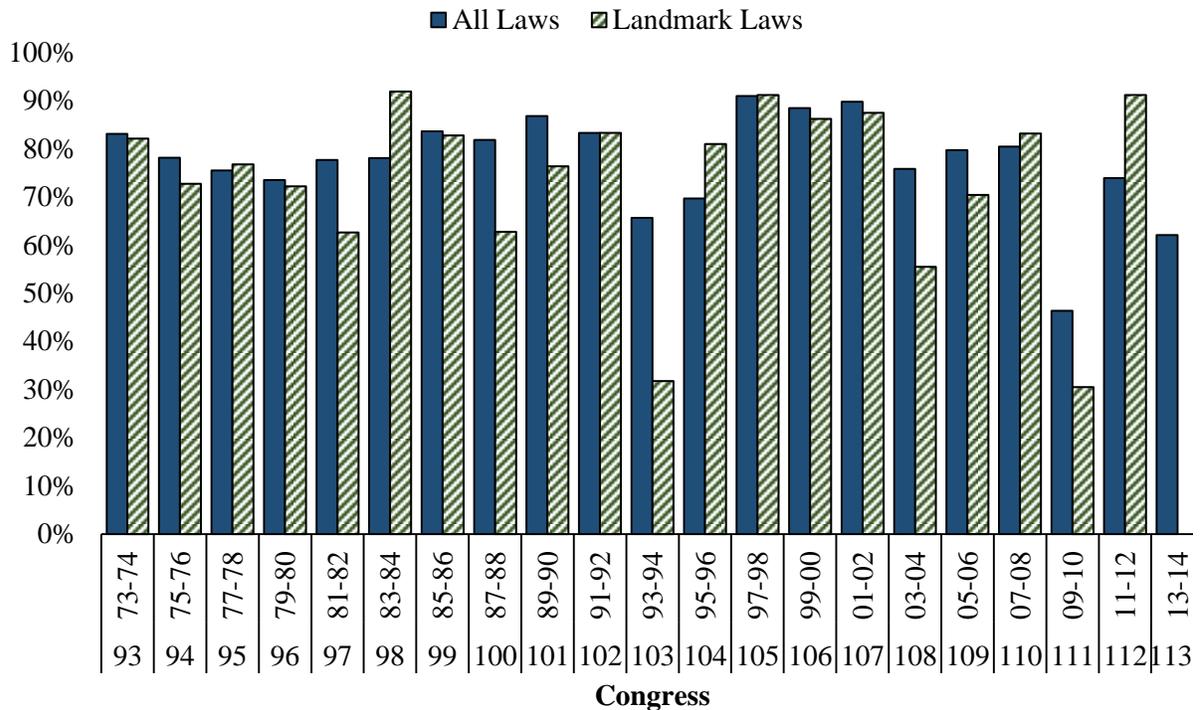
* Mayhew’s list of landmark laws does not include the 113th Congress.

has actually slightly increased over time.¹¹ The four congresses with the highest average levels of minority party support all took place since the start of the George W. Bush administration: the 107th (2001-02), the 108th (2003-04), the 109th (2005-06), and the 113th (2013-14). Because the data displayed are from initial House passage votes, these high levels of House minority support on legislation cannot be simply attributed to the need to arrive at bicameral agreement with the supermajoritarian Senate.¹²

¹¹ A time counter takes a positive coefficient, though it falls short of statistical significance (b=.42; p=.13) coefficient.

¹² It is possible that the House majority party anticipates Senate preferences and adopts less partisan measures from the start. However, watering down its position at the outset would likely weaken its bargaining position in subsequent bicameral negotiations.

FIGURE 2
Average Percent of the Minority Party Support on Final Passage on Bills Becoming Law in the Senate, 1973-2014



* Mayhew’s list of landmark laws does not include the 113th Congress.

High levels of minority party support on laws are not simply an artifact of broad bipartisanship on low-profile, inconsequential legislation. The minority party also votes in favor of landmark laws at high rates. Minority party support for landmark laws is 65% on average and rarely dips below 50% across the time series. Compared to all laws, there is more variation from congress to congress in House minority support of landmark laws and some evidence of a slight decrease in minority party support in recent years.¹³

Similar patterns are found in the Senate. Figure 2 shows that, with the exception of the 111th Congress (2009-10), the average percent of minority party senators supporting new laws has been higher than 65% since the early 1970s, with most congresses registering levels of

¹³ A time counter takes a negative, statistically significant (b=-1.2; p=.04) coefficient.

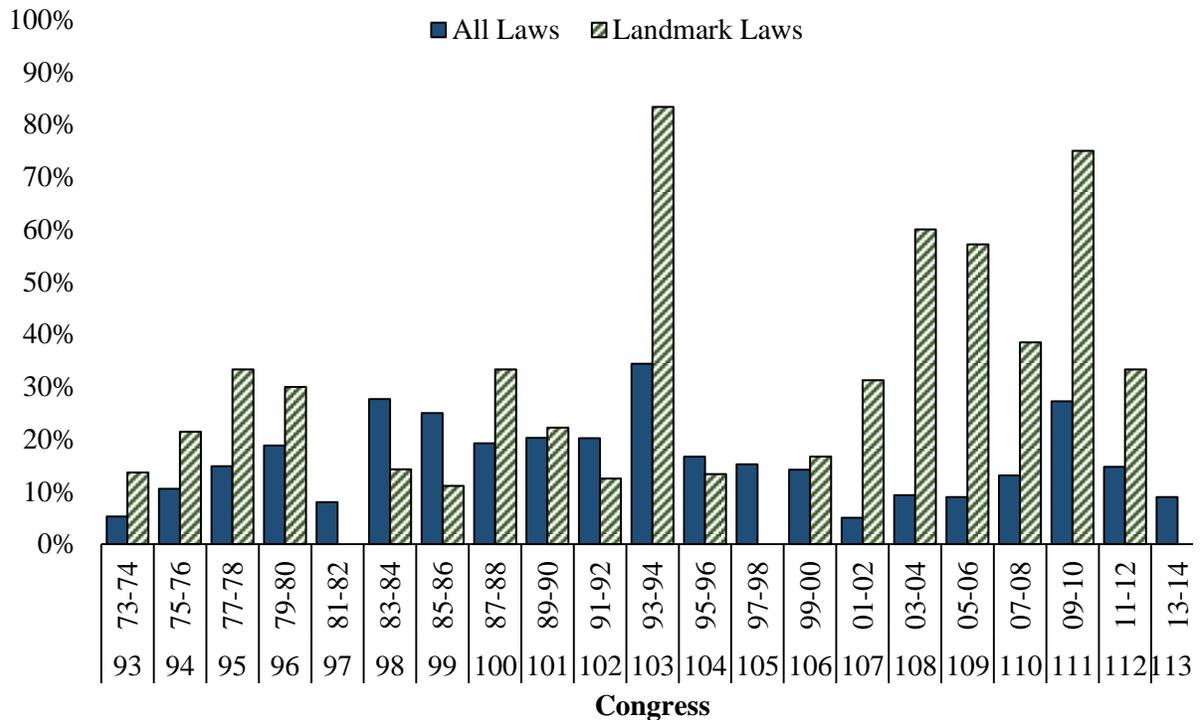
minority party support better than 75%. Since the start of the George W. Bush administration, only two congresses have seen levels of Senate minority party support dip below 70% for all new laws (the 111th and the 113th). Among landmark laws the pattern is similar: minority party senators support the passage of landmark laws at high rates, with most congresses seeing average minority party support at 70% or better. The recent 112th Congress (2011-12) saw one of the highest average levels of minority party support for the passage of landmark laws. In both the House and Senate, these data indicate that most new laws, including landmark laws, attract substantial minority party support. There are no significant trends in the Senate data. Senate minority party support for enacted legislation has not declined, despite the rise of partisan conflict on roll-call voting generally.

Figures 3 and 4 assess partisan lawmaking via another metric—the minority party roll. A party is rolled when a measure is passed despite a majority of that party voting in opposition. Rolls are frequently used to assess partisan legislative efforts and partisan strength in legislatures (see, Cox and McCubbins 2005; Finocchiaro and Rohde 2008; Gailmard and Jenkins 2007; Jenkins and Monroe 2016). Figure 3 shows that there is no evidence of an upward trend in minority party rolls in House lawmaking overall despite the increased centralization of power in the majority party leadership.¹⁴ In all but three congresses, the minority party was rolled on less than 25% of new laws. Typically, minority party roll rates fell below 15%. Roll rates are only modestly higher on landmark legislation. The House minority party is rolled on average on 30% of landmark laws. Among landmark laws, there is evidence of an increase in House minority party rolls,¹⁵ but the rise is not monotonic. While some recent congresses (the 108th, 109th, and 111th) display high frequencies of minority party rolls, others (the 107th, 110th, and 112th)

¹⁴ A time counter takes a slightly negative, statistically insignificant ($b=-.08$; $p=.79$) coefficient.

¹⁵ A time counter takes a positive, statistically significant ($b=1.8$; $p=.04$) coefficient.

FIGURE 3
Minority Party Roll Rates on Final Passage on Bills Becoming Law in the House of Representatives, 1973-2014



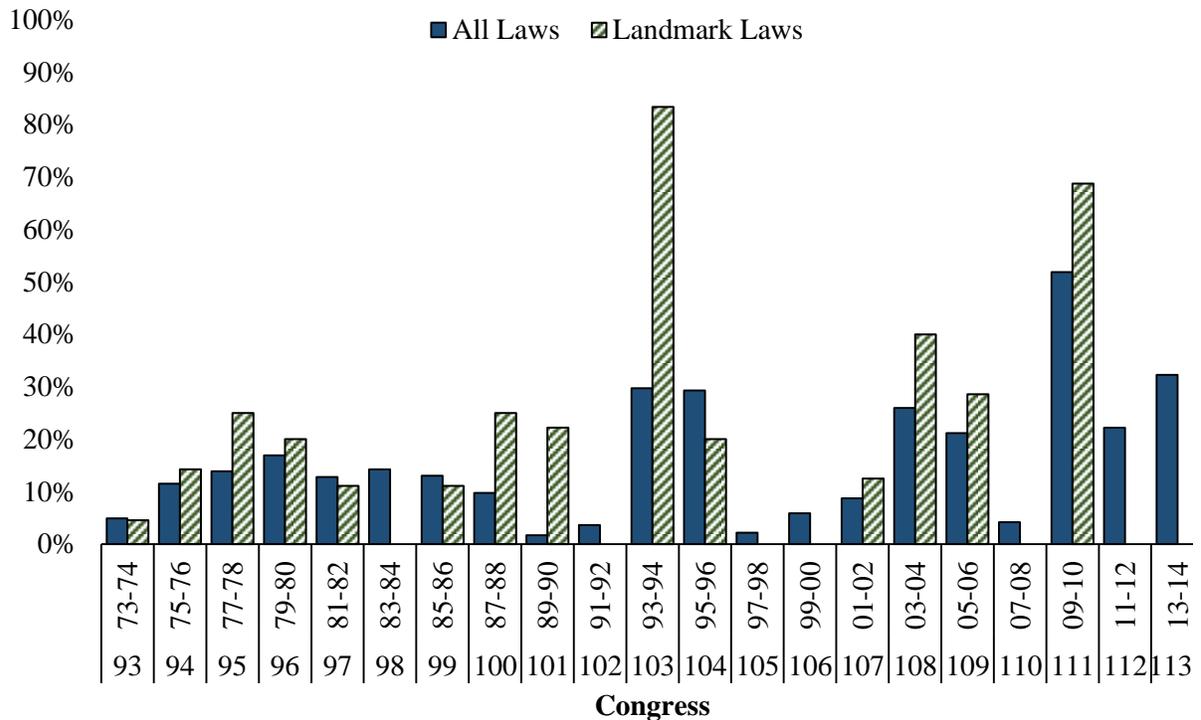
* Mayhew’s list of landmark laws does not include the 113th Congress.

display much lower, and historically typical, frequencies of minority party rolls. Additionally, the Congress with the largest share of House minority party rolls was the 103rd (1993-94), which sits in the middle of our time series.

Figure 4 shows that in the Senate the majority party rarely rolls the minority party on the passage of new laws. Though there is more variability than in the House, minority party rolls are generally uncommon, happening on less than 15% of all new laws in most congresses and rarely exceeding 25%. There is some evidence of an uptick in Senate minority party rolls on all legislation, but as with the House, the trend is not monotonic.¹⁶ Some more recent congresses had higher than average percentages of minority party rolls, but others, including the 110th

¹⁶ A time counter takes a slightly positive, statistically significant coefficient (b=.90; p=.04).

FIGURE 4
Minority Party Roll Rates on Final Passage on Bills Becoming Law in the Senate, 1973-2014



* Mayhew’s list of landmark laws does not include the 113th Congress.

(2007-08), saw very few minority rolls. On landmark legislation, the Senate minority is rolled only 19% of the time on average. Several recent congresses never saw the Senate minority party rolled on the passage of a landmark law, including the 110th and 112th (2011-12) congresses. There is no upward trend in the frequency of Senate minority party rolls on landmark laws.¹⁷

The data displayed in these first four figures reveal that the prevalence of divided party control of national government offers only limited leverage in explaining the high levels of congressional minority party support for enacted legislation. The extent of bipartisan support for lawmaking under divided government does not starkly differ from that under unified government. Across all enactments in both House and Senate, the level of minority party support

¹⁷ A time counter takes a slightly positive, statistically insignificant coefficient (b=.66; p=.47).

for new laws is only modestly lower on average under conditions of unified party control than under divided government. Under unified government, on average 78% of the House minority party supports enacted legislation, as compared to 81% under divided government ($p=.47$). Under unified government, on average 69% of the Senate minority party supports enacted legislation, as compared to 80% under divided government ($p=.08$). Similarly, the minority party is somewhat more likely to be rolled on lawmaking under conditions of unified government than in divided government. Under unified government, the House minority party is rolled on 19% of new laws, as opposed to 15% under divided government ($p=.40$). Under unified government, the Senate minority party is rolled on 26% of new Laws, as opposed to 12% under divided government ($p=.05$). None of these differences in means reach statistical significance at conventional levels.

The only notable difference between unified and divided government appears on landmark enactments. Congresses with unified government typically see lower levels of minority party buy-in to landmark legislation. On average, minority party support for the passage of landmark legislation is 32 percent lower in the House under conditions of unified government ($\bar{\chi}=49\%$) as opposed to divided government ($\bar{\chi}=72\%$).¹⁸ Likewise, average minority party support on landmark legislation is 30 percent lower in the Senate under conditions of unified government ($\bar{\chi}=56\%$) as opposed to divided government ($\bar{\chi}=81\%$).¹⁹ The Senate minority party is also more likely ($p=.001$) to be rolled on landmark enactments under unified government ($\bar{\chi}=44\%$) than under divided government ($\bar{\chi}=9\%$). The House minority party is also more likely ($p=.01$) to be rolled under conditions of unified government ($\bar{\chi}=56\%$) than under divided government ($\bar{\chi}=19\%$).

¹⁸ This difference in means is statistically significant ($p=.001$).

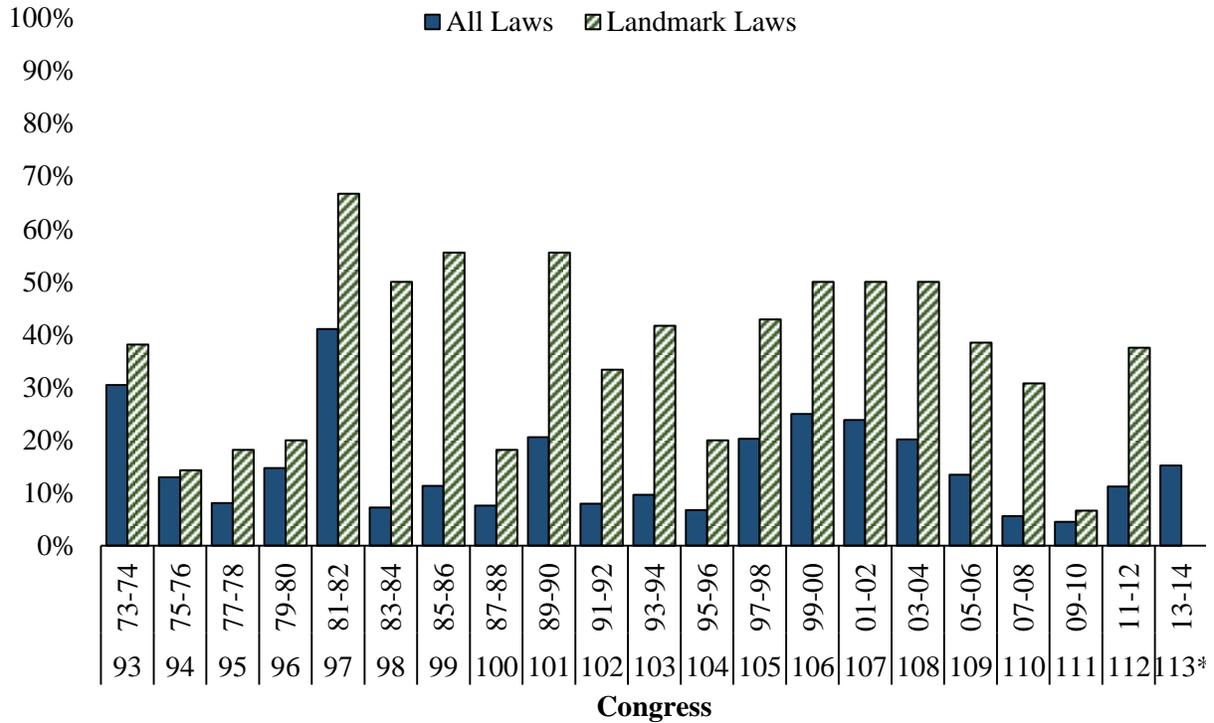
¹⁹ This difference in means is statistically significant ($p=.001$).

It is important to note that even in unified government, minority party support for landmark laws remains high. Under unified government around half or more of the members of the minority party on average support landmark legislation in both House and Senate. Similarly, the minority party in governments fully controlled by the opposing party is rolled on less than half of landmark enactments in the Senate and on less than 60% of landmark enactments in the House. Even those majority parties who possess the unusual advantage of unified party control do not pass much landmark legislation on partisan lines.

Figures 5 and 6 look for evidence of partisan lawmaking in one additional way: assessing how often the majority party in each chamber *needed* minority party votes to pass new laws during each congress. These figures show the percentage of laws on which the majority party did not muster a sufficient number of votes to pass the bill from among its own ranks alone. In other words, we simply calculate the percentage of new laws for which the majority party supplied a chamber majority with its own members, thereby making any minority party votes superfluous for purposes of passage. For those roll-call votes in which the Senate agrees by unanimous consent to impose a 60-vote threshold, we consider whether members of the majority party alone provided the necessary 60 votes.²⁰

²⁰ In recent years, Senators sometimes agree via a unanimous consent agreement (UCA) to set the vote threshold for final passage to 60 votes. This is often done in order to limit the number of votes that need to be taken on the Senate floor. Since 60 votes would be needed for cloture to end debate on a bill, senators sometimes agree to forgo cloture votes and simply require that 60 senators support the bill for it to pass.

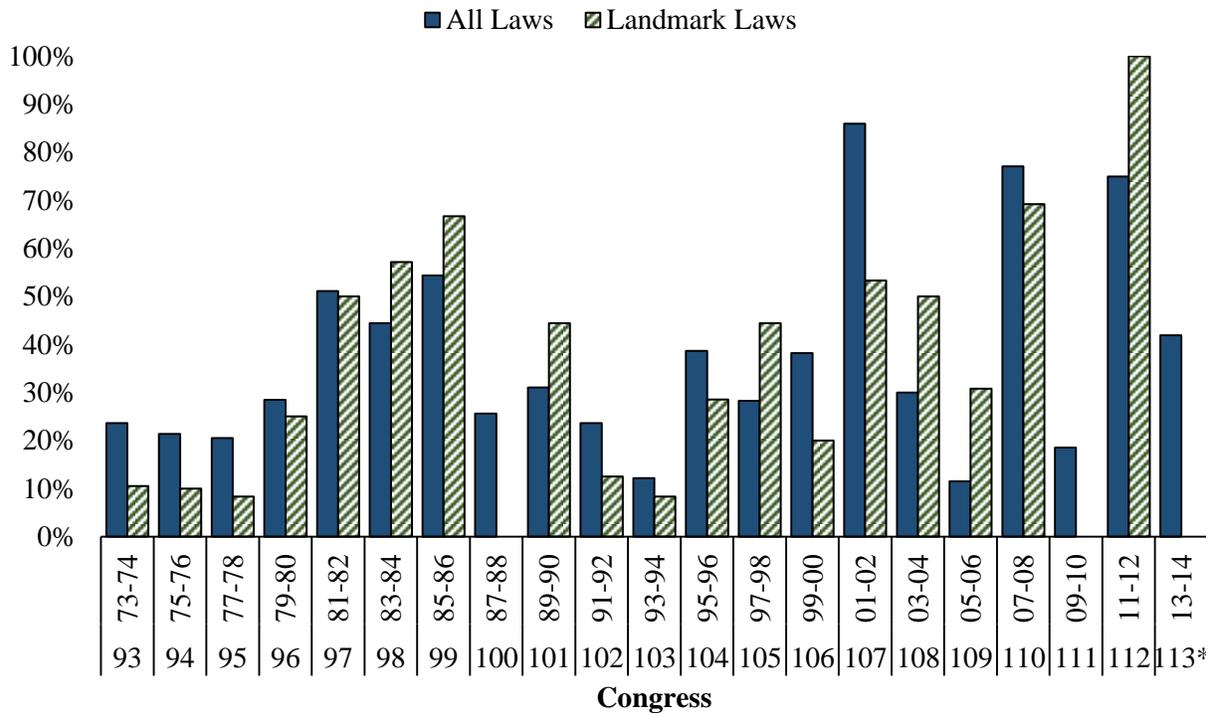
FIGURE 5
Minority Party Votes Needed for Passage on Bills Becoming Law in the House of Representatives, 1973-2014



* Mayhew's list of landmark laws does not include the 113th Congress.

Figure 5 shows that recent House majority parties are no more self-sufficient in lawmaking than the House majority parties of the 1970s and 1980s. Throughout the time series, the House majority party usually ($\bar{\chi}$ =85% of the time), but not always, mustered the votes necessary for passage of laws without requiring any votes from the minority party. However, on landmark laws, the House minority party only musters sufficient support from among its own ranks 63% of the time. It thus appears that the majority more frequently needs assistance from the minority party when it is handling the most consequential legislation. During 13 of the 20 congresses analyzed, the House majority needed minority party votes to pass more than one-third of landmark laws, and during seven of those congresses minority votes were needed at least half of the time, including during the first four years of the George W. Bush administration. There are

FIGURE 6
Minority Party Votes Needed for Passage on Bills Becoming Law in the Senate, 1973-2014



* Mayhew’s list of landmark laws does not include the 113th Congress.

no trends evident in these data. Compared to the House majority parties of the 1970s and 1980s, contemporary House majority parties are neither more nor less likely to pass laws without the help of the minority party.

Compared to the House, the Senate majority more often needs support from the minority party to enact laws (see, Figure 6). On average through the time series, the Senate majority party provided sufficient votes around 65% of the time to pass both all laws and landmark legislation. A greater need for minority party support in the Senate would not be surprising given that the chamber’s cloture rules frequently require at least 60 senators to advance a bill. The Senate majority party needed minority votes to enact legislation more frequently in recent congresses,

though the trend is not sufficiently consistent to reach statistical significance.²¹ A greater need for Senate minority party buy-in would likely reflect the increased importance of supermajority procedures in that chamber (Binder and Smith 2001; Koger 2010; Smith 2014; Wawro and Schickler 2006). Minority party votes were needed more than half of the time in three of the last seven congresses when looking at all new laws and four of the last seven when looking at landmark laws. Despite increased party strength in the House and Senate, it appears congressional majorities continue to need minority party votes to enact new laws just as often as in the 1970s and 1980s, if not more so.

Taken together, these six figures offer little evidence that congressional lawmaking has become more partisan. While the House majority party rolls the House minority party more frequently, when both chambers are taken into consideration it does not appear that contemporary congressional majorities are more frequently passing partisan laws. If anything, recent lawmaking may be *more bipartisan* with Senate majority parties less frequently able to muster sufficient votes for enactment of legislation on their own. Altogether, little in the data presented here suggests that contemporary congressional majorities are better able than those of the 1970s and 1980s to accomplish the aims theorized by scholars of congressional party government. Contemporary majority parties do not enact laws on party-line votes more frequently than those of earlier eras and do not create more distinctly partisan records of lawmaking accomplishments.

²¹ Regressing a time counter on the share of laws in which the Senate majority party did not need minority party votes yields a negative, statistically insignificant coefficient for both all laws ($b=-1.1$; $p=.15$) and landmark laws ($b=-1.75$; $b=.09$).

Contemporary Efforts to Enact Partisan Agendas

The acid test for congressional party government is a majority party's success on its key agenda priorities. Congressional parties do not necessarily have partisan goals on all issues, and many items taken up and passed into law may not relate to party goals, including some landmark laws. Theories of party government indicate that we are most likely to find significant party influence on party agenda items (see, Aldrich and Rohde 2000a; 2000b; Koger and Lebo 2017). A party's agenda reflects its central goals, the campaign promises its members made, and the issues on which its members would like to establish a record of accomplishment for the next election. The preceding data on legislative roll-call votes is instructive, but it is even more instructive to investigate the efforts of congressional majorities to enact their partisan agendas.

Table 1 provides an overview of the outcomes of each majority's agenda items for the 103rd-114th congresses (1993-2017). For each Congress, the table shows the party in the majority and the number of priority agenda items it had.²² It then displays the number of those items that fall into each of the three outcomes—the majority party achieving some, most, or none of what it wanted to achieve. Finally, for those items on which the majority achieved either some or most of what it wanted, the table shows the number that were (1) enacted over the opposition of most of the opposing party in both chambers, (2) with the support of most of the opposing party in at least one chamber, and (3) with the support of one or more opposing party leaders in at least one chamber.²³ Combined, the data in Table 1 assess how frequently congressional

²² During most congresses one party controlled the House and Senate, but in the three congresses with split control (the 107th, 112th, and 113th) we assessed both parties' agenda priorities.

²³ In the House, we examine the votes of the House minority leader, minority whip, and assistant leader (Democrats only since 2011). In the Senate, we examine the votes of the minority leader and the assistant minority leader (whip).

TABLE 1
Legislative Outcomes of Majority Party Agenda Priorities, 1973-2017

	Majority party	Total agenda priorities (#)	How much of what it wanted did the majority party achieve?			When the majority party achieved some or most of what it wanted, did it do so...		
			Some n	Most n	None n	Over opposition of most of the opposing party in both chambers? n	With support of most of the opposing party in House or Senate? n	With support of opposing party leaders in House or Senate? n
103rd	Dem	15	2	5	8	4	3	3
104th	GOP	15	6	4	5	2	8	9
105th	GOP	24	6	4	14	0	10	10
106th	GOP	14	2	2	10	0	4	4
107th	GOP (House)*	9	2	3	4	1	3	4
107th	Both (Senate)*	13	4	3	6	1	5	6
108th	GOP	17	3	7	7	5	5	8
109th	GOP	14	4	5	5	2	7	7
110th	Dem	15	6	2	7	1	7	7
111th	Dem	12	3	3	6	6	0	0
112th	GOP (House)*	9	4	0	5	1	3	3
112th	Dem (Senate)*	10	2	0	7	0	2	2
113th	GOP (House)*	6	0	0	6	--	--	--
113th	Dem (Senate)*	13	5	1	7	1	5	6
114th	GOP	11	3	0	8	0	3	3
Total	Overall	197	52	39	106	24	65	72

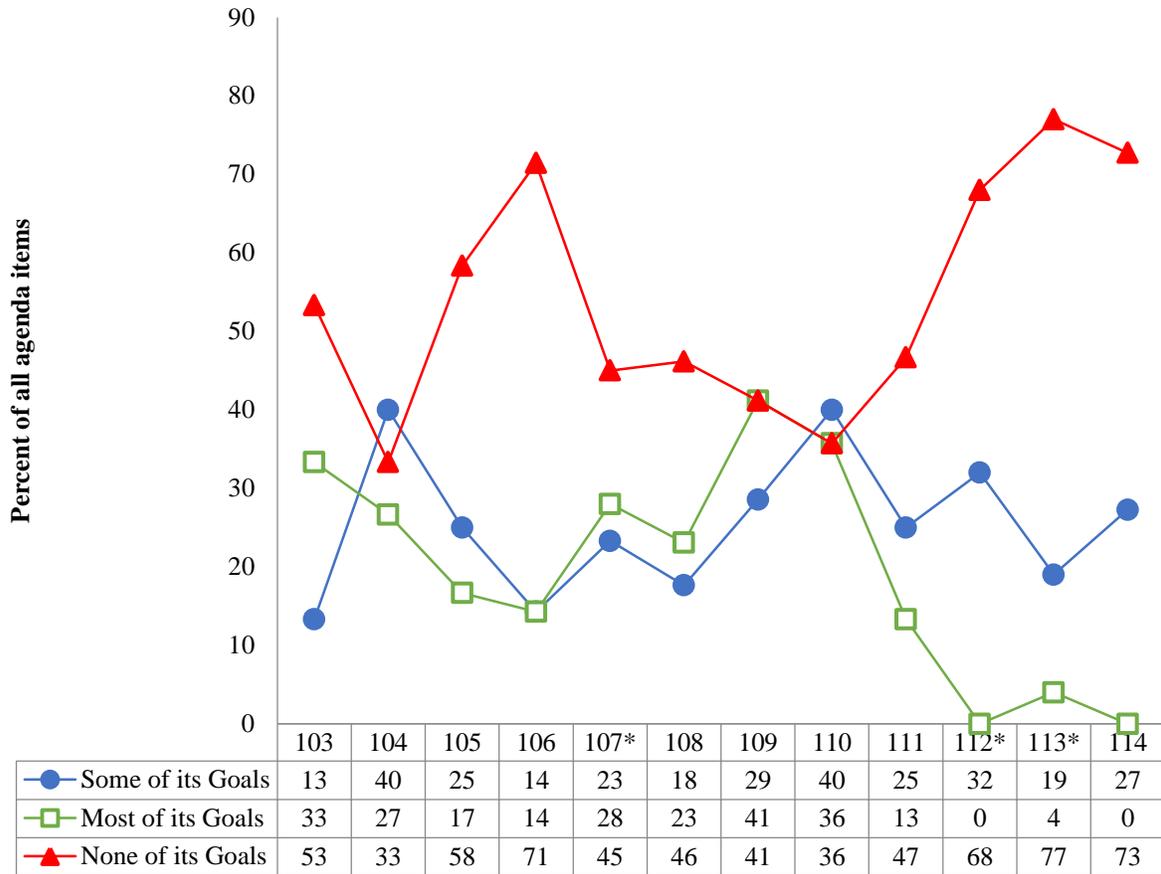
*House and Senate majority parties analyzed separately because of split control of Congress.

†Because Senate party control changed during the 107th Congress, both Republicans and Democrats are tallied as having a Senate majority.

majorities are successful at enacting their top policy priorities and how frequently they do so in a partisan manner.

The overall results in Table 1 indicate that contemporary congressional majorities are rarely able to enact partisan agendas. In fact, a congressional majority party does not typically successfully act on most of its agenda priorities in any form. On most of their policy priorities—54% (106/197)—congressional majorities achieved none of what they wanted to achieve.

FIGURE 7
Legislative Outcomes of Majority Party Agenda Items



* These congresses featured split party control of the House and Senate. The combined agenda items of both parties are included in these tallies.

Figure 7 displays the percentage of agenda items on which majority parties accomplished none, some, and most of their policy goals for each Congress between 1993 and 2017. As is evident here, majority party success varies quite a bit from congress to congress. Some congressional majorities avoided racking up failures, including the Republican majorities during the first six years of the George W. Bush administration (2001-2006), and the Republican Revolution majority of the 104th Congress (1995-96). Nonetheless, nine of the 15 majority parties analyzed failed half the time or more on their party agenda items. Some, including

Democrats in the 112th (2011-2012) and Republicans in the 106th (1999-2000), 113th (2013-14) and 114th (2015-16) congresses got none of what they wanted on the vast majority of their agenda priorities.

Unified control of government at best only modestly helps a party avoid legislative failure. While unified Republican government during the 108th (2003-04) and 109th (2005-06) congresses worked out well for GOP goals, the unified Democratic governments of the 103rd (1993-94) and 111th (2009-10) congresses do not stand out from the average. Overall during the period studied, majority parties under unified government achieved none of their goals on 47% of their agenda items while majority parties under divided government achieved none of their goals on 54% of their agenda items ($p=.40$). Split party control of Congress during the 112th (2011-12) and 113th (2013-14) congresses coincided with high rates of failure for both chambers' majority parties, but the split-controlled 107th (2001-02) was fairly successful.

If legislative failure was common, overwhelming success was exceedingly rare. On just 18% of agenda items—39 items in total—did a congressional majority achieve *most* of what it set out to achieve. During some congresses, such successes were nonexistent. Neither party got most of what it wanted on any agenda item during the 112th Congress (2011-12). The Democrats had only one such success during the 113th (2013-14) when they ushered through a reauthorization of the Violence Against Women Act (PL 113-4). The Republican House majorities of the 113th (2013-14) and 114th congresses (2015-16) never got most of what they wanted on any of their agenda priorities. A few majority parties were more successful.

Unified party government appears to help a majority achieve success on its agenda items, but the difference between unified and divided government is hardly stark. During the period studied, majority parties under unified government achieved most of their goals on 27% of their

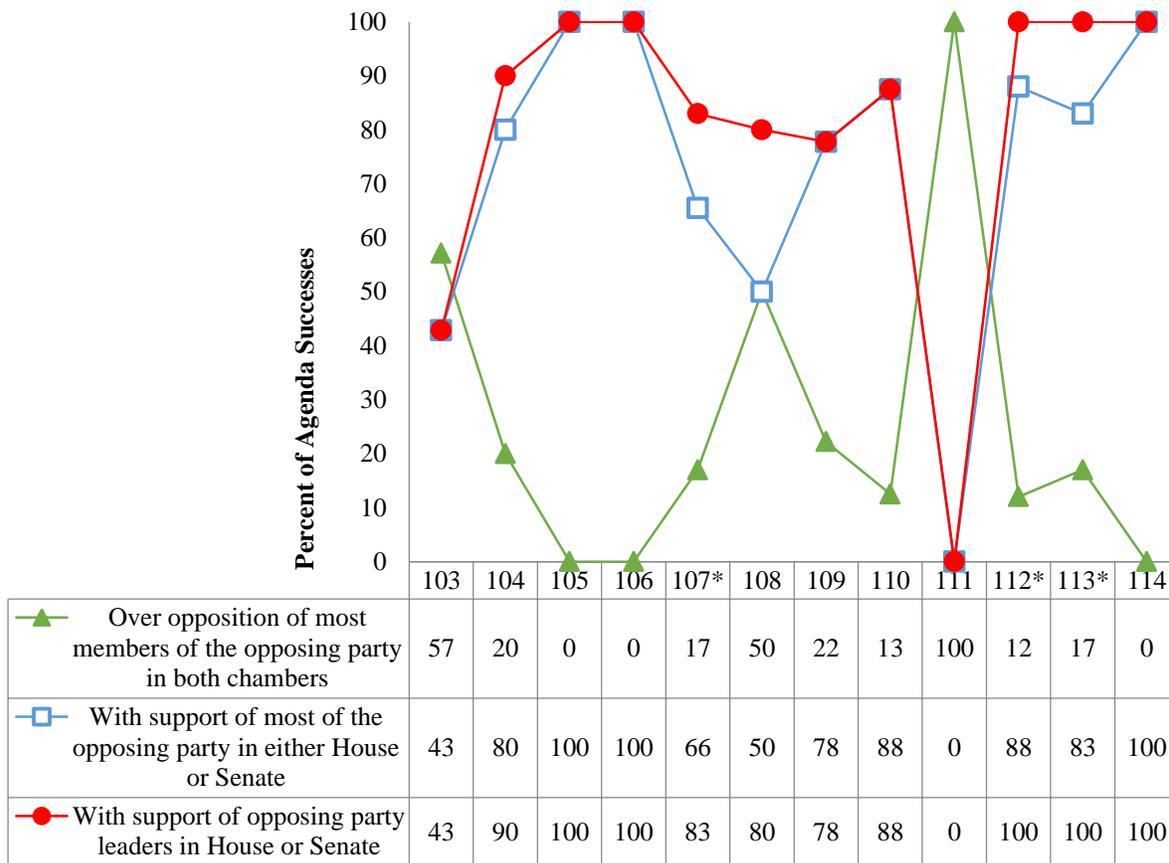
agenda items while majority parties under divided government achieved most of their goals on 18% of their agenda items ($p=.27$). The unified Republican majorities of the 108th and 109th congresses (2003-06) had the best track records in the study in getting most of what they wanted on their agenda priorities. The unified Democratic majorities of the 103rd (1993-94) and 111th (2009-10) congresses also got most of what they wanted at above average rates. However, the most significant takeaway is that not a single congressional majority party achieved most of what it wanted on even half of its agenda items, and usually it did so on less than one-quarter of its priorities.

Majority parties were somewhat more successful at getting *some* of what they wanted. In fact, in most cases, majority party success on their agenda priorities is more easily achieved through compromise. Nine of the fifteen majority parties achieved some of what they wanted more frequently than they achieved most of what they wanted. There is almost no pattern in the data. Majorities with unified government got some of what they wanted 21% of the time, and those with divided government got some of what they wanted 28% of the time. There is also no over-time trend. Majorities have achieved some of what they wanted on their agenda priorities at a fairly steady rate since 1993.

Generally, the clear takeaway from the data in Figure 7 is that congressional majorities rarely are able to enact new laws addressing priority agenda items that achieve most of what they set out to achieve. Far more frequently, majorities achieve none of what they set out to achieve or just some of it.

Beyond just looking at successes and failures, we also need to assess *how* bills addressing agenda items were passed. For those agenda priorities on which majority parties achieved either some or most of their policy goals ($n=91$), Figure 8 displays the percentage of the time they did

FIGURE 8
How Majority Parties Succeed on their Agenda



* These congresses featured split party control of the House and Senate. The combined agenda items of both parties are included in these tallies.

so (1) over the opposition of most of the opposing party in both chambers, (2) with the support of most of the opposing party in at least one chamber, and (3) with the support of one or more of the opposing party’s top leaders in at least one chamber. Items can fit into more than one category, but only the first of these categories captures successes in *partisan* lawmaking.

Just as majority parties rarely achieve most of what they set out to achieve, they rarely enact new laws addressing agenda items over the opposition of the minority party. On just 26% (24/91) of successfully legislated agenda priorities did a congressional majority party enact its

preferences over the opposition of a majority of the minority party. Fully one quarter of this total (6/24) occurred during the 111th Congress (2009-10) alone, when the Democrats had unusually large majorities, including a 60-vote, filibuster-proof majority in the Senate for a time. In fact, only the Democrats in the 111th and 103rd congresses (2009-10; 1993-94) passed legislation addressing agenda items over the objections of the minority on more than half of their agenda items. For most congressional majorities, it is a rare feat to enact an agenda priority over the opposition of a majority of the minority party. For some majority parties, this outcome never occurred at all. Instead, the vast majority of party agenda items passed with the support of the opposing party in at least one chamber (\bar{x} =71%, 65/91), or with the endorsement of at least one of the opposing party's top elected leaders (\bar{x} =79%, 72/91). In fact, during the 105th (1997-98), 106th (1999-2000), 112th (2011-12), 113th (2013-14), and 114th (2015-16) congresses, opposing party leaders in at least one chamber endorsed 100% of the majority party agenda items that passed into law.

The preceding analyses make one thing very clear—contemporary congressional majorities almost never enact laws achieving most of what they set out to achieve by rolling their party opponents. Among the 197 agenda items, on just 10 items (5%) did a congressional majority get most of what it wanted and enact a new law over the objections of most of the opposing party in both chambers and without the endorsement of at least one elected party leader of the opposing party in either chamber. These include three of the Democrats' major accomplishments in the 111th Congress (the Affordable Care Act, the Dodd-Frank financial regulatory reforms, and the SCHIP reauthorization), the PAYGO rules adopted in the 110th Congress, the Class Action Fairness Act passed by Republicans in the 109th Congress, two Republican accomplishments during the 108th Congress (Medicare Part D and the second round

of the so-called Bush tax cuts), and three Democratic accomplishments in the 103rd Congress (The Family and Medical Leave Act, the Motor Voter law, and the 1993 omnibus crime bill). Notably, nine of these ten items were enacted during periods of unified party government, and the other—the PAYGO rules—did not require a presidential signature.

That these items were so few and so exceptional underscores the most salient finding from our analyses: despite rising party polarization and increased party strength in both the House and Senate, congressional majorities can rarely succeed in doing what predominant theories of congressional party government argue parties seek to do. Congressional majority parties rarely enact policy change over minority party opposition. When they succeed in enacting their agenda priorities, they usually do so with the support of a majority of the opposing party in at least one chamber of Congress and with the endorsement of at least one of the opposing party's top leaders. Consequently, most congressional majority parties have few partisan lawmaking accomplishments to tout on the campaign trail in the next election and can rarely claim to have decisively moved public policy in a partisan direction.

Lawmaking as a Process of Bipartisan Accommodation

The impulse of the parties . . . to clothe themselves in a dogmatic and argumentative garment of high public purpose is so strong that a wholly misleading picture of the process is likely to be conveyed by the mere words of party propagandists.

E.E. Schattschneider (1942, 129-30)

Despite the expectations of partisan theories, congressional majority parties rarely enact laws on party-lines vote. Despite increased party polarization, and despite increased party strength in both the House and Senate, laws continue to be passed with broad bipartisan support. Majority parties in both the House and Senate still need minority party votes when making new

laws as often as they did in the 1970s and 1980s. Majority parties do not succeed in enacting their legislative agendas at rates any higher than those of the less party-polarized congresses of two decades ago. After decades of partisan change and institutional evolution in Congress, lawmaking remains a process of bipartisan accommodation.

These findings have important implications for theories of congressional parties. Internal legislative processes and organization has evolved in ways that are consistent with expectations laid out in *conditional party government* (Aldrich and Rohde 2000a; 2000b; Rohde 1991), but these internal changes have not resulted in appreciably more partisan *lawmaking*. Although congressional roll-call voting behavior has become more partisan in general, partisanship has not permeated lawmaking. Laws, including landmark laws, continue to garner broad minority party support. Clearly, the increase in partisan votes has occurred on other items, such as messaging bills and amendments and failed lawmaking efforts. When Congress gets down to the brass tacks of making laws, the majority party still typically needs to cultivate bipartisan support. House majority parties may pass bills non-median bills, but these bills are unlikely to pass both chambers or earn a presidential signature. Many more laws look more like the 21st Century Cures Act (PL 114-255) than the Affordable Care Act (PL 111-148).

Likewise, any theory of congressional party politics that emphasizes the majority party's efforts to establish a record of partisan lawmaking accomplishments must contend with just how rare such successes are, even in recent party-polarized congresses. *Procedural cartel theory* (Cox and McCubbins 2005) and *strategic party government* (Koger and Lebo 2017) both maintain that parties are able to hold their members together on partisan votes, even though such votes may go against moderate legislators' preferences or the wishes of their districts, because the outcome – a partisan policymaking success – will give the party as a whole something to run on in the next

election. However, parties rarely achieve distinctly partisan lawmaking successes. Most of the time, congressional majorities have few such successes to claim. Most lawmaking accomplishments are *bipartisan*, allowing both parties to claim credit. Little relative partisan advantage is thereby gained from legislation. Legislative votes that distinguish the parties abound, but these votes are not legislative enactments. In many cases, they are messaging efforts that do not affect public policy. Parties may “clothe themselves in a dogmatic and argumentative garment of high public purpose” (Schattschneider 1942, 129), but where lawmaking in the U.S. system is concerned, parties typically have to set aside many of their differences.

These findings do not mean parties are unimportant to lawmaking. Quite to the contrary, we believe parties matter a great deal. Congressional parties play a vital role in conflict-clarifying representation (Curry and Lee 2016). By bringing forward messaging bills and encouraging their members to hold the party line in position taking, congressional parties help clarify the lines of political conflict for the public and enable the “ventilation of opinion for the education of the country at large” and to “mobilize interest groups and proclaim loyalties” (Polsby 1975, 281). Contemporary parties are clearly better at this than in the past, as demonstrated by the rise in partisan voting on the numerous measures that never become law. In tandem with rising partisanship on roll-call vote generally, the extensive growth and institutionalization of party message operations in both chambers and both parties also enable parties to communicate their positions more clearly to the electorate at large (Lee 2016). It is likely that the broad American public’s improved understanding of the policy differences that divide the parties (Hetherington 2001) owes something to the congressional parties’ strengthened capacities for conflict-clarifying representation.

Congressional parties also play a vital role in making law, just not in the way typically conceived. Congressional party leaders frequently take the lead in negotiating legislation, particularly in the centralized, unorthodox processes prevalent in the contemporary Congress. Party leaders negotiate across branches, chambers, and parties and with the aim of winning the necessary support to enact legislation in a challenging political system with numerous veto points. Once those agreements are reached, party leaders then work to convince their rank-and-file members to set aside their partisan or ideological inclinations and support the compromise. It is no secret that most congressional districts today are non-competitive (Abramowitz, Alexander, and Gunning 2006), and that many members of Congress have more to fear from a primary opponent than from a partisan challenger. For most members, supporting a partisan messaging bill with no practical implications is not a problem, and party leaders probably have to do little whipping on such measures. However, convincing members from hyper-partisan districts to back a negotiated settlement and accept less than they hoped likely takes some convincing. Given the bipartisanship-inducing realities of our policymaking system, such efforts may be the true test of party leadership and party influence in the House and Senate.

Altogether, the evidence here strongly suggests we should reconsider our understanding of party government and party influence in Congress. Persistent bipartisanship on congressional lawmaking does not mean parties do not matter, but it may mean parties matter in a different way than we have typically thought.

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Appendix

Below is a list of each majority party's priority agenda items in each Congress, and whether the majority achieved, most, some, or none of what they wanted on each item.

114TH CONGRESS

REPUBLICAN AGENDA PRIORITIES

Keystone XL pipeline approval	NONE
Obamacare repeal and reform	NONE
Tax reform	NONE
Infrastructure/energy bill	NONE
Elementary and Secondary Education Act reauthorization	SOME
21st Century Cures Act	SOME
Permanent Medicare Sustainable Growth Rate ("doc-fix") repeal	SOME
Pass Trans-Pacific Partnership trade deal	NONE
Veterans job bill	NONE
No Taxpayer Funding for Abortion	NONE
Patent reform	NONE

113TH CONGRESS

REPUBLICAN AGENDA PRIORITIES

Deficit reduction (tied to debt limit)	NONE
Elementary and Secondary Education Act reauthorization	NONE
Energy independence and domestic energy production	NONE
Tax reform	NONE
Health entitlement reform (Medicare)	NONE
Restrict taxpayer funds for abortions	NONE

DEMOCRATIC AGENDA PRIORITIES

Reauthorize the Violence Against Women Act	MOST
Elementary and Secondary Education Act reauthorization	NONE
Gun control legislation	NONE
Voting and campaign finance reform	NONE
Immigration reform	NONE
Deficit reduction	NONE
Farm bill reauthorization	SOME
Increase workers' wages and compensation	NONE
Bolster U.S. tech innovation	NONE
Hurricane Sandy relief and aid	SOME
Infrastructure legislation	SOME
Veterans benefits	SOME

Address climate change and renewable energy SOME

112TH CONGRESS

REPUBLICAN AGENDA PRIORITIES

Spending cuts & preservation of Bush-era tax cuts (for deficit reduction)	SOME
Affordable Care Act repeal	NONE
Surface Transportation Reauthorization	SOME
Tax overhaul	SOME
Congressional process reforms	SOME
Improve Social Security solvency	NONE
Restrict taxpayer funds for abortions	NONE
Regulatory reform	NONE
Small business support	NONE

DEMOCRATIC AGENDA PRIORITIES

Economic stimulus and job creation bill	NONE
End Bush-era tax cuts for the wealthy & preserve spending (for deficit reduction)	SOME
Comprehensive immigration reform	NONE
Address climate change / bolster renewable energy	NONE
Elementary and Secondary Education Act reauthorization	NONE
Surface Transportation Reauthorization	SOME
Cybersecurity reform	NONE
Filibuster reform	NONE
DISCLOSE Act reforms	NONE
Help women in the workforce (Pay equity, family leave, childcare, etc.)	NONE

111TH CONGRESS

DEMOCRATIC AGENDA PRIORITIES

Economic stimulus package	SOME
Comprehensive health care reform (Affordable Care Act)	MOST
Address climate change / bolster renewable energy	NONE
Financial sector reform and mortgage relief (i.e., Dodd-Frank)	MOST
SCHIP reauthorization	MOST
New direction with War on terror / Iraq & Afghanistan	NONE
College cost and affordability	SOME
Gender pay equity	SOME
Immigration reform	NONE
Modernize and rebuild the military	NONE
Retirement security	NONE
Oppose midnight Bush administration regulations	NONE

110TH CONGRESS

DEMOCRATIC AGENDA PRIORITIES

Student loan interest rate reduction and reducing college costs	MOST
Repeal oil industry tax breaks, bolster renewable energy	SOME
Congressional ethics and lobbying reform	SOME
Minimum wage increase combined with small business tax breaks	SOME
Enact 9/11 commission recommendations, increase port security funding	SOME
Federal funding for stem cell research	NONE
Medicare drug price negotiation	NONE
New direction on Iraq war	NONE
Comprehensive immigration reform	NONE
PAYGO rules	MOST
Rebuild and modernize military	SOME
Health care reform	NONE
Retirement security	NONE
Increase congressional oversight	NONE
FISA reforms	SOME

109TH CONGRESS

REPUBLICAN AGENDA PRIORITIES

Domestic energy plan, open up oil drilling in Alaska	SOME
Tax overhaul and making Bush tax cuts permanent	SOME
Surface Transportation Reauthorization	MOST
Class action lawsuit and tort reform	MOST
Medical malpractice litigation reform	NONE
PATRIOT Act partial reauthorization	SOME
Maintain Iraq and Afghanistan war spending	MOST
Social Security overhaul	NONE
Entitlement reform	NONE
Workforce training legislation	SOME
Pension reform	MOST
Voting Rights Act reauthorization	MOST
Trade rights and litigation policy	NONE
Teen pregnancy and abortion policies	NONE

108TH CONGRESS

REPUBLICAN AGENDA PRIORITIES

Medicare prescription drug coverage	MOST
Bush tax cuts part 2 and tax reform	MOST

Make at least some Bush era tax cuts permanent (especially estate tax)	NONE
TANF reauthorization	NONE
Domestic energy plan	NONE
Support war on terror/war spending	MOST
Health care liability and lawsuit reform	NONE
Regulatory and tax relief for business	SOME
Unemployment benefits extension	SOME
Homeland security amendments	SOME
Class action lawsuit reform	NONE
K-12 and Higher Education improvements, including school choice	NONE
Trade agreement with Singapore	MOST
Trade agreement with Chile	MOST
Reduce taxes on charitable foundations	NONE
Intelligence reform and counter terrorism, 9/11 commission recommendations	MOST
Partial-Birth Abortion Ban	MOST

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REPUBLICAN AGENDA PRIORITIES

Elementary and Secondary Education Act reauthorization	SOME
Broad tax cut legislation	SOME
Health care reform & Medicare prescription drug coverage	NONE
Social Security reform	NONE
Anti-missile defense system	MOST
Domestic energy plan	NONE
Increase military funding	MOST
CARE Act - charitable giving	NONE
Railroad Retirement and Survivors' Improvement Act	MOST

DEMOCRATIC AGENDA PRIORITIES

Tax reform	SOME
Health care reform and health insurance reforms	NONE
Elementary and Secondary Education Act reauthorization	SOME
Working families relief (various, including minimum wage, gender pay gap, CHIP, etc.)	NONE

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REPUBLICAN AGENDA PRIORITIES

Apply budget surplus to tax cuts and debt reduction	NONE
Anti-missile defense system, military modernization, increases in defense spending	NONE
Elementary and Secondary Education Act reauthorization, education savings accounts	NONE

Social Security reform and solvency	NONE
Complete Clinton impeachment proceedings	NONE
Managed care reform (health care)	NONE
Medicare reform	NONE
Bankruptcy reform	NONE
Support faith-based charities	SOME
Partial-birth abortion ban	NONE
Repeal Social Security earnings test	MOST
Financial services reforms and reauthorization	SOME
Elections and voting reforms	NONE
Increase foreign spending for war on drugs	MOST

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REPUBLICAN AGENDA PRIORITIES

Tax cuts	SOME
Deficit reduction, balance budget	SOME
Education reform, including school aid and school choice	SOME
Working families comp time and flex time	NONE
Surface transportation reauthorization	SOME
Bolster war on drugs / tougher penalties for drug lords	NONE
Crime legislation, especially juvenile crime	NONE
Partial birth abortion ban	NONE
Broaden national missile defense system	SOME
Paycheck protection act	NONE
Balanced budget amendment	NONE
Increased NAFTA and WTO oversight	NONE
Military modernization	NONE
TEAM Act (weaken labor unions)	NONE
Individuals with Disabilities Education Act reauthorization	MOST
Regulatory overhaul (particularly for small businesses)	NONE
Streamline child adoption	MOST
Public housing reform	SOME
Higher Education reauthorization and reform	MOST
End birthright citizenship	NONE
Border Smog Reduction Act	MOST
Financial services reforms and reauthorization	NONE
Product liability reform	NONE
Superfund cleanup acceleration	NONE

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REPUBLICAN AGENDA PRIORITIES

Line item veto	MOST
Congressional rules reform and reorganization	SOME
Tough on crime legislation	SOME
Tax cuts	NONE
Regulatory overhaul	NONE
Unfunded mandates reform	MOST
Balanced budget amendment	NONE
Welfare reform	SOME
Improve congressional war powers, limit UN and NATO influence	SOME
Raise senior citizens earnings limits	MOST
Securities litigation reform	MOST
Congressional term limits	NONE
Broad spending cuts	SOME
Missile defense and military reforms	SOME
Protect private property owners	NONE

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DEMOCRATIC AGENDA PRIORITIES

Family and medical leave act	MOST
National voter registration / motor voter	MOST
NIH reauthorization	MOST
Health care reform	NONE
Deficit reduction	SOME
Elementary and Secondary Education Act reauthorization	SOME
Campaign finance reform	NONE
Infrastructure investment	NONE
Omnibus crime bill	MOST
Workplace fairness (prohibit replacement of strikers)	NONE
Improve housing assistance	NONE
Improve child nutrition and school lunches	MOST
Elimination of some antitrust exemptions for insurance companies	NONE
Congressional rules and ethics reform	NONE
National Competitiveness Act (tech innovation)	NONE