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Representatives and Committees on the Floor: Amendments to Appropriations Bills in the House of Representatives, 1963-1982

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Abstract

This article inquires into the importance of the floor of the House of Representatives as a forum for making national policy, and the changing relationship between representatives and their committees. One plausible consequence of many of the changes that have taken place in the House during the past several decades could be a growing tendency for representatives to challenge the recommendations of their committees by offering more floor amendments with more success. This expectation is substantiated by an examination of the amendments offered in Committee of the Whole to general appropriations bills between 1963 and 1982.

In his famous study of *Congressional Government*, Woodrow Wilson (1885: 69) contended that "it is not far from the truth to say that Congress in session is Congress on public exhibition, whilst Congress in its committee-rooms is Congress at work." The research reported here is concerned with "Congress on public exhibition," and especially with the relationship between House committees and individual representatives as it emerges during the amendment process on the House floor. The accuracy of Wilson's observation in 1885 is not at issue, nor is the importance of the committee system a century later. Instead, two related questions provoke this study. First, to what extent do contemporary House floor proceedings "sanction the conclusions of its Committees as rapidly as possible" (Wilson, 1885: 69)? And second, has the impact of floor action on committee recommendations changed in recent years, during which the House has changed in so many other respects?

Another of Wilson's observations (1885: 63) is undoubtedly as true today as it was when he wrote: that when the typical bill is referred to a House committee, "it crosses a parliamentary bridge of sighs to dim dungeons of silence whence it will never return." Committees still determine the fate of legislation most often and most conclusively by their inaction. Moreover, the House has relied heavily in recent years on floor procedures that limit opportunities for the House to revise the legislation its committees do recommend. Many bills are now considered under suspension of the rules, which precludes floor amendments by individual members. The House also has debated a growing number of more controversial bills under special rules restricting the floor amendments that representatives can offer (Bach, 1981).

But what of the major bills which representatives can amend on the floor? How often are committee proposals challenged, and challenged successfully? To what extent does the House ratify the recommendations of its committees? To what extent does it adopt alternatives, additions, and deletions? Have House committees become more or less successful in avoiding or resisting floor amendments? Does what happens on the House floor matter more than it did ten or twenty years ago? Has the House floor become a more important forum for debating and making policy choices? At least two threads of change within the House combine to suggest that the interaction between committees and members on the floor may well have changed.

First, individual representatives have greater incentives and resources to propose floor amendments. As congressional districts have become more heterogeneous, members perceive a local interest in a wider range of bills. In addition, the inter-relatedness of issues has become more evident—e.g., the impact of farm price support programs and land use policies on urban food and fuel costs. And probably more so than in decades past, representatives are political entrepreneurs who seek issues to make their own, opportunities to build their influence inside the House, and means to publicize their activities to local constituents and national supporters—many of whom now have access to televised coverage of floor debates (Dodd and Oppenheimer, 1981).

Although bills have become more complex and technical, representatives have greater resources to cope with them. Members have more personal assistants to track and evaluate legislation, offer assessments of national and local impact, develop alternatives, and prepare supporting arguments. They can call on the expert assistance of congressional support agencies that have grown in number, size, and sophistication. More lobbyists have become more adept at marketing legislative ideas to members and at assisting members and staff with their own initiatives. An expanding array of partisan and issue caucuses also helps to alert representatives to the progress of bills in time to prepare positions and amendments for floor debate (Hammond et al., 1983).

Second, there is less reason today than in earlier decades for representatives to defer to the judgments of their committees. Multiple referrals of bills increase the likelihood of visible policy disagreements between or among committees. Some committees have grown larger (e.g., Ways and Means) while others have become more diverse in membership (e.g., Agriculture, and Interior and Insular Affairs), making the development of consensus within committees more difficult. Moreover, challenging a committee chairman on the floor holds fewer dangers because chairmen have less influence over the decisions of their committees and the fate of legislation within their jurisdictions. With the passing of the "barons," junior representatives have less incentive to defer to their seniors, and the members of one committee have less reason to defer to another.

Perhaps more important has been the growing importance of subcommittees (Deering and Smith, 1985). To different degrees, many committees have become more like holding companies for a collection of semi-autonomous subcommittees. If more of the action actually has shifted from committees to subcommittees, many members should recognize from experience on their own committees that bills coming to the floor do not necessarily reflect the considered and seasoned judgment of

the full committee. Nor can most subcommittees reasonably expect the deference that some committees once enjoyed. For one reason, subcommittees are too small to reflect accurately the range of opinions and the distribution of preferences within the House. For another, the turnover among subcommittee leaders and members has been quite high (Bach, 1984), a situation which undermines the claims of policy expertise and the perceptions of sound political judgment on which deference to committee recommendations largely rests.

In sum, representatives now have greater incentives and resources to challenge committee recommendations and fewer reasons for not doing so. During the past several decades, therefore, the House floor may have become a more important locus for policy making; more specifically, committee proposals may have been challenged by floor amendments more often and more successfully by a wider range of representatives. These expectations can be framed as testable hypotheses by anticipating increases in: (1) the number of floor amendments and the number of amendments per bill; (2) the percentage of floor amendments that win; (3) the number and proportion of floor amendments offered by junior representatives and non-committee members; (4) the winning percentages of amendments offered by junior representatives and non-committee members; and (5) the winning percentage among amendments opposed by the Democratic floor managers. There also may have been an increase in the winning percentage of amendments offered by Republicans, as majority party influence proves more difficult to exert on the floor of an increasingly fragmented House.

AN APPROPRIATIONS FOCUS

Testing these hypotheses requires an examination of House floor action, over an extended period of time, on bills that are considered annually and that are numerous enough for trends to emerge. Moreover, the bills selected should remain consistent enough over time in purpose, content, and importance to justify assuming that changes in floor activity from one year to the next are not primarily a reflection of changes in the bills themselves. Finally, the bills should be considered under procedural ground rules that do not artificially constrain members from proposing amendments.

The only bills that meet these criteria adequately are the annual general appropriations bills. There is no comparable set of reauthorization bills that the House has considered regularly each year for a long enough period of time (Fisher, 1983). In addition, there can be great variation from year to year in the number and significance of the legislative changes included in bills reauthorizing appropriations for the same program, agency, or department. For example, the bills authorizing appropriations for NASA or the Department of Justice can vary considerably from one year to another in size, importance, and controversy.

By contrast, the general appropriations bills are a more regular, predictable, consistent, and sometimes dominating element of the House's annual legislative agenda. The number of these bills on which the House is expected to act has not changed very much in recent years. And although many appropriations bills have not become law, few have failed to reach the House floor for debate, amendment,

and passage. There is also an essential continuity in the scope and importance of these bills. Although each of them is more controversial in some years than in others, their basic form, content, and purpose remain much the same. In addition, these bills offer two other methodological advantages. First, they originate in the Appropriations Committee and carry no committee amendments when they come to the floor, so that the form of the amendment process is basically the same from one bill to another and from one year to another. Second, although these bills are often considered under special rules waiving points of order, the House rarely imposes restrictions on the amendments that members may propose to them; thus, the amendment process usually is constrained only by the House rules and precedents that apply to all such bills.

Focusing exclusively on appropriations bills does make broader generalizations problematical, precisely because these bills are not a random or representative sample of all the bills the House considers each year. However, this approach has several additional and offsetting advantages. In many respects, the House Appropriations Committee in the early 1980s was much the same institution it had been in the 1960s and 1970s. Although such developments as the programmatic implications of budget resolutions, the growth of entitlements and other backdoor spending mechanisms, and changing attitudes toward federal spending have led to some changes in the committee's approach and decisions (Schick, 1980: 424-436), its internal organization and distribution of power have not changed very much. (Two exceptions have been the changes in Democratic subcommittee selection processes and the appointment of associate staff.) The Appropriations Committee has been among the committees least affected by the subcommittee decentralization of the 1970s. The Committee already was highly decentralized by 1970 and still represents the polar case of decentralization among House committees. Although no committee is immune to change, the Appropriations Committee probably has changed less during the past two decades than other major committees such as Energy and Commerce, Rules, and Ways and Means.

Thus, any changes over time in the impact of House floor action on appropriations bills is unlikely to be attributable largely to either changes in the bills themselves or in the standing or internal dynamics of the committee reporting them. Furthermore, the use of general appropriations bills permits a rather strong test of the hypotheses because, historically, the committee has enjoyed prestige, a reputation for competence and expertise, and considerable success in defending its positions on the floor (Fenno, 1966). If this committee has been challenged more often and more successfully on the floor in recent years, it is reasonable to expect that other, less prestigious and respected committees have had the same experience.

This analysis extends over the twenty-year period from 1963 to 1982, from the 88th through the 97th Congresses. It begins during a time of relatively little institutional change but a great expansion of federal activity and commitments, continues through the organizational and procedural changes of the early and mid-1970s, and concludes at a time of retrenchment and controversy over congressional spending policies and procedures. The 98th and 99th Congresses are not included because, in January 1983, the House amended its Rule XXI to make a significant change in the ground rules governing certain floor amendments to general appropriations bills.¹

TABLE 1
Amendments to General Appropriations Bills: 1963-1982

Year	All Amendments				Contested Amendments		
	Total Number of Amendments	Number of Amendments per Bill	Number of Winning Amendments	Winning Percentage of Amendments	Number of Amendments	Number of Winning Amendments	Winning Percentage of Amendments
1963	39	3.2	12	30.8	23	5	21.7
1964	24	2.0	6	25.0	17	3	17.6
1965	14	1.2	5	35.7	5	0	00.0
1966	43	3.6	4	9.3	8	1	12.5
1967	63	4.5	14	22.2	25	8	32.0
1968	55	4.2	16	29.1	25	7	28.0
1969	70	5.4	21	30.0	40	10	25.0
1970	45	2.8	8	17.8	28	4	14.3
1971	66	4.7	24	36.4	21	4	19.0
1972	83	5.9	14	16.9	22	5	22.7
1973	58	4.5	10	17.2	23	3	13.0
1974	70	5.0	25	35.7	23	10	43.5
1975	57	4.4	19	33.3	25	9	36.0
1976	93	6.2	45	48.4	34	15	44.1
1977	74	5.7	28	37.8	35	11	31.4
1978	113	8.7	54	47.8	48	21	43.8
1979	130	10.0	65	50.0	44	23	52.3
1980	140	11.7	91	65.0	39	18	46.1
1981	116	9.7	76	65.5	30	14	46.7
1982	47	4.7	29	61.7	11	4	36.4
Total	1400	5.4	566	40.4	526	175	33.3

During each of these years, the House passed at least ten and as many as sixteen general appropriations bills. Each of 1400 first-degree amendments proposed to these bills in the Committee of the Whole has been examined.² The discussion that follows explores who offered these amendments and with what results.

AMENDMENTS PROPOSED AND DECIDED

How many amendments have been offered and with what success? When the House passed its final general appropriations bill in 1963, representatives had proposed a total of 39 amendments in the Committee of the Whole to twelve bills. Twenty years later, in 1982, 47 amendments were offered to a total of only ten bills. But 1963 was more typical of its time than was 1982. In each of the four years between 1978 and 1981, when the House passed 12 or 13 general appropriations bills each year, the smallest number of amendments offered was 113—almost a threefold increase over the 1963 experience. Nor was this increase only a reflection of the number of bills considered. The average number of amendments per bill, 3.2 in 1963, ranged between 8.7 and 11.7 in 1978-1981—an increase of the same magnitude.³ (See Table 1.)

The steady increase in the absolute number of amendments and the average number of amendments per bill emerges clearly when the 20 years are grouped into four-year periods. Representatives offered a total of 120 amendments to the general

appropriations bills passed between 1963 and 1966; that number almost doubled to 233 between 1967 and 1970, and then continued to increase to 277 (1971-1974), 337 (1975-1978), and 433 (1979-1982). Similarly, over the course of the five four-year periods, the average number of amendments per bill rose accordingly: from 2.5 to 4.2 to 5.0 to 6.2 to 9.2.⁴

Over the twenty-year period, the Committee of the Whole agreed to 566 or 40.4 percent of the 1400 amendments that members offered to general appropriations bills. However, this summary statistic masks a notable change over time. Although there were considerable variations from one year to the next in the fate of these amendments between the early 1960s and the early 1970s, the amendment success rates are quite stable at about the one-quarter mark when these years are grouped into four-year periods: 22.5 percent in 1963-1966, 25.3 percent in 1967-1970, and 26.3 percent in 1971-1974.

But not thereafter. Between 1975 and 1978, 43.3 percent of the proposed amendments were approved; and since 1980, amendments have won more often than they have lost. In the most recent period, 1979 to 1982, the Committee of the Whole agreed to six out of every ten amendments that representatives proposed. The frequency of amendment success from 1963 through the mid-1970s had more than doubled during the early 1980s. Between 1963 and 1974, the Committee of the Whole agreed to 159 amendments to 159 general appropriations bills. By contrast, there was an average of 2.7 winning amendments per bill between 1975 and 1978, and this average doubled to 5.5 between 1979 and 1982.

Perhaps this increase in the winning percentage of amendments was a somewhat belated response to the provision of the Legislative Reorganization Act of 1970 which permitted recorded teller votes in the Committee of the Whole as of 1971, or a more prompt reaction to the beginning of electronic voting in 1973. Before 1971, of course, the only members to vote on amendments were those who happened to be on or very near the floor when the vote occurred; there was little if any time for representatives to reach the floor from elsewhere on Capitol Hill after a vote began. Moreover, the names of the members voting for and against—whether on a voice, division, or teller vote—were not made part of the public record. These circumstances almost certainly worked to the advantage of the reporting committee and against the prospects of amendments winning, both because committee members were more likely than others to be present (and, therefore, to vote) and because the incentives of all members to vote with the committee out of deference or political calculation were not balanced by public accountability for their votes to constituents and others (Fenno, 1966: 433-434).

However, when we compare amendments decided in the Committee of the Whole by recorded votes with those decided by unrecorded (voice and division) votes between 1971 and 1982, we find that the former had a lower success rate than the latter. During these twelve years, the Committee of the Whole adopted 49.7 percent of the amendments that were put to either a voice or division vote, compared with 38.3 percent of the amendments decided by recorded vote. Of the amendments put to recorded votes, 24.7 percent were successful in 1971-1974, the success rate increasing to 39.4 percent in 1975-1978 and 46.8 percent in 1979-1982. However, the winning percentage of amendments decided by non-recorded votes improved even more: from 27.1 percent to 46.1 percent to 65.7 percent in the same three four-year

periods. The opportunity to request recorded votes on amendments in the Committee of the Whole clearly does not account for the increasing rate at which representatives have approved the amendments presented to them.

CONTESTED AMENDMENTS

The highest winning percentage during each four-year period and over the entire twelve years from 1971 to 1982 was enjoyed by amendments that were decided by simple voice votes, and the Committee of the Whole disposed in this way of 51.7 percent of all the amendments it considered during this period. This is a clear reminder that all amendments are not the same. Representatives sometimes offer amendments with no real expectation of winning, but in order to make a point, stake out a position, or satisfy others that their interests are being advocated. On the other hand, committee or subcommittee chairmen managing bills on the floor do not oppose all the amendments offered to their bills. Some amendments are welcomed; others represent agreements that were negotiated in advance. Floor managers also may express their willingness to accept amendments they really oppose—or at least they may fail to press their opposition—because the amendment is relatively harmless, it is virtually certain to win anyway, it can attract additional support for the bill on final passage, or it may prove useful for negotiating with the Senate in conference. For these reasons, among others, we cannot assume that each amendment is a challenge to the committee's position and that each winning amendment represents a defeat for the committee.

Therefore, we can refine this analysis by focusing only on contested amendments: amendments decided in the Committee of the Whole by division or teller votes between 1963 and 1970, and amendments decided by recorded teller votes thereafter. (The change in House rules permitting recorded votes in the Committee of the Whole makes different criteria appropriate for the two time periods.) This focus has its problems also—for example, after voice or division votes, members may request recorded votes on amendments to put themselves or their opponents on public record, without expecting to change the outcome—but it is a plausible surrogate for a more precise separation of less controversial from more controversial amendments.

The number of contested amendments to general appropriations bills has increased over the past two decades, as has the total number of all amendments to these bills, although not to the same extent. (See Table 1.) Between 1963 and 1966, representatives offered 53 amendments which were decided by division or teller votes; between 1979 and 1982, 124 amendments were put to recorded votes (while the total number of amendments more than tripled between the same two periods). Whereas the total number of amendments increased steadily from one four-year period to the next, the growth of contested amendments has not been as regular. The number of these amendments more than doubled to 118 in 1967-1970, and then slipped to 89 in 1971-1974 and rebounded to 142 in 1975-1978 before declining again to the level (124) of the most recent period.

There has been a concomitant increase in the number of contested amendments that won: from 9 in 1963-1966 to 29 and then 22 in 1967-1970 and 1971-1974, and, most recently, to 56 and 59 in 1975-1978 and 1979-1982. But what is more striking

and undoubtedly more important is the increasing rate at which the Committee of the Whole has voted in favor of contested amendments. In the years from 1963 to 1973, the percentage of contested amendments that won in the Committee of the Whole exceeded 30 percent only once (in 1967). From 1974 to 1982, by contrast, the success rate for these amendments never fell below 30 percent; and only once (31.4 percent in 1977) was this rate less than the 32.0 percent high of the 1963-1973 period. Coincidentally or not, a significant change was occurring in the fate of contested appropriations amendments on the floor at the very time that the process of subcommittee decentralization in other House committees was reaching fruition and at the time the Budget Act was being enacted and implemented. During the last four years covered by this analysis, 1979 to 1982, the Committee of the Whole cast recorded teller votes to approve amendments almost as often as to disapprove them. If we assume that a majority of the Appropriations Committee opposes most contested amendments, it appears that the committee's ability to protect its bills against being changed on the floor has weakened considerably in the years since the mid-1970s.

A way of exploring more directly the committee's ability to withstand the challenge of floor amendments is to examine the fate of amendments opposed by the subcommittee chairman, acting as majority floor manager. Although the chairman does not always speak for a majority of his committee colleagues, he usually does so—both from conviction and from a sense of obligation as chairman. Before 1970, the chairman could express his position, and thereby attempt to influence the votes of his colleagues, only by stating his support or opposition in debate. But beginning in 1971, the chairman could supplement his statement with his publicly recorded vote, and do so even more effectively after the electronic voting system began operation in 1973.

Then have Appropriations subcommittee chairmen had increasing difficulty in convincing their colleagues to vote against the floor amendments that the chairmen oppose? Clearly so. As Table 2 indicates, the majority floor managers have expressed their opposition to larger and larger numbers of amendments over the years, as we might expect from the increase in the total numbers of amendments offered. But a slightly different pattern emerges when we examine the percentages of amendments that were opposed by the majority floor managers. When the years from 1963 to 1978 are grouped into four-year periods, such percentages for these four periods ranged from 63.9 to 74.0 percent. But between 1979 and 1982, the majority floor managers opposed only 45.0 percent of the amendments that were offered (and opposed only 31.9 percent of amendments in the most recent of these years). One possible explanation is that the majority floor managers really supported, or at least acquiesced in, a larger portion of the amendments their colleagues proposed. Alternatively, however, Democratic floor managers may have become more selective in opposing amendments. If they found that speaking against amendments was carrying less weight with other members than in years past, they may have decided to do so less often in the hope of concentrating the influence of their opposition against fewer amendments.

Amendments opposed by majority floor managers usually do lose; that was true in 1982 as well as in 1963. However, a notable increase has taken place in the fraction of amendments that the Committee of the Whole approved over the opposi-

TABLE 2
*Appropriations Amendments Opposed by Subcommittee Chairmen:
 1963-1982*

Year	Total Number of Amendments	Winning Percentage of Amendments	Decided by Recorded Votes	
			Total Number of Amendments	Winning Percentage of Amendments
1963	29	13.8		
1964	18	11.1		
1965	11	9.1		
1966	21	0.0		
1967	48	18.8		
1968	28	7.1		
1969	46	13.0		
1970	27	7.4		
1971	42	19.0	20	20.0
1972	64	12.5	22	22.7
1973	48	10.4	23	13.0
1974	51	27.4	23	34.8
1975	43	20.9	23	34.8
1976	61	29.5	31	38.7
1977	57	29.8	31	29.0
1978	68	30.9	40	42.5
1979	78	29.5	37	45.9
1980	61	27.9	35	40.0
1981	41	26.8	22	40.9
1982	15	13.3	9	22.2
Total	856	20.9	316	34.2

tion of subcommittee chairmen. The share of amendments they opposed unsuccessfully was only 8.9 percent in 1963-1966, but then rose to 12.7 percent in 1967-1970 and 17.1 percent in 1971-1974. In the following eight years, the Committee of the Whole agreed to 27.8 percent of amendments opposed by the majority managers; only in 1982 did the majority floor manager lose less than 20 percent of the time. If we narrow our attention to the instances since 1971 in which the subcommittee chairman voted "no" on recorded teller votes, we find that, on these votes, the majority floor managers' opposition has been even less decisive: the winning percentage of amendments they voted against increased from 22.7 percent in 1971-1974 to 36.8 percent in 1975-1978 to 40.8 percent in 1979-1982. Compare this situation with the 8.9 percent of amendments that the chairmen lost on recorded votes between 1963 and 1966.

This trend is attributable in part to an increase, beginning in the mid-1970s, in the frequency of disagreements between the majority and minority floor managers. Of all the amendments opposed by the subcommittee chairmen between 1963 and 1976, their ranking minority counterparts took the opposite position barely six percent of the time. Between 1977 and 1982, however, the frequency of such disagree-

ments more than quadrupled to 28.1 percent. Moreover, during the latter period, the subcommittee chairmen lost exactly half of all the votes on these amendments and slightly more (56.6 percent) of the recorded votes.

In sum, we find that, by every measure presented here, general appropriations bills have encountered an increasing number of amendments on the House floor and that increasing numbers and percentages of these amendments have been adopted.

SENIORITY, PARTY, AND COMMITTEE

In view of such a steady and significant increase in the total numbers of amendments and amendments per bill, we would expect to observe larger numbers of amendments proposed by all groups of members, including the amendments offered each year by junior representatives (defined rather generously as members in their first, second, or third terms), by Republicans, and by non-Appropriations Committee members. And, although the trend lines are not as steady as those for the total House membership, these expectations are generally borne out by Table 3. Between the first four-year period (1963-1966) and the last (1979-1982), the amendments proposed by junior members rose in number from 34 to 178; the number of contested amendments they offered also grew, although not nearly to the same extent. There were increases as well in the total number of amendments and, to a somewhat lesser degree, in the number of contested amendments from Republicans and non-committee members between the first and last periods, although there were several instances of real declines—most notably, in the numbers of contested amendments offered by Republicans and non-committee members between 1967-1970 and 1971-1974. These increases are not attributable to increases in the number of representatives available to offer them; during the twenty-year period, the percentage of junior members ranged from 34 to 49 percent, while the percentage of Republicans in the House fluctuated over the narrower range of 32 to 44 percent.

The more interesting questions, however, concern the relative increases in the amendments offered by these groups of members. Table 3 indicates growth since the 1967-1970 period in the proportion of amendments proposed by junior members; however, they offered almost as large a percentage of contested amendments in 1963-1966 as they did in 1979-1982. For Republicans and non-committee members, there are no clear linear trends. The percentage of Republican amendments decreased between 1963-1966 and 1971-1974 before rebounding in the two most recent periods. The share of contested amendments offered by non-committee members was considerably higher in the first and last periods than between 1967-1970 and 1975-1978, but their proportion of all amendments was relatively stable over the five four-year periods. The percentage of junior representatives in the House was greater, in each Congress, than the percentage of amendments they offered; the same was true of non-committee members. Conversely, in seven of the ten Congresses, Republicans offered a greater share of amendments than we might have predicted solely from their numbers in the House.

Table 3 also presents summary data on the frequency with which the House membership has agreed to amendments offered by junior, Republican, and non-committee members. Between 1963-1966 and 1979-1982, the winning percentage for all amendments increased from 22.5 to 60.3 percent, and for contested amendments

from 17.0 to 47.6 percent. Not surprisingly, therefore, we also find increases in the winning percentages for each group of members.

However, the winning percentages for junior and Republican members' amendments actually increased somewhat more than the equivalent rates for all amendments and those offered by non-committee members. While the winning percentage among all amendments almost tripled, the success rate for junior representatives' amendments was almost five times greater in 1979-1982 than in 1963-1966, and more

TABLE 3
*Amendments Offered by Junior, Republican, and Non-Appropriations
 Committee Members, 1963-1983*

	1963-1966	1967-1970	1971-1974	1975-1978	1979-1982
<i>All Amendments</i>					
Number of amendments offered by:					
Junior Representatives	34	60	72	105	178
Republicans	80	116	107	165	209
Non-Committee members	81	146	194	216	327
Percentage of amendments offered by:					
Junior Representatives	28.3	25.7	26.0	31.2	41.1
Republicans	66.7	49.8	38.6	49.0	48.3
Non-Committee members	67.5	62.7	70.0	64.1	75.5
Winning percentage of amendments offered by:					
Junior Representatives	11.8	10.0	18.1	39.0	56.2
Republicans	17.5	29.3	24.3	41.8	58.8
Non-Committee members	24.7	14.4	24.7	41.7	59.6
Total	22.5	25.3	26.3	43.3	60.3
<i>Contested Amendments</i>					
Number of amendments offered by:					
Junior Representatives	18	21	22	45	44
Republicans	32	54	37	77	69
Non-Committee members	43	67	49	77	93
Percentage of amendments offered by:					
Junior Representatives	34.0	17.8	24.7	31.7	35.5
Republicans	60.4	45.8	41.6	54.2	55.6
Non-Committee members	81.1	56.8	55.1	54.2	75.0
Winning percentage of amendments offered by:					
Junior Representatives	0.0	14.3	22.7	53.3	38.6
Republicans	12.5	29.6	35.1	36.4	50.7
Non-Committee members	16.3	17.9	28.6	44.2	47.3
Total	17.0	24.6	24.7	39.4	47.6

than three times greater for Republican amendments. Correspondingly, the winning percentage among contested amendments rose from 17.0 to 47.6 percent while there was a fourfold increase in the success rate among amendments sponsored by Republicans. The percentage increase for winning contested amendments by junior members is literally incalculable because the House membership failed to approve even one of their amendments in 1963-1966; by contrast, more than half of their contested amendments were approved in 1975-1978—a winning rate which dropped to below 40 percent during the following four years. In the 1963-1966 period, non-committee members were successful with their amendments roughly one time in four, and even less successful with contested amendments. By the early 1980s, they were winning almost 60 percent of all their amendments, and almost half of their amendments which were decided by recorded votes.

With one exception, Republicans and non-committee members were successful just about as often as other representatives in having their amendments adopted. But not so for junior members. Between 1963 and 1970, the winning percentage for their amendments was only half as great as that for all amendments. In 1971-1974, the gap began to close, and since then, their amendments have fared almost as well as all amendments. This trend suggests a growing willingness in the House to weigh the legislative initiatives of junior members on the same scales as those of their senior colleagues. But the corresponding data for contested amendments point to the danger of easy generalizations. Among these amendments, the proposals of junior representatives did relatively well in 1975-1978 (more than 50 percent winning compared with less than 40 percent of all contested amendments), but less well during the next four years while the winning percentage among all contested amendments continued to increase. Summary data such as those presented here may point to trends and certain characteristics of what happens on the House floor, but they cannot fully capture the rich complexity of the dynamics of the amendment process, involving as it does tactical calculations, personal reputations, shifting levels of discord and controversy, and the ways in which the changing issues of the day are framed for debate and decision.

CONTINUITY AND CHANGE

The foregoing examination of floor amendments to general appropriations bills between 1963 and 1982 confirms that a change did occur in the relationship between the members of the House and one of its most important and prestigious committees. There have been impressive increases in the total numbers of amendments offered each year and, consequently, in the average number of amendments per bill. Also since the mid-1970s, there have been substantial increases in the winning percentage of amendments and the average number of winning amendments per bill. During the same period, there were somewhat less consistent but still notable increases in the number of contested amendments and in the winning percentage of those amendments. Democratic floor managers also have been less successful in securing the defeat of amendments they opposed. Junior representatives, Republicans, and non-Appropriations Committee members have offered increasing numbers of amendments, as have their other colleagues. And there was some increase since the mid-1970s in the percentage of amendments that were offered by

junior members. Although their amendments, whether contested or not, generally were successful less often than those offered by other members, this gap appeared to be closing in the late 1970s and early 1980s. With increasing frequency, the House (meeting in the Committee of the Whole) has agreed to amendments over the opposition of the subcommittee chairman, especially to amendments decided by recorded vote—perhaps due in part to the increasing frequency of disagreements over amendments between the majority and minority floor managers.

In his seminal study of the appropriations process between 1947 and 1962, Fenno (1966: 416-417) argued that "Appropriations Committee members attach enormous importance to success on the House floor. For the Committee collectively, for its members individually, and for its leaders especially, their influence in the chamber depends on the degree to which their recommendations carry on the floor." To this end, "Committee members try to meet House expectations through the content of their recommendations. By the time the Committee has reported its bills to the floor, it hopes that all the potential points of conflict between itself and "the House" will have been settled and acceptance will be readily forthcoming." Increases in the number of amendments proposed in recent years, and increases in the percentage of winning amendments, suggest that the committee has had increasing difficulty in accommodating the preferences of the House and in anticipating and settling potential controversies in advance. In turn, this may reflect decreasing sensitivity and acumen among committee and subcommittee leaders, a decline in adherence to such norms as reciprocity and comity, or the increasing divisiveness and controversy within the House as a whole over spending policies and priorities.⁵

Fenno developed the arguments and advantages on which the committee could capitalize when it brought its bills to the floor. For instance, the committee could maximize its control of information by holding its hearings and markups in executive session and then bringing its bills quickly to the floor. The lack of publicly recorded votes on amendments in the Committee of the Whole minimized the impact of constituency interests and other influences originating outside of the House. And in debate, committee members would emphasize their effort, expertise, and especially their agreement: a "basic tenet guiding all Committee behavior is the belief that its chances of winning acceptance on the floor depend on the internal unity it can muster in support of its recommendations" (Fenno, 1966: 441-442).

The arguments by which committee members defended their proposals during the 1947-1962 period continued to be made during the years that followed. But some of the advantages the committee once enjoyed have since been undermined. Open hearings and markups have made it easier for determined representatives to inform themselves and prepare adequately to challenge the committee on the floor. Recorded votes in the Committee of the Whole have required members to weigh the Appropriations Committee's arguments against other interests and influences. The committee's claim to monopolistic leadership in appropriations decisions has been weakened by the budget process and especially by the programmatic terms in which budget resolutions often have been defended, attacked, and amended. And the increased frequency of disagreements between Appropriations subcommittee chairmen and ranking minority members may have been exacerbated by the bidding system for subcommittee assignments. In these respects, and others also, the circumstances surrounding floor debate on appropriations bills have changed, with the

result that floor challenges have become more frequent and more frequently successful.

Fenno noted (1966: 499-500) that "the Committee does succeed in winning House acceptance of the great bulk of the recommendations it brings to the floor." This has remained true, and is best demonstrated by all the provisions of the committee's bills that members make no attempt to amend—either because they are content or because they see no realistic prospect of success. Nonetheless, more of the committee's recommendations are being challenged, and more policy choices are being debated and decided on the floor. It remains an open question, of course, whether tax, reauthorization, and other bills have been increasingly subject to floor amendments as well.⁶ But if further research confirms that the experience of the Appropriations Committee since the early 1960s is indicative of a more general trend, we may find ourselves drawn to a rather ironic conclusion: that the dispersion of power within the committee system and the political individualism and entrepreneurship among representatives, both generally characteristic of the House in recent years, have contributed to bringing the House of Representatives back toward what it was originally intended to be—a forum for collective decision-making.

If so, this has probably been a mixed blessing. While routine ratification of committee bills is hardly desirable, decisions made on the floor may not be as carefully weighed and considered as those reached in committee. Even though televising floor proceedings has made it easier for members and staff to follow the thread of debate from their offices, representatives themselves have questioned the quality of floor deliberations. The House chamber can be a noisy and confusing place, and the five-minute rule for debating amendments in the Committee of the Whole is better suited to stating positions than to sharing and evaluating information. How much does floor debate matter? How often does it change members' minds? No one really knows. But the frequency with which these questions are asked at least should cause us to wonder about the extent to which votes on floor amendments reflect a truly deliberative process.

Decisions on floor amendments also create the greatest problems for party and committee leaders. Relatively few members are on the floor, the timing of events is often unpredictable, amendments generally can be offered without forewarning, tactical decisions must be made hurriedly, there is little opportunity for leaders to consult with each other and communicate with other members, and, in contrast to the Senate, it is difficult to postpone decisions in favor of quiet, informal negotiations to find alternatives and compromises. For these reasons, the floor is an awkward place for engaging in a careful and deliberate process of building coalitions, especially bipartisan coalitions.

It is not surprising, therefore, that as the number of appropriations amendments has increased, and their prospects have improved, there also have been changes in House rules and practices that control the impact of these developments. Two such developments have affected appropriations bills specifically. First, a growing proportion of annual spending on domestic programs is for entitlement programs, which are not directly controllable through the appropriations process. Creating entitlements tends to insulate these programs from the Appropriations Committee itself as well as from adverse floor amendments. Second, the 1981 rules change affecting limitation amendments created a potential barrier against raising

substantive policy issues (e.g., abortion) during consideration of general appropriations bills. These developments have done less to protect the committee from the House than to protect the House from itself—by denying the House the opportunity (or necessity) to consider issues or make decisions that it might otherwise have confronted in the form of floor amendments.

In addition, the House has turned increasingly to two procedural devices that limit members' opportunities to offer floor amendments to the bills reported by other House committees. Suspension of the rules often is an attractive alternative to considering these bills in the Committee of the Whole, not merely because it abbreviates debate but also because it precludes all floor amendments. Also, the tendency of the Rules Committee in recent Congresses to report special rules restricting floor amendments on major bills indicates a perception that the House floor has become an increasingly dangerous, uncertain, or at least time-consuming place for committee recommendations supported by the Democratic leadership. These latter two developments suggest that the trends identified here are not limited only to the appropriations process, and that they are a source of concern to both committee and party leaders—leaders of the House who may look back wistfully to a time when Wilson was right.

Notes

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¹This rules change made it possible for the House to avoid considering a class of amendments to general appropriations bills in the Committee of the Whole. Under the amended rule, the Committee of the Whole first acts on all amendments affecting appropriations amounts and then can agree to a motion to rise and report the bill back to the House, thereby completing action on it. Adoption of this motion precludes consideration of amendments limiting the purposes for which the appropriations in the bill may be used.

²The methodological notes which follow discuss various decisions and problems involved in selecting and gathering the data. Data on the proposed effects of the amendments—e.g., whether to increase or decrease funding, to limit or earmark the availability of funds, or to make minor or major changes in existing law—are obviously important but are not reported here.

³From time to time, the House has passed an appropriations bill in the calendar year following the beginning of the fiscal year to which it applied—i.e., acting on a Fiscal Year 1970 bill in 1970 instead of 1969. In several cases, also, the House acted on general appropriations bills limited to a single agency or set of programs—e.g., NASA or education. But the data show the same clear trends when the bills are grouped by fiscal year and the bills for NASA and education are combined with the bills of which they normally are a part (i.e., HUD-Independent Agencies and Labor-HHS-Education). With the Fiscal Years 1964-1983 grouped into four-year intervals, the number of amendments grew from 120 to 227 to 273 to 332 to 433 (even though the House did not pass 5 of the 52 expected bills during the last period); the average number of amendments per bill increased at roughly the same pace: 2.5 to 4.4 to 5.3 to 6.4 to 9.2.

⁴These findings are not surprising, given the increasing numbers of record votes in the House. But one development does not necessarily follow from the other. There could have been relative stability over time in the number of amendments offered, but increases in the percentage of those amendments decided by record vote. Alternatively, there could have been increases in the number of amendments offered each year, but relative stability in the frequency with which record votes were ordered on them.

⁵Various methodological differences preclude most direct comparisons with Fenno's study. For example, Fenno focused his attention on floor amendments to increase or decrease appropriations (but not limitation and legislative amendments, among others) for certain domestic departments and activities.

For those amendments, his data (1966: 451) indicate a decrease in the late 1950s and early 1960s in the number of amendments proposed each year, compared to the opposite trend in later years; but it would be rash to assume that this was necessarily true of all appropriations floor amendments. Fenno did report (1966: 451), however, that the Committee of the Whole and then the House passed 163 (or 29.8 percent) of 547 amendments he examined—a “rate of 1 amendment passed for each departmental or public works appropriation bill submitted by the Committee.” This finding is consistent with the winning percentages of amendments during the following years, as depicted in Table 1, even though Fenno included some uncontested amendments that were excluded from this analysis. Others of Fenno’s findings are inconsistent with the trends reported here, such as those concerning the success of amendments opposed by subcommittee chairmen in the Committee of the Whole. These differences may be attributable to real changes between the 1947-1962 and the 1963-1982 periods in floor action on appropriations amendments, but they also may reflect differences in methodology and changes within the period he studied.

“To be fair to Wilson, with whom this analysis began, he exempted the Appropriations Committee from his generalization about “Congress on public exhibition” (Wilson, 1885: 113): “as a rule every member has a chance to offer what suggestions he pleases upon questions of appropriation, and many hours are spent in business-like debate and amendment of such bills, clause by clause and item by item.” Thus, what is true of appropriations bills may not be true generally.

Methodological Notes

The data presented here are based on an examination of the texts of amendments and the debates and votes on amendments in the *Congressional Record*.

Appropriations bills. This analysis is limited to the regular general appropriations bills. Special and supplemental appropriations bills and continuing resolutions, and amendments to them, are excluded. The data on amendments by fiscal year total to 1385 rather than 1400 because this tabulation includes only the first general appropriations bill passed for the same purpose—i.e., it excludes bills that were amended and passed after earlier bills for the same purpose had been amended, passed, and then vetoed successfully by the President.

In only a few instances were general appropriations bills considered under special rules restricting amendments. And in all but one of these instances, the restrictions were narrow and limited to precluding amendments to certain provisions, on certain subjects, or for certain purposes.

Floor amendments. In addition to amendments to special and supplemental appropriations bills and continuing resolutions, several other classes of amendments are excluded from this analysis: (1) second degree perfecting amendments; (2) substitutes for first-degree amendments and amendments to such substitutes; (3) perfecting amendments to the part of a bill proposed to be stricken by a pending motion; (4) amendments that only proposed to reinsert an appropriation after a paragraph containing the same or similar appropriation had been stricken on a point of order, either because the appropriation exceeded the authorized level or because the appropriation was accompanied by a legislative provision; (5) motions to strike that were logically necessary in light of amendments previously agreed to—and that were agreed to by voice vote without debate and, in some cases, without explanation—even though not offered by the subcommittee chairman; and (6) amendments considered to be uncontested chairmen’s amendments—i.e., amendments proposed by the subcommittee chairman and approved by voice vote without opposition and with the support or silence of the minority floor manager.

In the first three cases, it is reasonable to assume that many or most of the amendments would not have been offered if there had been no first degree amendment (and these situations arise too infrequently to merit quantitative analysis). In the fourth and fifth cases, the amendments did not propose substantive changes in the bills. And in the sixth case, the amendments might just as well have been incorporated in the bill as reported from the Committee had it not been for problems or accidents of timing. Amendments offered en bloc by unanimous consent, whether or not to achieve a single purpose, are treated as single amendments. Amendments that were withdrawn by unanimous consent or against which points of order were sustained are not considered, nor are amendments embodied in motions to recommit with instructions.

In these respects, the numbers of amendments reported here are somewhat less than the totals of all floor amendments proposed during the consideration of the regular general appropriations bills and even less than the totals of all floor amendments to all appropriations measures. Moreover, excluding second-

degree perfecting and substitute amendments may skew, to a modest degree, the data on who offers amendments and with what success. A recognizable floor strategy, for example, is for floor managers or others to propose such amendments in the hope of limiting the damage that would result from adoption of the first-degree amendments as proposed.

Votes. The data on the frequency of different types of votes are somewhat deceiving because they do not take account of action on substitute and second-degree perfecting amendments. In a relatively few cases, there were recorded votes on such amendments, after which the membership agreed by voice vote to the first-degree amendment as it may have been amended. The resulting distortions are few, and they seem preferable to either (1) giving comparable treatment to first-degree and other amendments, or (2) deciding in some cases but not in others that a second-degree perfecting amendment or a substitute amendment should be tabulated instead of the original first-degree amendment.

Of the 1400 amendments, ten that the Committee of the Whole adopted were subsequently rejected when members demanded separate votes on them in the House after the Committee had risen and reported its recommendations. The data on types of votes, outcomes, and chairmen's positions have been changed appropriately.

Chairman's position. The floor managers were identified by the division and control of time for general debate; in a few cases only, a manager was someone other than the subcommittee chairman or ranking minority member (usually because of illness). A position has been attributed to a floor manager only when his statement in debate was clear and unambiguous, and especially when the manager began his statement by stating that he rose in opposition to the amendment. No position is recorded when it would have to be inferred from the substance of the manager's remarks and did not necessarily convey a clear signal to his colleagues. For example, the subcommittee chairman did not explicitly state that he was prepared to accept an amendment to the defense appropriations bill for Fiscal Year 1975. The amendment lost on a voice vote. The chairman then said "I meant to accept the amendment" and demanded a division vote, on which the amendment won (120 *Congressional Record* 27021).

By the same token, a manager is not considered to have taken a position in opposition when he said that he agreed with the sponsor of the amendment but considered himself obliged to oppose it in order to support the committee's position. Subjective judgments are inevitable in deciding whether a manager's statement of opposition was so lukewarm as not to constitute a meaningful voting cue. For example, when a manager stated that there would be some problem or some disadvantage which would ensue if an amendment were enacted, but then said that he was "perfectly willing for the House to work its will on this matter" (116 *Congressional Record* 35811), it was a fairly clear signal that the manager did not care strongly and so he is not recorded as having been opposed.

If a floor manager supported or opposed a second-degree perfecting or substitute amendment, he is considered to have taken the opposite position on the pending first-degree amendment unless he stated otherwise. Finally, no position is recorded when the floor managers were silent, even if the burden of support or opposition was carried by the second or third ranking subcommittee member of either party who may well have been speaking for the committee with as much authority as would the formal managers. Thus, the data under-estimate to some degree the frequency with which members appeared to, or purported to, speak on behalf of the Committee.

References

- Bach, S. 1981. "The Structure of Choice in the House of Representatives: The Impact of Complex Special Rules." *Harvard Journal on Legislation* 18: 553-602.
- _____. 1984. "Membership, Committees, and Change in the House of Representatives." A paper presented at the 1984 Annual Meeting of the American Political Science Association.
- Deering, C. J. and S. S. Smith. 1985. "Subcommittees in Congress," in L. C. Dodd and B. I. Oppenheimer, eds. *Congress Reconsidered*, 3rd ed. Washington, D.C.: Congressional Quarterly Press.
- Dodd, L. C. and B. I. Oppenheimer. 1981. "The House in Transition: Change and Consolidation," in L. C. Dodd and B. I. Oppenheimer, eds. *Congress Reconsidered*, 2nd ed. Washington, D.C.: Congressional Quarterly Press.
- Fenno, R. F., Jr. 1966. *The Power of the Purse: Appropriations Politics in Congress*. Boston: Little, Brown and Company.
- Fisher, L. 1983. "Annual Authorizations: Durable Roadblocks to Biennial Budgeting." *Public Budgeting & Finance* 3: 23-40.

Hammond, S. W., A. G. Stevens, Jr., and D. P. Mulhollan. 1983. "Congressional Caucuses: Legislators as Lobbyists," in A. J. Cigler and B. A. Loomis, eds. *Interest Group Politics*. Washington, D.C.: Congressional Quarterly Press.

Schick, A. 1980. *Congress and Money*. Washington, D.C.: The Urban Institute.

Wilson, W. 1885. *Congressional Government*. Cleveland: Meridian Books (1956 edition).