



“Parties in Congress: A to Z (Part 2)”

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A to Z (Krehbiel)

Discharge Petition:

What is a discharge petition? [Congressional Institute:](https://www.congressionalinstitute.org/legislation/discharge-petition)

“Any Member may file a discharge petition with the Clerk of the House if a committee has failed to act on a bill after 30 legislative days. If a majority of House Members (218) sign a discharge petition, the House may consider a discharge motion to relieve the committee of its duties on the legislation in question. Once 218 Members sign the petition, a discharge motion is placed on the Discharge Calendar. It then must wait there for seven days. On the second or fourth Monday of each month, the House may consider discharge motions that have been on the Discharge Calendar for seven legislative days or more. If that motion is successful, the House essentially says to the committee, “Thanks for the help, but we’ll take it from here.” A Member who signed the petition may then request that the House debate the matter that was discharged. The House will then debate the bill in question under the regular order rules approved at the beginning of each Congress.”



Above: In Legally Blonde 2: Red, White & Blonde, Elle successfully uses the discharge petition to get Bruiser’s bill to the House floor despite the duplicitous efforts of turncoat Congresswoman Victoria Rudd, who was ably performed by actress Sally Field.

A to Z (Krehbiel)

Discharge petitions are rarely successful, but are frequently used as leverage. See the attempt to discharge DACA in the 115th Congress for example:

[Roll Call 9/5/17](#) - Colorado Republican Rep. Mike Coffman wants to force Congress to vote on his legislation that would extend the Deferred Action for Childhood Arrivals program. Coffman said he plans to file a discharge petition to force a vote on legislation he introduced in January known as the Bridge Act. "Force Congress to act on it, I think otherwise, like the president, they kind of wanted to avoid making a decision on it," he told The Denver Channel.



Above: The discharge petition in action.

[Politico 6/12/18](#): House Republicans will vote next week on two bills addressing the plight of hundreds of thousands of Dreamers who face possible deportation, circumventing an intra-party war over immigration and delivering a major blow to moderate Republicans.

The floor votes will effectively stop the effort by moderate Republicans in tandem with Democrats to force a vote on their immigration plans through a so-called discharge petition. The moderates do not appear to have the 218 signatures needed to circumvent leadership and force a vote on their own bipartisan bills to codify the Obama-era Deferred Action for Childhood Arrivals program.

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Background and Theory

What is the A to Z Spending Bill?
Democratic-controlled House, but many members are worried about the upcoming election. Bill is sponsored by Rep. Bill Zeff (R-NH). He gets Rep. Rob Andrews to co-sponsor it with him. Measure is co-sponsored by more than 218 members.

How did Zeff find Andrews?

Waffler: A member who co-sponsored the bill but refused to sign the discharge petition.

Theory: Party is correlated with preferences, but has no independent influence on members.



Above: Former Rep. Bill Zeff (R-NH)

A to Z (Krehbiel)



Hypothesis

Waffling should be related to preferences, NOT to party. So preference extremity should be negatively associated with waffling and unrelated to partisanship.

So in the figure above, the likelihood of “waffling” should increase the more liberal one is on the ideological spectrum. Regardless of their party affiliation.



Above: Former Rep. Rob Andrews (D-NJ)

A to Z (Krehbiel)

Methods and Results

Data: National Taxpayers Union scores for ideology (and ADA scores).

Conclusion: “In total, the findings support the conclusion that if majority-party leadership influence occurred on so-called procedural tactics surrounding A to Z, such influence was attributable mainly to preferences, somewhat to the receptivity of money-committee and low-seniority members, but almost not at all to Democratic leaders exerting disproportionate pressure-or disproportionately successful pressure-on members of their own party (Krehbiel 1995, 920).”



Above: This article suggests that to the extent there is a party, it's not a great one.

Binder et al. (1999) A to Z



Argument: "We argue here that it is premature to reject the hypothesis that majority party leaders can exert an independent effect on the behavior of their caucus members.

We reach this conclusion by reexamining the 1994 "A to Z" discharge petition campaign in the U.S. House of Representatives, a case in which preferences rather than partisanship are said to provide the superior account of legislative behavior (Krehbiel 1995). We draw from the same spatial model used by Krehbiel, explore the conditions most likely to reveal significant party behavior, scrutinize the properties of two alternative measures of preferences, and show that party effects are indeed visible in the A to Z case. Legislative theories, we conclude, may in fact need to incorporate a partisan element (Binder et al. 1999, 815-816)."

Binder et al. (1999) A to Z

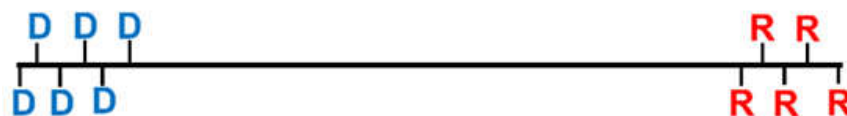


Problem?

The National Taxpayers Union is a partisan interest group. They are incentivized to score members in a way that artificially polarizing them.

Even if the true spatial array of members looks like the figure above...The NTU will make appear like the figure below...

Why?



Binder et al. (1999) A to Z

Why does this matter? It means that according to the data Krehbiel is using, party is almost entirely correlated with "ideology."

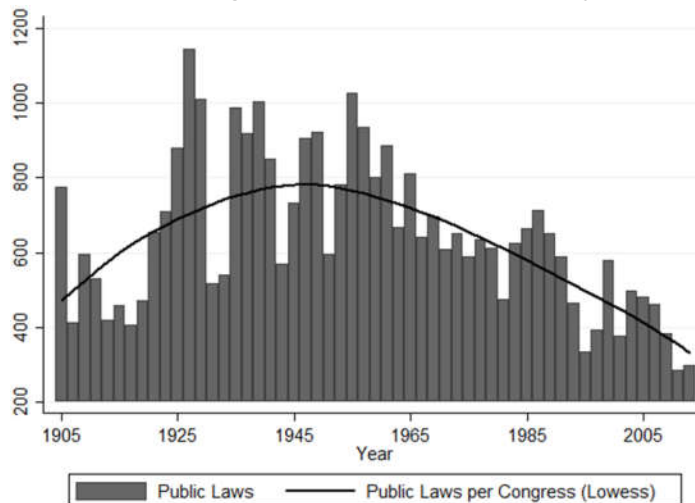


Using non-partisan data, Binder et al. find a significant party effect.

Conclusion: "As suggested by MacRae nearly 30 years ago, unraveling the effects of party and preferences is not simple. As Krehbiel has pointedly shown, it is not enough to show that a strong majority party achieved the policy outcomes preferred by its members. "Politics," Krehbiel suggests, "should be significantly different with parties from what it is without them" (1993, 240).

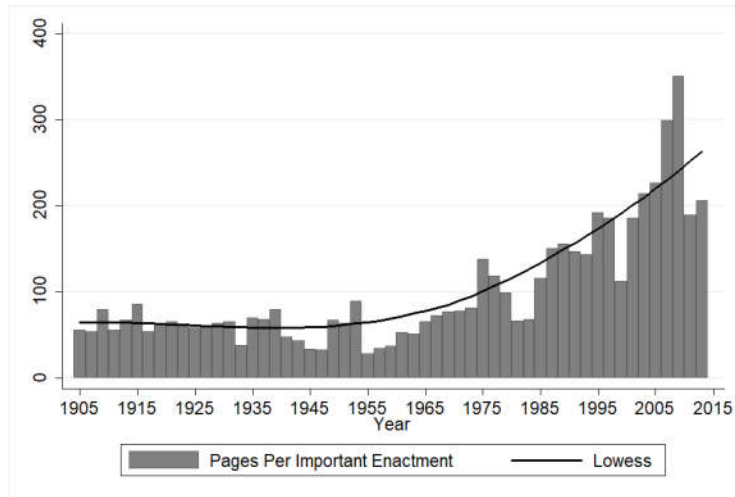
Clearly in the A to Z case, politics without parties should have led to the discharge of A to Z. A majority of the House had cosponsored the bill, so a majority of the House should have signed the discharge petition. That did not happen. Both journalistic accounts and statistical analysis suggest that party leaders targeted fellow partisans in seeking to derail the discharge campaign. The A to Z outcome cannot be accurately explained with recourse to a nonpartisan theory (Binder et al. 1999, 828-829)."

Congressional Productivity



Much, much fewer public laws per Congress.

Congressional Productivity



Legislation is much, much longer though.

What constitutes a landmark law?

Questions, Concerns, Angry Rants?

