

Supplementary Materials for  
*Congressional Decision Making and the Separation of Powers*

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Table 1: House Hierarchical Probit Estimates – Strategic Model (Nominate Second Dimension)

Variable	Posterior Mean	Posterior Median	Posterior Std. Dev.
$\alpha_1$ - Constant $\beta_1$	-0.77595	-0.78630	0.30117
$\alpha_2$ - Constant $\beta_2$	4.90788	4.91896	0.43051
$\alpha_3$ - Senate $\beta_2$	-2.74643	-2.72957	1.08257
$\alpha_4$ - President $\beta_2$	0.64061	0.63528	0.56392
$\alpha_5$ - Judiciary $\beta_2$	4.34195	4.38055	0.56895
$\Omega_{11}$ - Error	0.45493	0.41181	0.18076
$\Omega_{12}$ - Error	-0.49190	-0.46951	0.20675
$\Omega_{22}$ - Error	2.20936	2.12279	0.60796
Ln(Marginal Likelihood) = -16080.00628			
Burn-In Iterations = 100			
Gibbs Iterations = 1000			
Clusters = 34			
n = 31429			

*Note:* These models are estimated using the Nominate Second Dimension scores as congressional preference measures. The magnitude and statistical significance of the substantive  $\alpha_q$  parameters are robust to this specification.

Table 2: Senate Hierarchical Probit Estimates – Strategic Model (Nominate Second Dimension)

Variable	Posterior Mean	Posterior Median	Posterior Std. Dev.
$\alpha_1$ - Constant $\beta_1$	-0.63906	-0.65189	0.25536
$\alpha_2$ - Constant $\beta_2$	3.25006	3.28314	0.48155
$\alpha_3$ - House $\beta_2$	-0.42166	-0.45680	0.97063
$\alpha_4$ - President $\beta_2$	0.18810	0.18903	0.69252
$\alpha_5$ - Judiciary $\beta_2$	2.01889	2.02897	0.74422
$\Omega_{11}$ - Error	0.55537	0.51994	0.18553
$\Omega_{12}$ - Error	-0.10725	-0.09592	0.17981
$\Omega_{22}$ - Error	1.14992	1.07318	0.41053
Ln(Marginal Likelihood) = -5632.40357			
Burn-In Iterations = 100			
Gibbs Iterations = 1000			
Clusters = 30			
n = 12198			

*Note:* These models are estimated using the Nominate Second Dimension scores as congressional preference measures. The statistical significance of the substantive  $\alpha_q$  parameters are robust to this specification.

Table 3: House Hierarchical Probit Estimates – Strategic Model (Closed Rules Purged)

Variable	Posterior Mean	Posterior Median	Posterior Std. Dev.
$\alpha_1$ - Constant $\beta_1$	-0.48659	-0.49042	0.26217
$\alpha_2$ - Constant $\beta_2$	0.55392	0.54380	0.33762
$\alpha_3$ - Senate $\beta_2$	-2.01873	-2.05507	0.95535
$\alpha_4$ - President $\beta_2$	0.68300	0.70320	0.53599
$\alpha_5$ - Judiciary $\beta_2$	4.19733	4.20160	0.57003
$\Omega_{11}$ - Error	0.51788	0.47908	0.19425
$\Omega_{12}$ - Error	-0.00905	-0.01093	0.21516
$\Omega_{22}$ - Error	2.51514	2.39573	0.70128
Ln(Marginal Likelihood) = -12880.66352			
Burn-In Iterations = 100			
Gibbs Iterations = 1000			
Clusters = 31			
n = 27863			

*Note:* To avoid agenda biases in the analysis, all roll calls on final passage under closed rules are purged from the analysis. This eliminates three clusters from consideration. The magnitude and statistical significance of the substantive  $\alpha_q$  parameters are robust to this specification.

Table 4: House Hierarchical Probit Estimates – Strategic Model (Chamber Median Included)

Variable	Posterior Mean	Posterior Median	Posterior Std. Dev.
$\alpha_1$ - Constant $\beta_1$	-0.59072	-0.59315	0.25531
$\alpha_2$ - Constant $\beta_2$	0.69200	0.69190	0.34901
$\alpha_3$ - Senate $\beta_2$	-1.88479	-1.91556	0.94095
$\alpha_4$ - President $\beta_2$	0.67233	0.68641	0.56304
$\alpha_5$ - Judiciary $\beta_2$	3.94586	3.94929	0.59203
$\alpha_6$ - House $\beta_2$	-1.27173	-1.27589	0.96447
$\Omega_{11}$ - Error	0.48175	0.44688	0.15924
$\Omega_{12}$ - Error	-0.01732	-0.01275	0.18848
$\Omega_{22}$ - Error	2.16203	2.07436	0.57809
Ln(Marginal Likelihood) = -14674.17415			
Burn-In Iterations = 500			
Gibbs Iterations = 2500			
Clusters = 34			
n = 31429			

*Note:* To control for intra-chamber strategic behavior, the House chamber median is included in the second level of the hierarchy as a covariate. This coefficient is statistically insignificant, and the magnitude and statistical significance of the original substantive  $\alpha_q$  parameters are robust.

Table 5: Senate Hierarchical Probit Estimates – Strategic Model (Chamber Median Included)

Variable	Posterior Mean	Posterior Median	Posterior Std. Dev.
$\alpha_1$ - Constant $\beta_1$	-0.55356	-0.55493	0.21525
$\alpha_2$ - Constant $\beta_2$	0.26382	0.26170	0.42441
$\alpha_3$ - House $\beta_2$	-1.28578	-1.27560	0.99949
$\alpha_4$ - President $\beta_2$	0.60478	0.60746	0.67971
$\alpha_5$ - Judiciary $\beta_2$	3.44145	3.44370	0.70201
$\alpha_6$ - Senate $\beta_2$	-1.46872	-1.45165	0.95536
$\Omega_{11}$ - Error	0.82808	0.78531	0.25140
$\Omega_{12}$ - Error	0.05031	0.05382	0.23901
$\Omega_{22}$ - Error	1.50035	1.42973	0.46163

Ln(Marginal Likelihood) = -5746.37916

Burn-In Iterations = 500

Gibbs Iterations = 2500

Clusters = 30

n = 12198

*Note:* To control for intra-chamber strategic behavior, the Senate chamber median is included in the second level of the hierarchy as a covariate. This coefficient is statistically insignificant, and the magnitude and statistical significance of the original substantive  $\alpha_q$  parameters are robust.

Table 6: House Hierarchical Probit Estimates – Strategic Model (Extreme Priors)

Variable	Posterior Mean	Posterior Median	Posterior Std. Dev.
$\alpha_1$ - Constant $\beta_1$	-0.47014	-0.47779	0.25454
$\alpha_2$ - Constant $\beta_2$	0.95825	0.94094	0.34341
$\alpha_3$ - Senate $\beta_2$	-0.63151	-0.67442	0.94765
$\alpha_4$ - President $\beta_2$	0.26747	0.28019	0.56513
$\alpha_5$ - Judiciary $\beta_2$	4.07593	4.08144	0.57152
$\Omega_{11}$ - Error	0.50592	0.46443	0.18626
$\Omega_{12}$ - Error	-0.02034	-0.01481	0.20504
$\Omega_{22}$ - Error	2.23840	2.14291	0.60400

Ln(Marginal Likelihood) = -14675.14833

Burn-In Iterations = 500

Gibbs Iterations = 2500

Clusters = 34

n = 31429

*Note:* All models presented in the text are estimated using noninformative priors ( $\mu_0 = \mathbf{0}$  and  $\Sigma_0 = 100 \cdot \mathbf{I}$  for  $\alpha$ , and large variance for  $\Omega$ ). Various alternative specifications have been tested, and the parameter estimates are quite robust. To illustrate, the models above are estimated with a prior mean vector  $\mu_0 = (2, -2, 2, -2, -2)'$  and a variance of  $\Sigma_0 = \mathbf{I}$ . The prior on each element of  $\Omega$  is a spike to the right of zero. These results demonstrate that the estimates and substantive implications are robust.

Table 7: Senate Hierarchical Probit Estimates – Strategic Model (Extreme Priors)

Variable	Posterior Mean	Posterior Median	Posterior Std. Dev.
$\alpha_1$ - Constant $\beta_1$	-0.45555	-0.45669	0.21212
$\alpha_2$ - Constant $\beta_2$	0.66128	0.65214	0.39938
$\alpha_3$ - House $\beta_2$	0.27239	0.24878	0.99860
$\alpha_4$ - President $\beta_2$	0.09256	0.08506	0.64718
$\alpha_5$ - Judiciary $\beta_2$	3.35919	3.38132	0.69644
$\Omega_{11}$ - Error	0.80951	0.76885	0.24664
$\Omega_{12}$ - Error	0.05336	0.05260	0.23399
$\Omega_{22}$ - Error	1.61373	1.53723	0.48273

Ln(Marginal Likelihood) = -6146.22548  
 Burn-In Iterations = 500  
 Gibbs Iterations = 2500  
 Clusters = 30  
 n = 12198

*Note:* All models presented in the text are estimated using noninformative priors ( $\mu_0 = \mathbf{0}$  and  $\Sigma_0 = 100 \cdot \mathbf{I}$  for  $\alpha$ , and large variance for  $\Omega$ ). Various alternative specifications have been tested, and the parameter estimates are quite robust. To illustrate, the models above are estimated with a prior mean vector  $\mu_0 = (2, -2, 2, -2, -2)'$  and a variance of  $\Sigma_0 = \mathbf{I}$ . The prior on each element of  $\Omega$  is a spike to the right of zero. These results demonstrate that the estimates and substantive implications are robust.

Table 8: House Decision Contexts (1953-1992)

Context	President	Congress	Term	Presidency	Senate	Judiciary
1	Eisenhower	84	1955	0.631	0.275	0.096
2	Eisenhower	85	1956	0.631	0.273	0.107
3	Eisenhower	85	1957	0.631	0.270	0.107
4	Eisenhower	86	1958	0.631	0.260	-0.102
5	Eisenhower	86	1959	0.631	0.250	-0.102
6	Kennedy	87	1960	0.336	0.250	-0.044
7	Kennedy	87	1961	0.336	0.260	-0.044
8	Kennedy	88	1962	0.336	0.250	-0.170
9	Johnson	88	1963	0.165	0.250	-0.170
10	Johnson	89	1964	0.165	0.250	-0.192
11	Johnson	89	1965	0.165	0.250	-0.192
12	Johnson	90	1966	0.165	0.250	-0.124
13	Johnson	90	1967	0.165	0.125	-0.124
14	Nixon	91	1968	0.551	0.125	-0.079
15	Nixon	91	1969	0.551	0.188	-0.079
16	Nixon	92	1970	0.551	0.250	-0.079
17	Nixon	92	1971	0.551	0.500	-0.079
18	Nixon	93	1972	0.551	0.500	-0.118
19	Ford	93	1973	0.607	0.500	-0.118
20	Ford	94	1974	0.607	0.500	-0.172
21	Ford	94	1975	0.607	0.750	-0.172
22	Carter	95	1976	0.330	0.750	-0.161
23	Carter	95	1977	0.330	0.750	-0.161
24	Carter	96	1978	0.330	0.750	-0.120
25	Carter	96	1979	0.330	0.750	-0.120
26	Reagan	97	1980	0.820	0.750	-0.005
27	Reagan	98	1982	0.820	0.750	0.006
28	Reagan	98	1983	0.820	0.750	0.006
29	Reagan	99	1984	0.820	0.750	-0.029
30	Reagan	99	1985	0.820	0.750	-0.029
31	Reagan	100	1987	0.820	0.635	-0.085
32	Bush	101	1988	0.672	0.635	-0.087
33	Bush	101	1989	0.672	0.635	-0.087
34	Bush	102	1990	0.672	0.670	-0.120

*Note:* The presidency measure comes from Segal et. al. (1996); the Supreme Court measure from Segal and Cover (1989); and the Senate measure from Poole and Rosenthal (1997).

Table 9: Senate Decision Contexts (1953-1992)

Cluster	President	Congress	Term	Presidency	House	Judiciary
1	Eisenhower	83	1952	0.631	0.275	0.099
2	Eisenhower	83	1953	0.631	0.275	0.099
3	Eisenhower	85	1956	0.631	0.273	0.068
4	Eisenhower	86	1958	0.631	0.260	-0.055
5	Eisenhower	86	1959	0.631	0.250	-0.055
6	Kennedy	87	1960	0.336	0.250	-0.005
7	Kennedy	87	1961	0.336	0.260	-0.005
8	Kennedy	88	1962	0.336	0.250	0.003
9	Johnson	88	1963	0.165	0.250	0.003
10	Johnson	89	1964	0.165	0.250	-0.106
11	Johnson	89	1965	0.165	0.250	-0.106
12	Johnson	90	1967	0.165	0.125	0.019
13	Nixon	91	1969	0.551	0.188	0.021
14	Nixon	92	1970	0.551	0.250	-0.007
15	Nixon	92	1971	0.551	0.500	-0.007
16	Nixon	93	1973	0.551	0.500	-0.004
17	Ford	93	1973	0.607	0.500	-0.004
18	Ford	94	1974	0.607	0.500	-0.124
19	Ford	94	1975	0.607	0.750	-0.124
20	Carter	95	1976	0.330	0.750	-0.106
21	Carter	95	1977	0.330	0.750	-0.106
22	Carter	96	1978	0.330	0.750	-0.075
23	Carter	96	1979	0.330	0.750	-0.075
24	Reagan	97	1981	0.820	0.750	-0.023
25	Reagan	98	1982	0.820	0.750	-0.067
26	Reagan	98	1983	0.820	0.750	-0.067
27	Reagan	99	1985	0.820	0.750	-0.053
28	Bush	100	1987	0.672	0.635	-0.060
29	Bush	101	1989	0.672	0.635	-0.060
30	Bush	102	1990	0.672	0.670	-0.084

*Note:* The presidency measure comes from Segal et. al. (1996); the Supreme Court measure from Segal and Cover (1989); and the Senate measure from Poole and Rosenthal (1997).