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Examining the Post-1990 Shift in the Use of Restrictive Special Rules in the U.S. House of Representatives

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Author's Brief Bio

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Abstract

The House Rules Committee has assigned more restrictive special rules to bills post-1990 than it has in history. Restrictive special rules limit the number of bill amendments and the amount of debate prior to a bill's floor vote. In 1993, 9% of special rule assignments in the House were closed rules.[1] By 2021, 54% of special rule assignments were closed rules, a 45% increase.[2] Using an original *Special Rules Bills Dataset*, this paper isolates variables contributing to restrictive special rule use. Results show that out-party bill co-sponsorships play a key role in special rule assignments. Specifically, bills with fewer out-party bill co-sponsorships are more likely to receive restrictive special rules.

Introduction

In recent decades, the House Committee on Rules has assigned more restrictive special rules to bills than it has in congressional history. Although there has been a substantial rise in the use of restrictive special rules, few studies examine the types of bills that are being assigned these rules and what (if any) features about these bills make them particularly suitable for special rule assignments. Using original data collected on House bills receiving special rules in the 107th (2001-2003), 110th-116th (2007-2021) Congresses and data from the *Center for Effective Lawmaking* on bill sponsors' legislative effectiveness, this chapter will identify key variables contributing to the rise in restrictive special rules.[3] The key variables (i.e., out-party bill co-sponsorships and majority party status) show how members in the contemporary Congress are navigating an increasingly complex political landscape that is often rooted in an increasingly partisan lawmaking environment. With members of the majority party holding fast to restrictive

[1] The Bipartisan Policy Center. Table 1. "Special Rules Providing for the Original Consideration of Legislation in the House, 103rd-116th Congresses (1993-2020). Donald R. Wolfensberger. Last Updated: January 3, 2021.
[2] Gray, Breanna. *Special Rules Bills Dataset*: 107th, 110th-116th Congresses (2001-2003, 2007-2021).
[3] Volden, Craig, and Alan Wiseman. Center for Effective Lawmaking. *Legislative Effectiveness in the United States Congress: The Lawmakers* Dataset. University of Virginia Batten School of Leadership and Public Policy and Vanderbilt University College of Arts and Sciences. https://thelawmakers.org/data-download.

special rules to shield priority bills that have fewer out-party cosponsors and a greater number of amendments, evidence of protectionist, partisan, procedural tactics persists and offer new opportunities to examine how members cope with a changing congressional environment.

The two sets of models (i.e., each set with three separate models) examined in this chapter will explore the relationships between bill-level factors, bill sponsor-specific factors, and restrictive special rule assignments. The first set of models are constructed using four key variables from an original special rules bills dataset. These variables include, the ratio of out-party bill co-sponsors to overall bill cosponsors for special rules bills and for bills receiving house floor consideration, the political party of the bill sponsor, the absolute value of the Dynamic Weighted (D.W.) NOMINATE score of the bill sponsor, and whether the bill addresses appropriations or budgetary matters.[4] The second set of models introduce data from the Center for Effective Lawmaking that provides a coding schematic for the legislative effectiveness of each congressional member since the 93rd Congress (1973-1975). From this dataset, the second set of models will use biographical information such as a bill sponsor's seniority in Congress, whether the bill sponsor holds any leadership positions, and their lagged legislative effectiveness scores during the congressional session being examined. The set of models using Center for Effective Lawmaking data will add all variables from the first set of models from the original *Special Rules Bills Dataset*.

This paper will present three main findings about special rules bills. First, the models in this study show that bills are more likely to receive special rules (especially restrictive special rules) when they have fewer out-party co-sponsorships. Second, bills are more likely to receive

[4] Dynamic Weighted (D.W.) NOMINATE Scores provided by the Keith T. Poole and Howard Rosenthal's Voteview Data: https://voteview.com/about

special rules (especially restrictive special rules) if their sponsor is a member of the majority party. Despite this finding, however, evidence shows that members of majority party leadership are not more likely than other members of the majority party to receive restrictive special rule assignments—a divergence from conventional theoretical models on partisan leadership behavior. Third, the Rules Committee is more likely to assign special rules to appropriations and budget bills; however, these bills are more likely to receive open or modified-open rules.

Although three primary findings emerge from this evaluation, several secondary findings prove to be illuminating as well. The secondary findings shed light on the relationship that member-specific qualities (i.e., a member's legislative effectiveness score, seniority in Congress, and status as a committee or subcommittee chairman) have with restrictive special rule assignments. More specifically, secondary findings suggest that a member's legislative effectiveness, seniority in Congress, and leadership position (i.e., majority party leader, minority party leader, committee chair, or subcommittee chair) do not always guarantee that their bills will receive restrictive special rule assignments.

Literature

Legislative studies scholars have long examined how procedural tools are used to set the legislative agenda and to control the House floor of Congress (Cox and McCubbins 1993; Dion and Huber 1996; Binder 1997, Schickler and Rich 1997; Krehbiel 1997; Marshall 2005; Finnocchario and Rhode 2008; Roberts 2010). From these examinations, three primary classes of theory have emerged and form the basis of how Congress scholars think and write about legislative organization. These theories are the partisan, informational, and distributive theories of legislative organization and they have been used to construct both formal and empirical

models to better explain Congress' use of special rules at distinct moments in congressional history.

Scholarship that has championed the partisan theory of legislative organization (Kieweit and McCubbins 1991; Cox and McCubbins 1993) asserts that the majority party organizes itself and congressional committees in a manner that best suits the desired end goal of the majority party which is to 1) achieve the party's preferred policy outcomes by controlling the legislative agenda and 2) position itself for enduring electoral appeal and success. Adherents to the distributive theory of legislative organization (Weingast, Shepsle, and Johnsen 1981; Shepsle and Weingast 1987; Weingast and Marshall 1988, Baron and Ferejohn 1989a) assert that in conditions under which members face recurring reelection pressures, they use a bargaining system by which they practice logrolling and pork barrel politics as a currency of exchange. These currencies include bill co-sponsorships, policy endorsements, vote trades, and other political favors that can advance a member's strategic political agenda. Finally, the informational theory of legislative organization posits that a legislature arranges itself in a committee-based system to encourage subject-matter specializations for the purpose of crafting and reviewing legislation. This institutional design helps to 1) reduce the risk of information asymmetries within Congress by allowing members on committees to oversee topic specific legislation (arguably producing a better quality of House bills) and 2) organize the workload in Congress so that members can better manage and sort through the bulk of legislation introduced in each congressional session.

Using the existing theoretical framework (i.e., partisan, distributive, and informational theories), Dion and Huber (1996), Binder (1997) and Krehbiel (1997) provide compelling arguments to explain specific motivating factors for procedural choices in Congress vis-à-vis

restrictive special rules. Equally as important, Dion and Huber (1996) Binder (1997) and Krehbiel (1997) shed light on the limitations in their own empirical work to explain the use of restrictive rules and offer valid critiques on competing theories. Dion and Huber (1996) construct formal and empirical models rooted in partisan theory in which they show how restrictive special rules provide a means for the Rules Committee and members of substantive committees "to secure noncentrist policy outcomes on the Floor of the House." [5] They focus on the Rules Committee specifically because of their concern that much of the existing formal literature on restrictive rules has tended to "downplay the importance of the Rules Committee as a legislative actor."[6] They show through empirical tests of their formal model that restrictive rules are "not simply the glue holding vote trades together, as distributive theories argue," nor are rules "precommitments that encourage legislative specialization, as informational theories argue."[7] Instead, Dion and Huber find that restrictive rules facilitate non-centrist policy outcomes that are preferred by both substantive committees and the Rules Committee to the policy outcome that would result if the Floor had been allowed an unconstrained choice of policies. This finding, however, hinges on the assumption that the Rules Committee does not share the preferences of the median legislator and that the Rules Committee practices periods of legislative autonomy from majority party leadership.

Despite Dion and Huber's (1996) meaningful intent to show how the Rules Committee can play an autonomous part in the legislative process (i.e., through an alignment with substantive committee preferences for the purposes of facilitating non-centrist policies); their

[5] Dion, Douglas, and John D. Huber. 1996. "Procedural Choice and the House Committee on Rules." *The Journal of Politics.* Vol. 58, No. 1. pp. 27.
[6] Dion, Douglas, and John D. Huber. 1996. "Procedural Choice and the House Committee on Rules." *The Journal of Politics.* Vol. 58, No. 1. pp. 25.
[7] Dion, Douglas, and John D. Huber. 1996. "Procedural Choice and the House Committee on Rules." *The Journal of Politics.* Vol. 58, No. 1. pp. 43.

findings do not provide specific evidence to explain when the Rules Committee acts autonomously from majority party leadership and when it does not. The inability to concretely show when the Rules Committee and the majority party leadership's preferences are aligned for policy decisions and when their preferences are not aligned proves to be a shortcoming in their theoretical explanation for restrictive special rule assignments. Dion and Huber acknowledge this shortcoming and present this observation as an area for future research in legislative studies.[8]

Binder (1997) pushes back against partisan theory in its current theoretical state because she argues that "it suggests policy preferences alone shape procedural outcomes."[9] The problem, Binder notes, is that this theoretical framework contradicts what we know about legislative outcomes which is that legislative outcomes are shaped by both member goals *and* chamber rules.[10] This combination of factors that contribute to legislative outcomes thus depends on the alignment of preferences as well as the institutional context in which members operate. Binder constructs a study based on this premise and examines how institutional changes, particularly procedural changes, are the product of a combination of observable political factors. Binder's study finds that minority rights are more likely to be suppressed under conditions of higher workload, higher majority party advantage in strength over the minority and high levels of minority party obstructionism.[11] In each of these scenarios, the majority party implements more restrictive rules and procedures to secure its legislative reach over the minority party. Binder also finds that a rise in legislative activity, as well as increases in the majority party's perceived need

[8] Dion, Douglas, and John D. Huber. 1996. "Procedural Choice and the House Committee on Rules." *The Journal of Politics.* Vol. 58, No. 1. pp. 44.
[9] Binder, Sarah A. 1997. *Minority Rights, Majority Rule*: *Partisanship and the Development of Congress.* Cambridge, UK: Cambridge University Press. pp 13.
[10] Binder, Sarah A. 1997. *Minority Rights, Majority Rule*: *Partisanship and the Development of Congress.* Cambridge, UK: Cambridge University Press. pp 13.
[11] Binder, Sarah A. 1997. *Minority Rights, Majority Rule*: *Partisanship and the Development of Congress.* Cambridge, UK: Cambridge University Press. pp 76.

and actual capacity for procedural change, appear to have statistically significant separate effects on the likelihood of suppression.[12] While Binder's work provides robust and innovative contributions to existing legislative studies literature demonstrating critical moments when the majority party activates its procedural privileges; her sample selection focuses on procedural and rule *changes* in Congress. Her work does not concentrate exclusively on the assignment of restrictive special rules. Furthermore, Binder's study does not examine (in detail) bill-level features such as bill topic areas, bill co-sponsorships, and the political ideology of a bill's sponsor—each of which can contribute to discussions of institutional change and restrictive rule choice.

Keith Krehbiel (1997) dissects other theoretical models and their limitations in explaining the rise in restrictive special rule use. He begins by highlighting what he calls an "obvious point of agreement" across theoretical frameworks which is that special rules and the Rules Committee are instruments for the majority-party to exercise its power particularly in a partisan Congress.[13] However, after his departure from this proclamation of general consensus across the legislative studies discipline, he provides a well-crafted review of why the need for additional research on restrictive special rule assignments is critical.

Krehbiel states that, "While the Rules Committee is regularly portrayed metaphorically—e.g., as an "arm" of the Speaker (Oppenheimer 1977), as an "agent" of majority-party leaders (Cox and McCubbins 1993), or as an institution that enhances majority party exercises of power (Rohde 1991)—no such party-centered work presents an explicit theory of the choice of rules."[14] Furthermore, Krehbiel notes an even more surprising lapse in evidentiary support for theories

[12] Binder, Sarah A. 1997. *Minority Rights, Majority Rule*: *Partisanship and the Development of Congress.* Cambridge, UK: Cambridge University Press. pp 76.
[13] Krehbiel, Keith. 1997. "Restrictive Rules Reconsidered*." *American Journal of Political Science* 41(3): 920.
[14] Krehbiel, Keith. 1997. "Restrictive Rules Reconsidered*." *American Journal of Political Science* 41(3): 921.

explaining special rule use in that existing congressional research does not present "an explicit collective-choice theory about legislative outcomes and their alleged majority-party biases."[15] In this critique, Krehiel highlights an important gap in legislative theory in which scholars make claims about majority party access to restrictive special rules as tools for partisan policy agenda control; however, these claims do not provide adequate empirical support for the assertion that majority party biases are baked into policy outcomes. Krehbiel acknowledges that the post-reform era of Congress (beginning with the Legislative Reorganization Act of 1970) ushers in a shift in traditional congressional practices—a shift that marks a notable "upsurge in the use of complex and restrictive special orders [i.e., special rules]"[16] While what Krehbiel calls "conventional wisdom" tends to rely on the reasonability of the partisan theoretical framework, Krehbiel is cautious about legislative scholars' reliance on partisan theory saying that " a more thorough analysis of patterns of behavior is required before conventional wisdom should be embraced."[17] He acknowledges that in previous studies such as Dion and Huber's (1996) work, conventional wisdom "fares well."[18]

However, Krehbiel concludes that, in his study, "relatively unconventional nonpartisan theories perform better than theories that accentuate or exaggerate the role of the majority party in the House."[19] Ultimately, Krehbiel poses an important question that acts as a catalyst for this dissertation research. His question is "What happens when data are rule-specific *and* when independent variables span a wider range of informational, distributive, and partisan concerns?"

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[15] Krehbiel, Keith. 1997. "Restrictive Rules Reconsidered*." *American Journal of Political Science* 41(3): 921.

[16] Krehbiel, Keith. *Information and Legislative Organization*. Ann Arbor, MI: University of Michigan Press, 1992.
[17] Krehbiel, Keith. 1997. "Restrictive Rules Reconsidered*". *American Journal of Political Science.* Vol. 41, No. 3 (Jul., 1997), pp. 941.
[18] Krehbiel, Keith. 1997. "Restrictive Rules Reconsidered*". *American Journal of Political Science.* Vol. 41, No. 3 (Jul., 1997), pp. 941.
[19]Krehbiel, Keith. 1997. "Restrictive Rules Reconsidered*". *American Journal of Political Science.* Vol. 41, No. 3 (Jul., 1997), pp. 941.

To stretch this question further, how can legislative studies scholars assess the contemporary rise in restrictive special rule use when existing models that "explain" special rule assignment choices have demonstrated inconsistencies at various junctures? This dissertation asserts that too few studies focus specifically on special rules bills themselves and their "biographical" features. Prior studies estimating and evaluating procedural choice models tend to craft their research around party and committee-level features. Moreover, many of these studies predict restrictive rule assignments based on estimated median proximities (i.e., Congress' voting median, the Rules Committee's median, the majority party leadership's median, etc.). While acknowledging that these studies have provided valuable insight on partisan and committee-focused models to help predict special rule choices under a conditional set of circumstances; this dissertation provides a refreshed set of empirical models that focus on observable bill-level factors that arguably render these bills more suitable for restrictive special rules than other bills.

Procedure for Special Rule Assignments

To better understand why a bill-specific evaluation is useful in helping to explain restrictive special rule assignments, it is critical to first understand the rule assignment process. Bach and Smith (1988) summarize the primary legislative pathways that most House bills take after members introduce them in Congress.[20] For most bills and resolutions that are not privileged, there are three primary routes for them to reach the House floor.[21] First, a measure can be considered by unanimous consent if no member of the House objects. These bills are often uncontroversial in nature and rarely have monetary implications. Examples of these types of bills are the renaming of federal office buildings (i.e., post-offices, libraries, schools, etc.) or a

[20] Bach, Stanley, and Steven S. Smith. 1988. *Managing Legislative Uncertainty in the House of Representatives: Adaptation and Innovation in Special Rules.* Washington D.C.: The Brookings Institution. pp 6.
[21] A privileged House bill is one that is accelerated on the legislative calendar interrupting the daily order of business enumerated in the House's standing rules.

resolution to commemorate an important historical figure or event. Secondly, a measure can be passed under a motion to suspend the rules but only if the Speaker agrees and two-thirds of members vote for it. This practice is also geared toward less controversial pieces of legislation; however, it permits 40 minutes of debate (with no amendments allowed) prior to calling for the vote. Third, a measure can be passed by a simple majority under the terms of a special rule.

The third measure, they argue, is the most common pathway by which important but (in many instances) controversial bills and resolutions can advance for House floor consideration. This is where the Rules Committee and Rules Committee hearings become critical in the legislative process. The Rules Committee first conducts a hearing for a committee of jurisdiction responsible for the oversight a bill in the legislative process. At the Rules Committee hearing, members most closely associated with the bill can demonstrate the need to receive a special rule assignment for this bill. After the hearing, the Rules Committee evaluates the need for a special rule and then conducts a full Committee vote to determine whether the request for special rules should advance to the House floor for a vote from the Committee of the Whole House (also known as the Committee of the Whole which includes the entire membership of the U.S. House of Representatives).

Nearly all major bills and resolutions that reach the House floor are considered in the Committee of the Whole because its procedures are better suited to widespread participation by House members.[22] Operating in the Committee of the Whole for major bills and resolutions has become commonplace because it eliminates "In the House" procedures which would have allowed each congressional member to speak for an hour on every bill, on every amendment, and on every other debatable question that arises, until a majority votes to order the previous question

[22] Bach, Stanley, and Steven S. Smith. 1988. *Managing Legislative Uncertainty in the House of Representatives: Adaptation and Innovation in Special Rules.* Washington D.C.: The Brookings Institution. pp 9.

(i.e., to end debate and order a vote on the bill). [23] Bach and Smith (1988) note that at this point in the legislative process, "the responsibility for designing and recommending these special rules inevitably puts the Rules Committee at the juncture of the House's standing committees, the majority party leadership, and the members of the House acting individually and collectively on the floor."[24]

If the Rules Committee votes favorably on special rules measures for a bill, a Rules Committee-sponsored resolution detailing the rule's conditions *and* the House bill are reported out of the Rules Committee for another vote within the Committee of the Whole. The Committee of the Whole then votes on the same special rule resolution. It is important to note that the Rules Committee and the Committee of the Whole are not voting on the content of the bill, but rather, the rule request outlining how the bill will be managed if it is granted a privileged position on the legislative calendar for a House floor vote. For this reason, they argue that the committee's location in the legislative process "makes it an excellent vantage point from which to examine the consequences of institutional and political change in the House."[25] If the Committee of the Whole votes favorably on the special rules for a bill, then the bill will then be considered "privileged" in the House. At this point in the legislative process, the Committee of the Whole exclusively adheres to the special rules (to which they previously agreed) governing how a bill should be considered on the House floor. Ultimately, by controlling the floor consideration

[23] Bach, Stanley, and Steven S. Smith. 1988. *Managing Legislative Uncertainty in the House of Representatives: Adaptation and Innovation in Special Rules.* Washington D.C.: The Brookings Institution. pp 9.
[24] Bach, Stanley, and Steven S. Smith. 1988. *Managing Legislative Uncertainty in the House of Representatives: Adaptation and Innovation in Special Rules.* Washington D.C.: The Brookings Institution. pp 8.
[25] Bach, Stanley, and Steven S. Smith. 1988. *Managing Legislative Uncertainty in the House of Representatives: Adaptation and Innovation in Special Rules.* Washington D.C.: The Brookings Institution. pp .8.

process through amendment and debate limitations, Bach and Smith (1988) argue that "special rules can profoundly affect the policy decisions the House has the opportunity to make."[26]

Data

The empirical tests performed in this chapter are designed to examine the relationships between restrictive special rules and individual bill-level variables (e.g., out-party bill co-sponsorships, bill amendments, bill sponsor's party identification and dynamic weighted (D.W.) nominate score) to determine what (if any) effect these variables have on the rise in restrictive special rule use.[27] The dataset that this dissertation has built includes information on bills assigned special rules in the 107th, 110th-116th Congresses, which amounts to 16 years of congressional history on special rules. Two separate sets of samples are collected. The first sample includes all special rules bills in the 107th, 110th-116th Congresses. The second sample includes a random sample of 150 bills in each of the aforementioned Congresses that received House floor consideration. Thus, there are a total of 1350 bills in the special rules bill sample and a total of 1200 bills in the floor consideration bill sample. Floor consideration bills are used in this study to compare the characteristics of bills that did and did not receive a special rule. They share a commonality with special rules bills in that they also receive advanced attention in the legislative process. The sample of House bills that receive floor consideration have progressed to a status that nearly 90% of bills never experience: reaching the House floor to receive member votes. The sample of bills that receive special rules have an early indicator that floor consideration is forthcoming because of the rules that they are assigned which govern how they will be treated once they advance to the House floor. Approximately 92% of bills that

[26] Bach, Stanley, and Steven S. Smith. 1988. *Managing Legislative Uncertainty in the House of Representatives: Adaptation and Innovation in Special Rules.* Washington D.C.: The Brookings Institution. pp 11.
[27] Bill-level variables are enumerated in section on "key variables of interest."

receive special rules advance to the House floor for consideration/floor vote. Thus, these samples are comparable for statistical analyses because the criterion on which these samples were selected reduces the risk of possible confounding variables that often influence which bills advance in the legislative process and which bills do not (i.e., the House's legislative calendar, bills that receive single committee referrals versus multiple committee referrals., the order of bills on committee consideration calendars, preferences of members, member reelection concerns and the campaign/election cycle, bill urgency for committee and subcommittee chairmen, etc.). For this reason, the comparison sample of bills that receive floor consideration was not randomly generated from the full population of House bills. Instead, this comparison sample was selected based on a random sample of bills that receive floor consideration.

The repository of special rules information created for this project denotes the special rule type assigned to a bill, the bill's fate, the name of the bill's primary sponsor, the number of cosponsors, the title of the bill, the number of amendments attached, the gender and state of the bill's sponsor, and several other pieces of information regarding the bill's content. Bills in the repository are assigned special rule categories in the *Special Rules Bills Dataset* based on what the rule assignment designated in the Rules Committee's rule document for a bill. For example, if the rule document specifies that a bill will receive open rules, then the bill is assigned a "1" in the *Special Rules Bills Dataset.* If the rule document specifies that a bill will receive modified-open rules, then the bill is assigned a "2" in the *Special Rules Bills Dataset.* If the rule document specifies that a bill will receive structured rules, then the bill is assigned a "3" in the *Special Rules Bills Dataset.* If the rule document specifies that a bill will receive closed rules, then the bill is assigned a "4" in the *Special Rules Bills Dataset.* There is a group of bills with unclassified rule types in the Rules Committee's repository of special rules bills. These bills are

assigned a "1.5" to acknowledge that they are considered privileged with Rules Committee oversight but not specifically designated one of the four categories of special rules bills. More than half of the unclassified bills are from the earliest two Congresses in the sample (i.e., the 107th and 110th Congresses) and they address motions to waive points of order or similar measures to expedite House votes. These bills typically pass in on the House floor without objection. They are coded separately from open and modified-open rules to account for their distinct role in the legislative process specifically regarding congressional procedure. However, they most closely align with the categories of open and modified-open rules which is why they are coded using "1.5."

Variables and Hypotheses

Figure 3.1 enumerates the key variables in this study used to examine the rise in restrictive special rule use. Figure 3.3 summarizes the hypotheses tested in the models constructed. The primary variable of interest is out-party bill co-sponsorships. This dissertation defines "out-party" as the political party opposite that of a bill's primary sponsor. This variable will be measured based on the proportion of out-partisan cosponsors for each bill in both sample sets (i.e., the samples of special rules bills and of floor consideration bills). Using this key variable, the first hypothesis projects that lower proportions of out-party bill co-sponsorships increases the likelihood of restrictive special rule assignments.

To collect information regarding the out-party co-sponsorships for House bills in this sample, Congress' repository of House and Senate bills on *Congress.Gov* proved to be a vital resource. This repository of House and Senate bills not only provides information on the bill's sponsors and cosponsors (from which one could calculate the number of out-party co-sponsorships) but it also provided information on the status of the bill, the bill's amendments,

and the text of the bill. This hypothesis supports existing literature conveying that one of the key elements for a bill's viability in the legislative process (other than receiving support from its own party) is out-party support.

Figure 3.1: Variables in Models Estimated Using Special Rules Bills & Floor Consideration Bills Dataset

Variables
Rule Type Assigned (unassigned=0, open=1, unclassified=1.5, modified-open=2, structured=3, closed=4)
Bill Sponsor's Name, U.S. State, Seniority, & Dynamic-Weighted NOMINATE Score (Keith T. Poole and Howard Rosenthal)
Number of Out-Party Co-sponsors and Total Number of Bill Cosponsors
Topic Area of Bill (E. Scott Adler and John Wilkerson Congressional Bills Project Dataset & Master Comparative Agendas Project (CAP) Codebook)
Bill's Outcome (introduced=0, failed house=1, passed House=2, passed House and Senate=3, became law=4)
Appropriations (0,1)
Majority Party Leader (0,1)
Committee Chairman (0,1)
Subcommittee Chairman (0,1)
Lagged Legislative Effectiveness Score (from Craig Volden and Alan Wiseman and Center for Legislative Effectiveness)

Campbell (1982), Kessler and Krehbiel (1996), and Koger (2003) emphasize the significance of bill co-sponsorships and the signals inherently sent to other legislators and constituents through their associations. Tam Cho and Fowler (2010) assert that despite the cost of co-sponsorships being low, evidence supports the finding that co-sponsorships contain valuable information about how well members of Congress work together. Members of Congress have consistently used co-sponsoring as political currency relying on them for strategic leverage in the campaign arena, during interactions with constituents and at public meetings, and during House floor proceedings. Given the resources spent and the compromises made to secure bill co-sponsorships (particularly out-party co-sponsorships), Hypothesis 1 seeks to examine the role that these relationships play in restrictive special rule assignments. More specifically, Hypothesis 1 will test the relationship between out-party bill co-sponsorships and restrictive

special rules. Recent work from Harbridge-Yong, Volden, and Wiseman (2020) demonstrates how members in the House and in the Senate who attract a balanced proportion of Democrat and Republican cosponsors to their bills are more effective lawmakers than are partisan lawmakers. Their results are consistent for both majority and minority party members and they find that the out-party-friendly member demographic sees a larger number of their bills become law than those who do not secure a large proportion of cosponsors from members of the opposite party.[28] This variable is of particular importance in the study of special rule assignments because, as this chapter will show, when a bill's primary sponsor has acquired what the sponsor believes to be an adequate number of bill cosponsors (including out-party cosponsors), the sponsor would not need to expend additional (and often limited) resources on the rule assignment process. Thus, having the security of out-party co-sponsors helps to insulate bills from obstructionist tactics that could potentially kill members' bill. Binder's (1997) work supports this assertion because she finds that the majority leadership is more likely to suppress minority rights under conditions of greater obstructionist politics.[29] This suggests that the majority party has a greater commitment to implement restrictive special rules to combat minority party delays in the legislative process in peak obstructionist periods.

The second variable of interest in this study is the political ideology of bill sponsors for the samples of bills assigned special rules and for those that receive House floor consideration. The specific measure used to examine political ideology in this study is Keith T. Poole and Howard Rosenthal's multi-dimensional scaling application: dynamic, weighted NOMINATE scores of political actors. NOMINATE has become the predominate estimator in legislative

[28] Harbridge-Yong, Laurel, Craig Volden, and Alan E. Wiseman. 2020. "Are Bipartisan Lawmakers More Effective?" *Center for Effective Lawmaking.* Working Paper (Oct. 2020).
[29] Binder, Sarah A. 1997. *Minority Rights, Majority Rule*: *Partisanship and the Development of Congress.* Cambridge, UK: Cambridge University Press. pp 76.

studies applied commonly in empirical models to better understand the U.S. Congress. Poole and Rosenthal (1991, 1997) calculate ideal point estimates representing members' most preferred outcomes in a two-dimensional Euclidean space where members have single-peaked utility functions. To measure member preferences on the liberal/conservative scale for the models in this chapter, Poole and Rosenthal's first NOMINATE dimension provides a robust set of estimators. More specifically, to measure the relationship between members at the ideological extremes and their relationship with restrictive special rules, the models in this study will take the absolute value of bill sponsors' D.W. NOMINATE scores.

Existing literature on party polarization and ideological extremes in Congress demonstrates how changes in the ideological composition of the House have often coincided with historical, social shifts in the U.S. population.[30] Barber and McCarty (2015) provide evidence showing how a changing external and electoral environment have increased the incentives for ideological polarization and partisanship. Furthermore, using the external explanations framework (of ideological polarization and partisanship), they argue that social, economic, and campaign environments have altered electoral incentives for elected members to pursue moderation or bipartisanship.

Theriault (2006, 2008) and Bonica (2014a) find, through systematic studies of Congress from the 1970s-1990s, that approximately 60% of the total increase in the ideological gap separating the parties [in Congress] has stemmed from the replacement of older and more moderate members by newer and more extreme legislators. Furthermore, they find that the remaining 40% of congressional member ideological shifts is attributable to the movement of moderate members toward their respective parties' means (i.e., ideological migration). Given

[30] Barber, Michael, and Nolan McCarty. "Chapter Two Causes and Consequences of Polarization." *in Political Negotiation: A Handbook.* Mansbridge, Jane. Brookings Institution Press. pp. 37-90.

this ideological shift in the political landscape and to better understand the relationship that members at the ideological extremes have with restrictive special rules, Hypothesis 2 is designed to examine how bills that are sponsored by members at the ideological extremes fare in special rule assignments. Hypothesis 2 projects that members at the ideological extremes are more likely to receive restrictive special rules than other bill sponsors. The rationale for this hypothesis is that it may be more difficult for extremist members to negotiate bill co-sponsorships from out-party members because of their ideological leanings. As such, extremist members may have a higher propensity to seek restrictive special rules (than their more centrist colleagues) to better protect the viability of their bills. Using the absolute value of bill sponsors' D.W. NOMINATE scores provides a means to test this hypothesis.

The third variable of interest in this study, and the variable used to test Hypothesis 3, is the party identification of bill sponsors. This variable is a (0,1) indicator where "0" represents that the bill sponsor is a Democrat and "1" represents that the bill sponsor is a Republican. Including a measure of party identification is consistent with existing empirical models in legislative studies of special rules to 1) explore how parties may perform in distinct ways regarding special rule use and 2) to test the partisan theoretical framework about majority party exertion of procedural powers using special rules. In alignment with the partisan theoretical framework's assertions about the perception of majority party's proclivity for special rule use, a (0,1) indicator is used to control for a member's status as a majority party leader, committee chairman and subcommittee chairman. These variables are used, in conjunction with the party identification indicator, to test what has been deemed "conventional wisdom" about the majority party clinging to restrictive special rules to execute its partisan political agenda. One variable used as a control is a (0,1) indicator for whether a bill addresses appropriations or budgetary

matters. Because appropriations bills must pass in some fashion during each Congress (i.e., to ensure the vitality of the U.S. government), these models account for what may be different about appropriations bills when compared to other bills in the dataset.

The remaining two key variables of interest are a bill sponsor's seniority in Congress and her/his/their lagged legislative effectiveness (LEP) score. Seniority in Congress is measured by the number of two-year terms that a member has served in office, including the current congressional session. The lagged legislative effectiveness score, a measure that Craig Volden and Alan E. Wiseman (2014) devised, draws on fifteen indicators that collectively capture the proven ability of a legislator to advance her/his/their agenda through the legislative process into law in each congressional session that the member has held her/his seat in Congress. [31] To measure a member's lagged LEP score, Volden and Wiseman (2014) identify the number of bills that each member of the House sponsored, the number of those bills that received any action in committee, or action beyond committee on the floor in the House. For bills that received any action beyond committee, Volden and Wiseman (2014) also identify how many of these bills subsequently pass the House and how many eventually become law. They then categorize these bills classifying them as either "commemorative," "substantive," or "substantive and significant." Based on the five categories of bill statuses and the three categories of bill types, Volden and Wiseman produce 15 indicators of legislative effectiveness for each congressional member during their tenure in office.

[31] Volden, Craig. Alan E. Wiseman. 2014. *Legislative Effectiveness in the United States Congress: The Lawmakers.* New York, NY: University of Cambridge.

Figure 3.3: Hypotheses for All Empirical Models

Hypotheses
H1: *If a bill has fewer out-party cosponsors, it is more likely to receive restrictive special rules.*
H2: *If bill sponsors are at the polar ends of the political ideological spectrum, the more likely it is that their bills will be assigned restrictive special rules.*
H3: *If bill sponsors are in the majority party, the more likely it is that their bills will receive restrictive special rules.*
H4: *If bills are sponsored by senior members of Congress, the more likely these bills are to receive restrictive special rules.*
H5: *If bills are sponsored by members of Congress with higher legislative effectiveness scores, the more likely these bills are to receive restrictive special rules.*

Description of Empirical Models

This study constructs two sets of three models each to examine how special rules in contemporary Congresses have evolved in the legislative space. Logistic regression is used to fit two models in each of the sets because they have dichotomous dependent variables to measure the log odds that a bill 1) receives a special rule and 2) receives a restrictive special rule. Linear Regression is used for one model in each set to examine the relationship between the independent variables and the type of special rule that is assigned to bills in the sample. Prior studies of special rule assignments also construct logistic regression models to predict procedural choice in the House.[32] However, the models in this dissertation differ from prior models in that it focuses on bill-level factors that possibly render specific bills more susceptible to receive special rules. Previous models in legislative studies scholarship focus on the relationship between committees of jurisdiction, their ideological proximity to the Speaker, and to the Rules Committee to predict procedural choice.

[32] Marshall, Bryan W. 2005. *Rules for War: Procedural Choice in the U.S. House of Representatives.* Burlington, VT: Ashgate Publishing.

The first set of models (i.e., the "baseline" models) uses only the original *Special Rules Bills Dataset* and has three distinct dependent variables. The second set of models incorporates *Legislative Effectiveness Dataset* which provides additional support to estimate the relationship between key independent variables from both datasets and the same set of dependent variables from the baseline model. The first set of models are Models 3.1A, 3.1B, and 3.1C—the results of which are displayed in Tables 3.1, 3.2, 3.3, 3.4, and 3.5. Marginal effects of the logistic regression Models 3.1A and 3.1B are displayed in Tables 3.2 and 3.4. The second set of models are Models 3.2A, 3.2B, and 3.2C, and the results of this set of models are displayed in Tables 3.6, 3.7, 3.8, 3.9, and 3.10. Marginal effects of the logistic regression Models 3.2A and 3.2B results are displayed in Tables 3.7, and 3.9.

Models 3.1A, 3.1B, and 3.1C

Constructed using only the original *Special Rules Bills Dataset* (which also includes an original, randomly selected, comparison sample of floor consideration bills), Models 3.1A, 3.1B, and 3.1C estimate the relationship between four independent variables and three distinct dependent variables. These Models are found in Tables 3.1, 3.2, and 3.3. The four independent variables in these models are: 1) the proportion of out-party cosponsors for a bill, 2) the absolute value of the Dynamic-Weighted (D.W.) NOMINATE score of the bill's primary sponsor, 3) the political party of the bill sponsor, and 4) whether the bill addressed appropriations or budgetary matters. The dependent variable for Model 3.1A is binary and accounts for whether a bill received special rules or did not receive special rules. The dependent variable for Model 3.1B is also binary and accounts for whether a bill is assigned restrictive special rules or is not assigned restrictive special rules. The dependent variable for Model 3.1C is categorial and ranges on a scale from 1-4 with "1" representing bills that receive open rules, "2" representing bills that

receive modified-open rules, "3" representing bills that receive structured rules, and "4" representing bills that receive closed roles.

Models 3.1A and 3.1B include both the populations of special rules bills and floor consideration bills from the 107th, 110th-116th Congresses (2001-2003, 2007-2021). Model 3.1C includes only the bills for which the Rules Committee assigns special rules. Model 3.1C intentionally excludes bills that receive floor consideration because this model is designed to isolate the effects of the independent variables on special rule assignments (from open to closed). A separate set of models (i.e., Models 3.1A, and 3.2A) examine the difference(s) between floor consideration bills and bills that receive special rules. After 1) an extensive review of special rules' Rules Committee documents during a two-year period, 2) a critical review of the classifications that the Rules Committees uses to categorize the four special rule types and the bills in these categories and 3), excluding the comparison sample population of bills receiving floor consideration in Models 3.1C and 3.2C, this study has found sufficient evidence to support the assumption that the spatial distance between special rules bills in the four rule categories is similar. Thus, linear regression is used for Model 3.1C to estimate differences across rule category.

Models 3.2A, 3.2B, 3.2C

The second set of empirical models constructed are Models 3.2A, 3.2B, and 3.2C. These models incorporate the baseline models 3.1A, 3.1B, and 3.1C and add a separate set of variables provided by Craig Volden and Alan Wiseman's *Legislative Effectiveness Dataset* to complete the model. The variables that are used from the Volden and Wiseman dataset in Models 3.2A, 3.2B, and 3.2C are: 1) majority party leadership, 2) committee chairman, 3) subcommittee chairman, 4) seniority, and 5) lagged legislative effectiveness score. The dependent variables for Models

3.2A, 3.2B, and 3.2C match those used in Models 3.1A, 3.1B, and 3.1C. Also, like the baseline models 3.1A, 3.1B, and 3.1C, the new models incorporating the *Legislative E*ffectiveness *Dataset* use the same sample populations. Thus, for Model 3.2A and 3.2B, all bills that receive special rules in the 107th, 110th-116th (2001-2003, 2007-2021) Congresses are included (N=1350) as well as a separate, randomly selected sample of 1200 bills that received floor consideration during the same period (i.e., 150 bills from each of the eight congressional sessions selected in the study).

Results

Tables 3.1 and 3.2 display the logistic regression results of Models 3.1A and 3.1B for the baseline models in this study. Model 3.1A provides support for Hypothesis 1 and suggests that endorsement by out-partisan co-sponsors has a negative and statistically significant relationship with a bill receiving special rules. More specifically, the estimates in Model 3.1A represent the expected change in log odds of a bill receiving special rules per unit change of the four independent variables. For example, in the 107th Congress the coefficient "-1.975" represents the log odds of a bill receiving special rules as the proportion of out-party cosponsors increases. To better assess the relative effect of the individual variables on rule choice in Table 3.1 (i.e., Model 3.1A), Table 3.2 transforms the logit coefficients to reflect the marginal effects on changes in the probability of a bill receiving special rules for each independent variable in the table. This transformation from log odds to probabilities will allow for more substantive discussions of the predicted hypotheses and will allow for enhanced comparisons across the empirical models in this study.

Table 3.1: Model 3.1A Logistic Regression Results
(Dependent Variable is Whether Special Rule is Assigned)

Model 3.1A Logistic Regression Results - Special Rules Bills Dataset (with Floor Consideration Bills Included) Baseline Model 3.1A for 107th, 110th-116th Congressional Sessions (2001-2003, 2007-2021)								
*p<0.1; **p<0.05; ***p<0.01						**DV: 1=Special Rule Assigned, 0=No Rule Assigned**		
D=Dem. Majority, R=Rep. majority, D* or R* = Election Year	**107th Congress (2001-2003) R**	**110th Congress (2007-2009) D***	**111th Congress (2009-2011) D**	**112th Congress (2011-2013) R***	**113th Congress (2013-2015) R**	**114th Congress (2015-2017) R***	**115th Congress (2017-2019) R**	**116th Congress (2019-2021) D***
Proportion of Out-Party Co-sponsorships for Bills	**-1.975*** **	**-2.395*** **	**-1.236** **	**-3.389*** **	**-2.763*** **	**-2.077*** **	**-1.513*** **	**-4.254*** **
Standard Error (S.E.)	(0.435)	(0.472)	(0.618)	(0.658)	(0.501)	(0.483)	(0.439)	(0.742)
Absolute Value of Dynamic Weighted (DW) NOMINATE Score	-0.171	-0.635	0.25	**2.498** **	**-1.736***	0.934	-0.212	-0.062
(S.E.)	(0.086)	(0.578)	(0.912)	(1.233)	(1.008)	(0.916)	(0.912)	(1.22)
Republican Sponsor	**1.954*** **	**-3.932*** **	**-3.693*** **	**3.631*** **	**2.778*** **	**2.779*** **	**3.078*** **	**-1.933*** **
(S.E.)	(0.427))	(1.027)	(1.027)	(1.033)	(0.652)	(0.624)	(0.639)	(0.665)
Appropriations/Budget Bills	**1.122** **	**1.219***	**1.537*** **	**4.089*** **	**1.877*** **	**1.691** **	**3.117** **	0.602
(S.E.)	(0.407)	(0.628)	(0.564)	(1.145)	(0.587)	(0.76)	(1.264)	(0.505)
Constant	-1.148	1.273	0.152	-4.108	-1.233	-2.341	-2.166	0.764
(S.E.)	(0.512)	(0.277)	(0.399)	(1.133)	(0.764)	(0.706)	(0.758)	(0.539)
Observations (N)	335	366	286	287	308	340	345	283
Log Likelihood	-194.19	-194.903	-162.668	-130.455	-159.63	-185.239	-195.145	-149.792
Chi-Square	72.358	105.61	70.46	136.368	107.51	96.146	82.095	91.714
R-Squared	0.157	0.213	0.178	0.343	0.252	0.206	0.174	0.234

Table 3.2: Marginal Effects for Model 3.1A

Marginal Effects on Change in Probability of a Bill Receiving a Special Rule in Model 3.1A for 107th, 110th-116th Congressional Sessions (2001-2003, 2007-2021)								
*p<0.1; **p<0.05; ***p<0.01						**DV: 1=Special Rule Assigned, 0=No Rule Assigned**		
D=Dem. majority, R=Rep. majority, D* or R* = Election Year	**107th Congress (2001-2003) R**	**110th Congress (2007-2009) D***	**111th Congress (2009-2011) D**	**112th Congress (2011-2013) R***	**113th Congress (2013-2015) R**	**114th Congress (2015-2017) R***	**115th Congress (2017-2019) R**	**116th Congress (2019-2021) D***
Proportion of Out-Party Co-sponsorships for Bills	**-0.391*** **	**-0.431*** **	**-0.246** **	**-0.521*** **	**-0.483*** **	**-0.384*** **	**-0.296*** **	**-0.764*** **
Absolute Value of Dynamic Weighted (DW) NOMINATE Score	-0.034	-0.114	0.05	**0.384** **	**-0.303***	0.173	-0.041	-0.011
Republican Sponsor	**0.387*** **	**-0.708*** **	**-0.735*** **	**0.558*** **	**0.485*** **	**0.514*** **	**0.601*** **	**-0.347*** **
Appropriations/Budget Bills	**0.220** **	**0.219***	**0.306*** **	**0.628*** **	**0.328*** **	**0.313** **	**0.609** **	0.108
Observations (N)	335	366	286	287	308	340	345	283

In Table 3.1 (i.e., Model 3.1A), the independent variables displaying coefficients with the greatest statistical significance are the proportion of out-party co-sponsorships for bills, the

Republican bill sponsor indicator, and the appropriations/budget bill indicator. In each Congress in Model 3.1A, there is a negative and statistically significant relationship between the proportion of out-party bill co-sponsorships and the assignment of a special rule. This finding supports part one of Hypothesis 1 which projected that bills with higher proportions of out-party co-sponsorships are less likely to receive special rules. The negative coefficient indicates that when the proportion of out-party bill co-sponsorships increase, special rule assignments decrease. However, a better gage of how accurate part two of Hypothesis 1 is (i.e., that higher proportions of out-party bill co-sponsorships result in fewer restrictive special rule assignments) can be found in Tables 3.3 and 3.4. In Tables 3.3 and 3.4, the dependent variable is binary and measures whether a bill receives a *restrictive* special rule or does not receive a *restrictive* special rule. Tables 3.1 and 3.2, however, only account for whether a bill receives *any* special rule which can range from open to closes rules.

Table 3.2 displays the marginal effect of the relationship between the proportion of out-party bill co-sponsorships and receiving a special rule. This table is useful in helping to assess the changes in probabilities of the dependent variable (i.e., receiving a special rule) associated with a one unit change in the independent variables. For example, in the 107th Congress (2007-2009), the probability of a bill receiving a special rule decreases by 0.391 as the proportion of out-party co-sponsorships increases. The marginal effect of the proportion of out-party co-sponsorships on receiving a special rule assignment is the largest in the 107th Congress. Moreover, this relationship remains negative and statistically significant across each Congress in the study.

The marginal effect of a House member being a part of the majority party, measured using the Republican sponsor variable, is also large relative to the marginal effects of other

variables in Table 2.3.[33] Substantively, Table 2.3 shows that if a Republican sponsors a bill in a Congress where Republicans are the majority party, then the probability of the bill receiving a special rule increases by 0.387. Conversely, if a Republican sponsors a bill in a Congress where Republicans are not in the majority, such as the 110th Congress, then the probability of their bill receiving a special rule decreases by 0.708. This finding aligns with Hypothesis 3 which projected that if the bill sponsor is a member of the majority party, then they are more likely to receive restrictive special rules.

A review of Tables 3.3 and 3.4 also lends support for Hypothesis 1 because there is a negative and statistically significant relationship between the proportion of out-party bill co-sponsorships and restrictive special rules. More specifically, the logit coefficient "-1.157" for the proportion of out-party bill co-sponsorships variable in the 110th Congress (2007-2009) shows that there is a negative and statistically relationship between this variable and the dependent variable which is whether a bill receives a restrictive special rule. Substantively, regarding the marginal effects of the relationship between these two variables in the 110th Congress, the probability of a bill receiving restrictive special rules decreases by 0.235 when the proportion of out-party co-sponsors for a bill increases by one unit.

Tables 3.1 and 3.2 also provide evidence to support the inclination that there is a meaningful difference between appropriations bills and other bills in this sample. Results in these tables indicate that there is a positive and statistically significant relationship between appropriations bills and receiving special rules. Table 3.2 provides the marginal effect—showing that if the bill addressees appropriations, the probability of the bill receiving a special rule

[33] One can determine whether a political party is in the majority based on the column headers which provide the congressional sessions and the political party in the majority. Aligning this information with the "Republican" variable will show when the Republicans are in the majority (in the 107th, -112th-115th Congresses) and when they are not (i.e., 110th-111th, 116th Congresses).

increases by 0.220 in the 107th Congress (2001-2003). These results are consistent and statistically significant in seven of the eight Congresses examined.

Hypothesis 2 predicted that members who fall at the ideological extremes of Poole and Rosenthal's D.W. Nominate scare are more likely to receive special rules, particularly restrictive special rules. Results in Tables 3.1 and 3.2 (Model 3.1A), do not support this hypothesis because the logit coefficients only show signs of statistical significance in two of the eight Congresses observed and because the direction of the logit coefficients changes across Congresses. These findings are consistent across all of the logistic regression models in the study; however, findings that lend some support to Hypothesis 2 are evident in the final linear regression model (Model 3.10).

Tables 3.3 and 3.4 (i.e., Model 3.1B) provide results similar to those in Model 3.1A. The dependent variable has changed in this model, and it now represents the binary outcome of a bill receiving a restrictive special rule (or not receiving one). In six of the eight Congresses (110^{th}, 112^{th}-116^{th}), the proportion of out-party bill co-sponsors is negative and statistically significant. Also, in each of the Congresses, the indicator of whether a member is Republican is statistically significant and consistent in the expected direction of their logit coefficients [(+) for Republicans when they are in majority]. However, there is one finding in Model 3.1B that does not comport with findings in Model 3.1A regarding appropriations bills.

Table 3.2 shows that the appropriations variable is a statistically significant predictor of bills receiving special rules in seven of the eight Congresses examined. However, Table 3.4 shows that in only three of the eight Congresses in this study, there is a statistically significant relationship between appropriations and receiving restrictive special rules. These findings suggest that appropriations bills are highly likely to receive special rules, but less likely to

receive restrictive special rules specifically. Ultimately, these findings acknowledge that there is a unique relationship between appropriations bills and special rule assignments and provides additional insight on the types of bills that receive special rules.

Tables 3.3 and 3.4 display the relationship between the same set of independent variables as in Table 3.1 and 3.2 and whether a bill will receive restrictive special rules. Like the findings in Tables 3.1 and 3.2, the proportion of out-party bill co-sponsorship variable has a negative coefficient indicating that bills with more out-party cosponsors are associated with fewer restrictive special rules. This finding supports Hypothesis 2. Tables 3.3 and 3.4 support Hypothesis 3 in that bills sponsored by a Republican member, when the Republican party is in the majority, increases the probability that the bill will receive a restrictive special rule. Substantively, interpreting the marginal effects, Table 3.4 shows that the probability of a bill receiving a restrictive special rule when the bill's sponsor is in the majority party increases by 0.255 in the 107th Congress (2001-2003). This finding is statistically significant and the logit coefficients are consistent with Hypothesis 3 in that the sign flips when the Republicans are not holding the majority in Congress.

Table 3.3: Model 3.1B Logistic Regression Results (Dependent Variable is Whether Bill Received Restrictive Rule)

Model 3.1B Logistic Regression Results – *Special Rules Bills Dataset* (with Floor Consideration Bills Included) Baseline Model 3.1B for 107th, 110th-116th Congressional Sessions (2001-2003, 2007-2021)								
*p<0.1; **p<0.05; ***p<0.01						**DV: 1=Restrictive Special Rule Assigned, 0=Open/Modified Open Rule Assigned/No Rule**		
D=Dem. majority, R=Rep. majority, D* or R* = Election Year	**107th Congress (2001-2003) R**	**110th Congress (2007-2009) D***	**111th Congress (2009-2011) D**	**112th Congress (2011-2013) R***	**113th Congress (2013-2015) R**	**114th Congress (2015-2017) R***	**115th Congress (2017-2019) R**	**116th Congress (2019-2021) D***
Proportion of Out-Party Co-sponsorships for Bills	-0.298	**-1.157****	-0.568	**-3.341*****	**-2.784*****	**-1.939*****	**-1.318*****	**-4.147*****
Standard Error (S.E.)	(0.483)	(0.466)	(0.627)	(0.728)	(0.518)	(0.504)	(0.429)	(0.743)
Absolute Value of Dynamic Weighted (DW) Nominate Score	0.369	**1.915*****	-0.61	1.403	-0.472	**2.024****	-0.049	-0.363
(S.E.)	(0.974)	(0.592)	(0.935)	(1.163)	(0.975)	(0.899)	(0.883)	(1.213)
Republican Sponsor	**1.603****	**-3.214*****	**-3.08*****	**3.274*****	**2.354*****	**3.476*****	**3.177*****	**-1.815*****
(S.E.)	(0.064)	(1.025)	(1.027)	(1.034)	(0.635)	(1.026)	(0.737)	(0.663)
Appropriations/Budget Bills	-0.442	**-0.877****	**2.012*****	-0.504	0.273	**-0.79***	0.8	0.696
(S.E.)	(0.399)	(0.44)	(0.521)	(0.438)	(0.380)	(0.443)	(0.585)	(0.503)
Constant	-2.838	-0.87	-0.233	-3.69	-1.588	-3.955	-2.591	0.782
(S.E.)	(0.719)	(0.279)	(0.407)	(1.109)	(0.735)	(1.089)	(0.835)	(0.537)
Observations (N)	335	366	286	287	308	340	345	283
Log Likelihood	-165.027	-238.626	-158.75	-147.97	-175.656	-194.651	-206.531	-151.382
Chi-Square	10.688	50.168	56.301	73.867	72.407	77.782	64.975	87.347
R-Squared	0.031	0.105	0.151	0.2	0.172	0.167	0.136	0.224

Table 3.4: Marginal Effects for Model 3.1B

Marginal Effects on Change in Probability of a Bill Receiving a Restrictive Special Rule in Model 3.1B for 107th, 110th-116th Congressional Sessions (2001-2003, 2007-2021)								
*p<0.1; **p<0.05; ***p<0.01						**DV: 1=Restrictive Special Rule Assigned, 0=Open/Modified Open Rule Assigned/No Rule**		
D=Dem. majority, R=Rep. majority, D* or R* = Election Year	**107th Congress (2001-2003) R**	**110th Congress (2007-2009) D***	**111th Congress (2009-2011) D**	**112th Congress (2011-2013) R***	**113th Congress (2013-2015) R**	**114th Congress (2015-2017) R***	**115th Congress (2017-2019) R**	**116th Congress (2019-2021) D***
Proportion of Out-Party Co-sponsorships for Bills	-0.047	**-0.235****	-0.109	**-0.595*****	**-0.545*****	**-0.387*****	**-0.276*****	**-0.756*****
Absolute Value of Dynamic Weighted (DW) Nominate Score	0.059	**0.389*****	-0.117	0.25	-0.092	**0.404****	-0.01	-0.066
Republican Sponsor	**0.255****	**-0.653*****	**-0.591*****	**0.582*****	**0.461*****	**0.694*****	**0.665*****	**-0.331*****
Appropriations/Budget Bills	-0.07	**-0.178****	**0.386*****	-0.09	0.053	**-0.158***	0.168	0.127
Observations (N)	335	366	286	287	308	340	345	283

Model 3.1C (displayed in Table 3.5) provides the linear regression results in the case where the dependent variable is a scale of special rule type (from 1=open, to 4=closed). This sample only includes bills that are assigned special rules so that the model can isolate the marginal effects and differences between a bill receiving an open rule, modified-open rule, structured, and closed special rule. Table 3.5's results provide evidence showing that there is a statistically significant difference between appropriations bills and other bills in the sample. Of the congressional sessions exhibiting statistical significance for the appropriations variable, the linear regression coefficients show that in five of the eight Congresses, appropriations bills are less likely to receive restrictive special rules (i.e., evidenced by the negative linear regression coefficient). In two remaining two Congresses showing significance for the appropriations variable (i.e., 111th and 116th Congresses), there is a positive relationship between appropriations bills and the marginal effect of a bill receiving more restrictive special. The remaining results of Model 3.1C (displayed in Table 3.5) do not provide sufficient evidence that the proportion of out-party bill co-sponsorships, the absolute value of the bill sponsor's D.W. Nominate score, and the presence of a Republican co-sponsor are significant in predicting the differences across special rule type categories (on a scale from open to closed special rules). This is an important divergence from models 3.1A and 3.1B which show that out-party bill co-sponsorships and a majority party bill sponsor are significant predictors of a bill 1) getting a special rule and 2) particularly getting a restrictive special rule. This finding will be further examined in Tables 3.6, 3.7, 3.8, 3.9, and 3.10.

Table 3.5: Model 3.1C Linear Regression Results
(Dependent Variable is Special Rule Category)

Model 3.1C Linear Regression Results - *Special Rules Bills Dataset* (with Floor Consideration Bills Excluded) Baseline Model 3.1C for 107th, 110th-116th Congressional Sessions (2001-2003, 2007-2021)								
*p<0.1; **p<0.05; ***p<0.01						**DV=Special Rule Type Assigned (Five Point Scale from No Rule to Closed Rules)**		
D=Dem. majority, R=Rep. majority, D* or R* = Election Year	**107th Congress (2001-2003) R**	**110th Congress (2007-2009) D***	**111th Congress (2009-2011) D**	**112th Congress (2011-2013) R***	**113th Congress (2013-2015) R**	**114th Congress (2015-2017) R***	**115th Congress (2017-2019) R**	**116th Congress (2019-2021) D***
Proportion of Out-Party Co-sponsorships for Bills	0.433	0.337	0.255	-0.115	**-0.552***	-0.356	-0.082	0.233
Standard Error (S.E.)	(0.147)	(0.310)	(0.393)	(0.334)	(0.29)	(0.253)	(0.213)	(0.326)
Absolute Value of Dynamic Weighted (DW) Nominate Score	0.453	**1.057*****	-0.353	0.027	0.482	**1.409*****	0.335	0.217
(S.E.)	(0.297)	(0.253)	(0.532)	(0.754)	(0.56)	(0.466)	(0.447)	(0.483)
Republican Sponsor	0.192	1.238	0.056	-0.882	**-0.991***	**1.106****	0.424	0.141
(S.E.)	(0.357)	(0.991)	(0.903)	(0.885)	(0.519)	(0471)	(0.546)	(0.376)
Appropriations/Budget Bills	**-0.383****	**-0.687*****	**0.473****	**-1.186*****	-0.251	**-0.861*****	**-0.349***	**0.295***
(S.E.)	(0.18)	(0.201)	(0.205)	(0.199)	(0.163)	(0.185)	(0.192)	(0.15)
Constant	1.793	2.283	2.941	3.987	4.185	1.46	2.821	3.321
(S.E.)	(0.399)	(0.122)	(0.235)	(0.946)	(0.534)	(0.51)	(0.586)	(0.214)
Observations (N)	185	216	136	137	158	340	195	134
Significance F	0.059	1.60E-06	0.217	7.96E-08	0.06	3.14E-08	0.219	0.364
Multiple R	0.221	0.376	0.207	0.503	0.239	0.443	0.172	0.181

Tables 3.6, 3.7, 3.8, and 3.9 (i.e., Models 3.2A and 3.2B and their marginal effects) show the logistic regression results for a new model incorporating Volden and Wiseman's *Legislative Effectiveness Dataset* with the baseline variables from prior models in this study (i.e., Models 3.1A, 3.1B, and 3.1C). The dependent variable in Tables 3.6 and 3.7 is whether a bill receives *any* special rule. The dependent variable in Tables 3.8 and 3.9 is whether a bill receives a *restrictive* special rule. Findings in Table 3.6 show similar results as the baseline models for the proportion of out-party bill co-sponsorships and Republican sponsor (i.e., an indicator to help identify when the Republicans have control of the House or when the Democrats have control), and the appropriations indicator variable. For each of the baseline model variables that had a

statistically significant relationship the assignment of a special rule in Tables 3.1 and 3.2 (i.e., proportion of out-party bill co-sponsorship, a Republican indicator variable to show which party is in the majority, and the appropriations indicator), the results are mirrored in Table 3.6 and 3.7.

However, there are meaningful differences between the baseline models and the new models incorporating legislative effectiveness data—particularly with the introduction of the member seniority variable. In comparing Table 3.6 and 3.8, results vary across the new Models 3.2A, 3.2B, and 3.2C. For example, while the relationship between a bill sponsor's seniority status and receiving special rules is largely insignificant in Table 3.6, the relationship is statistically significant across several Congresses in Table 3.8—with marginal effects illustrated in Tables 3.7 and 3.9, respectively. Substantively, in Table 3.9, the change in probability of a bill receiving restrictive special rules as the bill sponsor's seniority in the 107th Congress increases by 0.02. A marginal effect of 0.02 indicates a slight advantage that members with seniority have over their more junior colleagues in gaining access to restrictive special rules.

Table 3.6: Model 3.2A Logistic Regression Results
(Dependent Variable is Whether Special Rule is Assigned)

Model 3.2A Logistic Regression Results - *Legislative Effectiveness Dataset* and *Special Rules Bills Dataset* (With Floor Consideration Bills Included) for 107th, 110th-116th Congressional Sessions (2001-2003, 2007-2021)								
*p<0.1; **p<0.05; ***p<0.01						**DV: 1=Special Rule Assigned, 0=No Rule Assigned**		
D=Dem. majority, R=Rep. majority, D* or R* = Election Year	**107th Congress (2001-2003) R**	**110th Congress (2007-2009) D***	**111th Congress (2009-2011) D**	**112th Congress (2011-2013) R***	**113th Congress (2013-2015) R**	**114th Congress (2015-2017) R***	**115th Congress (2017-2019) R**	**116th Congress (2019-2021) D***
Proportion of Out-Party Co-sponsorships for Bills	**-2.002*** **	**-2.561*** **	**-1.379** **	**-4.75*** **	**-3.034*** **	**-2.057*** **	**-1.446*** **	**-4.318*** **
Standard Error (S.E.)	(0.453)	(0.499)	(0.626)	(0.844)	(0527)	(0.4923	(0.454)	(0.776)
Absolute Value of Dynamic Weighted (DW) NOMINATE Score	-0.402	**-1.274***	-0.774	2.107	**-2.191** **	0.954	-0.031	-1.539
(S.E.)	(0.901)	(0.713)	(1.045)	(1.389)	(1.078)	(0.929)	(0.929)	(1.33)
Republican Sponsor	**1.983*** **	**-3.429*** **	**-3.43*** **	**2.730** **	**2.355*** **	**3.133*** **	**3.13*** **	**-1.431** **
(S.E.)	(0.467)	(1.062)	(1.05)	(1.084)	(0.691)	(0.66)	(0.649)	(0.714)
Appropriations/Budget Bill	**1.140*** **	1.004	**1.38** **	**4.638*** **	**1.78*** **	**1.818** **	**3.189** **	0.071
(S.E.)	(0.415)	(0.658)	(0.601)	(1.295)	(0.589)	(0.781)	(1.25)	(0.552)
Majority Party Leadership	0.167	**1.455** **	**-0.984** **	19.544	0.455	0.106	0.797	-0.681
(S.E.)	(0.456)	(0.702)	(0.461)	(805.005)	(0.67)	(0.447)	(1.051)	(0.74)
Committee Chairman	0.567	0.188	-0.052	**1.108*** **	**0.876** **	-0.066	0.712	0.279
(S.E.)	(0.443)	(0.468)	(0.523)	(0.478)	(0.430)	(0.398)	(0.675)	(0.464)
Subcommittee Chairman (or Vice Chair)	-0.262	-0.246	0.31	0.179	**0.639***	**-0.693** **	0.46	-0.038
(S.E.)	(0.33)	(0.316)	(0.323)	(0.402)	(0.343)	(0.294)	(0.361)	(0.329)
Seniority	0.006	**0.07** **	0.038	0.022	-0.062	0.053	-0.044	**0.105*** **
(S.E.)	(0.045)	(0.034)	(0.034)	(0.044)	(0.04)	(0.038)	(0.03)	(0.037)
Lagged Legislative Effectiveness Score	-0.054	-0.313	0.084	**-0.81*** **	0.069	-0.05	0.192	-0.145
(S.E.)	(0.093)	(0.208)	(0.067)	(0.305)	(0.062)	(0.088)	(0.128)	(0.209)
Constant	-1.086	1.031	0.047	-3.23	-0.734	-2.619	-2.388	0.687
(S.E.)	(0.557)	(0.362)	(0.412)	(1.219)	(0.817)	(0.745)	(0.814)	(0.584)
Observations (N)	335	366	286	287	308	190	345	283
Log Likelihood	-191.391	-183.457	-156.318	-107.303	-155.954	-180.974	-191.304	-140.898
Chi-Square	77.96	128.503	83.158	182.671	114.862	104.675	89.776	109.503
R-Squared	0.169	0.26	0.21	0.46	0.269	0.224	0.19	0.28

Table 3.7: Marginal Effects for Model 3.2A

Marginal Effects on Change in Probability of a Bill Receiving a Special Rule in Model 3.2A for 107th, 110th-116th Congressional Sessions (2001-2003, 2007-2021)								
*p<0.1; **p<0.05; ***p<0.01						DV: 1=Special Rule Assigned, 0=No Rule Assigned		
D=Dem. majority, R=Rep. majority, D* or R* = Election Year	107th Congress (2001-2003) R	110th Congress (2007-2009) D*	111th Congress (2009-2011) D	112th Congress (2011-2013) R*	113th Congress (2013-2015) R	114th Congress (2015-2017) R*	115th Congress (2017-2019) R	116th Congress (2019-2021) D*
Proportion of Out-Party Co-sponsorships for Bills	**-0.389*** **	**-0.429*** **	**-0.26** **	**-0.598*** **	**-0.516*** **	**-0.37*** **	**-0.275*** **	**-0.72*** **
Absolute Value of Dynamic Weighted (DW) NOMINATE Score	-0.078	**-0.2133***	-0.146	0.265	**-0.372** **	0.171	-0.006	-0.256
Republican Sponsor	**0.385*** **	**-0.574*** **	**-0.647*** **	**0.344** **	**0.4*** **	**0.563*** **	**0.594*** **	**-0.238** **
Appropriations/Budget Bill	**0.222*** **	0.168	**0.261** **	**0.584*** **	**0.302*** **	**0.327** **	**0.606** **	0.012
Majority Party Leadership	0.033	**0.244** **	**-0.186** **	2.462	0.077	0.019	0.151	-0.113
Committee Chairman	0.11	0.0315	-0.01	**0.14*** **	**0.149** **	-0.012	0.135	0.046
Subcommittee Chairman (or Vice Chair)	-0.051	-0.0412	0.059	0.023	**-0.109***	**-0.125** **	0.087	-0.006
Seniority	0.001	**0.0117** **	0.0073	0.003	-0.012	0.01	-0.008	**0.017*** **
Lagged Legislative Effectiveness Score	-0.011	-0.0524	0.016	**-0.102*** **	0.012	-0.009	0.037	-0.024**
Observations (N)	335	366	286	287	308	190	345	283

Tables 3.7 and 3.9 also show that the effect of having a leadership position in Congress on receiving special rules (especially restrictive special rules) is largely insignificant. On average, majority party leadership, committee chairmanship, subcommittee chairmanship, are only significant in two of the eight congresses in some cases only demonstrating significance at $p<0.01$. This finding is critical because it complicates what has been deemed conventional wisdom in the legislative studies literature which is that those in leadership positions in Congress are more likely than their colleagues without leadership positions, to be granted access to resources (i.e., including tools like special rules) to use to their legislative advantage. Results in Tables 3.6 and 3.8 show that, especially in modern Congresses, leadership positions do not automatically equate to special rule accessibility and/or usage. What remains to be explored regarding this finding, however, is the extent to which leadership ensures that important bills are

being sponsored by their colleagues. In this case, leaders in Congress would not have to sponsor legislation themselves to then request special rule assignments. This possibility is not accounted for the models in this study but it may help to explain the findings in Tables 3.6 and 3.8. Nonetheless, with three separate measures for leadership, findings consistently show that leadership and special rules (particularly restrictive special rules) do not fit hand in glove—at least not at the level of bill sponsorship.

Regarding the lagged legislative effectiveness score variable added to Models 3.2A, 3.2B, and 3.2C, results in Tables 3.6, 3.8, and in 3.10 do not show that this variable is a significant predictor of a bill receiving special rules or, more specifically, restrictive special rules. This finding does not support the prediction in Hypothesis 5 which is that members with higher legislative effectiveness scores are more likely to receive restrictive special rules. However, there is a possible theoretical rationale that may provide clarity here. If a member has a higher legislative effectiveness score, they may decide to use other tools in their congressional arsenal to accomplish their legislative agendas. Their prowess as seasoned legislators provides them with an "upper hand" when selecting a legislative strategy to increase the likelihood of a bill's success. As a result, they may rely on other tools to accomplish their legislative agendas that do not require special rule assignments.

Table 3.8: Model 3.2B Logistic Regression Results
(Dependent Variable is Whether Bill Received Restrictive Rule)

Model 3.2B Logistic Regression Results - Legislative Effectiveness Dataset and Special Rules Bills Dataset (With Floor Consideration Bills Included) 107th, 110th-116th Congressional Sessions (2001-2003, 2007-2021)								
*p<0.1; **p<0.05; ***p<0.01						DV: 1=Restrictive Special Rule Assigned, 0=Open/Modified Open Rule Assigned/No Rule		
D=Dem. majority, R=Rep. majority, D* or R* = Election Year	**107th Congress (2001-2003) R**	**110th Congress (2007-2009) D***	**111th Congress (2009-2011) D**	**112th Congress (2011-2013) R***	**113th Congress (2013-2015) R**	**114th Congress (2015-2017) R***	**115th Congress (2017-2019) R**	**116th Congress (2019-2021) D***
Proportion of Out-Party Co-sponsorships for Bills	-0.365	**-1.278****	-0.734	**-3.485*****	**-2.916*****	**-2.038*****	**-1.329*****	**-4.198*****
Standard Error (S.E.)	(0.512)	(0.508)	(0.635)	(0.719)	(0.531)	(0.521)	(0.445)	(0.771)
Absolute Value of Dynamic Weighted (DW) Nominate Score	0.053	**-1.117***	**-2.414****	0.895	-0.691	**2.119****	0.153	-1.536
(S.E.)	(1.045)	(0.508)	(1.084)	(1.281)	(1.031)	(0.923)	(0.903)	(1.315)
Republican Sponsor	**1.796***	**-2.189***	**-2.746*****	**2.323****	**2.246*****	**3.716*****	**3.176*****	**-1.407***
(S.E.)	(0.727)	(1.078)	(1.056)	(1.073)	(0.666)	(1.046)	(0.741)	(0.711)
Appropriations/Budget Bill	-0.734	**-1.529****	**1.781*****	-0.501	0.257	**-0.803***	0.904	0.219
(S.E.)	(0.441)	(0.524)	(0.555)	(0.477)	(0.393)	(0.473)	(0.59)	(0.545)
Majority Party Leadership	0.27	**2.156*****	-0.142	**2.101****	0.174	-0.551	0.956	-0.984
(S.E.)	(0.474)	(0.647)	(0.457)	(0.829)	(0.654)	(0.408)	(1.049)	(0.733)
Committee Chairman	0.644	**1.013***	0.157	**1.27*****	**0.737***	-0.042	0.195	0.165
(S.E.)	(0.47)	(0.448)	(0.507)	(0.438)	(0.403)	(0.376)	(0.596)	(0.455)
Subcommittee Chairman (or Vice Chair)	-0.153	-0.651	0.217	0.379	0.011	**-0.558****	0.142	0.022
(S.E.)	(0.398)	(0.341)	(0.334)	(0.377)	(0.317)	(0.283)	(0.339)	(0.322)
Seniority	**0.135****	**0.08****	**0.068****	-0.033	-0.016	0.043	-0.043	**0.088****
(S.E.)	(0.049)	(0.032)	(0.033)	(0.038)	(0.036)	(0.037)	(0.029)	(0.036)
Lagged Legislative Effectiveness Score	**-0.233***	0.086	0.048	-0.468	-0.006	0.023	0.213	-0.119
(S.E.)	(0.106)	(0.199)	(0.058)	(0.267)	(0.057)	(0.085)	(0125)	(0.205)
Constant	-3.573	-2.117	-0.348	-2.761	-1.412	-4.203	-2.709	0.696
(S.E.)	(0.842)	(0.361)	(0.425)	(1.163)	(0.809)	(1.117)	(0.877)	(0.578)
Observations (N)	335	366	286	287	308	340	345	283
Log Likelihood	154.392	-183.457	-150.9	-138.111	-173.477	-190.389	-204.12	-144.756
Chi-Square	31.957	128.503	72.001	93.585	77.099	86.306	69.798	100.598
R-Squared	0.094	0.259	0.193	0.253	0.182	0.185	0.146	0.258

Table 3.9: Marginal Effects for Model 3.2B

Marginal Effects on Change in Probability of a Bill Receiving a Restrictive Special Rule in Model 3.22B for 107th, 110th-116th Congressional Sessions (2001-2003, 2007-2021)								
*p<0.1; **p<0.05; ***p<0.01						DV: 1=Restrictive Special Rule Assigned, 0=Open/Modified Open Rule Assigned/No Rule		
D=Dem. majority, R=Rep. majority, D* or R* = Election Year	**107th Congress (2001-2003) R**	**110th Congress (2007-2009) D***	**111th Congress (2009-2011) D**	**112th Congress (2011-2013) R***	**113th Congress (2013-2015) R**	**114th Congress (2015-2017) R***	**115th Congress (2017-2019) R**	**116th Congress (2019-2021) D***
Proportion of Out-Party Co-sponsorships for Bills	-0.054	**-0.218****	-0.132	**-0.571*****	**-0.562*****	**-0.396*****	**-0.273*****	**-0.723*****
Absolute Value of Dynamic Weighted (DW)NOMINATE Score	0.008	**-0.19***	**-0.434****	0.147	-0.133	**0.4115****	0.032	-0.265
Republican Sponsor	**0.264****	**-0.373***	**-0.493*****	**0.381****	**0.433*****	**0.722*****	**0.652*****	**-0.242***
Appropriations/Budget Bill	-0.108	**-0.261****	**0.32*****	-0.082	0.05	**-0.156***	0.186	0.038
Majority Party Leadership	0.077	**0.368*****	-0.026	**0.344****	0.034	-0.107	0.196	-0.17
Committee Chairman	0.095	**0.173***	0.028	**0.208*****	**0.142***	-0.008	0.04	0.028
Subcommittee Chairman (or Vice Chair)	-0.023	-0.111	0.039	0.062	0.002	**-0.108****	0.029	0.004
Seniority (Number of Terms Served Counting Current)	**0.02****	**0.014****	**0.012****	-0.005	-0.003	0.008	-0.009	**0.015****
Lagged Legislative Effectiveness Score	**-0.034***	0.015	0.009	-0.077	-0.001	0.005	0.044	-0.121
Observations (N)	335	366	286	287	308	340	345	283

Table 3.10: Model 3.2C Linear Regression Results (Dependent Variable is Special Rule Category)

Model 3.2C Linear Regression Results – *Legislative Effectiveness Dataset* and *Special Rules Bills Dataset* (With Floor Consideration Bills Excluded) for 107th, 110th-116th Congressional Sessions (2001-2003, 2007-2021)								
*p<0.1; **p<0.05; ***p<0.01						**DV=Special Rule Type Assigned (Five Point Scale from No Rule to Closed Rules)**		
D=Dem. majority, R=Rep. majority, D* or R* = Election Year	**107th Congress (2001-2003) R**	**110th Congress (2007-2009) D***	**111th Congress (2009-2011) D**	**112th Congress (2011-2013) R***	**113th Congress (2013-2015) R**	**114th Congress (2015-2017) R***	**115th Congress (2017-2019) R**	**116th Congress (2019-2021) D***
Proportion of Out-Party Co-sponsorships for Bills	0.253	0.081	0.26	-0.229	**-0.485***	-0.366	-0.072	0.262
Standard Error (S.E.)	(0.293)	(0.286)	(0.388)	(0.35)	(0.286)	(0.257)	(0.219)	(0.328)
Absolute Value of Dynamic Weighted (DW) Nominate Score	0.597	**0.878*****	**-0.998***	-0.093	**1.038***	**1.464*****	0.369	0.515
(S.E.)	(0.566)	(0.285)	(0.58)	(0.818)	(0.582)	(0.469)	(0.462)	(0.513)
Republican Sponsor	-0.01	1.449	0.19	-0.98	**-0.998***	**1.049****	0.365	0.032
(S.E.)	(0.355)	(0.949)	(0.895)	(0.905)	(0.513)	(0.481)	(0.55)	(0.397)
Appropriations/Budget Bill	**-0.482*****	**-0.958*****	0.279	**-1.122*****	**-0.314***	**-0.905*****	**-0.379***	**0.348****
(S.E.)	(0.185)	(0.201)	(0,236)	(0.217)	(0169)	(0.199)	(0.198)	(0.166)
Majority Party Leadership	0.396	**0.518****	0.315	0.263	-0.209	-0.283	0.4	**-0.546***
(S.E.)	(0.256)	(0..257)	(0.285)	(0.303)	(0.323)	(0.19)	(0.394)	(0.285)
Committee Chairman	0.268	**0.656*****	-0.019	0.324	-0.185	-0.003	0.084	-0.153
(S.E.)	(0.239)	(0.234)	(0.251)	(0.252)	(0.203)	(0.169)	(0.242)	(0.165)
Subcommittee Chairman (or Vice Chair)	-0.11	**0.496*****	0.111	0.067	**-0.381****	0.058	-0.087	0.014
(S.E.)	(0.199)	(0.17)	(0.188)	(0.225)	(0.161)	(0.142)	(0.145)	(0.125)
Seniority (Number of Terms Served Counting Current)	**0.08*****	**0.029***	**0.032***	-0.02	0.062	-0.004	0.004	-0.009
(S.E.)	(0.028)	(0.016)	(0.017)	(0.02)	(0.02)	(0.017)	(0.014)	(0.015)
Lagged Legislative Effectiveness Score	**-0.108***	0.126	0.007	0.056	-0.052	0.049	-0.076	-0.036
(S.E.)	(0.059)	(0.142)	(0.029)	(0.199)	(0.027)	(0.044)	(0.063)	(0.08)
Constant	1.542	1.541	2.814	4.095	3.85	1.454	2.928	3.383
(S.E.)	(0.389)	(0.15)	(0.242)	(0.994)	(0.538)	(0.516)	(0.605)	(0.221)
Observations (N)	185	216	136	137	158	190	195	133
Significance F	4.00E-04	4.68E-14	0.104	5.74E-06	0.006	9.01E-07	0.389	0.124
Multiple R	0.396	0.571	0.326	0.518	0.378	0.218	0.222	0.323

Linear regression provides a means to again test the five hypotheses. Results in Table 3.10 (i.e., Model 3.2C) do not support Hypothesis 1 (i.e., that higher proportions of out-party bill

co-sponsorships result in fewer restrictive special rule assignments) having only one Congress (out of eight Congresses), the 113th Congress (2013-2015) where the regression coefficient is negative and statistically significant.

Regarding the absolute value of the D.W. Nominate score variable, however, there is evidence that supports the relationship between members at the ideological poles and their bills receiving restrictive special rules. In four of the eight Congresses, this relationship is statistically significant and in three of the four Congresses, the regression coefficient is positive. This finding diverges somewhat from the results of Model 3.1C where the relationship between these variables in mostly positive but only statistically significant in two Congresses that are ten years apart.

The appropriations variable also proves to have a strong and mostly negative relationship with restrictive special rules. This is demonstrated by the negative regression coefficient in seven of the eight Congresses for the appropriations variable in Table 3.10. This finding seems to mirror findings in baseline Model 3.1C which also presents a negative and statistically significant relationship between appropriations bills and restrictive special rules.

Regarding the variables accounting for a member's leadership roles (i.e., majority party leadership, committee chairman, and subcommittee chairman), the results mirror previous models showing that there is not a strong relationship between leadership and restrictive special rules. However, there is some evidence that supports a positive and statistically significant relationship between seniority and restrictive special rules indicated by mostly increasing logit coefficients 0.08, 0.029, and 0.032 in the 107th, 110th, and 111th Congresses, respectively. Finally, Table 3.10 does not support Hypothesis 5 which projected that higher legislative effectiveness scores would be associated with more restrictive special rules. However, per the

earlier discussion on how members with higher legislative effectiveness scores may find other ways to advance their policy agendas, this finding comports with a plausible rationale that helps to explain the inconsistency in these results (with predictions made in Hypothesis 5).

Conclusion

Examining special rules bills and the increasing use of restrictive special rules over the past three decades helps scholars to gain greater insight into an evolving and arguably more complex legislative environment. This chapter provides bill-level assessments of the evolving use in special rules since the 107th Congress using an original *Special Rules Bills Dataset* and Volden and Wiseman's *Legislative Effectiveness Dataset.* The empirical analyses in this chapter seek to test five key hypotheses: the first of which addresses out party bill co-sponsorships (H1); the second of which addresses bill sponsors who represent the ideological extremes of the D.W. NOMINATE scale (i.e., members whose D.W. nominate scores fall at the poles of this scale) (H2); the third of which accounts for whether Republicans or Democrats are in the majority in a congressional session (H3); the fourth of which addresses a bill sponsor's seniority in Congress (H4); and the fifth of which addresses the bill sponsor's legislative effectiveness (H5). Findings in this chapter support Hypothesis 1 in baseline and secondary logistic regression models where two separate dependent variables serve as indicators of whether a bill received a special rule or did not *and* whether a bill received a restrictive special rule or did not. Findings do not support Hypothesis 1 in baseline or secondary linear regression models where the dependent variable ranges on a scale from open to closed special rules. Additionally, except for one model where there was clear statistical significance in the relationship between members at the ideological extremes and restrictive special rules, findings in this chapter are inconclusive about the

relationship between these variables. Thus, Hypothesis 2 warrants additional investigation in future research.

Logistic regression models in this chapter lend support for the Hypothesis 3 in baseline and secondary models indicating that there is a statistically significant relationship between majority party bill sponsors and receiving special rules (especially restrictive special rules). However, in linear regression models where the dependent variable ranges on a scale from open to closed, findings do not support a statistically significant relationship between these variables. Member seniority proves to be significant in several models—particularly models where the dependent variable is whether a bill receives restrictive special rules. This supports predictions in Hypothesis 4 which projected that there will be a strong, positive relationship between these variables. Finally, legislative effective scores are not significant predictors of restrictive special rules (or even good predictors of whether a bill will be assigned a special rule)—disproving Hypothesis 5.

Ultimately, empirical models in this chapter test several traditional theories of procedural choice including the partisan theory about majority party members exercising their privilege to use restrictive rules as procedural tools that can advance their legislative agenda. To test this theory, the models isolate majority party membership, majority party leaders and committee chairs to examine the relationship that these legislators, in particular, have with restrictive special rules. Results in this chapter support an alignment with this theory in that bill sponsors who are in the majority party are more likely to receive restrictive special rules. However, results do not support theories about party leadership using restrictive special rules to a greater extent than those in the party and in the minority party—at least not through formal bill sponsorships.

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APPENDICES

Appendix 3.1: Explanation for Congress Sample Selection

Information on special rule assignments for five of the eight congressional sessions (i.e., 112th-116th Congresses, 2011-2021) used in this study are publicly available through the House Rules Committee's website. As such, the 112th-116th Congresses were selected for this study because each of these congressional sessions have accurate, complete, and digitized records of House bill information and special rule assignment information for bill-level analyses. The 107th, 110th, and 111th Congresses were the congressional sessions for which access to congressional archives was necessary. To collect data for these Congresses, congressional staff on the House Rules Committee proved to be critically helpful in providing access to archival information.[34] After reviewing the availability of bill information for special rules bills in House Rules Committee archives, the 107th, 110th, and 111th Congresses were selected because they provide complete, chronological, and well-organized sets of House rule assignment information. With limited resources and in the interest of time for what proved to be an extensive data collection process, the only non-sequential Congress used in this study, the 107th Congress (2001-2003), was selected for three reasons.

[34] Many thanks to Ana Martinez, congressional staffer on the House Committee on Rules, for her assistance in this data collection process.

First, the 107th Congress was selected because it provides the closest chronological point of comparison, with readily available and accurate bill information, to observe rising restrictive special rule use in the first full congressional session at the turn of the 21st century. Secondly, existing research from Marshall (2005) already provides robust analyses supporting a partisan rationale for the 104th and 105th congressional sessions. He finds that "the choice of restrictive rules has become increasingly determined by and reflective of the policy ends of the majority party."[35] Because his research concludes at the 105th Congress, this dissertation study commences with a study of the next set of available special rules bills which are those in the 107th Congress. Finally, the 107th congressional session was selected for data collection because it provides context for a pivotal historical moment in which Republicans secured a federal government trifecta (i.e., control of the presidency and both chambers of the legislative branch). This marks the first time that Republicans achieved partisan alignment in the executive and legislative branches since the 83rd Congress in 1853. Although this alignment was short-lived, it remains an important historical climate to include in this study because it offers optimal conditions to evaluate the partisan theoretical framework and special rules. If partisan theory offers the most statistically efficient explanation for restrictive special rule use, then the majority party effects on restrictive rule use should be stronger in this Congress than in other congressional sessions without a government trifecta.

[35] Marshall, Bryan W. 2005. *Rules for War: Procedural Choice in the U.S. House of Representatives.* Burlington, VT: Ashgate Publishing Company. pp 5.