

Collaboration and Lawmaking in the Contemporary United States Senate

by

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ABSTRACT

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For the past few decades the spatial model of legislative behavior has been the main conceptual frame for understanding legislative outcomes. That model emphasizes legislators as free-floating and independent ideal points in policy space. What is missing from spatial theory is the essential social nature of legislative life. As Richard Fenno, Nelson Polsby, John Kingdon, Charles Jones and other congressional scholars of their generation taught us, the interactions that occur between and among lawmakers are important and have an independent effect on outcomes. This study explores the interactions and collaborations senators have with one another and the role they play in contemporary Senate lawmaking. Through qualitative interviews and statistical analyses, I show how social dynamics at play in the Senate can inform our view of who wins and who loses in the legislative process.

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CHAPTER I. OVERCOMING OBSTRUCTIONISM IN THE ANGRY SENATE

Political observers and even some senators have characterized the contemporary United States Senate as broken, dysfunctional, angry, and ungovernable. “America is facing dramatic problems,” writes Ezra Klein of *The Washington Post*, “but none will be solved until we fix the dysfunctions of the Senate.”¹ “I think the problem is that we’ve lost the capacity to actually legislate,” Senator Olympia Snowe (R-ME) lamented recently.² In the view of her colleague Evan Bayh (D-IN), who has decided not to seek reelection to the 112th Senate (2011-2013):

There are many causes for the dysfunction: strident partisanship, unyielding ideology, a corrosive system of campaign financing, gerrymandering of House districts, endless filibusters, holds on executive appoints in the Senate, dwindling social interaction between senators of opposing parties and a caucus system that promotes party unity at the expense of bipartisan consensus.³

A vivid example of the decline of collegiality in the Senate occurred on the floor in 2008 and involved a heated exchange between Jim Bunning (R-KY) and Robert C. Byrd (D-WV). To accommodate the schedules of presidential candidates Hillary Clinton (D-NY) and Barack Obama (D-IL), a vote on Medicare pricing was held open for an additional twenty-five minutes to give both senators enough time to get from a campaign fundraiser to the Senate floor. As he waited for his colleagues, Bunning grew impatient and loudly demanded “regular order” to close the vote. A shouting match ensued between Bunning and Byrd during which time Byrd yelled “Who are you?” and further mocked his colleague as a “great baseball man.” “I have the same rights as you!” retaliated the Hall of Fame pitcher.⁴ “That display last night on the floor is something I’ve never seen,” remarked Arlen Specter (D-PA), a thirty-year veteran of the chamber who witnessed the whole sorry episode. “It has gotten so bad now,” observes Senate scholar Ross Baker, “that Republicans don’t want to be seen publicly in the presence of Democrats or have a Democrat profess friendship for them or vice versa.”⁵ “If senators can’t get along, how can they govern?” *Politico*’s David Rogers asks rhetorically.⁶

In an institution that operates primarily on the basis of unanimous consent among its membership, objections raised by even a single senator can cause major delays. Even on routine matters in the Senate – for example, conducting a committee hearing or providing a few minutes of additional time to senators speaking on the floor – unanimous approval is usually required.⁷ Obtaining consent on these matters has rarely been an issue, until recently. For a brief period in March 2010, Senate Republicans prevented committees from meeting as a way to express their frustration with what they perceived as heavy-handed tactics on the part of Senate Democrats during debate on President Obama’s health care reform package.⁸ In another episode, Al Franken (D-MN), acting as the Senate’s presiding officer, objected to a request made by Joe Lieberman (I-CT) for an “additional moment” that would have allowed the senator to complete his remarks. Usually, common courtesy dictates that senators are granted the few extra minutes

¹ Ezra Klein, “After health care, we need Senate reform,” *The Washington Post*, Dec. 27, 2009, B1.

² Jennifer Senior, “Mr. Woebegone Goes to Washington,” *The New York Times Magazine*, Apr. 4, 2010.

³ Evan Bayh, “Why I’m Leaving the Senate,” *The New York Times*, Feb. 21, 2010, E. 9.

⁴ This exchange can be read online at: http://www.politico.com/blogs/anneschroeder/0708/The_full_dialogue_.html

⁵ David M. Herszenhorn, “In Senate Health Vote, a New Partisan Vitriol,” *The New York Times*, Dec. 24, 2009, A1.

⁶ David Rogers, “The Lost Senate,” *Politico*, Oct. 9, 2009, p. 12.

⁷ By Senate rule, committees are not allowed to meet past 2 p.m. Usually this rule is waived by unanimous consent.

⁸ Alexander Bolton, “Senate Republicans block committee hearings again,” *The Hill*, Mar. 24, 2010.

they would need to finish a speech. Not this time. “In my capacity as the senator from Minnesota, I object,” Franken replied. “Really?” Lieberman asked, apparently stunned by his colleague’s objection.⁹

Recent outbreaks of incivility, even hostility, between Senate colleagues reflect how norms of behavior that might have been common during an earlier era have shifted over time. During the 1950s, scholars described a more communal legislative environment that favored accommodation and compromise over conflict and division. Stylized views of the mid-century Senate describe an inward-looking institution where senators acted in accordance with an informal code of behavioral norms set forth by an “Inner Club” of mostly southern Democrats who effectively ran the chamber (Matthews 1960, White 1956).¹⁰ Senators who served at that time were said to exercise greater restraint in the use of their individual prerogatives, in deference to their colleagues and in recognition of the Senate’s need to process its workload. Members were also expected to accommodate one another whenever possible, with an understanding that they would be repaid in kind at a later time. Junior senators were to be “seen and not heard” until they accumulated enough policy expertise through committee work to make thoughtful contributions to policy debates. This apprenticeship period also provided them with a greater ability to specialize in the policy areas of greatest importance to the states they represent. Personal attacks were frowned upon and senators avoided any involvement in political campaigns against their colleagues. As “institutional patriots” first, engaging in such actions was considered beneath the dignity of the Senate and detrimental to the lawmaking process.

Although the “go along, get along” style of the mid-century Senate has always been somewhat overstated, behavior norms such as those described by Matthews (1960) can serve as an important counterweight to institutional rules and precedents that, if invoked, make it difficult for senators to approve measures absent supermajority support to end a filibuster. As Robert Axelrod (1986) has observed, informal norms of cooperation can arise as a solution to behavior that is individually rational – such as a heavy reliance on parliamentary prerogatives for individual gain – but collectively irrational, such as legislative unresponsiveness brought about by an escalating procedural arms race. Absent these folkways or other mechanisms of cohesion, Senate lawmaking becomes that much more difficult to accomplish. Where camaraderie and accommodation might have carried the day during an earlier era, by the 1970s few remnants of the ‘Inner Club’ remained. As Nelson W. Polsby (1971) observed:

We are in the midst of a profound change in the role of the Senate in the political system, from an intensely private and conservative body to a very public and progressive one; from one focused on the virtues of age and experience to one devoted to the young, the vigorous, and the ambitious.¹¹

Senators today are more inclined to employ the full range of their procedural prerogatives for personal or partisan gain.¹² The proliferation of dilatory behavior in the modern Senate has been well documented, and scholars now characterize the Senate as partisan and individualistic.¹³ That the Senate at mid-century differs considerably from the contemporary body should come as no great surprise. In the interim, the United States has undergone a number of dramatic and transformative events: a shocking presidential assassination; a political scandal of epic proportions; the Vietnam War; a civil rights crusade; the

⁹ Jordan Fabian, “Franken cuts off Lieberman’s speech,” *The Hill*, Dec. 17, 2009. Footage of this exchange can be viewed at: http://www.youtube.com/watch?v=7iq_1wRmwXg

¹⁰ See Schickler (2010) for a critical assessment of this stylized view of the mid-century Senate.

¹¹ Nelson Polsby, “Goodbye to the Inner Club,” in Polsby, ed., *Congressional Behavior*, New York: Random House.

¹² It is telling that even newly-elected Scott Brown (R-MA), who has been in office for a matter of weeks, already faces questions in the media about the possibility of his own presidential ambitions.

¹³ Scholars have devoted considerable attention to the upsurge in dilatory behavior in the contemporary Senate. See especially Sinclair (1989, 2000), Smith (1989), Binder and Smith (1997), Beth and Bach (2003), Evans and Lipinski (2005), and Wawro and Schickler (2006).

women's movement; an explosion in interest group activity on Capitol Hill; an expansion in the size and reach of the federal government; a political realignment in the South from a Democratic stronghold to a largely GOP bastion; a revolution in information and communications technology; an expanded world market for U.S. goods; and a domestic and international environment plagued by the threat of terrorism. As Steven Smith (2010, 1-2) explains, these and other major developments have contributed to the rise of what he calls the "procedural" Senate:

At least five temporally overlapping and mutually reinforcing developments contributed to the emergence of the Senate's new procedural environment. First, the passing of the civil rights era of the 1960s freed conservatives, particularly southern Democrats, to use the filibuster to oppose the broader legislative agenda of the liberal majorities of the 1970s. Second, the incentives for senators to exploit their personal procedural prerogatives amplified as the lobbying community expanded and electioneering pressures intensified through the 1960s and 1970s. Third, minority strategies from the House of Representatives, where minority party Republicans adopted all-out opposition strategies as standard operating procedure in the late 1980s, were adapted to the Senate as House members were elected to the Senate. Fourth, competition with the president, who often has exploited his own popularity, national security threats, and Congress's sluggishness to expand his power, has led the Senate to incorporate limits on debate in larger packages involving checks on the exercise of delegation power. Fifth, movement from a pluralistic Senate, one in which voting coalitions shifted from issue to issues, to a polarized Senate, one in which the parties are sharply divided on most issues, has encouraged elected party leaders to more aggressively use the procedural tools at their disposal.

To be sure, the sanctity of extended debate has been enshrined over time in Senate precedents, traditions, and lore¹⁴ – the practice has even earned acclaim on the silver screen¹⁵ – but dilatory behavior simply was not an issue during the beginning years of the Senate. Early Senate rules did contain a motion to "move the previous question" to proceed to a vote – a procedural check against excessive dilatory behavior, specifically endless debate – but that motion was dropped from the Senate's rulebook in 1806 for lack of use, setting in train a long tradition of extended deliberation on the motion to proceed.¹⁶ That tradition continues today, to the detriment of much-needed action in the view of some scholars.¹⁷ Even still, the carry over of Senate rules, practices, or customs is by no means guaranteed due to the influx of new senators who often want to make changes in the way the Senate functions.¹⁸

¹⁴ Legend has it that upon returning from France as U.S. Ambassador to that country, Thomas Jefferson asked George Washington to explain the purpose of the Senate. The Senate, Washington replied, was designed "to act as a saucer to cool the hot coffee of the House."

¹⁵ *Mr. Smith Goes to Washington* starring James (Jimmy) Stewart chronicles the adventures of a novice politician appointed to fill a vacant seat in the Senate. It was nominated for eleven Academy Awards and earned best screenplay in 1939.

¹⁶ Perhaps if the previous question motion had not been dropped in 1806, it might have evolved into a procedure for expediting deliberation, but this conjecture has itself been the subject of extended debate in academic circles. See Binder and Smith (1997) and Wawro and Schickler (2006).

¹⁷ For example, see Dahl (2001) and Mann and Ornstein (2006).

¹⁸ Only one-third of the Senate's membership stands for reelection in any given election cycle and the overall continuation in membership allows for fluidity in Senate rules. As a "continuing legislative body," Senate rules and procedures at a particular moment in time are a mixture of previously-established rules and precedents and their current interpretation by the presiding officer of the Senate, in consultation with the Senate parliamentarian. New procedures can be established at any time by upholding or rejecting a ruling by the presiding officer, usually with a simple majority vote, or by formally amending the Senate's rules. If a filibuster is started on a resolution to change Senate rules, a two-thirds vote of the senators present and voting is required to invoke cloture.

South Carolinian Strom Thurmond holds the record for the longest filibuster in U.S. history. His verbal opposition to civil rights legislation in 1957 lasted twenty four hours and eighteen minutes. Due to constraints on the human body, a small handful of senators, working on a rotational basis to maintain control of the Senate floor, is usually required to mount a successful filibuster.¹⁹ Senators today, however, rarely need to resort to this old-fashioned filibuster. Instead of conducting lengthy talk-a-thons, members can use “holds” – a procedural device to communicate legislative preferences to Senate leaders – as a way to signal an intention to filibuster.²⁰ In many instances Senate leaders honor the hold and move on to other matters out of necessity. The relative scarcity of floor time provides added potency to holds and filibuster threats.²¹ With the proliferation of holds and frequent threats of extended debate, filibustering broadly conceived has now become routine.²² Even conference committees, which historically have been convened by unanimous consent, nowadays require overcoming three separate procedural steps, each of which can be (and has been) the subject of a filibuster.²³

Another tried and true dilatory tactic in greater use today is to flood a bill with amendments in the hopes that the measure will sink under its own weight. With few constraints on amending activity in the upper chamber, senators are usually free to offer as many amendments as they want to a bill, even non-relevant proposals that do not pertain to the underlying text. Consider the amending activity of Orrin Hatch (R-UT) during the 98th Congress (1983-84). In that two-year period, Hatch offered an astounding 2,831 amendments. Of those, 371 were directed at one bill alone, a Democratic-sponsored proposal that would have reformed the nation’s labor laws to enhance the collective bargaining power of workers and their unions. With 371 amendments in tow, Hatch effectively torpedoed the proposal. And so began what Richard Cohen (2003) calls “amendment mania,” the strategic use of the amending process to intimidate the opposition and tie the Senate in knots.

Compounding difficulties for collective action to occur is the relative absence of formal leadership powers to expedite legislation in the Senate. Only the position of president pro tempore of the Senate is identified in the U.S. Constitution – not the majority leader – and not until the early twentieth century did a clearly-defined leadership structure emerge in the chamber. Even now the list of formal leadership powers is so short that its main features can be easily identified: 1) the right of first recognition on the Senate floor; 2) the ability to circumvent the referral of measures to committee by employing Senate Rule XIV to place

¹⁹ Thurmond’s longevity was aided by a prolonged visit to the Senate steam-room in advance of his filibuster, allowing him to forestall one of nature’s inevitabilities for over a day.

²⁰ Evans and Lipinski (2005) identify three main types of hold requests. Many are simple requests to notify that senator before a bill is considered, the legislative equivalent of a “heads-up” or “wake-up call.” Other holds are intended to temporarily block legislative action until agreement can be reached on the matter at hand. The third category of holds – sometimes called “silent filibusters” or “choke holds” – request a permanent block on all legislative action on that bill.

²¹ Holds placed for purposes of blocking legislation are especially effective at the end of a congressional session or immediately before a recess when floor time is in highest demand (Evans and Lipinski 2005).

²² Preeminent Senate obstructionist James Allen (D-AL) pioneered the use of “choke holds” during the 1970s through his position on the Senate Steering Committee, an informal committee comprised mainly of the Reaganite wing of the Senate Republican party: Jake Garn (R-UT), Barry Goldwater (R-AZ), Orrin Hatch (R-UT), S.I. Hayakawa (R-CA), Jesse Helms (R-NC), Gordon Humphrey (R-NH), Roger Jepson (R-IA), Paul Laxalt (R-NV), James McClure (R-ID), Larry Pressler (R-SD), Strom Thurmond (D/R-SC), Malcolm Wallop (R-WY), and John Warner (R-VA). The tactic caught on once it was proven effective.

²³ Three separate motions must be agreed to before a conference committee can be convened. The Senate must first “insist” on its own version of the bill, then it must “request” a conference with the House, and finally the presiding officer must “authorize” the naming of conferees.

legislation directly on the Senate's calendar of business;²⁴ and 3) control of the Senate's calendar and agenda.²⁵

With obstructionism on the rise, Senate leaders are facing an increasingly difficult time overcoming the procedural blockades imposed by their colleagues. As a result, majority leaders have had to innovate and use procedural devices rarely employed in previous eras to accomplish their legislative or political goals. To exert some control over the amending process, for example, recent majority leaders have utilized with greater frequency a controversial tactic called "filling the amendment tree." (An amendment tree specifies the number of permissible amendments that can be pending to a measure at any one time.) Because the majority leader has the right of first recognition, he is well-positioned to propose amendment after amendment until the tree is filled, blocking further amending opportunities for Democrats and Republicans alike. Although not a daily occurrence, tree-filling enables the majority leader to accomplish certain goals, such as protecting vulnerable party members from voting on troublesome amendments or stopping opponents from offering "poison pill" amendments that, if adopted, might kill the bill.

Contemporary majority leaders have repeatedly stated how difficult it is to manage the Senate. Howard Baker (R-TN) compared his experience to "pushing a wet noodle," while Tom Daschle (D-SD) described the job as "loading frogs into a wheelbarrow." To Robert Byrd (D-WV), the Senate leader "has to be a traffic cop, babysitter, welfare worker, minister, lawyer, umpire, referee, punching bag, target, lightning rod [and]...the cement that holds his party together."²⁶ Trent Lott (R-MS) likened Senate leadership to "herding cats." In his farewell speech to the Senate he also had this to say about his Democratic leadership colleague:

I think [Harry Reid] has the toughest job in the whole city, being the majority leader in the Senate, and not just because I had it but because I got to see what it was all about. The President has the whole administration, the Speaker has the Rules Committee, but the leaders of the Senate, on both sides of the aisle, they lead because of who they are and the power of persuasion they have and the respect for the position they hold. Nothing in the Constitution gives them special powers.²⁷

For all its challenges, Senate lawmaking continues to demand – barring any sudden rules changes – a high level of cooperation among its membership for legislation of any substance to pass the chamber.²⁸ Accordingly, I contend that the interactions that occur and the relationships that develop between and among senators play an important role in shaping opportunities for collaboration and collective action to occur. Lawmaking, after all, is an inherently social enterprise, so the ability and willingness senators have to work together can, in my view, deepen our understanding of the Senate's unique and ever-changing legislative process. As Calderia, Clark, and Patterson (1993, 3) explain:

²⁴ This allows majority leaders to create task forces comprised of loyalists to manage the content of legislation outside the aegis of the committee system.

²⁵ Control of the calendar allows majority leaders to threaten weekend meetings or make them a reality, as Majority Leader Harry Reid did in December 2009 during debate on health care reform.

²⁶ *Congressional Record*, April 18, 1980, S3922.

²⁷ *Congressional Record*, Dec. 18, 2007, S15817.

²⁸ Recall the periodic flare-ups between 2003 and 2005 in which Democratic senators blocked several prominent federal court appointments by President Bush. In an effort to overturn the Senate's long-established precedent of unlimited debate (on judicial nominations at least), Majority Leader Bill Frist offered what his predecessor Trent Lott called the "nuclear option" – a hotly-contested conceptualization of Senate rules that would have overturned long-established supermajority requirements and substituted simple majority thresholds for passage.

The legislature is a highly interactive collectivity. Its institutional life gravitates around two poles: one the nexus of the representative and the represented and the other the networks of affect and respect among legislators themselves.

The focus of this study is on the second nexus of institutional life in the Senate, or what might be called the “social dimension” to Senate lawmaking – the ways in which senators interact with one another and the importance of those interactions to collaborative lawmaking in the contemporary Senate. According to Ross Baker (1999, 61):

What appears to have taken up the slack created by enfeebled general norms and folkways (which now seem little more than folklore) is a structure of private understandings among individual senators – not mandated from above and not eternal – which serve as the bonding agents which allow the institution to endure. These have always existed in the Senate, but they become particularly important when other and more comprehensive sources of cohesion are deficient, as they are now.

Two primary hypotheses orient this project and are stated as follows:

Hypothesis 1: Social interaction allows familiarity and trust to develop among Senate colleagues that can materialize into collaborative relationships which ease the burden of collective action problems inherent in Senate rules, procedures, and precedents.

Hypothesis 2: Developments in contemporary American politics have dampened prospects for senatorial interactions and collaborations to occur among many of today’s senators.

Both hypotheses are tested in a variety of ways in the four chapters to come. I begin in Chapter II by conceptualizing the Senate as a social network and allowing senators to assume “embedded” positions within the network based on the number and variety of legislative cosponsorships they attract from their colleagues. My analysis in this chapter draws from studies of social networks and congressional politics to develop a measure of what I call “social embeddedness” to estimate the social standing of each senator in relation to his or her colleagues in the chamber. By tapping into the connections that exist between legislative sponsors and cosponsors across the 111,301 bills and amendments considered by the Senate between 1973 and 2004, it is possible to test whether senators who work closely with their colleagues enjoy any positive benefits when their own measures come before the Senate.

If legislative collaborations do in fact serve as an important lubricant to the Senate’s grinding lawmaking process, then we should expect the proposals advanced by embedded senators to stand a higher likelihood of passage in comparison to those offered by their socially-peripheral colleagues. Evidence presented in Chapter II suggests that they do. After controlling for factors like ideology, seniority, majority status, and positions of party and committee leadership, a one point increase in the “embeddedness” of Senate sponsors (along a 0-4 scale) is associated with a statistical increase the likelihood their bills will pass. Although most introduced bills inevitably fail, even those proposed by deeply-embedded senators, the significance of this estimate provides solid evidence that the willingness senators’ display in working with their colleagues can inform our understanding of who wins and who loses in the political process.

Chapter III examines the connection between *embeddedness* and legislative success during each Congress between 1973 and 2004. Results display a revealing pattern over time. Although *embeddedness* remains a significant predictor of bill and amendment outcomes throughout the 1973 to 2004 period, the magnitudes of those estimates slowly decline and eventually reach zero in 2004. I interpret this pattern as evidence that broader changes in the political environment are making it more difficult for senators to work together in the kind of meaningful and sustained way that is usually required to shepherd a bill

through the Senate. With fewer interactions occurring among them, senators are likely to experience a more difficult time reaching agreement with their colleagues, some of whom they might hardly know. Torpedoing a colleague's bill, or worse – such as challenging his or her credibility or motives – is probably a lot easier for a senator to do if he or she has no personal investment in that individual.

There is a limit to how much we can infer about the nature and importance of collaborative relationships to Senate lawmaking on the basis of cosponsorship data alone. To explore some of the more qualitative aspects of how senators work together, Chapter IV draws upon a set of personal interviews I conducted with nine current and former senators and seven senior-level staff aides during July and August of 2009 on the subject of their own personal experiences working with their senate colleagues.²⁹ As direct participants in the process, they would know best how senators work with one another, the degree to which they do so, and the role collaborative relationships play in Senate lawmaking.

Reaching agreement in the Senate, never easy, can be achieved in other ways as well. Along with the interactions and collaborations they have with their colleagues, senators are well-advised to take advantage of Congress's appetite for particularistic benefits as they attempt to build coalitions of support behind their policy initiatives. Let me be clear: the practice of earmarking – pejoratively called “pork-barrel spending” by fiscal conservatives and others – can play a significant role in pushing major legislation across the finish line. Chapter V illustrates the benefits these “chits” can provide to the lawmaking enterprise with a case study – passage of the Tax Reform Act of 1986, landmark legislation that overhauled the nation's tax code.

Chapter VI concludes this study by demonstrating how network analysis can be used to uncover the existence and strength of senatorial relationships at various points in time. Here I draw upon qualitative data collected by a politically-experienced journalist at *The Hill*, a well-regarded Capitol Hill newspaper, to map out the social and professional connections between and among senators currently serving in the 111th Congress (2009-2010). This example pulls together the major themes of this study and serves to illustrate how network approaches to congressional scholarship can provide an exciting new perspective for understanding how lawmakers interact with one another and to their institution.

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CHAPTER II. LEGISLATIVE NETWORKS AND LAWMAKING IN THE CONTEMPORARY SENATE

For the past several decades the spatial model of legislative behavior has been the main conceptual frame for understanding legislative outcomes. That model emphasizes legislators as free-floating and independent ideal points in policy space. What is missing from spatial theory is the essential social nature of legislative life. In this chapter I propose a method for revealing the embeddedness of senators within the social structure of the chamber and show how interactions that occur among them can inform our understanding of who wins and who loses in the legislative process. Results demonstrate the importance of the social dimension to lawmaking, especially during bill consideration. Reorienting our research agendas to account for social dynamics inside the Senate will help us to better understand the contemporary legislative process.

Some of the most exciting and important legislative action in the Senate happens behind closed doors; in the cloakroom, in the interstices of the Capitol building known as “hideaway” offices, and in restaurants, bars, elevators, and other locations around town. These alternative policy-making venues play a key role in the legislative process by allowing senators to find common ground away from the leering eye of television cameras, watchdog groups, and other interested observers. In contrast, many proceedings in committee or on the Senate floor are scripted for public consumption and little else. Real negotiation – the essential give-and-take of our governmental process – is often invisible to everyone but senators themselves. What we do have is the public record: roll call votes, committee proceedings (most of the time), floor speeches, and more. A great deal of knowledge has been gleaned from these sources of information to be sure, but gaps remain in our collective understanding of the Senate.¹

For the past several decades the spatial model of legislative behavior has been the main conceptual frame for understanding legislative outcomes. That model emphasizes legislators as free-floating and independent ideal points in policy space.² What is missing from spatial theory is the essential social nature of legislative life. As Richard Fenno, Nelson Polsby, John Kingdon, Charles Jones and other congressional scholars of their generation taught us, the interactions that occur between and among lawmakers are important and produce an independent impact on outcomes. As Calderia, Clark, and Patterson (1993, 3) explain:

The legislature is a highly interactive collectivity. Its institutional life gravitates around two poles: one the nexus of the representative and the represented and the other the networks of affect and respect among legislators themselves.

¹ John Kingdon (1989) and Steven Smith (2007) report on a range of limitations to roll call analysis in their studies of congressional decision-making. Recent scholarship interprets low majority party roll rates as evidence of the negative agenda setting power of Senate majorities because Senate roll rates are similar to rates in the House where the Speaker enjoys tremendous influence in the legislative process (Gailmard and Jenkins 2007). Other scholars examine the use of tabling motions by the Senate majority as a tool for shaping the legislative agenda (Den Hartog and Monroe 2008). Low roll rates and the use of tabling motions might also reflect the close legislative relationship between Senate party leaders, a relationship borne by necessity from Senate rules that empower the minority party in procedural and policy considerations.

² See Poole and Rosenthal (1985), Krehbiel (1993, 1998) and Brady and Volden (2005) for applications of spatial theory to legislative behavior.

The first nexus of legislative life – between lawmakers and constituents – is covered masterfully by Richard Fenno in a series of important works on the “home styles” of representatives and senators, including book-length studies of Arlen Specter (D-PA), Dan Quayle (R-IN), John Glenn (D-OH), and Pete Dominici (R-NM). My interest is in second nexus between and among senators themselves.³

There are good reasons to expect social interaction and collaboration to play an especially important role in the Senate as compared to the House.⁴ The Senate is smaller in size, usually more collegial in tone, has parliamentary rules that encourage senators to work together. With six year terms in office, senators have more time and a greater opportunity to interact with colleagues in meaningful ways. Senators also enjoy significant influence in national policymaking regardless of their status in the majority, and even a single senator can grind legislative action to a halt using a wide range of dilatory tactics.⁵ Scholars often refer to the Senate as a “unanimous consent” institution for this reason.

Reflecting this reality of senatorial life, Mike Mansfield (D-MT) referred to himself as “first among equals” during his tenure as Majority Leader, a clear reference to the considerable procedural powers accorded to all senators.⁶ Trent Lott (R-MS) compared his experience in that position to “herding cats,” while Howard Baker (R-TN) described Senate leadership as “pushing a wet noodle.”⁷ In Bob Dole’s view, “there’s a lot of free spirits in the Senate. About 100 of them.”⁸ Robert Byrd (D-WV) used more colorful language to describe his experience in that position:

It is extremely difficult to deal with the wishes and needs of 99 other senators, attempting to schedule legislation because almost in every case at any time it is scheduled it inconveniences some senator and I cannot fire any of them...I often say when I am to fill out a form and the form says occupation, I should put slave.⁹

Needless to say, the Senate’s permeable organizational structure and open legislative environment stands in sharp contrast to the majority-driven and tightly-controlled style of deliberation characteristic of the House of Representatives. Principal agent models commonly applied to the House are ill-suited to the Senate due to the paucity of formal leadership powers and the individualistic character of Senate

³ Ross Baker (1999) interviewed 25 senators in preparation for his study of friendship ties in the upper chamber. Baker reports on various ways that senators relate to one another, including what he calls “institutional kinship,” “political alliance,” “mentorship,” “social friendship,” and “pure friendship.”

⁴ Bicameral differences probably mean that social dynamics between members matter more in the Senate than they do in the House. Social standing might come into play during the consideration of legislation proposed by majority representatives, but the dominating influence of the Speaker and committee chairs usually ensures a role for minority House members.

⁵ In the weeks leading up to the August 2008 recess, Tom Coburn (R-OK) placed holds on thirty-four bills, effectively preventing their consideration on the floor. In response, Majority Leader Harry Reid (D-NV) packaged the otherwise non-controversial bills into a single omnibus bill in an effort to override Coburn’s threat to filibuster. Reid justified his effort “to give the Senate a chance to overcome this senseless obstructing of the nation’s business,” but his motion to invoke cloture on the underlying omnibus (which Democrats referred to as the “Tomnibus”) failed to attract the necessary 60 votes and was defeated 52-40 (Stout 2008). Holds are one of several ways that senators can torpedo legislation. See Evans and Lipinski (2005) for a systematic examination of Senate holds.

⁶ There is no guarantee of legislative action even after cloture has been invoked. James Allen (D-AL) pioneered the “post-cloture filibuster” and this practice of utilizing all 30 hours of post-cloture debate has become increasingly common (Beth and Bach 2003).

⁷ *Congressional Record*, Sept. 22, 2000, S9030. A frustrated Byron Dorgan (D-ND) asked Majority Leader Lott (R-MS) if he had seen a recent television commercial “where the cowboys are trying to herd the cats.” Lott responded that he often felt like “one of those cowboys trying to keep the cats in line; they won’t herd up though.” This exchange must have made an impression: Lott’s autobiography is entitled *Herding Cats: A Life in Politics* (2005).

⁸ Alan Ehrenhalt. 1984. “Senate Leader’s Job: Curbing Individualism.” *CQ Weekly*, April 7, p. 819.

⁹ *Congressional Record*, April 18, 1980, S3922.

deliberation. In a chamber that favors individual expression over leadership direction, attention must be paid to the interactions that occur among senators themselves.

To assess the social dynamics of Senate lawmaking, it is helpful to treat the Senate as a social network and allow senators to assume more or less embedded positions within the network based on the number and strength of legislative relationships that each senator enjoys. Ideally we could also incorporate data on the amount of trust and respect from colleagues that each senator enjoys in keeping with Harold Lasswell's (1950) more general claim that trust and respect underlie patterns of political influence, but systematic data of this kind are not currently available.¹⁰ Even still, relationships built on trust can motivate legislative collaboration, so we would expect embedded senators to have earned the trust and respect of colleagues to a greater degree than senators located at the social periphery of the chamber.¹¹ With deeper reservoirs of political capital to draw upon, embedded senators should also enjoy distinct advantages in the legislative process, especially during the consideration of their own bills and amendments.

I conceptualize embeddedness as the degree to which each senator is intertwined in the legislative relationships that exist in the Senate. Embedded senators are expected to carry considerable influence in chamber affairs on account of the trust and respect they engender from colleagues through their collaborative efforts. My focus on collaboration is based on an understanding of the Senate as a minority-rule institution where collective action depends on the existence and strength of working relationships among senators of both political parties. The content of private conversations between senators remains elusive, but the proper application of cosponsorship data allows us to estimate the social standing of each senator in relation to his or her colleagues. The Senate cloakroom might be closed to outsiders, but perhaps we can steal a glimpse through the keyhole.

Attending to the social dimension of Senate lawmaking can enrich our understanding of who wins and who loses in the legislative process. To assess the connection between embeddedness in the chamber and legislative outcomes, we first need to develop a precise measure suitable to the Senate. This chapter does so in five sections. Section I introduces a method developed by James Fowler (2006a, 2006b) for using cosponsorship data to reveal how connected lawmakers are to one another. Using Fowler's measure of *connectedness* as a point of departure, section II develops a measure of each senator's *embeddedness* within the broader network of collaborative relationships that exist in the Senate during a given congress. Although mathematically related to Fowler's measure, *embeddedness* rectifies some key limitations inherent in the use of *connectedness* as a measure of social standing. Section III introduces key explanatory variables that I use alongside *embeddedness* in section IV to explain outcomes on bills

¹⁰ Personal interviews conducted by the author during July and August 2009 with three sitting senators, six former senators, and six senior Senate staff aides provided rich data on networks of trust and respect among senators. Among other questions, I asked senators and senior staff to identify the most trusted and respected senators as a way to help quantify the levels of trust and respect they have for one another. A generous grant from the Dirksen Congressional Center provided essential support for these interviews. Another way to uncover trust and respect among senators is to examine the content of farewell speeches delivered by colleagues on their behalf as they exit the chamber. I am currently working with Dr. Sean Theriault and his team of researchers at the University of Texas at Austin to do exactly that, but for present purposes I lack systematic data for the vast majority of senators who served during the 1973-2004 period.

¹¹ Social relationships can inspire professional relationships. During an orientation program for new members in 2004, the wives of newly-elected senators Barack Obama (D-IL) and Tom Coburn (R-OK) formed a bond that materialized into a working relationship between their husbands. Senators Obama and Coburn, ideological opposites by almost any measure, collaborated on a range of issues, most recently during Senate consideration of the "Federal Funding Accountability and Transparency Act," a bill to create a searchable database of federal spending. That bill (S. 2590) was signed into law by President Bush on September 26, 2006.

considered by the Senate between 1973 and 2004 and amendments proposed between 1981 and 2004.¹² If the success or failure of bills and amendments is influenced by the *embeddedness* of Senate sponsors, then positive results should appear in this section. Section V concludes with summary observations. In the next chapter, I use *embeddedness* to predict bill and amendment outcomes on a congress-by-congress basis to illustrate how social dynamics in the Senate have influenced lawmaking from the 1970s to today.

Section I. Measuring Legislative Connectedness

Research by James Fowler (2006a, 2006b) on cosponsorship behavior in the U.S. House and Senate offers an exciting new perspective on the dynamics of lawmaking.¹³ Fowler demonstrates mathematically how the legislative network of sponsors and cosponsors can be condensed into a measure of what he calls *connectedness* to explain the number of amendments that each lawmaker shepherds to final passage.¹⁴ The number of amendments that a lawmaker navigates through the chamber is a common measure of legislative influence and, as Fowler (2006a) demonstrates, *connectedness* outperforms more common measures of network centrality in predicting the passage of amendments during the 108th Congress.¹⁵ The added precision of Fowler's measure can be attributed to the incorporation of two key pieces of information: the number of cosponsors attached to each bill and amendment, and the number of instances that occur during a given congress in which one senator signs on to another senator's bill or amendment.

The measurement strategy behind legislative *connectedness* plays a key role in my formulation of social *embeddedness*, so a word on that strategy is in order. Fowler's key insight is that relationships between legislative sponsors and cosponsors can be represented as a social network. Between 1973 and 2004, 59,262 bills were brought before the Senate and 36,898 of those (62%) attracted at least one cosponsor. The Senate considered 52,039 amendments from 1981 to 2004, and 14,645 of those (28%) were cosponsored. In these instances, linkages can be drawn connecting cosponsors to sponsors.¹⁶

¹² The number of bills exceeds the number of amendments in the dataset due to a lack of amendment data prior to 1981. The Library of Congress's THOMAS website – the most comprehensive public database of legislative activity – includes all bills and resolutions beginning with the 93rd Congress, but complete data on amendments are not available until the 97th Congress (1981-82). The 4,408 private bills considered during this time are excluded from analysis because those bills are often parochial or ceremonial in nature and are usually adopted by unanimous consent without debate. Only public bills are considered here, including resolutions, concurrent resolutions, and joint resolutions.

¹³ Connectedness scores and cosponsorship data on bills and amendments are available for download on Fowler's website: <http://jhfowler.ucsd.edu/cosponsorship.htm>

¹⁴ Sinclair 1989, Smith 1989, Weingast 1991, Evans 1991, and Hall 1992 also use the passage of floor amendments as a proxy measure for legislative influence.

¹⁵ Network measures abound to describe the position and centrality of individuals in a social network. For example, "betweenness centrality" measures the degree to which one individual acts as a bridge between otherwise unconnected segments of a network (Freeman 1977). "Closeness centrality" – the measure of greatest similarity to *connectedness* – is computed by averaging the geodesic distances that connect one individual to everyone else in the network. "Degree centrality" is a simple count of direct connections between one actor and all others in a network (Proctor and Loomis 1951). For further elaboration of these measures, see Wasserman and Faust (1994), chapter 5, 169-219.

¹⁶ Senators cosponsor legislation for a variety of reasons, some of which have little to do with a relationship to the sponsor. Members might also be concerned with blame avoidance and take legislative action to mute criticisms that might arise (Weaver 1986). A vast empirical literature examines cosponsorship behavior. See especially: Woon (2009); Swers (2007); Sulkin (2005); Talbert and Potoski (2002); Wilson and Young (1997); Burkett (1997); Kessler and Krehbiel (1996); Schiller (1995); Campbell (1982).

Cosponsorship data contain valuable information about the legislative connections senators have to one another. Using this data, Fowler constructs a 100 x 100 matrix of weighted sums (W_{xy}) where each entry in the matrix represents the weight or strength of each connection one senator has to another during a given congress. The equation below shows how each weighted sum (relational weight) is calculated:

$$W_{xy} = \sum a_{xyl} / c_l$$

In this equation, a is a binary indicator that equals 1 if senator Y cosponsors bill l sponsored by senator X , and 0 otherwise. The denominator c equals the total number of cosponsors on bill l . The purpose of c is to weight each sponsor-cosponsor connection based the logic that bills with fewer cosponsors provide more information about the strength of those connections.¹⁷ As the number of recruits on bill l grows, the likelihood decreases that senator X personally solicited senator Y for support. Perhaps Y was recruited through an intermediary or lent his or her support on the basis of policy content, legislative momentum, electoral considerations, or for some other reason. By this logic, bills that attract only a few cosponsors contain more information about the strength each sponsor-cosponsor connection in comparison to bills with numerous cosponsorships.¹⁸

The following hypothetical example shows how weighted sums W_{xy} are constructed based on the record of cosponsorship activity that occurred between a sponsor X and a cosponsor Y during a given congress. Let us assume that senator Y cosponsored four bills sponsored by senator X . On one of those bills, senator Y was the only cosponsor. On the other three, senator X was able to attract 5, 10, and 20 cosponsors including senator Y . In this case, W_{xy} equals $1/1 + 1/5 + 1/10 + 1/20$, or 1.35. Notice that W_{xy} increases with each additional cosponsorship senator Y obtains from senator X . Relational weights are also asymmetric – W_{xy} does not necessarily equal W_{yx} – because the direction of each sponsor-cosponsor connection is also taken into account. This means that the connection senator X has to senator Y (W_{xy}) is estimated on the basis of senator Y 's support for senator X 's measures, not the other way around. Although relational weights are asymmetric, the prevalence of mutual cosponsorship in the Senate suggests that $W_{xy} \approx W_{yx}$ in most instances (Burkett 1997).

With weighted sums in hand for each pair of senators, Fowler employs a mathematical procedure called Dijkstra's algorithm to calculate the shortest path a senator must travel in network space to reach each of his or her colleagues. The path length from senator X to senator Y equals the inverse of W_{xy} , so if senator Y cosponsors many bills and amendments sponsored by senator X , then W_{xy} will be large, and the inverse of W_{xy} will be small. A small value on $1/W_{xy}$ – which represents the distance senator X must travel in the network to reach senator Y – indicates that senator X is closely connected to senator Y .

If senator Y did not cosponsor any bills or amendments sponsored by senator Y during a given congress, then W_{xy} equals 0 and the length of the path from senator X to senator Y ($1/W_{xy}$) is undefined. To handle these situations, Dijkstra's algorithm employs the logic that an intermediary can serve as a bridge between

¹⁷ For instance, on bills containing a single cosponsor ($c = 1$), the connection from sponsor to cosponsor is assigned a value of 1. On bills with 10 cosponsors ($c = 10$), the connection of the sponsor to each of the ten cosponsors is $1/10$.

¹⁸ Let me suggest two alternative and arguably better ways to assign weight to cosponsorships. The first method would be to rank-order each cosponsorship so that early cosponsorships obtain higher (stronger) weights in comparison to cosponsorships that occur late in the life of a bill. Using Fowler's approach, adding n cosponsors on a given bill will reduce the estimates of other sponsor-cosponsor connections by $1/n$. However, there is little reason to believe that previously-established connections on a given piece of legislation would be impacted by additional cosponsors signing on. A second method would be to count the number of legislative days that elapse between the time that the first cosponsor and the n th cosponsor signs on and assign weights accordingly. Either of these methods would be preferable to Fowler's because senators tend to start with their closest colleagues when attempting to mobilize support behind their legislative initiatives.

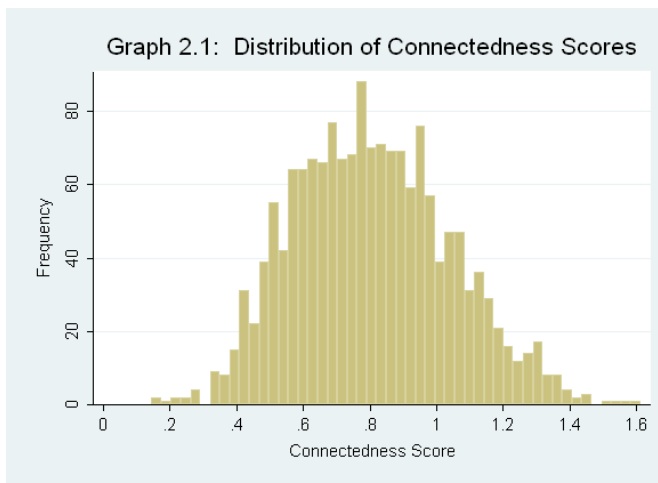
weakly connected (or disconnected) actors in a network. If the direct path from senator X to senator Y is undefined or very long, then Dijkstra's algorithm will locate an intermediary (senator Z) who most closely connects senator X to senator Y . In these instances, the shortest path from X to Y (through Z) equals $1/W_{xz} + 1/W_{zy}$, the sum of the distances connecting X to Z and Z to Y . In most instances the shortest distance between two senators is equal to the direct path between them, but Dijkstra's algorithm will always use an intermediary in cases where $1/W_{xz} + 1/W_{zy}$ is shorter (has a smaller numerical value) than $1/W_{xy}$.¹⁹ Using Dijkstra's algorithm and the relational weights used to connect senators to one another, Fowler estimates each senator's *connectedness* in the network based on the average distance a senator must travel to reach each of his or her n other colleagues. The mathematical expression for *connectedness* reads as follows:

$$\text{Connectedness}_{\text{senator } X} = (1/W_{X1} + 1/W_{X2} + 1/W_{X3} + 1/W_{X4} + \dots + 1/W_{Xn}) / (n - 1)$$

In the Senate, values of *connectedness* vary from 0.14 to 1.61 as illustrated in Graph 2.1. Scores appear normally distributed around a mean of 0.92 with a standard deviation of 0.24. A list of the ten most connected and least connected senators in each congress is appended in Table 2.1.

Section II. Refining Connectedness to Reflect Embeddedness

Lists displayed in Table 2.1 caution against the use of *connectedness* as a measure of a senator's social standing in the chamber. The major limitation to the use of *connectedness* in this way is its sensitivity to the quantity of legislation sponsored by each senator. A connectedness score increases with each additional cosponsorship, so senators who sponsor many bills and amendments will attract more cosponsors than those who propose fewer pieces of legislation, all else equal.²⁰ For instance, Russ Feingold sponsored 254 bills and amendments during the 107th Congress and earned the highest connectedness score of any of the 290 senators who served in the Senate between 1973 and 2004.²¹ His *connectedness* was 1.61 during that congress, but few observers are likely to cite Feingold as the chamber's most central senator. To be sure, top ten lists in Table 2.1 display a disproportionate number of active legislative sponsors – George McGovern (D-MN), James Abourezk (D-SD), Daniel Patrick Moynihan (D-NY), and Charles Schumer (D-NY) among them – while senators who propose fewer measures seem to dominate the bottom-ten lists. Wallace Johnson (R-UT) ranks as the least connected senator with a 0.14 during the 96th Congress; he proposed only 34 bills during that congress. As a general rule, more sponsorships create more cosponsorships and a higher connectedness score.



¹⁹ This approach allows connectedness scores to reflect the benefits of maintaining close relationships to well-connected members of the network.

²⁰ To David Mayhew (1974), the production of legislation is best understood as electoral strategy, an opportunity to engage in advertising, position-taking and credit-claiming. "In a large class of legislative undertakings, the electoral payoff is for positions not effects" he writes (132).

²¹ Campbell (1982) reports that young and active liberals like Russ Feingold are also the most frequent cosponsors.

Majority senators also tend to receive higher scores in comparison to their minority colleagues. Democrats controlled the Senate for about half of the years between 1973 and 2004 and during those years 56 of the 80 most-connected senators were Democrats (70%).²² When Republicans organized the chamber, they occupied 51 of the 70 most-connected positions (73%). The positive correlation between *connectedness* and majority status might result from differences in legislative activity between members of the majority and minority party: 59,262 bills were considered between 1973 and 2004 and 36,918 of those (62%) were sponsored by a majority senator; 52,039 amendments were proposed between 1981 and 2004, and 27,642 of those (53%) came from a majority senator.²³ Majority senators also benefit from a broader set of friendly bills to support and probably cosponsor more measures than they would otherwise. But there is no reason to assume that senators who sponsor and cosponsor fewer bills and amendments or serve in the minority are any less embedded in the chamber. For instance, senators can exert considerable influence through the use of procedural blocking tactics: Richard Russell (D-GA) and James Allen (D-AL) are notable examples. Plus, southern Democrats were established members of the Senate for much of the 20th Century on account of the one-party south and the seniority system used to assign committee chairmanships.

Fortunately, drawbacks to the use of *connectedness* as a measure of social standing can be corrected for with a three step procedure. The first step is to multiply the number of bills each senator sponsored during a given congress by the average number of cosponsorships across all bills considered during that two-year period.²⁴ The next step is to repeat the process for amendments, and the final step is to divide each senator's connectedness score by the sum of both products. These three steps provide a more accurate measure of the degree to which a senator is embedded within the social structure of the chamber.²⁵ The mathematical relationship between Fowler's measure of *connectedness* and my measure of *embeddedness* is written as follows:

$$\textit{Embeddedness} = \frac{\textit{Connectedness}}{[(\textit{bills}_{\textit{sponsored}} * \textit{bill}_{\textit{cosponsors}}_{\textit{chamber average}}) + (\textit{amends}_{\textit{sponsored}} * \textit{amend}_{\textit{cosponsors}}_{\textit{chamber average}})]}$$

Two features of embeddedness scores are worth emphasizing. First, senators earn high scores by wooing cosponsors across a broad range of their policy initiatives. They earn low scores by offering proposals that fail to attract even a single cosponsor. Recall that for each bill or amendment that is cosponsored, the *connectedness* of the sponsor to his or her colleagues will increase by a total of 1 regardless of how much additional support a proposal receives after a primary cosponsor signs on.²⁶ Second, embeddedness

²² Democrats held the majority during the 93rd, 94th, 95th, 96th, 100th, 101st, 102nd and 103rd congresses (1973-80; 1987-94). Republicans were in control during the 97th, 98th, 99th, 104th, 105th, 106th, and 108th congresses (1981-86; 1995-2000; 2003-04). The 107th Congress (2001-02) is excluded because control of the Senate flipped on two separate occasions; first on January 20, 2001 when Dick Cheney replaced Al Gore as the tie-breaking vote in an equally-divided chamber, and then again on May 24, 2001 when Jim Jeffords of Vermont left the GOP to caucus with the Democrats.

²³ The Senate majority party held an average of 55 seats during this period. Democrats occupied an average of 58 seats as the majority party while the Republican average was 53.

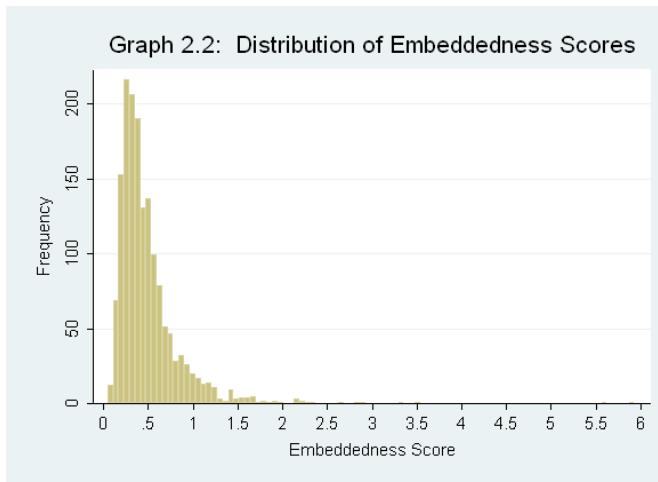
²⁴ Appendix 2.2 displays the average number of cosponsors per bill and amendment during each congress.

²⁵ An alternative measure of embeddedness could account for personal interactions among senators, perhaps by tracing personal conversations among them in the well of the Senate during a roll call vote. In the contemporary Senate, the 15 minutes allocated to a roll call vote provides a ripe occasion for social interaction. A generally tranquil place, the well becomes a beehive of activity when the roll is called and senators descend on the chamber to vote. Unfortunately, data of this kind are difficult to compile.

²⁶ Recall that the functional form $1/n$ is used to weight each sponsor-cosponsor connection. For instance, if senator X proposes 10 bills and each one attracts a single cosponsor, his or her connection to the network will increase by 1 for each of the ten cosponsors and 10 overall. At the same time, if 10 bills are offered and 10 cosponsors sign on to

scores are comparable over time. Notice that the denominator in the equation above includes two variables designed to account for fluctuations in aggregate levels of bill and amendment cosponsorships from congress to congress. Since cosponsorship plays a central role in calculations of *connectedness*, it is important to adjust those scores to reflect variations in cosponsorship activity over time.

Table 2.2 (appended) presents the highest and lowest scoring senators on my measure of *embeddedness* and Graph 2.2 illustrates the distribution of that variable. Between 1973 and 2004, Paul Sarbanes (D-MD) takes the prize as the Senate’s most embedded senator. He scored a 5.60 during the 95th Congress (1977-78) and earned the highest average of any of the 290 senators included here. Sarbanes was one of the most liberal senators during his time in office, but more importantly he was also one of the most trusted and respected. Evidence of Sarbanes’ social standing in the chamber can be found in the content of floor speeches delivered by colleagues in honor of his senatorial career. It is common practice for senators to acknowledge their departing colleagues at the conclusion of a congress, and Sarbanes’ retirement attracted attention from colleagues on both sides of the aisle. Quantifying emotions is difficult, but the emotional content of farewell speeches made on his behalf is unmistakable.²⁷



Eight senators in addition to Sarbanes relinquished their seats at the end of the 109th Congress: James Talent (R-MO); Conrad Burns (R-MT); Lincoln Chafee (R-RI); Mike DeWine (R-OH); Mark Dayton (D-MN); Rick Santorum (R-PA); Jim Jeffords (I-VT); and Bill Frist (R-TN). Comparatively little attention was paid to those senators, even from members of their own party, and commentary surrounding the departures of Rick Santorum and Bill Frist was noticeably absent. Not surprisingly, Frist and Santorum rank at or near the bottom of the embeddedness scale throughout their careers.²⁸

Section III. Influences on Legislative Success

Along with the embeddedness of senators in the chamber, their ideology, seniority, majority status, positions of party and committee leadership, and the number of cosponsors on each bill or amendment might also affect outcomes on the legislation they sponsor. Accounting for these influences can help us estimate more precisely the relationship between social standing and legislative success. As a prelude to logistic and linear regression analysis performed in section IV, this section outlines the expected influences of these attributes on the ability of senators to shepherd their bills and amendments through the Senate.

each one, the sponsor of these bills will also see an increase of 10 in the overall connection they have to the network because the sum of 100 cosponsors with a connection of 1/10 to the sponsor is 10. As this example demonstrates, embeddedness scores are sensitive to whether or not a proposal attracts at least one cosponsor but not to the total number of cosponsors beyond one on a given bill.

²⁷ Farewell speeches delivered on behalf of Paul Sarbanes can be found in the *Congressional Record* on the following days and pages: Sept. 29, 2006 (S. 10578-10584); Dec. 6, 2006 (S. 11243-11244, 11247, 11252-11259); Dec. 7, 2006 (S. 11462-11465); Dec. 8, 2006 (S.11607-11609); Dec. 27, 2006 (S. 11851-11854).

²⁸ Bill Frist (R-TN) lost favor with many of this colleagues on account of the perception that President Bush hand-picked him to be Majority Leader. His sometimes heavy-handed style of leadership – the “nuclear option,” for example – might have also alienated Frist from his colleagues.

Embeddedness. If social standing matters, then senators who are deeply embedded in the chamber should experience higher probabilities and rates of success on their own bills and amendments in comparison to colleagues located at the social periphery of the Senate network. By establishing and maintaining close ties to colleagues, embedded senators enjoy deeper reservoirs of political capital that they can use to build winning coalitions behind their legislative initiatives. Familiarity with colleagues and relationships built on trust can also make it easier to sidestep or overcome objections raised by others.

Connectedness. Research by Fowler (2006) suggests that the *connectedness* of senators can predict outcomes on the bills and amendments they sponsor. I include his measure in the analysis but estimate it separately from *embeddedness* as a way to adjudicate between the two measures.

Ideology. Legislation written by ideologically extreme senators probably faces a steeper uphill climb in comparison to bills and amendments sponsored by moderates.²⁹ Supermajority voting requirements in the Senate make the adoption of ideologically-pure policy a near-impossibility. Moderation is usually the path to success. As such, we would expect higher death rates for measures sponsored by ideologically-extreme senators in comparison to those of their moderate colleagues. Ideology is expressed here as the absolute value of the difference between a senator's DW-Nominate score and the chamber median along the first and second dimensions.³⁰ Ideology scores are preferable to party variables because party and ideology are highly correlated during this time period, but DW-Nominate scores allow for greater variation among senators within each congress and over time.

Seniority. The seniority of senators might also impact outcomes on their bills and amendments.³¹ Senate procedure is not straightforward, and junior senators generally require some time to absorb the Senate's complex rules and precedents. They might need to learn the politics of an issue, or the political dynamics of the chamber. Early on, the ability of junior senators to pass their bills and amendments could be limited as a result.³² But the influence of seniority on legislative success is probably not linear. For instance, an additional year of service from Robert Byrd (D-WV), the longest-serving member in Senate history, is unlikely to have the same effect on his ability to pass legislation as would an additional year of service for a first-term senator. The natural logarithm of seniority is the proper functional form in this context, but results are not sensitive to the choice of a logarithmic or linear expression of seniority.³³

²⁹ Moore and Thomas (1991) report that ideological extremism is negatively related to bill success rates.

³⁰ DW-Nominate scores represent ideology along two dimensions based on a senator's record of roll call voting during each congress. The first dimension expresses views toward government intervention in the economy as a way to differentiate between liberals and conservatives. The second dimension taps into "social" views on civil rights, gay marriage, abortion, the federal government's relationship to religious groups, and more. DW-Nominate stands for Dynamic Weighted Nominal Three-step Estimation. DW-Nominate creators Keith Poole and Howard Rosenthal provide a book-length treatment of their estimation technique in *Congress: A Political-Economic History of Roll Call Voting* (1997). Scores are available for download at: <http://www.voteview.com/DWNOMIN.HTM>

³¹ In their studies of the House, Frantzich (1979) and Cox and Terry (2008) report that seniority is positively related to legislative success for members of the majority party.

³² It is worth noting that by the 1970s, prevailing norms of apprenticeship and specialization had given way as the upper chamber became increasingly populated by young and ambitious liberals. The congressional election of 1974 ushered in a wave of liberal senators who campaigned vigorously against the Vietnam War and the excesses of the Nixon Administration, and those senators intended to make an immediate impact in the Senate. In collaboration with their House colleagues, junior senators pushed through a series of congressional reforms to enhance their power in the chamber. Standing committees were decentralized into subcommittees, and staff resources were increased and distributed more evenly across the chamber to ensure that all senators had ample opportunities to contribute to the legislative process. Congressional reforms of the 1970s remain in force today, and the organizational hierarchy of the Senate is relatively flat as a result. At about this time congressional scholars began to waive goodbye to the Senate's inner club (Polsby 1971).

³³ The upper chamber continues to benefit from the services of very old senators. In fact, the word Senate comes from the Latin word *senex* which means "old man." Etymology aside, advanced age can also sap a senator's

Majority Status. Predictably, senators enjoy higher rates of legislative success as members of the majority party.³⁴ Strength in numbers provides majority senators with legislative advantages over their minority colleagues, so service in the majority should boost probabilities and rates of success despite the impressive ability of minority senators to block legislation. For purposes of claiming credit, we should also expect the lionshare of adopted legislation to feature a majority party sponsor at a rate that exceeds the majority party's numerical advantage. As Smith (2007) argues, a primary responsibility of Senate leaders is to present their party to voters in the most favorable light to sustain or increase the party's seat-share in the chamber. The variable *majority* equals 1 if the sponsor of a bill or an amendment serves in the majority and 0 otherwise.³⁵

Party and Committee Leadership. Party leaders and committee chairman enjoy some key institutional advantages in the legislative process – the chairman's mark, the right of first recognition on the floor, influence in the bill referral process, the designation of conferees, and control of the schedule – all of which can benefit the legislative agendas of senators in positions of leadership.³⁶ To account for these advantages, the variable *Leader* equals 1 for Majority and Minority Leaders, and *Chair* equals 1 for chairmen of permanent standing committees (0 otherwise).³⁷ Party whips, regional whips, and caucus and conference chairs are certainly party leaders in their own right but are not coded here as party leaders.

Cosponsors. Cosponsoring legislation is a demonstration of support, and presumably a vote for passage, so bills and amendments with many cosponsors are more likely to pass than those with fewer.³⁸ The

influence in the chamber on account of poor health or mobility issues. A small handful of senators are excluded from analysis for this reason. Decisions to exclude particular senators are explained in Appendix 2.1.

³⁴ During periods of Democratic control, majority senators proposed 30,155 of the 51,036 bills and amendments considered by the Senate and 9,632 of those were successful (32%). Minority Republicans introduced 20,881 measures during the same period, and 5,124 of those passed (25%). When the GOP organized the Senate, Republicans sponsored 34,405 of the 60,265 measures under consideration and 9,906 of those passed (29%). Minority Democrats sponsored 25,860 bills and amendments, and 5,726 of those were adopted (22%). Success rates of majority and minority senators also differ between bills and amendments. On bills, majority senators enjoy a 24 percent rate of while minority senators display a 13 percent rate. On amendments, majority senators boast a 39 percent rate while minority senators obtain a 33 percent rate. Scholars acknowledge the electoral importance to the majority party in demonstrating legislative accomplishment to voters, especially on issues that they "own" or serve as the basis of the party's messaging operations. See especially Petrocik (1996); Sellers (1998); and Evans (2001).

³⁵ The majority status of Independents is determined by the party with which the senator caucuses. Harry Byrd (I-VA) and James Jeffords (I-VT) both caucused with the Democrats after shedding their previous party affiliation. Byrd was formerly a Democrat and Jeffords was a Republican.

³⁶ The Senate's amending process has undergone changes in recent years which make it more difficult for ideological extremists to force consideration of their amendments. Majority Leaders today are more willing to "fill the amendment tree" on pending legislation using their right of first recognition on the Senate floor. This procedural tactic is employed in the following way. After formally introducing a bill, the Majority Leader asks for recognition by the Presiding Officer, and recognition is granted per Senate precedents even if other senators are waiting to speak. Once recognized, the Majority Leader introduces a series of majority-favored amendments to the bill in such a way as to block the consideration of amendments considered objectionable to the majority leadership. Each bill is granted a finite number of entry points where amending activity is allowed to occur, and amendments can not be proposed to bills with full amendment trees.

³⁷ I do not mean to minimize the importance of subcommittee chairmen to the Senate's legislative process, but those positions are distributed so widely among the Senate majority that it becomes difficult to distinguishing between the independent influences of majority status and committee chairmanships on legislative outcomes.

³⁸ Wilson and Young (1997) report that cosponsorships provided late in life of a bill have a minimal impact on passage. Schiller (1998) finds that senators tend to avoid cosponsoring legislation proposed by their same-state colleague, especially when both senators share the same party identification. She explains that senators from the same state and party tend to compete rather than cooperate in order to craft distinct representational agendas.

variable *cosponsors* equals the total number of cosponsors on each bill or amendment to control for the baseline level of legislative support behind each measure.

Table 2.3 describes attributes of legislative sponsors across 59,262 bills introduced between 1973 and 2004 and 52,039 amendments proposed between 1981 and 2004. Four measures of legislative outcomes also appear in Table 2.3. Two are dichotomous: A bill or amendment either passes or fails during a congress. The other two represent batting averages on bills and amendments for each senator during each congress. Statistics of network centrality and bill and amendment batting averages are described using a separate dataset where the unit of analysis represents a senator-congress rather than an individual bill or amendment. When batting averages serve as the dependent variable, analysis is based on 1,602 observations of bill success rates and 1,203 observations of amendment success rates. A correlation matrix containing the variables listed here is appended in Table 2.10.

Notice that senators offer an average of 37 bills and 43 amendments in each congress.³⁹ The average bill attracts 5 or 6 cosponsors and amendments average about 1. To be sure, bills and amendments display different legislative dynamics in the Senate – germaneness rules do not apply to amending activity whereas the consideration of bills is more tightly controlled by committee and party leaders – so analysis depends to some degree on the type of measure under consideration. Table 2.3 separates variable descriptions by bills and amendments for this reason.

Table 2.3: Descriptive Statistics

<i>Network Centrality Variables</i>		Mean	Std. Dev.	Min	Max
Connectedness		0.81	0.24	0.14	1.61
Embeddedness*		0.50	0.39	0.05	5.93
<i>Legislative Outcome Variables</i>					
Bill Passed or Failed		0.20	0.40	0	1
Amendment Passed or Failed		0.36	0.48	0	1
Bill Batting Average		0.20	0.16	0	1
Amendment Batting Average		0.36	0.27	0	1
<i>Explanatory Variables</i>					
Ideology 1	Bills	0.31	0.23	0	1.08
	Amendments	0.36	0.25	0	1.08
Ideology 2	Bills	0.39	0.30	0	1.35
	Amendments	0.36	0.32	0	1.35
Seniority	Bills	1.93	0.69	0	3.26
	Amendments	1.89	0.63	0	3.26
Majority	Bills	0.62	0.49	0	1
	Amendments	0.53	0.50	0	1
Party Leader	Bills	0.05	0.21	0	1
	Amendments	0.03	0.17	0	1
Committee Chair	Bills	0.25	0.43	0	1
	Amendments	0.29	0.45	0	1
Cosponsors	Bills	5.68	11.64	0	99
	Amendments	1.09	3.45	0	98
Sponsorships	Bills	36.99	25.58	0	200
	Amendments	43.26	112.93	0	2831

* Embeddedness scores are multiplied by 100 to facilitate comparisons with *connectedness*.

Section IV. Explaining Senate Outcomes, 1973-2004

We can now use *embeddedness* and *connectedness* as independent variable to test the ability of each to explain legislative outcomes on bills and amendments. In Model 1, each case in the analysis is either a bill or an amendment, and those measures (*m*) either pass the chamber during a congress or fail to do so. Binomial logistic regression is the proper estimation technique for dichotomous dependent variables and will be employed here. Calculating bill and amendment batting averages for each senator provides an alternative perspective for understanding the importance of social standing to legislative success.⁴⁰ Model 2 estimates bill and amendment success rates for each senator during each congress, so the unit of analysis in this context is a senator-congress. Ordinary least squares regression can be used here since

³⁹ Appendix 2.3 displays the average number of bills and amendments senators sponsored during each congress.

⁴⁰ Matthews (1960), Frantzich (1979), Moore and Thomas (1991), and Kousser (2005) use this approach to assess outcomes where outcomes are usually conceptualized as a measure of influence or achievement. Anderson, Box-Steffensmeier, and Chapman (2003) offer a critical review of congressional batting averages. Those authors prefer the number of bills plus amendments that pass on the floor as a measure of legislative achievement.

batting averages approximate normally-distributed continuous variables as illustrated in Graphs 2.3 and 2.4. Models 1 and 2 are displayed below.

Model 1: Probability ($m=1$) =

$$\beta_{network\ variable} + \beta_{ideology\ 1} + \beta_{ideology\ 2} + \beta_{seniority} + \beta_{majority} + \beta_{leader} + \beta_{chair} + \beta_{cosponsors}$$

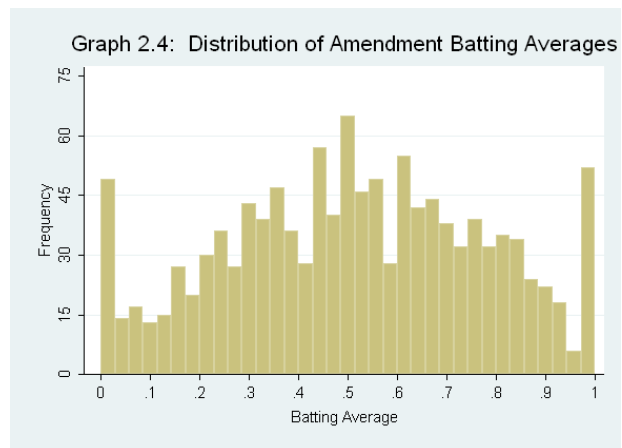
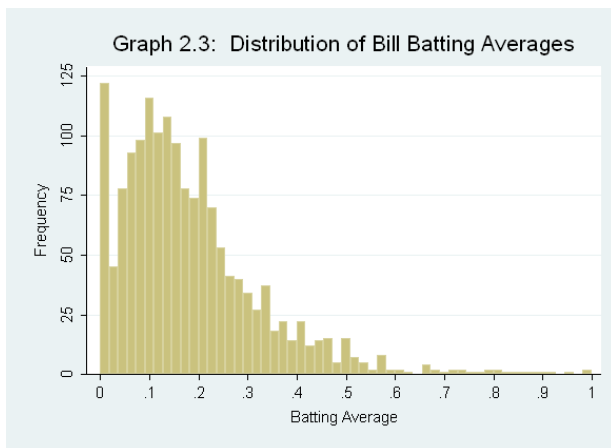
Model 2: Bills (Amendments) $passed$ / Bills (Amendments) $proposed$ =

$$\alpha + \beta_{network\ variable} + \beta_{ideology\ 1} + \beta_{ideology\ 2} + \beta_{seniority} + \beta_{majority} + \beta_{leader} + \beta_{chair} + \beta_{cosponsors} + \varepsilon$$

where:

- $\beta_{network\ variable}$ = embeddedness or connectedness of Senate sponsor (variables examined separately)
- $\beta_{ideology\ 1}$ = absolute value of sponsor's ideological distance from economic median of chamber
- $\beta_{ideology\ 2}$ = absolute value of sponsor's ideological distance from social median of chamber
- $\beta_{seniority}$ = natural logarithm of the number of congresses served
- $\beta_{majority}$ = dummy variable for majority status (majority = 1)
- β_{leader} = dummy variable for party leader (leader = 1)
- β_{chair} = dummy variable for permanent committee chairman (chair = 1)
- $\beta_{cosponsors}$ = the number of cosponsors on each bill or amendment⁴¹
- ε = stochastic term

If the *embeddedness* or *connectedness* of a senator does in fact improve probabilities (Model 1) and rates (Model 2) of legislative success, then positive and significant results should obtain in this section. Substantively speaking, positive results would provide evidence that a senator's social position in the Senate network – as encapsulated by his or her embeddedness or connectedness score – is meaningfully related to legislative outcomes. In a chamber of equals, establishing collaborative relationships should offer a clear path to legislative success. Tables 2.6 and 2.7 present results from logistic equations encompassing 59,262 bills and 52,039 amendments.⁴² Coefficient estimates are odds ratios and robust standard errors clustered by senator appear in parentheses.



⁴¹ When legislative batting averages serve as the dependent variable, the variable *cosponsors* equals the average number of cosponsors obtained by each senator on the bills or amendments he or she proposes during each congress.

⁴² The degrees of freedom in the analysis on bill batting averages is 1591: $n - k - 1 = 1600$ (16 sessions * 100 senators) - 8 independent variables - 1 = 1591. Degrees of freedom with amendment batting averages is 1193, a lower number due to a lack of amendment data for the 93rd, 94th, 95th, and 96th Congresses.

The odds ratio of 1.68 on *embeddedness* indicates that a one point increase is expected to boost the likelihood of bill passage by 68 percent (all else equal).⁴³ This result provides strong evidence that the *embeddedness* of Senate sponsors can predict bill outcomes: as senators become more embedded in the social network of the chamber, the more likely it becomes that any given bill they propose will be adopted. In contrast, the legislative *connectedness* of bill sponsors is expected to produce a negative effect on the probability of bill passage. This result calls into question the importance of a senator's *connectedness* to successful outcomes on his or her bills across the 1973 to 2004 period.

Ideological distances from the chamber medians are not statistically related to bill outcomes, and estimates below 1 are encouraging since we would expect a negative relationship between extreme ideology and legislative success. Seniority is estimated to significantly boost the probability of bill passage, but recall that a unit increase in seniority can represent many additional congresses on account of the underlying logarithmic function.⁴⁴

Table 2.6: Logistic Regression on Bills

	<i>Embeddedness Equation</i>	<i>Connectedness Equation</i>
Embeddedness	1.681*** (0.165)	---
Connectedness	---	0.508*** (0.063)
Ideology 1	0.976 (0.133)	1.112 (0.157)
Ideology 2	1.167 (0.136)	1.086 (0.128)
Seniority	1.248*** (0.060)	1.265*** (0.063)
Majority	2.015*** (0.184)	2.087*** (0.190)
Party Leader	11.367*** (2.732)	11.901*** (2.678)
Committee Chair	1.447*** (0.138)	1.415*** (0.126)
Cosponsors	1.037*** (0.002)	1.038*** (0.002)
Wald χ^2	840.06	960.90
Pseudo R ²	0.115	0.116
N	59,262	59,262

*** p < 0.001 ** p < 0.05 * p < 0.1 (two-tailed)

Serving in the majority or occupying a position of party and committee leadership is expected to positively and significantly increase the likelihood a bill will pass, a likely reflection of the agenda setting powers of the majority party and the institutional advantages enjoyed by party and committee leaders. The desire to demonstrate legislative achievement to voters also means that successful bills often feature a majority party sponsor – the chairman's mark, for example – at a rate that exceeds the majority party's numerical advantage. Attracting additional cosponsors is expected to increase the probability of bill passage. Odds ratios suggest that each additional cosponsor boosts the probability of passage by about 4 percent. Table 2.7 displays results when the dependent variable represents passage or failure of an amendment.

⁴³ The S-shaped distribution underlying probability analysis means that the greatest rate of change occurs at the mean of the dependent variable.

⁴⁴ A one-unit shift in seniority approximates a shift from 1 to 3 congresses served, or from 4 to 10 congresses: Ln (3 congresses) = 1.09, Ln (1 congress) = 0, and 1.09 – 0 \approx 1, while Ln (10 congresses) = 2.30, Ln (4 congresses) = 1.39, and 2.30 – 1.39 \approx 1.

The most impressive result in Table 2.7 is the magnitude and significance of the odds ratio on *embeddedness*. That estimate suggests that a one unit increase in the *embeddedness* of an amendment sponsor more than quadruples the probability of passage when other variables are fixed at their means. Needless to say, embedded senators fare quite well during the amending process in comparison to their socially-peripheral colleagues. By comparison, the *connectedness* of an amendment sponsor is expected to produce a negative but insignificant impact on the likelihood of passage.

An amendment sponsor's ideological separation from the median economic and social viewpoints of the chamber is positively but not statistically correlated with amendment passage. Positive and significant estimates do obtain for the seniority and majority status of amendment sponsors, as was the case for bill sponsors. A shift in seniority increases the prospects of amendment passage by about 60 percent, while majority-sponsored amendments are more than twice as likely to pass in comparison to amendments proposed by a minority senator.

Interestingly, positions of party leadership are not statistically related to amendment outcomes. While party leaders enjoy dramatic advantages during the consideration of their bills, they fare about as well as the average senator during the amending process. Committee chairs seem to fare even worse than party leaders; estimates are negative and significant in both equations. To be sure, amendments can come from any senator and are not subject to the same vetting process as are bills. Senate leaders are constrained by permissive amending rules in preventing the consideration of an amendment, especially in the presence of an intense numerical minority. Plus, if party and committee leaders can shape the contents of a bill in committee, then they will not need to amend it on the floor.

Each additional cosponsor is expected to boost the likelihood of amendment passage by about 14 percent. Amendment cosponsors appear to be worth more than bill cosponsors to passage, but this result might be driven by the scarcity of amendments that attract even a single cosponsor. The average number of cosponsors per amendment is 1.1 and the median is 0, whereas bills average 5 or 6 cosponsors.

The two network variables display contrasting relationships to successful outcomes on individual bills and amendments: *embeddedness* is positively correlated with passage while *connectedness* assumes a negative relationship. Seniority and majority status also predict legislative success on bills and amendments, while the party and committee leadership advantage seems to depend on the type of measure under consideration. During debate on their bills, party and committee leaders are more likely to win than the average senator, but on amendments, positions of leadership matter far less while attracting cosponsors matters more.

Table 2.7: Logistic Regression on Amendments

	<i>Embeddedness Equation</i>	<i>Connectedness Equation</i>
Embeddedness	4.840*** (1.956)	---
Connectedness	---	0.804 (0.421)
Ideology 1	1.076 (0.209)	1.175 (0.260)
Ideology 2	1.194 (0.365)	1.316 (0.448)
Seniority	1.590*** (0.170)	1.631*** (0.205)
Majority	2.197*** (0.279)	2.360*** (0.354)
Party Leader	1.119 (0.248)	0.835 (0.188)
Committee Chair	0.512** (0.134)	0.384** (0.122)
Cosponsors	1.139*** (0.018)	1.149*** (0.022)
Wald χ^2	94.14	83.13
Pseudo R ²	0.073	0.056
N	52,039	52,039

*** p < 0.001 ** p < 0.05 * p < 0.1 (two-tailed)

Shifting from Model 1 to Model 2 allows us to estimate senatorial batting averages on bills and amendments using ordinary least squares analysis. Explanatory variables included in the logistic equations are transferable to the linear equations, but interpretation of the variable *cosponsors* differs slightly.⁴⁵ The linear equations also include the intercept term α . Tables 2.8 and 2.9 present results using bill and amendment batting averages where coefficients represent expected changes to a senator's bill or amendment batting average. Robust standard errors clustered by senator appear in parentheses.

A one point increase in *embeddedness* is estimated to produce a positive and significant 6 percent boost to a senator's bill batting average when other variables are fixed at their means. The average senator sponsors about 37 bills during each congress, so a positive shift in *embeddedness* suggests the passage of two additional bills. Connectedness scores are also statistically related to success rates on bills, but negatively so. A unit increase in *connectedness* is expected to drop rates of bill success by 9 percent. Here again, the *connectedness* of sponsors seems to work against them during the consideration of their bills.

Ideological departures from the economic and social medians of the chamber are weakly related to bill batting averages while seniority and majority status are expected to produce a positive and significant impact (all else equal). A unit increase in seniority correlates with a 3 percent jump in a bill sponsor's batting average, while majority senators enjoy bill success rates that are 7 to 8 percentage points higher than those of their minority colleagues. Positions of party and committee leadership are also strongly related to bill batting averages, and the estimated influence of party leadership is especially dramatic: party leaders are expected to enjoy bill success rates that are 44 percentage points higher in comparison to their colleagues.⁴⁶ Committee chairmen enjoy a more modest advantage of 7 to 8 percent.

Table 2.8: Multivariate Analysis of Bill Batting Averages

	<i>Embeddedness Equation</i>	<i>Connectedness Equation</i>
Embeddedness	0.061*** (0.013)	---
Connectedness	---	-0.093*** (0.016)
Ideology 1	0.002 (0.017)	0.010 (0.017)
Ideology 2	0.023 (0.015)	0.014 (0.015)
Seniority	0.032*** (0.006)	0.032*** (0.007)
Majority	0.075*** (0.009)	0.078*** (0.010)
Party Leader	0.440*** (0.060)	0.442*** (0.058)
Committee Chair	0.077*** (0.015)	0.075*** (0.015)
Cosponsors	0.006*** (0.001)	0.006*** (0.001)
Intercept	-0.001 (0.018)	0.101*** (0.021)
R ²	0.368	0.366
F Test	40.09	43.64
N	1,602	1,602

*** p < 0.001 ** p < 0.05 * p < 0.1 (two-tailed)

⁴⁵ When the dependent variable expresses passage or failure of a bill or an amendment, *cosponsors* reflects the number of cosponsors obtained on that measure to control for the baseline level of support behind each proposal. When bill or amendment batting averages serve as the dependent variable, *cosponsors* equals the average number of cosponsors obtained across all the bills or amendments proposed by each senator during that congress. In this setting, *cosponsors* controls for the popularity of a senator's legislative program.

⁴⁶ The level importance of party leadership for explaining variance in bill success rates is in line with the level importance of serving as a committee chair and as a member of the majority: $\beta X_{leader} = (0.44) * (0.04) = 0.018$; $\beta X_{chair} = (0.077) * (0.26) = 0.020$; $\beta X_{majority} = (0.075) * (0.58) = 0.044$. Majority status induces the greatest effect on the dependent variable among these three variables.

The average number of cosponsors per bill is positively related to rates of success, but it takes many additional cosponsors to produce any real movement. The variable *cosponsors* in the linear context represents the average number of cosponsors obtained across all bills, so a one unit increase in the variable can only be achieved by obtaining (on average) one extra cosponsor per bill. For the average senator who proposes 37 bills, obtaining an extra 37 cosponsors is estimated to increase his or her batting average by less than 1 percent.

Intercepts estimate batting averages for weakly embedded (or disconnected) moderates who serve in the minority and who lack seniority, positions of leadership, and an ability to attract cosponsors. Bills success rates for those senators are approximately zero in the *embeddedness* equation and 10 percent in the *connectedness* equation. Both estimates fall below the average bill success rate of 20 percent, which is not surprising since seniority, majority status, positions of leadership, and the attraction of cosponsors are all positively associated with passage. Table 2.9 presents results when the dependent variable represents success rates on amendments.

Once again, the link between *embeddedness* and amendment success is positive and significant. The coefficient estimate of 0.061 indicates that embedded senators enjoy rates of amending success that are 6 points higher than those of the average senator. By comparison, an increase in *connectedness* is expected to drop a senator's amendment batting average by about 10 percent.

Not surprisingly, ideological distances from the economic and social medians of the chamber are expected to lower amendment batting averages. Seniority and majority status are important to amendment success rates just as they are to success rates on bills, if not more so. All else equal, a shift in seniority is estimated to increase amendment success rates by about 6 percent, while a shift from the minority to the majority is accompanied by a 14 percent increase. (In the bill context those estimates were 3 percent and 8 percent, respectively.) Party leaders and committee chairs experience lower rates of amendment passage in comparison to the average senator. These estimates reinforce previous findings that suggest party and committee leaders play a far more influential role on the consideration of bills than they do on amendments.

The average number of amendment cosponsors obtained by each senator is positively and statistically related to his or her amendment batting average, as expected. The average senator sponsors 43 amendments per congress, so an additional 43 cosponsors is expected to boost an amendment batting average by 3 percent. Intercepts estimate amendment batting averages for weakly embedded (or disconnected) moderates who lack seniority, majority status, positions of party or committee leadership, and skill in attracting cosponsors. An amendment batting average of 30 percent is expected of those senators in the *embeddedness* equation, and a 42 percent success rate is estimated in the *connectedness* equation. The 30 percent figure falls below the mean of 36 percent displayed in Table 2.3, a reassuring result, but the 42 percent rate seems a bit high.

Table 2.9: Multivariate Analysis of Amendment Batting Averages

	<i>Embeddedness Equation</i>	<i>Connectedness Equation</i>
Embeddedness	0.061** (0.029)	---
Connectedness	---	-0.106*** (0.043)
Ideology 1	-0.049 (0.035)	-0.045 (0.036)
Ideology 2	-0.017 (0.025)	-0.028 (0.025)
Seniority	0.058** (0.013)	0.061*** (0.013)
Majority	0.142*** (0.022)	0.144*** (0.022)
Party Leader	-0.055* (0.029)	-0.047 (0.029)
Committee Chair	-0.029 (0.031)	-0.030 (0.031)
Cosponsors	0.028*** (0.008)	0.027*** (0.008)
Intercept	0.304*** (0.041)	0.424*** (0.051)
R ²	0.108	0.109
F Test	12.43	12.48
N	1,203	1,203

*** p < 0.001 ** p < 0.05 * p < 0.1 (two-tailed)

R² statistics are roughly equal in the two equations used to explain bill and amendment batting averages, but we should not get carried away with model statistics. As Christopher Achen (1982, 59) argues, the R² statistic has great rhetorical value but doubtful meaning and “is best regarded as characterizing the geometric shape of the regression points and not much more.” Of far greater importance is the finding that the *embeddedness* of senators within the chamber is substantively related to outcomes on their bills and amendments and their rates of success.

Section V. Summary Discussion

Evidence presented here strongly supports the contention that social dynamics in the Senate play an important role in the policymaking process. Senate action requires a level of cooperation among its membership that is unparalleled in the House, so it makes sense that the *embeddedness* of senators can inform outcomes on their bills and amendments. Unfortunately, outward signs point to a breakdown of comity, civility, and mutual cooperation in the upper chamber. These ingredients are essential to successful Senate decision making, but if a recent exchange on the Senate floor between Jim Bunning (R-KY) and Robert Byrd (D-WV) is any indication, these ingredients are sorely lacking today.⁴⁷

Senate obstructionism is on the rise. Nowadays, torpedoing legislation with the filibuster is an almost costless activity because floor time is so scarce that “wars of attrition” are no longer practical. The majority party either moves forward with 60 votes, or it moves on. As Wawro and Schickler (2006) explain, “filibusters have become costless for the minority because the costs to the majority of engaging in wars of attrition have become prohibitively high.” External factors are largely to blame in their view:

Electoral demands are quite severe, both in terms of senators’ need to spend time in their home states as well as the perpetual drive to raise campaign funds. The “Tuesday to Thursday Club” – members of Congress who are in Washington only Tuesday through Thursday – once derisively described a subset of easterners who could afford to travel back home for long weekends, often to look after their law practices or business interests. This club is no longer exclusive, however, as most legislators have joined. As such, floor votes are rarely scheduled for Mondays and Fridays, and time for serious floor debate is limited...Fund-raising demands are particularly acute. In order to retain a seat in today’s Senate, an incumbent must raise millions of dollars, even in the smallest and least populous states with relatively inexpensive media markets (260).

Mann and Ornstein (2006) provide a cautionary tale regarding what they consider the “broken branch” of government. To them, Congress has abdicated its constitutional responsibility to represent, to legislate, and to check and balance the other branches. The root causes should sound familiar:

Uncompetitive elections, intense partisanship, nonstop campaign fundraising, and an ethics process in tatters have distorted the links between members and their constituents. The demise of regular order – the set of rules, precedents and norms that facilitate the orderly conduct of business in a legislature – has precipitated a sharp decline in the quantity and quality of deliberation. A breathtakingly aggressive assertion of executive authority on national security

⁴⁷ A recent vote on Medicare pricing was held open by an additional twenty-five minutes to give Hillary Clinton and Barack Obama enough time to get from a campaign fundraiser to the Senate floor to vote. Jim Bunning (R-KY) grew impatient while waiting for Clinton, the last to arrive, and demanded “regular order” to close the vote. A shouting match ensued between Bunning and Robert Byrd (D-WV) in which Byrd yelled “Who are you?” and further mocked his colleague as a “great baseball man.” The Hall of Fame pitcher retaliated by claiming (correctly) that he had the same rights on the Senate floor as did Byrd, the longest-serving member in Senate history. In the view of Senate veteran Arlen Specter (D-PA), “that display last night on the floor is something I’ve never seen.” Paul Kane, “Medicare Pricing Frozen As Congress Leaves Town,” *The Washington Post*, June 28, 2008, A3.

and domestic policy has been met by a feeble response from a largely supine and inattentive Congress. At the same time, Congress has eschewed nearly all serious oversight of agencies and programs. These derelictions in exercising its responsibilities have serious consequences – sloppy, ill-considered policy, flawed implementation, and public disillusionment with American democracy (2).

External pressures on senators appear to be adversely affecting the quality of senatorial life and the ability of senators to work collaboratively. As Tom Daschle (D-SD) explains, “Because we can’t bond, we can’t trust. Because we can’t trust, we can’t cooperate. Because we can’t cooperate, we become dysfunctional.”⁴⁸ With individualism and partisanship on the rise and a heavy reliance on dilatory tactics as a natural byproduct, gone are the days of the “go along, get along” Senate. But what happened? To adequately address this question, we need to unpack the pooled data analyzed here and examine changes in the Senate on a congress-by-congress basis. Chapter III performs the task.

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⁴⁸ David Rogers. 2009. “The Lost Senate,” *Politico*, October 9, p. 13.

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Table 2.1: Most and Least Connected Senators, 1973-2004

(**Boldface** = Democrat, C = chairman, L = party leader)

<u>93rd Congress (1973-74)</u>		CLARK	.40	<u>98th Congress (1983-84)</u>	
JACKSON (C)	.94	GARN	.38	HATCH (C)	1.28
MAGNUSON (C)	.85	WALLOP	.37	MOYNIHAN	1.27
MOSS (C)	.85	HATCH	.37	HEINZ	1.26
SPARKMAN	.85	YOUNG	.36	GARN (C)	1.17
PERCY	.85	HATFIELD, P.	.34	SPECTER	1.17
KENNEDY	.83	SCOTT, W.	.33	KENNEDY	1.16
HUMPHREY	.83	CHAFEE	.27	D'AMATO	1.14
CRANSTON	.82	MCCLELLAN	.27	MATHIAS (C)	1.13
MONDALE	.82	ZORINSKY	.21	THURMOND (C)	1.10
FULBRIGHT (C)	.81			<u>DURENBERGER</u>	<u>1.10</u>
SCOTT, W.	.45	<u>96th Congress (1979-80)</u>		EXON	.58
PEARSON	.42	DOLE, R.	.84	LUGAR	.57
BIDEN	.42	NELSON, G. (C)	.79	RANDOLPH	.56
HATHAWAY	.40	BAYH	.77	BIDEN	.52
BYRD, H.	.39	WILLIAMS (C)	.77	ZORINSKY	.50
AIKEN	.33	MCGOVERN	.76	KASSEBAUM	.50
STAFFORD	.33	LONG (C)	.75	LONG	.49
CASE	.32	JAVITS	.75	BURDICK, Q.	.44
HUDDLESTON	.24	BENTSEN	.71	LAXALT	.25
BENNETT, W.	.14	MOYNIHAN	.69	HECHT	.23
		KENNEDY (C)	.69		
<u>94th Congress (1975-76)</u>		FORD	.39	<u>99th Congress (1985-86)</u>	
MOSS (C)	1.12	BRADLEY	.37	THURMOND (C)	1.37
KENNEDY	.99	GRAVEL	.36	DOLE, R. (L)	1.32
HUMPHREY	.96	YOUNG	.34	HATCH (C)	1.31
PERCY	.95	SIMPSON	.33	D'AMATO	1.31
SCOTT, H. (L)	.95	MUSKIE (C)	.32	HOLLINGS	1.21
MONDALE	.93	STAFFORD	.27	HEINZ	1.19
CHURCH	.92	ZORINSKY	.26	MOYNIHAN	1.18
MANSFIELD (L)	.91	BOSCHWITZ	.19	BYRD, R. (L)	1.16
INOUE	.91	EXON	.16	KENNEDY	1.12
JAVITT	.90			<u>ROTH (C)</u>	<u>1.12</u>
GRIFFIN	.45	<u>97th Congress (1981-82)</u>		PACKWOOD (C)	.60
GLENN	.45	HEINZ	.91	ANDREWS (C)	.59
FORD	.44	DOLE, R. (C)	.88	LONG	.59
CULVER	.43	MOYNIHAN	.87	RUDMAN	.57
BUMPERS	.43	THURMOND (C)	.86	SASSER	.56
SYMINGTON	.42	CRANSTON	.83	COCHRAN	.56
MORGAN	.41	HAYAKAWA	.81	HECHT	.54
BYRD, H.	.40	STAFFORD (C)	.81	BURDICK	.52
YOUNG	.38	DURENBERGER	.80	LAXALT	.51
STAFFORD	.37	HELMS (C)	.78	STENNIS	.36
		<u>DANFORTH</u>	<u>.77</u>		
<u>95th Congress (1977-78)</u>		GRASSLEY	.49	<u>100th Congress (1987-88)</u>	
DOLE, R.	.90	JOHNSTON	.48	CRANSTON (C)	1.46
KENNEDY	.87	BRADLEY	.46	WILSON	1.30
MCGOVERN	.81	ANDREWS	.45	BYRD, R. (L)	1.30
JACKSON (C)	.79	STENNIS	.44	KENNEDY (C)	1.29
CHURCH	.78	EXON	.43	DECONCINI	1.26
NELSON, G. (C)	.78	LONG	.43	DOLE, R. (L)	1.26
THURMOND	.75	FORD	.42	HATCH	1.21
ABOUREZK (C)	.74	BURDICK, Q.	.42	MURKOWSKI	1.15
MAGNUSON (C)	.74	ZORINSKY	.41	MELCHER	1.15
<u>BROOKE</u>	<u>.74</u>			<u>THURMOND</u>	<u>1.11</u>

KASTEN	.58	MACK	.99	JEFFORDS (C)	1.26
RUDMAN	.58	KERRY	.98	MCCAIN (C)	1.26
SARBANES	.56	RIEGLE	.98	HARKIN	1.23
STENNIS (C)	.52	CRAIG	.59	KYL	1.20
BOND	.50	GREGG	.58	COVERDELL	1.19
ZORINSKY	.47	HEFLIN	.58	WELLSTONE	1.19
COCHRAN	.46	KEMPTHORNE	.54	<u>SNOWE</u>	<u>1.19</u>
LUGAR	.44	LOTT	.52	THURMOND	.75
PACKWOOD	.44	EXON	.50	HOLLINGS	.75
SIMPSON	.39	COCHRAN	.50	ENZI	.74
		KRUEGER	.42	THOMAS	.73
		COATS	.39	KERREY	.71
		FAIRCLOTH	.32	INHOFE	.69
				LINCOLN	.69
<i><u>101st Congress (1989-90)</u></i>		<i><u>104th Congress (1995-96)</u></i>		NICKLES	.64
KENNEDY (C)	1.39	DOLE, R. (L)	1.58	BYRD, R.	.62
MOYNIHAN	1.35	MCCAIN (C)	1.28	HAGEL	.55
CRANSTON (C)	1.29	HATCH (C)	1.27		
HATCH	1.27	PRESSLER (C)	1.17	<i><u>107th Congress (2001-02)</u></i>	
MITCHELL (L)	1.25	DASCHLE (L)	1.16	FEINGOLD	1.61
PELL (C)	1.23	BROWN	1.12	KERRY	1.53
DECONCINI	1.22	D'AMATO (C)	1.11	KENNEDY (C)	1.50
SIMON	1.22	LEAHY	1.10	SNOWE	1.46
<u>DOLE, R. (L)</u>	<u>1.22</u>	ABRAHAM	1.08	COLLINS	1.46
RUDMAN	.63	<u>MCCONNELL</u>	<u>1.08</u>	FEINSTEIN	1.39
LOTT	.62	PACKWOOD (C)	.69	WELLSTONE (C)	1.38
LUGAR	.61	LIEBERMAN	.68	MCCAIN	1.38
PACKWOOD	.60	MIKULSKI	.67	DODD (C)	1.37
MIKULSKI	.60	COATS	.65	<u>THURMOND</u>	<u>1.36</u>
HEFLIN	.58	MURRAY	.65	CRAPO	.79
SARBANES	.55	ASHCROFT	.63	BENNETT	.77
ROBB	.50	PELL	.60	CHAFEE, L.	.76
SHELBY	.50	FRIST	.49	INHOFE	.76
COCHRAN	.47	THOMPSON	.48	BURNS	.75
		INHOFE	.43	ENSIGN	.73
				NELSON, BEN	.72
<i><u>102nd Congress (1991-92)</u></i>		<i><u>105th Congress (1997-98)</u></i>		ROBERTS	.70
MITCHELL (L)	1.23	MCCAIN (C)	1.36	NICKLES	.66
DOLE, R. (L)	1.21	ABRAHAM	1.30	HAGEL	.63
DECONCINI	1.21	LEVIN	1.24		
MCCAIN	1.21	THURMOND (C)	1.14	<i><u>108th Congress (2003-04)</u></i>	
CRANSTON (C)	1.17	JEFFORDS (C)	1.14	MCCAIN (C)	1.43
D'AMATO	1.13	GRASSLEY	1.13	HATCH (C)	1.41
KENNEDY (C)	1.13	KERRY	1.12	BINGAMAN (C)	1.37
SIMON	1.12	CHAFEE, J. (C)	1.12	GRASSLEY (C)	1.35
INOUE (C)	1.11	LOTT (L)	1.11	FEINGOLD	1.34
<u>DOMENICI</u>	<u>1.09</u>	COVERDELL	1.10	KYL	1.33
SIMPSON	.63	THOMAS	.63	KENNEDY	1.33
WARNER	.62	KEMPTHORNE	.61	LEAHY	1.33
CRAIG	.60	MIKULSKI	.60	SCHUMER	1.32
WALLOP	.59	AKAKA	.58	<u>DOMENICI</u>	<u>1.32</u>
HEFLIN	.58	SESSIONS	.58	ROCKEFELLER	.77
SMITH, R.	.56	INOUE	.56	ENZI	.77
ROBB	.54	BYRD, R.	.55	ALEXANDER	.76
SHELBY	.51	ENZI	.55	HAGEL	.76
HEINZ	.50	LANDRIEU	.48	CRAPO	.73
RUDMAN	.49	HAGEL	.48	SUNUNU	.67
				DOLE, E.	.63
<i><u>103rd Congress (1993-94)</u></i>		<i><u>106th Congress (1999-00)</u></i>		CHAFEE, L.	.63
MITCHELL (L)	1.20	HATCH (C)	1.36	PRYOR, M.	.62
MCCAIN	1.17	ABRAHAM	1.28	NELSON, BILL	.57
DECONCINI	1.15	GRASSLEY	1.27		
DOLE, R. (L)	1.15				
KENNEDY (C)	1.05				
ROCKEFELLER (C)	1.03				
INOUE (C)	1.01				

Table 2.2: Most and Least Embedded Senators, 1973-2004

(**Boldface** = Democrat, C = chairman, L = party leader)

<u>93rd Congress (1973-74)</u>		MATHIAS	.28	<u>98th Congress (1983-84)</u>	
COTTON	1.79	JACKSON (C)	.27	EVANS, D.	2.91
HUGHES, H.	1.74	RIBICOFF (C)	.27	RUDMAN	1.94
SAXBE	1.56	INOUYE	.25	JACKSON	1.66
HASKELL	1.48	ABOUREZK (C)	.25	STENNIS	1.54
NUNN	1.40	PROXMIRE (C)	.25	HECHT	1.47
HUDDLESTON	1.35	CRANSTON (C)	.25	SARBANES	1.25
BYRD, H.	1.22	DOLE, R.	.25	FORD	.89
PEARSON	1.19	BARTLETT	.25	BINGAMAN	.89
STENNIS (C)	1.17	BYRD, R. (L)	.22	LUGAR	.86
<u>AIKEN</u>	<u>1.17</u>			LEAHY	.83
KENNEDY	.25	<u>96th Congress (1979-80)</u>		BENTSEN	.16
JAVITS	.23	HUMPHREY, G.	1.95	MOYNIHAN	.16
HUMPHREY, H.	.23	SARBANES	1.80	THURMOND (C)	.15
INOUYE	.23	BRADLEY	1.63	PERCY (C)	.14
STEVENS	.23	KASSEBAUM	1.61	HART, G.	.14
MOSS (C)	.22	GARN	1.44	INOUYE	.13
BENNETT, W.	.21	LAXALT	1.41	METZENBAUM	.13
HARTKE (C)	.20	YOUNG	1.28	DOLE, R. (C)	.11
JACKSON (C)	.19	SIMPSON	1.27	BAKER (L)	.11
MAGNUSON (C)	.17	ZORINSKY	1.17	HATCH	.05
		FORD	1.14		
		RIBICOFF (C)	.22	<u>99th Congress (1985-86)</u>	
<u>94th Congress (1975-76)</u>		NELSON, G. (C)	.22	STENNIS	5.93
GLENN	3.48	INOUYE	.22	RUDMAN	2.16
CULVER	3.32	DOMENICI	.21	EAST	1.45
DURKIN	2.81	PELL (C)	.20	EAGLETON	1.23
YOUNG	2.37	CHURCH (C)	.20	ROCKEFELLER	1.08
SYMINGTON	2.17	CANNON (C)	.19	SARBANES	1.01
FORD	1.94	CRANSTON (C)	.18	MCCONNELL	.99
LEAHY	1.62	BYRD, R. (L)	.15	HECHT	.72
GARN	1.56	JACKSON (C)	.15	HARKIN	.69
GOLDWATER	1.43			LONG	.66
BUMPERS	1.32	<u>97th Congress (1981-82)</u>		CRANSTON	.16
CANNON (C)	.29	SARBANES	2.28	DANFORTH (C)	.15
BENTSEN	.28	BYRD, H.	1.13	ROTH (C)	.15
DOLE, R.	.27	ANDREWS	1.12	HATCH (C)	.15
KENNEDY	.26	STENNIS	1.10	THURMOND (C)	.14
PROXMIRE (C)	.26	WILLIAMS	.99	METZENBAUM	.12
HUMPHREY H	.26	ABDNOR	.93	MATHIAS (C)	.12
MOSS (C)	.24	BIDEN	.92	HEINZ	.12
NELSON, G. (C)	.24	LAXALT	.91	INOUYE	.11
SPARKMAN (C)	.19	EAST	.86	DOLE, R. (L)	.10
JACKSON (C)	.14	EAGLETON	.80		
		INOUYE	.16	<u>100th Congress (1987-88)</u>	
<u>95th Congress (1977-78)</u>		PERCY (C)	.15	RUDMAN	1.32
SARBANES	5.60	BAUCUS	.14	COHEN	1.20
ZORINSKY	2.25	MOYNIHAN	.13	ZORINSKY	.94
BYRD, H.	2.25	THURMOND (C)	.12	SIMPSON	.86
HATFIELD, P.	2.18	BAKER (L)	.12	BOND	.78
YOUNG	1.64	MATHIAS (C)	.12	STENNIS (C)	.74
FORD (C)	1.44	PACKWOOD (C)	.10	CONRAD	.74
LUGAR	1.25	WEICKER (C)	.09	WARNER	.69
SASSER	1.24	METZENBAUM	.09	KASSEBAUM	.65
DANFORTH	1.21			ADAMS	.62
<u>MORGAN</u>	<u>1.08</u>				

PELL (C)	.16
JOHNSTON (C)	.16
DOLE, R.	.16
DURENBERGER	.14
CRANSTON (C)	.12
MOYNIHAN	.11
INOUYE (C)	.11
HEINZ	.10
HATCH	.09
BYRD, R. (L)	.08

101st Congress (1989-90)

ROBB	1.66
RUDMAN	1.66
SIMPSON	.93
COHEN	.77
KERREY	.72
LOTT	.56
GRAMM, P.	.56
NICKLES	.54
GARN	.54
<u>LUGAR</u>	<u>.54</u>
KENNEDY (C)	.17
BOSCHWITZ	.16
DECONCINI	.15
DOLE, R. (L)	.15
JOHNSTON (C)	.14
HEINZ	.13
INOUYE (C)	.12
MOYNIHAN	.12
CRANSTON (C)	.12
MITCHELL (L)	.09

102nd Congress (1991-92)

RUDMAN	1.66
KERREY	1.25
WELLSTONE	.99
COHEN	.91
ROBB	.77
GRAMM, P.	.69
WOFFORD	.62
SIMPSON	.57
COCHRAN	.54
<u>JEFFORDS</u>	<u>.54</u>
PELL (C)	.15
JOHNSTON (C)	.15
HATCH	.14
CRANSTON (C)	.14
INOUYE (C)	.14
METZENBAUM	.14
MOYNIHAN (C)	.13
THURMOND	.13
MCCAIN	.10
MITCHELL (L)	.10

103rd Congress (1993-94)

BENNETT, R.	1.50
LUGAR	1.42
FAIRCLOTH	1.26
PACKWOOD	.97
KRUEGER	.96
KERREY	.90

COVERDELL	.83
SIMPSON	.82
ROBB	.72
<u>BOND</u>	<u>.71</u>
LAUTENBERG	.22
PELL (C)	.22
INOUYE (C)	.19
ROTH	.19
DECONCINI	.19
FORD (C)	.18
SIMON	.17
JOHNSTON (C)	.16
MITCHELL (L)	.14
HELMS	.13

104th Congress (1995-96)

<u>PACKWOOD (C)</u>	<u>1.52</u>
BENNETT, R.	1.45
WYDEN	1.41
COVERDELL	1.35
ROBB	1.21
NUNN	1.16
MOSELEY-BRAUN	1.08
FORD	1.03
GRAMS	1.02
<u>MIKULSKI</u>	<u>1.00</u>
STEVENS (C)	.31
THURMOND (C)	.30
MURKOWSKI F (C)	.29
DASCHLE (L)	.28
HATCH (C)	.27
BRYAN	.25
MCCAIN (C)	.25
HELMS (C)	.23
DOLE, R. (L)	.21
D'AMATO (C)	.20

105th Congress (1997-98)

LANDRIEU	1.86
CLELAND	1.18
HAGEL	1.16
SMITH, R.	1.11
LIEBERMAN	1.08
BRYAN	.99
INHOFE	.98
BENNETT, R.	.94
SESSIONS	.92
<u>KEMPTHORNE</u>	<u>.90</u>
SNOWE	.26
CHAFEE, J. (C)	.26
MCCAIN (C)	.24
MOYNIHAN	.23
D'AMATO (C)	.22
INOUYE	.22
SPECTER (C)	.21
MURKOWSKI F (C)	.21
LOTT (L)	.18
HELMS (C)	.17

106th Congress (1999-00)

<u>MIKULSKI</u>	<u>1.18</u>
BRYAN	1.11

BYRD, R.	1.08
ROBERTS	.98
CHAFEE, L.	.97
BUNNING	.88
BAYH, E.	.79
BENNETT, R.	.73
GRAMM, P. (C)	.68
<u>LEVIN</u>	<u>.67</u>
TORRICELLI	.22
CAMPBELL	.22
MURKOWSKI, F. (C)	.22
HELMS (C)	.21
FEINSTEIN	.20
SCHUMER	.19
FITZGERALD	.18
MCCAIN (C)	.17
MOYNIHAN	.14
LOTT (L)	.13

107th Congress (2001-02)

<u>NELSON, BEN</u>	<u>2.63</u>
STABENOW	1.26
BENNETT, R.	1.17
MILLER	1.13
MIKULSKI	1.13
CHAFEE, L.	1.11
STEVENS (C)	1.00
KYL	.98
DAYTON	.93
<u>THOMAS</u>	<u>.91</u>
MCCAIN	.28
SMITH, R.	.28
ROCKEFELLER (C)	.27
REID (C)	.27
TORRICELLI	.26
CLINTON	.23
HELMS	.22
BINGAMAN (C)	.22
FEINSTEIN	.18
DASCHLE (L)	.17

108th Congress (2003-04)

CARPER	1.69
PRYOR, M.	1.24
DOLE, E.	1.12
BENNETT, R.	1.05
SUNUNU	1.04
KOHL	.91
CHAFEE, L.	.91
TALENT	.74
CHAMBLISS	.73
<u>NICKLES (C)</u>	<u>.69</u>
CLINTON	.25
SCHUMER	.24
BOXER	.24
HATCH (C)	.23
GRASSLEY (C)	.23
MCCAIN (C)	.22
SNOWE (C)	.21
BINGAMAN	.19
CAMPBELL	.19
FRIST (L)	.19

Table 2.10: Correlation Matrix

	Bill Passage	Batting Avg. Bills	Amendment Passage	Batting Avg. Amends	Embeddedness	Connectedness
Embeddedness	-.051*	.010	.176*	.013	1	-.316*
Connectedness	.035*	.012	.002	-.015	-.316*	1
Ideology 1	-.066*	-.166*	-.024*	-.150*	.102*	.033*
Ideology 2	.020*	.066*	.062*	.007	.084*	-.220*
Seniority	.114*	.252*	.085*	.100*	-.179*	.199*
Majority	.135*	.293*	.063*	.235*	-.123*	.114*
Party Leader	.263*	.410*	.032*	-.009	-.137*	.167*
Committee Chair	.090*	.297*	-.055*	.119*	-.274*	.155*
Cosponsors	.190*	.128*	.180*	.152*	.019*	.015*
Bills Sponsored	0.139*	0.135*	--	--	-.552*	.480*
Amendments Sponsored	--	--	-.224*	-.224*	-.157*	.161*

* Correlation is significant at the 0.01 level.

Appendix 2.1: Senators Excluded from Study

Senators listed in boldface served partial terms and were dropped during the following congresses. Comparability across senators depends on the equal opportunity of each to sponsor and cosponsor legislation with colleagues over the course of an entire congress. Data is preserved for the handful of senators who die in office because those senators – unlike their successors – had established relationships with colleagues at the outset of the congress. Quentin Burdick (D-ND) is the lone exception to this rule because he did not sponsor a single measure during the 102nd Congress on account of his failing health. Imposing a threshold number of sponsored amendments for inclusion in the study is tricky due to the difficulty in separating the effects of old age from preferences for legislative inactivity. Separation is more challenging when those influences run in same direction as is often the case with old southerners. Decisions are made on a case-by-case basis.

93rd (1973-74) – **Howard Metzenbaum** (D-OH) was appointed to the 93rd Congress on January 4, 1974 to fill the vacancy caused by the resignation of William Saxbe (R-OH). Saxby sponsored 9 bills during this congress and remains in the analysis.

95th (1977-78) – **Kaneaster Hodgers** (D-AR) was appointed to the 95th Congress on December 10, 1977 to fill the unexpired term caused by the death of John McClellan (D-AR). McClellan sponsored 8 bills during this congress as Chairman of Appropriations and remains in the analysis.

95th (1977-78) – **Maryon Allen** (D-AL) was appointed to the 95th Congress on June 8, 1978 to fill the unexpired term caused by the death of her husband James Allen (D-AL). James Allen sponsored 50 bills during this congress and remains in the analysis.

95th (1977-78) – **Muriel Humphrey** (D-MN) was appointed to the 95th Congress on January 25, 1978 to fill the unexpired term caused by the death of her husband, Hubert Humphrey (D-MN) but was not a candidate for reelection. Hubert Humphrey sponsored 78 bills during this congress and remains in the analysis.

96th (1979-80) – **Warren Rudman** (R-NH) was appointed to the 96th Congress on December 29, 1980 to fill the unexpired term caused by the resignation of John A. Durkin (D-NH). Durkin sponsored 73 bills during this congress and remains in the analysis.

96th (1979-80) – **George Mitchell** (D-ME) was appointed to the 96th Congress on May 17, 1980 to fill the vacancy caused by the appointment of Edmund Muskie (D-ME) to Secretary of State. Muskie sponsored 18 bills during this congress and remains in the analysis.

96th (1979-80) – **William Roth Jr.** (R-DE) did not sponsor a single bill or amendment during the 96th Congress. His connectedness score is undefined as a result.

97th (1981-82) – **Nicholas Brady** (R-NJ) was appointed to the 97th Congress on April 12, 1982 to fill the unexpired term caused by the resignation of Harrison Williams (D-NJ). Williams sponsored 11 bills during this congress and remains in the analysis.

97th (1981-82) – **Warren Rudman** (R-NH) sponsored only two bills during the 97th Congress for a connectedness score of 0.0118.

99th (1985-86) – **James Broyhill** (R-NC) was appointed to the 99th Congress on July 3, 1986 to fill the unexpired term caused by the death of John East (R-NC). East sponsored 7 bills during this congress and remains in the analysis.

102nd (1991-92) – **Jocelyn Burdick** (D-ND) was appointed to the 102nd Congress on September 12, 1992 to fill the unexpired term caused by the death of her husband Quentin Burdick (D-ND).

102nd (1991-92) – **Quentin Burdick** (D-ND) did not sponsor a single measure during the 102nd Congress due to his failing health and died in office on Sept. 8, 1992.

103rd (1993-94) – **Harlan Mathews** (D-TN) was appointed to the 103rd Congress on January 5, 1993 to fill the unexpired term of Al Gore Jr. who resigned his seat to accepted the offer of Vice President.

104th (1995-96) – **Sheila Frahm** (R-KA) was appointed on June 11, 1996 to fill the vacancy caused by the resignation of presidential-aspirant Robert Dole (R-KA) and served from June 11, 1996, to November 5, 1996. Frahm lost to Brownback in a special election held on Nov. 5, 1996 to fill the remainder of Dole's term ending January 3, 1999. Dole sponsored 232 bills during this congress and remains in the analysis.

106th (1999-00) – **Zell Miller** (D-GA) was appointed on July 24, 2000 to fill the vacancy caused by the death of Paul Coverdell (R-GA) and was elected in November 2000 to serve the remainder of Coverdell's term ending January 3, 2005. Coverdell sponsored 103 bills during this congress and remains in the analysis.

107th (2001-02) – **Dean Barkley** (I-MN) was appointed on November 4, 2002 to fill the vacancy caused by the death of Paul Wellstone (D-MN) and was not a candidate for reelection. Wellstone sponsored 126 bills during this congress and remains in the analysis.

Appendix 2.2: Average Number of Cosponsors per Bill and Amendment, 1973-2004

Congress (Years)	# Bills	Mean Cosponsors per Bill (Standard Deviation)	# Amends	Mean Cosponsors per Amendment (Standard Deviation)
93 (1973-1974)	4335	3.51 (7.85)	--	--
94 (1975-1976)	4234	3.22 (7.36)	--	--
95 (1977-1978)	3855	3.13 (7.07)	--	--
96 (1979-1980)	3556	3.74 (8.36)	--	--
97 (1981-1982)	3597	5.50 (11.19)	5609	0.39 (2.88)
98 (1983-1984)	3721	6.60 (12.16)	7130	0.71 (3.30)
99 (1985-1986)	3775	7.24 (12.27)	3517	1.51 (4.29)
100 (1987-1988)	3818	8.36 (15.49)	3773	1.17 (3.91)
101 (1989-1990)	4071	8.03 (14.90)	3211	1.52 (3.83)
102 (1991-1992)	4175	7.21 (14.16)	3433	1.15 (3.37)
103 (1993-1994)	3120	6.08 (12.23)	2649	1.68 (3.99)
104 (1995-1996)	2628	4.86 (10.86)	5437	0.95 (2.85)
105 (1997-1998)	3123	5.55 (11.39)	3842	1.02 (2.68)
106 (1999-2000)	3842	6.32 (12.50)	4367	1.20 (3.40)
107 (2001-2002)	3733	5.57 (10.96)	4983	1.09 (3.47)
108 (2003-2004)	3679	5.97 (11.40)	4088	1.58 (3.68)

Appendix 2.3: Average Number of Bills and Amendments Sponsored, 1973-2004

Congress (Years)	# Bills (# Senators)	Average Number of Bills Sponsored (Standard Deviation)	Min, Max	# Amends (# Senators)	Average Number of Amends Sponsored (Standard Deviation)	Min, Max
93 (1973-1974)	4335 (100)	43.35 (28.19)	5, 141	--	--	--
94 (1975-1976)	4234 (100)	42.34 (32.07)	4, 200	--	--	--
95 (1977-1978)	3855 (101)	38.17 (24.50)	3, 115	--	--	--
96 (1979-1980)	3556 (98)	36.29 (26.31)	6, 106	--	--	--
97 (1981-1982)	3597 (99)	36.33 (25.02)	5, 127	5609 (99)	56.66 (225.64)	0, 1463*
98 (1983-1984)	3721 (101)	36.84 (26.26)	2, 117	7130 (101)	70.59 (296.36)	0, 2831*
99 (1985-1986)	3775 (100)	37.75 (28.99)	0, 170	3517 (100)	35.17 (40.73)	0, 316
100 (1987-1988)	3818 (101)	37.08 (28.21)	1, 172	3773 (101)	37.36 (50.12)	0, 365
101 (1989-1990)	4071 (100)	40.71 (27.63)	3, 161	3211 (100)	32.11 (26.89)	2, 176
102 (1991-1992)	4175 (100)	41.75 (28.49)	3, 159	3433 (100)	34.33 (47.63)	1, 310
103 (1993-1994)	3120 (100)	31.20 (20.84)	2, 129	2649 (100)	26.49 (24.51)	0, 136
104 (1995-1996)	2628 (101)	26.02 (19.69)	4, 138	5437 (101)	53.83 (44.69)	4, 262
105 (1997-1998)	3123 (100)	31.23 (20.10)	3, 102	3842 (100)	38.42 (25.42)	2, 150
106 (1999-2000)	3842 (101)	38.04 (21.48)	3, 123	4367 (101)	43.24 (41.50)	4, 316
107 (2001-2002)	3733 (100)	37.33 (21.65)	2, 110	4983 (100)	49.83 (34.75)	2, 199
108 (2003-2004)	3679 (100)	36.79 (21.65)	4, 103	4088 (100)	40.88 (24.76)	2, 118

* Between 1973 and 2004, the average senator proposed 37 bills and 43 amendments during each congress and only seventeen times did a senator propose more than 200 amendments in any two-year period (see Appendix 3.1 of the following chapter for an accounting of these instances). Of those seventeen instances, eight occurred during the 97th and 98th congresses. Topping the list are Howard Metzenbaum (D-OH), Lowell Wicker (R-CT), Robert Packwood (R-OR), and Orrin Hatch (R-UT). Metzenbaum sponsored 1,463 amendments during the 97th Congress, while Wicker and Packwood followed suit with 1,437 and 929 amendments, respectively. Two of Metzenbaum's amendments were adopted, fourteen of Wicker's passed, and only one of Packwood's was approved. Orrin Hatch filed an astonishing 2,831 amendments during the 98th Congress; 35 passed. A significant share of Hatch's amendments aimed to block Democratic-sponsored legislation that would have reformed the nation's labor laws to provide additional worker rights. Hatch proposed 371 amendments to that bill alone.

CHAPTER III. A LONGITUDINAL VIEW OF COLLABORATION AND LAWMAKING IN THE SENATE

Collaboration is fundamental to Senate lawmaking on account of the chamber's supermajority voting requirements, permeable organizational structure, and open legislative environment. Lawmaking is an inherently social activity, so the ability of senators to collaborate with one another in meaningful ways can inform our view of the legislative process. To assess the connection between senatorial collaboration and legislative outcomes over time, I employ a measure of senators' embeddedness within the social structure of the chamber to estimate outcomes on the bills and amendments they sponsored between 1973 and 2004. Results show a gradual decline over time in the relationship between collaboration and legislative success, a disconcerting trend to an institution that favors individual expression over leadership direction.

Historically, legislative life in the Senate has been guided by rules and norms that favor accommodation in decision-making. Ralph Huitt (1961) observed a “spirit of accommodation” during the 1950s and 1960s, while Donald Matthews (1960) identified courtesy and reciprocity among other prevailing Senate folkways of the time. As Lindsay Graham (R-SC) explains, “In the Senate, you cannot be dealt out of the card game...The rules of the Senate allow people who are concerned and passionate to have their say (Pierce 2004). Bernard Sanders (S-VT) put it this way:

There is a reason why members in the House run for the Senate, but senators don't run for the House. Here, there is a much greater opportunity to get provisions and language into a manager's amendment or a bill that we've been working very hard on. The chairman, as best as he or she can, will accommodate your needs. [Junior senators] are able to influence that process in a very, very significant way, much more so than was possible in the House (Jansen 2008).

Senators command a broad array of parliamentary privileges to propose legislation, offer amendments, and speak at length on the floor. The privileges they all enjoy also can be used to disrupt legislative proceedings, and today's senators appear more willing than their predecessors to do exactly that.¹ Gone are the days of the “go-along, get-along” Senate known for its collegial and accommodating atmosphere. The modern Senate is partisan and individualistic, a place where senators draw readily from their senatorial toolboxes to amend legislation in their favor or sink it altogether (Sinclair 1989, Smith 1989, Smith 2007). And today's toolboxes seem to contain more hammers and fewer pieces of sandpaper than they once did.

Building coalitions around shared goals takes a great deal of time and energy, especially in an institution that favors individual expression over leadership direction. To Majority Whip Dick Durbin (D-IL), “The reality of passing legislation on Capitol Hill deals a lot with people. If you don't understand the people and the power they have, you're not likely to succeed” (Gaff and Jones 2002). Social interaction and legislative collaboration are basic ingredients of Senate lawmaking, but anecdotal evidence suggests that both are in decline. “Lost are the car pools, weekend parties and potluck dinners that brought senators together” writes David Rogers (2009), the consequences of which are explained by Tom Daschle (D-SD):

Because we can't bond, we can't trust. Because we can't trust, we can't cooperate. Because we can't cooperate, we become dysfunctional.

¹ The business of the Senate can be delayed in a number of ways. Senators can “hold” a piece of legislation from consideration until it achieves a 60 vote threshold of support, and they can object to unanimous consent agreements that govern chamber affairs. They can offer hundreds of amendments that may or may not pertain to legislation under consideration, and they can insist that the Senate adhere to 60 vote protocols during the legislative process.

Recent trends in American politics seem to be making it more difficult for senators to bond with colleagues, establish relationships based on trust and respect, and collaborate with one another during the legislative process. I attribute these difficulties to the proliferation of interest group activity on Capitol Hill; the incredible costs of campaigning and the need to raise money in ever larger amounts; partisan polarization; the rise of a 24/7 media biased in favor of entertainment; technological advancements in transportation and communication; an abbreviated legislative workweek; and televised Senate debate.² The key question I raise in this chapter is, so what? So what if senators do not interact as much as they did in previous decades? Does senatorial collaboration really affect the ability of the Senate to address problems of national importance?

Assessing *how* senators interact with one another requires a level of access rarely enjoyed by a researcher. What we do have is the public record. Properly applied, patterns of cosponsorship behavior – the set of legislative commitments made by one senator in support of another – can reveal the degree to which senators are intertwined in the set of legislative relationships that exist during a given congress. Senators who collaborate in meaningful ways with their colleagues are described as “embedded” in the chamber because collaboration engenders trust and respect among colleagues and deeper reservoirs of political capital. Having earned the trust and respect of their colleagues, embedded senators should have less difficulty shepherding their bills and amendments through the Senate, at least in comparison to their socially-peripheral colleagues.

Building upon the analysis from Chapter II, in this chapter I use my measure of *embeddedness* to assess the importance of collaboration to Senate lawmaking across the 1973 to 2004 period. Section I describes the data and methods of analysis I employ, and section II explores the relationship between *embeddedness* and legislative outcomes on a congress-by-congress basis. Section III concludes with summary observations. If collegial interactions matter and today’s environment makes collaboration harder to achieve, then we should see a gradual decline over time in the magnitude and significance of *embeddedness* to legislative success. Such a decline would provide indirect evidence that today’s political environment is making it more difficult for senators to interact and collaborate with one another in meaningful ways.

Section I. Data and Methods of Analysis

Assessing the *embeddedness* of senators within the chamber provides a new perspective for understanding the link between senators’ ability and willingness to collaborate with colleagues and outcomes on the bills and amendments they propose. Evidence presented in chapter III shows that embedded senators enjoyed distinct legislative advantages over their socially-peripheral colleagues across the set of 59,262 bills and 52,039 amendments considered by the Senate between 1973 and 2004. Generally speaking, embedded senators won and peripheral senators lost on their bills and amendments. Unpacking this pooled dataset by congress allows us to assess longitudinal changes in the estimated relationship between *embeddedness* and outcomes. If collaboration is more difficult to achieve in today’s political environment – or less relevant to Senate policymaking overall – then we would expect to see a gradual decline over time in the magnitude and significance of *embeddedness* to legislative outcomes.

Models developed in the previous chapter will be used here with dependent variables representing two measures of legislative success; passage of individual bills and amendments (a dichotomous outcome), and senatorial batting averages on their bills and amendments. Estimating outcomes on bills and

² Gavel-to-gavel coverage of Senate floor proceedings was first televised on June 2, 1986. In the view of Richard Fenno (1989, 35), television “located the Senate well along the path leading away from a communitarian Senate and leading toward an individualist one.” Scholars generally agree that strong individualistic tendencies took hold in the Senate beginning in the 1980s (Sinclair 1986, 1989; Smith 2007).

amendments requires the use of binomial logistic regression – coefficient estimates are reported as odds ratios – while batting averages approximate normally-distributed and continuous variables amenable to ordinary least squares analysis. The unit of analysis in Model 2 is a senator-congress – each senator during a given congress obtains a unique batting average across their bills and amendments – so coefficients in this context represent expected changes to a senator’s bill or amendment batting average. Robust standard errors clustered by senator are used in both regression settings as a way to correct for additional influences on legislative success inherent to each senator, such as intelligence or personality.³

Model 1: *Probability of bill or amendment passage* =

$$\beta_{\text{embeddedness}} + \beta_{\text{ideology 1}} + \beta_{\text{ideology 2}} + \beta_{\text{seniority}} + \beta_{\text{majority}} + \beta_{\text{leader}} + \beta_{\text{chair}} + \beta_{\text{cosponsors}}$$

Model 2: *Bills (Amendments) passed / Bills (Amendments) proposed* =

$$\alpha + \beta_{\text{embeddedness}} + \beta_{\text{ideology 1}} + \beta_{\text{ideology 2}} + \beta_{\text{seniority}} + \beta_{\text{majority}} + \beta_{\text{leader}} + \beta_{\text{chair}} + \beta_{\text{cosponsors}} + \varepsilon$$

where:

- $\beta_{\text{embeddedness}}$ = embeddedness of Senate sponsor during a congress
- $\beta_{\text{ideology 1}}$ = absolute value of sponsor’s ideological distance from economic median of chamber
- $\beta_{\text{ideology 2}}$ = absolute value of sponsor’s ideological distance from social median of chamber
- $\beta_{\text{seniority}}$ = natural logarithm of sponsor’s length of Senate service (in congresses)
- β_{majority} = dummy variable for majority party status (majority = 1)
- β_{leader} = dummy variable for the two party leaders (leader = 1)
- β_{chair} = dummy variable for permanent standing committee chairs (chair = 1)
- $\beta_{\text{cosponsors}}$ = the number of cosponsors on each bill or amendment
- ε = stochastic term

Seven additional explanatory variables are included in the analysis to ensure the accuracy of estimated relationships between *embeddedness* and probabilities or rates of bill and amendment passage. Expected influences of these factors on legislative outcomes are as follows.

Ideology. Legislation written by ideologically extreme senators probably faces a steeper uphill climb in comparison to bills and amendments sponsored by moderates.⁴ Supermajority voting requirements in the Senate make the adoption of ideologically-pure policy a near-impossibility. Moderation is usually the path to success. As such, we would expect lower probabilities and rates of success for ideologically extreme senators in comparison to their moderate colleagues. Ideology is expressed here as the absolute value of the difference between a senator’s DW-Nominate score and the chamber median along the first and second dimensions.⁵

³ Measuring a senator’s personality is tricky. As Evans (1991) notes, psychological factors might be important, but conceptual ambiguities and measurement problems abound.

⁴ Moore and Thomas (1991) show that ideological extremism is negatively related to success rates on Senate bills.

⁵ DW-Nominate scores represent ideology along two dimensions based on a senator’s record of roll call voting during a congress. The first dimension expresses views toward government intervention in the economy as a way to differentiate between liberals and conservatives. The second dimension taps into “social” views on civil rights, gay marriage, abortion, the federal government’s relationship to religious groups, and other non-economic issues. DW-Nominate stands for Dynamic Weighted Nominal Three-step Estimation. DW-Nominate creators Keith Poole and Howard Rosenthal provide a book-length treatment of their estimation technique in *Congress: A Political-Economic History of Roll Call Voting* (1997). Scores can be downloaded at: <http://www.voteview.com/DWNOMIN.HTM>.

Seniority. The seniority of senators is also likely to impact outcomes on their bills and amendments. Senate procedure is not straightforward, and junior senators generally require some time to absorb the Senate's complex rules and precedents. They might also need to learn the politics of an issue, or the political and social dynamics of the chamber. Moreover, an additional year of service by a senior senator is unlikely to have the same effect on his or her ability to pass legislation as would an additional year of service for a first-term senator, so the influence of seniority on legislative success is probably not linear. The natural logarithm of seniority is the proper functional form in this context, but results are not sensitive to the choice of a logarithmic or linear expression of seniority.

Majority Status. By virtue of a numerical advantage, majority senators should find the Senate more hospitable to their policy ideas in comparison to their minority colleagues. Service in the majority should positively influence legislative success even despite the impressive ability of senators to block legislation. For purposes of claiming credit, we might also expect the lionshare of adopted legislation to feature a majority party sponsor at a rate that exceeds the majority party's numerical advantage in the chamber.⁶ Scholars acknowledge the electoral importance to the majority party in demonstrating legislative accomplishment to voters, especially on issues that are "owned" by that party or serve as the basis of the party's messaging operations (Petrocik 1996, Sellers 1998, Evans 2001). To account for the benefits of majority status, the variable *majority* equals 1 for majority party senators and 0 otherwise.

Leadership. Senators who occupy positions of party or committee leadership enjoy some important institutional advantages over their colleagues: the chairman's mark; the right to hold hearings; influence in the bill referral process; the right of first recognition on the floor; the designation of conferees; and control of the schedule. Two dummy variables account for legislative advantages associated with positions of leadership. The variable *Chair* is 1 for chairmen of permanent standing committees, and *Leader* is 1 for Majority and Minority Leaders. Both are 0 otherwise.⁷

Cosponsors. Cosponsoring legislation is a demonstration of support – and presumably a vote for passage – so bills and amendments that attract many cosponsors are more likely to pass than those with fewer. The variable *cosponsors* equals the total number of cosponsors on each bill or amendment to control for the baseline level of support behind each measure. When legislative batting averages serve as the dependent variable, *cosponsors* equals the average number of cosponsors obtained by each senator on the bills or amendments he or she proposed during a congress.

⁶ During periods of Democratic control, majority senators proposed 30,155 of the 51,036 bills and amendments considered by the Senate and 9,632 of those were successful (32%). Minority Republicans introduced 20,881 measures during the same period, and 5,124 of those passed (25%). When the GOP organized the Senate, Republicans sponsored 34,405 of the 60,265 measures under consideration and 9,906 of those passed (29%). Minority Democrats sponsored 25,860 bills and amendments, and 5,726 of those were adopted (22%). Legislative batting averages of majority and minority senators also differ between bills and amendments. On bills, majority senators enjoy a 24 percent rate of success while minority senators display a 13 percent rate. On amendments, majority senators boast a 39 percent success rate while minority senators obtain a 33 percent rate. The average Senate majority occupied 55 seats during this period.

⁷ Party whips, regional whips, and caucus and conference chairs are certainly party leaders in their own right but are not coded here as party leaders.

Section II. Congress-by-Congress Analysis

Models 1 and 2 allow us to estimate how a senator's ability and willingness to collaborate with colleagues – his or her embeddedness score – is related to probabilities and rates of legislative success at various points in time. Results displayed in Tables 3.1, 3.2, 3.3 and 3.5 allow for a congress-by-congress perspective of the strength and significance of *embeddedness* during the 1973 to 2004 period. Congresses in italics indicate GOP control of the Senate and those in boldface feature Democratic majorities. Both parties enjoyed majority status at some point during the 107th Congress.⁸

Bills and amendments display different legislative dynamics in the Senate, mainly because germaneness rules do not apply to amending activity in the upper chamber except in certain cases (for example, reconciliation bills or measures governed by unanimous consent agreements that impose a relevancy requirement). Analysis therefore depends to some degree on the type of measure under consideration. For instance, party leaders and committee chairs are expected to play an enhanced role during bill consideration given their central roles in managing the flow of legislation to the floor. Amendments, meanwhile, are not subject to the same vetting process as are bills, and their production is more closely associated with the minority party. Differences in the attributes of bill and amendment sponsors are illustrated in Table 3.6 (appended).

⁸ Control of the Senate flipped on two separate occasions during the 107th Congress (2001-02); first on January 20, 2001 when Dick Cheney replaced Al Gore as the tie-breaking vote in an equally-divided chamber, and then again on May 24, 2001 when Jim Jeffords of Vermont departed the GOP to caucus with the Democrats.

Table 3.1: Logistic Regression of Bills
 Democratic majorities in boldface, *GOP majorities in italics.*

	93rd (1973-74)	94th (1975-76)	95th (1977-78)	96th (1979-80)	<i>97th (1981-82)</i>	<i>98th (1983-84)</i>	<i>99th (1985-86)</i>	100th (1987-88)	
Embeddedness	2.970*** (0.709)	1.898*** (0.306)	1.396** (0.215)	1.262 (0.431)	1.487 (0.481)	2.109** (0.669)	1.295 (0.436)	8.299*** (3.793)	
Ideology 1	0.786 (0.343)	0.660 (0.282)	0.949 (0.364)	0.244** (0.142)	1.108 (0.480)	1.240 (0.821)	1.452 (0.496)	1.824 (0.963)	
Ideology 2	1.574** (0.327)	2.809*** (0.674)	1.480 (0.443)	0.938 (0.368)	1.148 (0.343)	0.814 (0.202)	1.411 (0.334)	1.463 (0.452)	
Seniority	1.288* (0.174)	1.464** (0.197)	1.264* (0.155)	1.337** (0.141)	1.605*** (0.187)	1.211 (0.185)	1.196 (0.140)	1.586** (0.230)	
Majority	2.081*** (0.379)	3.119*** (0.601)	2.001** (0.506)	1.489 (0.486)	3.432*** (0.870)	2.112** (0.650)	1.822*** (0.277)	2.158*** (0.416)	
Party Leader	7.830*** (2.298)	4.802*** (1.886)	8.778*** (3.151)	19.862*** (9.908)	15.974*** (12.471)	31.965*** (19.554)	11.950*** (3.555)	10.359*** (4.549)	
Committee Chair	2.182** (0.569)	1.075 (0.226)	2.124** (0.475)	1.578* (0.395)	1.189 (0.285)	2.228** (0.553)	1.840** (0.340)	1.007 (0.271)	
Cosponsors	1.028*** (0.006)	1.022** (0.007)	1.010 (0.008)	1.037*** (0.007)	1.047*** (0.007)	1.051*** (0.005)	1.060*** (0.008)	1.050*** (0.004)	
Wald χ^2	212.47	97.76	109.11	183.51	186.16	245.73	305.06	297.61	
Pseudo R ²	0.101	0.083	0.086	0.117	0.166	0.173	0.175	0.193	
N	4335	4234	3855	3556	3597	3721	3775	3818	
	101st (1989-90)	102nd (1991-92)	103rd (1993-94)	<i>104th (1995-96)</i>	<i>105th (1997-98)</i>	<i>106th (1999-00)</i>	107th (2001-02)	<i>108th (2003-04)</i>	Overall (1973-08)
Embeddedness	2.716* (1.479)	1.613 (0.660)	1.676 (0.917)	1.950** (0.603)	1.718 (0.656)	1.538 (0.874)	2.340** (0.875)	1.150 (0.489)	1.681*** (0.165)
Ideology 1	1.320 (0.684)	1.688 (0.944)	0.856 (0.446)	1.732 (0.666)	0.265** (0.167)	0.672 (0.493)	1.195 (0.304)	0.977 (0.387)	0.976 (0.135)
Ideology 2	1.708 (0.655)	1.496 (0.558)	0.868 (0.333)	0.992 (0.293)	0.565** (0.157)	0.577* (0.175)	0.512** (0.165)	0.925 (0.274)	1.166 (0.136)
Seniority	1.060 (0.165)	1.232* (0.155)	1.225 (0.172)	1.800*** (0.219)	1.131 (0.126)	1.139 (0.128)	1.028 (0.111)	1.172** (0.095)	1.248*** (0.060)
Majority	1.958** (0.485)	2.098** (0.555)	1.689* (0.466)	1.947** (0.458)	1.479 (0.567)	1.945* (0.786)	0.992 (0.249)	2.435*** (0.538)	2.015*** (0.184)
Party Leader	22.410*** (14.130)	14.802*** (5.060)	13.951*** (6.019)	8.782*** (2.463)	8.281** (5.968)	12.416*** (8.561)	26.874*** (6.687)	5.878** (4.170)	11.367*** (2.732)
Committee Chair	1.553 (0.491)	1.446 (0.402)	1.463* (0.323)	1.268 (0.308)	1.125 (0.275)	0.998 (0.222)	1.480* (0.346)	0.930 (0.191)	1.447*** (0.134)
Cosponsors	1.052*** (0.005)	1.035*** (0.005)	1.038*** (0.005)	1.017* (0.010)	1.023** (0.008)	1.026*** (0.004)	1.028*** (0.006)	1.022*** (0.005)	1.037*** (0.002)
Wald χ^2	240.55	205.26	171.60	307.48	121.43	151.82	653.65	85.58	840.06
Pseudo R ²	0.196	0.136	0.138	0.138	0.089	0.106	0.104	0.071	0.115
N	4071	4175	3120	2628	3123	3842	3733	3679	59262

*** p < .001 ** p < .05 * p < .1 (two-tailed)

Results displayed in Table 3.1 lend direct support to the claim that senators who establish collaborative relationships with their colleagues are more likely to see their bills pass the chamber, all else being equal. Odds ratios consistently above 1 on *embeddedness* indicate a positive impact on bill passage, and eight of those estimates are statistically significant. A slight decline over time is also apparent in the connection between *embeddedness* and bill passage. Between 1973 and 1990, the average odds ratio is 2.60, but that average drops to 1.71 during the 1991 to 2004 period, reaching a low point of 1.15 during the GOP-controlled 108th Congress (2003-04). All else equal, bills proposed by embedded senators were more than twice as likely to pass during the 1970s and 1980s as compared to the 1990s and 2000s. By 2008, a positive shift in a senator's *embeddedness* is expected to increase the likelihood of bill passage by only 15 percent, and that estimate lacks significance. This downward trend suggests that senatorial collaboration does not play as significant a role as it once did during the consideration of Senate bills.

Bills written by ideologically extreme senators should be less likely to pass than those proposed by their moderate colleagues. Along the economic dimension of ideology, the expected relationship holds from 1973 to 1980 while positive estimates become more common beginning in 1981. Negative and significant estimates obtain in only two congresses, the 96th (1979-80) and the 105th (1997-98), so on the whole the connection is lacking. When bills are first introduced, it is safe to assume that their ideological content reflects the ideology of the Senate sponsor. Over time, however, the ideological purity of a bill can diminish as changes are made to it in committee and on the floor.

The social dimension of ideology is also unrelated to the likelihood of bill passage during most congresses, but two exceptions are noteworthy. Extreme social views seem to boost the probability of bill passage during the mid 1970s, a period in which many southern Democrats held antagonistic views towards civil rights but exerted considerable influence in the chamber on account of the one-party South and the seniority system used to assign committee chairmanships. Not surprisingly, the most successful bill sponsors during the 93rd Congress (1973-74) included James Eastland (D-MS), John Sparkman (D-AL), and Herman Talmadge (D-GA). But by the late 1990s and early 2000s, extreme social ideology assumes a negative and significant relationship to bill success. Civil rights were largely off the agenda by this time while other social issues were being hotly debated; abortion, flag burning, gay rights, and prayer in schools. Nowadays, extreme social views are negatively related to passage as we would expect.

The seniority of bill sponsors is estimated to produce a positive effect on passage, especially during the first half of the period under study. Between 1973 and 1988, the average odds ratio on seniority is 1.38 and six of the eight estimates achieve significance. From 1989 to 2004, the average drops to 1.22 with significant estimates in three of the eight congresses. Committee chairmanships are assigned on the basis of seniority – continuous years of Senate service – so we should expect similar trends along that variable. For the most part we do, especially during the early period of 1973 to 1980. Southern Democrats occupied many of the chairmanships during this time and they also tended to be older than the average senator.

Estimated relationships between majority status and bill passage are positive and significant in thirteen congresses; all except the 96th, 105th, and 107th. In most congresses, a bill proposed by a majority senator is about twice as likely to pass as one proposed by a member of the minority, but the importance of majority status to bill passage appears to slip over time. Interestingly, estimates during presidential cycles tend to be higher than those of the previous congress, except in 1980, so majority status seems to matter most in the run up to a presidential election. This pattern could emerge from the desire of the majority party to demonstrate a record of legislative accomplishment to voters during a presidential election year. For purposes of claiming credit and securing votes, we should expect adopted bills to be affixed with the name of a majority senator at a rate that exceeds the majority's numerical advantage in the chamber.

The importance of a committee chairmanship to bill passage begins to decline after Democrats regained the majority in the chamber in 1987 following six years of GOP control. Some of this can be attributed to the departure of southern Democrats and a more equitable distribution of committee resources. While chairmen were known to dominate committee proceedings and jealously guard their precious staff resources during an earlier era, the benefits of a chairmanship begin to decline following congressional reforms to the committee system.⁹ The Legislative Reorganization Act of 1970 and subsequent reforms during the 1970s were largely driven by opposition among junior senators and northern Democrats to the influence of southern Democratic chairmen on issues like civil rights. Additional constraints on committee chairmen were enacted by the GOP conference in 1997 following Appropriations chairman Mark Hatfield's (R-OR) refusal to go along with the party leadership in an effort to amend the U.S. Constitution to require a balanced federal budget. Hatfield's pivotal vote against the constitutional amendment inspired an effort led by Connie Mack (R-FL) and Rick Santorum (R-PA) to strip Hatfield of his chairmanship. That effort failed, but the GOP conference did enact new rules imposing six-year term limits on committee chairs and a method of approving committee chairs by a secret vote of the GOP conference. To Colton Campbell and Nicol Rae (2001, 9), the purpose of the new rules was "to substantially reduce the power of the committee chairs, enhance the power of the Republican floor leader, and improve the leverage of rank-and-file members within the party." Evidence presented here points to the effectiveness of those efforts.

While the institutional benefits of a chairmanship are in decline across this period, bills proposed by Majority and Minority Leaders appear far more likely to pass in comparison to those of the average senator. Odds ratios range from a low of 4.80 in the 94th Congress (1975-76) to a high of 31.97 in the 98th Congress (1983-84), and a slight increase is apparent over time. Part of the increase can be attributed to the majority leadership of Robert Byrd (D-WV) beginning in the 95th Congress (1977-78). A master of Senate procedure, Byrd revolutionized the way Majority Leaders manage the flow of legislation to the floor. Among other innovations, Byrd would secure unanimous consent agreements governing the consideration of bills even before they reached the floor. This allowed Byrd to address the concerns of his colleagues ahead of time, which provided for a more predictable and orderly debate on the floor. If objections proved too nettlesome to handle, Byrd would place the bill on a separate legislative "track" to allow the Senate to proceed to other matters. A more recent procedural innovation of the leadership – "filling the amendment tree" – enables Majority Leaders to block the consideration of objectionable amendments by utilizing their right of first recognition on the Senate floor to introduce a series of majority-supported amendments to a bill. Each bill is granted a finite number of entry points where amending activity is allowed to occur, and amendments can not be proposed to bills with full amendment trees.¹⁰

The evolution of Congress can be partly understood as a balance of power between congressional committees and the party leadership. Committee chairs have jurisdiction over policy considered by their committees, while party leaders must take a more holistic view of policy consequences so as to maintain or expand their share of seats in the chamber. What the chair supports is not necessarily what the party leadership wants, so a natural tension exists in the Senate between the Majority Leader and committee chairs over control of the agenda. Evidence presented here suggests that party leaders have steadily gained influence in the chamber at the expense of committee chairmen. A recent incident illustrates the point.

⁹ Accommodating new Senate staff required the construction of the Hart Senate Office Building, which was completed in 1982 and named after Philip A. Hart (D-MI).

¹⁰ As the first to do so, George Mitchell (D-ME) filled the amendment tree five times during his tenure. Since then, the use of this tactic has increased exponentially. Considering the sacred nature of amending privileges in the Senate, blocking (minority-supported) amendments tends to create real animosity in the chamber.

During the 106th Congress (1999-00), Trent Lott (R-MS) convened a health policy task force outside the aegis of the committee system to draft a rival bill to the Democrats' "Patients' Bill of Rights." Over 40 million Americans were uninsured at that time, and horror stories involving health maintenance organizations (HMOs) and their denials of health coverage filled the front pages. Jim Jeffords (R-VT), who at the time chaired the Health, Education, Labor, and Pensions (HELP) Committee, was sympathetic to the issue and expressed his willingness to work with ranking member Ted Kennedy (D-MA) and the Democrats. Trent Lott faced a dilemma. Health care promised to be a major issue during the 2000 elections, and Democrats seemed to have the upper hand. So, to circumvent the HELP committee's jurisdiction on health care policy, Lott appointed his deputy, assistant majority leader Don Nickles (R-OK), to a newly-constituted health care task force. To provide Nickles with room to operate, Lott stacked the task force with reliable GOP partisans he could rely upon to draft a measure in accordance with the demands of the party leadership. (Needless to say, Jim Jeffords was not invited to join the task force.) A GOP version of the legislation was drafted and later adopted by the Senate, but ultimately that version was vetoed by President Clinton. The 106th Congress adjourned just in time for the 2000 elections with both parties blaming each other for defeating health care reform (Taylor 2000).

Table 3.2: Logistic Regression of Amendments
 Democratic majorities in boldface, GOP majorities in italics.

	<i>97th</i> <i>(1981-82)</i>	<i>98th</i> <i>(1983-84)</i>	<i>99th</i> <i>(1985-86)</i>	100th (1987-88)	101st (1989-90)	102nd (1991-92)	
Embeddedness	29.004** (37.591)	28.848** (39.848)	4.329** (2.892)	4.209 (3.953)	5.569** (3.909)	15.211** (19.385)	
Ideology 1	2.391 (3.027)	1.440 (1.741)	0.403 (0.288)	0.643 (0.441)	0.943 (0.423)	0.115 (0.153)	
Ideology 2	0.614 (0.926)	7.449*** (4.161)	0.976 (0.425)	1.819 (0.801)	1.723 (0.642)	4.730** (3.476)	
Seniority	2.397** (0.839)	1.474 (0.591)	1.044 (0.248)	1.448* (0.275)	1.356 (0.321)	0.550** (0.152)	
Majority	3.550** (2.131)	3.511* (2.261)	1.341 (0.304)	3.780*** (1.021)	1.693 (0.546)	0.575 (0.480)	
Party Leader	8.925** (9.311)	1.262 (0.793)	1.779* (0.580)	0.376 (0.234)	1.383 (0.394)	0.707 (0.541)	
Committee Chair	0.491 (0.800)	0.302** (0.173)	1.097 (0.516)	0.714 (0.312)	0.931 (0.356)	2.180 (1.552)	
Cosponsors	1.107** (0.053)	1.093** (0.036)	1.129** (0.045)	1.184** (0.065)	1.159*** (0.037)	1.110** (0.052)	
Wald χ^2	106.91	37.98	21.32	49.03	31.14	33.74	
Pseudo R ²	0.157	0.270	0.051	0.138	0.051	0.151	
N	5609	7130	3517	3773	3211	3433	
	103rd (1993-94)	<i>104th</i> <i>(1995-96)</i>	<i>105th</i> <i>(1997-98)</i>	<i>106th</i> <i>(1999-00)</i>	107th (2001-02)	<i>108th</i> <i>(2003-04)</i>	Overall (1981-08)
Embeddedness	2.218 (1.755)	2.630** (1.177)	1.530 (0.518)	14.716*** (10.384)	2.700** (0.969)	1.276 (0.492)	4.841*** (1.956)
Ideology 1	0.398** (0.182)	1.142 (0.628)	1.344 (0.756)	1.509 (0.674)	0.645 (0.177)	1.110 (0.536)	1.076 (0.209)
Ideology 2	0.447 (0.263)	1.031 (0.275)	0.500** (0.155)	0.744 (0.268)	0.557** (0.125)	0.601** (0.108)	1.194 (0.365)
Seniority	1.048 (0.194)	1.171 (0.150)	1.121 (0.106)	1.456** (0.214)	1.137 (0.113)	1.329** (0.111)	1.590*** (0.170)
Majority	1.128 (0.355)	2.534*** (0.437)	1.436 (0.361)	1.583* (0.419)	1.233 (0.282)	1.876** (0.505)	2.197*** (0.279)
Party Leader	1.813** (0.508)	1.117 (0.239)	1.053 (0.638)	1.769* (0.574)	1.722** (0.374)	0.973 (0.117)	1.119 (0.248)
Committee Chair	0.986 (0.598)	0.771 (0.237)	1.310 (0.321)	1.750** (0.499)	1.671* (0.462)	1.197 (0.210)	0.512** (0.134)
Cosponsors	1.074** (0.034)	1.208*** (0.036)	1.186*** (0.041)	1.090*** (0.025)	1.072** (0.022)	1.051*** (0.013)	1.139*** (0.018)
Wald χ^2	46.78	81.96	38.46	59.32	59.69	74.18	94.14
Pseudo R ²	0.040	0.065	0.037	0.084	0.041	0.035	0.073
N	2649	5437	3842	4367	4983	4088	52039

*** p < .001 ** p < .05 * p < .1 (two-tailed)

Results in Table 3.2 estimate the influences of explanatory variables on the likelihood of amendment passage during each congress. Of the eight explanatory variables, the *embeddedness* of an amendment sponsor displays the strongest relationship to passage. Odds ratios on *embeddedness* are positive (greater than 1) in all twelve congresses and eight of those estimates are significant. As was the case when bill outcomes served as the dependent variable, the connection between *embeddedness* and the adoption of an amendment trends downward over time with the low point of 1.28 occurring in the 108th Congress (2003-04). High points occur during the early 1980s when odds ratios reach the high 20s, but neither estimate is worth emphasizing due to oddities in amendment production during that time.

Between 1973 and 2004, the average senator proposed 37 bills and 43 amendments during each congress and only seventeen times did a senator propose more than 200 amendments in any two-year period. The most prolific amenders were Howard Metzenbaum (D-OH), Lowell Wicker (R-CT), Robert Packwood (R-OR), and Orrin Hatch (R-UT). Metzenbaum sponsored a whopping 1,463 amendments during the 97th Congress, most of them in reaction to President Reagan's legislative program, while Wicker and Packwood followed suit with 1,437 and 929 amendments, respectively. Two of Metzenbaum's amendments were adopted, fourteen of Wicker's passed, and only one of Packwood's was approved. Not to be outdone, Orrin Hatch filed 2,831 amendments during the 98th Congress, and 35 of those passed. Yes, 2,831 amendments. A significant share of them aimed to block Democratic legislation that would have reformed the nation's labor laws to provide additional worker rights. Hatch proposed 371 amendments to that bill alone. And so began what Richard Cohen (2003) calls "amendment mania," the strategic use of the amending process to intimidate the opposition and tie the Senate in knots.

The ability of senators to attract cosponsors on each bill and amendment they sponsor plays a key role in calculations of *embeddedness*. Very few of the amendments proposed by Metzenbaum, Wicker, Packwood, and Hatch attracted a single cosponsor, so each of them ranks at or near the bottom of the *embeddedness* scale during those congresses.¹¹ And since most of the amendments failed, the estimated relationships between *embeddedness* and amendment passage are inflated during those congresses. Removing the amendments proposed by these senators from consideration drops the odds ratio of *embeddedness* during the 97th Congress to 4.10, while the odds ratio on that variable dips to 16.47 during the 98th Congress. Both estimates remain positive and statistically significant; *p* equals 0.081 and 0.022, respectively.

Ideological distance from the median viewpoint of the chamber is expected to produce a negative effect on the likelihood of amendment passage. The anticipated relationship holds in six of the twelve congresses along the economic dimension and in seven along the social dimension. Most ideological estimates lack significance, and the peculiar estimate of 7.45 during the 98th Congress is being driven by Orrin Hatch and his 2,831 amendments. Hatch's social ideology during that congress equals the chamber median, so the failure of most of his amendments during that congress inflates the odds ratio on that variable. During the 102nd Congress, Hatch's social ideology again falls at the chamber median. He offered 273 amendments during that congress, and 21 of those were approved.

¹¹ Embeddedness scores are less reliable when senators introduce hundreds of amendments because it is unrealistic to expect that they would have sufficient time to build the necessary support behind any given one, regardless of their reservoirs of political capital among colleagues. Appendix 3.1 details the seventeen instances in which a senator sponsored more than 200 amendments during a congress to illustrate the drawbacks to the use of *embeddedness* for prolific amenders. Embeddedness scores provide the most reliable estimates of a senator's ability and willingness to collaborate with colleagues when amendment production does not deviate so considerably from the average senator.

The seniority of amendment sponsors is positively related to passage in eleven congresses but only four of those positive estimates achieve significance. During most congresses, a one-unit increase in seniority – measured here as the natural logarithm of congresses served – is associated with a 20 to 40 percent increase in the likelihood of success on any particular amendment (all else equal).¹² Seniority does not appear to play as significant a role during the amending process as it does during the consideration of bills. To be sure, party leaders and committee chairmen play an active role in managing the flow of bills to the floor, whereas any senator can introduce a floor amendment even if its contents do not pertain to the underlying bill. The right to offer amendments is considered sacred in the Senate, so even the most junior senators can expect their amendments to be taken seriously.

While party leaders and committee chairs figure prominently during the consideration of Senate bills, the advantages they enjoy appear muted during the amending process. Party leaders see a modest boost in the likelihood that their amendments will pass in nine of the twelve congresses, but significant estimates are generally lacking. In two congresses, the 100th and 108th, the estimated relationship is actually negative. One notable exception occurs in the 97th Congress with Majority Leader Baker (R-TN) and Minority Leader Byrd (D-WV) at the helm. Both enjoyed a significant advantage over their colleagues during the consideration of their amendments, a likely byproduct of the close working relationship between the two leaders. Baker offered eleven amendments during that congress – five of them passed – while Byrd proposed five amendments and three were adopted. Amendments sponsored by committee chairs also tend to flop, especially during the 1980s. Half of the estimated relationships are negative but generally insignificant, while positive and significant estimates occur in the 106th and 107th Congress (1999-2002). Estimated relationships between party and committee leaders and amendment outcomes are slightly above or below 1 during most congresses, a reflection of the Senate's highly permissive amending process.

Using senatorial batting averages (success rates) on bills and amendments as the dependent variable provides another way to assess the connection between a senator's embeddedness in the chamber and legislative outcomes. Results displayed in Tables 3.3 and 3.5 are estimated with ordinary least squares analysis and coefficients estimate expected changes to a senator's bill or amendment batting average. Robust standard errors clustered by senator appear in parentheses.

¹² A one unit shift in the natural logarithm of seniority can represent many additional congresses on account of the underlying logarithmic function. For instance, $\ln(3 \text{ congresses}) = 1.09$, $\ln(1 \text{ congress}) = 0$, and $1.09 - 0 \approx 1$. At the same time, $\ln(10 \text{ congresses}) = 2.30$, $\ln(4 \text{ congresses}) = 1.39$, and $2.30 - 1.39 \approx 1$.

Table 3.3: Linear Regression of Batting Averages on Bills
 Democratic majorities in boldface, GOP majorities in italics.

	93rd <i>(1973-74)</i>	94th <i>(1975-76)</i>	95th <i>(1977-78)</i>	96th <i>(1979-80)</i>	<i>97th</i> <i>(1981-82)</i>	<i>98th</i> <i>(1983-84)</i>	<i>99th</i> <i>(1985-86)</i>	100th <i>(1987-88)</i>	
Embeddedness	0.156*** (0.037)	0.068** (0.022)	0.044** (0.019)	0.025 (0.038)	-0.016 (0.033)	-0.008 (0.028)	-0.050 (0.031)	0.425*** (0.060)	
Ideology 1	0.010 (0.070)	0.047 (0.069)	0.039 (0.064)	-0.173* (0.090)	0.011 (0.059)	-0.009 (0.082)	0.005 (0.056)	0.013 (0.088)	
Ideology 2	0.044 (0.042)	0.162*** (0.044)	0.082** (0.040)	-0.009 (0.046)	-0.005 (0.034)	-0.037 (0.035)	0.040 (0.032)	-0.004 (0.045)	
Seniority	0.031* (0.017)	0.052** (0.018)	0.036** (0.014)	0.030* (0.018)	0.054*** (0.014)	0.022 (0.018)	0.036** (0.015)	0.068** (0.019)	
Majority	0.092** (0.037)	0.183*** (0.041)	0.121** (0.037)	0.069 (0.042)	0.128*** (0.025)	0.054 (0.039)	0.076*** (0.020)	0.054* (0.029)	
Party Leader	0.393*** (0.090)	0.321** (0.090)	0.387*** (0.082)	0.517*** (0.094)	0.480*** (0.068)	0.593*** (0.078)	0.385*** (0.062)	0.443*** (0.087)	
Committee Chair	0.177*** (0.041)	0.048 (0.039)	0.146*** (0.037)	0.110** (0.043)	0.022 (0.033)	0.116** (0.035)	0.077** (0.027)	0.045 (0.043)	
Cosponsors	0.000 (0.006)	-0.005 (0.007)	-0.006 (0.006)	0.009* (0.005)	-0.001 (0.003)	0.012*** (0.003)	0.010** (0.003)	0.007** (0.002)	
Intercept	-0.065 (0.061)	-0.134* (0.070)	-0.026 (0.058)	0.091 (0.067)	0.032 (0.043)	0.035 (0.064)	-0.009 (0.043)	-0.142** (0.063)	
R ²	0.529	0.497	0.543	0.502	0.595	0.533	0.578	0.534	
F Test	12.78	11.25	13.66	11.20	16.52	13.14	15.39	13.16	
N	100	100	101	98	99	101	99	101	
	101st <i>(1989-90)</i>	102nd <i>(1991-92)</i>	103rd <i>(1993-94)</i>	<i>104th</i> <i>(1995-96)</i>	<i>105th</i> <i>(1997-98)</i>	<i>106th</i> <i>(1999-00)</i>	107th <i>(2001-02)</i>	<i>108th</i> <i>(2003-04)</i>	Overall (1973-08)
Embeddedness	0.238*** (0.045)	0.041 (0.048)	0.002 (0.051)	0.095** (0.044)	0.115** (0.053)	0.173** (0.070)	0.070** (0.034)	0.007 (0.049)	0.061*** (0.008)
Ideology 1	0.003 (0.076)	0.047 (0.068)	-0.022 (0.070)	0.026 (0.076)	-0.264** (0.095)	-0.160 (0.106)	0.012 (0.063)	-0.006 (0.077)	0.002 (0.015)
Ideology 2	0.060 (0.041)	0.052 (0.037)	-0.042 (0.038)	0.012 (0.040)	-0.046 (0.046)	-0.007 (0.052)	-0.052 (0.039)	-0.018 (0.042)	0.023** (0.010)
Seniority	0.009 (0.017)	0.030* (0.017)	0.033** (0.016)	0.052** (0.016)	0.007 (0.017)	0.038** (0.019)	0.009 (0.016)	0.011 (0.016)	0.032*** (0.004)
Majority	0.046 (0.035)	0.051 (0.037)	0.056 (0.036)	0.029 (0.028)	-0.046 (0.045)	0.033 (0.054)	-0.032 (0.066)	0.113** (0.043)	0.075*** (0.008)
Party Leader	0.532*** (0.073)	0.490*** (0.073)	0.428*** (0.077)	0.441*** (0.077)	0.334*** (0.091)	0.437*** (0.103)	0.643*** (0.072)	0.301*** (0.079)	0.440*** (0.021)
Committee Chair	0.092** (0.035)	0.077** (0.034)	0.069** (0.035)	0.079** (0.038)	0.052 (0.044)	-0.032 (0.047)	0.048 (0.044)	0.045 (0.038)	0.077*** (0.010)
Cosponsors	0.007** (0.002)	0.003 (0.003)	0.004 (0.003)	0.009** (0.004)	0.004 (0.004)	-0.007 (0.005)	0.010** (0.004)	0.012** (0.003)	0.006*** (0.001)
Intercept	-0.038 (0.061)	-0.014 (0.065)	0.051 (0.070)	-0.085 (0.066)	0.205** (0.083)	0.141 (0.097)	0.049 (0.074)	0.060 (0.050)	-0.001 (0.014)
R ²	0.526	0.451	0.445	0.476	0.279	0.272	0.517	0.417	0.365
F Test	12.60	9.33	9.10	10.45	4.40	4.30	12.16	8.15	115.85
N	100	100	100	101	100	101	100	100	1602

*** p < .001 ** p < .05 * p < .1 (two-tailed)

Rates of bill success are estimated to rise as senators become more deeply embedded in the chamber. Positive estimates occur in thirteen of sixteen congresses and nine are significant. But no clear pattern in those estimates is apparent over time, in contrast to the slight downward trend in the magnitude and significance of that variable when outcomes on bills and amendments served as the dependent variable. If anything, the trend here appears sinusoidal. High points occur in the early 1970s, late 1980s, and late 1990s while lows are reached during the early to mid 1980s and early 1990s. The lack of a clear downward trend in this setting does not support my claim that collaboration is more difficult to achieve in today's political environment, but results do suggest a strong connection throughout this period between collaboration and rates of success on bills.

Senatorial batting averages on bills jump considerably when a senator is elected party leader or rises to a committee chairmanship. In most congresses, success rates for party leaders are 40 to 50 points higher than those of their colleagues, all else equal. Majority Leaders see an especially dramatic boost in their rates of bill success as illustrated in Table 3.4. Majority Leaders enjoy several important parliamentary advantages over their colleagues during the legislative process – the right of first recognition on the floor, control of the Senate schedule, the designation of conferees, etc. – and those advantages are expected to enhance rates of bill success. Evidence presented here suggests strongly that they do.

Committee chairs also tend to have higher batting averages on bills in comparison to the average senator, but the chairmanship advantage is a more modest 5 to 10 percent during most congresses. Here we see a downward slope over time in the connection between bill batting averages and committee chairmanship. Between 1973 and 1996, the average estimate is 0.09, but that number drops to 0.03 during the 1997 to 2004 period following GOP committee reforms. Party leaders and committee chairs are natural competitors, and in recent years it seems as though the party leadership has gained the upper hand.

The connection between seniority and rates of bill success displays a decline very similar to estimates of committee chairmanship. From 1973 to 1996, coefficients on seniority average 0.04, and that average drops to 0.02 during the 1997 to 2004 period. Committee chairs are selected on the basis of seniority so it is not surprising that influences

Table 3.4: Bill Sponsorships and Batting Averages of Senate Leaders, 1973-2004

Democratic majorities in boldface, GOP majorities in italics

<i>Congress (Years)</i>	<i>Party Leaders</i>	<i># Bills Adopted</i>	<i># Bills Sponsored</i>	<i>Batting Average</i>
93rd (1973-74)	Mansfield (D)	51	74	.69
	Scott (R)	23	63	.37
94th (1975-76)	Mansfield (D)	58	73	.79
	Scott (R)	32	100	.32
95th (1977-78)	Byrd (D)	62	81	.77
	Baker (R)	10	29	.34
96th (1979-80)	Byrd (D)	86	94	.91
	Baker (R)	9	20	.45
<i>97th (1981-82)</i>	Baker (R)	90	94	.96
	Byrd (D)	21	49	.43
<i>98th (1983-84)</i>	Baker (R)	103	114	.90
	Byrd (D)	28	53	.53
<i>99th (1985-86)</i>	Dole (R)	125	170	.74
	Byrd (D)	24	54	.44
100th (1987-88)	Byrd (D)	137	172	.80
	Dole (R)	34	84	.40
101st (1989-90)	Mitchell (D)	134	161	.83
	Dole (R)	39	84	.46
102nd (1991-92)	Mitchell (D)	107	146	.73
	Dole (R)	46	87	.53
103rd (1993-94)	Mitchell (D)	98	129	.76
	Dole (R)	22	50	.44
<i>104th (1995-96)</i>	Dole (R)*	97	138	.70
	Lott (R)	38	53	.72
	Daschle (D)	21	73	.29
<i>105th (1997-98)</i>	Lott (R)	83	102	.81
	Daschle (D)	6	61	.10
<i>106th (1999-00)</i>	Lott (R)	108	123	.88
	Daschle (D)	12	50	.24
107th (2001-02)	Daschle (D)	71	106	.67
	Lott (R)	25	29	.86
<i>108th (2003-04)</i>	Frist (R)	88	103	.85
	Daschle (D)	14	65	.22

* Robert Dole (R-KA) stepped down as Majority Leader on June 11, 1996 to focus on his presidential campaign. He was succeeded by Trent Lott (R-MS).

of seniority and committee chairmanship on bill batting averages run in the same direction.¹³ Both trends reflect broader changes during this period in the composition and governance of the Senate brought about by the departure of southern Democrats and the election of younger and more ideologically-minded senators beginning in the 1970s and 1980s.

An extreme economic or social ideology is expected to lower a senator's bill batting average, yet less than half of the ideological estimates display the proper sign. Even still, most estimates lack significance and the generally small values on the positive estimates suggest that ideology does not play a major role in bill batting averages. Two exceptions are noteworthy. During the 94th and 95th congresses (1975-78) – a time when southern Democrats sat atop key committees and generally opposed civil rights – ideological distance from the social median of the chamber is estimated to boost rates of success. Twenty southern Democrats served in the Senate during the 94th Congress; nineteen remained in the 95th. Of the twenty highest batting averages during each two year period, nine belonged to southern Democrats in the 94th Congress and seven in the 95th.

Service in the majority party is estimated to significantly increase a senator's bill batting average during the 1970s and 1980s, but coefficients start to decline and lose significance throughout the 1990s. In two congresses the estimate is actually negative; the 105th and 107th. When it comes to rates of legislative success, majority senators do not appear to enjoy the same advantages today that they once did. To be fair, the estimate during the 107th Congress can be attributed to efforts at bipartisanship following the 9/11 attacks – a modern-day “era of good feelings,” albeit one driven by tragedy.

Intercepts estimate bill success rates expected of junior and ideologically moderate senators who lack embeddedness, majority status, positions of party or committee leadership, and skill in attracting cosponsors. Since most of these attributes are positively associated with legislative success, we should see small values on the intercept estimates. And in fact we do. Eight of the estimates are even negative, especially early on, but it is of course impossible for a senator to succeed less than zero percent of the time. The average success rate on bills is 20 percent across the entire 1973 to 2004 period, and in only one congress, the 105th, does the intercept estimate reach that average.

¹³ Multicollinearity does not appear to be a major problem as most of the coefficient estimates of seniority and chairmanship are statistically significant. The Pearson correlation between these two variables is 0.396 ($p < 0.001$).

Table 3.5: Linear Regression of Batting Averages on Amendments
 Democratic majorities in boldface, GOP majorities in italics.

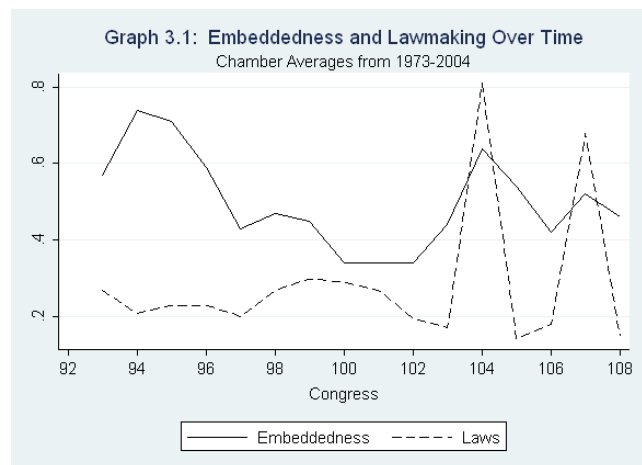
	<i>97th</i> <i>(1981-82)</i>	<i>98th</i> <i>(1983-84)</i>	<i>99th</i> <i>(1985-86)</i>	100th (1987-88)	101st (1989-90)	102nd (1991-92)	
Embeddedness	-0.015 (0.066)	0.124** (0.058)	0.103** (0.033)	0.247** (0.121)	0.291** (0.084)	0.122 (0.103)	
Ideology 1	0.076 (0.113)	-0.107 (0.175)	-0.075 (0.139)	-0.037 (0.173)	-0.055 (0.143)	-0.150 (0.153)	
Ideology 2	0.035 (0.064)	0.001 (0.074)	0.018 (0.075)	-0.046 (0.085)	0.027 (0.076)	0.161* (0.082)	
Seniority	0.034 (0.027)	-0.017 (0.038)	-0.006 (0.035)	0.088** (0.037)	0.042 (0.032)	-0.029 (0.037)	
Majority	0.080* (0.048)	-0.001 (0.087)	0.037 (0.047)	0.258*** (0.055)	0.122* (0.068)	0.113 (0.083)	
Party Leader	0.205 (0.132)	0.145 (0.162)	0.043 (0.145)	-0.251 (0.166)	0.029 (0.141)	-0.314* (0.159)	
Committee Chair	-0.109* (0.063)	0.115 (0.074)	0.089 (0.064)	-0.049 (0.082)	0.011 (0.067)	-0.008 (0.075)	
Cosponsors	0.014** (0.007)	0.034** (0.013)	0.036** (0.011)	0.059** (0.021)	0.029** (0.014)	0.003 (0.017)	
Intercept	0.000 (0.073)	0.499** (0.141)	0.465*** (0.098)	0.211 (0.131)	0.366** (0.113)	0.658*** (0.147)	
R ²	0.167	0.144	0.209	0.334	0.244	0.250	
F Test	2.20	1.93	2.95	5.71	3.67	3.79	
N	97	101	98	100	100	100	
	103rd (1993-94)	<i>104th</i> <i>(1995-96)</i>	<i>105th</i> <i>(1997-98)</i>	<i>106th</i> <i>(1999-00)</i>	107th (2001-02)	<i>108th</i> <i>(2003-04)</i>	Overall (1981-08)
Embeddedness	0.164* (0.089)	0.093 (0.057)	0.044 (0.075)	0.195** (0.094)	0.140** (0.048)	0.073 (0.064)	0.061*** (0.023)
Ideology 1	-0.213 (0.130)	-0.065 (0.104)	0.072 (0.137)	-0.010 (0.133)	-0.060 (0.089)	0.083 (0.102)	-0.049 (0.035)
Ideology 2	-0.184** (0.069)	-0.104* (0.055)	-0.136** (0.067)	0.036 (0.066)	-0.081 (0.055)	-0.078 (0.057)	-0.017 (0.025)
Seniority	0.023 (0.030)	0.052** (0.022)	0.047* (0.025)	0.091*** (0.024)	0.028 (0.022)	0.060** (0.020)	0.058*** (0.010)
Majority	0.017 (0.066)	0.208*** (0.036)	0.092 (0.064)	0.170** (0.069)	0.086 (0.094)	0.133** (0.056)	0.142*** (0.019)
Party Leader	0.078 (0.142)	-0.104 (0.109)	-0.054 (0.130)	-0.006 (0.128)	0.063 (0.102)	-0.015 (0.103)	-0.055 (0.052)
Committee Chair	0.071 (0.063)	-0.100* (0.052)	0.010 (0.063)	0.000 (0.059)	0.077 (0.063)	0.067 (0.049)	-0.029 (0.025)
Cosponsors	0.022 (0.018)	0.070** (0.023)	0.102** (0.027)	0.020 (0.014)	0.010 (0.012)	0.022 (0.016)	0.028*** (0.005)
Intercept	0.684*** (0.133)	0.168* (0.098)	0.241* (0.123)	0.154 (0.112)	0.197* (0.101)	0.149** (0.073)	0.304*** (0.034)
R ²	0.208	0.354	0.234	0.316	0.211	0.374	0.108
F Test	2.95	6.30	3.47	5.32	3.04	6.80	17.95
N	99	101	100	101	100	100	1197

*** p < .001 ** p < .05 * p < .1 (two-tailed)

Coefficient estimates of *embeddedness* displayed in Table 3.5 show a positive connection to amendment batting averages in each congress except the 97th (1981-82). Seven of the estimates are significant. Of those seven, four occur in the 1980s. During most congresses, senators embedded in the chamber are estimated to have batting averages that are ten to twenty points higher than those of their socially-peripheral colleagues. For the average senator who proposes 43 amendments per congress, a ten point bump correlates with the passage of about 4 additional amendments. Beginning in the 1990s, the connection between *embeddedness* and amendment batting averages begins to dip below the average estimate of 0.15 during the 1980s.

Rates of amending success for party leaders and committee chairs are generally lower than those of senators who lack positions of leadership. Leadership estimates displayed here comport with previous findings in Table 3.2 where the passage or failure of an amendment served as the dependent variable. In both settings, party and committee leadership are negatively associated with passage. In comparison to positions of leadership, the seniority and majority status of senators are estimated to increase their amendment batting averages, especially in recent congresses under GOP control. Coefficients during the 1995-2004 period suggest that a unit increase in seniority is associated with a 6 percent boost in a senator’s amendment batting average while service in the majority party correlates with a 14 percent jump. Coefficient estimates are generally lower during the 1980s and early 1990s, but an interesting pattern emerges over time. When the chamber majority flips from one party to the other – which occurred following congressional elections in 1986, 1994, and 2002 – senior senators and those belonging to the new Senate majority appear to obtain significantly higher amendment batting averages than they did in the previous congress. This pattern could arise from efforts by the new majority party to take action on a number of policy proposals that were previously bottled up by the other party. As Sarah Binder (1999, 528) shows, the amount of time a party spends in the minority is positively and significantly correlated with the amount of legislative productivity that party displays when it regains the majority.

The set of senatorial collaborations that exist during a given congress should also tell us something about the ability of the Senate to address national concerns at that point in time. Aggregate patterns of collaboration and national policymaking are illustrated in Graph 3.1. The dashed line represents collaboration as the average embeddedness score across all senators during a given congress. Embeddedness scores reflect the number and strength of collaborative relationships that each senator enjoys in a given congress, so taking the average score across all senators during that congress can reveal the degree to which senators collaborate with one another during each two year period. The solid line equals the total number of Senate bills and amendments that were signed into law during each congress, divided by 100 (to facilitate comparisons to the average embeddedness score during that congress).¹⁴ Notice that the two lines track fairly closely



¹⁴ As Binder (1999) points out, measuring the responsiveness of our public institutions to the needs of society requires us to account for the underlying societal demand for specific policy solutions to agreed-upon problems. For simplicity’s sake, I assume that societal demand for legislation is stable across this period. If this assumption holds, then the number of laws a congress enacts can serve as a proxy measure for the Senate’s ability to address social needs. In Mayhew’s (1991, 36) view, “[it is] very difficult to see what a denominator for a Congress – an agenda of potential enactments – might be.”

with each other. As senatorial collaborations go up, the number of public laws increases. When senators collaborate less frequently, the number of laws goes down. Here we see in striking detail how collaboration in the Senate bears upon the ability of our political system to address the wants and needs of society.¹⁵

Section III. Concluding Observations

Senators embedded in the Senate's network of collaborative relationships have less difficulty translating their bills and amendments from ideas on paper into national policy. Estimates of *embeddedness* are especially pronounced in logistic models predicting bill or amendment passage and they remain positive and significant across most congresses when legislative batting averages act as the dependent variable. The estimated relationships between *embeddedness* and senatorial batting averages displays no clear pattern over time, but a gradual decline is apparent when outcomes on bills and amendments serve as the dependent variable. In an institution with supermajority voting requirements, a permeable organizational structure, and an open legislative environment, this downward trend provides indirect evidence that the social dimension of lawmaking – the ability of senators to cooperate and collaborate with their colleagues – plays a diminishing role in chamber affairs. Building coalitions of support broad enough to overcome 60 vote protocols is an enormous challenge for any senator. In the absence of meaningful social interaction during the policymaking process, the challenge magnifies.

Individualism and partisanship prevail in the modern Senate. Behaviors unheard of in previous eras are commonplace today.¹⁶ Dilatory tactics once frowned upon are employed with regularity. Today's Senate is populated by presidential aspirants who look outwards to Pennsylvania Avenue rather than inwards to their colleagues. The proliferation of organized interests on Capitol Hill hardens the various sides of an issue and minimizes opportunities for compromise.¹⁷ Campaign costs have skyrocketed, especially in populous states with expensive media markets, and senators now devote considerable amounts of time to fundraising. To accommodate fundraising demands, the legislative workweek has been shortened from five days to three days, or two and a half days since many senators depart for home on Thursday evening and do not return until Tuesday afternoon. A shorter legislative workweek provides additional time to campaign and raise money, but less time spent in Washington means that senators have fewer opportunities to interact with colleagues, engage in substantive policy debate, and conduct oversight on executive branch operations. Developments such as these are less conducive to collaboration than they are to bitterness, acrimony, and a loss of trust among senators and stalemate in Senate lawmaking. In Robert Byrd's (D-WV) view:

All we do is carry on continual war in this body, continual war, each side trying to get the ups on the other side. It isn't the people's business we are concerned with. It is who can get the best of whom in the partisan battles that go on in this Chamber.¹⁸

¹⁵ The spikes in legislative production during the 104th and 107th congresses coincide with the arrival of a new GOP majority in 1994 and the terrorist attacks on September 11th, 2001. John Kingdon (1984) would describe the latter (and perhaps the former) as a "focusing event" that inspired legislative action due to an alignment in the public's awareness of a perceived problem, the existence of ready-made policy solutions to that problem, and a political environment on Capitol Hill that favors swift action.

¹⁶ In a break with tradition, Republican leader Bill Frist (R-TN) traveled to South Dakota in 2004 to campaign aggressively against the Democratic leader of the Senate, Tom Daschle (D-SD). In doing so, Frist violated a longstanding Senate folkway that senators refrain from campaigning against their colleagues.

¹⁷ Edward Kennedy and his close colleagues were known for striking compromises over pints at the Hawk 'N Dove, a famous Capitol Hill pub. In this sense, beer can act as a social facilitator in the legislative process.

¹⁸ *Congressional Record*, July 26, 2000, p. S7613.

Joe Biden (D-DE) had this to say about social interaction and national policymaking:

A personal relationship is what allows you to go after someone hammer and tongs on one issue and still find common ground on the next. It is the grease that lubricates this incredible system we have. It is what allows you to see the world from another person's perspective and allows them to take the time to see it from yours...[The Senate] has left me with the conviction that personal relationship is the one thing that unlocks the true potential of this place. Every good thing that I have seen happen here, every bold step taken in 36-plus years I have been here, came not from the application of pressure by interest groups but through the maturation of personal relationships.¹⁹

By design, collective action problems inhere in the Senate. Evidence presented in this chapter, however, suggests the importance of senatorial interaction to national policymaking. Spatial models of legislative behavior suggest that interactions between senators are driven by ideological similarities. No doubt this is true in many instances, but what spatial theory leaves out is the essential social nature of legislative life. I do not mean to minimize the importance of ideological dimensions of lawmaking – after all, spatial models have value in simplifying the complexity of American politics to provide clear and concise explanations of political phenomena. What I do propose is that we build upon spatial models to account for social dynamics inherent to the legislative process. Senators are, after all, human beings. They are prone to passion and overreaction. Some have a great fondness for one another, others do not. Some are regarded as honest brokers, others fail to follow through on commitments. “Success depends on developing relationships and keeping your word,” says Robert Dole (R-KA), a 30 year veteran of the Senate (Rogers 2009).

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¹⁹ *Congressional Record*, January 15, 2009, p. S405.

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Table 3.6: Moving Averages of Independent and Dependent Variables, 1973-2004
Democratic majorities in boldface, GOP majorities in italics.

		93rd <i>(73-74)</i>	94th <i>(75-76)</i>	95th <i>(77-78)</i>	96th <i>(79-80)</i>	<i>97th</i> <i>(81-82)</i>	<i>98th</i> <i>(83-84)</i>	<i>99th</i> <i>(85-86)</i>	100th (87-88)
		<i>Nixon</i>	<i>Ford</i>	Carter		<i>Reagan</i>			
Embedded	Chamber Average	0.57	0.74	0.71	0.59	0.43	0.47	0.45	0.34
	Bills	0.41	0.47	0.48	0.39	0.30	0.30	0.26	0.24
	Amends	---	---	---	---	0.16	0.18	0.28	0.25
DW1 Median	Chamber Average	0.31	0.29	0.29	0.28	0.29	0.34	0.30	0.30
	Bills	0.27	0.26	0.26	0.23	0.29	0.32	0.30	0.30
	Amends	---	---	---	---	0.26	0.32	0.33	0.39
DW2 Median	Chamber Average	0.47	0.45	0.47	0.47	0.48	0.46	0.45	0.45
	Bills	0.43	0.43	0.42	0.45	0.47	0.45	0.42	0.43
	Amends	---	---	---	---	0.50	0.22	0.41	0.39
Natural Log of Seniority	Chamber Average	1.58	1.58	1.43	1.33	1.24	1.44	1.53	1.51
	Bills	1.73	1.81	1.65	1.62	1.36	1.54	1.64	1.73
	Amends	---	---	---	---	1.40	1.50	1.61	1.66
Majority Status	Chamber Average	0.57	0.62	0.62	0.59	0.53	0.54	0.53	0.54
	Bills	0.65	0.66	0.68	0.68	0.62	0.64	0.62	0.60
	Amends	---	---	---	---	0.59	0.71	0.55	0.39
Party Leader	Chamber Average	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.02
	Bills	0.03	0.04	0.03	0.03	0.04	0.04	0.06	0.07
	Amends	---	---	---	---	0.003	0.01	0.04	0.05
Committee Chair	Chamber Average	0.17	0.19	0.17	0.18	0.17	0.17	0.17	0.16
	Bills	0.03	0.04	0.03	0.03	0.04	0.04	0.06	0.07
	Amends	---	---	---	---	0.49	0.57	0.25	0.16
Cosponsors	Bills	3.51	3.22	3.13	3.74	5.50	6.60	7.24	8.36
	Amends	---	---	---	---	0.39	0.71	1.51	1.17

Note: Three averages accompany each independent variable in a congress (except cosponsors). Chamber averages are calculated across the 100 senators in a given congress to reflect the characteristics of a given Senate. Bill and amendment averages are computed across the set of bills and amendments proposed during a given congress to illustrate attributes of bill and amendment sponsors. Additional data on average levels of legislative productivity and success are also provided. The column furthest to the right contains averages across the 290 senators who served during the 1973-2004 period and the 59,262 bills and 52,039 amendments they sponsored during this time. Overall averages provide a useful baseline for comparison.

Table 3.6: Moving Averages of Independent and Dependent Variables, continued
Democratic majorities in boldface, GOP majorities in italics.

		101st (89-90)	102nd (91-92)	103rd (93-94)	<i>104th (95-96)</i>	<i>105th (97-98)</i>	<i>106th (99-00)</i>	107th (01-02)	<i>108th (03-04)</i>	Overall (1973- 2004)
		<i>Bush Sr.</i>		Clinton			<i>Bush Jr.</i>			
Embedded	Chamber Average	0.34	0.34	0.44	0.64	0.54	0.42	0.52	0.46	0.50
	Bills	0.24	0.25	0.33	0.49	0.41	0.33	0.40	0.36	0.35
	Amends	0.27	0.25	0.34	0.50	0.45	0.33	0.43	0.39	0.31
DW1 Median	Chamber Average	0.31	0.32	0.33	0.37	0.39	0.39	0.42	0.42	0.33
	Bills	0.28	0.29	0.30	0.37	0.36	0.38	0.37	0.41	0.31
	Amends	0.35	0.36	0.39	0.38	0.39	0.40	0.42	0.38	0.36
DW2 Median	Chamber Average	0.40	0.40	0.41	0.38	0.33	0.33	0.32	0.33	0.41
	Bills	0.37	0.38	0.40	0.38	0.33	0.31	0.30	0.31	0.39
	Amends	0.37	0.32	0.45	0.40	0.36	0.31	0.33	0.34	0.36
Natural Log of Seniority	Chamber Average	1.56	1.65	1.61	1.61	1.49	1.58	1.57	1.63	1.52
	Bills	1.73	1.80	1.82	1.76	1.65	1.67	1.71	1.72	1.68
	Amends	1.72	1.88	1.83	1.80	1.66	1.55	1.74	1.81	1.66
Majority Status	Chamber Average	0.55	0.56	0.56	0.52	0.55	0.55	0.50	0.51	0.55
	Bills	0.64	0.62	0.65	0.62	0.62	0.58	0.58	0.51	0.62
	Amends	0.51	0.56	0.46	0.45	0.54	0.53	0.49	0.44	0.53
Party Leader	Chamber Average	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.02
	Bills	0.06	0.06	0.06	0.09	0.05	0.05	0.04	0.05	0.05
	Amends	0.04	0.09	0.04	0.03	0.02	0.03	0.02	0.03	0.03
Committee Chair	Chamber Average	0.17	0.17	0.17	0.17	0.16	0.15	0.18	0.14	0.17
	Bills	0.06	0.06	0.06	0.09	0.05	0.05	0.04	0.05	0.25
	Amends	0.22	0.22	0.19	0.22	0.23	0.17	0.21	0.18	0.29
Cosponsors	Bills	8.03	7.21	6.08	4.86	5.55	6.33	5.57	5.97	5.68
	Amends	1.52	1.15	1.68	0.95	1.02	1.20	1.09	1.59	1.09

Table 3.6: Moving Averages of Independent and Dependent Variables, continued
Democratic majorities in boldface, GOP majorities in italics.

	93rd (73-74)	94th (75-76)	95th (77-78)	96th (79-80)	<i>97th (81-82)</i>	<i>98th (83-84)</i>	<i>99th (85-86)</i>	100th (87-88)
	<i>Nixon</i>	<i>Ford</i>	Carter		<i>Reagan</i>			
# Bills Sponsored per Senator	43.35	42.34	38.17	36.29	36.33	36.84	38.13	37.80
# Amends Sponsored per Senator	---	---	---	---	57.82	70.59	35.89	37.73
% Bills Passed	0.19	0.20	0.19	0.20	0.17	0.19	0.18	0.22
% Amends Passed	---	---	---	---	0.13	0.59	0.60	0.61
% Laws Passed	0.06	0.05	0.06	0.06	0.06	0.08	0.08	0.09
# Adopted Bills	805	814	798	813	717	786	788	839
# Adopted Amends	---	---	---	---	160	1515	1675	1701
# Public Laws	268	208	228	228	199	268	298	289
# Bills	4335	4234	3855	3556	3597	3721	3775	3818
# Amendments	---	---	---	---	5609	7130	3517	3733
Overall N	4335	4234	3855	3556	9206	10851	7292	7551

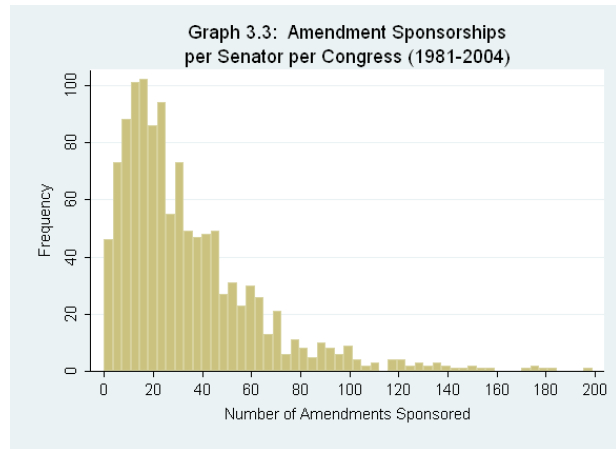
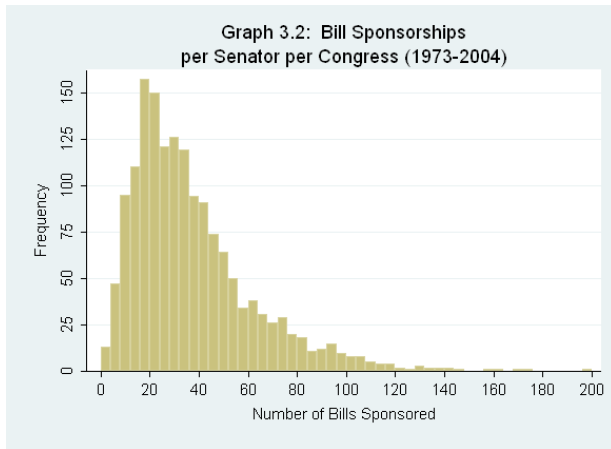
Table 3.6: Moving Averages of Independent and Dependent Variables, continued
Democratic majorities in boldface, GOP majorities in italics.

	101st (89-90)	102nd (91-92)	103rd (93-94)	<i>104th (95-96)</i>	<i>105th (97-98)</i>	<i>106th (99-00)</i>	107th (01-02)	<i>108th (03-04)</i>	Overall (1973-2004)
	<i>Bush Sr.</i>		Clinton			<i>Bush Jr.</i>			
# Bills Sponsored per Senator	40.71	41.75	31.20	26.02	31.23	38.04	37.27	36.79	37.00
# Amends Sponsored per Senator	32.11	34.33	26.76	53.83	38.42	43.24	50.47	40.88	43.26
% Bills Passed	0.19	0.16	0.16	0.16	0.17	0.18	0.14	0.21	0.18
% Amends Passed	0.64	0.73	0.71	0.41	0.49	0.51	0.33	0.40	0.51
% Laws Passed	0.08	0.05	0.06	0.03	0.05	0.05	0.02	0.05	0.06
# Adopted Bills	820	752	565	496	570	721	542	808	11634
# Adopted Amends	1806	1783	1667	1923	1679	1801	1454	1590	18754
# Public Laws	268	194	170	81	140	179	68	146	3232
# Bills	4071	4175	3120	2628	3123	3842	3733	3679	59262
# Amendments	3211	3433	2649	5437	3842	4367	4983	4088	52039
Overall N	7282	7608	5769	8065	6965	8209	8716	7767	111301

Appendix 3.1: The Senate’s Most Prolific Amenders, 1981-2004
Democratic majorities in boldface, GOP majorities in italics.

<i>Congress (Years)</i>	<i>Senator</i>	<i>Amendments Sponsored</i>	<i>Cosponsors per Amendment</i>	<i>Amendments Adopted</i>	<i>Embeddedness</i>
<i>98 (1983-84)</i>	Hatch (R-UT)	2831	.02	35	.05
<i>97 (1981-82)</i>	Metzenbaum (D-OH)	1463	.05	2	.09
<i>97 (1981-82)</i>	Weicker (R-CT)	1437	.03	14	.09
<i>97 (1981-82)</i>	Packwood (R-OR)	929	.00	1	.10
<i>98 (1983-84)</i>	Metzenbaum (D-OH)	679	.10	42	.13
<i>98 (1983-84)</i>	Dole, R. (R-KA)	665	.15	40	.11
<i>98 (1983-84)</i>	Hart, G. (D-CO)	528	.09	1	.14
<i>97 (1981-82)</i>	Baucus (D-MT)	412	.00	0	.14
100 (1987-88)	Hatch (R-UT)	365	.05	22	.09
<i>99 (1985-86)</i>	Metzenbaum (D-OH)	316	.28	66	.12
<i>106 (1999-00)</i>	Fitzgerald (R-IL)	316	.17	8	.18
102 (1991-92)	Metzenbaum (D-OH)	310	.05	22	.14
100 (1987-88)	Gramm (R-TX)	288	.28	42	.20
102 (1991-92)	Hatch (R-UT)	273	.12	21	.14
<i>104 (1995-96)</i>	D’Amato (R-NY)	262	.24	19	.20
<i>104 (1995-96)</i>	Bryan (D-NV)	242	.10	10	.25
102 (1991-92)	Mitchell (D-ME)	209	1.35	27	.10

Note: Graph 3.3 illustrates the frequency distribution of amendment sponsorships per senator per congress when the seventeen deviant cases listed above are removed from consideration. Graph 3.2 presents the distribution of bill sponsorships without exclusions. The average senator proposed 37 bills and 43 amendments during a congress and both graphs display a relatively smooth distribution around these means.



CHAPTER IV. FIRSTHAND ACCOUNTS OF COLLABORATION IN THE SENATE.¹

Scholars generally agree that the transformation of the U.S. Senate from a more communitarian body in the 1950s and early 1960s to one focused on the individualistic and partisan demands of its members began in earnest during the 1970s and remains that way today. Less clear are the causes and consequences of this shift to an institution where numerical minorities, or in some cases even a single senator, can grind the legislative process to a halt using a wide range of parliamentary prerogatives to delay action. Evidence presented in the previous two chapters suggests that the willingness of senators to collaborate with one another plays an important role in helping them to overcome burdensome collective action problems inherent in Senate rules, procedures, and precedents. This chapter explores collaboration in the Senate using firsthand accounts drawn from sixteen personal interviews conducted with current and former senators and members of their senior staff on the subject of their own collaborative experiences.

Patterns of cosponsorship behavior examined in previous chapters reveal a connection between a senator's willingness to work with colleagues and passage of his or her own bills and amendments. Intuitively this finding makes a lot of sense. After all, frequent collaborators are more likely to enjoy the trust and respect of others, valuable commodities that can facilitate future policy successes. And if a senator is unable to support a proposal offered by a close colleague, he or she might at least be more inclined to subordinate the full range of their parliamentary prerogatives to allow the measure to proceed.

To this point my method for assessing the importance of collaboration to Senate lawmaking has involved an effort to connect each senator's record of cosponsorship to success in the legislative process on the bills and amendments he or she sponsored. Cosponsorship data are revealing in this regard, but there is a limit to how much we can infer about collaboration on the basis of cosponsorship data alone. An alternative and perhaps more revealing approach is to sit down with senators and their senior staff aides to discuss their own personal experiences collaborating with colleagues. As direct participants in the process, they would know best how senators work with one another, the degree to which they do so, and the role collaborative relationships play in Senate lawmaking.

This chapter draws upon a set of sixteen personal interviews conducted in July and August 2009 with nine current and former senators and seven senior staff aides to assess senatorial collaboration in three main ways: key attributes senators look for in a colleague; the dynamics of cosponsoring legislation; and broader influences that shape prospects for collaboration to occur. Since Senate rules and customs give individual senators enormous leverage to influence policy negotiations and the flow of legislation to the floor, understanding the incentives and pressures they have to work together can inform our view of the Senate's unique legislative process. With its human scale and informal style of conducting business, collegial interactions and collaborations can provide an important source of cohesion in the Senate. As Senate scholar Ross Baker writes (1999, 61):

What appears to have taken up the slack created by enfeebled general norms and folkways (which now seem little more than folklore) is a structure of private understandings among individual senators – not mandated from above and not eternal – which serve as the bonding agents which

¹ A generous grant by the Dirksen Congressional Center (Pekin, IL) provided essential funding for these interviews. I want to also express my sincere gratitude to the sixteen individuals who agreed to meet with me. They shall remain anonymous (as promised) but the enormous contributions they made to this project deserve special recognition. Approval to conduct research on human subjects was obtained by the University of California, Berkeley, CPHS/OPHS Protocol 2009-07-173.

allow the institution to endure. These have always existed in the Senate, but they become particularly important when other and more comprehensive sources of cohesion are deficient, as they are now.

I cannot claim that the sixteen senators and senior staff aides who agreed to my interview request constitute a representative sample of viewpoints on this subject. Of the nine senators I interviewed, three currently serve in the 111th Congress (2009-2010), including a conservative Republican first elected from the South in the late 1970s, a moderate mid-Atlantic Democrat recently elected to a second term, and a liberal Democrat who has represented a Midwestern state since the mid-1980s. I also met with three senior staff aides – two legislative directors and one chief of staff – who are currently employed by a New England Republican, an Independent, and the Democratic leadership.

Gaining entrance to a Senate office is far from automatic. My method of doing so began with an introductory telephone call to each of the one hundred Senate offices followed by an email containing a one-page questionnaire that would serve as the basis for the interview.² In all but six instances a scheduler or legislative assistant informed me that the senator, chief of staff, and legislative director were too busy to accommodate my request. I attribute this low response rate to three main factors. First, I represented myself as a researcher from the University of California, Berkeley interested in learning about collaboration from the standpoint of that particular office. In some cases the conversation ended abruptly after my institutional affiliation was revealed. Second, I had nothing to offer them besides an opportunity to participate in my study. Third, I was attempting to conduct interviews in the weeks leading up to the August recess during the midst of the health care reform debate. Occupying senators' time in the run-up to adjournment is a tricky proposition and usually a losing one.

In this light a six percent response rate can be viewed as a minor success. Moreover, since my interest in collaboration is longitudinal as well as cross-sectional, I also contacted former senators and senior staff who remain active in political life. Trolling the highest echelons of prominent lobbying firms and trade associations netted seven additional participants in close proximity to Capitol Hill. Three were senators, including a former Majority Leader. Two were top floor aides, one serving as a Democratic Secretary. Another two respondents were long-time GOP chiefs of staff.

I also interviewed three former senators no longer active in public life. One traveled from Maryland to meet with me on Capitol Hill while another welcomed me into his home overlooking the Potomac River. Mobility issues constrained the third senator from meeting in person so the interview was conducted over the telephone. These senators were found in the telephone directory encompassing residents of Maryland, Virginia, and Washington, DC.

In all, my sample contains nine current and former senators, one current chief of staff, two former chiefs of staff, two current legislative directors, and two former floor aides to the Democratic leadership. Of these sixteen, four are Republicans, eleven are Democrats, and one is an Independent. Interviews ranged from thirty minutes to two hours in length with most lasting about an hour.³ These were semi-structured and confidential interviews conducted on the basis of four questions contained in the questionnaire I sent to each respondent in advance of our meeting. Some respondents wandered into unsolicited aspects of the Senate, and some of the more interesting departures inspired impromptu follow-up questions on my part. Others had a great deal to say about one particular question and less about another. In these instances my approach was to focus on what a participant thought was important so as to keep interjections to a minimum, which also allowed me to avoid the wrath of a population long accustomed to full and uninterrupted expression.

² Appendix 4.1 contains the questionnaire I developed for this study.

³ The average interview lasted sixty-seven minutes.

While not representative in the statistical sense, the individuals I had a chance to interview provided useful perspective into the considerations senators make, the incentives and pressures they experience when collaborating with colleagues, and how prospects for collaboration might have shifted over time and why that might be the case. This was also a relatively veteran group with plenty of Senate experience. Of the sixteen, twelve worked in the Senate in excess of ten years. Senators I spoke with served for an average of 16.4 years in the chamber – two spent in excess of thirty years apiece in public life – while the average staff aide had 17.3 years of Senate experience. One respondent was elected to the Senate in the 1960s, six respondents began their Senate careers in the 1970s, three started work in the 1980s, two in the 1990s, and three in the 2000s.

Each interview began with a question designed to elicit the most relevant and desirable attributes senators look for in a colleague:

1. What attributes do you look for when deciding to partner with another senator?

Identifying these attributes can help us to explain differences in senators' collaborative tendencies. For instance, research by Lasswell (1950) and Baker (1999) suggests that factors like trust, respect, and a reputation for dependability underlie patterns of political influence in the chamber, and senators tend to agree. As Robert Dole (R-KA) recently told *Politico's* David Rogers:

I think success depends on developing relationships, keeping your word. If I gave my word to Ted Kennedy that tomorrow you can offer your amendment, and somebody rushes up to me, like Bill Frist, and says, "I've got that amendment – I want to offer that amendment" – if you go tell Kennedy, "I'm sorry, I made a mistake," you're finished. Not quite, but you're on the edge. Why should he trust you the next time? I think that's the key.⁴

Building upon the use of cosponsorship data in previous chapters, other aspects of collaboration worth exploring are the considerations senators make when they seek and provide legislative support in the form of a cosponsorship. I would contend that the dynamics of cosponsorship provide insight into one key element of senatorial cooperation and trust. Responses also provide guidance on the use of cosponsorship data as a measure of collaboration. Question two reads as follows:

2. How would you describe the process of cosponsorship in the Senate?

Broader developments in American politics are likely to shape the opportunities and incentives senators have to work together. With growing ideological polarization in the Senate and fewer meaningful exchanges between the parties, we would expect senators to experience greater difficulties collaborating with their colleagues, especially with those from across the aisle. Results from previous chapters demonstrate a slow but steady decline in the statistical relationship between senators' collaborative inclinations (based on cosponsorship data) and the adoption of their policy proposals, suggesting that winning coalitions are more difficult to construct in today's political environment. Questions three and four attempt to build upon this empirical finding with more qualitative assessments of how the Senate has evolved in recent years to determine what impact, if any, recent developments in the Senate have had on prospects for meaningful collaboration to occur between and among senators. Those questions read as follows:

3. How would you characterize legislative life in the Senate today compared to when you arrived?
4. What changes, if any, have affected the ability of senators to work together?

⁴ David Rogers, "Dole: Success Depends on Keeping Your Word," *Politico*, Oct. 9, 2009, p. 7.

This chapter is organized around the responses to these four questions and proceeds as follows. Section I highlights the most important attributes senators look for in a colleague as a way to identify factors that promote collaboration. Section II explores the mechanics of cosponsorship and the considerations senators make when deciding to cosponsor legislation. Section III examines how broader changes in the political landscape affect the ability of senators to work together. Section IV concludes with summary observations and a few examples that serve to illustrate the importance of collaborative relationships to Senate lawmaking.

Section I. What Makes for a Collaborative Senator?

Of the many personal attributes that might encourage a working relationship to develop between senators, trustworthiness, respect for opposing viewpoints, and a reputation for dependability were cited most frequently by respondents. “Trust and respect are vital to a sound working relationship” a former senator explained. “Collaboration is conditional on trust and respect” said another, “you have to know each other.” “Trust underpins collaboration in the Senate” reiterated a third respondent. A former chief of staff shared this view:

Trust and respect are absolutely vital to the Senate. Guys like Ted Kennedy, Howard Baker, Thad Cochran, Mark Hatfield, and Orrin Hatch are sought out because they’re honest, they’re dependable.

One respondent illustrated the importance of trust in Senate lawmaking with an exchange between Senate leaders Howard Baker (R-TN) and Robert Byrd (D-WV) that occurred in 1981 after Republicans regained control of the chamber. “You know Senate rules better than I do,” said Baker to Byrd, “so I’ll make you a deal. I won’t surprise you if you don’t surprise me.” With his encyclopedic knowledge of Senate rules, Byrd might have been predisposed to decline the deal knowing that he might be able to outmaneuver the relatively inexperienced Baker during procedural negotiations between the two leaders. “Let me think about it” Byrd replied.

Byrd caught up with Baker two hours later. “You’ve got a deal” he said. According to this respondent, “by honoring the agreement, Baker and Byrd established a great deal of trust and respect for one another.” Subsequent interviews confirm a sound working relationship between the two Senate leaders. One of Byrd’s top floor aides described his boss’s relationship with Baker as “very close.” Of all the collaborations that occur in the Senate at any given time – between committee chairmen and ranking members, between senators who share a policy interest, between senators of the same party, the same state, or neighboring states, or between senators of opposite parties – the most consequential might be the relationship that exists between the two Senate leaders. The vital role Senate leaders play in managing the agenda, protecting the interests of their caucus, and negotiating with their leadership counterparts across the aisle – tasks that often require constant communications between them throughout the day – provides each a strong incentive to maintain a sound working relationship with the other.⁵

Trust, respect, and dependability, or some combination thereof, were identified by virtually everyone I spoke with as essential components to meaningful collaboration. In one startling acknowledgement, a legislative director reported that his boss “cosponsored a bill that I didn’t want just because he was close with the senator.” In his view, this particular cosponsorship posed an electoral risk due to its subject matter and the fact that it came from a member of the other party (who nonetheless shared a close

⁵ One respondent illustrated the importance of a sound working relationship between party leaders by recalling a three week period in 2000 in which Minority Whip Harry Reid managed the Senate on behalf of Majority Whip Mitch McConnell, his cross-party colleague in the leadership. “When Majority Whip McConnell had heart problems eight years ago, Reid effectively ran the floor. Would that happen today?” the respondent asked rhetorically. “No.”

relationship with the senator). Flummoxed by a cosponsorship which “made no sense from a political standpoint,” the legislative director explained his inability to deter the senator’s support as evidence that “relationships and trust are that much more important the closer one senator is to another.”

Political sacrifice for the benefit of another senator is rare even among close colleagues – and political difficulties were reported in this case – but to this legislative director the existence of a relationship built on trust and respect explains why the senator decided to move forward as the lead cosponsor of the troublesome bill. Alternating between chairman and ranking member of the same committee over a considerable period of time allowed this particular pair of senators to develop a great deal of trust and respect between them that is manifest in a series of collaborative efforts they have undertaken over the years.

Attributes like a senator’s reputation for thoroughness and diligence were also reported as basic to a successful partnership. “I seek out senators who are thorough and hard-working and who follow-through on commitments, like Carl Levin and Ted Kennedy,” explained a liberal senator. “If Carl and I came to different conclusions on an issue, I would reconsider my position.” On the flip-side, one Midwesterner expressed a great deal of difficulty working with his moderate colleagues because “they often feel cross-pressured and sometimes have trouble following through on a commitment.” Other respondents also commented on the inability of some moderates to follow through on commitments. “Moderates can be the hardest to work with because they are the ones who change their tune most often” one said. A liberal senator even said he preferred working with conservatives because, unlike moderates, “their political ideals won’t be called into question.”

The degree to which a senator is open-minded and personally compatible with others is also thought to foster collaboration. Here, especially high marks go to Howard Baker (R-TN). “Baker didn’t dismiss anyone’s opinion,” one respondent explained. “He would at least listen to all his colleagues.” “I have enormous respect [for Baker],” one of his Democratic colleagues stated, who also mentioned that “his support of the Panama Canal cost him politically but was the right thing to do for the country.” To another senator, “the compatibility between Baker and [Edward] Muskie was instrumental to passage of the Clean Air Act [of 1970].”

If personal compatibility and open-mindedness promote collaboration, then their absence can produce the opposite outcome. “Some people are off the table immediately,” reported a legislative director. “I’ve seen [the senator] say, ‘I can’t work with so-and-so’ and that was it.” Another respondent revealed that “[the senator] just went on a CoDel [congressional delegation] with a guy who was a total [expletive] so there’s no way we’re cosponsoring anything of his for a while.”

Other respondents cited an inability to compromise as a key reason to avoid working with a colleague. “You have to be willing to jettison a little piece of your ideology to find compromise” one respondent said. “Compromise is the hallmark of the American political system” explained a former senator. But in his view, “a new breed of senators made compromise more difficult with such pronouncements as, ‘you can’t compromise with an unborn child’s life.’” Especially harsh criticism was directed at so-called ‘true-believers.’ According to one GOP chief of staff, “True believers are among the hardest to work with.” A Democratic respondent had this to say:

There are more ‘true believers’ today that can make collaboration and compromise difficult. If you’re a true believer, then you’re less likely to compromise with those of a different philosophy. True believers are not amenable to compromise.

Another respondent viewed Ted Kennedy as the gold standard when it came to his ability to compromise:

If Ted was around today the healthcare debate would be different. More than anyone else, Ted has the credibility to strike a compromise with Republicans without losing the support of Democratic allies.

Even as the Senate has evolved over the years, the attributes senators most desire in a colleague appear today as they did thirty years ago. Ross Baker (1999) interviewed twenty-five senators from 1977 to 1979 in conjunction with his book-length study of the Senate and made this observation:

When senators were asked what qualities they prized most highly in a colleague, certain adjectives occurred more frequently than others. These qualities were dependability and reliability, trustworthiness (sometimes expressed as “integrity” or “honesty”), and intelligence. Also mentioned prominently, but somewhat less frequently, were dedication, hard work, and courage. A premium was clearly placed by these senators on traits that could redound to their own political benefit, or at least not cause them to be cast into jeopardy. The quality of being a person of one’s word, of not going back on an agreement, of not making another senator appear foolish, of not gulling a colleague or leading him on – these were the traits most valued. (62)

Section II. The Mechanics of Cosponsorship

Political scientists have devoted considerable attention to the empirical bases of cosponsorship decisions and suffice it to say that a given cosponsorship does not necessarily indicate that a meaningful collaborative effort occurred between the legislative sponsor and cosponsor.⁶ Shared ideology, propinquity, or electoral considerations can also motivate a cosponsorship decision independent of a relationship to the sponsor. In comparison to cosponsorship, collaboration in any meaningful sense seems to require a relationship of some kind built on trust, respect, and a reputation for dependability established through some amount of interaction. Prominent examples of substantive collaborative relationships include Sam Nunn and Richard Lugar, Daniel Inouye and Ted Stevens, Edward Kennedy and Orrin Hatch, Robert Byrd and Howard Baker, and Byron Dorgan and Tom Daschle, to name a few. At best, cosponsorship is merely a subset of collaborative activities that occur between or among senators, and the substance of a relationship can manifest itself in others ways too. Some of these ways defy systematic measurement, such as the degree of deference paid to a colleague or the seriousness with which a senator’s remarks are considered. Others are more straightforward and public, like a vote to support another’s proposal.

While we should not equate cosponsorship with collaboration, patterns of cosponsorship behavior and the manner in which they are obtained offer some perspective into how senators work together. Discussions of cosponsorship motivated by my second question tended to go in one of two main directions. Most respondents concentrated on the mechanics of cosponsorship – the where, what, when, and how dimensions – while others zeroed in on strategy; the ‘why’ aspect of cosponsorship. Here I consider both mechanics and strategy.

The bulk of cosponsorship requests come in the form of ‘Dear Colleague’ letters sent by the legislative sponsor to the offices of his or her colleagues. The organization of Senate staff varies from office to office, but most of the ones I visited delegate responsibly for the initial consideration of those letters to the legislative director. One senator said he considered cosponsorship requests only after his legislative director had pre-screened them because he did not have time to attend to each one. Senate offices are

⁶ A vast empirical literature examines legislative cosponsorship. See Woon (2009), Talbert and Potoski (2002), Wilson and Young (1997), Kessler and Krehbiel (1996), Schiller (1995), and Campbell (1982).

inundated with cosponsorship requests, a point the senator illustrated by summoning his legislative director into the room with an impressive stack of papers that extended from his belt to his chest. “All cosponsorship requests,” the senator remarked. Another senator reported that those letters do not receive a great deal of attention in his office. “Some senators give wide latitude to staff, others do not. The role of staff in these decisions can matter a great deal,” noted a chief of staff.

Nobody heralded cosponsorship requests in the form of ‘Dear Colleague’ letters as an especially effective method of attracting legislative support. More than anything else, common courtesy seems to motivate the vast majority of those letters. Attracting a cosponsor is far more effective with a face-to-face request from one senator to another. Here is how one senator collected his cosponsorships:

I am most likely to go first to those who could play a constructive role. I would also target like-minded folks. It’s more effective if you ask senators directly, but staff increasingly handles this kind of thing.

An expanding role for legislative staff in cosponsorship decisions was an oft-repeated observation. A former top floor aide used a fictional back-and-forth between two senators to illustrate how the process worked in his day:

Requests used to happen in the elevator. Senator X would ask, ‘Do you want to cosponsor this bill?’ and senator Y would reply, ‘Sure, what’s it about?’ Now staff does most of this.

Particularly striking here is the easy manner of attracting cosponsors and the willingness of senators to lend support to one another, both of which are bygones of a previous era. As one thirty-year veteran of the chamber explained:

Back then [senators] could be out-of-step with constituents without fear of electoral retribution. By the time I was elected [in the mid-1970s] staff would ask staff for cosponsorships. Senators were already out of the loop for the most part. It was rare that I would ask another senator directly for a cosponsorship.

The electoral consequences of a politically-unpopular cosponsorship have increased sharply over the years in the view of one legislative director. “The availability of data brought on by THOMAS makes each cosponsorship decision more consequential” he said, because “now it’s easy to see who has signed on and who hasn’t.” (THOMAS is a searchable public database of congressional activity catalogued by the Library of Congress.) He also recounted a Senate campaign which was able to use an opponent’s cosponsorship of a national sales tax bill to “bring the race to even” by undermining the opponent’s tax-cutting credentials, even though the offending cosponsorship fell towards the bottom of the list of cosponsors to that bill. That fact did not matter he explained:

Where a cosponsorship falls on the ledger does not matter in the electoral arena. They can all be used as campaign fodder. I spent a lot of time on the campaign hunting down potentially troubling cosponsorships to use against [our opponent].

An aversion to electoral risk might explain why one respondent, a former top floor aide who is now a partner at a prominent Washington D.C. law firm, today has an increasingly difficult time attracting cosponsors on legislation his clients favor. “It is harder and harder to get cosponsors and requires memo after memo to get support from Senate offices,” he lamented. According to him, obtaining cosponsors has become more and more difficult because the default position of Senate offices has shifted from yes to no. “Some offices, like Rockefeller’s, even claim to have a policy against cosponsoring legislation,” he said. “His staff would tell me, ‘Rockefeller doesn’t want to prejudge the issue.’”

Electoral considerations make other cosponsorships compulsory. “If you’re a Democrat and want to win a primary, you had better sign on to the Employee Free Choice Act,” one legislative director advised.⁷ To him, “the cosponsorships that tell you the most are the ones on difficult bills. Those are the ones that take political courage.”

If passage is the goal, then legislative sponsors are well-advised to look across the aisle when attempting to woo cosponsors. As a moderate Democrat explained, “When I sponsor a bill, I always look for Republican cosponsors because doing so increases the likelihood of success.” Another respondent made the point that “a bill sponsored by a Democrat and a Republican is far more likely to receive serious consideration than one sponsored by members of just one party.” But he also confessed that “getting an opposite-party sponsor is harder and harder to do these days because of ideological polarization.”

Along with improving prospects for passage, securing the support of an opposite-party senator can bolster the bipartisan credentials of both. “If it’s a Democratic bill and you’re the lead Republican [cosponsor], then that matters,” explained a legislative director. “Beyond that, there are diminishing returns to cosponsorship activity.” He also noted that fierce competition between senators can arise over who gets the lead sponsorship of a given bill. “Sometimes you have two members approached by a trade association or whoever, a Democrat and a Republican let’s say, and both compete for the lead position.” This competition, he said, “reiterates the importance of claiming credit as the primary sponsor of a bill,” something that attracts both publicity and campaign funds.

Rates of cosponsorship also vary by issue area. “Social issues like abortion, god, and gays attract a lot of cosponsorships,” a legislative director explained. But on these issues, “Democrats often don’t want to take the lead. They want a moderate Republican to sponsor the bill followed by Democrats.” This strategy was described as mutually-beneficial because “the moderate Republican can claim lead sponsorship on something they want to do anyway while providing political cover for Democrats.” Attracting cosponsors matters considerably less on must-pass legislation. As his former chief of staff reported, “Mark Hatfield never needed to worry about building a winning coalition of support because he knew that his appropriations bills were going to move.”

Most other bills seem to require a minimum threshold of support before they are taken seriously. Then, as more cosponsors sign on, senators become more likely to join the bandwagon. As one legislative director explained:

When a bill gets to fifty cosponsors and [the senator’s] name isn’t one of them, I take notice. If it gets to sixty and we’re not on there, I’d better have a good explanation why. At 70, everybody hops on. Bills with that many cosponsors develop their own momentum.

To sum up, electoral considerations figure prominently in cosponsorship decisions, a point that was more likely to be made by a legislative director than a sitting senator. Senators tended to describe cosponsorship on the basis of their social or ideological proximity to the sponsor.⁸ Other considerations mentioned include blame avoidance, especially on social issues, and legislative momentum.⁹ One legislative director, as noted earlier, was attuned, as most probably are, to bills that approach or attain certain minimum thresholds of support, fifty or sixty cosponsors especially, while most respondents reported that a bipartisan cast of cosponsors dramatically increases a bill’s prospects for passage. Finally,

⁷ That act, a top legislative priority in the 111th Congress, would strengthen the bargaining power of labor unions, a key Democratic constituency.

⁸ James Campbell (1982) demonstrates in a more rigorous way the importance of ideological agreement between sponsor and cosponsor.

⁹ See R. Kent Weaver (1986) on the politics of blame avoidance.

some important changes over time were reported in the way cosponsorships are solicited and provided. Today much of the push and pull of cosponsorship is handled by senior staff, usually at the level of legislative director, but during an earlier era face-to-face interaction between senators was a more common method of enlisting support. And according to one senator, “Getting to know one’s colleagues is essential to finding common ground, not to mention an opposite-party sponsor.”

Section III. Collaboration Through the Years

As the political environment around it changes, so too does the Senate. “Everybody will agree that the Senate has changed,” remarked a veteran chief of staff, “but we’ve changed too.” One senator explained that “the Senate becomes a reflection of what goes on outside its chambers.” To understand how broader developments in American politics affect the daily lives of senators and the opportunities they have to work together, I asked the following two questions:

3. How would you characterize legislative life in the Senate today compared to when you arrived?
4. What changes, if any, have affected the ability of senators to work together?

Senators and senior staff attribute contemporary change in the Senate to a variety of factors; the most frequently cited are listed in Table 4.1. They report that prospects for meaningful collaboration vary on the basis of three interrelated sets of developments in the contemporary Senate: fewer opportunities for meaningful collegial interactions to occur; greater ideological polarization; and a more assertive Senate leadership operation brought about by a rise in dilatory behavior. Graphically, the impact of these developments on collaboration can be displayed in the following way:

Table 4.1. Factors most consequential to collaboration		# Citations (out of 16)
<i>Less Collegial Interaction</i>	Fewer families in D.C.	10
	Fundraising demands	6
	CoDels	6
	Committee participation	3
	Orientation programs	2
<i>More Ideological Polarization</i>	More House members	9
	Fewer governors	3
	Interest groups	3
	Primary voters	3
	Redistricting	2
<i>More Assertive Leaders</i>	More dilatory behavior	7
	Amending strategies	6
	Leadership behavior	6

$$\downarrow \text{Interaction} + \uparrow \text{Polarization} + \uparrow \text{Leadership} = \downarrow \text{Collaboration}$$

It should be noted that reciprocal connections are likely to exist among these variables. With increasing ideological polarization, for instance, senators are likely to have a more difficult time finding common ground across party lines, giving them fewer occasions to work together. Plus, with less interaction and more polarization, Senate leaders, especially those on the majority side, might face added pressure to find new ways of doing business if anything is to get done. An assertive leadership operation, however, has its own consequences – senators take seriously their right to debate and offer amendments – so efforts by the leadership to force their hands are often met with howls of protest and dilatory tactics that can further exacerbate tensions between senators and their respective parties. I consider each of these three broad topics separately as they relate to prospects for collaboration but acknowledge that interconnections exist among them, like so:

$$\text{Interaction} \Leftrightarrow \text{Polarization} \Leftrightarrow \text{Leadership Involvement}$$

Less Collegial Interaction. To many respondents, withering senatorial interaction characterizes life on Capitol Hill. “Today there are fewer opportunities for personal relationships,” said a long-time GOP senator. A two-term Democrat explained, “There are far fewer genuine friendships today because senators don’t see each other socially anymore.” One senator revealed, “I don’t know my colleagues today like I used to,” while another considered the lack of interaction alarming. In his view, “Today,

there is very little socialization. The lack of close friendships is a huge factor in degrading the institution.”

During an earlier era, such as the 1950s, senators were said to have more time and a greater inclination to have substantive exchanges with their colleagues. One reason for this, some respondents noted, is that it was more common then for senators to bring their families with them to Washington D.C. and live within close proximity of each other. “Back when I served we all knew each other, and we knew each other’s families. Our children went to school together” recalled one senator, while another fondly remembered how Ted Kennedy would play host to senators and their families. “During the summer he would invite us over and we’d go to the [National] Mall to enjoy music,” he said. One senator explained that these interactions are why “it’s important for the families of senators to live in Washington.”

Socializing before or after hours used to happen more often in the Senate than it does now, according to respondents. “In the evenings, senators would hang around for a few pops,” recalled one respondent. An especially popular gathering spot was the office of the Secretary for the Majority. The hospitable Stanley Kimmitt – Secretary for the Majority during Democrat Mike Mansfield’s tenure as Senate leader (from 1961-1977) – welcomed all comers in the late afternoon. “These informal gatherings [at Kimmitt’s office] were never announced but everyone knew about them, and all senators were welcome,” remembered a veteran leadership floor aide. To another respondent, these gatherings illustrate how “booze can help smooth the legislative process.”

Senators who preferred different company could mingle at Minority Leader Everett Dirksen’s (R-IL) Capitol office. “Everett Dirksen would hold an open house each afternoon around 4 p.m. to talk about upcoming legislation and share war stories. Birch Bayh, Ted Kennedy and I came often and we bonded,” one respondent said. Other respondents told me that Hank Brown (R-CO) hosted bridge games at his home each week; Mike Mansfield and George Aiken (R-VT) regularly met for breakfast; and Ted Stevens (R-AK) and Ed Muskie (D-ME) carpooled to the Capitol building each morning the Senate was in session. One respondent made this observation:

A few decades ago it was common practice to disagree by day and share a drink or a meal by night, as embodied in the relationship between Tip O’Neill and Ronald Reagan, or between Tip O’Neill and Bob Michel. All that changed with the emergence of [Newt] Gingrich.

Today’s Senate, by comparison, “is less social and less personal” which “leads to problems” stated a chief of staff. One reason for this, according to some respondents, is that senators spend less and less time in Washington. And the less they are there, the fewer occasions they have to interact with one another. One respondent expressed this view bluntly:

Collaboration is more difficult today for a whole host of reasons, beginning with the fact that senators don’t live in Washington to the same degree they once did. This is a full-time job that can’t be accomplished with part-time attendance.

One senator explained the challenges this way:

Senators have fewer opportunities these days to get to know one another because they come in on Monday and leave on Thursday. Many senators don’t bring their families to D.C. which creates added pressures to get back to their home states. As a result, senators and their families don’t socialize like they once did, which makes it harder to find legislative support, especially bipartisan support.

A former Majority Leader expressed considerable difficulty scheduling votes because “the amount of time that senators spend in [Washington] D.C. has declined.” He continued by saying that “Wednesday is the best day to hold a vote because most everyone will be in town. Thursday is the second-best day. Monday is the worst and Friday is bad too.”

Some respondents attribute the paucity of social interaction today to the exorbitant amounts of time and effort they spend fundraising. As campaign costs have skyrocketed in recent decades (\$5.6 million on average was spent by the winning Senate candidate in 2008) – most noticeably in states containing or adjoining expensive media markets – an activity that was once relegated to the final two years of a senator’s six year term now begins right from the start. “Senators start the campaign as soon as they get reelected,” explained a senior aide. “This wasn’t always the case.” One respondent reported that “more and more the focus is on fundraising and maintaining high visibility.” Another senator shared this view:

Nowadays, senators spend too much time raising money. When I began my career [in the 1970s] I would only raise money during the final two years of my term, but that is not feasible today. The notion of a six year term with the first four years devoid of campaigning is simply not the case anymore.

Senators generally viewed fundraising as unpleasant and distracting, or worse. “Perpetual campaigning undermines bonding,” said one senator. Another reported, “It’s the money and the failure to create community that makes policymaking increasingly difficult.” One senator lamented that “we never stop running.” To him, “raising money and constantly campaigning is poisonous to the political process.” Another respondent pointed out that “senators spend one-third of their time on fundraising. The flow of money into campaigns ruined everything.”

Other respondents lamented a decline in committee participation as a barrier to meaningful interaction. This development represents a loss in the view of one respondent, because some of the most important collaborative relationships are borne in committee. As he explained, “Kennedy and Hatch, Kennedy and Enzi, Leahy and Specter, Frist and Kennedy, Grassley and Baucus, Kerry and Lugar – these relationships developed in committee.” One former senator lamented what he considered a lack of sustained and in-depth attention to committee work today:

When I served [in the late 1960s], senators were limited to two major committee assignments and two minor ones. Now you’re on four major committees and up to twelve subcommittees. Back then everybody would have at least one good committee assignment where they could study the issues and specialize. Now committees have huge staffs to compensate for the numerous assignments of each senator. It’s too much to keep up with.

Another respondent, a former chief of staff to the Appropriations Committee, shared similar views:

In the Appropriations Committee, we took great pride in the process. We would sit in conference [with the House], three senators and seventy House members, which was long and tedious but we did it. Now staff handles all the negotiations. It’s Kabuki theatre. Everyone sits at the conference table for a short period of time and then everyone adjourns to let staff handle the details. The disengagement by members is deplorable in my view.

Beyond interactions that occur in committee, some of the best opportunities senators say they have to interact with colleagues occur on congressional delegation missions abroad (or ‘CoDels’). Some respondents described meeting colleagues on these trips they were previously unfamiliar with but who later became close allies. One former senator had this to say about the benefits these missions provide:

I'm a huge believer in the trips because they provided opportunities to bond. And bonding is essential to compromise. Close ties develop on these trips, which are essential to the process, because when you bond you're more likely to listen to the other side.

"CoDels help us bond," reiterated another respondent. As another senator reported, "The drop in CoDels means that there are fewer opportunities for meeting colleagues. Now only a few key events for meeting colleagues remain – the White House Christmas party, the Summer Barbeque, and dinner with the Supreme Court." A similar view was shared by another respondent:

CoDels provide one of the few remaining opportunities for senators and their families to get to know one another. We need more CoDels. This is one of the few opportunities [senators] have to talk to each other.

At the time I was making my rounds in the Senate, *The Wall Street Journal* ran a series of articles suggesting that congressional delegations were a waste of lawmakers' time and taxpayers' money and contributed to an erosion of public trust in government.¹⁰ Respondents could not have disagreed more with this view. Having read the *WSJ* series, one respondent scolded the authors for exaggerating the cost of these trips to taxpayers because "no matter where they stay, senators don't spend more than \$200 per night even if it's at the Ritz Carlton."

Two respondents identified orientation programs for new members of Congress as especially important venues for developing relationships and learning how to perform in a new position. One senator shared his orientation experience:

When I was elected to the House in 1982 I was invited to Harvard for an issues conference for new members. Boxer, Reid, Richardson, Spratt, Durbin, McCain, Ridge, Casey, DeWine, we all attended the same conference. We stayed in the same hotel. We ate our meals together. We socialized together. We attended meetings together. The entire experience allowed for a great deal of bonding.

Unfortunately, many of these kinds of opportunities have become a thing of the past. "Shortly after the 1994 elections, Republicans began attending their own issues conference," the senator explained. "When I got to the Senate, I asked Mark Pryor about orientation. He told me there's not much of one in the Senate." The senator viewed this as problematic because "collaboration can't happen without some familiarity of one's colleagues." He recounted an effort to compensate for this perceived deficiency:

It was during a breakfast with David Broder, George Voinovich, Lamar Alexander, Bob Dole, and Tom Daschle that we talked about ways to bridge the partisan divide and decided to put together a 'new senators' school. The idea was for senators and their families to live in close proximity for a period of time to allow them to get to know each other before starting work. We wanted them to all share the same bathroom, so to speak. The first year was 2006 and we had eight Republicans and two Democrats, including a fellow from Oklahoma named Coburn and a junior senator from Illinois. And you know what happened? Coburn and Obama hit it off and remain close friends today.

¹⁰ See Brody Mullins and T.W. Farnam, "Opposition Emerges to House's Jet Spree," *The Wall Street Journal*, August 10, 2009, p. A1; Brody Mullins and T.W. Farnam, "Congress Retreats Over Jet Purchase," *The Wall Street Journal*, August 11, 2009, p. A1.

More Ideological Polarization. With fewer ideological moderates in the Senate and a widening chasm between the views of each party’s caucus, senators and senior staff say they have a harder time finding colleagues with whom to work with, especially those from the opposite party. Ideological polarization, in the view of one senator, helps explain why “cross-party collaboration has decreased noticeably” during his thirty years in office. Another senator explained, “Ideological polarization hurts the ability of senators to collaborate because it makes it harder to find common ground.” Similar to the views of many political scientists, respondents attributed the rise of polarization inside the Senate to several key developments, including an influx of more ideological members into the Senate from the House; a more combative and conflict-driven media; and a greater reliance by senators on the interest group community for political and financial resources.¹¹

By design, institutional conflict between the two chambers of Congress inheres in our constitutionally fragmented system of government. In the House, rules and procedures give tremendous advantage to the majority party, but in the Senate, numerical minorities – even one senator – can wield considerable influence in chamber affairs. It is also the case that senators represent more expansive and politically diverse constituencies in comparison to their House colleagues, except in the seven sparsely-populated states represented by only one House member. Maintaining ideological purity on issues of national scope provides a more viable electoral strategy for House members, especially when a district’s voters possess some degree of uniformity in their viewpoints. By comparison, senators represent a broader array of state-wide interests so we might expect this diversity of voter needs and demands to reduce the incentives that senators have to maintain ideological purity.

The modern Senate has long been populated by senators who formerly served in Congress’s lower chamber but many respondents viewed ideological polarity as a natural consequence of more members of the House gaining election to the Senate and ascending the ranks of the party leadership.¹² “House members are educated in ‘madrass’ where the singular and dominant ideology is reelection,” explained a former Republican senator. “Then they bring that over here [to the Senate].” According to another senator, “their mindset remains the same” when House members from “boutique districts” arrive to the Senate. Redistricting, in his view, contributes to polarization by creating “a new kind of elected official who wins [comfortably] in the House and comes to the Senate to do battle.” In the view of this senator, ideological lines became more pronounced “during the mid-1990s [when] there was a mass exodus of moderates from the Senate and they were all replaced by those at the ideological extremes.” “This new breed of senator,” in the view of one chief of staff, “made compromise more difficult with such pronouncements as ‘you can’t compromise with an unborn child’s life’ when, in fact, compromise is the hallmark of the American political system.” Another senator explained that “since 1994, a number of House members [who learned that chamber’s ‘my way or the highway’ style of lawmaking] have been elected to the Senate but the Senate requires a different mentality than the House.”

¹¹ Political scientists have devoted a great deal of attention to the causes and consequences of ideological polarization in American politics. See Sinclair (2006), McCarty, Poole, and Rosenthal (2006), and Theriault (2008).

¹² Between 1973 and 2004 the percentage of senators who had previously served in the House grew steadily from 33 percent to 50 percent. The 109th Congress (2005-2007) set a record – over fifty senators (51) were former House members. Of the nine senators who serve as party leaders in the 111th Senate – Majority Leader Harry Reid (D-NV), Minority Leader Mitch McConnell (R-KY), Majority Whip Dick Durbin (D-IL), Minority Whip Jon Kyl (R-AZ), GOP Conference Chair Lamar Alexander (R-TN), Democratic Conference Secretary Patty Murray (D-WA), GOP Conference Secretary Lisa Murkowski (R-AK), Democratic Policy Committee Chair Byron Dorgan (D-ND), and GOP Policy Committee Chair John Thune (R-SD) – only two, McConnell and Alexander, did not serve in the House prior to their elections to the Senate. Few of these leaders can be considered moderates.

Some respondents singled out former Speaker Newt Gingrich (R-GA, 1995-1999) and his brash legislative style for ushering in an era of pronounced ideological divisiveness. “All hell broke loose in the mid-1990s with Gingrich,” in the view of one senator. “Newt Gingrich and the conservative movement ushered in a different type of politics,” another respondent said. One GOP chief of staff suggested that “the alumni of the Gingrich revolution might see the world in a different light in comparison to previous generations of public servants.”

What William White (1956) once called the “Senate type” – “a man for whom the Senate as an institution is a career in itself, a life in itself and an end in itself” – seems less fitting today. One respondent familiar with White’s work made this point directly while others expressed a similar sentiment by contrasting senators who formerly served in the House with those who were once governors. Former House members were said to pursue a more ideological agenda upon entering the Senate in comparison to former governors because, according to a chief of staff, “governors are used to governing and working with the other party.” This respondent considered the fact that “there are fewer former governors in the Senate than their used to be” a troubling development.

When former Indiana governor and current Democratic senator Evan Bayh announced his retirement from the Senate in February 2010, he listed a number congressional ‘dysfunctions’ in a *New York Times* op-ed to explain his decision:

There are many causes for the dysfunction: strident partisanship, unyielding ideology, a corrosive system of campaign financing, gerrymandering of House districts, endless filibusters, holds on executive appointees in the Senate, dwindling social interaction between senators of opposing parties and a caucus system that promotes party unity at the expense of bipartisan consensus.¹³

Respondents also identified many of the same dysfunctions Senator Bayh cited. Foreshadowing Bayh’s announcement, one respondent, who happens to be close to the senator, affirmed that “of all my [sixteen] friends in the Senate who also served as governors, not a single one of them would rather be a senator than a governor.” In the experience of this former governor turned senator, life in the Senate became increasingly ideological and more difficult to withstand over the course of his career. “I was much happier as a governor than as a senator,” he said, “because as governor I could play a more pragmatic role in public affairs.” He distinguished between the two positions using an analogy. As he put it, “governors are like captains of a small ship while senators are like deckhands dodging the boom in the high seas.” This distinction explains why, in his view, more senators are leaving Capitol Hill in search of a Governor’s mansion. This view was shared by a veteran chief of staff who observed that “governors don’t like it here.”

Along with the ideological inflexibilities attributed to the many House members who won election to the Senate and the departures of governors, several respondents highlighted changes in how the print and electronic media cover campaigns, elections, and the political process as a consequential hindrance to collaboration. On this point, the views of one former senator were typical:

Politics is much meaner today. Campaigning has devolved into what can be featured in thirty second negative advertisements, so senators are continually concerned about their actions being used against them down the line. This harms the ability of senators to achieve common ends.

¹³ Evan Bayh, “Why I’m Leaving the Senate,” *The New York Times*, February 21, 2010, pg. E. 9.

Around-the-clock media coverage emphasizing conflict over compromise means that “senators are watching their step constantly” and “focus a great deal on the possibility of attack ads by 527s,” according to a former senator who considers negative campaigning destructive to collegial interaction. He continued by saying that “as soon as they are sworn in senators assume defensive postures and work to cover their asses” because “the nature of politics today is all about attack ads,” which “negatively affect governing” and causes “the loss of bipartisanship [in the Senate].”

“The press is after serial panic,” explained a former GOP chief of staff who considers the media biased in favor of conflict and entertainment. As he sees it, “cable news gets two hedgehogs to square off, but we need more foxes like [former CBS News anchorman] Walter Cronkite.” During Cronkite’s era, news broadcasts were just that; broadly cast to a wide audience. Nowadays broadcasting seems to have been replaced by “narrowcasting” whereby media outlets tailor their informational content to smaller and more homogeneous segments of the American public. The prevalence of narrowcasting on cable news, the radio, and the Internet led a former Majority Leader to remark that today’s media “is driving the bitterness and the degradation of civility.”

Even more troubling to some respondents is the relationship that exists between senators and the interest group community, especially when it comes to campaign financing. “Guys in this town [lobbyists] make a living by keeping members of Congress happy with campaign money,” explained a former chief of staff. “The constant quest for campaign dollars,” he said, “is detrimental to the ability of the political system to reach compromise [because] once the lobbyists come in, positions among senators tend to stiffen.” He also made this observation:

There are way too many spokesmen for national groups. Interest groups and their spokesmen in the Senate harden their issue positions to prevent compromise, which undermines the work of the Senate. The key to the Senate is the ability to bargain.¹⁴

Over the course of his thirty-year career, one senator reported that “pressures on senators intensified tremendously during my time in office as constituent groups and political money people began to dominate.” Another expressed concern at dramatic increases in campaign costs because, in his view, the exorbitant cost of campaigning for a Senate seat encourages close relationships to develop between elected officials and well-financed interest groups. “Normal citizens can’t run for office. To run, you have to be financially wealthy or obligate yourself to special interests,” he lamented. “As parties decline, interest groups take over,” another senator explained.

Other respondents correlate polarization in the Senate with the ideological intensity of voters in primary elections. In comparison to general election voters, primary voters are more active politically and tend to hold more extreme ideological views. To win a primary election, candidates must appeal to this set of voters or risk losing their seats to a more ideologically suitable challenger. As one senior Republican explained, “We’ve empowered the ideologues, which drove Arlen Specter to make the choice he made.” Rather than face Pennsylvania’s GOP primary voters in a race against Club for Growth president Pat Toomey, a candidate whose conservative bonafides are less disputed, Specter shed his Republican affiliation and will compete for his seat in the Democratic primary instead. Viewed as a moderate, polls showed Specter trailing Toomey by fifteen points among Republican primary voters at the time he departed the party, a clear sign of trouble ahead.

Similar challenges await John McCain (R-AZ) and Robert Bennett (R-UT). Both have shown some willingness to work with Senate Democrats – John McCain with Ted Kennedy (D-MA) on immigration issues and Robert Bennett with Ron Wyden (D-OR) on health care reform – and both now face questions

¹⁴ Cigler and Loomis (2006) document the proliferation of interest group activity since the 1970s.

from primary voters about their ideological commitments to conservative orthodoxy. In Bennett's case, his primary challenge comes despite the fact that he has one of the Senate's most conservative voting records since his election in 1992.¹⁵ John McCain, meanwhile, was selected as his party's presidential candidate just a short time ago. The fact that both senators will face stiff primary competition for the first time since assuming office illustrates how the ideological tenor of primary elections can act as a disincentive to bipartisan cooperation. A competitive imbalance between the two parties in states like Arizona and Utah also means that, in the words of one former senator, "Primaries have become the most important election in a lot of places."

Withering social interaction, heightened ideological polarization, or some combination of the two were cited by nearly all respondents as key influences negatively affecting collaborative opportunities, especially across the aisle. A third development respondents cited, also negative, involves the rise of obstructionism and the corresponding efforts Senate leaders have taken to exert some control over the Senate's agenda. While Senate leaders do not possess the impressive variety of parliamentary powers their counterparts in the House command, they now appear more willing to utilize the few procedural advantages they do have at their disposal to overcome dilatory behavior.¹⁶ Some respondents report that this kind of leadership behavior can inflame hostilities within the chamber.

Assertive Senate Leadership. Contemporary Senate leaders have colorfully compared the challenge of Senate leadership to such metaphorical tasks as "pushing a wet noodle" (Howard Baker), "herding cats" (Trent Lott), or "loading frogs into a wheelbarrow" (Tom Daschle).¹⁷ Senators who find themselves on the receiving end of an objectionable leadership directive usually have recourse to delay or reconsider action, a conundrum for the leadership. As ideological lines have sharpened between the two Senate parties in recent years, dilatory behaviors have increased dramatically. "The filibuster [and its threat] is tremendously overused," explained a thirty year veteran of the chamber. "Now the minority insists on sixty votes before anything is actually considered, which leaves no room for adjustment. But the majority won't give [the filibuster] up because it might find itself in the minority one day." The senator continued by saying that "holds and filibusters are most effective in blocking action or exacting concessions late in a session, or before a recess or adjournment."¹⁸ To be sure, the Majority leader can counter dilatory actions with his own "hardball" procedural maneuvers, such as filling the amendment tree.

Respondents chastised today's senators for what they perceived as a rise in overtly partisan and self-centered behavior. "Senators today don't have the same sense of being part of an institution," a veteran senator reported. "They certainly wouldn't campaign against one another as they do now." Another pointed out, "There are more votes today which take more time and senators are more likely today to grandstand, which can be frustrating at times." A GOP chief of staff also expressed impatience with the fact that "Coburn and [Richard] Burr [R-NC] will hammer an issue over and over and over again at 11pm on a Thursday, even when the outcome is already decided and folks are trying to leave town. And for what?" Another respondent disdained senators "who swoop in at the end of the process to claim credit for bringing about compromise."

¹⁵ Utah selects congressional candidates through caucuses rather than primaries. Even more than primaries, caucuses tend to be low-turnout elections dominated by the party faithful.

¹⁶ See Beth (1995), Smith and Binder (1997), Beth and Bach (2003), and Sinclair (2005) on the prevalence of dilatory behavior in the contemporary Senate.

¹⁷ See Doherty (2007) and Smith (2007) on the role Senate leaders play in managing the chamber and the challenges they confront in doing so.

¹⁸ Evans (2005) provides empirical documentation supporting the claim that holds that occur late in a congressional session tend to have the greatest force. As Wawro and Schickler (2006) argue, in the face of dilatory behavior Senate leaders often have a greater incentive to move on to other legislative matters rather than spending time to try to overcome obstructionism.

As senators have become more willing to utilize the full range of parliamentary tools they each possess, a corresponding effort has been made by Senate leaders to find new ways to move legislation through the chamber. In the view of some respondents, heightened inter-party competition over agenda control creates a strain on relationships that hinders collaborative efforts from taking place, especially across party lines. The emergence of a more confrontational Senate, they say, can be blamed on what they characterize as an overuse of Senate procedure for individual or partisan gain, an “abuse of procedural strategy,” in the view of one former Majority Leader. Bitter conflict on issues of civil rights, the election of younger, more ideological, and more assertive senators, many of whom ascended to leadership positions, and polarization between the two parties created what one respondent called a “procedural arms race” over control of the Senate agenda. A chief of staff to a recent Majority Leader contrasted this procedural environment with what his boss’s predecessor, Lyndon Johnson, confronted:

[Lyndon] Johnson wouldn’t bring anything to the floor without a time agreement and [Howard] Baker moved on unless amendments were offered in a timely manner. Today’s environment is different. Non-germane amendments are important weapons of the minority party. The strategy now is, ‘you give us votes on our [non-germane] amendments, and we’ll give you a time agreement.’

The Senate’s amendment procedures allow members to propose any number of changes to a bill, including those that are unrelated (non-germane) to the matter at hand. As senators move farther apart from one another socially and ideologically, they appear more willing to use the Senate’s permissive amending rules to force votes on controversial items that they think will give them an advantage over the opposition come election time. As a top aide to the Democratic leadership explained:

Depending on majority status, floor strategies are driven by the need to avoid tough votes or force tough votes. Now we have ‘message amendments,’ which is a relatively new concept here. Those amendments are written with a thirty-second campaign advertisement in mind.

Many so-called ‘message amendments’ – non-relevant amendments crafted for political messaging purposes – “are more geared towards superficial issues that divide senators for political gain rather than policy improvement,” according to one veteran senator.¹⁹ In his view, the amending activity that occurs today is motivated more by partisan considerations than a genuine desire to improve a bill. “Amendments used to be about the substance of the bill,” he explained. “They used to be serious. It’s an entirely different proposition now.” He also made a distinction between “substantive” or “serious” amendments – amendments motivated by a desire to improve legislation – and “superficial” amendments “like the ones that [Senator] Jesse Helms would put up just to hit political buttons.” Another respondent, a two-term Democrat, expressed dismay that “a huge amount of time is spent crafting amendments to divide senators for purposes of election.” A former chief of staff to several moderate Republicans offered more animated remarks. “What kills you is a string of votes on a reconciliation bill designed to divide senators every which way,” he lamented. “Most of these amendments deal with social issues or the party message and not the underlying bill.” Worth brief mention is the array of message amendments that minority party senators proposed to a 2010 reconciliation bill to “correct” various provisions in the massive health care reform plan signed into law by President Obama.

Unless senators can agree to limitations on amending activity ahead of time, preserving the content of legislation from non-germane amendments can be a real challenge for the leadership. A former chief of staff to Majority Leader Frist (R-TN) illustrated this point by recalling a recent effort by Senate Democrats to force action on a number of amendments opposed by the leadership. “[Senator] Lugar

¹⁹ Evans (2001) provides additional insight into the strategic considerations and procedural tactics congressional leaders employ to send political messages to voters, a dynamic he calls “message politics.”

brought out a nothing State Department Authorization bill in 2003 and we let it go for a day or two,” he reported. “Non-germane amendments came out from everywhere, so much so that we had to pull the bill down.” Another chief of staff recalled a similar instance. “We put the bill up for thirty days and people were bringing amendments by constantly,” he said. “It was a total mess.”

Reacting to the explosive growth of non-relevant amending activity in recent decades, Senate leaders have sought new ways to exercise control over the agenda. Perhaps the most controversial way they do this is to block the consideration of objectionable (often non-germane) amendments by “filling the amendment tree” on pending legislation, using the Majority Leader’s right to first recognition on the Senate floor. Several respondents suggested that Majority Leader Robert C. Byrd (D-WV) first developed this procedural innovation in the 1980s, and the tactic caught on because, as one senator noted, “When one side adopts a tactic, the other side adapts.”

Another respondent, a former Democratic Secretary, explained how an increasingly partisan and assertive leadership operation emerged over the course of his thirty year career. “I could count on one hand the number of times that George Mitchell filled the tree,” he stated. “Even then, it was done only in consultation with the Minority Leader and when the Senate faced a serious time constraint.” During Mitchell’s tenure, he said:

Jesse Helms was well-known for proposing all kinds of ‘gotcha’ amendments, often on abortion. Mitchell allowed those votes and insisted only that the majority-supported bill or amendment be voted upon first, to protect his caucus. But he never denied Helms a vote. That all changed with Lott.

Lott, he said, took the practice to “another level” by routinely filling the tree and invoke cloture. Using this procedural double-whammy, the majority leader can exclude minority-supported amendments from consideration (by filling the tree) and limit the amount of time for debate and amendment by using cloture, if it is successfully invoked. As he saw it:

Lott worked to prevent Democratic amendments right from the start, and when Democrats voted against cloture before the amending process had even started, Lott blamed them for obstructionism.

In previous years the Senate routinely considered amendments “side-by-side.” Under this arrangement, floor amendments proposed by the majority and minority parties would be debated at the same time, allowing for some comparison to occur between the merits of various proposals before they were put to a vote. This provided all senators with a greater voice, a chance to advance their own policy ideas, an opportunity to gain a “clean” vote (no second degrees permitted), and, arguably, more incentive to allow the debate to move forward. In the view of a former top aide to Majority Leader Frist, the procedural innovations made by recent Senate leaders to retain some control over amending activity and debate – for example, more cloture petitions, full amendment trees, omnibus bills, and use of reconciliation – as natural reactions to dramatic increases in dilatory behavior.

In addition to the procedural innovations they have made in recent years, Senate leaders appear more dedicated to the task of maintaining a unified caucus across a wide range of policy fronts. “Caucus leaders place enormous pressure on senators regarding votes and the Senate schedule,” a former Majority Leader explained. Another senator characterized today’s Senate parties as “cheerleading camps.” One respondent expressed similar disdain for leadership efforts to keep senators “on message.” “We go to the message meetings to learn about the upcoming schedule and not to learn how to regurgitate the party message that week,” he said.

Several respondents chastised Senate leaders for interfering more directly in the work of their colleagues. One respondent recalled an especially nasty exchange between Appropriations Chairman Thad Cochran (R-MS) and Minority Whip Mitch McConnell (R-KY) over the handling of appropriations legislation. The central issue involved a perception by the GOP leadership that Cochran was “allowing too many voices a say in the process.” This respondent, who once served as Cochran’s chief of staff on the Appropriations Committee, shared a line he often heard the senator say to his committee colleagues. “If someone has a problem, then come down and say so. Let’s debate the issue and have a vote,” Cochran told his fellow appropriators. This level of openness in committee bothered McConnell (a former appropriator), who at one point scolded Cochran for his willingness to incorporate minority-supported proposals into committee bills. The Chairman took exception to this. “It’s up to you to schedule the appropriations bills,” Cochran shot back to McConnell. “If the [Democratic] amendments are so troubling, then perhaps the vulnerable [GOP] incumbents shouldn’t be reelected.” It seems unlikely that Senator Cochran would speak so blunt to his leader today given the deterioration of bipartisanship in the Senate.

In another relevant instance, “McConnell told [Chuck] Grassley not to compromise on healthcare before the August recess so that the GOP could use it as a campaign issue,” according to one senator who expressed dismay with this kind of arrangement. Other respondents detailed more punitive measures taken by Senate leaders to keep senators apart who might otherwise agree. A former Democratic senator who frequently hosted his colleagues for dinner at his home described several instances in which Senate leaders, he believed, had scheduled votes to coincide with his planned social gatherings. As he put it:

Part of the difficulty of having so many senators at the same place at the same time is that the party leadership can schedule votes strategically to break up the group, which happens more than I would like to admit. There is a tension between hosting and voting.

One senator was disgusted by a recent leadership decision to forbid Democrats from participating in a congressional delegation trip to Afghanistan. For years it has been common practice to include senators of both parties as members of these delegations – traditionally, chairmen and ranking members of the relevant committees select senators to go – but this instance suggests an amount of leadership involvement that exceeds previously established boundaries, and on a relatively mundane matter to boot.²⁰ Most respondents viewed these kinds of interventions by Senate leaders as poisonous to relationships in the chamber. Perhaps that is why Senate veteran Arlen Specter told one respondent during a recent conversation they had that “There is more anger now in the Senate than at any time I can remember.”

Section IV. Collaboration in a Polarized and Individualistic Senate

Most respondents (with one exception) consider the relationships senators have with one another as central to Senate lawmaking, but the consensus view among them is that working collaboratively, especially across the aisle, is harder than ever in the contemporary Senate. With fewer occasions for collegial interactions, greater ideological polarization between the two parties, and a more assertive leadership operation, the incentives and opportunities senators have to work together appear limited. “It’s a bad, bad situation out there,” observed one senator when asked about prospects for collaboration in today’s political environment. “There is so much partisanship that it is hard to compromise.” One respondent indicated that “a lot boils down to friendship [in the Senate] but opportunities have diminished over the years.” In the view of one chief of staff:

²⁰ Strategically, party leaders might have an incentive on occasion to impede any opportunities that might allow for the emergence of a bipartisan consensus on a given issue. Party leaders, for instance, might prefer to “own” one of their traditional issues rather than allow opposition members to join in support.

The fundamental exchange of views is defunct which produces a chilling effect on collaboration. Shouting down colleagues has replaced efforts to listen to them. The lubricants of relationships don't exist today.

Some amount of cooperation is usually required for legislation of any real substance to pass the Senate. Respondents conveyed this point using a range of examples, three of which are especially revealing in my view. The first illustrates how personal relationships can promote cooperation among colleagues during Senate deliberations while the second and third examples reveal the benefits of collaborative relationships to Senate lawmaking.

During the 1970s, on mornings the Senate was in session, Ed Muskie, a liberal from Maine, and Ted Stevens, a conservative from Alaska, carpooled together, as noted earlier, to the U.S. Capitol. Despite their political differences, these rides allowed them to develop a close relationship and a willingness to help one another. In the car one morning, Stevens asked Muskie to propose an amendment on his behalf to protect Alaskan fisheries, a key source of economic activity in his state, during debate on an energy and water appropriations bill. A markup session scheduled in one of Stevens' committees would prevent him from introducing his amendment ahead of the final vote scheduled later that day. "Of course," agreed Muskie.

After getting sidetracked during the day, Muskie simply forgot to introduce his colleague's amendment as he had agreed to do. By the time Stevens' committee adjourned the final vote was already underway. Upon reaching the floor and realizing that his amendment was missing from the bill and time for its consideration had expired, the fiery Stevens went to Muskie and asked, "How could you forget to do this?" The emotional Stevens then unleashed a torrent of frustration using language that attracted notice. Hearing the exchange between an aggrieved Stevens and an apologetic Muskie, Majority Leader Mansfield approached the two and admonished Stevens for his language. "We don't use profanity on the Senate floor," Mansfield told Stevens. At that point Muskie intervened to accept responsibility and explained to the Majority Leader that it was his fault for failing to honor a commitment he made to his colleague.

"Well, in that case," said Mansfield as he returned to his desk to remedy the problem. As senators mingled about the well of the chamber waiting to vote, Mansfield sought recognition from the presiding officer and made an unusual request for any senator to make while a vote was already underway. What happened next was unprecedented. First, the Majority Leader suspended the vote. Then he asked his colleagues, most of whom were present on the floor, to accept a unanimous consent request adding the Stevens amendment as currently written to the appropriations bill without debate. Hearing no objection, the Stevens amendment was adopted by voice vote and folded into the bill. Mansfield then resumed the appropriations vote and the measure passed.

To be sure, suspending a vote midstream to add an amendment wholesale and without debate and resuming the vote on a now-amended bill is a flagrant violation of Senate rules. The lesson here, however, is that Mansfield considered it a worse offense for Muskie to have failed to protect the parliamentary rights of his colleague to amend legislation, as he had agreed to do. Mansfield's decision to break the rules to allow a junior senator of the opposite party to amend an appropriations bill at the very last minute – all because Muskie forgot to carry through on a prior commitment – illustrates how relationships within the chamber can promote a spirit of cooperation among colleagues and a more inclusive deliberative process. (Muskie and Stevens continued to carpool together after this episode.)

Another respondent, a liberal member of the Judiciary Committee during the 1960s, also depicted a more accommodating and cooperative period in the Senate by recalling an instance in which he and other

liberal members of the committee drafted legislation to do away with the “blue ribbon” jury selection process common in many parts of the South. In their view, the blue ribbon process conflicted with the civil rights of the accused, often African-American, because those juries were hand-picked by prominent citizens and governing elites. Since average citizens and other undesirables (namely blacks) were not allowed to serve on these juries, liberals on the committee believed that blue ribbon panels perpetuated racial discrimination.

Two prominent senators stood in the way of this proposal: Chairman Roman Hruska (R-NE) and Ranking Member Strom Thurmond (D-SC), neither of whom was especially sympathetic to civil rights. As the senator explained, “We sent something up that would have done away with the blue ribbon jury selection system, but with Hruska and Thurmond on the committee that bill was dead as a doornail. So I sat down with Hruska and we talked about holding hearings and working together on jury reform. And we did.” In this instance, collaboration was possible only because “we [in committee] promised to work very hard not to embarrass each other.” To minimize the expected political outcry from Senate conservatives, they agreed to a deal whereby the liberal proposal would be considered on a day when Hruska and his fellow conservatives were out of town. The senator explained that by working together in this way,

We hashed out a jury reform bill that came out of subcommittee unanimously. It passed the full committee unanimously. And it enjoyed overwhelming support on the Senate floor. That’s the way it worked, and that’s the way it should work.

Important collaborations occur outside the Senate as well. According to one respondent, the close working relationship between Sam Nunn (D-GA) and Richard Lugar (R-IN) was formed when both senators attended a week-long educational seminar held in Budapest, Hungary in 1983. The purpose of the seminar, according to a former senator who ran this session and many others like it, was to educate lawmakers on nuclear arms issues. “I wanted to change the situation that existed at the time where political leaders did not know preeminent experts across a wide range of issues,” he said, while also acknowledging that his seminars “had the effect of bringing members from different parties together around the same table for a healthy exchange of ideas.” The 1983 seminar in Budapest, for instance, allowed Sam Nunn and Richard Lugar to develop the groundwork for what later became the Nunn-Lugar Cooperative Threat Reduction Program, a program enacted in 1992 to secure and dismantle nuclear weapons located in former Soviet states. “That [Nunn-Lugar] and many other major laws were inspired by collaboration among participants in the program,” he reported.

These instances of Senate lawmaking reflect a more collaborative era in the Senate, a time when senators were closer and more accommodating to one another than they are today. The successful outcomes achieved through each of these legislative efforts – to protect native fisheries in Alaska, to ensure fairness in the jury selection system, and to safeguard nuclear weapons following the collapse of the Soviet Union – were facilitated in part by a relationship between opposite-party senators. These personal relationships were able to develop through some frequency of interaction, whether in the car on their daily commute to the Capitol, in the committee room, or in Budapest, Hungary. As fewer occasions exist today for these kinds of exchanges to occur, which many respondents report is the case, senators have a more difficult time working with and trusting their colleagues. The lack of trust between and among senators – and avenues to pursue that virtue – exacerbating polarization between the two parties and dampens prospects for wide-ranging and meaningful collaboration to occur. To achieve some measure of cooperation in the face of these challenges, one former senator suggested that “the solution has to involve inclusion.” In his view, “What we need is more bipartisanship, not less. More collaboration, not less. More friendships, not less.” One chief of staff put it best. “In the Senate, there is no magical crank to make things happen. It’s all about relationships.”

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APPENDIX 4.1: SAMPLE QUESTIONNAIRE

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Dear _____,

I am an advanced political science graduate student at the University of California, Berkeley and my doctoral dissertation explores the dynamics of lawmaking in the contemporary United States Senate. My work is being supported by a grant from the Dirksen Center for Congressional Research, and the results eventually will be published in scholarly journals and hopefully as a book with a university press.

I would value enormously the opportunity to meet with you for about an hour or so at your convenience and in confidence to discuss your own personal experiences collaborating with colleagues. I can arrange to be at your office on any day and time that is convenient for you. Let me briefly describe my project as a prelude to a possible future conversation.

My research examines the nature and importance of collaboration in the Senate. Existing chapters of my dissertation utilize cosponsorship data on the 111,301 bills and amendments considered by the Senate between 1973 and 2004 to assess the nature of collaboration over time and its relevance to Senate lawmaking. Patterns of cosponsorship behavior during this period suggest that collaboration in the Senate has gradually declined from the 1970s to today, but there is a limit to how much we can infer about collaboration on the basis of cosponsorship data alone. My hope in this interview is to discuss with you the nature of senatorial collaboration and how prospects to work together might have shifted over time and why. Questions that could orient our conversation are the following:

- What attributes do you look for when deciding to partner with another senator?
- How would you describe the process of cosponsorship in the Senate?
- How would you characterize legislative life in the Senate today compared to when you arrived?
- What changes, if any, have affected the ability of senators to work together?

These questions will help me better understand the nature and importance of collaboration to the Senate's unique legislative process. Thank you for your kind consideration.

CHAPTER V. TAXING THE FELLOW BEHIND THE TREE: PARTICULARISM, GENERAL BENEFITS, AND THE TAX REFORM ACT OF 1986¹

Conventional models of policy-making posit that policy development in decentralized political systems occurs incrementally, and legislative outcomes reflect the underlying distribution of power among groups in society. Proposals to radically alter existing policy should fail, especially when diffuse general benefits are provided by concentrating costs on well-heeled groups. Passage of the Tax Reform Act of 1986 defies this convention. Overcoming obstacles, Congress and the President overhauled the U.S. tax code by eliminating special tax preferences for key social groups and distributing benefits widely to all taxpayers. How did they do it? Evidence presented here demonstrates that the strategic allocation of distributive benefits was used to build and sustain a winning coalition of support for tax reform. By exploiting Congress' appetite for particularism, adept leaders gained the leverage necessary to promote broader collective goals.

Conventional models of policy-making posit that policy development in decentralized political systems occurs incrementally through a process of “partisan mutual adjustment” among competing organized interests (Lindblom 1965). Politicians are said to “referee the group struggle” by assigning winners and losers in statutory form (Latham 1952). Incremental policy-making is justified on the grounds that individuals are cognitively constrained in their ability to evaluate the proper means to achieve desired ends (Simon 1945). This approach also has a strong political appeal because incremental change is usually the path of least resistance for lawmakers when a pluralistic distribution of power exists among social groups. In this way, the current state of policy generally reflects the distribution of political influence within society and radical departures are met with heated opposition from affected groups.

Like most policy areas, numerous competing interests are represented on Capitol Hill in the area of tax policy. Achieving favorable treatment in the tax code, a goal of many of the most powerful interest groups, can be worth thousands, millions or even billions of dollars to individuals and corporations. Extensive lobbying campaigns conducted by well-heeled groups have, over the years, helped to create a tax code laden with preferential treatments for a multitude of interests, a form of what David Mayhew (1974) has labeled “particularism.” In 1984, even Trappist Monks were petitioning Congress for special treatment because, according to Father John Baptist, “everyone else had it [an investment credit]” (Birnbaum and Murray 1987, 7).

Since the income and corporate taxes were first enacted, the most noticeable trend in tax policy has been the proliferation special preferences in the tax code. The basic structure of the code remains intact, however, despite efforts to replace or greatly modify it. Those efforts have never advanced far in the legislative process. Overall, the development of tax law is entirely consistent with the incremental model of policy-making.

All bets were off in 1986. In that year, Congress passed and the President signed into law the Tax Reform Act, a radical development in tax policy. The sweeping nature of the reforms and their imposition of costs on powerful interests does not comport with incremental theories of policy-making. The outcome did not reflect the distribution of power within society as pluralist theories would suggest since the greatest beneficiaries of tax reform were a poorly organized group of six million low-income taxpayers

¹ In the words of former Senate Finance chairman Russell Long (D-LA), “Tax reform means ‘Don’t tax you, don’t tax me, tax that fellow behind the tree’” (Simpson 1988).

whose federal tax burdens were eliminated under the Act. The Tax Reform Act provided diffuse general benefits and imposed significant concentrated costs on well-heeled interest groups. According to a generation of congressional scholars, such initiatives should be extremely difficult to pass. For this reason, the Tax Reform Act provides scholars with a useful case for exploring the conditions under which Congress can enact legislation in the general interest.

This study unfolds in five sections. Section I discusses challenges confronting passage of tax reform. Despite significant obstacles, the Tax Reform Act passed Congress by resounding majorities and was signed into law by President Reagan. Scholars of tax reform attribute passage of the Act to a variety of factors, and section II details the most widely cited of those. In my view, one important aspect has been neglected in studies of tax reform which may have broader implications for understanding how non-incremental policy-making in the general interest can be shepherded through Congress: the strategic allocation of highly-prized distributive benefits called “transition rules.” Anecdotal evidence suggests that transition rules were doled out by the chairmen of the tax-writing committees to build a winning coalition in support of tax reform. Section III conducts a quantitative analysis to test this proposition, and section IV analyzes the results. Section V offers summary conclusions and implications for future research.

Section I. Challenges to Tax Reform

In a ceremony held on the South Lawn of the White House on October 22, 1986, President Reagan added his signature to perhaps the most significant policy enacted in the 1980s; the Tax Reform Act of 1986. In scope, depth, and impact, the Tax Reform Act was extraordinary – every American taxpayer was affected by its passage. To long-time journalist Albert Hunt (1987, 1), “In the history of the Republic, very few pieces of legislation have more profoundly affected so many Americans.” Hunt’s assessment of the Tax Reform Act’s impact is certainly true, but the process by which those reforms were achieved is even more striking.

To remain revenue neutral – an important criterion for passage during an era when massive federal budget deficits were perceived by lawmakers and the public as cause for great concern – any reductions in individual marginal rates required tax-writers to eliminate numerous incentives, credits, and deductions in the tax code. Some tax provisions dated back to 1913 when the Sixteenth Amendment allowed Congress to levy and collect income taxes. To make matters more difficult, many of the most generous tax provisions – such as deductions for mortgage payments, charitable contributions, state and local taxes, and returns from Individual Retirement Accounts – enjoyed broad support among the tax-paying public. Lawmakers were understandably worried that eliminating such popular tax preferences would inspire electoral retribution unless tax reform achieved noticeably lighter individual tax burdens.

Reducing marginal tax rates also hinged on cutting tax provisions enjoyed by industry and wealthy individuals. This carried additional political risks. In comparison to the average taxpayer, trade representatives and corporate lobbyists enjoy disproportionate access to lawmakers on the tax-writing committees, contribute large sums to their campaigns, are privy to better information, and have a more thorough understanding of the intricacies of the law. Moreover, opposition among these privileged constituencies could be quickly mobilized to emasculate policies that challenged their particular interests. Without strong countervailing pressure from taxpayers – many of whom are unfamiliar with the minutia of tax law and are unable to correlate their tax burden to specific congressional acts – lawmakers are relatively free to amend the tax code in ways that benefit specific entities at the expense of the average taxpayer.

Between 1913 and 1986, the disproportionate influence of powerful interest groups helps explain why Congress, with few exceptions, has presided over a massive proliferation of special tax incentives targeted to specific individuals, constituencies, or corporate entities.² Adding loopholes to the tax code is far easier than removing them. Stanley Surrey (1966), Assistant Treasury Secretary during the Kennedy and Johnson Administrations, examines why Congress frequently amends the tax code to grant special treatment to certain groups or individuals. The most important factors he cites include the technical complexity of the tax code, the desire of lawmakers to help constituent groups, the lack of opposition (apart from the Treasury Department) to proponents of special tax provisions, and a lack of public knowledge of special tax provisions.

Once enacted into law, tax provisions often become the domain of powerful interest groups bent on protecting them. Striking specific provisions is politically-dangerous because overall gains in fairness would be hardly noticeable to the average taxpayer, whereas the losses to beneficiaries of the stricken provisions would likely prompt considerable outrage. Like children, constituencies scream louder when their “toy” is taken away from them – whether it is a home mortgage deduction, a write-off for capital investment, or an oil depreciation allowance – than when it is provided (Kahneman and Tversky 1979).³

Previous reform efforts failed miserably, including President Carter’s crusade against the “three-martini lunch” and Senator Bill Bradley’s (D-NJ) effort to eliminate numerous loopholes in 1981.⁴ Tax reform has never been politically popular on Capitol Hill, and few legislators supported the efforts of Carter and Bradley. Observers of American politics had little reason to suspect that the Tax Reform Act would pass in 1986. The view of John Witte (1985, 380) expresses this commonly shared perspective:

There is nothing, absolutely nothing in the history of politics of the income tax that indicates that any of these [tax reform] schemes has the slightest hope of being enacted in the forms proposed.

Witte was correct in expressing the difficulty in passing tax reform, but his prediction proved to be incorrect. Witte should not be judged harshly. Few scholars anticipated passage of the legislation.

Section II. Passage of the Tax Reform Act of 1986

The obstacles to tax reform are considerable. Even still, the Tax Reform Act did pass both chambers of Congress, and by resounding majorities to boot.⁵ Scholars offer a variety of explanations for this outcome, and some of the most widely-cited factors include: leadership by a popular president; the procedural strategies adopted by Ways and Means Chairman Rostenkowski (D-IL) and Finance Chairman Packwood (R-OR); divisions within the interest group community; the pro-reform coalition between liberal Democrats and supply-side Republicans in support of reform; and general dissatisfaction with the current tax code.

² The proliferation of tax preferences was interrupted in 1969 when Treasury Secretary Joseph A. Barr of the outgoing Johnson Administration revealed that 154 individuals with incomes exceeding \$200,000 had not paid taxes in 1966. See Pechman (1987, 15).

³ Kahneman and Tversky explain that this tendency – known as the “isolation effect” – is a result of inconsistent preferences when the same choice is presented in different forms. They argue that gains and losses, rather than final assets, best explains decision-making under risk.

⁴ The “three martini lunch” refers to a loophole in the tax code that allowed businessmen to write-off dining expenses, including martinis.

⁵ The House passed its version of tax reform by voice vote on December 17, 1985 (the minority failed to demand a roll-call vote) and affirmed the conference version by a 292-136 margin on September 25, 1986. The Senate’s version passed 97-3 on June 24, 1986 and on September 27, 1986 the conference version was approved by a 74-23 margin.

Presidential leadership. To Susan Hansen (1983, 62), “major tax innovations show strong links to periods of political realignment and social crisis, in marked contrast to the incremental policies characteristic of ‘normal’ politics.” For instance, the income tax was established to pay the costs of World War I. New Deal legislation enacted in the 1930s instituted Social Security taxes. In what might be called the presidential model of major policy innovation, a strong president sweeps into office with large, unified party majorities in Congress, mobilizes the resources of his office to construct a legislative program, and rallies the public and members of his or her party behind it (Brady 1978, Beam 1990).

President Reagan defeated Walter Mondale by a landslide in 1984, but political realignment and social crisis was not apparent in the 1980s.⁶ Tax reform gained a prominent position on the national agenda because President Reagan championed the issue as his primary domestic priority and committed substantial executive branch resources to crafting Administration proposals known as Treasury I and Treasury II. At key junctures during the tax reform debate, however, strong leadership from the President was lacking. In response, Republican legislators defected in large numbers during consideration of the rule proposed by the House Rules Committee and nearly killed the legislation. Presidential leadership might have been a necessary ingredient for passage, but it was by no means sufficient.

Procedural strategies. Tax reform also benefited from the procedural guidelines agreed to by lawmakers during the tax reform debate. Tax reformers in Congress met in secret; created task forces to mobilize votes during House consideration; avoided recorded votes on controversial tax provisions; bundled the measure into an omnibus package; adopted restrictive rules during floor consideration in the House; and delegated authority to the chairmen during conference consideration. Lawmakers were able to limit the ability of interested lobbyists, the press, and the public from exacting electoral retribution on Members of Congress for specific policy actions they may have taken prior to floor consideration. These procedural moves also enabled lawmakers to solve the collective action problem of passing meaningful tax reform without appearing to oppose specific tax provisions favored by constituents in their district or state.

During the closed-door committee markup in the Senate, decisions to remove tax breaks dear to a senator were accompanied by a “note from the chairman” (Birnbaum and Murray, 1987, 226). The purpose of the note was to provide lobbyists a signal that, although the senator waged a valiant fight to save the tax provision, the chairman had removed it anyway. The lobbyists could then blame Chairman Packwood for the elimination of specific provisions. Packwood justified the closed-door committee sessions for the following reason:

When we’re in the sunshine, as soon as we vote, every trade association in the country gets out their mailgrams and their phone calls in twelve hours, and complains about the members’ votes. But when we’re in the backroom, the senators can vote their conscience (Birnbaum and Murray, 1987, 260).

Tax-writers were concerned about the consequences of imposing identifiable costs on politically-active segments of the population for good reason. Even though tax reform would benefit society as a whole – and especially the six million low income taxpayers who would be eliminated from the tax rolls – there was no guarantee that beneficiaries of the tax reforms would support the reformers in upcoming elections.⁷ Opponents of reform, however, were sure to remember those lawmakers who voted against their interests.

⁶ Ninety-five percent of congressional Democrats, the chamber’s majority party, were reelected in 1984.

⁷ Low-income voters demonstrate lower levels of political activity in relation to high-income voters, but differences decrease significantly after controlling for education (Wolfinger and Rosenstone 1980).

To Douglas Arnold (1990, 128), Congress can enact legislation to benefit the general public at the expense of particularized interests if two conditions are met: 1) the measure's impact is salient or potentially salient to a substantial number of citizens, and 2) coalition leaders develop procedural strategies to publicize the positive general effects of legislators' votes while hiding specific votes against particularized interests. By Arnold's logic, procedural strategies matter significantly for general interest legislation to pass Congress. In this case, both of Arnold's conditions were satisfied. The tax code was widely believed by taxpayers to be unfair and, to achieve greater fairness in the tax code and benefit the taxpaying public, lawmakers employed procedural strategies to foster passage by cloaking the incremental decision-making process.

Divisions within the interest group community. In previous debates over tax reform, business interests were generally united in their opposition. Many of the existing lucrative tax exemptions were enjoyed by industry. In 1985, cracks became apparent in the united front of business opposition to tax reform. Many companies, particularly those that paid high corporate tax rates but made only modest use of their preferential tax treatment, favored eliminating tax preferences in return for lower corporate rates. For instance, high-tech firms gained little from investment tax breaks because those firms do not invest heavily in equipment as smokestack industries do. Roger Smith of General Motors and CEOs from other companies thought tax reform would encourage sales. Six other powerful corporate executives – including the heads of General Foods, 3M, J.C. Penney, Procter & Gamble, Standard Oil, and Dart & Kraft – openly supported tax reform, a clear departure from the past (Birnbaum and Murray, 1987, 81). As a result, divisions within the interest group community provided lawmakers with greater freedom to eliminate those provisions enjoyed by industry.

Coalition between pro-reform Democrats and supply-side Republicans. Politics often makes strange bedfellows. Such was the case during consideration of the Tax Reform Act as pro-reform Democrats joined supply-side Republicans (including President Reagan) in pushing for tax reform. For supply-siders like Congressman Jack Kemp (R-NY) and Senator Robert Kasten (R-WI), tax reform offered an opportunity to simplify the tax code by reducing the progressive marginal-rate system they viewed as unfair. The supply-side ideal is a flat tax, but that movement suffered a major setback when it was demonstrated that individuals with lower incomes would pay higher taxes and higher-income individuals would pay lower taxes under their flat tax proposal (Pechman 1987, 16). The Tax Reform Act offered the next best option because it collapsed the progressive rate structure into fewer marginal rates and reduced the top marginal rate considerably.

Dissatisfaction with the tax code. Nobody enjoys paying taxes, and resentment is amplified when taxpayers believe that they are being treated unfairly. The growing use of tax shelters by wealthy individuals to reduce or eliminate their tax liabilities was well-known, and President Carter's failed effort at tax reform in 1978 publicized some of the most egregious loopholes in the tax code. The proliferation of tax provisions benefiting the well-to-do created a situation in which the average taxpayer paid a higher percentage of their income in taxes than did wealthy individuals, despite the progressive structure of the income tax code (Pechman, 1987, 17). Moreover, the tax system had become so complex that millions of taxpayers relied on accountants to prepare their returns.

The erosion of the corporate tax base also increased public dissatisfaction with the current tax system. Discontent crystallized when Robert McIntyre, working for the Citizens for Tax Justice published a report documenting that 128 of the nation's 250 largest and most profitable companies paid no federal income taxes in at least one year between 1981 and 1983. McIntyre's report received extensive media attention because of such compelling sentences as, "It's a scandal when members of the Fortune 500 pay less in taxes than the people who wax their floors or type their letters," and "Americans are wondering why the federal government is incurring the largest deficits in history even while they are paying the highest taxes ever" (Birnbaum and Murray, 1987, 12). With McIntyre's report in hand, Senator Robert Byrd (D-WV)

described on national television a mother of three children earning \$12,000 a year who paid more in taxes than Boeing, General Electric, DuPont, and Texaco combined. The widespread perception among taxpayers that the tax code was in need of repair helped to facilitate passage of the Tax Reform Act.

By no means are these five factors an exhaustive list of the facilitators of tax reform. Other important factors included: 1) the effective leadership of Ways and Means Chairman Rostenkowski and Finance Chairman Packwood, both of whom made tremendous efforts in promoting passage;⁸ 2) the imposition of revenue-neutrality on amendments during debate on the Senate floor;⁹ and 3) the desire among lawmakers of each party to claim credit for tax reforms.¹⁰ However, one key factor is missing in accounts of the Tax Reform Act: the strategic allocation of transition rules to build a winning coalition of support for tax reform. In my view, the use of transition rules during consideration of the Tax Reform Act has broader implications for understanding the strategies that leaders can employ to pass legislation that provides diffuse general benefits to a majority of Americans.

Section III. Data and Methods

What is a transition rule? In theory, transition rules are designed to aid specific groups or corporations in making a smooth transition to a new body of tax law. Changing the “rules of the game” in midstream, it is argued, should not penalize economic activity favored under the prior tax code. For instance, when industry invests in long-term capital projects, it does so with the current body of tax law in mind. Particular decisions may have been made precisely to take advantage of tax preferences or other favorable provisions in the tax laws. If those laws are suddenly changed, decisions that had previously been economically efficient may now impose unanticipated costs. In these circumstances, transition rules serve to mitigate adverse effects.

In practice, transition rules are the domain of the chairmen of the tax-writing committees who can allocate rules based on the merits of the impacted entity or simply as side payments to lawmakers. Anecdotal evidence suggests that during consideration of the Tax Reform Act, transition rules were used as legislative glue to sustain a winning coalition in committee and on the floor.

Transition rules take many forms. Some provide exceptions to tax-exempt bond limits to fund the construction of new sports stadiums, convention centers, and auditoriums. Others target funds for public infrastructure projects such as transit systems, water treatment facilities, and highway construction. And still others confer tax credits on corporations that may unduly suffer under the new laws. Common to all rules is their narrow scope: each rule is designed to benefit one specific entity. Rather than state the beneficiary of a transition rule outright, lawmakers use purposely vague language to prevent the public from figuring out where federal money is being directed. For instance, the language used to describe the construction of a convention center in Miami Beach reads as follows:

⁸ In the view of Birnbaum and Murray (1987, 132-33), “Congress is not a bureaucracy that moves by rote and form letter; it is a place where one person can make a difference and often does. When it came to tax reform, Rostenkowski was such a person. He was a force unto himself, a character to be dealt with.”

⁹ Prior to floor debate, senators agreed that amendments in violation of the 1985 Gramm-Rudman budget law would not be allowed. Only revenue-neutral amendments would be permitted. This condition required senators wishing to add a tax break to find a way to pay for it, usually a losing proposition. Interestingly, the section of Gramm-Rudman imposing revenue-neutrality on amending activity had yet to be implemented. Nonetheless, senators adhered to the spirit of the law. During Finance committee consideration, a similar requirement was adopted which made altering the bill more difficult for opponents of tax reform.

¹⁰ Before President Reagan proposed tax reform in 1985, liberal Democrats like Ted Kennedy (D-MA) and Bill Bradley (D-NJ) had been lonely champions of tax reform. Many Democrats felt as though President Reagan and other supply-side Republicans were preempting their issue and wanted to demonstrate to voters that they were the party of reform.

An exception from the repeal of authority to issue I.D.B.'s for convention centers would be provided for a specified amount of bonds issued for expansion of a convention center with respect to which a convention tax was upheld by a state supreme court on February 8, 1985 (Birnbaum and Murray, 1987, 147).

Fortunately, the impenetrable language used to describe transition rules need not impede their analysis by scholars. Senator Howard Metzenbaum (D-OH), a vocal critic of transition rules, published a list of rules that were included in the House, Senate, and conference versions of the bill in the *Congressional Record*.¹¹ Metzenbaum thought transition rules were wasteful and, by publishing the list, sought to shame the beneficiaries of the rules and their representatives into eliminating them. Needless to say, Metzenbaum's objections fell on deaf ears. Lawmakers did not want to relinquish their prized rules.

The list published by Metzenbaum includes three pieces of information for each rule: the name of each beneficiary, the dollar amount of the transition rule provided, and the state where the beneficiary is located.¹² In some instances, either the monetary value of the rule or the location of the beneficiary was not included. Of the 174 transition rules added to the measure during Senate consideration, forty-four are missing either a dollar amount or a location. Rules with incomplete descriptions are dropped from analysis. It is possible but unlikely that omitting the forty-four incomplete rules will bias the results.¹³

The 130 rules with complete information were then compiled by state. Naturally, large states like California received greater sums in transition rules than small states like Vermont. To account for this, the total value received by each state in transition rules was divided by the size of the state's economy, or gross state product (GSP), in 1986.¹⁴ The resulting fraction is an independent variable in the analysis and is used in a linear regression model to predict a senator's support for tax reform.¹⁵ The directional

¹¹ Finance Chairman Packwood provided Metzenbaum the list of transition rules after the Ohio senator had threatened to delay final passage of the conference report unless the beneficiaries of the rules were disclosed. With list in hand, Metzenbaum argued with Packwood at great length on the Senate floor to eliminate many rules he viewed as unnecessary. See the *Congressional Record*, September 27, 1986, pp. 26596-26643.

¹² A typical rule would read as follows: Barrows Hall structural renovations – Berkeley, CA – 5 million. This is a fictitious rule created by the author. Most rules were designed for businesses.

¹³ Two additional transition rule variables also were tested as part of this study. The first tabulated total state allocations of transition rules that were included in the House bill, and thus also were included in the base bill that was initially brought over to the Senate, and the second contained rules added in conference committee. Neither variable was a statistically significant predictor of pro-reform behavior during initial Senate consideration, which is not surprising. Consider first the transition rules added during House consideration (which occurred prior to Senate action). Senators may not have known which rules were included in the House bill. In addition, the House-passed transition rules were inserted in the measure at the request of particular House members, not by senators, and thus might be less effective at influencing the behavior of senators. Moreover, since these items were already in the bill when the Senate began consideration, senators might have taken them for granted. Future transition rules added in conference should also be uncorrelated with support for reform on the Senate's version of tax reform. In short, the set of transition rules that are most likely to influence member behavior during Senate consideration were those added at some point during initial Senate consideration – the set that I focus on in this analysis.

¹⁴ Data on Gross State Products in 1986 is available at <http://www.bea.gov/bea/regional/gsp/action.cfm>. A variable for population, an alternative approach to measure the size of a state's economy, was also tested in the model and yielded nearly identical results when substituted for the GSP variable. This result is not surprising. We would expect a high degree of collinearity between the GSP and state population variables. The GSP variable is preferable because transition rules were designed for corporations, not individuals.

¹⁵ Many of the transition rules printed in the *Record* were state specific, not city or county specific. As such, the methods developed in this section can not be extended to the House. Furthermore, the method used to measure senators' support for tax reform – roll-call voting on eighteen amendments to the tax reform bill and voting on final passage and the conference report – is also problematic for an analysis of the House because the tax reform bill was subject to only two roll call votes in the lower chamber.

hypothesis is as follows: the greater the amount of money received in transition rule relief relative to the size of the state's economy, the more likely the senator will support reform. The measurement procedure for the dependent variable will be discussed shortly. First, it is necessary to introduce three additional variables. One variable captures a senator's ideology, and a second indicates membership on the Finance Committee. Both variables are reasonably related to transition rule allocations and pro-reform behavior, and failing to include them might bias estimates of the impact of transition rules on pro-reform behavior. The third variable is an interaction term that multiplies a senator's ideology by the relative value of transition rules obtained by his or her state to determine whether liberal and conservative senators responded differently to their allocations of transition rule relief.

Political Ideology. It is likely that a senator's support for tax reform was partly a function of the legislator's political ideology. Supply-side Republicans were strong proponents of tax reform and are credited for facilitating its passage. Senate Democrats, with the exceptions of Senators Bradley (D-NJ) and Kennedy (D-MA), generally opposed passage of tax reform. DW-Nominate scores in the first dimension control for the influence of ideology on pro-reform voting (Poole and Rosenthal 1997).¹⁶ DW-Nominate scores derive from the roll call record and range in value from -1 (very liberal) to +1 (very conservative). It is possible that party affiliation also influenced behavior, but party and ideology are closely correlated during this period which makes it difficult to isolate their independent effects if both are included. I selected the ideology measure because DW-Nominate scores allow for more variation in comparison to party variables.

Finance Committee. The second variable accounts for membership on the Finance Committee. As participants in the policy's formulation, Finance members had a disproportionate stake in the process. To Richard Fenno (1973), the prestige of a committee is based in part on its ability to successfully manage and pass legislation on the floor. Fenno's analysis largely focused on House committees. Committees in the Senate do not constrain the floor behavior of senators to the same degree. Still, it is reasonable to expect that Finance members would face greater pressure to see "their bill" enacted into law in comparison to non-Finance members. The support of Finance members is essential and their opposition can be detrimental to the prospects of a bill emerging from committee. Committee chairmen enjoy important procedural prerogatives, so Finance members who oppose the bill would have an incentive to temper their opposition during floor debate on such an important piece of legislation because committee members might require the chairman's assistance in future policy debates. Moreover, concerns raised in committee might be addressed before the bill reaches the floor. All else being equal, Finance members should be more supportive of tax reform in comparison to non-Finance senators. To evaluate this possibility, a variable is included which equals 1 for Finance members and 0 otherwise.

Ideology and Transition Rule Interaction. To determine whether conservative or liberal senators were more or less likely to have their support for reform "bought off" by transition rules, an interaction term is included that multiplies a senator's ideology by the amount of transition rule relief directed to his or her state relative to the state's economy. It is reasonable to expect that transition rules provided a more effective pro-reform sales pitch to conservative senators because these rules are enjoyed by business interests, a natural GOP constituency. Conversely, some liberals opposed transition rules because they targeted benefits to narrow interests, in violation of the spirit of tax reform. Senator Metzenbaum (D-OH) voiced strong opposition to transition rules during floor consideration and even offered several amendments to eliminate specific transition rules from the bill.¹⁷

¹⁶ Poole and Rosenthal's DW-Nominate scores for the 99th Congress are available at: <ftp://k7moa.uh.edu/junk/s991986.dat>.

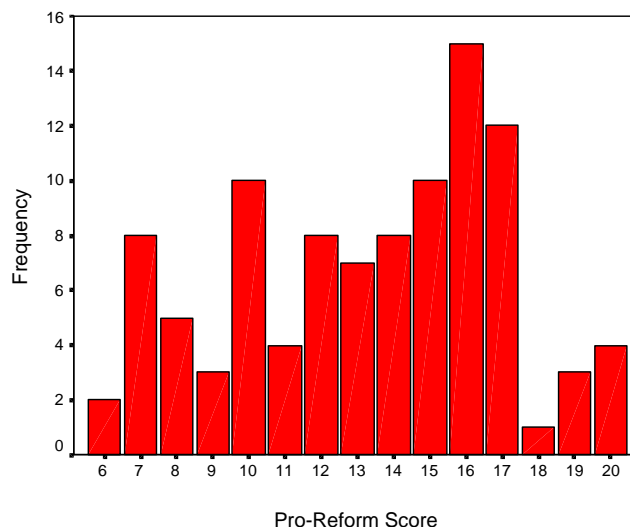
¹⁷ Three amendments offered by Metzenbaum to strike transition rules in the bill were the subjects of roll call votes 131, 132, and 133 (two failed) and two amendments were adopted by voice vote.

The dependent variable in the analysis is a lawmaker’s level of support for tax reform. During floor consideration in the Senate, eighteen amendments to the Tax Reform Act were subject to roll-call votes. These were not clarifying or perfecting amendments; they aimed to make major modifications to the bill by reinstating tax preferences that had been eliminated in committee.¹⁸ If the committee bill was amended extensively, then the integrity of tax reform might be seriously undermined. The committee bill had been carefully crafted to maximize the strength of the pro-reform coalition. The most widely-supported deductions remained in the bill for this very purpose. Under the condition of revenue-neutrality imposed by the Gramm-Rudman budget law, floor amendments that provided additional tax breaks (and a loss of money to the Treasury) would have to eliminate other breaks or propose tax hikes to offset the loss of revenue in the bill. Advocates of tax reform did not want support for the bill to unravel with the adoption of weakening amendments.

Wary of this possibility, Senator Bradley convinced Chairman Packwood to adopt a strategy of opposing all amendments and lobbied his Senate supporters to do the same. In this context, the strength of a senator’s support for tax reform is measured by their adherence to Bradley’s strategy. Votes against an amendment are coded as 1 (pro-reform) and those in favor are 0 (anti-reform). None of the eighteen amendments were proposed in the spirit of reform, and the adoption of each one threatened the carefully crafted coalition of support. For instance, Midwestern senators probably would have opposed tax reform had oil and natural gas interests not received favorable treatment in the committee bill, and support among Northeastern senators hinged on retaining deductions for state and local taxes.¹⁹ In these and other instances, Finance members were able to reach compromises suitable to those senators prior to floor consideration. If committee compromises on specific provisions of the bill were nullified by floor amendments – a real possibility if new tax breaks were paid for by eliminating the compromise provisions outright – opposition to the tax reform bill would increase.

The strength of a senator’s support for reform – the dependent variable in the analysis – was calculated by counting the number of times they voted in opposition to the eighteen Senate amendments.²⁰ Pro-reform votes on final passage and adoption of the conference report were also included, bringing the total number of votes used to measure a senator’s support for tax reform to twenty.²¹ Figure 5.1 illustrates the frequency distribution of support for tax reform among senators. Values range from 6 to 20.

Figure 5.1: Frequency Distribution of Senators’ Pro-Reform Scores



¹⁸ Appendix 5.1 presents the votes underlying the measure of a senator’s support for tax reform.

¹⁹ Deductions for state and local taxes remained in the bill at the request of Senators Moynihan and D’Amato who threatened to vote against the measure if they were not included. At the time, state taxes in New York were the highest in the country.

²⁰ Two Sense of the Senate amendments were considered during floor consideration of the bill. These votes were excluded from the analysis because they are symbolic proposals and lack the force of law.

²¹ To account for absences on votes, an alternative measure was also tested in the model that divided the number of pro-reform votes by the number of votes in which a senator was present. The results using both dependent variables are very similar, as one would expect. The raw score was used in place of the percentage, however, to account for senators who may have avoided votes on difficult amendments.

A word on the House is in order. The Rules Committee granted a modified closed rule which limited debate to three hours with no threatening amendments made in order. Furthermore, a recorded vote on the House's version of the Tax Reform Act never occurred: the minority failed to ask for a recorded vote. As such, only two House votes can be used to quantify the preferences of lawmakers: the vote on a substitute amendment offered by the minority, and the vote on final passage of the conference report. With such minimal variance in the dependent variable, an analysis similar to that presented for the Senate cannot be extended to the House.

In the Senate, multivariate regression analysis can estimate the influence of transition rules, and the model to be tested appears below.

$$Y = \alpha + \beta_1 X_1 + \beta_2 X_2 + \beta_3 X_3 + \beta_4 (X_1 * X_2) + \varepsilon$$

where:

- Y = Support for tax reform
- X_1 = Dollar value of transition rules by state/Gross State Product
- X_2 = Ideology
- X_3 = Committee membership
- ε = stochastic term

One important weakness to the model must be identified. It is possible that the causal arrows point backward – transition rules may have been allocated to senators who had already voiced their support for tax reform rather than as a tool to build a winning coalition. The methodology developed here cannot account for this possibility. On this point, it is useful to consider the observations of Representative Barney Frank (D-MA):

People seem to think that transition rules refer to helping the economy make a transition to a new tax system, but they refer to getting members to make a transition from no to yes.²²

Section IV: Statistical Findings

Table 5.1 presents the statistical findings and coefficient estimates that reflect expected changes in pro-reform voting. Standard errors appear in parentheses. The most important finding is the level of significance associated with the transition rule variable. When holding other variables constant, an increase of one standard deviation in that variable is associated with one additional pro-reform vote on the Senate floor. The substantive impact of this result might appear minor, but accounting for one additional pro-reform vote among the twenty votes cast by each senator could have made a real difference during the amending process.

The measurement procedure used to calculate this variable – the dollar amount received in transition rules divided by the size of the state economy – accounts for the small value of the estimate. The positive and significant

Table 5.1: Multivariate Analysis of Pro-Reform Voting

	Correlation (Standard Error)
Transition Rules	0.0059** (0.003)
Ideology	3.54*** (0.936)
Finance Committee	3.11*** (0.810)
Interaction Term (Rules * Ideology)	0.019* (0.011)
Intercept	12.42*** (0.382)

*** p<.001 ** p<.05 * p <.1 (one-tailed)

²² *The Washington Post*, Sept. 26, 1986, p. A12.

relationship between transition rules and pro-reform voting supports my claim that transition rules were used to build a winning coalition in support of tax reform. This result also makes good intuitive sense from a coalition-building standpoint: transition rules are highly prized by lawmakers eager to claim credit for channeling federal money to their state.²³

Ideology is also significant for explaining a senator's support for tax reform. A one unit increase in a senator's conservatism, say from -0.5 to 0.5, is correlated with 3 or 4 additional pro-reform votes. Senator Byrd's (D-WV) ideology was -0.48 and his pro-reform score was 10. Senator Denton's (D-AL) ideology score was 0.52, and his pro-reform score was 15. Based on my results, Denton would be predicted to cast three or four additional pro-reform votes in comparison to Byrd.

This result comports well with the dynamics of the pro-reform coalition. One of the most widely cited factors used to explain passage of the Tax Reform Act is support among supply-side Republicans. In contrast, liberal Democrats earned some of the lowest pro-reform scores. Tom Harkin (D-IA) and Dan Inouye (D-HI) received scores of 6 and Paul Sarbanes (D-MD) and Carl Levin (D-MI) scored a 7. Only three senators opposed final passage of the Senate bill: Carl Levin (D-MI), John Melcher (D-MT), and Paul Simon (D-IL).²⁴

Finance members were expected to be more favorable to tax reform, and the positive and significant estimate supports this view. Senators on the Finance committee are expected to cast three more pro-reform votes than non-Finance members (all else equal).

The purpose of the interaction term is to determine whether meaningful differences existed between liberals and conservatives in their support of transition rules. Results displayed here suggest that the allocation of transition rules influenced conservatives to cast pro-reform votes to a greater degree than liberals. Conservatives might be more favorable to transition rules because business interests – the most frequent beneficiaries of those rules – are, as noted earlier, a natural GOP constituency. The positive and significant estimate for the interaction term bolsters this claim.

Section V. Concluding Observations

Among the universe of factors facilitating passage of tax reform, transition rules have been largely unexplored. Evidence presented here suggests that these key distributive elements were at work in building and sustaining a winning coalition for tax reform during Senate floor consideration. It is perhaps ironic that a landmark tax reform bill, which simplified the tax code, was aided in its passage by targeted and preferential tax provisions.

This chapter is subject to a qualification. The possible two-way causality between pro-tax reform votes by senators and the allocation of transition rule benefits is the major empirical limitation to this analysis. In future work, more sophisticated modeling techniques could be used to gauge the relative strength of the arrow pointing from the allocation of transition rules to pro-reform voting and the (possible) arrow pointing from support for reform toward the receipt of transition rule benefits.²⁵ The proper estimation technique for gauging the relative magnitudes of these effects is simultaneous equation modeling. This approach has been successfully used in the literature on Congress to unravel reciprocal relationships that

²³ See David Mayhew (1974) on credit claiming, pages 52-61.

²⁴ Melcher's pro-reform score was a 7 and Simon's was an 8.

²⁵ Preliminary evidence suggests a weakness in the causal arrow pointing from support for reform toward the recipient of a transition rule(s). If transition rules were used mainly to reward prior behavior, the variable accounting for rules added in conference should have been significant. As mentioned earlier, neither the conference nor House variables were statistically correlated with roll-call behavior in the Senate.

might exist between campaign donations and roll call behavior (Jacobson 1978). That technique can inform the questions addressed in this paper.

Evidence presented here is highly instructive. Few scholars would dispute that non-incremental policy development in the general interest is difficult to accomplish. Furthermore, the enactment of policies that pit the interest of a broad and unorganized public against those of organized special interests further compounds those difficulties. To Douglas Arnold (1990, 142),

Legislators feel forced to serve general interests only if a program's general costs or benefits are salient or potentially salient to substantial numbers of citizens, and only if coalition leaders employ procedures that encourage traceability for general effects rather than for group or geographic effects.

Arnold argues that the enactment of general interest legislation depends in large part on developing procedural strategies to hide policy development from the view of organized interests. Results of this analysis suggest an alternative criterion: the strategic allocation of particularistic benefits by key lawmakers to potentially-supportive colleagues.

Since the 1974 publication of David Mayhew's pioneering work, *Congress: The Electoral Connection*, scholars and pundits have criticized Congress for engaging in policy particularism and distributive politics.²⁶ The distinctions that are often implied between particularism and special interests, on the one hand, and general benefits and the public good, on the other, may mask the complex interrelationships that actually exist between these two styles of legislating. In fact, the strategic allocation of particularistic benefits – transition rules in the case of tax reform – may be crucial to the passage of legislation which would provide diffuse general benefits. In short, adept leaders may be able to use Congress' appetite for particularism to gain the leverage necessary to promote broader collective goals.

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²⁶ The 110th Congress passed the Honest Leadership and Open Government Act (P.L. 110-81) which addressed, among other things, the issue of "earmarks" – congressional directed spending. Limited tax benefits are identified as one form of earmark. Further, the law requires transparency in the earmark process, such as the public disclosure of the earmark sponsor and the entity anticipated to benefit from the limited tax benefit. The implementation of this provision opens further research into transition rules and other types of distributive benefits.

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Appendix 5.1. Roll Call Votes Included in Measure of Dependent Variable
(Pro-reform position in italics is coded as 1; otherwise 0)

Amendments to Senate Bill

1. Roll Call Vote 125: To allow the deduction for contributions to individual retirement plans against the 15 percent rate, and to increase the minimum tax rate. Tabled 51-48. (*Vote to table coded as 1*)
2. Roll Call Vote 126: To provide a refundable credit for contributions to individual retirement plans. Tabled 76-21. (*Vote to table coded as 1*)
3. Roll Call Vote 127: To allow the deduction for contributions to individual retirement plans against the 15 percent rate, and to impose a 1 percent floor on all itemized deductions not otherwise subject to a floor. Tabled 78-21. (*Vote to table coded as 1*)
4. Roll Call Vote 128: To delete the exception for working interests in oil and gas property from the definition of passive activity. Tabled 77-20. (*Vote to table coded as 1*)
5. Roll Call Vote 130: To provide for charitable deductions for nonitemizers and to lower the threshold for phasing out the personal exemption. Tabled 51-44. (*Vote to table coded as 1*)
6. Roll Call Vote 131: To strike out a transition rule, and to authorize the Secretary of Treasury to issue regulations that permit family farmers to use income averaging to the extent that such regulations will not reduce revenues more than the revenue raised under this amendment as determined by the Joint Committee on Taxation. Motion to table rejected 30-60. Amendment was subsequently passed by voice vote. (*Vote to table coded as 1*)
7. Roll Call Vote 132: To strike out a transition rule. Tabled 73-14. (*Vote to table coded as 1*)
8. Roll Call Vote 133: To strike the transitional rule relating to tax on the long-term capital gains on rights to royalties paid under leases and assignments by a limited partnership. Tabled 68-31. (*Vote to table coded as 1*)
9. Roll Call Vote 134: To retain current law relating to tax treatment on foreign investment in United States real property. Motion to table rejected 18-80. Amendment was subsequently passed by division vote.²⁷ (*Vote to table coded as 1*)
10. Roll Call Vote 135: To strike the provision eliminating 3-year recovery of basis in pension plans, and for other purposes. Tabled 57-42. (*Vote to table coded as 1*)
11. Roll Call Vote 136: To delete the section of the bill allowing steel companies to carry back unused investment tax credits for 15 years. Tabled 65-29. (*Vote to table coded as 1*)
12. Roll Call Vote 137: To provide a third rate bracket for individual taxpayers at 35 percent. Tabled 71-29. (*Vote to table coded as 1*)
13. Roll Call Vote 139: To allow a 30 percent capital gains exclusion for the sale of farm property by an individual actively engaged in the trade or business of farming to include deferred foreign income of

²⁷ A division vote is an unrecorded vote in which senators either stand or raise their hands to be counted.

United States shareholder of controlled foreign corporations in the computation of alternative minimum taxable income. Tabled 63-32. *(Vote to table coded as 1)*

14. Roll Call Vote 141: To lower the maximum individual tax rate to 26 percent, to increase the income to which the 15 percent rate applies, to repeal the foreign tax credit and foreign income deferral, and to increase the rate of the minimum tax. Tabled 92-7. *(Vote to table coded as 1)*
15. Roll Call Vote 142: To provide for the indexing of trade or business property sold by individuals age 55 or older and to impose a tax on mergers involving corporations of more than \$250,000,000. Tabled 60-35. *(Vote to table coded as 1)*
16. Roll Call Vote 144: To make revisions in the section 559 Voluntary Disclosure Program. Motion to table failed 41-41. Amendment was subsequently brought to a vote. *(Vote to table coded as 1)*
17. Roll Call Vote 145: To make revisions in the section 559 Voluntary Disclosure Program. Amendment rejected 40-43. *(Vote against amendment coded as 1)*
18. Roll Call Vote 146: To allow a 30 percent capital gains exclusion for the sale of property by an individual actively engaged in the trade or business of farming or woodlot operations; and to limit net operating loss carrybacks. Tabled 54-39. *(Vote to table coded as 1)*

Vote on Final Passage

19. Roll Call Vote 148: Senate bill passed 97-3. *(Support for bill coded as 1)*

Vote on Conference Report

20. Roll Call Vote 296: Conference report passed 74-23. *(Support for conference report coded as 1)*

CHAPTER VI. NETWORK APPROACHES TO STUDYING CONGRESSIONAL POLITICS

Network analysis, an emerging field within political science, can offer important insights into underlying social structures present in human groups, even ones as exclusive as the United States Senate. Senators are well-positioned to accomplish their objectives by taking advantage of the chamber’s open policymaking environment, permeable committee structure, wide parliamentary latitude accorded members, and relative absence of leadership powers to “crack the whip” and discipline lawmakers. In this institutional setting, the relationships senators have with one another can play an important role in shaping policy deliberations, legislative outcomes, and even public support.

Evidence presented in Chapters II and III reveals that senators who work collaboratively with their colleagues enjoy higher levels of success when their own measures come before the Senate. As interviews from Chapter IV illustrate, senators who display a willingness to work with others are more likely to enjoy their trust and respect, both of which are valuable commodities that can reap legislative rewards or other kinds of benefits at a future time. One long-time chief of staff put it best: “In the Senate, there is no magical crank to make things happen. It’s all about relationships.” In this final chapter, I develop an original dataset and employ tools of network analysis to highlight the senatorial relationships that currently exist in the 111th Senate (2009-2010), suggest additional directions for future research, and conclude with summary remarks.

In “Ranking Senate Partisans,” journalist J.T. Rushing of *The Hill* presents the results of a survey he conducted on the views senators have about working with their colleagues.¹ During a three-month period in 2009, Rushing approached all ninety-nine senators of the 111th Senate and asked them to identify, not for attribution, the opposite-party colleagues they most enjoy working with and those who they tend to avoid. He then ranked senators based on these peer assessments by counting the number of times each senator was identified by a colleague as a desirable legislative partner or as someone to avoid working with. Senators who received the greatest number of positive assessments from their opposite-party colleagues are labeled “bipartisan” in Table 6.1, while those who attracted the most negative commentary appear in the “least bipartisan” column. Based on the information he collected Rushing makes this determination:

Edward Kennedy (D-Mass.) and Susan Collins (R-Maine) are the easiest senators to work with, while Patrick Leahy (D-Vt.) and Jim Bunning (R-Ky.) are the most partisan members of the upper chamber.

Table 6.1: Most and Least Bipartisan Senators Serving in the 111th Senate (2009-2010)¹

<i>Most Bipartisan Democrats</i>	<i>Least Bipartisan Democrats</i>
Edward Kennedy (MA)	Patrick Leahy (VT)
Tom Carper (DE)	Charles Schumer (NY)
Chris Dodd (CT)	Chris Dodd (CT)
Evan Bayh (IN)	Dick Durbin (IL)
Tom Harkin (IA)	John Kerry (KY)
<i>Republicans</i>	<i>Republicans</i>
Susan Collins (ME)	Jim Bunning (KY)
Olympia Snowe (ME)	David Vitter (LA)
Orrin Hatch (UT)	Tom Coburn (OK)
Richard Lugar (IN)	Jim DeMint (SC)
John McCain (AZ)	Lamar Alexander (TN)

¹ Reproduced from J.T. Rushing, “Ranking Senate Partisans.”

¹ J.T. Rushing, “Ranking Senate Partisans,” *The Hill*, April 20, 2009. I conducted a telephone interview with Mr. Rushing on July 31, 2009, to determine the details of how he gathered his information and organized his analysis.

Many of the names that appear in the bipartisan column come as no surprise. Edward Kennedy, a highly-regarded dealmaker, was well-known for his willingness to work across the aisle, a fact that a number of journalists spotlighted following his death as they reflected upon his record of service in the Senate.² On the GOP side, moderates Susan Collins and Olympia Snowe from Maine have worked extensively with Democrats over the years, while Richard Lugar is justifiably viewed as an elder statesman among his colleagues on the basis of a number of his achievements, including his pioneering work with Georgia Democrat Sam Nunn on issues of nuclear non-proliferation.

At the other end of the spectrum, three of the ten most partisan senators occupy positions in the party leadership: Charles Schumer (Vice Chair of the Democratic Conference); Richard Durbin (Assistant Democratic Leader, or Majority Whip); and Lamar Alexander (GOP Conference Chair). The fact that these senators are viewed as partisan makes a lot of sense given the tactical role party leaders play in the chamber. Also worth mention is that Patrick Leahy chairs the Judiciary Committee, one of the more partisan committees in the Senate. GOP Senators Tom Coburn and Jim DeMint are staunch conservatives who have both made extensive use of their parliamentary prerogatives for partisan advantage.³ A series of unusual remarks made by Jim Bunning in recent years – in one instance predicting the imminent death of Supreme Court Justice Ruth Bader Ginsburg from cancer – along with his combative temperament might explain why Democrats tend to avoid working with the senator.⁴ The fact that Senator Chris Dodd appears on both lists indicates a bipolarity of views among Republicans about his willingness to work with them. Some of his colleagues, for instance, cited his personable demeanor as a positive attribute, while others characterized him as ideological.

The collection of peer assessments senators made about their colleagues can be accessed online through hyperlinks embedded in Rushing's article.⁵ Since some reviews are more laudatory than others, I assign numerical weights to each one based on the strength and conviction behind the assessment. Tim Johnson (D-SD), for instance, identified John Thune (R-SD) as someone who would be "the logical person to turn to" on issues concerning South Dakota, which is not exactly a ringing endorsement of his same-state colleague. Roland Burris (D-IL) expressed how impressed he was with the way Orrin Hatch (R-UT) dresses, another statement largely devoid of evidence that a working relationship exists between the two senators. Daniel Inouye (D-HI), meanwhile, described his long-time Appropriations colleague Ted Stevens (R-AK) as a "brother" to him, a statement that conveys far more information about the working relationship that existed between them. Along the 1 to 4 scale I constructed to weigh each assessment, the ones made Johnson and Burris score a 1 while Inouye's is a 4. Appendix 6.1 describes the criteria I used to make each evaluation and Appendix 6.2 contains a complete list of assessments and the numerical weights assigned to each one.

² See David Brooks, "The Great Gradualist," *The New York Times*, Aug. 28, 2009, A19 and Gerald Seib, "Where Have All the Washington Deal Makers Gone?," *The Wall Street Journal*, Aug. 27, 2009, A4.

³ In the weeks leading up to the August 2008 recess, Tom Coburn (R-OK) placed holds on thirty-four bills, effectively preventing their consideration on the floor. In response, Majority Leader Harry Reid (D-NV) packaged the otherwise non-controversial bills into a single omnibus bill in an effort to override Coburn's threat to filibuster. Reid justified his effort "to give the Senate a chance to overcome this senseless obstructing of the nation's business," but his motion to invoke cloture on the underlying omnibus bill (which Democrats referred to as "Tom-nibus" legislation) failed to attract the necessary 60 votes and was defeated 52-40. See David Stout, "Democrats Fail to Overcome Senator's Grip on Bill," *The New York Times*, July 28, 2008 and Carl Hulse, "Democrats Try to Break the Grip Of the Senate's Flinty Dr. No," *The New York Times*, July 28, 2008, A1. In the end, Senator Reid carried the day and won Senate approval of the "Tom-nibus." Worth a brief note is that opposites can attract and achieve legislative successes. Coburn and then-Senator Barack Obama became genuine friends and worked together on "good government" measures that President George W. Bush signed into law.

⁴ Mark Leibovich, "Republicans Looking for a Reliever in Kentucky," *The New York Times*, March 6, 2009.

⁵ Rushing's article is available online at: <http://thehill.com/homenews/news/19275-ranking-senate-partisans>

Quantifying the direction and strength of these assessments allows us to analyze the 111th Senate as a social network and employ some basic tools of network analysis to map the professional relationships that exist among senators who currently serve in the chamber. The widely-available network analysis program Pajek permits us to visualize patterns of relationships and the centrality of senators within the chamber by tapping into the directionality and weight of each appraisal.⁶ Senators are represented here as nodes in a network and 254 connections (lines) can be established between them based on the direction and strength of each peer assessment. The exact placement of nodes is determined by the Kamada-Kawai algorithm, but other algorithms can also be used to display the connections that exist in a social network.⁷ Senators who are frequently identified by their colleagues as bipartisan are located towards the middle of the network diagram – indicating a closer social proximity to their colleagues in network space – while senators who are viewed as partisan are located at the periphery of Figure 6.1.

Figure 6.1: Cross-Party Connections in the 111th Senate:
A Visualization Based on Peer Assessments



⁶ Pajek is available online at: <http://vlado.fmf.uni-lj.si/pub/networks/pajek/>

⁷ I chose to use the Kamada-Kawai algorithm because the positions of actors and distances between them can be easily interpreted using that algorithm. By treating the network as a system of springs – where springs in this context represent the direction and strength of each peer assessment – Kamada-Kawai places nodes (senators) with in the network in such a way as to minimize the amount of “energy” contained in those springs. See Kamada, Tomihisa, and Satoru Kawai. 1988. “An Algorithm for Drawing General Undirected Graphs,” *Information Processing Letters* 31:7-15.

Notice that Ted Kennedy, Susan Collins, Olympia Snowe, Evan Bayh, and George Voinovich occupy central positions in the bipartisan network of the Senate; David Vitter, Jim DeMint, Jim Bunning, and Michael Bennet appear at the periphery. Senators centrally located in the diagram were identified by their opposite-party colleagues as the most bipartisan members and the easiest to work with while those at the edges were considered the most difficult senators to work with. Interestingly, Majority Leader Harry Reid (D-NV) and Minority Leader Mitch McConnell (R-KY) are connected to one another but disconnected from the broader network. This reflects the fact that both senators cited each other's willingness to work across the aisle but each withheld judgment about engaging with other colleagues. No senators identified either as bipartisan. Given the frequency of their interactions and the importance of their policy and procedural negotiations to Senate operations, perhaps the most consequential relationship in the Senate is the one that between the two party leaders.

In addition to visualizing the Senate as a network, we can also use the relational (dyadic) data derived from peer assessments to estimate the centrality of senators within the chamber. Scholars have developed a variety of methods to assess the centrality of actors in a social network, and here I use a measure called “closeness centrality” which expresses along a 0 to 1 continuum the social proximity of each senator to his or her colleagues by taking into account the various connections they have and the strength of those connections.⁸ Closeness centrality scores also make good intuitive

Table 6.2: The Most and Least Central Senators in the 111th Senate (2009-2010)

<i>Most Central</i>	<i>Score</i>	<i>Least Central</i>	<i>Score</i>
Nelson (D-NE)	0.404	McConnell (R-KY)	0.021
Snowe (R-ME)	0.382	Reid (D-NV)	0.021
Collins (R-ME)	0.379	Vitter (R-LA)	0.203
Specter (D-PA)	0.373	Bunning (R-KY)	0.205
Sessions (R-AL)	0.370	DeMint (R-SC)	0.225
Lugar (R-IN)	0.364	Webb (D-VA)	0.241
Hatch (R-UT)	0.364	Bennet (D-CO)	0.245
Bayh (D-IN)	0.357	Roberts (R-KA)	0.245
Dodd (D-CT)	0.357	Whitehouse (D-RI)	0.252
Bennett (R-UT)	0.355	Levin (D-MI)	0.253

sense. For instance, a senator who connects directly with all their colleagues would earn a closeness centrality score of 1 – indicating the strongest possible connection to everyone else in the network. Senators can also connect to each other through an intermediary – equaling a path length of 2 in network space – or through several intermediaries. Overall, closeness centrality scores represent the average path length in network space a senator must travel to reach each of his or her colleagues. Senators with high scores connect more directly with their colleagues in comparison to senators with low scores, which in practical terms means that senators with high marks collaborate more willingly across the aisle in comparison to senators who received low scores. Table 6.2 displays the names of the most central and least central senators in the 111th Senate, according to their closeness centrality scores. The collection of scores for all ninety-nine senators is appended in Table 6.3.

Congressional scholars can use these and other tools of network analysis to examine underlying social structures and the relationships that exist between and among members of the U.S. House and Senate. Since lawmaking is an inherently social activity, the interactions, commitments, and relationships that senators and House members have with one another can shape the opportunities they have available to find areas of common agreement. In an era of bitter partisanship and sharp ideological divisions, social interaction and legislative collaboration – as demonstrated by the results of this study – provide important channels for allowing senators to overcome the challenges of collective action in the modern Senate.

⁸ Several measures can be used to estimate the centrality of actors in a social network. For example, “betweenness centrality” measures the degree to which one individual acts as a bridge between otherwise unconnected segments of a network (Freeman 1977). “Closeness centrality” is computed by averaging the geodesic distances that connect one individual to everyone else in the network. “Degree centrality” is a simple count of direct connections between one actor and all the others in a network (Proctor and Loomis 1951). For further elaboration of these measures, see Wasserman and Faust (1994), chapter 5, 169-219.

Let me suggest some additional ways to explore social dynamics in the Senate and their consequences for chamber deliberations and lawmaking. One way to test the importance of social interaction in the Senate is to determine whether the occasions that senators have to interact with one another produce tangible legislative results. Of the senators and senior staff aides I had a chance to interview (see Chapter IV), a majority of them identified group travel on congressional fact-finding missions abroad (CoDels) as providing important opportunities for senators to have meaningful exchanges with their colleagues in more relaxed settings and away from inquisitive journalists and the glare of television cameras. These trips allow familiarity and trust to form within the group, which senators say are foundational elements to collaborative relationships and successful lawmaking. As one former senator observed, the working relationship that developed between Senators Nunn and Lugar – which later culminated in the ratification of the Nunn-Lugar Cooperative Threat Reduction Treaty – was formed on a research mission the two senators participated in which brought them to Budapest, Hungary to learn more about nuclear arms issues from experts in the field.

In an experimental setting, treating participation on a congressional delegation as a “treatment” allows us to compare the legislative collaborations that occurred before and after senators embarked upon these trips. If social interaction matters, then we would expect to see more collaboration to occur after senators had a chance to travel together. Variation over time in the collaborative effects of these trips would provide additional insight into the forces that influence lawmaking and the broader political context shaping opportunities for productive cooperation and collective action to occur in the Senate.

Examining cosponsorship activity more closely provides another promising direction for future research. In calculating his measure of *connectedness*, for instance, Fowler treats each connection between sponsor and cosponsor equally, meaning that the original cosponsor obtains the same relational weight to the sponsor and the last cosponsor who signs on. However, when senators attempt to build a coalition of support behind their policy initiatives, they usually start with their closest colleagues which whom they have probably worked with in the past. Early cosponsorships, then, contain more evidence about the existence and strength of a relationship between sponsor and cosponsor in comparison to cosponsorships provided at the end of the legislative life of a bill. With information on the timing of each cosponsorship – data that is widely available – we can weight each sponsor-cosponsor connection based on the amount of time (in days) that elapses after the original set of cosponsors signs on to a bill. Incorporating this information into my measure of *embeddedness* would provide for a more accurate measure of a senator’s centrality within the network of collaborative relationships that exist in the chamber.

For the past several decades the spatial model of legislative behavior has been the main conceptual frame for understanding legislative outcomes. That model emphasizes legislators as free-floating and independent ideal points in policy space. What is missing from spatial theory, in my view, is the essential social nature of legislative life. As Richard Fenno, John Kingdon, Nelson Polsby, David Mayhew, Charles Jones and other congressional scholars of their generation taught us, the interactions that occur between and among lawmakers are important and have an independent impact on outcomes. Reorienting our research agendas to account for social dynamics inside the Senate – a people-centered approach that views the institution as a changing and diverse social system – would provide additional insights into the practice of Senate lawmaking.

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Appendix 6.1: Criteria for weighting peer assessments

The views senators shared about the willingness of their colleagues to collaborate across party lines vary in strength and conviction. For instance, Tim Johnson (D-ND) identified John Thune (R-ND) as someone who would be “the logical person to turn to” on issues concerning South Dakota, not exactly a strong endorsement of his same-state colleague. Roland Burris (D-IL) said how impressed he was with the way Orrin Hatch (R-UT) dresses, another statement largely devoid of evidence that a working relationship exists between the two senators. It is doubtful that the manner in which a senator dresses bears upon his or her willingness to work with others. Daniel Inouye, meanwhile, described his long-time Appropriations colleague Ted Stevens as a “brother” to him, a statement that conveys more information about the strength of their relationship. Here I construct a simple 1 to 4 scale to represent the amount of positive content in each assessment of senator’s willingness to collaborative across party lines. The weakest assessments, such as the ones provided by Johnson and Burris, obtain a relational weight of 1.

Many senators referenced the work they do in committee with members of the opposite party, while others mentioned specific issues that brought them together. Richard Shelby (R-AL), for instance, explains that “Chris Dodd [D-CT] and I get along pretty well on Banking;” Jack Reed (D-RI) pointed out that Chris Bond (R-MO) is “terrific on housing issues.” Assessments of this nature scored a 2.

Evaluations that scored a 3 or a 4 contained higher levels of positive emotional content or other evidence of a close working relationship between the two senators. Debbie Stabenow (D-MI) provides an appraisal of Olympia Snowe (R-ME) that scored a 3 when she said that “Olympia Snowe is a good friend of mine. I find her very open and willing to work together.” Byron Dorgan’s (D-ND) statement that “I like John McCain and we have a good relationship” was also assigned a weight of 3. Weights of 4 were reserved for assessments containing unmistakable emotional content or a specific reference to a close personal relationship that extends beyond the Senate. Jim DeMint (R-SC) revealing that “Claire McCaskill [D-MO] has been one of my best friends” was weighted a 4, as was Roger Wicker’s (R-MS) reference to Maryland’s Democratic Senator Ben Cardin and his wife, Myrna. “I have long had a friendship and a fondness for Ben and Myrna Cardin,” Wicker stated. Or as Mel Martinez (R-FL) said of Bill Nelson (D-FL), “He’s been my friend for 30 years. The two of us get along. We have a personal relationship.” Martinez’s assessment of his Floridian colleague also scored a 4.

A total of 254 pair-wise connections can be established from the assessments Rushing collected – many of which provide for interesting reading in and of themselves – and a complete list of those assessments and the numerical weights assigned to each one is contained in Appendix 6.2. Since the focus here is on the 111th Senate, evaluations of former senators are excluded from analysis.

Appendix 6.2: List of senatorial assessments and their numerical weights

<i>Provider of Assessment</i>	<i>Receiver of Assessment</i>	<i>Strength of Assessment</i>	<i>Context of Assessment</i>
Akaka	Voinovich	3	Committee ranking member and friend
Akaka	Burr	3	Friend
Akaka	Inhofe	3	Friend
Alexander	Bingaman	3	“We had the same goals. And I completely trusted him. We never surprised each other.”
Alexander	Lieberman	2	We had the same goal, to create an opportunity for senators to get together across party lines on a regular basis.”
Barrasso	Pryor	3	He’s been terrific, especially visiting on civility in the Senate.”
Baucus	--	--	Finance Committee members, none specified
Bayh	Lugar	3	“friend over the years.”
Bayh	Voinovich	4	Friend “over the years.” (Governors together and neighbors.)
Bayh	Alexander	3	Governors and “someone I have a lot of respect for.”
Bayh	McCain	2	Armed Services issues
Begich	Murkowski	2	Alaska issues
Begich	Bond	2	Banking issues
Bennet, M.	McCain	1	“I had a nice lunch with John McCain.”
Bennett, R.	Wyden	3	Healthy Americans Act: “He’s not ideological.”
Bennett, R.	Dorgan	3	“[We] get along well [on committee].”
Bennett, R.	Dodd	3	“[We] get along well [on committee].”
Bennett, R.	Inouye	3	“compatibility”
Bingaman	Alexander	3	“I’ve worked very well with Lamar.”
Bond	Mikulski	2	Appropriations
Bond	Murray	2	Appropriations
Bond	Kennedy	2	Children’s Issues
Bond	Dodd	2	Children’s Issues
Boxer	Snowe	3	“I work beautifully with her.”
Boxer	Ensign	2	“There’s a mutual respect there.”
Brown	Brownback	2	Healthcare issues
Brown	Hutchison	2	Bus safety issues
Brown	Snowe	3	“Snowe is obviously easy to work with.”
Brown	Voinovich	2	“Voinovich is the one I’ve worked with the most.”
Brownback	Harkin	3	“He’s kind of easy to talk to, and he understands that to get something to move forward, it can’t be too far out there on either side.”
Brownback	Kennedy	1	“If you can get his attention and it’s not a core topic.”
Bunning	--	--	“No.”
Burr	Kennedy	3	“When Ted says he’s going to do something, he’s committed to it.”
Burr	Bayh	1	
Burr	Hatch	1	“I admire how he dresses.”
Burr	Burr	2	Armed Services issues
Burr	Hutchison	1	“We had a good meeting.”
Byrd	--	--	<i>from staff:</i> “he works with all of them.”
Cantwell	Ensign	2	“He’s got good staff.”
Cantwell	Hatch	1	
Cardin	Specter	3	“He’s been very helpful.”
Cardin	Wicker	2	“concerned about issues.”
Cardin	Alexander	2	“concerned about issues.”
Cardin	Snowe	2	“concerned about issues.”
Carper	Voinovich	4	“I love working with George.”
Casey	Lugar	3	“He has a lot of respect for colleagues” and “thoughtful and thorough.”
Casey	Grassley	2	Food safety issues
Casey	Martinez	2	Housing issues
Chambliss	Conrad	3	“They’re reasonable and fair-minded.”
Chambliss	Lincoln	3	“They’re reasonable and fair-minded.”
Chambliss	Pryor	3	“They’re reasonable and fair-minded.”
Chambliss	Nelson, Ben	3	“They’re reasonable and fair-minded.”
Coburn	Feingold	3	“They’re pretty friendly guys and I guess they’re more on the conservative side.”
Coburn	Bayh	3	“They’re pretty friendly guys and I guess they’re more on the conservative side.”
Coburn	Carper	3	“They’re pretty friendly guys and I guess they’re more on the conservative side.”
Cochran	Inouye	3	“We’ve worked closely together over a long period of time.”
Cochran	Leahy	2	“I’ve been up to Vermont for hearings on dairy issues.”
Cochran	Harkin	2	Agriculture issues
Collins	Lieberman	4	“We have a great partnership. He’s reasonable and he’s open to diverse views.”
Conrad	Gregg	3	“Very honorable, and [his] word is good.”

Conrad	Snowe	3	“Very honorable, and [her] word is good.”
Conrad	Collins	3	“Very honorable, and [her] word is good.”
Conrad	Chambliss	2	Energy and Agriculture
Corker	Dodd	4	Banking: “I couldn’t have asked for a better partner.”
Corker	McCaskill	2	“I’ve co-sponsored a number of things with Claire McCaskill.”
Corker	Webb	2	“I’m working with Jim Webb on some things.”
Cornyn	Leahy	3	“[Leahy is] the easiest to work with because of his concern and dedication to open government.”
Crapo	Lincoln	4	I’d say Blanche Lincoln and I clearly work the best together. She and I have known each other for a long time, so it’s a personal thing.”
Crapo	Baucus	3	“easy to work with.”
Crapo	Dodd	3	“easy to work with.”
DeMint	McCaskill	4	“Claire McCaskill has been one of my best friends.”
Dodd	Shelby	2	Banking issues
Dodd	Corker	2	“work together.”
Dodd	Bennett, R.	2	Banking issues
Dodd	Hatch	2	Child care issues
Dodd	Bond	2	Family and Medical Leave Act
Dodd	Specter	2	Family and Medical Leave Act
Dorgan	McCain	3	Abramoff investigations: “I like him and we have a good relationship.”
Dorgan	Enzi	2	Cuba travel ban issues
Dorgan	Murkowski	2	Indian Affairs issues
Durbin	Specter	2	Campaign financing issues
Durbin	Collins	2	Homeland Security issues
Ensign	Boxer	2	“If somebody’s the same as you on an issue, you go and say, let’s join together.”
Ensign	Cantwell	2	“If somebody’s the same as you on an issue, you go and say, let’s join together.”
Ensign	Carper	2	“If somebody’s the same as you on an issue, you go and say, let’s join together.”
Ensign	Schumer	2	“If somebody’s the same as you on an issue, you go and say, let’s join together.”
Enzi	Kennedy	3	“She [Mikulski] and Kennedy like to work through the process, meaning we all work on drafting the bill, we don’t just try to buy some votes at the end.”
Enzi	Mikulski	3	“She [Mikulski] and Kennedy like to work through the process, meaning we all work on drafting the bill, we don’t just try to buy some votes at the end.”
Feingold	McCain	2	“[He’s] open to working together.”
Feingold	Collins	2	“[She’s] open to working together.”
Feingold	Graham	2	“[He’s] open to working together.”
Feinstein	Snowe	2	“I’ve worked with Snowe.”
Feinstein	Kyl	2	Terrorism and technology issues
Feinstein	Ensign	2	“I’ve now got a bill with Ensign and Cornyn.”
Feinstein	Cornyn	2	“I’ve now got a bill with Ensign and Cornyn.”
Feinstein	Sessions	2	“I’ve done some things with Sessions.”
Gillibrand		1	wants to work with women senators
Graham	Feingold	4	“[Feingold] is a great one to work with.”
Graham	Bayh	2	“It has to do with your committees, the ones you have personal friendships with, and the subject matter.”
Graham	Feinstein	2	“It has to do with your committees, the ones you have personal friendships with, and the subject matter.”
Grassley	Baucus	2	Finance issues
Grassley	Sanders	2	“Issues bring us together, see? And maybe we’re both what you call populists, coming at it from different sides.”
Grassley	Leahy	2	Judiciary, anti-fraud issues
Gregg	Conrad	2	“with whom I’ve done a lot of things with.”
Gregg	Bayh	3	“They’re thoughtful and reasonable people who, if you’ve got a good idea, they’re willing to consider it.”
Gregg	Lieberman	3	“They’re thoughtful and reasonable people who, if you’ve got a good idea, they’re willing to consider it.”
Gregg	Leahy	3	“They’re thoughtful and reasonable people who, if you’ve got a good idea, they’re willing to consider it.”
Gregg	Schumer	2	Food safety issues
Hagan	Burr	2	“worked together on some issues.”
Hagan	Collins	1	“have spoken several times.”
Harkin	Specter	2	“our intense interest in health and medical research and education.”
Harkin	Hatch	2	Wellness and prevention issues
Harkin	Grassley	2	Iowa issues
Hatch	Kennedy	3	Bright, dogged, respectful, kept his word
Hatch	Dodd	3	Bright, dogged, respectful, kept his word
Hatch	Baucus	3	Bright, dogged, respectful, kept his word
Hatch	Rockefeller	3	Bright, dogged, respectful, kept his word

Hutchison	Feinstein	3	"Great working relationship."
Hutchison	Mikulski	3	"She finds ways to come to conclusions...It's open-mindedness and it's the ability to come to a solution where you both are winners."
Inhofe	Burr	1	"I've gone to him to ask him things, and he's never said 'No.' So he's my new easy-to-get-along with."
Inouye	Cochran	3	"I've worked well with Thad Cochran."
Inouye	Hatch	3	"I've worked well with Orrin Hatch."
Isakson	Conrad	3	"He's a good guy, he sticks to his guns, but he also listens to the other side."
Isakson	Carper	3	"Tom Carper is also fun to work with."
Isakson	Kennedy	4	"One of the consummate legislator's legislator was Ted Kennedy. He likes to get things done, and I like to get things done...he was great."
Johanns	Carper	4	"Tom Carper I've known for years - a great guy, kind of a mentor of mine and very easy to work with."
Johanns	Harkin	2	"Just a really good guy. When I was in the Cabinet and he was unhappy with something, he would tell me and we just had a very good working relationship."
Johnson	Collins	2	"It's easier to work with [her] because [she's] moderate."
Johnson	Snowe	2	"It's easier to work with [her] because [she's] moderate."
Johnson	Thune	1	"Thune would be the logical person to turn to in that instance."
Kaufman	Lugar	1	
Kaufman	Isakson	1	
Kaufman	Barrasso	1	
Kennedy	--	--	<i>from staff:</i> "each relationship is something to be treasured."
Kerry	Graham	2	
Kerry	Snowe	3	"I worked with Olympia as a ranking member, so it was very easy."
Kerry	Corker	2	
Kerry	Lugar	2	
Klobuchar	--	--	"I'm not going to name names. I work well with all of them."
Kohl	--	--	"No comment."
Kyl	Kennedy	1	Immigration issues, "but not much else."
Landrieu	Snowe	3	Small Business Committee: "Senator Snowe and I do a great deal together."
Landrieu	Isakson	3	"Johnny Isacson is also great."
Landrieu	Collins	2	"Work well together."
Landrieu	Chambliss	2	"Work well together."
Landrieu	Murkowski	2	"She is conservative and has a different view but at least she comes to the table."
Lautenberg	Lugar	2	"Senator Lugar is someone that I work with."
Leahy	Lugar	3	"They're grown-ups. They aren't here just to play short-term games."
Leahy	Specter	3	"They're grown-ups. They aren't here just to play short-term games."
Levin	--	--	"There's just too many that I work with to pull anybody out."
Lieberman	McCain	3	"Very pragmatic and wants to accomplish things."
Lieberman	Collins	3	"Very pragmatic and wants to accomplish things."
Lincoln	Hatch	3	Rural, Agriculture states, and "each one of them is a good-natured person."
Lincoln	Roberts	3	Rural, Agriculture states, and "each one of them is a good-natured person."
Lincoln	Chambliss	3	Rural, Agriculture states, and "each one of them is a good-natured person."
Lincoln	Grassley	3	Rural, Agriculture states, and "each one of them is a good-natured person."
Lugar	Biden	2	Foreign Relations issues
Lugar	Dodd	2	Foreign Relations issues
Lugar	Kerry	2	Foreign Relations issues
Lugar	Casey	2	Nutrition issues
Lugar	Harkin	2	Agriculture issues
Martinez	Feinstein	4	"Diane is very willing to reach out and be a very good partner, if you will. We seem to get along really well, and I think essentially that's part of the ingredients you have to have - personal chemistry."
Martinez	Menendez	2	"I've worked well with Bob Menendez on other issues."
McCain	Feingold	2	"If it's on the issues, Feingold, obviously."
McCain	Levin	3	Armed Services, and "a willingness to seriously consider the other's positions."
McCain	Dorgan	2	Indian affairs issues
McCaskill	Collins	4	Government Accountability, and "I've got a great respect for her. She's reasonable, principled, and doesn't get scared off by peer pressure."
McCaskill	Corker	3	"He's just such a darn nice guy."
McConnell	Reid	4	"The obvious answer is Senator Reid, with whom I deal multiple times a day. We've got a good working relationship, we're always straight with each other, and I consider him a colleague and a good friend."
Menendez	Martinez	3	"They're all reasonable, they all want to get something done, and they're not necessarily driven by ideology."
Menendez	Graham	3	"They're all reasonable, they all want to get something done, and they're not necessarily driven by ideology."
Menendez	Hatch	3	"They're all reasonable, they all want to get something done, and they're not necessarily

			driven by ideology.”
Merkley	Grassley	1	“I’ve been going around and scheduling meetings with people like Grassley and Alexander.”
Merkley	Alexander	1	“I’ve been going around and scheduling meetings with people like Grassley and Alexander.”
Merkley	Lugar	1	Nuclear Arms Reduction issues
Merkley	Inhofe	2	“I’m working with Inhofe on a provision that affects farmers.”
Mikulski	Shelby	3	“We have, I think, a very collegial relationship.”
Mikulski	Bond	2	Appropriations issues
Murkowski	Bingaman	3	“The way Bingaman works is very collaborative.”
Murray	Isakson	3	“They’re people who want to accomplish something at the end of the day.”
Murray	Collins	3	“They’re people who want to accomplish something at the end of the day.”
Nelson, Ben	Snowe	1	
Nelson, Ben	Collins	1	
Nelson, Ben	Specter	1	
Nelson, Ben	Bennett, R.	1	
Nelson, Ben	Enzi	2	Small business health insurance plan
Nelson, Ben	Sessions	2	E-verify and border security issues
Nelson, Ben	Grassley	2	Agriculture issues
Nelson, Ben	Voinovich	2	“I also find Voinovich, Murkowski, and Martinez cooperative.”
Nelson, Ben	Murkowski	2	“I also find Voinovich, Murkowski, and Martinez cooperative.”
Nelson, Ben	Martinez	2	“I also find Voinovich, Murkowski, and Martinez cooperative.”
Nelson, Bill	Martinez	4	“He’s been my friend for 30 years. The two of us get along. We have a personal relationship.”
Pryor	Alexander	3	“I find him thoughtful and easy to discuss issues with.”
Reed	Collins	3	“[She’s] extraordinarily competent and knowledgeable.”
Reed	Martinez	2	Armed Services issues
Reed	Corker	2	Armed Services issues
Reed	Crapo	2	Armed Services issues
Reed	Sessions	2	Armed Services issues
Reed	Snowe	2	Regional issues
Reed	Bond	2	“He’s terrific on housing issues.”
Reid	McConnell	1	“because I have to.”
Risch	Wyden	3	“I found him very easy to work with and a very give-and-take sort of person.”
Risch	Carper	2	“All of them have the idea that we’re here because we’re Americans long before we’re Republicans or Democrats.”
Risch	Pryor	2	“All of them have the idea that we’re here because we’re Americans long before we’re Republicans or Democrats.”
Roberts	Inouye	3	“[Inouye] and the much maligned Ted Stevens saved the American military in Appropriations, year after year...”
Rockefeller	Collins	2	“They are Republicans who want to get things done.”
Rockefeller	Hutchison	2	“They are Republicans who want to get things done.”
Rockefeller	Bennett, R.	2	“can be very helpful.”
Rockefeller	Hatch	2	“can be very helpful.”
Rockefeller	Isakson	1	
Rockefeller	Enzi	2	“Enzi came down to West Virginia when there was that coal-mining accident and wrote a good, tough bill.”
Sanders	Grassley	3	“I’ve worked well with Senator Grassley on some amendments.”
Sanders	Bunning	2	“right now I’m working with Jim Bunning.”
Schumer	Graham	3	“We’ve traveled to China together. He’s open-minded, he’s fun to be with, and he’s very smart.”
Sessions	Nelson, Ben	3	“They are open to ideas and they’re willing to discuss issues and be open-minded.”
Sessions	Carper	3	“They are open to ideas and they’re willing to discuss issues and be open-minded.”
Sessions	Bayh	3	“They are open to ideas and they’re willing to discuss issues and be open-minded.”
Sessions	Kennedy	3	“On any given issue, Ted Kennedy is easy to work with.”
Shaheen	Gregg	3	“worked together very well.”
Shaheen	Brownback	2	Rural broadband issues
Shaheen	Hatch	2	Stem cell issues
Shaheen	Bennett, R.	2	Traveled to Brussels together on a CoDel to meet European leaders
Shaheen	Snowe	1	
Shaheen	Collins	1	
Shelby	Mikulski	3	“She’s professional, she’s organized and she’s got a good staff...And we’ve known each other for a long time. We were in the House together, and that helps a little.”
Shelby	Dodd	2	“Senator Dodd and I get along pretty well on Banking.”
Snowe			“There are so many, I can’t choose just one.”
Specter	Harkin	2	
Specter	Leahy	2	

Specter	Kennedy	2	
Stabenow	Snowe	3	“Snowe is a good friend of mine. I find her very open and willing to work together.”
Stabenow	Voinovich	2	Manufacturing and Great Lakes issues
Stabenow	McCain	2	Drug reimportation issues
Stabenow	Specter	1	
Stabenow	Murkowski	2	Heart for Women Act
Stabenow	Graham	2	Trade enforcement issues
Tester	Crapo	3	“I like the Westerners...They’re all nice people, that’s the common trait.”
Tester	Barrasso	3	“I like the Westerners...They’re all nice people, that’s the common trait.”
Tester	Enzi	3	“I like the Westerners...They’re all nice people, that’s the common trait.”
Thune	Lieberman	2	“These guys are a little less partisan, a little less ideological.”
Thune	Nelson, Ben	2	“These guys are a little less partisan, a little less ideological.”
Thune	Carper	3	“good at reaching across the aisle.”
Thune	Pryor	3	“good at reaching across the aisle.”
Thune	Wyden	2	“These guys are a little less partisan, a little less ideological.”
Udall, M.	McCain	3	“From my days in the House, I have a good working relationship with Senator McCain and Senator Graham.”
Udall, M.	Graham	3	“From my days in the House, I have a good working relationship with Senator McCain and Senator Graham.”
Udall, M.	Corker	2	Climate change issues
Udall, M.	Brownback	2	Wind projects
Udall, T.	Thune	3	“I traveled with him to Iraq, so I’ve got a good relationship with him.”
Udall, T.	McCain	2	“I think they all desire to reach out to the other side.”
Udall, T.	Collins	2	“I think they all desire to reach out to the other side.”
Udall, T.	Snowe	2	“I think they all desire to reach out to the other side.”
Vitter	Nelson, Bill	3	“His personality is pretty gentlemanly, and also his politics are pretty moderate.”
Voinovich	Akaka	4	“Daniel Akaka, my buddy, and Tom Carper, my other friend.”
Voinovich	Carper	4	“Daniel Akaka, my buddy, and Tom Carper, my other friend.”
Warner	Corker	2	Finance issues
Warner	Collins	1	“who I’ve had some good conversations with.”
Webb	--	--	“I have a lot of friends.”
Whitehouse	Graham	3	“I like best working with Graham because he shares a belief in the importance to America’s security and honoring America’s deepest principles.”
Wicker	Levin	3	“He’s always so accommodating and courteous.”
Wicker	Landrieu	2	Coastal issues
Wicker	Cardin	4	“And I have long had a friendship and a fondness for Ben and Myrna Cardin. I’ve traveled to Israel with him on more than one occasion.”
Wyden	Grassley	2	“I’m working with Chairman Baucus and Senator Grassley to fix healthcare.”

Appendix 6.3: Closeness centrality scores for senators in the 111th Senate (2009-2010)
(the most central senators obtain the highest scores)

<i>Top third of senators</i>		<i>Middle third of senators</i>		<i>Bottom third of senators</i>	
Nelson, Ben	0.404	Carper	0.324	Kyl	0.289
Snowe	0.382	Udall, T.	0.324	Boxer	0.288
Collins	0.379	Alexander	0.323	Pryor	0.286
Specter	0.373	Murkowski	0.323	Cornyn	0.285
Sessions	0.370	Chambliss	0.323	Johanns	0.285
Lugar	0.364	Bond	0.321	Cantwell	0.282
Hatch	0.364	Burr	0.319	Schumer	0.282
Bayh	0.357	Corker	0.319	Risch	0.278
Dodd	0.357	Cardin	0.317	Akaka	0.274
Bennett, R.	0.355	Feingold	0.317	Tester	0.274
Reed	0.354	Crapo	0.316	Begich	0.272
Shaheen	0.354	Hutchison	0.314	Wicker	0.272
Kennedy	0.354	Lincoln	0.313	Shelby	0.268
Voinovich	0.353	Brown	0.311	Cochran	0.268
Rockefeller	0.349	Johnson	0.311	Bingaman	0.266
Grassley	0.347	Menendez	0.311	Lautenberg	0.266
Martinez	0.342	Merkley	0.311	Biden	0.266
Harkin	0.338	Casey	0.309	Inhofe	0.264
Stabenow	0.338	Udall, M.	0.309	Mikulski	0.260
Graham	0.337	Dorgan	0.305	Barrasso	0.259
Isakson	0.337	Murray	0.305	Sanders	0.259
Feinstein	0.336	Kaufman	0.303	Nelson, Bill	0.256
Landrieu	0.334	Durbin	0.301	Levin	0.253
Brownback	0.332	Wyden	0.301	Whitehouse	0.252
Enzi	0.332	Baucus	0.299	Roberts	0.245
Conrad	0.331	Burr	0.297	Bennet, M.	0.245
Kerry	0.331	Coburn	0.294	Webb	0.241
Thune	0.330	Inouye	0.293	DeMint	0.225
Leahy	0.329	Hagan	0.291	Bunning	0.205
Lieberman	0.329	McCaskill	0.291	Vitter	0.203
Gregg	0.328	Ensign	0.290	Reid	0.021
McCain	0.325	Warner	0.290	McConnell	0.021