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The Politics of Talk: Unconstrained Floor Time in the U.S. House of Representatives

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One- and five-minute morning speeches and special orders at the end of the day provide members of the House of Representative the opportunity to express themselves to a national audience. We hypothesize that these opportunities for unconstrained floor time can be used either to further a member's electoral prospects or to shape the policy debate. Using data on House members' behavior during the One-hundred Third Congress, we show that the use of unconstrained floor time is more consistent with policy based than electorally based explanations. In particular, we demonstrate that unconstrained floor time is used disproportionately by ideologically extreme members and by members of the minority party—both of whom are on the outside when it comes to policy influence.

Most bills in the House of Representatives are considered on the floor under special rules that restrict opportunities to engage in debate and to offer amendments. The House, however, routinely provides floor time for members to speak on issues of their choosing. These opportunities, unconstrained by normal House rules of germaneness and televised live by the Cable Satellite Public Affairs Network (C-SPAN) to a potential audience of some 60 million Americans (C-SPAN 1993), give members a forum in which they can pursue their personal and political goals.¹ Because floor debate is usually so tightly structured by the majority party, these largely unfettered floor speeches provide a unique window through which to observe the politics of talk.

Open access to the House floor, which occurs at the beginning of the day in the form of one- or five-minute speeches and at the end of the day as one-hour "special orders," has attracted little attention among students of Congress. The importance of such access, however, should not be understated. Indeed, the resurgence of the House Republicans under Newt Gingrich (R-GA) was due in significant part to Gingrich's aggressive use of such access to attack the Democrats and promote the conservative Republican agenda. In Gingrich's words, "As a former college teacher, I find [special orders] a very helpful time to explain complicated ideas and

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¹The importance of C-SPAN to House members is made obvious by the increase in floor speeches after the televising of House proceedings began (Cook 1989, 30; Garay 1984, 137–40; Smith 1989, 63).

outline research on multifaceted topics that we would otherwise not have sufficient time on the House floor to discuss in detail" (*Congressional Record*, 4 November 1983, 30952).

The potential importance of such speeches to members is also reflected in their content. During the One-hundredth Congress, 49% of the one-minute speeches were devoted to either national or international issues, 27% highlighted upcoming or pending legislation, and 4% focused on House procedures (Nickels 1990, 4). During the One-hundred Second Congress, 58% of the special order speeches pertained to national or international issues, 20% to specific legislation, and 4% to the operation of the House (Nickels 1993, 9).²

Participation in one- and five-minute speeches and special orders is widespread. During the One-hundredth Congress (1987–1988), 406 members gave 4,198 one-minute speeches, and during the One-hundred Second Congress (1991–1992), 280 members gave 1,383 special order speeches (Nickels 1990, 1993). However, such participation is also extremely uneven: some members (approximately 8% in the One-hundredth Congress) never give a one-minute speech (Nickels 1990) and many (more than one third in the One-hundred Second Congress) never give special orders (Nickels 1993). At the other extreme, some members speak almost every day. This variability undoubtedly reflects differences in personality (some members are simply more garrulous than others), life circumstances (some cannot be on the floor late at night), and other idiosyncratic factors that do not lend themselves to systematic analysis. But, variability among members in the propensity to talk may also stem from electoral and policy considerations—the possibilities that we pursue in this analysis.

WHY DO MEMBERS TALK? NINE HYPOTHESES

Why would a member willingly forgo the opportunity to be beamed live into the homes of millions of Americans? Almost every C-SPAN viewer votes,³ and local television stations sometimes run C-SPAN clips of local members (Cook 1989, 97–98). Accordingly, members have open access to a large audience of interested viewers. On the other hand, the decision to go to the floor for a one-minute speech or a special order, like the decision to introduce a bill (Schiller 1995) or to travel back to the home district (Parker 1986), entails an expenditure of resources that a member might prefer to conserve or to spend in other ways. Thus, members' decisions may be determined not only by idiosyncrasies of personality and life circumstances, but also by the relative strength of the various goals that motivate

²The remaining speeches were primarily eulogies or tributes, many of which were also designed to shape legislative and public opinion. For example, during the One-hundred Third Congress, Lucille Roybal-Allard (D-CA) delivered a one-minute speech commemorating "National Domestic Violence Awareness Month," which she concluded by calling for "a legislative agenda to protect victims and to prevent this abuse from scarring future generations" (*Congressional Record*, 4 October 1994, H-10687).

³In a postelection survey of 1,400 randomly selected nationwide respondents, 98% of C-SPAN viewers reported voting in the 1992 presidential election (C-SPAN 1993).

their behavior as members. Two such goals, electoral and policy, suggest alternative explanations of why members might take to the floor to talk.

Electoral Explanations

Members may use floor speeches that fall outside the confines of debates on pending legislation to serve their personal electoral needs. Floor speeches provide an opportunity for "position-taking," "advertising," and "credit-claiming," key strategies for enhancing one's chances of being reelected (Mayhew 1974). However, the strength of the electoral incentive varies as a function of the member's political circumstances and career aspirations. Visibility is likely to be more valuable to an electorally insecure member than to one whose reelection seems certain. Similarly, a member who is planning to retire cannot benefit electorally from a televised floor speech, but members who aspire to higher office might be unable to resist the prospect of being beamed into the homes of voters outside their district.

Most of the time available for unstructured floor speeches comes during special orders, which begin after the House has concluded its regular business for the day and frequently run late into the night. Members naturally want to speak when their constituents might be watching. Thus, the demand for early evening special orders exceeds the available time slots, as easterners and midwesterners compete for places during prime time.⁴ Members from the West Coast are in a better position to use special orders for electoral purposes because they can exploit low-demand times later at night.

In sum, the electoral perspective suggests four complementary hypotheses about the use of unconstrained floor time:

Hypothesis 1: Members who are electorally more vulnerable make greater use of unconstrained floor time than do those whose seats are safer.

Hypothesis 2: Members who plan to run for reelection make greater use of unconstrained floor time than do those who retire at the end of a term.

Hypothesis 3: Members who plan to run for higher office (a governorship or Senate seat) make greater use of unconstrained floor time than do those who plan to run for reelection.

Hypothesis 4: Members who represent a West Coast district make greater use of unconstrained floor time than do those from the rest of the country.

Policy Explanations

Members of Congress are generally motivated by policy as well as electoral considerations (Fenno 1973). Participation in floor proceedings may therefore strike them as an opportunity "to address larger audiences and ultimately to create a public

⁴ According to a House aide responsible for scheduling special orders, there is "always more demand for early evening [than for late night] special orders" (personal communication, October 1994).

mood that will land their concerns on the House agenda" (Cook 1989, 93). Unstructured floor speeches can be of aid to any member in these respects, but especially to members who lack access to more traditional routes for shaping policy—those who are, in some sense, "outsiders" (see, e.g., Huitt 1961).

Within the House, the majority party generally maintains firm agenda control (Sinclair 1983). As a result, minority party leaders routinely seek to use publicity to advance an alternative agenda (Jones 1970; Cook 1989). Unstructured floor speeches provide minority party members a unique outlet through which they can circumvent majority party control and push their own causes. This is the only occasion, Rep. Robert Walker (R-PA) argued when his party was in the minority, "when we can get a blocked period where we control the subject matter, where we decide what the issue will be and where we can discuss the issues on our own terms" (*Congressional Record*, 16 May 1984, 12592). This observation suggests a fifth hypothesis:

Hypothesis 5: Minority party members make greater use of unconstrained floor time than do members of the majority party.

Those on the minority side of the aisle are not the only members who find it difficult to shape policy outcomes. Compared to committee leaders who control committee agendas and enjoy numerous staffing and information advantages, rank-and-file members have considerably less influence over policy. They also receive less media coverage than do committee leaders (Cook 1986; Squire 1988). Consequently, rank-and-file members have fewer opportunities to push their legislative agendas through the media. Unstructured floor speeches are one of the few weapons at their disposal in the battle to influence legislation. It follows that:

Hypothesis 6: Rank-and-file members make greater use of unconstrained floor time than do committee leaders.

Prior to the mid-1970s, the norm of deference to senior colleagues deterred junior members from active participation in the legislative process (Fenno 1966; Matthews 1960). Although this norm has eroded over the last two decades (Smith 1989; Sinclair 1989; Uslaner 1993), junior status still entails significant behavioral constraints (Hall 1987, 105). Among other things, senior members are more likely to participate actively in committee deliberations and to be the focus of media attention (Cook 1986; but see Squire 1988). At a disadvantage in committee markups and generally ignored by the media, junior members may seize upon unconstrained floor time as one of their relatively few opportunities for legislative impact. Thus:

Hypothesis 7: More junior members make greater use of unconstrained floor time than do more senior members.

Party leadership involves protecting and promoting the party's reputation and fostering unity within the party caucus (Kiewiet and McCubbins 1991; Cox and McCubbins 1993). Floor speeches can help leaders perform both of these functions, for leaders can use them to communicate both within the chamber—to

members of the party caucus—and to the outside world—the general public—about their policy goals and specific legislative program. Accordingly:

Hypothesis 8: Party leaders make greater use of unconstrained floor time than do rank-and-file members of the party caucuses.

Finally, the motivation to use floor time to promote policy interests may not be uniform across the ideological spectrum. In a majoritarian institution, moderates are in a better position than extremists to influence policy outcomes (Black 1958; Shepsle 1979). To affect policy, ideological extremists must often circumvent traditional avenues of influence, and their tendency to “go public” is therefore understandable (Cook 1986; Kuklinski and Sigelman 1992); for example, in the mid-1980s a group of conservative Republicans—the self-styled “Conservative Opportunity Society”—capitalized on televised speeches to promote their views (Smith 1989, 67–68). Thus, the final hypothesis states that:

Hypothesis 9: Ideological extremists make greater use of unconstrained floor time than do moderates.

DATA AND METHODS

To measure House members' use of unconstrained floor time, we calculated the number of lines attributed to each member in the *Congressional Record* during the One-hundred Third Congress (1993–1994), based on *Legi-Slate*'s classification of statements in the *Congressional Record*.⁵ Omitted from these calculations were statements that occurred during consideration of legislative business, for such participation depends on the congressional agenda and on the willingness of a bill manager to yield to a particular member. Because normal floor procedures are tightly constrained by formal rules and established practice, it would be inappropriate to treat members' overall floor participation as a measure of their propensity

⁵On average, a line of text contains 11 words. *Legi-Slate*, an on-line data base owned by the Washington Post Company, classifies every section of the *Record* into one of 19 categories. Speeches made during either morning business (usually one-minute or five-minute speeches) or special orders are categorized as “Remarks, Statements.” This category excludes statements made when a bill is introduced or during floor debate, as well as materials a member did not write but inserted into the record. We also excluded statements in the “Extension of Remarks” section of the *Record*. According to House rules, statements written by a member and inserted into the *Record* during morning business are placed in the “Extension of Remarks” section unless they are under 300 words. With only a few exceptions, the speeches contained in the “Remarks, Statements” section are unstructured floor speeches.

The *Legi-Slate* data base reports the number of *Congressional Record* lines in a given speech. Working from this speech-by-speech information, we tallied each member's total lines for the One-hundred Third Congress. When a colloquy occurs between two members, *Legi-Slate* attributes the speech to both. In such cases, we assigned half the lines to each participant. In those relatively rare instances when several members participate in a colloquy, *Legi-Slate* reports the name of the lead member and the number of other participants (e.g., “Mr. Dornan and seven others”). In such instances, we excluded the entire colloquy from consideration. We also excluded members who did not serve for the entire One-hundred Third Congress.

TABLE 1
NEGATIVE BINOMIAL REGRESSION OF LINES SPOKEN

Variable	Estimate	Std. error	t-statistic
<i>Electoral</i>			
(1) Percentage of district vote received, 1992 (-)	.020	.006	3.334
(2) Retired before 1994 election (-)	.204	.263	.776
(3) Ran for higher office in 1994 (+)	-.019	.316	-.059
(4) Pacific time zone district (+)	.247	.221	1.120
<i>Policy</i>			
(5) Minority party ^a (+)	.870*	.228	3.819
(6) Committee chair (-)	.238	.407	.586
(6) Subcommittee chair (-)	-.004	.195	-.022
(6) Ranking committee member (-)	-.758*	.365	-2.074
(6) Ranking subcommittee member (-)	-.137	.237	-.580
(7) Number of years served (-)	-.003	.011	-.252
(8) Party leader ^b (+)	1.347*	.758	1.778
(9) Ideological extremism ^c (+)	.018*	.006	3.183
Constant	4.330*	.438	9.879
γ	1.778*	.089	19.934

Each variable is preceded by the number of the hypothesis with which it is identified and is followed by the predicted sign of the coefficient. Unless otherwise noted, the information source is Barone and Ujifusa (1994).

^aBernie Sanders (I-VT) was treated as a Democrat.

^bFor Democrats, top leadership positions were defined as speaker, majority leader, and whip; for Republicans, they were defined as minority leader, whip, and chair of the Republican Conference.

^cThis is a folded version of the American Conservative Union ratings of members of the One-hundred Third Congress. ACU ratings run from 0 (for a member who never takes the conservative position) to 100 (for a member who always takes the conservative position), with a mean for the One-hundred Third Congress of 46.7. The folded score is the absolute difference between a member's score and the midpoint of the scale (50); thus folded scores could range from 0 to 50. ACU scores were taken from the *Legi-Slate* data base.

Log-likelihood = 3,196.6.

Observations = 428.

Mean number of lines spoken = 851.26.

* $p < .05$ (one-tailed).

to speak. By contrast, focusing on members' use of unconstrained time allows us to determine which members go to the floor of their own volition.⁶

To test the nine hypotheses introduced above, we constructed a model composed of 12 predictors. These are listed in table 1, along with the hypothesis identified with each variable and the expected sign of each coefficient. Because the dependent variable was a count of lines, we employed the negative binomial model

⁶A 1994 change in the procedure for allocating time for these speeches had the potential to disrupt our measure. Officially, members who want to offer a special order or a morning business speech must gain recognition of the chair and unanimous consent of the House. Morning business speeches occur at

(King 1989a, 1989b).⁷ The negative binomial, like other regression models for count data, is especially appropriate when, as in the present case, the dependent variable is highly skewed. Like the Poisson model, the negative binomial assumes "that a fixed change in x would have a greater effect on y_i if the expected value were larger." Thus, in the present context, the model makes the reasonable assumption that it would take greater effort for a member to go from no unconstrained floor speeches at all to, say, 100 lines of speeches than would be required to go from 1,000 to 1,100 lines.

FINDINGS

The number of lines in unconstrained floor speeches attributed to members during the One-hundred Third Congress varied from 0 for 26 of the 428 members for whom complete information was available all the way to 19,387 for the most loquacious member (Robert Dornan, R-CA). The mean number of lines spoken was 851.3, but the median (351) fell considerably below the mean. Obviously, then, the distribution was highly skewed (skewness = 6.0), for which responsibility rested with a relatively small group of extremely talkative members, the 15 most active of whom were Dornan (R-CA, with 19,387 lines), Gonzalez (D-TX, 13,254), Gingrich (R-GA, 9619), Burton (R-IN, 8626), Goss (R-FL, 7,950), Owens (D-NY, 7,035), Dreier (R-CA, 6,466), Bentley (R-MD, 5,361), Weldon (R-PA, 5,209), Hunter (R-CA, 5,166), Bonior (D-MI, 4,930), Thomas (R-WY, 4,482), Traficant (D-OH, 4,396), Kingston (R-GA, 3,849), and Kaptur (D-OH, 3,671). A scan of these names establishes the initial plausibility of some of these hypotheses: consistent with the fifth hypothesis, 10 of the 15 members who talked the most during the One-hundred Third Congress belonged to the minority party; consistent with the eighth hypothesis, two party leaders (Gingrich and Bonior) made the list; and consistent with the ninth hypothesis, extreme liberals and extreme conservatives

the discretion of the Speaker, but recognition to deliver special orders and morning business speeches is on an alternating party basis. Before February 24, 1994, the Speaker recognized members from each caucus in the order in which they sought to speak. Since then, party leaders have chosen who would deliver each party's Monday and Tuesday morning hour speeches and the first hour of special orders. Although these changes had the potential to centralize control over special orders and morning hour speeches, the leaders of each party have almost always honored requests on a "first come, first served" basis (personal communication with a floor staffer, October 1994). To determine whether the February 24 change affected the findings reported here, we calculated separate totals of the number of *Congressional Record* lines delivered before and after the February 24 change. The patterns we observed were essentially identical, so the findings reported below are based on all speeches delivered during the One-hundred Third Congress.

⁷We chose the negative binomial model because, unlike the more familiar Poisson model, it copes well with overdispersion of the dependent variable. In the fitted negative binomial model, the overdispersion parameter g equaled 1.78 with a standard error of only .09 ($t \approx 19.93$), indicative of highly significant overdispersion. Because the log of 0 is undefined and because many members never utilize unrestricted floor time, an ordinary least squares model with a logarithmically transformed dependent variable would be inappropriate. The negative binomial is the optimal choice for such a situation.

dominated the list, with only Kaptur, Traficant, and Weldon having ACU scores within 25 points of the scale midpoint.

The coefficients for four of the predictors—the dummy variables designating ranking committee members, party leaders, and Democratic or Republican affiliation, and the ideological extremism measure—were statistically significant ($p < .05$, one-tailed). The coefficient for the member's 1992 vote share was also substantial, but incorrectly signed; that is, contrary to the first hypothesis, more electorally vulnerable members used less unconstrained floor time than their more electorally secure colleagues.

To gain a better sense of the impact of the four significant predictors than can be gleaned from the coefficients themselves, we calculated the effects associated with varying the four significant predictors one at a time while fixing every other predictor at a representative point (the mode for each dummy variable, the mean for each metric variable).⁸ Under these conditions, a ranking committee member would speak 265 fewer lines than other members. This is a sizable difference, but it pales by comparison to the impact of being a party leader. Two party leaders, Gingrich and Bonior, ranked among the top 15 users of unconstrained floor time and the heavy use Gingrich and Bonior made of one-minute speeches and special orders was the main reason why, with all the remaining predictors in the model held constant, a top party leader would be expected to have uttered 1,421 more lines than a rank-and-file member.

As anticipated in the fifth and ninth hypotheses, Republicans and ideological extremists were longer-winded than their Democratic and ideologically centrist colleagues. With the other variables in the model held constant, a Republican would be expected to have spoken 693 more lines than a Democrat, and moving out one standard deviation in either direction from the mean of the ideological extremism scale (± 13.5 from the mean of 34.6) would yield 244 more lines for the more extreme member. Naturally, combining these partisan and ideological effects in the impact analysis (as they are so often combined in the House) would produce even wider differences: between an ideologically moderate Democrat and an ideologically extreme Republican, the projected difference in number of lines spoken during the One-hundred Third Congress would be 1,127 lines.

Overall, then, one of the five policy-based hypotheses failed, for there was simply no indication that seniority mattered. Support was mixed for the policy-based prediction that committee leaders would make less use of unconstrained floor time than did other members. This was true for ranking committee members, but no differences emerged for committee or subcommittee chairs or for ranking subcommittee members. However, all three of the remaining policy-based hypotheses were borne out: party leaders, members of the minority party, and ideological extremists made greater use of unconstrained floor time, and all by wide margins.

⁸ The mode for every dummy variable was 0. The means for the remaining predictors were 63.4 for the member's share of the 1992 district vote, 10.2 for the number of years the member had served, and 34.6 for the ideological extremism measure.

By contrast, all four electorally based hypotheses failed. There was no significant difference between members who retired before the 1994 election and those who ran for reelection, between members who went on to seek higher office in 1994 and those who ran again for their House seat, or between members from the Pacific time zone and other members. There was a substantial difference based on the size of a member's electoral margin in 1992, but in direct contrast to the first hypothesis, it was more electorally secure, not more vulnerable, members who made greater use of unconstrained floor time.

Although these results strongly suggest that members use unrestricted floor time for policy rather than electoral reasons, it is appropriate to ask whether members deliver one-minute speeches for the same reasons as special orders. After all, because one-minute speeches occur at the opening of the legislative day and can easily be incorporated into nightly news coverage, different factors could motivate the politics of talk in these two different circumstances. Accordingly, we tested a separate negative binomial regression model using the number of one minute speeches as our dependent variable.⁹ In this model, the variables identifying party affiliation, ranking committee members, seniority, and ideological extremism had statistically significant effects. All five of these variables represented policy based hypotheses. The main differences between the one-minute and overall models were that party leaders did not disproportionately exploit one-minute speeches and that more junior members did.¹⁰

CONCLUSION

The poor showing of all four electorally based hypotheses suggests that House members are not motivated by electoral considerations to use unconstrained floor time. There is no denying that members' actions are often motivated by the desire to be reelected or to be elected to higher office. For example, members employ franked mail as an advertising tool (Fiorina 1977; Jacobson 1987; Mayhew 1974). However, their use of one- or five-minute speeches and special orders does not appear to be an instance in which electoral considerations are paramount. Indeed, there is essentially no correlation ($r = .02$, n.s.) between our measure of members' use of unconstrained floor time and the per-address franked mail expenditures each member incurred during the One-hundred Third Congress.¹¹

The failure of individual members to use unstructured floor time for electoral purposes does not necessarily mean that electoral circumstances are wholly unrelated to the politics of talk. It is conceivable that electorally vulnerable members find that their time is better spent in other activities, such as fundraising, than in

⁹ To identify one minute speeches, we searched all unconstrained floor time speeches for the phrase "was given permission to address the house for 1 minute." The search identified 5,900 speeches. The results for this model are available from the authors.

¹⁰ Because leadership meetings are frequently held during one-minute speeches (Sinclair 1995, 120, 269), the former finding is not surprising.

¹¹ The data on franked mail are from the National Taxpayers Union (1994).

delivering speeches to the C-SPAN audience. Likewise, it is conceivable that members who plan to retire and are thus freed from traditional electoral activities have more latitude to use floor time. The positive signs on both our district vote and retirement variables are consistent with these alternative explanations. Although electoral circumstances may affect members' use of unstructured floor time, our results suggest that these speeches are not utilized for electoral purposes.

Rather than simply providing electorally insecure members a free forum for reaching their constituents, special orders and short speeches serve as potential tools of policy influence within the House. That party leaders, ideological extremists, and minority party members resort to such speeches suggests that *structured* floor debate inadequately serves many members' policy goals. Unstructured floor speeches provide those members whose views are largely ignored in a majoritarian institution such as the House the opportunity to participate, and may thus serve as something of an institutional safety valve. Whether seeking to gain support for the majority party's agenda or to challenge that agenda from differing partisan and ideological positions, the House's most loquacious members seem driven by policy and political considerations beyond their own reelection to spend time and energy on the House floor. The long-term payoff may be changes to the agenda and composition of the House.

Whether the results reported here will continue to hold in a Republican-dominated House remains to be seen. However, we think they will. In 1995, Democrats like John Dingell (D-MI) and Harold Volkmer (D-MO), who in the past rarely spoke on the floor outside the confines of legislative business, became frequent visitors to the floor for one-minute speeches (Dewar 1995; Kahn 1995; Ridgeway 1995); indeed, in the words of Rep. Pat Schroeder (D-CO), "We try to encourage as many Democrats as we can to show up and do one-minutes." The Democrats, in short, quickly began adapting to their opposition status by using unstructured floor speeches to promote their party's political and policy agendas.

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