Presidents on the Fast Track: Fighting Floor Amendments with Restrictive Rules*

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Abstract

Among Presidents' formidable proactive legislative powers is fast-track authority, sometimes called urgency authority. Seven Latin American presidents have the constitutional prerogative to impose on lawmakers a short time limit to discuss and vote bills using this track. The U.S. president has also been granted this authority through statutes. Yet, fast-track mechanisms are not always intended to set the agenda and speed legislation along. While in most countries non-compliance with the deadline has consequences for the legislature, there are cases where the absence of congressional action before the target date has no repercussions. We claim that fast track mechanisms may conceal motivations unrelated to speed. We argue that this authority gives presidents the ability to protect bills and agreements from undesirable amendments, transforming the president into the sole member of a Rules Committee with the unique ability to impose closed rules on the floor. We derive hypotheses from a formal model of restrictive rules and test them using data from Chile for the 1998–2014 period. Extant research on Chile has shown that most executive proposals become urgent at some stage, and while urgency correlates with the odds of passage, they have found little evidence that it speeds consideration of the president's agenda in Congress.

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1 Introduction

It is a fact of presidential systems that executives have legislative powers to achieve their goals. The most extended presidential legislative prerogative is the veto, yet many other procedures exist that enable presidents to be part of the lawmaking process alongside Congress. One of them is executive decree powers, a centerpiece in many presidential constitutions. Characterized upon first glance as usurpation of the legislature's decision rights, we know now that countries vary in the extent to which legislatures become involved in the approval of decrees. Another mechanism that increases presidents' influence in the legislative agenda is fast track authority. Fast-track authority gives presidents the power to set the agenda by imposing a requirement to hold a vote on a bill within a certain period of time, allowing the president to interfere with congress' voting schedule and floor control.

Fast-track authority seems to contradict classic notions of separation of powers. In Federalist 47, Madison argues that the "magistrate in whom the whole executive power resides cannot of himself make a law, though he can put a negative on every law" (Madison 1961). The Framers also warn against expediting lawmaking and arresting deliberation. "In the legislature promptitude of decision is oftener an evil than a benefit" (Hamilton 1961).

Despite these concerns, eight presidential systems of the Americas give executives fast-track authority: Brazil, Chile, Colombia, Ecuador, Mexico, Paraguay, United States, and Uruguay (García Montero 2009, Morgenstern 2002). A shared characteristic of fast track authority is that if the legislature fails to act within a certain period, the bill either becomes a law without the legislature's approval, or the whole legislative process comes to a halt until the floor votes on the bill. For example, in Brazil the president can declare any executive-initiated bill "urgent" at any time. The assembly must act on bills marked urgent within forty five days, else the bill takes precedence over all other legislative business. In Uruguay, legislators must act within a pre-specified, short period of time, as failure to do so converts the fast-tracked bill into law. Thus, by institutional design, the president has an effective

tool to influence the congressional agenda, as she can force Congress the debate and vote on a bill.

However, it is puzzling that given the presumed motive of achieving a faster pace, some fast track mechanisms are not binding. That is, no formal consequences fall upon legislators not complying with deadlines. Such are the cases of Mexico, Colombia and Chile, in which, if the legislature fails to act within the specified number of days, the bill neither becomes law nor stops the whole legislative process. Usually, the president simply reissues a new "urgency" label for the bill when the previous one expires. The existent literature has argued that the benefit of fast-track authority in these cases sometimes lies in its signaling capacity. Quoting a former legal chief of staff at the Chilean Presidency, Berríos and Gamboa (2006) describe simple urgency qualification as "merely symbolic, exerting no real pressure on Congress" (p. 117).[1] Likewise, Alemán and Navia (2009) see urgencies as "signals of presidential attention" (p. 404), so the assembly may face unobserved political costs by ignoring or rejecting salient proposals.

This paper builds on the puzzles presented by the existing literature and claims that fast-track authority may conceal purposes beyond providing signals or setting the agenda. We posit that the very need for speedy passage calls for mechanisms to accelerate the process, and those mechanisms, scarcely noticeable, protect bills from the amendment process on the floor. When the president labels a bill as urgent, this bill cannot be changed on the floor, which makes for a faster approval process but also protects presidential preferences.

We find that the literature has largely ignored this important consequence of the rule: when urgent bills come to the floor, *they cannot be modified*. Legislators have to vote them up or down, with no possibility to introduce amendments. Thus, when qualified as urgent, the bill that emerges from committee is identical to the one passed by the floor. Urgency protects the agreements reached in committee as they cannot be undone later in the plenary session.

[1] Three types exist in Chile, as we explain below. Simple urgencies provide a thirty day deadline.

While analyses on the United States are apply to fast-track authority only for trade agreements, it nonetheless seems suggestive that Lohmann and O'Halloran (1994) argue that Congress constrains the president under divided government and when partisan conflict is high. This seems to reinforce the idea that congress may want to secure the president's ability to negotiate and decide especially when her preferences are close to its own. This is precisely what we argue that is achieved through fast track when it involves mechanisms that restrict floor participation.

The case of Chile illustrates this point well. By means of fast-track authority, the president is able to decide whether a bill will proceed to the floor with a closed rule or will be open for floor amendments. This means that, unlike the case of the United States, where committee members negotiate with the leadership and the Rules Committee to receive closed rules towards floor consideration, in Chile committee members negotiate with the president to receive such rule. In other words, in Chile the president takes on the role of the congressional leadership and Rules Committee combined.

The paper proceeds as follows. Section 2 engages with the existent literature and describes the differences among fast track authority in presidentialisms in the Americas. In section 3 we show the differences between bills with and without fast track authority, emphasizing how fast track can be used not only to speed up the process, but also to protect bills from the floor amendment process. We schematize the sequence of committee reports and floor readings to show that it is much harder to introduce plenary amendments to urgent than non-urgent bills. Section 4 extends a simple model of restrictive rules from the U.S. to fast track authority. The spatial model highlights the logic behind the procedural choice: when the executive anticipates that a committee report is vulnerable to floor amendments, she declares it urgent imposing a take-it-or-leave-it vote on the floor. We derive testable hypotheses. Section 5 tests them with data from Chile. Examination of all bills in the 1998–2014 period through multivariate analysis shows that, other features constant, bills reported by committees chaired by the president's party/coalition have a higher probability

to become urgent. Section 6 concludes.

Vale: revisar este último párrafo cuando tengamos respuestas a mi comment anterior

2 Fast-Track authority in the Americas

Fast track authority gives presidents substantial agenda setting prerogatives: it gives her the power to alter the agenda set by legislators and it forces the legislature to make a decision on a bill within a certain number of days. The details regarding fast track authority vary across countries. In general, fast track authority can be classified depending on whether Congressional action is required. While in some countries legislators have to make a decision for a bill to become law; in other countries the bill becomes law immediately if Congress fails to act within a certain number of days.

The study of fast-track authority in the Americas is not extensive. A formidable study that compares urgency powers in the constitutions of different Latin American countries is García Montero (2009). With a very detailed description of the constitutional powers of Latin American presidents, García Montero argues that the more power presidents have to force debate and vote of their proposals, the greater their role and influence in the legislative process. She creates a typology that classifies presidents in Latin America depending on their fast track powers, and emphasizes the differences in institutional design, situating Colombia and Brazil as the least powerful, and Paraguay as the most. In between, from least to most powerful are Chile, Uruguay, and Ecuador.

In the edited volume on lawmaking in Latin America, Alemán and Tsebelis (2016), as well as the individual country-authors, mention urgency powers as one of the tools presidents have to set the agenda. Their treatment is not extensive, although they provide valuable analysis by situating this power in comparison with other tools. In their concluding chapter, Aleman and Tsebelis explain that presidents "use urgency motions to prioritize bills in the congressional calendar".

Other scholarship looks specifically at individual countries. Probably the most prolific literature is that on the urgency powers of the Chilean president, which reaches contradictory conclusions. We were unable to find analyses on the use of fast-track authority in Ecuador, Colombia, Mexico, or Paraguay. The studies on Brazil tend to focus on the presidential decree powers rather than her urgency prerogatives. For the United States, there are many studies that look into the effect of fast track authority on trade policy, and whether Congress or the executive has the upper hand on it.

In what follows, we describe in more detail the institutional characteristics of fast track authority in the different countries in the Americas, as well as the arguments the literature has put forth. Among the countries where bills marked urgent need congressional approval are Brazil, Chile, Colombia, and Mexico.

In Brazil, the president may demand urgency for consideration of a bill at any time during the legislative process, and each chamber has to make a decision over the bill within 45 days. If they fail to do so, Congressional activity comes to a halt until it approves or rejects the urgent bill (art. 64, Brazil Constitution). Although Hiroi and Rennó (2016) find that urgent bills have a higher probability of passage, Figueiredo and Limongi (2000) argue that the prerogative "is not extensively used since the provisional decree is a much more efficient way of speeding up and approving legislation".

In Chile, any bill can be declared urgent at any time and the chamber must discuss and vote on the bill within 30 or fewer days (depending on the type of urgency). The main difference with Brazil is that there are no consequences for non-compliance. When the period provided for Congress to act expires, the legislative process does not stop, nor do bills become law automatically. In fact, there is no punishment for the legislature if it fails to make a decision within the specified number of days. Indeed, when the deadline for the expedited process is nearing, the president usually removes the previous urgency and issues a new one.

The design of the urgency prerogative in Colombia and Mexico is similar to Chile's:

neither has a reversion point if the legislature does not act within the provided time limit (Nolte 2003). In Colombia, the president can attach the urgent label to any kind of bill, even the annual budget, and the legislature has to approve or reject the urgent bill within 60 days, 30 for each chamber (Carroll and Pachón 2016). Mexico's president, who was granted urgency powers in 2012, may introduce two initiatives at the beginning of each legislative period and tag them as urgent. Each chamber has thirty days to vote on the bill, but, as in the case of Chile and Colombia, the Constitution says nothing about how to proceed if Congress fails to act.

Although there are no studies of urgency use in Colombia that we know of, and the case of Mexico is too recent to provide sufficient data, the controversial findings of studies on Chile present an apparent paradox. The data for Chile shows no difference in the pace of bills declared urgent, which take about 29 weeks until they reach the floor, and the rest, which take about 29.7 weeks. For example, in his study of the urgency prerogative in Chile's first post-transition administration, Siavelis (2002) revealed the high frequency with which President Aylwin qualified bills as urgent, and found mixed evidence on whether such bills had a more expedited legislative process and an improved likelihood of passage. Given that fast track authority does not seem to expedite legislation, one would expect the president not to use them at all. However, this is not the case: about 60 percent of executive proposals are declared urgent during the legislative process.

In the same vein, when analyzing the relationship between Congress and the president, Nolte (2003:51) argues that fast track authority does not give the Chilean president much power to determine the fate of her initiatives. He claims that in Chile an urgent bill still needs congressional support to become law, so the size and discipline of the president's congressional majority is the determinant factor, much more important than the institutional prerogatives to declare bills urgent. He also emphasizes that the President has no mechanism to sanction Congress if the latter does not act within a certain number of days.

Other authors note that even though urgent bills do not carry strong weight, it is possible

that they are used as a signaling device. Alemán and Navia (2009) argue that the bills the president declare urgent are those that encompass the president's legislative priorities. They find that "bills that receive immediate and suma urgency motions appear significantly more likely to pass" (p. 404). Although these findings show that the president's priorities do become law, it is not clear what mechanism is behind the "urgent" label. Other authors also note that urgent bills are at the top of the agenda, leading them to argue that the main effect of urgencies is to determine the schedule, in committees and on the floor (Aninat 2006).

In another three countries (Uruguay, Ecuador, and Paraguay), the specific details of fast-track authority confer the President greater power because if Congress does not act within a certain number of days, the bill immediately becomes law. This type of urgency increases the legislative influence of the president significantly, and seems very close to decree power, as it allows presidents to change the status quo with a "law" without any congressional action. However, these countries do have institutional mechanisms that attempt to control the presidential power.

In Uruguay, the president cannot label urgent some bills like the budget, as well as bills that need the support of three fifths or two thirds of the chamber to become law. Furthermore, only one bill at a time can be declared urgent and, more significantly, either chamber can reject the "urgency" label by a vote of three fifths of the membership. However, if an urgent bill is not addressed by the floor within a maximum of 100 days, it becomes law automatically (Chasquetti 2016). While the president has the power to mark bills urgent, it is rare for Uruguayan presidents to use the prerogative. Chasquetti (2016) reports that since 1967 when it was instituted, only fourteen urgent bills have been sent to Congress, of which only eight became law. He also acknowledges that the main motivation for the use of fast-track authority appears to have been to avoid blockage of bills by standing committees.

In Ecuador, the 1998 and 2008 Constitution constrain the president in that she can only label urgent one bill at a time, and only those related to economic issues. Congress has 30 days to modify, approve or reject bills marked urgent. Otherwise, these bills become law

(Morgenstern, Polga-Hecimovich and Shair-Rosenfeld 2013). Paraguay has the most permissive prerogatives for the president. The 1992 Constitution gives the president latitude to declare urgent any type of bill, at any point during the legislative process. Each chamber has 30 days to make a decision. If a decision is not reached, the bill becomes law.

The U.S. case is a bit different as it grants presidents fast-track authority on a single issue, international trade agreements. Under this authority, international trade agreements are considered under "expedited legislative procedures" (Fergusson 2015). In this way, the chambers suspend their ordinary legislative procedures and once trade agreements reach the floor, they cannot be amended and have to be debated and approved within a certain period of time. On its part, the president needs to commit to consult with the relevant committees during the negotiation process and to notify Congress ninety days before signing an agreement. The idea behind fast track authority in these agreements is to increase the leverage of the president when negotiating them: other countries know that whatever agreement they reach, it will be approved fast and without amendments. The expedited legislative procedures under fast-track were first included in the Trade Act of 1974, and modified a few times after that. An important element in this fast-track authority is that it is subject to time limits. In 1974, Congress granted the president this authority for five years, ending in January 1980. Congress renewed this authority various times, interrupting it for 8 years from 1994 until the Trade Act of 2002, in which a Republican majority granted fast-track authority to president George W. Bush. This authority expired in 2007, although it remained in effect until 2011 for those agreements that were already under negotiation. Obama requested the renewal of fast track authority immediately after that, but Congress only granted it in 2015.

The literature analyzing president's fast track authority in the US tries to understand the conditions under which Congress will delegate this authority to the President. Some scholars argue that legislators prefer to delegate trade authority to the president because the president is better able to resist the pressures from interest groups. Thus, legislators tie

their hands and insulate themselves from these lobbying efforts (e.g. Destler 1991; 1992, Goldstein 1988, Haggard 1988, Margolis 1986). Others argue that even though legislators delegate this authority, they still have mechanisms to control the president through oversight and procedural constraints (e.g. Kiewiet and McCubbins 1991, McCubbins, Noll and Weingast 1987). In a more nuanced view, Lohmann and O'Halloran (1994) argue that Congress constrains the president under divided government and when partisan conflict is high.

In an excellent and very provocative book, Howell and Moe (2016:145) make an argument in favor of giving US presidents fast-track authority in all realms of policy, not just trade agreements. They argue that in order to have a coherent and effective government, a constitutional reform needs to put the president at the center of the legislative process by giving her fast-track powers: "presidents should be granted enhanced agenda-setting powers to propose bills to Congress, which Congress should then be required to vote on without amendment, on a strictly majoritarian basis, within a fixed period of time. [...] [T]he Constitution would be amended to grant the president *permanent* fast-track authority over *all* policy matters (including budgets and appointments)." If Congress fails to act with a certain period of time, then the presidential proposal should become law. This reform would make the US closer to the design of Uruguay, Ecuador, or Paraguay in Latin America.

Thus, in all and as part of a literature that highlights the extraordinary legislative influence of presidents in Latin America, emphasis has been placed on their exclusive proposal rights for certain bills, their capacity to veto bills totally and partially, and to propose amendments at different stages of the legislative process (Alemán and Navia 2009, Baldez and Carey 1999, Carey and Shugart 1998, Tsebelis and Alemán 2005). Less attention has been devoted to the influence granted to the president when she can declare certain bills urgent and by doing so, affect how congress deals with its agenda. We view this influence as stemming from the prerogative to qualify bills "urgent", which apart from acting as a bill accelerator or a signal of presidential priority, in certain cases imposes restrictive rules

Table 1: One proposal and two amendments

	original version	amendment
Art 1.	appropriate \$200	\$300
Art 2.	split in two equal parts $(\frac{1}{2}, \frac{1}{2})$	$(\frac{1}{4}, \frac{3}{4})$ split
Art 3.	one for students, one for teachers	—

for floor consideration. Our argument here joins a growing literature on restrictive rules in legislatures worldwide.[2]

3 Fast-Track Legislation

In this section we develop a simple example of a bill and two amendments to illustrate how the fast track authority, when combined with restrictive rules for passage, achieves the combined goal of speeding bills along while ensuring the president outcomes of her liking. In our example, we consider a proposal that aims to offer student grants while also paying for teacher compensations. Three articles, summarized in Table 1, make the bill up. The first funds the program, appropriating \$200. The second splits the funds into equal parts. And the third allocates the parts. So, if approved, students and teachers would receive \$100 each.

Add tension by assuming a prior commitment of \$150 for teachers. To honor this, a committee member offers an amendment to article 1 (against the committee chair's will). If approved, this would beef up funds to \$300. Committee chairs, or a majority of committee members, or other powerful cameral officers (e.g. the Appropriations committee) may or may not be able to derail undesired amendments in committee—by declaring them inadmissible, outside time constraints, adopting special rules, and so forth. This would be a form of *ex-ante* veto: if unwilling to appropriate extra money, the committee may prevent the amendment. In which case, the distributive route remains practicable: less for students,

[2]See Amorim Neto, Cox and McCubbins (2003), Calvo (2014), Cox and McCubbins (1997), Den Hartog (2004), Dion and Huber (1996), Döring (2003), Heller (2001), Huber (1996), Krehbiel (1997), Schickler and Rich (1997), Sin (2014), Weingast (1992), among others.

more for teachers. An amendment to article 2, such that teachers get three-fourths of the $200 fund, would honor the commitment—at the students' expense. If offered later in the process, when the bill enters the floor stages, it should also make it harder for the chair and other veto gates to act against the second amendment.

EMM 29/5/18 COMPLICATION FOR GENERALIZATION: FRAME ASSUMES A FORWARD AGENDA, COMMON IN THE WORLD BUT DISTINCT FROM THE BACKWARD AGENDA USED IN THE US (SEE SCHWARTZ CITE) -> INVOLVES KILLING THE STATUS QUO FIRST, THEN AMENDING (US AMENDS FIRST, FINAL VOTE AGAINST SQ)... NOT SURE HOW TO DEAL WITH THIS REGARDLESS OF WHETHER OR NOT AMENDMENT P1 IS DROPPED FROM THE EXAMPLE.

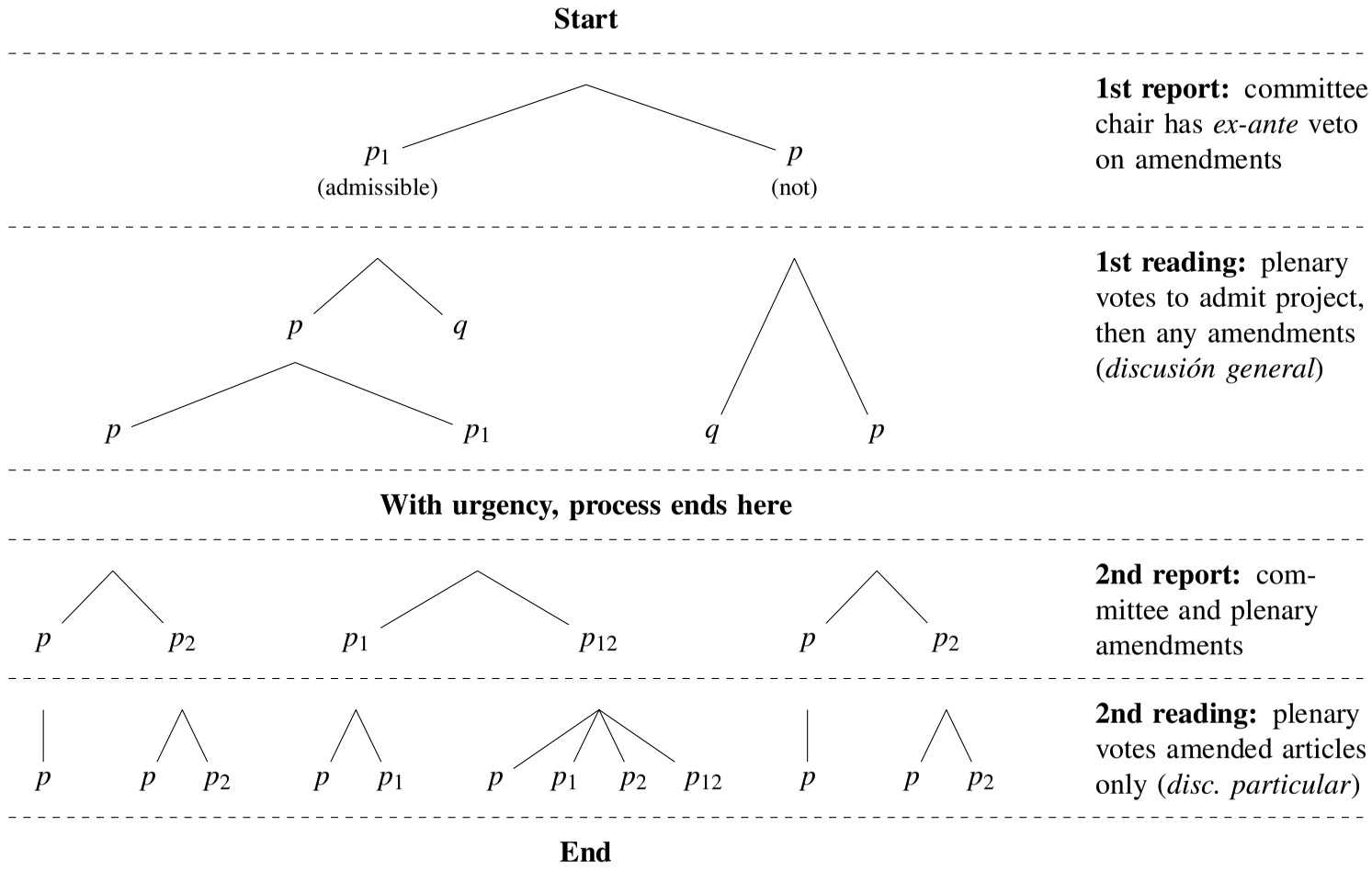
We use the example to stylize the evolution of legislative proposals from introduction to passage, in order to illustrate how urgencies affect bills. We introduce some notation. The three-article project is p, and q is the status quo (where students and teachers get $0 from this particular subsidy). Sub-indexes distinguish versions of p with articles amended: p_1 has article 1 amended, p_2 has article 2 amended, and p_{12} has both articles amended. Negotiation proceeds in four steps, schematized in Figure 1 as per Schwartz (2008).

1. The question of amendment p_1's admissibility into the **first report** starts it all. Admitting p_1 gives way to a course of play that substantially complicates down the tree.

2. The bill's **first floor reading** follows (*discusión general*). The question here is whether the full proposal should be admitted for consideration or not. If not, the legislative process ends and the status quo prevails: p v. q. If admitted, a vote on any amendments that have been proposed follows. Project p_1 (amendment admitted) or p (not) is immediately referred back to committee for a second report.

3. If the committee concurs, then the **second report** is the outcome of the first reading. But this is an opportunity for committee members or by legislators external to the committee (with one-third floor backing) to offer new amendments. The committee

Figure 1: The forward voting agenda. Notation: p is a project; q the status quo; p_1, p_2, and p_{12} are amendments, see text.



chair and the presiding officer can fail to admit these amendments too. For the sake of simplicity, the choice here concerns only article 2, although an array of possibilities exist—more re-definitions, more articles, or fewer, among others. When amended, the second report is p_2 or p_{12}, depending respectively on whether the outcome of the first reading was p or p_1.

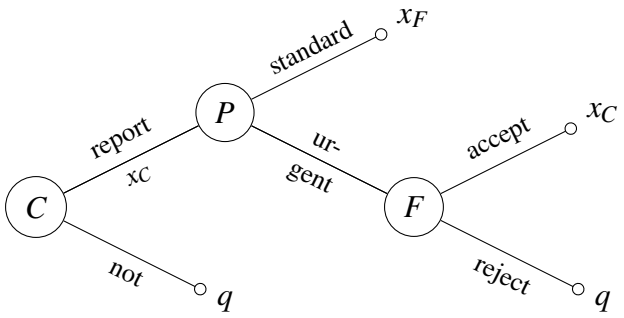
4. The **second reading** proceeds one article at a time (*discusión particular*). Importantly, this excludes the subset of articles that were not amended/added/removed in previous steps. This subset (which may include every article if none were amended) is considered adopted with no floor vote. Rejecting article 1's amendment makes the project lose sub-index 1; likewise with article 2. So when the second report is p_{12}, the floor can accept one amendment, the other, both, or neither—as in the bottom row of Figure 1.

We underline how the process shortens and becomes simpler when a proposal is fast-tracked. This is a key insight from Soto Velasco (2015): when the executive fast-tracks a bill, *the bill takes a procedural shortcut*. That is, fast-tracked bills receive no second committee report, and the first and second floor readings (*discusiones general y particular*) take place at once.

Structured this way, urgency authority equips the executive with the ability to apply a restrictive rule on floor consideration. The restriction consists of precluding the second round of amendments. Figure 1 portrays this as a break mid-way in the consideration process. With urgent consideration, when the presiding officer admits p_1 the floor's choice set includes q, p, and p_1 only.

This is to say, therefore, that the toolbox of formidable legislative powers of some Latin American presidents includes the ability to impose restrictive floor consideration rules. For example, in Chile, the president plays the role of the powerful Rules Committee in the U.S. House. In the next section we analyze the conditions under which presidents use fast track authority to constrain the amendment process on the floor.

Figure 2: The president rules game



4 Extending a Model of Restrictive Rules to Fast-track Authority

The Chilean Constitution of 1980 sets the institutional order allocating decision rights across the branches in Chile. Presidents are elected for four-year terms and immediate reelection is forbidden. Legislators are elected through direct elections in two-member districts. Its 120 Lower House representatives are elected for four-year terms, while the thirty-eight senators serve eight-year terms.[3] Throughout the nineties and at least until 2018, parties in Congress have organized in two stable coalitions, the center-left Concertación (later Nueva Mayoría), and the center-right Alianza (later Chile Vamos).

As in other presidential systems, Chilean presidents concentrate considerable legislative power (Siavelis 2002; Payne, 2006; Author, 2017). Their prerogatives include exclusive proposal power in key legislative areas such as the budget, finance, and administration. The president can affect the congressional agenda by marking bills "urgent", which imposes time constraints on their discussion. She can also propose amendments to bills under consideration. In the twenty-four years between the return to democracy and the end of Piñera's administration in 2014, a total of 8,483 bills were proposed. The Chilean congress passed 2,617 of those bills (approximately one third). Most of these bills had been marked urgent at some point of their life span, and defying commom sense, some were marked

[3] A reform of the electoral system approved in April 2015, increased the number of legislators and proportionality. Changes became effective in the 2017 elections, affecting the new composition of congress.

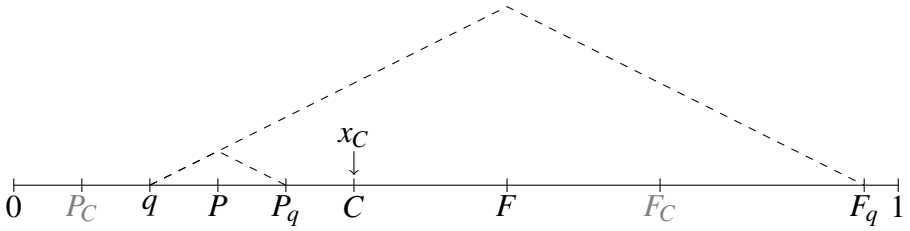
urgent several times.

However, counter mainstream expectations that more powerful presidents use their prerogatives more broadly (O'Donnell 1993; 1994), Chilean politics function in a consensual manner and presidents rarely use their more confrontational prerogatives, such as decrees and total vetoes. As other Latin American presidents, the Chilean president can enact legislation by decree, what Shugart and Carey (1998) term Constitutional Decree Authority. However, between 1990 and 2014 only two decrees were enacted in Chile, as opposed to hundreds enacted in Argentina (694 between 1983 and 2007) and Brazil (744 between 1988 and 2010). This paper assumes that consensual behavior is crafted through institutional procedures. Understanding which procedures are key in this regard is part of this paper's contribution.

We stylize fast-track authority as a game of restrictive procedures inspired by Dion and Huber (1996), with the president in the role of the Rules Committee. Figure 2 portrays the game's extended form. For clarity of presentation, we use the case of Chile to illustrate the different steps in the model.

The main features of this game are as follows. Unless there is unanimous support to suspend the chamber's rules, every proposal requires a committee report prior to floor consideration (Chilean Congress' Organic Law, art. 21). The committee C with jurisdiction over a given proposal starts the game, choosing whether or not to report the bill x_C to the floor. No explicit discharge procedure exists in Chile. This confers committees gatekeeping power over policy in their jurisdiction: when the committee withholds a report, the game ends with policy at the status quo q. Chilean committees are no different in this respect from those in the U.S. Congress. When producing a report, the committee can approve the proposal in whole or in part, amend it, make additions, or reject it (*Cámara* standing rule 287.8). We interpret this as (positive) agenda power to locate the proposal in policy space: $x_C \in [0,1]$. Furthermore, committee chairs have agenda setting powers comparable to those in the U.S., their prerogatives include complete control of committee

Figure 3: Illustration of the equilibrium proposal



procedures, agenda, decision to hold secret sessions and the rejection of bill amendments (Alemán and Navia 2009, Danesi 2010).

The president moves next. During the legislative process, the president's choice set has two alternatives: let the bill proceed under standard floor consideration, or qualify it as urgent. Standard consideration ends the game with policy at x_F. By navigating the plenary session with an open rule, legislators' amendments reshape the bill to the floor median's liking. As in Shepsle (1979), we take x_F to be the floor median's ideal point, corresponding to a game of full floor influence. However, if the president marks the bill "urgent", this invokes the restrictive consideration rule and presents the floor with a take-it-or-leave-it offer. Unable to amend the proposal, the floor, which moves after the bill was marked urgent, must choose between the reported bill x_C or the status quo, as in (Romer and Rosenthal 1978).[4]

Ges: I think is good as is, although I'm still not clear in the type of amendments that legislators can introduce in the consideracion en general. Con el ejemplo pareciera que es cualquier tipo de amendment? Me imagino que no, pero no me queda claro como es el tema en la votacion en general. Si, se vota toda la ley, y los legisladores pueden ofrecer una ley alternativa? si ? no?

Model analysis is analogous to Dion and Huber (1996). The game has a unique, subgame perfect equilibrium that we do not derive formally here.[5]. We elaborate the bargaining logic with the example in Figure 3. The notation P, C, and F on the line represents the

[4]Unlike Dion and Huber's, our game excludes the procedural stage. A rule denial, which ends the game at the status quo, is not available to the Chilean president.

[5]Equilibrium is akin to Cox and McCubbins (2005), Gerber (1996), Magar (n.d.), Romer and Rosenthal (1978)

ideal points of the president, the committee, and the floor median, respectively, while q is the status quo. We assume Euclidean single-peaked and symmetric preferences, so F_q is the symmetric reflection of q on the unidimensional line using F as mirror, i.e, it is the floor median's point of indifference given the location of the status quo. Other relevant reflections are noted likewise; some appear in gray and will be relevant later. Given the model's assumptions, preferred sets are easily gauged: the floor median finds policy under the larger dashed pyramid ($x_C \in [q, F_q]$) preferable to the status quo; likewise, the president prefers policy under the smaller pyramid ($x_C \in [q, P_q]$) to the status quo.

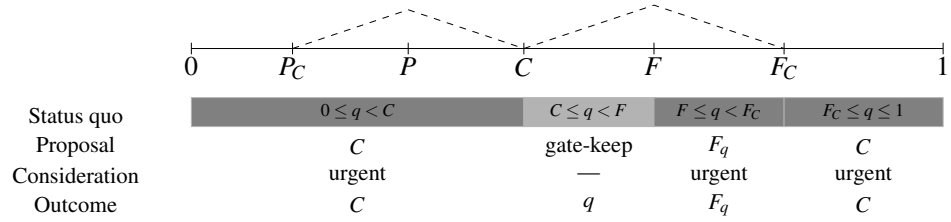
Deriving optimal proposals and consideration regimes is trivial. Proceeding backwards in the game tree, the floor will accept proposals under the larger pyramid, reject the rest. So everyone anticipates that urgent consideration of proposal $x_C \in [q, F_q]$ beats the status quo. Also, because in the example F is outside the smaller pyramid, all anticipate that the president discards standard consideration ($x_F = F$ would be the outcome). Therefore, in the example the committee can afford to send $x_C = C$. The President declares the bill urgent because she prefers the committee version of the bill to the floor's version.

We now derive empirical implications from our theoretical model by generalizing the bargaining logic across preference profiles in Figure 4 and do comparative statics analysis. A preference profile is an ordering of players' ideal points in space. Only three of six mutually-exclusive and exhaustive profiles are portrayed: $P < C < F$, $C \leq P \leq F$, and $C < F < P$ (the other three are mirror-images). In each, the status quo is treated as a continuous variable $q \in [0, 1]$. We aim to trace how changes in q affect equilibrium elements—the proposal, the consideration regime, and the outcome—in each profile.

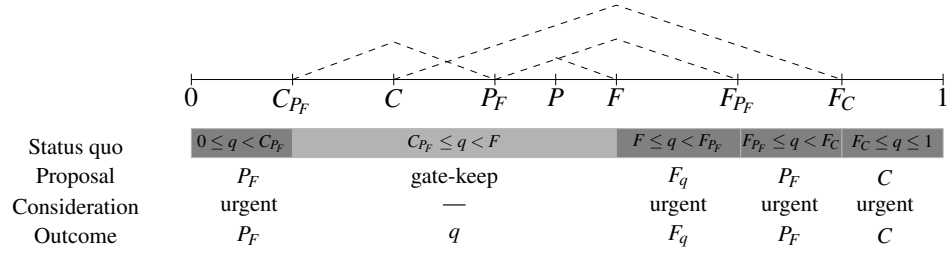
The example discussed falls under profile I (the status quo falls where $P_C \leq q < P$). The equilibrium proposal and consideration regime discussed above, and the equilibrium outcome are listed accordingly. The discrete zones into which the policy space subdivides (the dark-gray, light-gray, and white rectangles) isolate status quos with unchanging equilibrium elements. One or more equilibrium elements mutate for status quos falling in the

Figure 4: Comparative statics with variable status quo

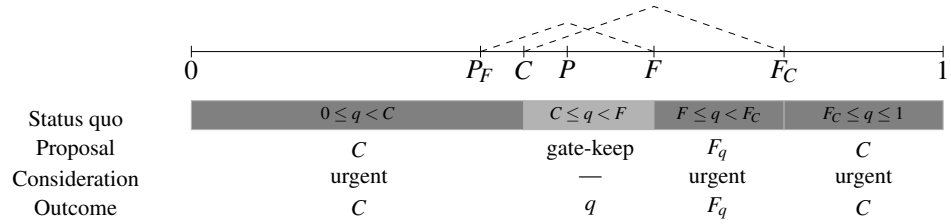
Profile I: $P < C < F$



Profile II: $C \le P \le F$

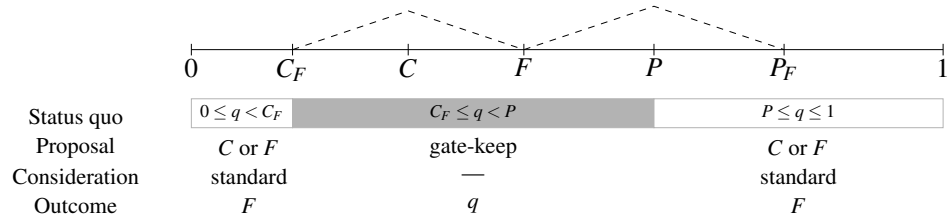


$\leftarrow C < P_F$



$\leftarrow C \ge P_F$

Profile III: $C < F < P$



adjacent zone(s).

Our main question is under what conditions will a bill become urgent? In other words, when will the president decide to assign the "urgency" title to a bill? We pay attention to consideration regimes: in equilibrium, status quos in dark-gray zones trigger urgent consideration, and those in white zones trigger standard consideration. Status quos in light-gray zones lack a consideration regime because they push the committee to defend the status quo by withholding the bill (gate-keeping). Aided by auxiliary assumptions, empirical implications follow from comparative statics; we discuss three. To start, note that dark-gray zones predominate in Figure 4 over the light-gray and white. Urgent status corresponds to dark-gray, and the first theoretical prediction follows.[6]

Hypothesis 1 Other things constant, urgent bill consideration is more likely than standard bill consideration.

Also plain in the Figure is that white areas, corresponding to standard bill consideration, occur under profile III only. The president's and the committee's ideal points stand on either side of the floor median in profile III, but on the same side in I and II. If these conditions are readily visible in theory, preference unobservability is an obstacle towards a test. Auxiliary assumptions therefore need discussion before putting a hypothesis forth: (1) chairs are dictators in their committee's jurisdiction; and (2) party determines ideal points. The first auxiliary assumption sets procedure in such way that the committee can be construed as a unitary actor. The second associates player preferences to something observable: parties. Both assumptions corresponds to what happens in Chile. First, the committee chair has strong agenda-setting prerogatives. Second, political parties are highly disciplined, voting with the coalitions they belong to most of the time. The next theoretical prediction follows.

Hypothesis 2.a Other things constant, standard bill consideration does not occur when the chair of the reporting committee belongs to the president's party.

[6]The supporting auxiliary assumptions are two: (1) a stochastic status quo with uniform probability density in $[0, 1]$, and (2) preference profiles I, II, and III in the Figure are equiprobable. Auxiliary assumptions can be relaxed, within limits, without invalidating this prediction.

Given well-documented presidential coalition discipline in Chile (Alemán and Saiegh 2007, Carey 2002), we replace 'party' by 'coalition' as measure of preferences for an alternative.

Hypothesis 2.b Other things constant, standard bill consideration does not occur when the chair of the reporting committee belongs to the president's coalition.

For the next implication, see what happens when the distance separating C and P remains fixed while the distance between C and F shrinks. The size of the gate-keeping light-gray zone either remains unchanged (in Figure 4's top panel) or also shrinks (in the remainder). The latter is quite plain in the second to next-to-last panels, where F sets the upper limit of the light-gray zone. In the bottom panel, F is within the light-gray zone, but its symmetric projection C_F is the lower limit: sliding F towards C achieves the same, sliding C_F towards C does too. This projection game in the top panel involves both P_F and C_{p_F}, sliding symmetrically in opposite directions to leave the size of the light-gray area unchanged. Reliance on similar auxiliary assumptions generates the next theoretical prediction.

Hypothesis 3 Other things constant, the likelihood of gate-keeping is never larger when the bill's reporting committee chair belongs to to the president's coalition than to the opposition.

5 Data

We use the Chilean case to test our hypotheses regarding the use of fast tracking authority as a mechanism to constrain floor amendments. We collected original data for Chile between 1998 and 2014.[7] We compiled information on every bill introduced in Congress between 11 March 1998 and 10 March 2014: who introduced each bill, when, in which chamber, the issue bills deal with, their status at the time of consultation, and so forth. We

[7]The *Cámara de Diputados'* web page (`www.camara.cl`) was scraped in November 2014 to retrieve the record (*boletín*) of every proposal made between 11 March 1998 and 10 March 2014.

Table 2: Proposals, legislation, and urgency authority 1998–2014

Part A. Executive bills

	Bills	frequency
I	introduced	1,467
II	passed	1,059
	as % of introduced	*72*
III	declared urgent (once at least)	835
	as % of introduced	*57*
IV	declared urgent & passed	641
	as % of declared urgent	*77*

Part B. Urgency type breakdown of panel III?[†]

	Bills declared urgent	frequency
V	Act now (once at least)	255
	as % of introduced	*17*
VI	Two week deadline (once at least)	540
	as % of introduced	*37*
VII	One month deadline (once at least)	424
	as % of introduced	*29*

[†] Categories V, VI, and VII not mutually-exclusive (see text).

also gathered information on the chronological detail of the bill's legislative process in the House: committee referrals and reports, floor discussion and voting, navette to the Senate, and more. Of direct relevance, we coded all urgency messages received by the *Cámara*.

Table 2 offers a general summary of bill introduction, passage, and urgency incidence. The executive sent 1,467 bills to Congress between 1998 and 2014, ninety-one yearly on average. About one in five proposals in the period were executive bills (members of Congress proposed 79 percent of all bills, not analyzed). More than one thousand proposals became law during the period, putting the executive's success rate at 72 percent—high by Latin American standards (Morgenstern and Nacif 2002). And 835 bills became urgent during lower chamber consideration, more than half of all (57 percent). The relative term, which echoes Siavelis' finding for an earlier period, attests to the permissive notion of 'urgency' by Chilean presidents.

A feature of importance for our argument is the distinction among types of urgency by *degree*. Although urgency authority is defined by the Constitution, Congress has dis-

tinguished urgency types through its internal rules. The congressional organic law gives the president the choice to designate 'simple urgency', which provide Congress with one month's time for consideration (*urgencia simple*, setting a 30 day deadline), 'supreme urgency' (*urgencia suma*, which provides 15 days), or 'immediate discussion' (*discusión inmediata*, which provides 6 days).[8] Part B in Table 2 reports urgency frequencies by type.

Bills can be marked 'urgent' more than once. We do not refer to the possibility that a bill is designated urgent during lower chamber consideration, then again during Senate consideration (analysis, in fact, ignores upper chamber urgency); but to the fact that, during Cámara consideration, one same bill often received many urgency designations—e.g., an initial one month deadline is reset before its expiration, or replaced by two weeks.[9] Urgency chains imply that the absolute frequencies by types do not add up to the total in panel III. Least frequent were bills with one 'act now' deadline at least, 17 percent of all. Most frequent were those with at least one 'two week' deadline, more than double the latter at 37 percent. Bills with 'one month' deadlines were somewhere in between, at 29 percent.

We devote attention to urgency degrees because they are consequential. Degrees matter because they relate to bill passage. Alemán and Navia's (2009) study of executive success in Congress in three post-transition presidencies finds some of the evidence sought by Siavelis (2002). Controlling for relevant features (such as the bill's policy domain, the government's seat margin, or the presidential agenda size), urgency degrees had quite different

[8]See *Ley Orgánica del Congreso*, arts. 26 and 27. Congressional practice is well summarized by the library of Congress at `http://www.bcn.cl/ecivica/formacion/`. Since the constitution, by defining 'simple urgency' only, sets a floor for the authority, higher degrees in the organic law are vulnerable to congressional majorities, who might be inclined to relax the deadlines available if that were in their interest—as, in fact, was done once. The organic law was amended in July 2010, four months into the newly elected legislature (and concurrent presidential administration), substantially relaxing the deadlines for the 'immediate discussion' and 'supreme urgency' types, originally set at 10 and 3 days, to 15 and 6 days respectively. 'Simple urgency', providing one month, remained unchanged. But the Constitution (art. 66) also raises the bar for relaxing urgency deadlines by requiring the vote of four-sevenths ($\approx$ 57 percent) of each chamber's membership for the passage and amendment of constitutional organic laws. While this qualified requirement is below the two-thirds needed for constitutional reform, no coalition has exceeded the organic law threshold in both chambers since the return to democracy.

[9]The modal urgent bill in the period received several such designations, sometimes renewing an urgency that was previously withdrawn. Other times the deadline for consideration was reset before the original expired, often more than once. Less common were cases changing one deadline by a shorter one. We plan to investigate the puzzling patterns of urgency chains in a separate project.

effects on success rates. Higher degrees strongly and significantly associate with higher probability of executive success, while the lower made no statistical difference. Since low-degree urgencies were also quite prevalent, conflating them with the rest washed off the effect of the higher-degree in Siavelis' analysis.

Degrees also matter because two week deadlines triggered restrictive floor consideration rules in the period, whereas the highest and lowest degrees did not.[10] For this reason, and unless otherwise noted, by "urgency" in the remaider of this paper we mean 'two week' deadlines only, the type consequential for our argument (the fast track closed rule is not applicable to 'act now' and 'one month' deadlines, see the appendix). As panel VII of Table 2 reports, 37 percent of the bills that the executive initiated received one such urgency at least.

6 Fast track predictors

A systematic analysis of data in Table 2 is revealing. The units are individual executive proposals: the dependent variable *Urgent bill* equals 1 for proposals declared urgent while in the cámara, 0 otherwise. It excludes 'one month' deadlines, which do not trigger the closed rule, and urgencies declared when the bill was in the Senate. Multivariate analysis controls for preference coincidence between the president and the reporting committee, for bill features, for timing, and for the strategic environment. Formal variable definitions and descriptive statistics appear in the appendix.

The preference group includes two regressors. The first has two alternative specifications: *Co-partisan comm. chair*, equal 1 if the bill was referred to a standing committee presided by a member of the president's party, 0 otherwise; or *Coalition comm. chair*, equal 1 for bills referred to committees chaired by members of any party in the presidential coalition, 0 otherwise. This is our key explanatory variable, measuring spatial proximity

[10] Cámara rules were amended in 2014 to generalize closed consideration rules for urgencies regardless of degree. This falls outside the time span of the data we analyze.

Table 3: The president's status in Congress and its committees. Percent chairs/seats by party. The president's coalition in 1998–2010 was Concertación; it was Alianza afterwards. Regional includes major-party splinters (from Christian Democrats and UDI). President's status in the Senate slightly and briefly oscillated above and below majority due to vacant seats. Source: prepared with information from `www.camara.cl`.

	1998–2002	2002–06	2006–10	2010–14
Part A. Committee chairs, Cámara				
President's party	*53*	*35*	*17*	*23*
Other coalition party	*41*	*41*	*83*	*50*
Opposition	*6*	*24*		*27*
Total	*100*	*100*	*100*	*100*
N standing committees	17	17	18	22
Part B. Seats, Cámara				
President's coalition	*58*	*53*	*51*	*50*
Opposition	*42*	*48*	*47*	*48*
Regional			*3*	*2*
Total	*100*	*100*	*100*	*100*
Part C. Seats, Senate				
President's coalition	*50*	*50*	*55*	*45*
Opposition	*50*	*50*	*45*	*55*
Total	*100*[†]	*100*	*100*	*100*

[†]vacant seats dropped

between the chief executive and the reporting committee. Other things constant, we expect the variable to associate positively with the dependent variable under both specifications (hypotheses 2.a and 2.b). Table 3 shows, in part A, that standing committee chairs from the president's party varied in the period, from a high of 53 percent in the 1998–2002 Legislatura to a low of 17 percent in 2006–10. And the opposition chaired no standing committee in 2006–10 only, but up to 24 and 27 percent in 2002–06 and 2010–14, respectively.[11]

Then there is a control for multiple referrals. Nearly one quarter (24 percent) of bills

[11] *Largesse* towards opposition parties was probably aimed at beefing up the president's legislative support. The Table's parts B and C report variance in the size and status of the president's coalition in Congress. Given electoral list voting unity since the return to democracy (Alemán and Saiegh 2007, Carey 2002), the seats they control are a good indicator of the executive's legislative support. The coalition remained in control of the Cámara throughout the period, but controlled Senate majorities between 2006 and 2010 only (coinciding with the first Bachelet administration). By requiring 67, 60, and 57 percent votes of each chamber, respectively, constitutional reform, constitution-interpreting legislation, and organic laws therefore always required support across the aisle.

in the period were referred to more than one standing committee. The 'other committee' count excludes the Finance committee, with jurisdiction over any form of new spending (and discussed next; multiple referrals rise to 32 percent when the Finance committee is considered). Also excluded are special and bicameral committees. A single co-partisan or coalition chair among multiple referees suffices for the indicator previously discussed to equal 1, so we include dummy *Multiple referrals* in the right side. It should capture any effect of agenda control sharing among several committee chairs in the proposal's negotiation.

The bill features group consists of *Hacienda referral*, equal 1 for bills referred to the powerful Finance committee, 0 otherwise. The Hacienda committee has special status in the Chilean Congress and deserves a separate control. Unlike other standing committees, it has jurisdiction over *every* bill authorizing spending in any domain. Moreover, the unanimous exception rule discussed earlier is inapplicable to Hacienda bills, which *must* be reported prior to floor consideration.[12] So, for instance, a proposal restricting labor benefits to municipal health workers was referred to both the Public Health and Hacienda committees because a small appropriation for verification by the Labor Bureau was required. Hacienda committee members, working in tandem with Finance Ministry staff, may or may not appropriate funds from the budget in their report to the floor (Alemán and Navia 2009). Not unlike the Appropriations and Rules committees in the U.S. House, Hacienda has the status of a control committee, a key asset for agenda power (Kiewiet and McCubbins 1991). Hacienda referral therefore controls for a subset of generally important proposals, and should associate positively with urgency authority.

Find another bill to illustrate... can't find date and other elements of the mentioned law

The strategic environment group includes three controls. *Pres. approval* is the net presidential approval at bill initiation (i.e., the percentage who approve of the president's job minus the percentage who disapprove).[13] To the extent that presidents with higher public

[12] Standing rules (Ley orgánica del Congreso) arts. 17 and 21.

[13] Data are from the Centro de Estudios Públicos bi-yearly face-to-face opinion polls, available at `www.cepchile.cl`.

opinion rating are, other things constant, more successful in the legislative arena (Alemán and Navia 2009, Bond and Fleisher 1990), they should also need urgency authority less often, and reliance might therefore drop. *Introduced in Senate* equals 1 for bills initiated in the upper chamber, 0 otherwise. By virtue of being smaller, enjoying longer terms, and not being firmly in the president's coalition control during most of the period, bills sent or initiated in the Senate might present systematic differences in urgency usage. And *Senate majority* equals 1 if the president's coalition controlled half or more of upper chamber seats when the bill was initiated, 0 otherwise.[14] Other things equal, presidents with sufficient partisan legislative resources in both chambers will find it easier to push proposals through Congress, and might be less inclined to use urgency to successfully navigate log-rolls through the plenary session.

The timing group controls for the congressional cycle. *Year remaining* (and its squared value to capture non-linearity, if any) measures the percentage of legislative year remaining at bill initiation. Chilean legislative years begin after the (meridional) Summer break. So the variable adopts value 100 for proposals introduced on March 1 (the first day of the legislative year), and value 0 for proposals introduced the last day of February. It should control for stationarity in the data. And *Relax deadlines* equals 1 for bills initiated in July 2010 or later, 0 otherwise. Any systematic shift in urgency usage attributable to the reform extending deadlines of high-degree notices five months into the 2010–14 Legislature should reflect in this coefficient.

Given that observations from four elected Legislaturas, with important differences in the types and the volume of proposals considered (Alemán and Navia 2009) are pooled, heterogeneity might interfere. So we fit two additional model specifications for robustness verification. One includes fixed Legislatura effects—i.e., three dummies for bills initiated in the 2002–06, 2006–10, and 2010–14 periods, respectively; the excluded 1998–2002

[14]Parties in the presidential and opposition coalitions were tied throughout most of the 1998–2006 Senate (majority briefly oscillating back and forth in the first years due to member indictments, impeachments, and deaths in both coalitions). Ties are coded as *Senate majority* = 1.

dummy is the baseline. Another adds further flexibility by also estimating separate errors for bills initiated in in each Legislatura (a so-called mixed effects model, Gelman and Hill 2007:262,302). Estimation is with a generalized linear model for the mixed effects fit, and logit for the rest. We normalized continuous variables *Pres. approval* and *Year remaining* to speed the GLM's convergence.[15] Normalized measures were used throughout for model comparability.

Table 4 reports results.[16] The regression model performs satisfactorily. A likelihood-ratio test of overall fit rejects the hypothesis, at below the .001 level, that an intercept-only fit is as good as our models. Predictors across model specifications correctly classify 90 percent of the observations. Coefficient estimates confirm that, controlling other factors in the model, *Co-partisan comm. chair* has a positive coefficient in model 1, as expected. The effect achieves conventional statistical significance (parentheses in the table report p-values, below the .01 level here). The evidence is much stronger for the variable's other specification. The coefficient for *Coalition comm. chair* in models 2–4 is also positive, more than triples in size, and achieves p-values below .001. As scholars have documented, the coalition is as good a predictor of presidential support in Congress—or better, in our case—as the party. The finding is robust across model specifications. In general, all model coefficients remain pretty much unchanged in size and significance when fixed and mixed effects are included in the right side (we are forced to drop variables *Senate majority* and *Relax deadlines* due to co-linearity with Legislatura dummies).

Figure 5 reports changes in the average predicted probability of an urgent bill associated with unit changes in model 3's explanatory variables (all other regressors at their mean value). This is a convenient way to gauge logit regression coefficients by translating them into interpretable quantities. A report from a committee with a coalition chair experiences

[15] As suggested in `http://stackoverflow.com/questions/23478792/warning-messages-when-trying-to-run-glmer-in-r` and `https://rstudio-pubs-static.s3.amazonaws.com/33653_57fc7b8e5d484c909b615d8633c01d51.html`. Normalization re-scales and centers the measures in order to improve parameter identification.

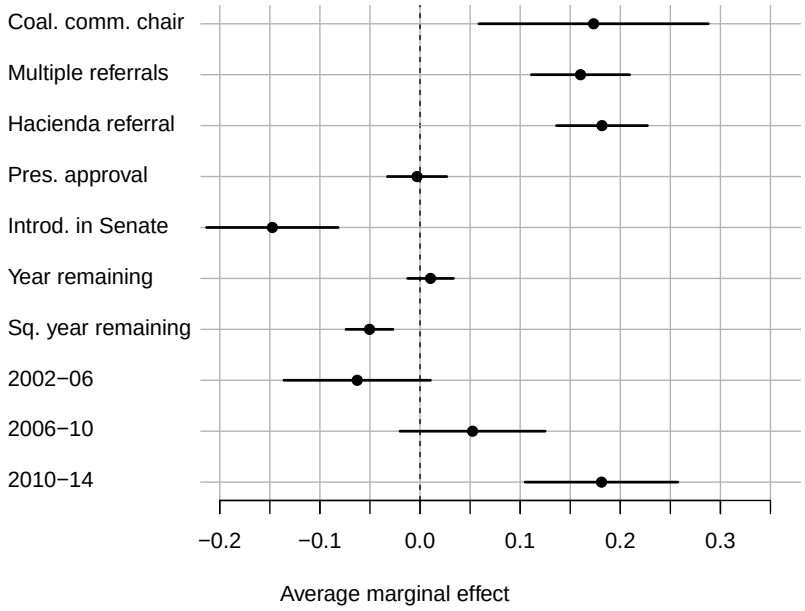
[16] Models fitted with `R` base's `glm` and library `lme4`'s (Bates, Maechler, Bolker and Walker 2015).

Table 4: Executive bill fast track predictors. Model 3 includes fixed Legislatura effects (not reported). Model 4 estimates separate error terms by Legislatura. Method of estimation: generalized linear model (model 4), others with logit.

	DV: Bill on fast track (1) or not (0)			
	(1)	(2)	(3)	(4)
Co-partisan comm. chair	.289** (.024)			
Coalition comm. chair		.825*** (.005)	.874*** (<.001)	.847*** (<.001)
Multiple referrals	.772*** (<.001)	.795*** (<.001)	.808*** (<.001)	.809*** (.004)
Hacienda referral	1.002*** (<.001)	.940*** (<.001)	.917*** (<.001)	.923*** (<.001)
Pres. approval	−.078 (.286)	−.096 (.187)	.029 (.710)	−.044 (.567)
Introduced in Senate	−.716*** (<.001)	−.698*** (<.001)	−.744*** (<.001)	−.730*** (<.001)
Senate majority	−.251 (.214)	−.319 (.110)		
Year remaining	.072 (.223)	.065 (.268)	.053 (.370)	.053 (.368)
(Year remaining)^2	−.224*** (<.001)	−.238*** (<.001)	−.255*** (<.001)	−.251*** (<.001)
Relax deadlines	.479* (.057)	.394 (.104)		
Intercept	−1.030*** (<.001)	−1.570*** (<.001)	−1.926*** (<.001)	−1.708*** (<.001)
Effects	none	none	fixed	mixed
Observations	1,467	1,467	1,467	1,467
Log$L$	−864	−862	−852	−859
% correct	67	68	68	68

*p<.1; **p<.05; ***p<.01 (p-values in parentheses)

Figure 5: Average marginal effects from model 3. Dots report how the probability of an urgent bill changes in response to a unit change in each independent variable, all else at mean values; bars are 95-percent confidence intervals.

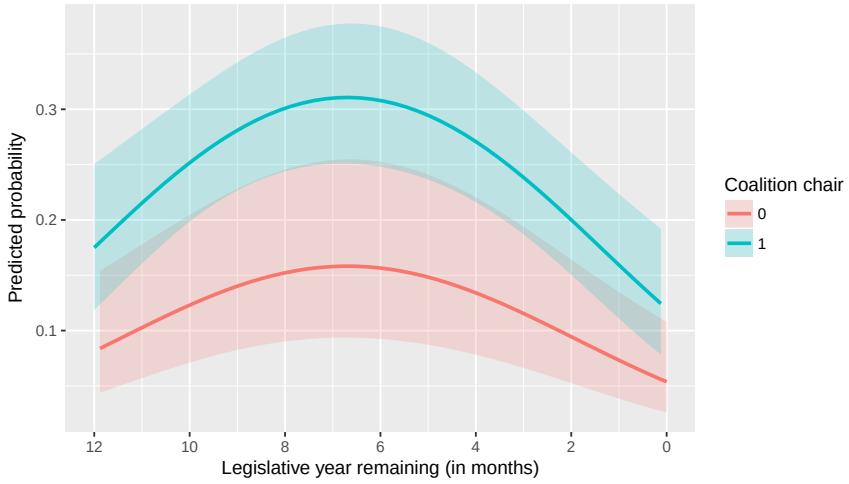


a .23 hike (and a .06 standard error) in the likelihood of getting a closed rule in the floor compared to a report by an opposition-chaired committee. The effect is nearly as big as the average marginal effects of *Hacienda referral* (.26), and double that of *Multiple referrals* (.12), two regressors with substantive effects. We find no statistical evidence to reject our Hypothesis 2.

The large effects of Hacienda and multiple referrals deserves comment. When spending gets in the way in Chile, restrictive rules are the norm. Recall that multiple referrals exclude the finance committee, so there is an independent effect of bills with jurisdictional overlaps worth investigating further. And the finance committee was always chaired by a coalition member but, with the exception of the 1998 to 2000 period, never by a co-partisan of the president. This may explain the milder effect of the partisan specification of our key variable in model 1.

Another control worth highlighting is *Introd. in Senate*. Bills successfully passing the upper chamber first, where the opposition was systematically larger and at times in con-

Figure 6: Probability of urgent bill consideration. Predictions are from from model 3 letting *Year remaining* vary in full range, with 95-percent confidence bands. Other variables set at the following values: *Multiple referrals* $= 0$, *Hacienda referral* $= 1$, *Pres. approval* at its median, *Introd. in Senate* $= 0$, and *2006-10* $= 1$.



trol were, other things constant, much less likely to get urgent status (the average marginal effect is $-.16$ and significant). Future research should pay attention to inter-cameral negotiation, in general, and the reliance on urgency in the upper chamber, in particular. In any event, our results indicate that agreements and compromises reached to in the Senate required less, not more, protection from floor amendments in the Cámara's plenary.

Finally, there are time trends in urgency authority usage that simulations reveal neatly. Figure 6 portrays the predicted probability that a bill gets urgent status throughout the legislative year. Regressors in model 3 are held constant to simulate a bill sent to the Cámara in the 2010–14 Legislature and referred to Hacienda and just one standing committee. The president's approval (insignificant across models) is set to the median value in the period. The inverted-U shape shows how urgency probability, predicted at .2 for coalition-chaired committees at the start, and .075 for the rest, becomes much likelier in the first half of the legislative year. By the second quarter (June–August), the probability is at its maximum, about .37 percent and .16, respectively. It then experiences a sharp drop, ending the austral Summer break at .16 for coalition-chaired committees, and .05 for others. And the gap between the 95-percent confidence bands of the predictions is quite plain, giving confidence

that we are picking up a signal and not just random noise.

7 Discussion

Since the late Nineteenth Century, restrictive rules are the domain of the Rules committee in the U.S. House (Cox and McCubbins 2005, Den Hartog 2004, Sin 2014). However, it is the president who has possession of this key legislative prerogative in Chile. The executive branch decides which bills go to the floor with a closed rule.

In this paper we elaborated some implications of this peculiar, inter-branch institutional arrangement. Theoretically, we found that when the committee chair's preferences are closer to those of the President, then the probabilities that bills will be labeled as urgent increases. That is, committee chairs negotiate directly with the president the bill they want to see enacted. When this is the case, the President imposes a closed rule on it, and the bill is not modified in the floor. In other words, this institutional tool increases cooperation between branches. Committee chair and President commit to a deal that cannot be undone because it is protected by an urgent label.

Eric: Convendrá elaborar la relevancia de que la retrictive rule esté en manos del presidente. ¿Por qué no retienen esa facultad los legisladores?

8 Appendix

8.1 Dichotomous variables

Variable	Definition	=0	=1	Total
Urgent bill (Dep. Var.)		927	540	1,467
		.632	.368	1
Co-partisan comm. chair		832	635	1,467
		.567	.433	1
Coalition comm. chair		99	1,368	1,467
		.067	.933	1
Multiple referrals		1,096	371	1,467
		.747	.253	1
Hacienda referral		732	735	1,467
		.499	.501	1
Introduced in Senate		1,224	243	1,467
		.834	.166	1
Senate majority		512	955	1,467
		.349	.651	1
Relax deadlines		1,094	373	1,467
		.746	.254	1
1998–2002		1,195	272	1,467
		.815	.185	1
2002–2006		1,067	400	1,467
		.727	.273	1
2006–2010		1,075	392	1,467
		.733	.267	1
2010–2014		1,064	403	1,467
		.725	.275	1

8.2 Continuous variables

Var.	Def.	Min.	Q1	Med.	Mean	Q3	Max.	sd
Year remaining		0	27	51	51.5	75	100	27.1
Pres. approval		-39.2	-8	10.7	9.5	22.3	66.3	24.2

8.3 Act-now and two-week urgencies

The cámara's standing rules explicitly preclude the second committee report for bills tagged with a two-week or an act-now urgency, and rule out the bill's second reading by mandating that "general" (i.e., first reading) and "particular" (i.e., second reading) consideration take place simultaneously.

The text of the relevant Reglamento articles follows. Excerpts are from the standing rules adopted in March 10, 2002 (with text updated to March 2010).

Art. 188. When a project receives a "**two week deadline**", its discussion shall proceed thus: **There will be no second committee report** and the project shall be dispatched by the Chamber in ten days [...] **Discussion shall be general and particular at once**. Only amendments and additions rejected in committee, but renewed with the signature of thirty Deputies, including at least three committee chairs, shall be admitted for discussion and vote [...]

(In Spanish: Art. 188. *Cuando un proyecto sea declarado de "**suma urgencia**", se procederá a su discusión en la siguiente forma: **No habrá segundo informe de Comisión** y el proyecto deberá ser despachado por la Cámara en diez días [...] **La discusión se hará en general y particular a la vez**. Sólo se admitirán a discusión y votación las indicaciones o disposiciones que, rechazadas por la Comisiones informantes, sean renovadas con las firmas de treinta Diputados que incluyan, a lo menos, a tres Jefes de Comités [...]*)

Art. 189. When a project receives an "**act now deadline**", its discussion shall proceed thus: The project shall be dispatched by the Chamber in three days [...] **Discussion of these projects shall be general and particular at once. They will not be subject to a second committee report.**

(In Spanish: Art. 189. *Cuando un proyecto sea declarado de "**discusión inmediata**", se procederá a su discusión y votación en la forma siguiente: El proyecto deberá ser despachado por la Cámara en tres días [...] **La discusión de estos proyectos se hará en general y particular a la vez. No serán sometidos a segundo informe.***)

Eric: Urge encontrar el texto de estos artículos del reglamento antes de la reforma de 2010, para verificar la duda acerca de la discusión inmediata...

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