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Majority Party Agenda Setting: Picking Fights or Avoiding Them?

In legislatures such as the U.S. House of Representatives, where the majority party controls the agenda, the frequency of observed partisan disagreement is partially a function of strategic agenda-setting choices made by that party. Do majority party leaders use their agenda control to privilege bills that accentuate disagreements with the minority party? In this paper, we develop a theoretical framework focused on the costs and benefits associated with floor consideration of partisan legislation. We test hypotheses derived from our theory on a dataset of 15,611 bills considered in House committees during the 104th–114th Congresses (1995–2016). We find that minority party opposition in committee is associated with a decreased likelihood of floor consideration, suggesting that the majority party does not use agenda setting to indiscriminately favor partisan legislation. Our findings focus attention on the costs of partisan agenda setting, and contextualize the partisan disagreement we ultimately observe on the House floor.

Majority parties do not run roughshod over minority opposition every day in the House. Neither, however, are partisan bills rare or confined to the recent past. (Cox and McCubbins 2005, 88)

Thus, the theory of conditional party government is applicable only to a specified subset of issues—those related to divisions between the parties in the electorate [...] Those issues will produce a party agenda, and the size of that agenda will vary over time as electoral conditions vary. (Aldrich and Rohde 2000, 3)

A persistent interest for scholars of representative democracies is the extent to which partisan conflict characterizes the business of government. Legislative scholars, in particular, have long shown interest in patterns of cooperation and conflict between

parties in both national and state legislatures. As the quotes above demonstrate, there remain open questions about how often majority parties seek to impose their will on recalcitrant minority parties—and about the range of issues on which parties are expected to publicly disagree. Majority parties may not “run roughshod over minority opposition *every day*,” (Cox and McCubbins 2005, 88) but it is clear that this conflictual partisan behavior occurs with some frequency. How frequently such behavior occurs, and how to systematically account for variations in that frequency, constitute important questions in political science.

Moreover, while partisan disagreements are not expected to span every conceivable issue area, partisan agenda control in legislatures like the US House of Representatives gives the majority party considerable influence over the allocation of legislative attention across issues. Therefore, the relative frequency with which the legislature acts upon conflictual issues is often at least partially a choice made by the majority party (Gelman 2017, 2020; Harbridge 2015; Koger and Lebo 2017; Lee 2008, 2016). Recent literature in the American context treats agenda setting as a mechanism through which the majority party can strategically emphasize policy differences with the minority party. However, this work also acknowledges the costs inherent to filling the legislative agenda with controversial bills on which the two parties disagree. Party-line voting, often necessary to pass partisan bills, can pose an electoral risk—especially for cross-pressured members of the majority party (Bussing et al. 2020; Canes-Wrone et al. 2002; Carson et al. 2010; Nyhan et al. 2012). The challenge for majority party leadership, then, is to balance individual and collective goals when setting the legislative agenda.

In this article, we examine the extent to which the majority party in the US House of Representatives uses its control over the legislative agenda to privilege bills that accentuate policy differences with the minority party. Building on existing theories of parties in legislatures, we test a number of hypotheses on agenda setting. Using data on all House bills considered in a standing committee from the 104th to the 114th Congresses (1995–2016), we leverage information produced by committee markups to estimate the effect of pre-floor partisan disagreement on the likelihood of floor consideration. Our results demonstrate that, even in the polarized era that we study, partisan disagreement in committee decreases, rather than increases, the likelihood of floor consideration. Bills that are the subject of minority party opposition

in committee are significantly less likely to make it to the House floor than bills with bipartisan support in committee, controlling for a number of factors. This macrolevel trend is found across the full period of our study, but we also find that the magnitude of the negative effect of partisan disagreement on floor consideration varies based on Congress-level factors, such as the size of the majority party.

Our study sheds new light on the agenda-setting process in the modern House of Representatives. Specifically, our results show that measures that are not characterized by partisan disagreement are often considered more attractive candidates for floor consideration than measures that pit the two parties against each other. While certain bills are clearly shepherded to the floor to play up partisan differences and signal to external audiences (Gelman 2017, 2020; Lee 2016), we demonstrate that party leadership picks its partisan battles rather selectively. Here, our work speaks to the tension in agenda setting between two occasionally conflicting majority party goals—governance and partisan differentiation (Harbridge 2015). We assert that agenda setting is a multidimensional process by which party leaders must allocate attention to individual members' goals (Bussing 2020), routine reauthorization bills for major federal programs (Adler and Wilkerson 2012), and partisan messaging (Lee 2016). Acknowledging these multiple goals, and focusing on how they can come into conflict with one another, allows for a more holistic and nuanced view of agenda setting.

Our article proceeds as follows. First, we contextualize our work within the extensive literature on agenda setting and partisan disagreement in the legislative process, focusing on the trade-offs between partisan differentiation and governance demands as they relate to party-brand maintenance. We then articulate our theory of agenda setting in the House of Representatives and develop hypotheses to test that theory. Next, we describe our data and methodological choices before testing our hypotheses and discussing our results. Finally, we review how our study adds to the understanding of partisan agenda setting and highlight a number of areas for future research.

Agenda Setting: Highlighting Conflict or Avoiding it?

In this article, we pose a simple question: does the majority party in the US House of Representatives use the agenda-setting

process to prioritize bills that highlight partisan disagreements with the minority party?¹ The extant literature on agenda setting and parties in Congress provides a number of useful frameworks in which to consider our question. In this section, we review the relevant literature, focusing on various—and sometimes conflicting—theoretically derived expectations for how the majority party should treat conflictual bills in the agenda-setting process.

Our question is fundamentally about the extent to which majority party leaders in the House view the legislative process as a means to successfully enact new laws. While advancing proposals that are opposed by the minority party is not necessarily mutually exclusive with successful lawmaking, a straightforward trade-off exists between the breadth of support for a bill and its likelihood of becoming law. As recent work has demonstrated, the constitutionally defined contours of the lawmaking process make it difficult for even highly centralized parties to enact a cohesive agenda without broad-based support in the legislature (Curry and Lee, 2019, 2020a; Ryan 2020). Accordingly, work on the effectiveness of individual legislators has found that the ability to forge bipartisan compromise is integral to legislative success, even in the highly polarized contemporary Congress (Volden and Wiseman 2014, Chap. 6).

Of course, majority party leaders may be motivated by goals other than enacting bills into law. Lee (2009, 2016) and Gelman (2017, 2020) provide compelling partisan rationales for floor-scheduling strategies that focus more on messaging to external audiences than on serious lawmaking. We agree with Harbridge (2015) and others, who argue that agenda setting should be seen as an attempt by majority party leaders to balance the goals of governance, partisan differentiation, and coalition management. Our question about the expected effect of prefloor partisan disagreement on the likelihood of floor consideration is, in essence, a question about how majority party leaders choose to strike this balance.

Extant theories of parties in legislatures have different underlying assumptions about the primary considerations relevant to agenda-setting decisions. Party cartel theory (Cox and McCubbins 1993, 2005) posits that majority party leaders are bound by a fiduciary duty to their party's membership in exercising their delegated control over the legislative agenda. The theoretical justification for the majority party's procedural cartel is its salutary effect on the party's public brand—which in turn benefits the party's members

electorally. Constrained proposal rights and multiple, decentralized veto points can ensure that bills do not make it to the floor unless they are favored by a majority of the majority party.

However, a party's reputation hinges on more than the proposals it prevents from passing. The party's reputation, or brand, is based on its public record—the “actions, beliefs, and outcomes commonly attributed to the party as a whole” (Cox and McCubbins 1993, 110). The exact connection between a party's legislative actions and its reputation is left intentionally vague (Cox and McCubbins 2005, 22)—but it is precisely this connection that we need to clarify in order to answer our question about agenda setting and conflictual bills.

Specifically, we need to consider the aspect or aspects of the party brand that leaders are seeking to bolster with their decisions about constructing the legislative agenda. If the majority party leadership is primarily focused on the “valence” component of its brand (Butler and Powell 2014; Stokes 1963), it may orient its agenda setting towards addressing and solving problems with which voters are concerned (Adler and Wilkerson 2012; Hitt et al. 2017). Such a strategy, to the extent that it depends on the successful enactment of legislation, will likely tend towards the selection of bills with bipartisan support for floor consideration. However, if majority party leaders are more concerned with the ideological component of their party's brand, they may find it advantageous to facilitate the consideration of bills that highlight policy differences with the minority party.

Concerns about how certain floor-scheduling decisions will affect the majority party's brand are decidedly less important in theories of the legislative process that eschew a strong role for parties (Krehbiel 1992, 1993, 1998). These majoritarian and informational theories would expect the legislature to devote its time to bills that have a decent chance to become law, as opposed to bills that target gridlocked status quo policies. In other words, such theories would expect agenda setting to be geared much more towards governance than partisan differentiation. Other work in this vein, more directly focused on agenda setting, provides an alternative rationale for why partisan bills that would split the two parties are often kept off of the floor. Krehbiel et al. (2015, 434–39) demonstrate formally that minority party leaders with the ability to engage in “vote-buying” are capable, under certain conditions, of protecting status quo policies that the majority party median would otherwise prefer to change.² Given even a modicum of

minority party bargaining power, we may expect that there will be some subset of partisan proposals that the majority party decides are not worth bringing to the floor.

In this article, we seek to empirically test the effect of disagreement between the two parties on agenda setting. From a research design standpoint, our thinking is influenced by the work of Krutz (2005), Harbridge (2015), and Ryan (2020). Krutz (2005) examines the process by which standing committees decide to consider introduced bills. We study a later stage of the agenda-setting process—the decision of whether or not to bring a bill to the floor, conditional on its consideration in committee. As will be discussed in greater detail below, this allows us to leverage bill-level information produced by committee markups and votes to report in order to estimate the effect of partisan disagreement on the likelihood of floor consideration. Before discussing our empirical strategy, the next section of our article establishes a theoretical framework from which to assess our research question.

A Theory of Partisan Disagreement and Agenda Setting

Theories of agenda setting deal fundamentally with the strategic allocation of a scarce resource. Floor time is the resource to be allocated, and it is necessarily scarce because the demand—operationalized as the number of bills introduced—always exceeds the available supply of plenary time in a Congress. We assume that each introduced bill is characterized by a level of expected costs and benefits associated with its consideration.³ Because we are concerned with agenda-setting decisions made by the majority party leadership, we conceptualize these bill-level benefits and costs as they are perceived by the majority party.

Costs of Consideration

There are time-related opportunity costs associated with the consideration of any given bill, since scarce plenary time allocated to one bill necessarily detracts from the time available for all others. We assert that bills are differentiated not only by how much floor time they would consume but also by the amount of preelection coalition-maintenance work required from majority party leaders to ensure their passage. Building on the concept of contested votes (Koger and Lebo 2017, 33), we assume that these preelection

costs will be higher for bills when their passage is not assured *ex ante*. For conflictual partisan bills that are the subject of minority party opposition in committee, negotiations within the majority party will be particularly important to increase the likelihood of passage, as votes from minority party members will likely not be forthcoming. The costs of these negotiations to the majority party leadership include the time spent engaging in whip counts and other meetings with wavering members, as well as any side payments offered in exchange for votes, such as campaign funds (Jenkins and Monroe 2012) or future agenda space for individual priorities (Moffett 2016). Our first hypothesis is simply that conflictual bills will consume more of these resources than nonconflictual bills.⁴ We test this hypothesis by asking whether majority party leadership is more likely to conduct a whip count on bills that were the subject of minority party opposition in committee.

H1: Majority party leadership will be more likely to conduct a whip count on conflictual partisan bills than on nonconflictual bipartisan bills.

We also must consider the driving force for these prefloor leadership efforts—members’ beliefs that they may incur electoral costs for supporting the bill in question. These costs are likely negligible for most members on most bills, but we posit that they can be substantial for cross-pressured members on highly salient bills that split the two parties. Work by Canes-Wrone et al. (2002) and Carson et al. (2010) have shown that partisan voting records can damage members’ electoral prospects, while Nyhan et al. (2012) and Bussing et al. (2020) demonstrate that even individual votes on high-profile pieces of legislation can be risky. We assume that majority party leaders weigh this electoral component of the consideration cost based on how it affects individual members, as well as the likelihood of maintaining the majority after the next election.

Each individual majority party legislator engages in her own cost-benefit analysis in deciding how to vote on a given bill. The party leadership’s task in prefloor negotiations is to manipulate these analyses to ensure the passage of a bill conditional on being brought to the floor. However, since party leaders are constrained in the resources they are able to devote to these negotiations, they must be judicious in decisions about when and how to exert their

influence. This selectivity should be evidenced in decisions about whether or not to bring conflictual bills to the floor.

Benefits of Consideration

In our agenda-setting framework, bills are characterized not just by the costs associated with their consideration, but by the potential benefits to be gained by bringing them to the floor. We separate these benefits into policy benefits, which are only attained if the bill becomes law, and political benefits, which can be attained simply through floor consideration (Gelman 2020; Koger and Lebo 2017). Because our work here focuses on how agenda setters treat two different types of bills—those that are expected to split the two parties and those that are not—we need to make explicit assumptions about the policy and political benefits of considering each type.

The consideration of controversial partisan legislation can provide significant political benefits to the majority party (Gelman 2017, 2020; Lee 2016), but policy benefits are less likely to materialize because such bills are less likely to become law (Curry and Lee 2019, 2020a; Ryan 2020).⁵ Bills that garner broad bipartisan support in committee, on the other hand, are more likely to yield both policy and political benefits to the majority party. While floor consideration of these nonconflictual bills cannot be expected to yield one particular type of political benefit—namely, partisan differentiation—it can nonetheless bolster the valence component of the majority party’s brand. Additionally, majority party leadership frequently uses the supermajoritarian suspension of the rules procedure to provide for the consideration of noncontroversial bills that create valuable credit-claiming opportunities for electorally vulnerable majority party members (Bussing 2020; Moffett 2016; Sinclair 2016, 24–27).

Because not all of these bills have a partisan or ideological component to them, it is not always useful to think about their attendant policy benefits in terms of the magnitude of a shift along a single ideological dimension. However, in the case of bills that reauthorize federal government programs—which are often characterized by bipartisan consensus at the committee stage—policy benefits can be evaluated in relation to the extreme reversion point of “no policy” (Adler and Wilkerson 2012). Furthermore, the policy benefits associated with any given nonconflictual bill—regardless

of their specific valuation by actors in the legislative process—are more likely to materialize in reality because such bills are more likely than controversial partisan legislation to become law.

Nonconflictual bills with bipartisan support, then, would seem to be rather obvious candidates for floor consideration. Such bills have the potential to offer both policy and political benefits to the majority party, and their passage would require little to no prefloor intervention on behalf of the majority party leadership, therefore entailing negligible consideration costs. Following this logic, we might expect the legislative agenda to be filled with non-controversial bills that pass with unanimous or near-unanimous votes. Accordingly, we might further expect the frequency of party-line votes to be exceedingly rare.

H2: Floor consideration will be less likely for conflictual partisan legislation than for nonconflictual bipartisan legislation.

We do, however, observe controversial bills that are the subject of prefloor partisan disagreement come to the floor with some frequency. What accounts for the floor consideration of these bills—which by our assumptions entail intraparty negotiating costs to bring to the floor and are less likely to become law? Our answer is twofold. First, the bills available for floor consideration depend partially on the distribution of status quo policies. While extreme outlier status quos may be low-hanging fruit for agenda setters, there may not be an abundance of such policies. It may be the case that there are many more status quo policies in what Krehbiel (1998) calls the “gridlock interval.” Any bill proposing to change a status quo policy in this interval would be expected to receive a party-line vote.

In addition to this supply-side explanation, we argue that contextual factors influence the majority party’s demand for the political benefits to be gained from the consideration of partisan legislation. The value of these political benefits—as well as leadership power and resources necessary for their pursuit—should increase as competition for control of the legislative chamber intensifies.

Determinants of Party Leadership Resources

We argue that contentious bills that split the two parties are more costly for the majority party leadership to bring to the floor

than noncontentious bills with bipartisan support. The consideration costs for contentious legislation are driven by prefloor intra-party negotiations to ensure bill passage, as well as electoral risks incurred by cross-pressured members who ultimately agree to support the bill. Whether or not majority party leaders agree to bear the costs of considering partisan legislation depends on both their willingness and ability to pay. We assume that willingness to pay these costs is determined by the magnitude of the political benefits to be gained from consideration of the bill in question. Ability to pay, on the other hand, is a function of the amount of power that the majority party has decided to delegate to its leaders.

We hypothesize that majority party size is an important factor in leadership decisions about whether or not to bring partisan legislation to the floor. While there is a growing literature on the effect of relative party size on majority party power in Congress, for the most part, this literature has not focused directly on agenda setting (Koger and Lebo 2017, 173). Patty (2008), Lebo et al. (2007), and later Koger and Lebo (2017) hold that majority party members are more willing to empower their leaders as the relative size of their party decreases. Because individual defections in votes on partisan legislation are more costly in smaller parties and because the passage of such legislation bolsters the party's brand, party members want strong leadership to combat individual incentives to defect. Relatedly Meinke (2012), focusing on the House Republicans' jump in seat share after secession during the Civil War, shows that larger majority parties are associated with decreased party unity and more constituency-oriented voting.

Cumulatively, this work convincingly argues that leaders of relatively small majority parties are given more power to influence the voting decisions of their members on partisan legislation that reaches the floor. However, it does not tell us much about the different mixes of bills that we might expect to see reach the floor under differently sized majority parties. To solidify our expectation here, we refer back to the relative balance between governance and partisan differentiation in agenda setting. Lee (2016) and Gelman (2017, 2020) make related arguments that increased competition for partisan control of government—typically correlated with relatively small majority parties—increases the political value of considering partisan messaging bills that have little or no chance to become law. Additionally, Smith (2007) argues that smaller majority parties are likely to privilege political goals over policy goals in an attempt to maintain their majority status. One way this may

manifest itself in the construction of the legislative agenda is that smaller majority parties may be more likely to advance partisan legislation to the floor, even if minority party opposition in committee does not bode well for future enactment prospects (Ryan 2020). Therefore, our third hypothesis is stated as follows:

H3: The likelihood of bringing conflictual partisan legislation to the floor will increase as the majority party's seat share decreases.

Majority party leadership power in intraparty negotiations should also be strengthened as interparty ideological polarization and intraparty ideological homogeneity increase (Aldrich and Rohde 2001). Given the time period that we study (1995–2016), these conditions for strong party leadership are more or less uniformly met. However, there may be interesting variation in the number of majority party legislators who find it electorally advantageous to try to distance themselves from the party brand from Congress to Congress. Following the lead of Harbridge (2015), we operationalize this concept by identifying members who represent districts that typically vote for the presidential candidate of the opposite party. We argue that intraparty negotiations over whether or not to bring a contentious partisan bill to the floor will be more costly and difficult as there are more members of the majority party who have constituency-oriented reasons to vote against the bill. Our fourth hypothesis deals with the relationship between this measure of intraparty cohesion and the decision to bring partisan legislation to the floor.

H4: The likelihood of bringing conflictual partisan legislation to the floor will increase as the degree of district-party "sortedness" increases.

The Role of Committees

Committees are an important part of our theoretical foundation, as well as our empirical strategy. In our theory of agenda setting, we view the committee markup process as an important source of information for party leaders seeking to schedule legislation for floor consideration. Scholars since at least Fenno (1973) have acknowledged the ways in which partisanship or consensus in

committee can affect the prospects for a bill's consideration on the floor. Even with increasing centralization of staff and resources in leadership offices (Curry 2015), party leaders and their staff cannot be expected to keep tabs on the details of hundreds of pieces of legislation simultaneously. When deciding whether or not to bring a given bill to the floor, leaders will want to know both how conflictual the bill is expected to be and what the expected dimensions of conflict will be. To a certain extent, leaders are dependent on the network of standing committees for this information.

The information generated by committee markups, and communicated through committee reports, helps party leaders evaluate the costs and benefits of bringing different bills to the floor. A bill that is reported unanimously with no dissenting votes or views on the committee report would be expected to have a similarly smooth passage were it brought to the floor. On the other hand, a bill that is reported out of committee on a straight party-line vote, accompanied by critical minority views, may still pass on the floor—but its consideration may necessitate an investment of substantial party resources. Our theoretical framework holds that party leaders use information gleaned from committee consideration of legislation in their decisions about setting the floor agenda.

Data and Methods

We consider a dataset of all House-sponsored measures that received consideration in a House committee in each Congress from the 104th to the 114th (1995–2016).⁶ Our primary question is whether or not the majority party in the House shows particular favor for selecting bills that highlight partisan disagreements with the minority party. In order to answer this, we need a bill-level measure of the extent to which a piece of legislation is the subject of partisan disagreement. While previous literature has inferred this bill-level characteristic from information on each bill's cosponsorship coalition (Harbridge 2015), we opt for a more direct indicator—whether or not the bill was the subject of partisan disagreement in committee markup.

To identify conflictual partisan bills, we create an indicator variable for whether or not minority or dissenting views were attached to the committee report for each bill. We believe that this views-based measure may be picking up conflictual bills that measures based on committee roll-call votes might miss. Out of the 15,611 bills in our dataset, only 893 received a roll-call vote in

committee, while 1574 were the subject of a committee report with minority or dissenting views attached. Furthermore, 880 bills received minority or dissenting views but were reported out of committee by voice vote, rather than roll-call vote. Of those 880 bills that received minority or dissenting views but were reported by voice vote, 263 received a party roll-call vote on the floor of the House, showing that they did in fact divide the two parties.⁷

Our prefloor bill-level measures of partisan disagreement allow us to estimate how the partisan nature of a bill affects the likelihood of its floor consideration. Rather than having to rely exclusively on what we observe on the House floor, this strategy allows us to evaluate the level of partisanship evident in floor voting relative to the abundance of conflictual bills on the potential agenda. We assume that this potential floor agenda is comprised of all bills that were the subject of consideration in committee. We take committee consideration to be a signal about the subset of bills that the chamber is serious about potentially moving forward. As Krutz (2005) argues, the committee-level decision to consider a bill has substantial downstream impacts on the rest of the legislative process.⁸

Following Walker (1977) and Adler and Wilkerson (2012), we acknowledge that all legislative proposals are not created equally when it comes to the likelihood of floor consideration. Some measures, such as those reauthorizing major federal programs, appropriating funds for executive departments, and creating budget resolutions, should be given priority on the agenda due to their semicompulsory nature. Sinclair (1983) speaks to the importance that party leaders place on these deadline-driven measures when creating the floor schedule, and Adler and Wilkerson (2012) point out that the extreme reversion point associated with *not* considering and passing such measures can incentivize cooperation.

Of course, floor consideration for these types of bills is not literally mandatory—if it were, including such bills in a model that estimates the likelihood of floor consideration would seem rather redundant. Occasionally, for example, individual appropriations bills reported out of committee will not receive standalone floor consideration but will instead be combined into an omnibus appropriations bill that is brought to the floor later in the session. The same thing sometimes occurs with budget resolutions, which might not receive floor consideration by themselves, but can be rolled into continuing resolutions and considered later in the session. Therefore, we do observe some variation in whether or not

these compulsory measures are given floor consideration. In order to investigate whether the effect of partisan disagreement on the likelihood of floor consideration varies across different types of bills, we fit our basic floor-consideration model below on both our full dataset and on a subset comprised of these compulsory measures.

Before describing the empirical tests of our hypotheses, it is helpful here to discuss one specific implication of using committee markup as an integral part of the data-generating process for our key independent variable of bill-level partisan divisiveness. Under our measurement strategy, the committee decision to engage in markup of a bill is a necessary prerequisite for that bill to be coded as conflictual. This is an inherently conservative method for the identification of bills that divide the two parties, as all bills in the dataset that are not reported by committee are automatically coded as nonconflictual. Because bills that are reported by committee have a much greater chance of getting to the floor than those that were considered by committee but never reported, this may bias our results towards finding a positive effect of partisan conflict on likelihood of floor consideration. Given that we instead find that conflictual partisan bills are significantly *less* likely to be considered on the floor, it is likely that we are underestimating the true magnitude of this negative effect.

Prefloor Leadership Attention to Conflictual versus Nonconflictual Bills

Recall that our first hypothesis was that conflictual partisan bills would attract more prefloor leadership attention than nonconflictual bills. Measuring leadership attention to bills is not entirely straightforward, but here we operationalize the concept using data on whip counts conducted before bringing bills to the floor. Despite the existence of rather large extended party-whip networks during the time period we study, time and resources devoted to the prefloor whipping of legislation still must be allocated judiciously. Given the extensive workload of the House of Representatives, it is simply not possible to conduct a whip count on every question that comes to the floor (Evans 2018, 68 and Chap. 3).

To reiterate the logic behind our theoretical expectation that leadership resources will be allocated disproportionately toward conflictual partisan bills, we contend that majority party unity is

of tantamount importance to the passage of such bills, as minority party support will likely not be forthcoming. Additionally, cross-pressured members of the majority party may need extra cajoling before agreeing to vote with the party on a bill that may be the subject of a contentious floor fight. A whip count provides the party leadership with the information necessary to determine whether, and under what conditions, to bring a bill to the floor for what is expected to be a contested vote.

Whip count data is not available for the entire period that we study, so we focus here on a subset of our data—all bills considered in committee from the 105th to the 107th Congresses (1997–2003). We model the likelihood of a whip count by the majority party (Republican) leadership as a function of a number of bill-level variables. Given the hierarchical structure of our data—bills nested within committees nested within Congress—we opt for a multilevel modeling strategy, employing varying intercepts for Congress and primary reference committee. We fit a logistic regression model, as our dependent variable is a dichotomous indicator of whether or not each bill was the subject of a whip count.

The model displayed in Table 1 below is fit on all House-sponsored measures that were considered in a House committee from the 105th to the 107th Congresses. Our bill-level measure of partisan divisiveness is the indicator variable *Minority or Dissenting Views*, which is coded as 1 if the committee report for a measure included a minority or dissenting views section, and 0 otherwise. In addition to accounting for Congress-level and committee-level variation with the inclusion of varying intercepts, we control for a number of other bill-level factors that may affect the likelihood of a whip count being conducted. *Bipartisan Cosponsorship Coalition* is a dichotomous indicator variable coded 1 if at least 20% of a bill's cosponsors are from the minority party, and 0 otherwise. We borrow the 20% threshold from Harbridge (2015), who uses the partisan composition of a bill's cosponsorship coalition to identify bills that have bipartisan support. We also control for whether or not the primary sponsor of each measure is a member of the majority party (*Majority Party Sponsor*) and whether or not the bill was reported favorably from committee (*Reported Favorably*).

The results provide support for our first hypothesis. The presence of minority or dissenting views attached to a bill's committee report is a positive and statistically significant predictor of a whip count being conducted for that bill. Out of the 4782 House-sponsored measures that were considered in committee from the

TABLE 1
 Estimating the Likelihood of a Whip Count by Bill
 Characteristics

	<i>Dependent Variable</i>		
	Whip Count Conducted	Expected Direction	Δ Pred. Prob.
Minority or Dissenting Views	2.082* (0.262)	+	[.04, .26]
Bipartisan Cosponsorship Coalition	-0.818* (0.259)	-	[.04, .02]
Majority Party Sponsor	2.031* (0.977)	+	[.01, .04]
Reported Favorably	1.872* (0.462)	+	[.01, .04]
Constant	-7.041* (1.148)		
Congress-Level Random Effects	Yes		
Committee-Level Random Effects	Yes		
Observations	4782		
Log Likelihood	-352.581		

Note: Estimates are logit coefficients from a multilevel logistic regression with varying intercepts for Congress and primary referral committee. Standard errors are reported in parentheses. The model was fit on a bill-level dataset of all House-sponsored measures that were considered in committee from the 105th–107th Congress ($n = 4782$). The dependent variable is a dichotomous indicator of whether or not a whip count was conducted on each measure. The second column of the table presents the theoretically expected directions of each coefficient, and the third column presents changes in predicted probability of a whip count attributable to changing each indicator variable from 0 to 1. These changes are population-level estimates derived for a hypothetical bill that does not have a bipartisan cosponsorship coalition, is sponsored by a majority party member, did not receive minority or dissenting views in committee, and was reported favorably from committee.

* $p < 0.05$.

105th to the 107th Congress, only 137 of them were the subject of a whip count—indicating a rather low baseline probability of whipping. Given this, the low predicted probabilities presented in the table above are unsurprising, but the predicted increase in the probability of a whip count for bills that were the subject of minority or dissenting views in committee is substantively large.

These findings are in line with the theory and evidence presented by Evans (2018)—namely that party leadership will be

more likely to engage in a whip count when the bill in question is important to the party's reputation and when its passage is not assured. Evans (2018) demonstrates that the majority party is more likely to conduct a whip count on bills that go on to become the subject of a key floor vote, according to *Congressional Quarterly*. Our findings add to this literature by demonstrating that partisan disagreement in committee can be a statistically significant predictor of a whip count prior to bringing a bill to the floor.

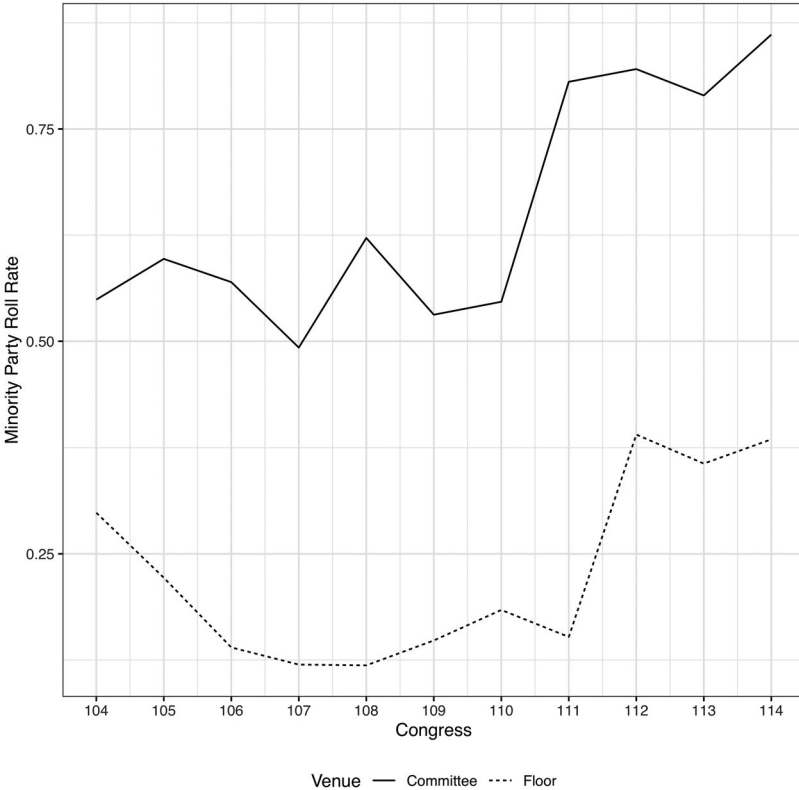
In the context of our theory of agenda setting, the findings presented above are important not just because they demonstrate that conflictual bills are more likely than nonconflictual bills to be the subject of a whip count, but also because they help us establish expectations for overall patterns of floor consideration. The higher cost of consideration for these conflictual partisan bills likely constitutes a higher barrier for bringing them to the floor and therefore a more discerning agenda-setting process. One implication of this more discerning process is that there should be a considerable reduction in the proportion of conflictual partisan bills at the floor stage relative to the committee stage. Figure 1 below bears out this trend. In this figure, we plot the minority party roll rate, or the proportion of votes on which a majority of the minority party is on the losing side, for committee votes to report and floor passage votes.

The primary trend to note from Figure 1 is the large gap between the minority party roll rate on the floor and in committee. We contend that this gap is due to the substantial costs involved in bringing partisan legislation to the floor. Pooling across the Congresses displayed in the figure above, just over 54% of all measures that rolled the minority party in committee ended up being considered on the floor. The floor consideration rate for measures that did not roll the minority party in committee, on the other hand, was nearly 78%. Therefore, it would appear that bill-level partisan divisiveness can be perceived as more of a liability than an asset in the floor-scheduling process. We explore this proposition in more depth in the following section.

Likelihood of Floor Consideration for Conflictual versus Nonconflictual Bills

In this section, we directly test our hypotheses about the effect of bill-level partisan divisiveness on the likelihood of floor

FIGURE 1
 Minority Party Roll Rate, Committee vs. Floor, 104th–114th
 Congresses



Note: The minority party roll rate in committee, represented by the solid line, was calculated by the authors using data made available by Ryan (2020). The minority party roll rate on the House floor, represented by the dashed line, was calculated by the authors using data from the Political Institutions and Public Choice Roll-Call dataset (Crespin and Rohde 2019). A minority party roll occurs when a majority of the minority party votes against a bill that is either favorably reported (in the case of bills in committee) or passes the House (in the case of bills on the floor).

consideration. Recall that Hypothesis 2 states that bills that split the two parties will be less likely to be considered on the floor than bills on which the two parties agree. Hypotheses 3 and 4 are focused on Congress-level variables that we expect to moderate the presumed negative effect of divisiveness on likelihood of floor consideration.

When a bill is considered in a standing committee—either in the form of a legislative hearing or a markup session—that consideration does not guarantee a favorable report by the committee. Even the subset of bills that are favorably reported by committee are not guaranteed consideration on the floor. In the analyses that follow, we model the leadership decision-making process by which bills are brought to the floor, focusing on a number of bill-level variables. Of particular interest to us is the question of whether the majority party leadership uses its control over the legislative agenda to privilege bills that will emphasize stark policy differences with the minority party. As discussed above, we fit two models to test Hypothesis 2—one on all bills in our data, and another on a subset of reauthorization bills, appropriation bills, and budget resolutions (called Compulsory Bills in Table 2).⁹

As in the whip-count model presented above, we measure bill-level partisan disagreement with a dichotomous indicator for whether or not minority or dissenting views were filed along with the committee report for each measure. If majority party leaders are prioritizing conflictual bills for floor consideration, the coefficient on this indicator should be positive and statistically significant. On the other hand, if conflictual bills are less likely to receive floor consideration, as we hypothesize, this indicator should have a negative and statistically significant coefficient.

Both models in Table 2 are multilevel logistic regressions with a dichotomous dependent variable coded 1 if the bill receives consideration on the floor, and coded 0 otherwise. The model fit on the full sample includes a varying intercept for Congress, primary referral committee, and sponsor, while the model fit on the compulsory bills only includes varying intercepts for Congress and sponsor.¹⁰ Because we are trying to isolate the effect of prefloor partisan disagreement on the likelihood of floor consideration, the inclusion of random effects by bill sponsor is particularly important, as the characteristics of individual legislators have been shown to affect bill advancement (Volden and Wiseman 2014).

We control for a number of factors that may be correlated with the likelihood that a bill gets considered on the floor. We include a dichotomous indicator for whether or not each measure was reported favorably by committee (Reported Favorably), as being the subject of a favorable committee report likely increases a bill's chances of floor consideration.¹¹ We also control for whether or not each measure has a bipartisan cosponsorship coalition (Bipartisan Cosponsorship Coalition), as defined by Harbridge

TABLE 2
Modeling Floor Uptake of Bills Considered in Committee

	Full Sample		Compulsory Bills		Expected Direction
	<i>DV: Floor Consideration</i>	Δ Pred. Prob	<i>DV: Floor Consideration</i>	Δ Pred. Prob	
Minority or Dissenting Views Reported Favorably	-0.976* (0.075)	[.89, .74]	-1.146* (0.383)	[.91, .77]	-
Bipartisan Cosponsorship Coalition	0.251* (0.060)	[.86, .89]	-0.238 (0.519)	[.93, .91]	+
Majority Party Sponsor	0.238* (0.064)	[.86, .89]	0.692 (0.676)	[.84, .91]	+
Multiple Referral	-1.057* (0.063)	[.89, .73]	-0.370 (0.484)	[.91, .88]	-
Commemorative Bill	1.981* (0.107)	[.89, .98]			+
Constant	-1.578* (0.235)		-1.820* (0.907)		
Congress-Level Random Effects	Yes		Yes		
Committee-Level Random Effects	Yes		No		
Sponsor-Level Random Effects	Yes		Yes		
Observations	15,611		486		
Log Likelihood	-6,563.309		-219.455		

Note: The first column presents logit coefficients from a multilevel logistic regression with varying intercepts for Congress, primary referral committee, and bill sponsor. Standard errors are reported in parentheses. The model was fit on a bill-level dataset of all House-sponsored measures that were considered in committee from the 104th–114th Congress ($n = 15,611$). The dependent variable is a dichotomous indicator of whether or not each bill received consideration on the House floor. The second column presents changes in predicted probability of floor consideration attributable to changing each indicator variable from 0 to 1. These changes are population-level estimates derived by setting each independent variable at its modal category (Minority or Dissenting Views = 0, Reported Favorably = 1, Bipartisan Cosponsorship Coalition = 1, Majority Party Sponsor = 1, Multiple Referral = 0, Commemorative Bill = 0), and changing the relevant indicator from 0 to 1. The third column presents logit coefficients from a similar multilevel logistic regression, fit on a subset of compulsory bills considered in committee from the 104th–114th Congress ($n = 486$). This model includes varying intercepts at the Congress and sponsor level. The predicted probabilities in the fourth column were calculated in the same manner described above, and the fifth column presents the theoretically expected direction of each coefficient.

* $p < 0.05$.

(2015). While our varying intercept for primary referral committee in the full model should account for much of the issue-area variation in likelihood of floor consideration, we also include two indicator variables to control for type of bill. Because we want to ensure that the high-volume consideration of trivial measures is not driving our results, we include a control for commemorative legislation (Commemorative Bill), using classification guidelines established by Volden and Wiseman (2014) and modified by Bussing (2020).¹² We also control for whether or not a bill was referred to multiple committees (Multiple Referral), as multiply referred bills are more likely to be the subject of jurisdictional disputes that may make them less likely to make it to the floor. Finally, we include an indicator variable for whether or not each measure is sponsored by a member of the majority party (Majority Party Sponsor).

The results of both models demonstrate strong support for Hypothesis 2, stating that conflictual partisan bills will be less likely to receive consideration on the floor than nonconflictual bills with bipartisan support. These results are consistent whether we consider all bills, or only appropriations bills, reauthorization bills, and budget resolutions. These findings show that, while majority party leaders in the House may be strongly incentivized to use their control over the legislative agenda to set up conflictual votes that accentuate ideological differences with the minority party, they are also significantly constrained in their ability or willingness to do so consistently. Indeed, bills that were the subject of partisan disagreement in committee become *less*, not more, likely to be considered on the floor.

The magnitude of the negative effect of partisan disagreement on the likelihood of floor consideration likely varies based on Congress-level factors. In Hypothesis 3, we posit that smaller majority parties will be more likely to bring conflictual partisan bills to the floor than larger majority parties. We expect this relationship both because the political benefit of drawing distinctions between the two parties will be greater as competition for control of the chamber intensifies (Lee 2016) and because majority party leaders will be more empowered when they lead smaller parties (Patty 2008). In Hypothesis 4, we posit that the likelihood of floor consideration for conflictual partisan bills should be higher as the share of sorted districts increases. To review, our operationalization of chamber sortedness comes from Harbridge (2015) and is measured as the percent of House districts in each Congress represented by members whose constituents typically vote for the

presidential candidate of the opposite party. When elections are highly nationalized, and members' electoral fates are intertwined with the performance of the presidential candidate from their party, we expect that party leaders will be able to more easily bring partisan bills to the floor.

We test these hypotheses together in one model, with results displayed in Table 3 below. We build on the Full Sample model presented in Table 2 above by adding a variable for the majority party's seat share in each Congress (Majority Party Seat Share) and a variable for chamber sortedness (Percent Sorted Districts). We include two interaction terms between our Minority or Dissenting Views indicator and each of these variables, respectively, to test Hypotheses 3 and 4. The results demonstrate strong support for Hypothesis 3 but are not particularly supportive of Hypothesis 4. We discuss each of these findings below.

The coefficient on the interaction between our bill-level measure of partisan disagreement and the Majority Party Seat Share variable is negative and statistically significant. This result provides evidence that the negative effect of pre-floor partisan disagreement on the likelihood of floor consideration does vary by majority party size in the expected direction. For ease of interpretability, Figure 2 below depicts the interaction between the Minority or Dissenting Views variable and the Majority Party Seat Share variable. The figure displays a clear diverging trend. Whereas the likelihood of floor consideration for nonconflictual bills increases with the size of the majority party, the opposite is true for conflictual bills.¹³

While this result is in line with our hypothesis, some readers may find it counterintuitive. An alternative hypothesis could have posited that larger majority parties would use their increased numerical advantage to more aggressively push through partisan legislation opposed by the minority party. Larger majorities could also hypothetically absorb more of the electoral risks associated with the consideration of contentious partisan legislation and would not necessarily have to insist on perfect party unity to pass these bills. However, our results show that the largest majority parties during our period of study were much more likely to consider bills with bipartisan support than bills that were the subject of partisan disagreement in committee. Conversely, for the smallest majority parties during our period of study, there is practically no difference in the probability of floor consideration for contentious partisan bills compared to bills with bipartisan support.

TABLE 3
Modeling Floor Uptake of Bills Considered in Cmte. (Maj. Party
Seat Share & Chamber Sortedness)

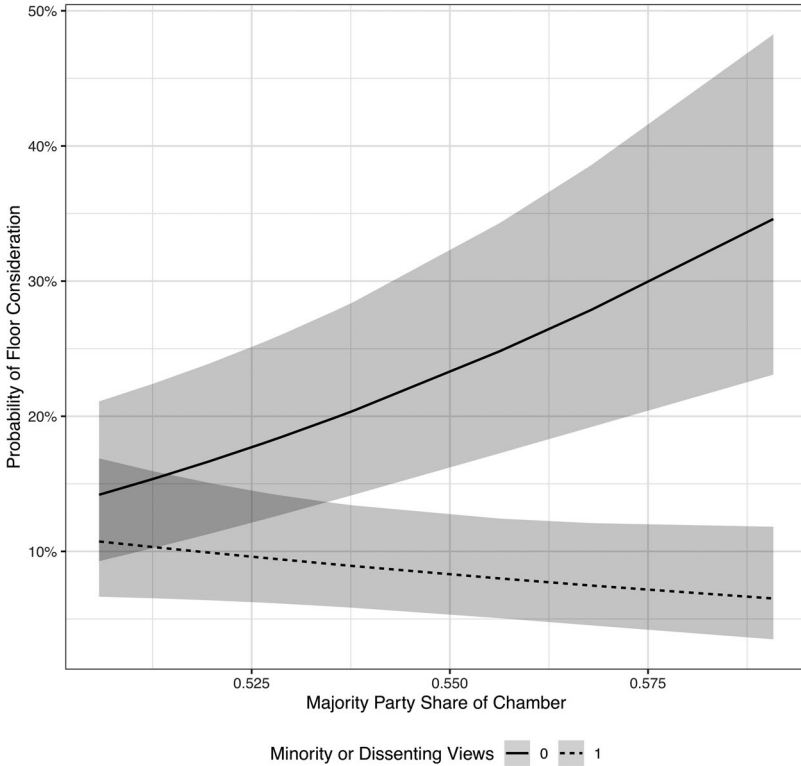
	<i>Dependent Variable</i>
	Floor Consideration
Minority or Dissenting Views	8.691* (1.466)
Reported Favorably	3.125* (0.062)
Bipartisan Cosponsorship Coalition	0.244* (0.060)
Commemorative Bill	1.984* (0.107)
Majority Party Sponsor	0.242* (0.064)
Multiple Referral	-1.058* (0.063)
Majority Party Seat Share	13.067* (3.335)
Percent Sorted Districts	-5.050* (2.049)
Minority or Dissenting Views × Maj. Party Seat Share	-20.081* (3.101)
Minority or Dissenting Views × Percent Sorted Districts	1.415 (1.605)
Constant	-4.787* (1.730)
Congress-Level Random Effects	Yes
Committee-Level Random Effects	Yes
Sponsor-Level Random Effects	Yes
Observations	15,611
Log Likelihood	-6,537.546

Note: This table presents logit coefficients from a multilevel logistic regression with varying intercepts for Congress, primary referral committee, and bill sponsor. Standard errors are reported in parentheses. The model was fit on a bill-level dataset of all House-sponsored measures that were considered in committee from the 104th–114th Congresses ($n = 15,611$). The dependent variable is a dichotomous indicator of whether or not each bill received consideration on the House floor.

* $p < 0.05$.

Our theory explains this result as a function of increased majority party leadership power over agenda setting during Congresses with narrow margins of control, as well as increased political value of considering partisan legislation in these same

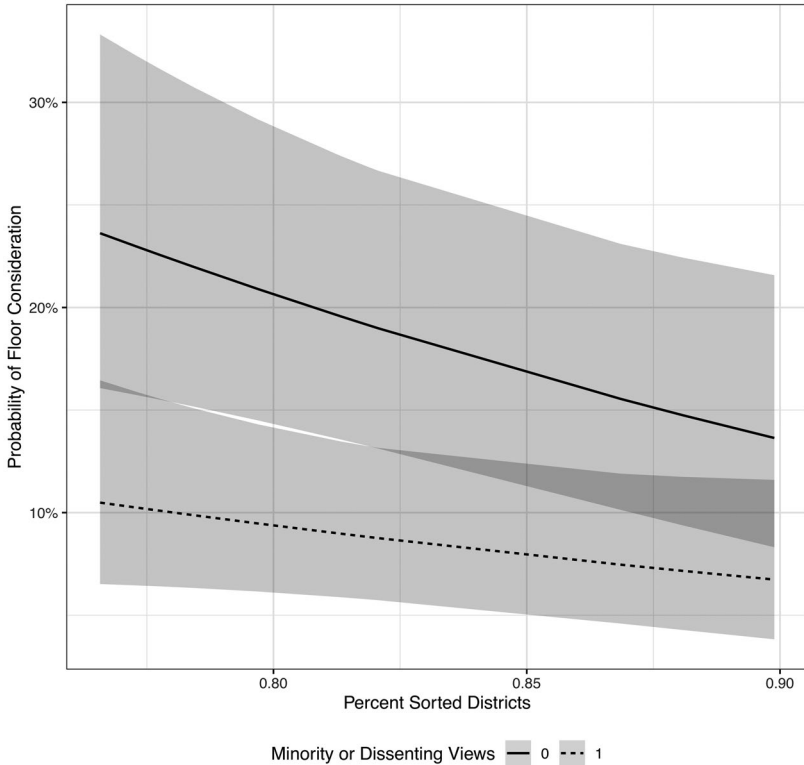
FIGURE 2
Interaction of Bill-Level Partisan Disagreement and Majority Party Seat Share



contexts. It could also be the case that smaller majority parties are simply more ideologically homogeneous than larger majority parties, which could lead quite naturally to a legislative agenda that more heavily features partisan disagreement. In a model that can be found in Appendix S3, we account for this possibility by adding a control for majority party cohesion to the model presented above, and results are virtually unchanged.¹⁴ This, along with the results discussed below on our chamber sortedness hypothesis, suggest that majority party size has a robust independent effect on the relative likelihood of floor consideration for partisan legislation.

As mentioned above, we do not find support for Hypothesis 4, which states that the likelihood of floor consideration for

FIGURE 3
Interaction of Bill-Level Partisan Disagreement and Percent
Sorted Districts



contentious partisan legislation will increase with the sortedness of the legislative chamber. The coefficient on the interaction between our chamber sortedness variable and the bill-level indicator for contentious partisan legislation is positive, but not statistically significant. As demonstrated in the interaction plot in Figure 3 below, there is a negative relationship between chamber sortedness and the likelihood of floor consideration for any given committee-considered bill. This negative trend appears slightly attenuated for partisan legislation—the dashed line in the plot below—but the interaction does not attain statistical significance.

One potential reason for this unexpected result is the rather narrow range of observed chamber sortedness during our period of study. The least-sorted House in our data occurred in the 105th Congress (1997–99), when just over 76% of representatives were elected from districts that favored their party. The most-sorted House came in the 112th Congress (2011–13), when over 89% of representatives were elected from sorted districts. The restricted range of this variable in recent Congresses may make it difficult to find substantively meaningful effects.

Conclusion

Majority party leaders in the House of Representatives may have strong political incentives to construct a legislative agenda that prominently features bills on which the two parties disagree. Highlighting areas of partisan disagreement on the floor can help majority party members solidify the ideological component of their party brand, signal their policy commitments to interest groups, and affect voters' perception of the expected party differential. However, these potential benefits do not come without a cost. In this article, we focus on the costs of partisan agenda setting to explain why conflictual partisan bills are less likely than nonconflictual bipartisan bills to be considered on the floor of the House, even in a highly polarized legislative environment.

By leveraging bill-level information produced in committee markups, we are able to estimate the effect of prefloor partisan disagreement on the likelihood of floor consideration. This methodological approach allows us to add to the extensive literature on agenda setting and the frequency of partisan conflict in legislatures. We develop a theory of agenda setting that focuses on the political and policy components of the benefits and costs of floor consideration for different types of bills. We test a number of implications of this theory. First, we demonstrate that conflictual partisan bills attract more prefloor leadership attention than nonconflictual bipartisan bills. Following logically from this, and from the fact that leadership resources are finite, we show that partisan conflict at the committee stage actually decreases, rather than increases, the likelihood that the bill in question will receive consideration on the floor. This is a rather counterintuitive finding in the context of much of the recent literature on partisanship and polarization in the US House. Our theoretical framework provides a rationale for this empirical pattern.

We additionally demonstrate that the likelihood of floor consideration for conflictual partisan bills is inversely related to the size of the majority party, such that smaller majority parties are more likely to bring these bills to the floor. This finding complements the work of Patty (2008), Lebo et al. (2007), and Koger and Lebo (2017) by providing evidence that leaders of smaller majorities are more empowered to bring partisan legislation to the floor. While we do not find evidence that more heavily sorted Congresses are characterized by more partisan agenda-setting processes, we believe more work could be done in this area. For example, if the data in this article were extended back to the mid-1970s in order to encompass much more variation in the Percent Sorted Districts variable, findings may be decidedly different.

One intuitive reading of our findings in this article is that majority party leaders are more discerning when deciding which partisan measures to bring to the floor than they are when deciding which bipartisan or noncontroversial measures to bring to the floor. Ultimately, this means that many partisan measures—those opposed by the minority party—remain bottled up in committee, while legislation that is untouched by partisan disagreement is shepherded to the floor. This general pattern is important because it reveals the fact that the partisan disagreements we observe on the House floor are but a small subset of the partisan disagreements that we *could* observe. A future line of related inquiry for legislative scholars could focus on the specific selection criteria by which contentious partisan measures are brought to the floor or left in committee.

Two other promising areas for related future work involve the specific parameters of floor consideration for those conflictual partisan bills that do make the floor agenda. In working on this article, we discovered that some conflictual bills that did not receive stand-alone floor consideration ultimately were brought to the floor as part of a larger omnibus or minibus bill. While a systematic evaluation of this phenomenon is beyond the scope of this article, it may be a fruitful area for follow-up work. Another area for future work would be to assess how the existence of partisan disagreement in committee affects the manner in which conflictual bills are considered on the floor. For example, are minority party members more likely to be allowed to offer floor amendments on bills that split the two parties in committee? Work in this vein that extends the implications of this article to later stages of

the legislative process could make a substantive contribution to the literature on agenda setting, partisanship, and polarization in Congress.

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NOTES

1. Political scientists have different conceptions of agenda setting—ranging from the processes by which the government allocates its attention to various issues (Baumgartner and Jones 2009; Jones and Baumgartner 2005; Walker 1977) to internal party decisions about which bills to bring to the floor in a certain chamber (Cox and McCubbins 2005) to the strategic structuring of choice sets by special rules for consideration (Bach and Smith 1989). It is important to clarify here that, when we write about agenda setting, we are focusing specifically on majority party leadership decisions about which bills to bring to the floor of the House for a vote.

2. Krehbiel et al. discuss vote buying rather broadly, as referring to “log-rolls, implicit promises of support, or a general expectation of good will on future issues in exchange for immediate votes” (2015, 425).

3. Here our thinking is influenced by the dynamic floor-scheduling model presented in Cox and McCubbins (1993, Chap. 9 and Appendix 2). However, while that model considers the probability of passage as an exogenous bill-level characteristic that influences leadership scheduling decisions, we are interested in strategic leadership attempts to manipulate the probability of bill passage by engaging in prefloor intraparty negotiations. If the ex ante probability of bill passage can be operationalized as the proportion of legislators who are likely to support the bill (perhaps weighted by the probability each individual legislator will actually vote for it), controversial bills expected to split the two parties will have marginal passage probabilities. Our research here focuses on the conditions under which agenda setters are not dissuaded by this relatively low ex ante probability of passage—and the conditions under which party leadership will invest time and energy into prefloor negotiations to marginally increase the probability of bill passage.

4. This expectation may seem fairly obvious to some readers, but we believe it is an important testable proposition. To clarify, we do not assume that majority party leaders are facing strategic zero-sum choices about whether to

conduct a whip count on a salient, contentious partisan bill or on a noncontroversial bill with bipartisan support. Instead, we assume that leaders know a whip count will be necessary for the former and unnecessary for the latter. Given this, we are interested in the conditions under which majority party leaders are willing to make the necessary time investment to bring the contentious partisan bill to the floor. First, though, we must establish the connection between our particular measure of prefloor partisan disagreement and the likelihood that a whip count will be conducted. Finding support for this hypothesis would not only prove the proposition that bills opposed by the minority party consume more of the majority party leadership's time, it would also provide evidence for the validity of our measure of prefloor partisan disagreement.

5. But see Gelman (2020, especially Chap. 6), in which the author argues that the failure of some partisan bills in one Congress may lay the groundwork for their eventual enactment in a future Congress during unified government.

6. Measures are included in this dataset if they were the subject of either a (sub)committee hearing, a (sub)committee markup, or some combination of these.

7. As a robustness check, we fit our models with a party-unity vote indicator created from committee roll-call vote made available by Ryan (2020). While these models are fit on a substantially reduced sample size of bills, our results are robust to this alternative measurement of prefloor bill-level partisan disagreement. These models are available from the authors upon request.

8. It should be noted that we are considering not just the subset of bills that are *reported* by committee, but all bills that are given any consideration in committee. This constitutes a fairly broad, although admittedly not exhaustive, universe of bills that may potentially be considered on the floor. Of course, some bills bypass committee to get to the floor. There were 65,486 measures that were introduced in the House but given no consideration in committee during the period we study. Of those, just over 2%, or 1798 measures, eventually received a roll-call vote on the floor. If majority party leadership was simply routing all of the most contentious bills around committee and bringing them straight to the floor, there would be good reason to question the broader generalizability of results from our analyses that focus only on those bills that were considered in committee. We do not believe this is the case. Curry and Lee (2020b) demonstrate that unorthodox legislative processes, such as circumventing committee, are not necessarily associated with more partisan outcomes. Indeed, of the 1798 measures that received a roll-call vote on the floor after circumventing committee, only 388 were the subject of a party vote. This is not a negligible number, but it is not enough to suggest that committee circumvention is a conduit through which majority party leadership routes controversial bills to the floor.

9. The identification of appropriation bills and budget resolutions is straightforward. We identify reauthorization bills by searching bill titles for the word "Reauthorization."

10. The inclusion of committee-level varying intercepts in the compulsory bills model resulted in a singular fit, as some combination of observed values are perfectly predictive.

11. In Appendix 1 of our online supporting information, we include a version of the Full Sample model that is fit on only the subset of bills that are favorably reported from committee. The results are substantively similar.

12. This variable is excluded from the model fit on compulsory bills, as none of those bills are considered commemorative.

13. The generally low levels of floor consideration probability for both broad categories of bills is due to the fact that this model was fit on the full dataset of all bills considered in committee, rather than just those that were favorably reported out of committee. The model in Appendix 2 of our online supporting information was fit only on the bills that were favorably reported and shows substantively similar results. The accompanying figure also tells a similar story, with the exception of about a 60-percentage-point upward shift on the y-axis.

14. We measure majority party cohesion as the standard deviation of the first-dimension DW-NOMINATE scores of all members in the party.

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Supporting Information

Additional Supporting Information may be found in the online version of this article at the publisher's web site:

Table A1. Modeling Floor Uptake of Reported Bills

Table A2. Modeling Floor Uptake of Reported Bills (Maj. Party Seat Share & Chamber Sortedness)

Figure A1. Interaction of Bill-Level Partisan Disagreement and Maj. Party Seat Share, Reported Bills

Table A3. Modeling Floor Uptake of Bills (Maj. Party Cohesion)