

#5
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Setting THE Agenda

Responsible Party
Government in
the U.S. House of
Representatives

CAMBRIDGE

nonmajoritarian features of U.S. policy making: the filibuster in the Senate and the presidential veto. Consciously simplifying the complexities of bicameralism and presidentialism, Krehbiel assumes that a bill can be enacted only if it either (1) is preferred to the status quo by the president, a majority in the House, and at least 60 percent of the Senate (and hence is filibuster-proof and not vetoed) or (2) is preferred to the status quo by at least two thirds in both chambers of Congress (and hence is filibuster-proof and veto-proof).

When one focuses on the *passage of bills* in the House of Representatives, rather than the *enactment of laws* in the United States, what should one make of filibusters and vetoes? One obvious point is that members of the House may anticipate Senate filibusters and presidential vetoes and fashion their bills accordingly. Yet, how should we model this anticipation? How will House members "fashion their bills accordingly" when they anticipate a filibuster or veto?

The simplest reaction that members of the House might have is to propose only bills that will be filibuster-proof in the Senate and either acceptable to the president or veto-proof. In this chapter, we focus on this simplest possibility, which essentially extends the pivot model to the internal legislative process of the House.²³

There are of course reasons that the House might pass bills that are not filibuster-proof (or not veto-proof). Perhaps members seek to stake out a position, rather than enact policy, as in the models of Magar (2001) and Groseclose and McCarty (2001). Or, perhaps they view passing a filibuster-or veto-vulnerable bill as the opening gambit in an extended negotiation, as in Cameron's (2000) model of veto bargaining. Nonetheless, the simpler model of anticipation just proposed highlights what are plausibly important influences on House legislation – the anticipation of filibusters and vetoes – in a straightforward way. Moreover, the model's implications can be empirically tested – something we did in this chapter.

In the pivot model, the only factors determining P_{Left} are the status quo points $\{q_{1t}, q_{2t}, \dots, q_{nt}\}$ that face Congress t , and the location of the left and right pivots, LP_t and RP_t , in Congress t . In general, the pivots might differ from dimension to dimension, but here we assume that they are constant across dimensions. This again is largely for practical reasons: We can estimate the overall pivots via NOMINATE scores but have no way of identifying separate dimensions, much less the pivots on each.

Ignoring the possibility that a particular status quo point, q_{jt} , coincides exactly with one of the current pivot points, there are only three possibilities: $q_{jt} < LP_t$ and the median legislator will propose a bill moving policy rightward;

²³ Extending the pivot model to the House produces a model that is essentially the analog of Cameron's first model of veto politics (Cameron 2000). Players have complete information, and actual vetoes and filibusters never occur in equilibrium (unless the veto can be overridden), yet the possibility of vetoes and filibusters prompts the House to anticipate and partially accommodate presidential and Senate-pivot preferences.

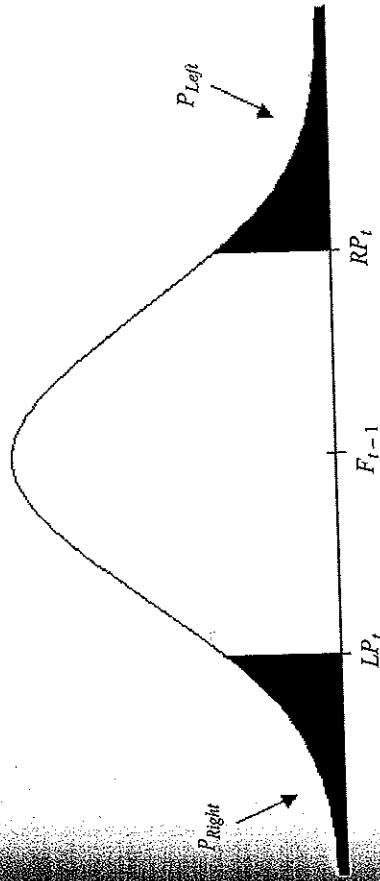


FIGURE 9.B.2. Proportion of leftward moves under the extended pivot model

$q_{jt} > RP_t$ and the median legislator will propose a bill moving policy leftward; or neither and no bill will be proposed.²⁴ Thus, P_{Left} does not depend at all on which party has a majority, on the location of the floor median, or on any other consideration. All that matters is how many current status quo points are to the left (right) of the current gridlock zone.

What determines the status quo policies $\{q_{1t}, q_{2t}, \dots, q_{nt}\}$? We assume that the previous Congress has adjusted all policies so that they lie within the previous gridlock zone, $[LP_{t-1}, RP_{t-1}]$. Within this zone, it is especially likely to find policies at the lagged floor median, F_{t-1} . After the previous Congress sets policy on each dimension, Nature then perturbs it before the next Congress convenes.

All told, then, we can test the pivot model by regressing P_{Left} on LP_t and RP_t , to capture the current gridlock zone, and either F_{t-1} alone or perhaps F_{t-1} , LP_{t-1} , and RP_{t-1} , to reflect the distribution of status quo points faced by Congress t . Figure 9.B.2 illustrates one case, in which F_{t-1} lies between LP_t and RP_t . The normal distribution pictured in the figure, centered on F_{t-1} , shows the distribution of status quo points. The shaded area under the curve to the right of the current right pivot, RP_t , equals the proportion of final-passage bills that will propose leftward moves.²⁵

The extended pivot model predicts a positive coefficient on the lagged variables: As the distribution of status quo points shifts rightward, more of them can be moved left in Congress t . It predicts a negative coefficient on both LP_t and RP_t : As the gridlock zone shifts right, more status quo points are available to move right, and fewer are available to move left.

²⁴ We assume that no bill is proposed if the status quo lies in the gridlock zone.

²⁵ This is true only if one bill is proposed for each dimension, even if the relevant status quo point lies in the gridlock zone. If gridlocked status quo policies are left alone (no bill targeting them is allowed to the final-passage stage), then P_{Left} would equal the shaded area in Figure 9.B.2, divided by the sum of this area plus the analogous area to the left of the left pivot.

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