1 Deriving the Sets of Possible Outcomes

Section 1 outlines the four preference arrangements and, for each arrangement, it details the steps to deriving the smallest set of policy locations that encompass all successful outcomes that correspond to all possible status quo locations that do not violate the assumptions of the model. It is important to note that some arrangements have two versions, which result from arrangements that are sensitive to the side of the four actors that the status quo is situated. This is true of preference arrangements that have a conference delegation nearest the status quo on one side and a chamber nearest the status quo on the other. In addition, there are variations that demonstrate the effect that moving the status quo has on predicted outcomes if we keep the status quo on the same side of the four actors. In the following illustrations, $S$ is the ideal point of the median senator, $H$ is the ideal point of the median representative, $H^*$ is the indifference point of the median representative, $C_S$ is the ideal point of the median senator on the Senate conference delegation, $C_H$ is the ideal point of the median representative on the House conference delegation, $C_H^*$ is the indifferent point of the median representative on the House conference delegation, and $Q$ is the status quo. For the sake of simplicity, the variations always depict the House as the chamber nearest the status quo, and the House conference delegation as the delegation nearest the status quo. For this reason, it is unnecessary to specify the indifference points for all actors. This comes without any loss of generality given that the chamber labels are interchangeable, as are the conference delegation labels. In the notation to follow, the interval set $[a,b]$ represents the bargaining interval between $a$ and $b$ such that $[a,b] = \{x \in \mathbb{R} | a \leq x \leq b \}$. For instance, the conference bargaining interval is notated as $[C_S, C_H]$ and the chamber bargaining interval as $[S, H]$.

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1.1 “Moderate Conference” – \([C_S, C_H] \subset [S, H]\)

The “Moderate Conference” (hereafter “Moderate”) arrangement describes an arrangement of preferences in which both conference delegations are located between the ideal points of the chambers. Therefore, all elements (policy locations) of the conference bargaining interval are contained within the chamber bargaining interval \((C_S, C_H) \subset (S, H)\) (Figure 1: General Arrangement). There are three variations that can arise from all possible locations of the status quo in which \(Q \geq H\) – the conferees are able to select from any of the policies on the conference bargaining interval, some of the policies on the conference bargaining interval, or none of the policies on the conference bargaining interval. If the status quo is such that the ideal points of both conference delegations are contained within the Houses acceptance range, or \(|Q - H| > |H - C_S|\), the outcome of conference would be expected to fall between the ideal points of the conference delegations (Figure 1: Moderate A). If the House indifference point is located on the conference committee bargaining interval, where \(|H - C_S| > |Q - H| > |H - C_H|\), the outcome is expected to be located between \(C_H\) and \(H^*\) (Figure 1: Moderate B). And finally, when the House acceptance range contains neither of the conference delegations ideal points, or \(|Q - H| < |H - C_H|\), we would expect the conference to select the House indifference point \((H^*)\), or \(H\) itself if the Houses preferences are identical to the status quo (Figure 1: Moderate C). All of the predictions from these variations are summarized using a diagram of conference outcome correspondences (Figure 15). The figure illustrates the predictions that correspond to all possible locations of the status quo.

We are now in a position to generalize about the limits of conference outcomes with only the vague information that the status quo is located to the right of \(H\). Without prior knowledge of the specific location of the status quo beyond it being to the right of \(H\), we would expect that the outcome of the conference in the “Moderate” arrangement to be located somewhere on the bargaining interval formed by the chamber closest to the status quo \((H)\) and the conference delegation farthest from the status quo \((C_S)\) (Figure 2: Prediction for “Moderate” arrangement with only the knowledge that \(Q \geq H\)). This is true given that an unconstrained conference (one that can choose any policy on its bargaining interval) will not select a policy to the left of \(C_S\), and a constrained conference (one that is bounded by the House indifference point) will not choose any policy to the right of \(H\). If \(Q \leq S\), the conference outcomes would be predicted to fall on the bargaining interval \([S, C_H]\), and thus this general statement holds for this condition as well (Figure 2: Prediction for “Moderate” arrangement with only the knowledge that \(Q \leq H\)). It then follows that if we were to have no information whatsoever regarding the location of the status quo (whether \(Q \leq S\) or \(Q \geq H\)), one can only conclude that the outcomes of conference will be contained within the chamber bargaining interval (Figure 2: Prediction for “Moderate” arrangement with no prior knowledge of \(Q\)). This is determined by the union of the predicted outcomes for \(Q \geq H\) and \(Q \leq S\).
Alternatively, this can be seen in Figure 15, in which every policy position between the chambers is a possible outcome if we allow the status quo to take any value. The “Moderate” arrangement, therefore, predicts all outcomes to fall within the scope of the chambers.

Figure 1: Moderate Conference. Conference Delegations Located Between Chambers

1.2 “Partial Outlier Conference” – \([C_S, C_H] \cap [S, H] \neq \emptyset\) and \([C_S, C_H] \not\subset [S, H]\)

Another preference arrangement, referred to as the “Partial Outlier Conference” (hereafter “Partial”), is such that one conference delegation is located on the House-Senate bargaining interval and the other is not. Thus, the conference bargaining interval and the chamber bargaining interval have some, but not all, elements in common (\([C_S, C_H] \cap [S, H] \neq \emptyset\) and \([C_S, C_H] \not\subset [S, H]\)). There are two general versions of this arrangement that are differentiated by which side of the four actors the status quo is located. One version exists when the conference delegation located outside the House-Senate bargaining interval is the actor farthest from the status quo (Figure 3: General Arrangement, Partial 1) and the other when the conference delegation outside the House-Senate bargaining interval is the actor nearest to the status quo (Figure 3: General Arrangement, Partial 2).
As in the “Moderate” arrangement, there are three possible variations for the “Partial 1” arrangement – the conferees are able to select from any of the policies on the conference bargaining interval, some of the policies on the conference bargaining interval, or none of the policies on the conference bargaining interval. If the status quo is such that the ideal points of both conference delegations are contained within the Houses acceptance range, or $|Q - H| > |H - C_S|$, the outcome of conference would be expected to fall between the ideal points of the conference delegations (Figure 3: Partial 1.A). If the House indifference point is located on the conference committee bargaining interval, or $|H - C_S| > |Q - H| > |H - C_H|$, the outcome is expected to be located between $C_H$ and $H^*$ (Figure 3: Partial 1.B). And, when the House acceptance range contains neither of the conference delegations ideal points, or $|Q - H| < |H - C_H|$, the House indifference point ($H^*$), which can converge to $H$, is the expected outcome (Figure 3: Partial 1.C).

The “Partial 2” arrangement, however, has only two possible variations – the conferees are able to select from any of the policies on the conference bargaining interval, or some of the possibilities on the conference bargaining interval. If the status quo is such that the ideal point of the Senate conference delegation is within the acceptance range of the House conference delegation, or $|Q - C_H| > |C_H - C_S|$, any policy location between the ideal points of the conference delegations is a possible outcome (Figure 3: Partial 2.A). Conversely, if the ideal point of the Senate conference delegation is outside the House conference delegations acceptance range, or $|Q - C_H| < |C_H - C_S|$, than the expected outcome of conference will be located between the ideal point of the House conference delegation and its indifference point (Figure 3: Partial 2.B). Therefore, “Partial 2” is unique from “Partial 1” in that all predicted outcomes are located on the conference bargaining.
interval, and the predicted outcomes need not contain elements of the House-Senate bargaining interval (when $|Q - C_H| < |C_H - H|$). Figure 16 summarizes all the outcomes that correspond to all status quo locations. In Figure 16, when $Q \leq S$, the outcomes correspond to those of “Partial 1”, and when $Q \geq C_H$ the outcomes correspond to “Partial 2”.

Whereas all possible outcomes of the “Moderate” arrangement were located between the ideal points of the chambers, this is not the case for the “Partial” arrangement. It is possibility for the conference committee in the “Partial” arrangement to select an outcome outside of the House-Senate bargaining interval. Conferences are afforded this opportunity when $|Q - H| > |H - S|$ in “Partial 1” or for any location of status quo in “Partial 2” that still meets the fundamental assumptions of the model. To be clear, most of these variations allow for only the opportunity for conference committees to bias outcomes to a location outside of the House-Senate bargaining interval. Since the conference committee bargaining interval is at least partially contained within the House-Senate bargaining interval, it is also possible for the outcomes to be located between the House and Senate ideal points for most variations. There is one exception to this. If “Partial 2.B” (Figure 3: Partial 2.B) is such that $|Q - C_H| < |C_H - H|$, then there are no policy locations within the chamber bargaining interval that are also in the acceptance range of the House conference delegation. Thus, a status quo that is closer to the House conference delegation than the delegation is to its parent body, necessarily produces an outcome that is outside the House-Senate bargaining interval. This region is identified by light gray shading in Figure 16.

Knowing which version of the “Partial” arrangement characterizes the preference arrangement of $[C_S, C_H] \cap [S, H] \neq \emptyset$ and $[C_S, C_H] \not\subset [S, H]$ requires some information regarding the location of the status quo. If this information is not available, there is no way of distinguishing the two versions from one another. Let us suppose for the moment that we are able to differentiate which version we are in (i.e., we know which side of the four actors the status quo is located on), but do not know the definitive location of the status quo within that version. If this were the case, than regardless of whether $Q \geq H$ or $Q \leq S$ for “Partial 1”, the predicted outcome of conference will be located somewhere between the chamber nearest the status quo and the conference delegation farthest from the status quo (Figure 4: Prediction for “Partial 1” with only the knowledge that $Q \geq H$, and Figure 4: Prediction for “Partial 1” with only the knowledge that $Q \leq S$). And for “Partial 2”, the outcome of conference will always be bounded by the ideal points of the conference delegations whether $Q \geq C_H$ or $Q \leq C_S$ (Figure 4: Prediction for “Partial 2” with only the knowledge that $Q \geq C_H$, and Figure 4: Prediction for “Partial 2” with only the knowledge that $Q \leq C_S$).

However, without any prior knowledge of the location of the status quo we are rendered unable to identify the specific version of the arrangement at work. Given this, we must take the union of all predicted outcomes in the “Partial” arrangement, for both versions, to derive the set from which all outcomes for this preference arrangement must come. We can conclude only that the outcome of
conference for a “Partial” arrangement of preferences is predicted to be located on the bargaining interval between the conference delegation and chamber that are most distant from one another (Figure 4: Prediction for “Partial” arrangement with no prior knowledge of version or location of Q). Therefore, it is possible in this arrangement of preferences for outcomes to be located outside the scope of the chambers’ preferences. In fact, only “Partial 1.C” (Figure 3: Partial 1.C) precludes the possibility of such.

1.3 “Joint Outlier Conference” – \([C_S, C_H]\) \(\cap [S, H] = \emptyset\)

An additional preference arrangement, referred to as the “Joint Outlier Conference” (hereafter “Joint”) arrangement, situates both conference delegations outside of the House-Senate bargaining interval such that \([C_S, C_H]\) \(\cap [S, H] = \emptyset\). There are two possible versions of this preference arrangement. In one version, both conference delegations are the most distant actors from the status quo (Figure 5: General Arrangement, Joint 1) and in the other the delegations are the nearest actors to the status quo (Figure 5: General Arrangement, Joint 2).

There are three possible variations for the “Joint 1” arrangement – the conferees are able to select from any of the policies on the conference bargaining interval, some of the policies on the conference bargaining interval, or none of the policies on the conference bargaining interval. If the status quo is sufficiently distant from House such that the ideal points of both conference delegations are contained within the Houses acceptance range, or \(|Q - H| > |H - C_S|\), the predicted outcome of conference is equivalent to the conference bargaining interval (Figure 5: Joint 1.A). If the House indifference point is located on the conference committee bargaining interval, where \(|H - C_S| > |Q - H| > |H - C_H|\), the outcome is expected to be located between \(C_H\) and \(H^*\) (Figure 5: Joint 1.B). When the House acceptance range and the conference bargaining interval have no common elements, or \(|Q - H| < |H - C_H|\), the House indifference point \((H^*)\), which can converge to \(H\), is the expected outcome (Figure 5: Joint 1.C).

The “Joint 2” arrangement, on the other hand, has only two possible variations – the conferees are able to select from any of the policies on the conference bargaining interval, or some of the possibilities on the conference bargaining interval. If the status quo is such that the ideal point of the Senate conference delegation is within the acceptance range of the House conference delegation, or \(|Q - C_H| > |C_H - C_S|\), the predicted outcome of conference is the conference bargaining interval (Figure 5: Joint 2.A). If the ideal point of the Senate conference delegation is outside the acceptance range of the House conference delegation, or \(|Q - C_H| < |C_H - C_S|\), than the expected outcome of conference will be the portion of the conference bargaining interval located within the House conference delegations acceptance range (Figure 5: Joint 2.B). Therefore, all predicted outcomes of the “Joint 2” arrangement are located on the conference bargaining interval. The conference outcomes for all status quo locations is depicted in Figure 17. In Figure 17, when \(Q \leq S\), the
General Arrangement

Partial 1

\[ C_S \quad S \quad C_H \quad H \quad Q \]

Partial 2

\[ S \quad C_S \quad H \quad C_H \quad Q \]

Partial 1.A: \(|Q - H| > |H - C_s|\)

\[ H^* \quad C_S \quad S \quad C_H \quad H \quad Q \]

Partial 1.B: \(|H - C_S| > |Q - H| > |H - C_H|\)

\[ C_S \quad S \quad C_H \quad H \quad Q \]

* This set of feasible outcomes need not contain \(S\).

Partial 1.C: \(|Q - H| < |H - C_H|\)

\[ C_S \quad S \quad C_H \quad H^* \quad H \quad Q \]

Partial 2.A: \(|Q - C_H| > |C_H - C_S|\)

\[ S \quad C_H^* \quad C_S H \quad C_H \quad Q \]

Partial 2.B: \(|Q - C_H| < |C_H - C_S|\)

\[ S \quad C_S \quad C_H^* \quad H \quad C_H \quad Q \]

* If \(|Q - C_H| < |C_H - C_S|\), the outcome will be located outside the House-Senate bargaining interval.

Figure 3: Partial Outlier Conference. One Delegation Between Chambers and One Exterior to Chambers

outcomes correspond to those of “Joint 1”, and when \(Q \geq C_H\) the outcomes correspond to “Joint 2”.

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Prediction for “Partial 1” arrangement with only the knowledge that $Q \geq H$

Prediction for “Partial 1” arrangement with only the knowledge that $Q \leq S$

Prediction for “Partial 2” arrangement with only the knowledge that $Q \geq C_s$

Prediction for “Partial 2” arrangement with only the knowledge that $Q \leq C_s$

Prediction for “Partial” arrangement with no prior knowledge of version or location of $Q$

Figure 4: Predictions for “Partial Outlier Conference” Arrangement

The outcomes predicted by the model for the “Joint” arrangement are similar to those of the “Partial” arrangement, but are shifted to a location more distant from the chamber bargaining interval. Like the “Partial” arrangement, the predictions for the “Joint” arrangement largely fall on the conference bargaining interval. The exception to this is “Joint 1.C”, which is analogous to “Partial 1.C”. In the “Partial” arrangement, the bargaining interval, by definition, intersects the chamber bargaining interval and therefore the predicted outcomes for most variations contain policy locations that are on the chamber bargaining interval. This is not the case for the “Joint” arrangement, in which the conference bargaining interval, by definition, does not overlap with the
chamber bargaining interval. Therefore, when the vast majority of variations predict outcomes on the conference bargaining interval, we can conclude that these outcomes are not within the scope of the chambers. The same conditions that afforded “Partial” conferees the opportunity to select an outcome located outside of the chamber bargaining interval now predicts that the conference will necessarily select an outcome that deviates from the chamber bargaining interval. Specifically, when \(|Q - H| > |H - S|\) in “Joint 1” or for any location of status quo in “Joint 2” that meets the fundamental assumptions of the model, we expect an outcome that is outside the House-Senate scope of difference. The locations of the status quo that necessarily result in outcomes that are outside of the chamber bargaining interval are, again, the regions in light gray shading in Figure 17. It is only in “Joint 1.C” when \(|H - C_H| > |H - S| > |Q - H|\) that the outcome is expected to be located on the chamber bargaining interval (depicted in black in Figure 17).

If the preference arrangement is such that \([C_S, C_H] \cap [S, H] = \emptyset\), but we have no information regarding which side of the four actors the status quo is located, we cannot say definitely which version of the “Joint” arrangement we are observing. Let us suppose that this information is available to us, but the precise location of the status quo within the versions remains unknown. If we know, for instance, that we are observing “Joint 1”, the predicted outcomes range from the conference delegation most distant from the status quo (“Joint 1.A”) to the chamber nearest the status quo (“Joint 1.C”). Without further information on the specific location of the status quo, we can only say that the outcome of “Joint 1” will be located within the area bounded by these two actors (Figure 6: Prediction for with only the knowledge that \(Q \geq H\), and Figure 6: Prediction for “Joint 1” arrangement with only the knowledge that \(Q \leq S\)). Conversely, the outcomes predicted by the variations of the “Joint 2” arrangement are fully contained within the conference bargaining interval. Therefore, without information regarding the specific location of the status quo, we can conclude the conference bargaining interval is the set of policy locations from which all outcomes of “Joint 2” must come (Figure 6: Prediction for “Joint 2” arrangement with only the knowledge that \(Q \geq C_H\), and Figure 6: Prediction for “Joint 2” arrangement with only the knowledge that \(Q \leq C_S\)).

If, however, we are not provided any information on the location of the status quo, we would conclude, like the “Partial” arrangement, that the outcome of the “Joint” arrangement must come from the set of policy outcomes located between the conference delegation and chamber that are most distant from one another (Figure 6: Prediction for “Joint” arrangement with no prior knowledge of version or location of \(Q\)). As will be discussed more thoroughly later, if we assume that the conference and chamber bargaining intervals remain constant in size from the “Partial” to “Joint” arrangements, and only the location of the conference bargaining interval is shifted, the set of all possible outcomes for the “Joint” arrangement is larger than that for the “Partial” arrangement. In other words, the set of possible outcomes for the “Joint” arrangement contains more outcomes
that are a greater distance from the chamber bargaining interval.

**Joint 1**

$$|Q - H| > |H - C_s|$$

**Joint 1.A**

$$|Q - H| > |H - C_s|$$

**Joint 1.B**

$$|H - C_s| > |Q - H| > |H - C_u|$$

**Joint 1.C**

$$|Q - H| < |H - C_u|$$

*If $|Q - H| > |H - C_u|$, the outcome will be located outside the House-Senate bargaining interval.*

**Joint 2**

$$|Q - C_u| > |C_u - C_s|$$

**Joint 2.A**

$$|Q - C_u| > |C_u - C_s|$$

**Joint 2.B**

$$|Q - C_u| < |C_u - C_s|$$

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**Figure 5: Joint Outlier Conference. Both Delegations Exterior to Chambers in Same Direction**
1.4 “Polarized Conference” − \([S, H] \subseteq [C_S, C_H]\)

The final arrangement of preferences, the “Polarized Conference” (hereafter “Polarized”) arrangement, exists when the House-Senate bargaining interval is located entirely between the ideal points of the conference delegations \([S, H] \subseteq [C_S, C_H]\). A conference delegation is the nearest actor to the status quo regardless of which side of the four actors the status quo is located. In this sense, the preference arrangement is symmetric, like the “Moderate” arrangement, and there is need for only one version to generalize the predicted outcomes (Figure 7: General Arrangement).

There are two possible variations for the “Polarized” arrangement – the conferees are able to select from any of the policies on the conference bargaining interval, or some of the policies on the conference bargaining interval. If the Senate conference delegation is located within the acceptance range of the House conference delegation, or \(|Q - C_H| > |C_H - C_S|\), the outcome can be located
at any point on the conference bargaining interval (Figure 7: Polarized A). However, if the Senate
conference delegation is not located within the House conference delegations acceptance range,
or \(|Q - C_H| < |C_H - C_S|\), than the set of possible outcomes is only a portion of the conference
bargaining interval (Figure 7: Polarized B). Figure 18 summarizes all the outcomes that correspond
to all possible status quo locations.

Regardless of whether \(Q \leq C_S\) or \(Q \geq C_H\), the outcomes of a preference arrangement in which
\([S, H] \subseteq [C_S, C_H]\) are always bounded by the ideal points of the conference delegations (Figure
8: Prediction for “Polarized” arrangement with only the knowledge that \(Q \geq C_H\), and Figure 8:
Prediction for “Polarized” arrangement with only the knowledge that \(Q \leq C_S\)). Therefore, without
any information regarding the location of the status quo, the set of policy positions that contains
all possible outcomes for the “Polarized” arrangement is equivalent to the conference bargaining
interval (Figure 8: Prediction for “Polarized” arrangement with no prior knowledge of \(Q\)). With
the exception only of those cases in which \([S, H] = [C_S, C_H]\)^1, the conference bargaining interval
will contain possible policy outcomes that are not contained within chamber bargaining interval.
Therefore, it is possible for the outcomes of this preference arrangement to be outside the scope of
the chambers preferences. How far outside the chamber bargaining interval is strictly a function
of the size of the conference bargaining interval with relation to the chamber bargaining interval.
It is only when \(|C_H - H| > |Q - C_H|\) in “Polarized B” that the predicted outcome is necessarily
located outside of the chamber bargaining interval (light gray shading in Figure 18).

### 2 Comparing the Sets of Possible Outcomes

I have just detailed for each preference arrangement the smallest set of policy positions that,
regardless of the location of the status quo, contains all predicted outcomes. It is now possible to
compare these sets to one another to determine whether certain arrangements afford conferees a
greater opportunity to deviate from the preferences of the parent bodies.

To properly compare these sets, it is imperative that the size of the chamber and conference
bargaining intervals remain constant as we move from one arrangement to the next. Moving from
“Moderate” to “Partial” to “Joint” or “Polarized” to “Partial” to “Joint” can be viewed as shifting
the conference bargaining interval away from the chamber bargaining interval. If we allow the
bargaining intervals to fluctuate in size, we cannot make definitive comparisons, as it is possible
for changes in the bargaining intervals to mask the true relationship between the arrangements.

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^1This possibility has been arbitrarily assumed into the “Polarized” arrangement. It could also
have been placed within the “Moderate” arrangement, given that the outcomes of the “Moderate”
arrangement are predicted to fall on the chamber bargaining interval. Since the bargaining intervals
equal one another, the prediction in the “Moderate” arrangement is equal to the prediction for the
“Polarized” arrangement.
Take, for example, the following comparison of the “Partial” arrangement to the “Joint” arrangement. If we do not enforce bargaining intervals of constant sizes, than it is possible that the
“Partial” arrangement will contain many more policy positions that deviate a greater distance from the chambers preferences than the “Joint” arrangement (Figure 9: Non-constant Bargaining intervals). However, if we maintain constant bargaining intervals, it is not possible for the “Partial” arrangement to contain policies of greater distance from the chambers preferences than the “Joint” arrangement. The set of possible outcomes for the “Joint” arrangement must contain the most distant policies (Figure 9: Constant Bargaining intervals).

![Diagram of Non-constant vs Constant Bargaining intervals]

Figure 9: Non-constant Versus Constant Bargaining Intervals

Requiring the bargaining intervals to be constant between arrangements, precludes the comparison of the “Moderate” arrangement to the “Polarized” arrangement, since, by definition, the two arrangements must have at least one bargaining interval of a different size. In the “Moderate” arrangement, the conference bargaining interval is a subset of the chamber bargaining interval, and vise-versa in the “Polarized” arrangement. Given this, we can only compare “Moderate to “Partial” to “Joint” and “Polarized” to “Partial” to “Joint”.

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2.1 Comparing “Moderate” to “Partial” to “Joint”

Figure 10 compares the outcomes predicted by the “Moderate”, “Partial”, and “Joint” arrangements for all status quo locations that do not separate any actor from another, and keeping the bargaining intervals constant across arrangements. Allowing the status quo to move farther to the left or right than shown in the diagram will return predictions exclusively on the conference bargaining intervals for each of the arrangements. Also, the figure depicts the conference bargaining interval shifting to the right. As demonstrated above, all results of such movement mirror the results derived from shifting the conference bargaining interval to the left.

There are a few important conclusions to be reached from this Figure 10. First, the sets of all possible outcomes, denoted $F$ on the right-hand side of the diagram, increase in size as we move from “Moderate” to “Joint”. These sets were identified in the previous section as the union of all outcomes that correspond to all possible locations of the status quo. For the “Moderate” arrangement, all predicted outcomes fall within the chamber bargaining interval. The predicted outcomes for the “Partial” and “Joint” arrangements are bounded by the chamber and conference delegation most distant from one another. If we assume that the chamber and conference bargaining intervals are constant between the arrangements, this area must be larger for the “Joint” arrangement than it is for the “Partial” arrangement. The importance of this finding is that the larger sets contain policy positions that are increasingly distant from the chamber bargaining interval. This implies that there are more opportunities for conferees to select outcomes that deviate from the scope of difference between the chambers in “Joint” than there are in “Partial”, and more in “Partial” than “Moderate”.

Second, under realistic conditions (such as those depicted in the figure), the majority of status quo locations correspond to predicted outcomes that are located within the conference bargaining intervals for each arrangement (see Section 4 for conditions). This is always true when the status quo is not bounded. As a result, if we assume that every status quo location is equally probable, and these conditions are met, it is expected that the outcomes will fall on the conference bargaining intervals. As previously discussed, moving from “Moderate” to “Joint” expands the set of policy outcomes that increasingly diverge from the preferences of the chambers. This finding suggests that not only are members increasingly given the opportunity to select outcomes that deviate from the preferences of the chambers when moving from “Moderate” to “Joint”, but we should also expect members to choose these biased policies with some regularity.

Another important conclusion to be drawn from this comparison is that when moving from “Moderate” to “Joint”, there are an increasing number of status quo locations in which the model predicts outcomes located outside of the chamber bargaining interval, $ceteris paribus$. The solid colors indicate that predicted outcomes corresponding to the status quo locations are to fall ex-
Predicted outcomes allow for policies on and off the chamber bargaining interval.

Predicted outcomes allow only for policies off of the chamber bargaining interval.

Predicted outcomes allow only for policies on the chamber bargaining interval.

Note: Additional status quo locations are marked on the Q axis to show transitions from outcomes predicted on the conference bargaining interval to outcomes located off of the conference bargaining interval. Status quo locations marked within the diagram (with arrows) identify the point at which there is a transition in the pattern (dotted, striped, solid).

Figure 10: Conference Outcome Correspondences for “Moderate”, “Partial”, and “Joint”
clusively on the chamber bargaining interval. Diagonal lines identify predictions in which some of
the outcomes are located on the chamber bargaining interval and some are not. This occurs when
conferees are able to select outcomes from some portion of a conference bargaining interval in which
there are alternatives both on and off the chamber bargaining interval. Since the bargaining rule
assumed in this model does not impose a hierarchy of value for policy locations on the conference
bargaining interval, I assume that policies on and off the chamber bargaining interval are equally
viable alternatives to the conferees. Therefore, the diagonal lines indicate that there is at least an
option for conferees to select alternatives that are off of the chamber bargaining interval, given the
status quo location. While the diagonal regions are certainly more indicative of conference bias
than the solid regions, they do not definitely predict outcomes that are outside of the chamber
bargaining interval. Conferees acting in accordance with utility maximization may still select out-
comes on the chamber bargaining interval. The dotted regions, on the other hand, are predicted
outcomes that are necessarily located off of the chamber bargaining interval. In these cases, there
is no opportunity to conferees to select policy outcomes within the scope of chamber differences.

All predicted outcomes of the “Moderate” arrangement are solid, and therefore remain within
the chamber bargaining interval. There are predicted outcomes for the “Partial” arrangement
within each category. Thus, the “Partial” arrangement offers more opportunities than the “Moder-
ate” arrangement for deviation from the chamber bargaining interval. The “Joint” arrangement,
however, contains the greatest number of possibilities for outcomes that are distinct from the cham-
ber bargaining interval. This preference arrangement predicts outcomes exclusively outside of the
chamber bargaining interval for status quos located between \( L_B \) and \( S - |H - S| \) as well as be-
tween \( C_{HJ} \) and \( U_B \), where \( L_B \) and \( U_B \) refer to the lower bound and upper bound, respectively
(which could be \(-\infty \) and \( \infty \), respectively, if there is no limit to the policy space). Therefore, any
status quos that fall within these potentially sizeable regions will return a predicted outcome that
is strictly outside of the chamber bargaining interval. This is yet further evidence that the policy
implications of conference become more substantial as we move from “Moderate” to “Joint”.

In sum, the evidence supporting the notion that conference committees are independent actors
in the legislative process should be more apparent as we progress from “Moderate” to “Joint”. A
conference committee comprised of conferees pursuing their own interests may select outcomes that
closely represent these interests as well as those of the parent bodies in the “Moderate” arrange-
ment. Therefore, in the “Moderate” arrangement, behavior consistent with utility maximization
is observationally equivalent to behavior consistent with the norm of representing the chambers’
interests in conference. However, when the conference delegations jointly move to locations that
are increasingly distant from the chamber bargaining interval, they incur greater costs for adhering
to a strategy of selecting outcomes located within the scope of the differences between the cham-
bers. We should, then, observe increasing levels of policy divergence from the chambers preferences
progressing from “Moderate” to “Joint” if conferees are indeed pursuing their own interests in conference. This model predicts a systematic relationship between the preference arrangements and the policy outcomes, which is contrary to the perspective that conferees are loyal agents of the chambers. Moreover, the policy outcomes are increasingly likely to diverge from the scope of chamber differences moving from “Moderate” to “Joint”.

A final point to be made is related to the distance that the chambers are from the conference bargaining interval. It is necessary to qualify the above conclusions by stating that policy divergence will be greatest for the chamber most distant from the conference bargaining interval. For one, the movement in policy is predicted to be less pronounced in the chamber nearest to the conference bargaining interval because there is simply less distance for the policy to move. In addition, certain locations of the status quo will yield outcomes for the near chamber that represent movement away from the conference bargaining interval (see Figure 11 for example).

![Figure 11: Predicted Policy Movement Away from Conference in Near Chamber](image)

For the “Moderate”, “Partial”, and “Joint” arrangements, the chamber most distant from the conference bargaining interval forms one boundary of the set of all possible outcomes for the arrangements. Thus, movement in policy can only occur in one direction – the direction that the conference bargaining interval moves. While we still generally expect the policy to move in the direction of the conference bargaining interval for the near chamber, as evidenced by the numerous opportunities for the conference to select outcomes on its bargaining interval, this is not a certainty. This is due to the near chamber being contained within the interior of the set of all possible outcomes. Therefore, we can conclude that (a) the policy movement from the nearest chamber is likely to be smaller than that from the more distant chamber, and (b) the model does not predict that the movement will always be in the direction of the conference bargaining interval.

These conclusions regarding comparing the “Moderate”, “Partial”, and “Joint” arrangements bring us to the following proposition and corollary:

**Proposition for Comparing the “Moderate”, “Partial”, and “Joint” Arrangements**

As the conference and chamber bargaining intervals become increasingly distinct from one another (moving from “Moderate” to “Partial” to “Joint”), conference committees
are able to move policy (in their favor) greater distances away from the parent bodies, keeping all bargaining intervals constant.

**Corollary**

This relationship is stronger for the chamber farthest from the conference bargaining interval.

### 2.2 Comparing “Polarized” to “Partial” to “Joint”

Next, I turn my attention to comparing “Polarized” to “Partial” to “Joint”. Figure 12 depicts the correspondence of outcomes for each status quo location in which there is variation in the outcomes. The outcomes for the “Polarized” and “Partial” arrangements are not shown snug against the left-most limit for presentational purposes to allow viewers to see the outcomes predicted for the “Partial” and “Joint” arrangements. Extending the status quos beyond the limits of this diagram produces outcomes strictly on the conference bargaining interval, and therefore there is no change in the outcomes beyond the limits shown. Again, the figure illustrates movement in the conference bargaining interval to the right, which generates results that mirror the same movement to the left.

Each of the observations made with respect to the comparison of the “Moderate”, “Partial”, and “Joint” arrangements can be made for the “Polarized”, “Partial”, and “Joint” arrangements in which the “Polarized” arrangement assumes a similar role to the “Moderate” arrangement in the previous comparison. As we move from “Polarized” to “Partial” and finally to “Joint”, the set of policy locations that contains all possible outcomes for the arrangements increases in size and expands the number of policy locations that are a greater distance from the chamber bargaining interval. These points may not be as immediately intuitive as the comparison of “Moderate”, “Partial”, and “Joint”, because the sets do not all have a common limit ($S$ in the previous comparison). Therefore, these points require some further explanation.

I will begin by demonstrating that the size of the sets, $F$, increases from “Polarized” to “Partial” to “Joint”. We know from the above discussion that the set of all possible outcomes for the “Polarized” arrangement contains policies located between the conference delegations. And, we know for both the “Partial” and “Joint” arrangements that this set is located between the chamber and conference delegation most distant from one another. The most ambiguity as to whether there is an increase in the size of this set in transitioning between arrangements exists between the “Polarized” and “Partial” arrangements. Suppose that the arrangement of preferences for the “Polarized” arrangement is as depicted in Figure 13, where $FPo$ is the set of all possible outcomes. It should be noted that the set of all possible outcomes for the specific configuration in the figure (with a chamber and conference delegation sharing the same policy preference) is identical in size to all other “Polarized” arrangements provided that the bargaining intervals remain constant (an assumption made in this comparison). Furthermore, this particular arrangement of
Figure 12: Conference Outcome Correspondences for “Polarized”, “Partial”, and “Joint” Outcome

Note: Additional status quo locations are marked on the Q axis to show transitions from outcomes predicted on the conference bargaining interval to outcomes located off of the conference bargaining interval. Status quo locations marked within the diagram (with arrows) identify the point at which there is a transition in the pattern (dotted, striped, solid).
preferences provides for the outcome that is most distant from the chamber bargaining interval of any “Polarized” arrangement, holding the bargaining intervals constant. Specifically, shifting the conference bargaining interval so that one delegation shares the same policy position as a chamber moves the other conference delegation to the point that is most distant from the chamber bargaining interval within the “Polarized” setting. Shifting the conference bargaining interval to a position in which both conference delegations are distinct from the chamber positions requires that both conference delegations be closer to the chamber bargaining interval than the delegation that was located off of the chamber bargaining interval when the other shared the policy position of one chamber (i.e., $H$ in Figure 13).

![Figure 13: “Polarized Conference” Condition With Maximum Distance Between Delegation and Chamber Bargaining Interval](image)

To compare the sets of outcomes in the “Polarized” and “Partial” arrangements, let us now move the conference bargaining interval the smallest amount possible, say $\epsilon$, that would change the “Polarized” arrangement to a “Partial” arrangement. This is depicted in Figure 14. Since the set of all outcomes in the “Partial” arrangement is the chamber and conference delegation most distant from one another, the bounds of this set are $H$ and $C_{SP}$. Since $C_{SP} = C_{SPo} + \epsilon$, the set $FP$ is greater than $FPo$ by $\epsilon$. And, it is clear that $FP$ contains a policy outcome that is $\epsilon$ farther from the chamber bargaining interval than the most distant policy in $FPo$.

It has already been shown that the “Joint” arrangement has a larger set of policy outcomes that are more distant from the chamber bargaining interval than the “Partial” arrangement, and so it need not be demonstrated again. Therefore, the set of all possible policy outcomes for each arrangement increases and the sets contain outcomes that are increasingly distant from the chamber bargaining interval as we move from “Polarized” to “Partial” to “Joint”. In this sense, the “Polarized” arrangement is similar to the “Moderate” arrangement in the earlier comparison. And, as in the previous comparison, we should expect these policies to be chosen with some regularity given that realistic conditions provide for outcomes on the conference bargaining intervals (see Section 4).
Likewise, we observe more policy outcomes that necessarily fall off of the chamber bargaining interval in moving from “Polarized” to “Partial” to “Joint”. The “Polarized” arrangement has the least outcomes located off of the chamber bargaining interval. The “Partial” arrangement has more policy outcomes outside the chamber bargaining interval than the “Polarized” arrangement because $|C_{SPo} - S| + |C_{HPo} - H| < |C_{HP} - H|$. This is central to distinguishing the two arrangements and is explored above in the discussion of increasing set size. Finally, the “Joint” arrangement contains the most outcomes that are strictly located off of the chamber bargaining interval, as any outcome on a “Joint” conference bargaining interval will, by definition, be distinct from the chamber bargaining interval.

As in the comparison of the “Moderate”, “Partial”, and “Joint” arrangements, there is a stronger effect predicted for the chamber that is farthest from the conference bargaining interval. In sum, the predictions are identical to those of the previous comparison if we substitute the “Polarized” arrangement for the “Moderate” arrangement. Therefore, in comparing the “Polarized”, “Partial”, and “Joint” arrangements, we arrive at the following proposition and corollary:

**Proposition for Comparing the “Polarized”, “Partial”, and “Joint” Arrangements**

As the conference and chamber bargaining intervals become increasingly distinct from one another (moving from “Polarized” to “Partial” to “Joint”), conference committees are able to move policy (in their favor) greater distances away from the parent bodies, keeping all bargaining intervals constant.

**Corollary**
This relationship is stronger for the chamber farthest from the conference bargaining interval.
3 Best Response Correspondences for Arrangements

Figure 15: Conference Best Response for the “Moderate Conference” Arrangement

Figure 16: Conference Best Response for the “Partial Outlier Conference” Arrangement
Figure 3: Conference Best Response for the “Joint Outlier Conference” Arrangement

Figure 4: Conference Best Response for the “Polarized Conference” Arrangement

Figure 17: Conference Best Response for the “Joint Outlier Conference” Arrangement

Figure 18: Conference Best Response for the “Polarized Conference” Arrangement
4 Conditions Leading to a Majority of Outcomes on the Conference Bargaining Interval

The following identifies the conditions under which a majority of status quo locations correspond to policy outcomes on the conference bargaining interval. I do this for both unbounded and bounded policy space. I use the preference arrangement in Figure 10 for the following discussion, which mirrors the conditions if the conference bargaining interval were to shift to the left.

“Moderate Conference” Arrangement:

The status quo corresponds to an outcome(s) on the conference bargaining interval when $Q \leq S - |S - C_{SM}|$ or $Q \geq H + |H - C_{HM}|$. Conversely, the status quo corresponds to an outcome off of the conference bargaining interval when $S - |S - C_{SM}| < Q \leq S$ or $H \leq Q < H + |H - C_{HM}|$. A majority of status quo locations will yield prediction on the bargaining interval when $|(S - |S - C_{SM}|) - L_B| + |U_B - (H + |H - C_{HM}|)| > |S - C_{SM}| + |H - C_{HM}|$, where $L_B$ is the lower bound of the policy space and $U_B$ the upper bound. If the policy space is unbounded, $L_B$ is replaced by $-\infty$ and $U_B$ by $\infty$. In the unbounded space, this inequality is always true.

“Partial Outlier Conference” Arrangement:

The status quo corresponds to an outcome(s) on the conference bargaining interval when $Q \leq S - |S - C_{SP}|$ or $Q \geq C_{HP}$. Conversely, the status quo corresponds to an outcome off of the conference bargaining interval when $S - |S - C_{SP}| < Q \leq S$. A majority of status quo locations will yield predictions on the bargaining interval when $|(S - |S - C_{SP}|) - L_B| + |U_B - C_{HP}| > |S - C_{SP}|$, where $L_B$ is the lower bound of the policy space and $U_B$ the upper bound. If the policy space is unbounded, $L_B$ is replace by $-\infty$ and $U_B$ by $\infty$. In the unbounded space, this inequality is always true.

“Joint Outlier Conference” Arrangement:

The status quo corresponds to an outcome(s) on the conference bargaining interval when $Q \leq S - |S - C_{SJ}|$ or $Q \geq C_{HJ}$. Conversely, the status quo corresponds to an outcome off of the conference bargaining interval when $S - |S - C_{SJ}| < Q \leq S$. A majority of status quo locations will yield predictions on the bargaining interval when $|(S - |S - C_{SJ}|) - L_B| + |U_B - C_{HJ}| > |S - C_{SJ}|$, where $L_B$ is the lower bound of the policy space and $U_B$ the upper bound. If the policy space is unbounded, $L_B$ is replace by $-\infty$ and $U_B$ by $\infty$. In the unbounded space, this inequality is always true.

“Polarized Conference” Arrangement:
All outcomes of the “Polarized” arrangement fall on the conference bargaining interval.
5 Reduction in Population Caused by Restrictions Imposed by Empirical Model

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<tr>
<th>Congress</th>
<th>Number of Conferences that Filed Reports</th>
<th>Number of Conferences that Filed Reports and are Comprised Exclusively of General Purpose Conferees</th>
<th>Number of Conferences that Filed Reports, are Comprised Exclusively of General Purpose Conferees, and have both Roll Calls</th>
<th>Number of Conferences that Filed Reports, are Comprised Exclusively of General Purpose Conferees, and have both Roll Calls that Correlate to the First Dimension Common Space by at Least 75 %</th>
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<td><strong>1658</strong></td>
<td><strong>416</strong></td>
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</tr>
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6 Examining the Sample

The requirement of recorded votes on final passage and the conference report causes the most significant reduction in the sample size in both models (see Section 5). Because of this, we must explore whether this requirement causes the sample to be unrepresentative of the population of conferences. In particular, we are concerned that the selection of conferences would advantage a theory of utility maximizing conferees. Worth exploring is the possibility that this requirement advantages the selection of conferences of uncharacteristically high levels of (1) significance and/or (2) conflict.

6.1 Legislative Significance

The presence of recorded votes on final passage and the conference report in at least one chamber as in the OLS model or both chambers as in the SUR model may suggest that the legislation associated with conference is of particularly high significance, since there was demand for recorded votes. This assertion is generally supported by an analysis of the significance of the legislation in the sample. We use Howell, Adler, Cameron, and Riemann’s (2000) coding scheme, which extends Mayhew’s (1991) analysis by partitioning the entire population of public laws between the 79th and 103d
congress into four mutually exclusive categories. Describing the categorical scale, Howell, et al. state that Group A, which closely corresponds to Mayhew’s series, consists of the most important legislation. Group B contains “non-landmark, but nonetheless highly consequential legislation.” Group C consists of ordinary legislation and D of minor enactments. Since Howell et al.’s data ends with the 103d congress, the entire sample cannot be examined using their method. Table 1 is a contingency table comparing the number of conferences in this study addressing legislation of the various categories of significance for the period of the 88th to 103d congress to the number of conferences in the population addressing legislation of various categories over the same period. It also shows the total number of bills passed into law falling into each category (conditional (row) percentages are listed in parentheses for each).

As is quite apparent, the conferences included in this study address more significant legislation than a typical conference during this period. The chi-square (with the null hypothesis that the conditional distributions are equal across the conferences in this study and all conferences) is 37.8 ($p < .001$) for the SUR model, 36.7 ($p < .001$) for the OLS near chamber equation, and 20.2 ($p < .001$) for the OLS far chamber equation. The fact that the conferences in this study address more significant legislation should, however, be comforting as we would expect these conferences to be more heavily scrutinized by the chambers (see, for example, Cox and McCubbins, 2007). In fact, a look at the change in cut points associated with the various significance levels in this data set offers some evidence that the chambers exert more constraints on legislation of high significance. The scatterplots for absolute change in cut points by significance levels are shown below in Figure 19, along with a regression line fit through the data points. The coefficients are also shown in the diagrams, although neither achieves statistical significance at the $p = .05$ level. As legislative significance decreases, there is an increase in the average policy movement. Thus, this requirement is likely to disfavor a theory of independent conferees.

| Table 1: Significance of Legislation Committed to Conferences in Study Compared to All Conferences, 88th-103d Congress. |
|----------------------------------|-------|-------|-------|-------|-------|
|                                  | A     | B     | C     | D     | Total |
| SUR Conferences                  | 14    | 24    | 16    | 37    | 91    |
| (1538)                          | (.2637)|(.1758)| (.4066)|       |
| OLS Conferences - Near Chamber   | 26    | 47    | 52    | 93    | 218   |
| (1193)                          | (.2156)|(.2385)| (.4266)|       |
| OLS Conferences - Far Chamber    | 24    | 38    | 72    | 85    | 219   |
| (1096)                          | (.1735)|(.3288)| (.3881)|       |
| All Conferences                 | 124   | 182   | 581   | 927   | 1814  |
| (684)                           | (.1003)|(.3203)| (.511) |       |
| All Public Laws                 | 165   | 224   | 1177  | 8513  | 10079 |
| (0164)                          | (.0222)|(.1168)| (.8446)|       |
6.2 Conflict

It is, likewise, possible that the presence of recorded votes on final passage and the conference report could reflect conflict generated by conference (perhaps by altering policy). In particular, recorded votes on the conference report are not consistent. Forty-seven (47) percent of conferences during the period of analysis have recorded votes on the conference report in the House, and 24 percent in the Senate. One might then be concerned that the presence of recorded votes on the conference report could signal that these conferences took more liberties in moving policy than others, thus advantaging a theory of utility maximizing conferees.

If we examine levels of conflict on final passage votes between conferences with and without recorded votes on the conference report, we find that bills that received recorded votes on the conference report have, on average, approximately six percent more conflict on the final passage vote than do those that do not receive votes on the conference report. In the House, on average, there is roughly 13.5 percent opposition (measured as the number of members voting nay divided by the total number of votes) on final passage votes on bills that do not receive recorded votes on the conference report versus 20 percent opposition on final passage for bills that do. These percentages are 9.5 and 15.8, respectively, in the Senate. Since votes on final passage do not reflect the influence of conference committees, this provides evidence that these bills are generally more conflictual in nature. That is, they exhibit higher rates of conflict prior to conference. If this is true, and evidence seems to point in this direction, it would not be entirely surprising that recorded votes occur on conference reports associated with conflictual bills, considering that conflict is typically
a cause for recorded voting. In order to fully explore the possibility that the conferences included in this study are systematically different in terms of policy movement they introduce, we would require a measure of conflict following conference for those bills that do not receive recorded votes on the conference report. Since it is not reasonable to assume unanimity for non-recorded votes, there is no apparent means of comparison.

We can learn something about the introduction of conflict at the conference stage by examining those conferences that had recorded votes on both final passage and the conference report. That is, if conferences associated with recorded votes on the conference report did, in fact, systematically introduce conflict, then we should see some evidence of this between the final passage and conference report votes for these conferences. Figure 20 shows the changes in opposition between the vote on final passage and the conference report in both chambers for all conferences during the period of analysis in which both votes were present. There is a roughly equal distribution of observations above (indicating more opposition on the conference report than final passage) and below the line. Figure 21 shows a kernel density plot of the levels of opposition on the conference report less the levels of opposition on the final passage vote in both chambers, where negative numbers indicate less opposition on the conference report. The House distribution indicates marginally less conflict on the conference report at the $p = .10$ level, and the Senate distribution is not statistically discernible from zero.

In sum, then, this brief analysis suggests that the bills selected are likely higher in overall conflict, and among the subset of conferences with recorded votes on both final passage and the conference report there is no evidence that conferences introduce more conflict. One could argue that bills of an overall higher level of conflict will be monitored more closely in conference by the chambers, and therefore this selection criterion disadvantages the theory. That is, bills of conflictual nature are not only of broader interest within the chamber but also to outside observers.

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2 As a side note, many of these conferences do not appear in the study because there is not sufficient levels of conflict to generate cut points (many conferences are clustered in the southwest corner).
7 Alternative Measures of Senate Preferences

The use of the Senate median in the paper reflects the observation that the filibuster is not relevant for most votes. For instance, if we eliminate consideration of ultra-consensual votes during the period of analysis, defined as votes in which more than 90 percent of the votes were in the affirmative, only about 23 percent of votes passed with a filibuster-proof majority. This number likely still overstates the relevance of the filibuster since there are a tremendous number of votes in this examination that are still highly consensual in nature.\footnote{If we define ultra-consensual votes as those with 80 percent voting in the affirmative, the percentage of votes that attain filibuster-proof majorities drops to 17 percent.}

That said, conferences are often not dealing with legislation of typical “day-to-day” significance. Therefore, we re-estimate the models using the Senate filibuster pivot in lieu of the Senate median. For Congresses with a Democratic majority, the pivotal actor is the 67th percentile for the 88th through 93d Congress and the 60th percentile from the 94th Congress forward. And for Congresses with a Republican majority, the pivotal actor is the 40th percentile.\footnote{There are no Republican majorities in this analysis that occur prior to the 1975 cloture reform.} The results of this analysis are shown in Table 2. We also estimated the models using a hybrid approach in which the Senate preference was operationalized as the filibuster pivot for significant legislation (categorized as “A” or “B” legislation by Howell et al.’s (2000) coding) and the Senate median was used for all other

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Figure 20: Scatter Plot
Figure 21: Density Plot
legislation. The results of this approach are shown in Table 3.5

In general, the conclusions regarding the “Joint” arrangement hold up when using the alternative measures of Senate preferences. With only the exception of the far chamber OLS equation and near chamber SUR equation in the hybrid model, the coefficients on the “Joint” arrangement have the expected sign. Moreover, it is the arrangement that most consistently achieves statistical significance across the models. In this respect, the key finding is robust to the definition of Senate preferences. However, other arrangements do not behave as well for other specifications of Senate preferences. This is not entirely surprising considering that there is so little overlap between the arrangements across the specifications. For example, Table 4 below is a cross tabulation of the arrangements using the Senate median versus the filibuster pivot for the far chamber in the OLS model, and it shows how the cases change across these specifications. The diagonal represents cases that remain the same across these specifications, and only about half of the cases are located on the diagonal. In some instances the changes in arrangements are quite substantial. This is due to the fact that the chamber bargaining interval is significantly bigger (during unified control) or smaller (during divided control) when using the filibuster pivot.6 For instance, the “Moderate (Left)” arrangement in the far chamber equation of the OLS model (see Table 2) becomes positive and statistically significant at the $p \leq .05$ level when using the filibuster pivot. This is contrary to the expectations derived from the theoretical model and the opposite of what we find when using the Senate median. Table 4 sheds some light on this. It happens that seven (7) cases that were categorized as “Joint (R)” when using the Senate median are now categorized as “Moderate (Left)” when using the filibuster pivot. And we know from the analysis appearing in the paper using the Senate median, that there is strong empirical evidence of right-ward movement for these cases (in accordance with the theoretical expectations).

It is important to note that the theoretical model does not require the use of the Senate median. However, we must select a specification for the empirical model. Since we are examining several conferences in the analysis, it seems that the most consistently appropriate measure of Senate preferences in the aggregate is the median. Smith’s (2007) findings support this conclusion. In the aggregate, he finds that the distance a Senator is from the median is more predictive of voting on the winning side than the distance the Senator is from the filibuster pivot. This is a conclusion that

5Since the Howell et al. dataset does not include Congresses beyond the 103d, this approach does cause a reduction in sample size.

6Take, for example, the case when there are Democratic majorities in the House and Senate. When we use the Senate median, the chamber locations will be much closer to one another than when we use the filibuster pivot, which pushes the Senate location substantially to the right (especially during periods of high polarization). The opposite is true when there is divided control of Congress.
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<td>$\chi^2 = 15.72$</td>
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<td>RMSE=.3431</td>
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Table 2: Results of OLS and SUR Models Using Filibuster Pivot

Notes: Robust standard errors for OLS and standard errors for SUR are shown in parentheses. Dependent variables measure the change in cut point from the final passage vote to the vote on the conference report in the chamber nearest the conference committee bargaining interval (near chamber equation) and the chamber farthest from the conference committee bargaining interval (far chamber equation).

* $p \leq .10$

** $p \leq .05$

is entirely consistent with the median voter theorem. If the filibuster pivot were decisive in most cases, the distance a Senator is from the filibuster pivot would be more predictive. We do not mean to diminish the importance of the filibuster, but there is reason to suspect that the median is a stronger representation of the Senate’s preferences on most measures. We view the results of these models using alternative specifications as providing some support for this statement. Moreover, the legislation for which filibusters are most relevant often do not survive to the conference stage, and since this is a study of conference behavior (requiring the occurrence of conference), these cases are not contained in the analysis. Therefore, for bills on which conference convenes, it would seem
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Table 3: Results of OLS and SUR Models Using Filibuster Pivot for Significant Legislation

Notes: Robust standard errors for OLS and standard errors for SUR are shown in parentheses. Dependent variables measure the change in cut point from the final passage vote to the vote on the conference report in the chamber nearest the conference committee bargaining interval (near chamber equation) and the chamber farthest from the conference committee bargaining interval (far chamber equation). Senate preferences are operationalized as the filibuster pivot for significant legislation (categorized as “A” or “B” legislation by Howell et al.’s (2000) coding) and the Senate median for all other legislation.

*p ≤ .10

**p ≤ .05

that the median is a more generally applicable representation of preferences.
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<th>Mod(L)</th>
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<th>Part(L)</th>
<th>Joint(R)</th>
<th>Joint(L)</th>
<th>Polar</th>
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Table 4: Cross Tabulation of Arrangements using Senate Median Versus Filibuster Pivot