

Appendix for:
Congress, Lawmaking, and the Fair Labor Standards Act, 1971-2000

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Abstract

This appendix contains several Tables and Figures which supplement the results reported in “Congress, Lawmaking, and the Fair Labor Standards Act, 1971-2000.” Appendix A provides a comprehensive listing of the votes analyzed in Section 3 of the paper as well as a listing of the imposed equality constraints. Appendix B provides the code, and prior distributions used to estimate the model, and Appendix C summarizes the resulting model fit. Figure 1 replicates Figure 3 in the text to include more policy outcomes, Figure 2 extends Figure 5 in the text to graph the location of many politically salient proposals besides the final policy outcome for each legislative attempt to amend the FLSA reaching the floor, and Figure 3 compares the final proposal locations graphed in Figure 5 in the text to those that would result if the equality constraints of Appendix A were not imposed using a the Bayesian quadratic model implemented by the code in Appendix B, and Figure 4 presents the relationship between the constrained estimated and the proposal locations estimated by the DW-NOMINATE Common Space scores of Poole and Rosenthal.

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Appendix A: Votes and Constraints

Cong	Chmbr.	Bill	Date	Brief Description	$\theta_y(t)$	$\theta_n(t)$
92	H	HR7130	5/11/72	Amend Erlenborn Amdt.: Change Wage	2	3
92	H	HR7130	5/11/72	Amend Erlenborn Amdt.: Overtime provision	4	2
92	H	HR7130	5/11/72	Amend Erlenborn Amdt.: Strike Youth Wage	5	2
92	H	HR7130	5/11/72	Amend HR7130: Substitute Erlenborn	2	6
92	H	HR7130	5/11/72	To Pass: HR7130	7	1
92	H	HR7130	8/1/72	To Disagree to Sen. Amdts to HR 7130	16	1
92	H	HR7130	8/1/72	To Disagree to Sen. Amdts to HR 7130	16	1
92	S	S1861	7/19/72	To Amend: Extend Coverage	9	8
92	S	S1861	7/19/72	To Amend: Set Youth Wage	10	8
92	S	S1861	7/19/72	To Amend: Ag. Workers Wage	11	8
92	S	S1861	7/19/72	To Amend: Change Wage	12	8
92	S	S1861	7/20/72	To Table Taft Amendment	8	12
92	S	S1861	7/20/72	To Amend: Exempt Domestic Employees	13	8
92	S	S1861	7/20/72	To Amend: Change Wage	14	8
92	S	S1861	7/20/72	To Amend: Delete OT for bus drivers	15	8
92	S	S1861	7/20/72	To Amend: Change Wage for workers in Canal zone	16	8
92	S	S1861	7/20/72	To Amend: Set Youth Wage	17	16
92	S	S1861	7/20/72	To Amend: Change Wage for Puerto Rico and Virgin Islands	18	16
92	S	HR7130	7/20/72	To Pass HR7130: S1861 passed in lieu	16	2
93	H	HR7935	6/6/73	To Amend: Change Ag. Wage	3	2
93	H	HR7935	6/6/73	To Amend: Substitute Erlenborn	4	2
93	H	HR7935	6/6/73	To Amend: Change Wage	5	2
93	H	HR7935	6/6/73	To Amend: Change Wage	6	2
93	H	HR7935	6/6/73	To Amend: Change Ag. Wage	7	2
93	H	HR7935	6/6/73	To Amend: Change Ag. Wage	8	2
93	H	HR7935	6/6/73	To Amend: Exclude Fed. employees	9	2
93	H	HR7935	6/6/73	To Amend: Exclude State, Local employees	10	2
93	H	HR7935	6/6/73	To Amend: Exclude Seasonal industries	11	2
93	H	HR7935	6/6/73	To Amend: Set Youth Wage	12	11
93	H	HR7935	6/6/73	To Amend: Freeze wage in Canal zone	13	11
93	H	HR7935	6/6/73	To Pass: HR 7935	13	1
93	H	HR7935	6/6/73	To Pass: HR 7935 Conf. Rpt.	13	1
93	H	HR7935	9/19/73	To Override Veto	13	1
93	H	HR12435	3/20/74	To Amend: Exempt Newspaper Delivery	30	29
93	H	HR12435	3/20/74	To Pass: S2747 passed in lieu	31	33
93	H	S2747	3/28/74	To Pass: S2747 Conf. Rpt.	32	33
93	S	S1861	7/17/73	To Amend: Change Wage	15	14
93	S	S1861	7/18/73	To Amend: Dominick Substitute	16	14
93	S	S1861	7/19/73	To Amend: Increase Small Bus. Exemption	17	14
93	S	S1861	7/19/73	To Amend: Set Elderly Wage	18	14
93	S	S1861	7/19/73	To Amend: Exempt Workers	19	14
93	S	S1861	7/19/73	To Amend Cook Amdt.: Small Bus. exempt.	20	14
93	S	S1861	7/19/73	To Pass: HR7935 passed in lieu	14	1
93	S	HR7935	8/2/73	To Pass: HR7935 Conf. Rpt.	13	1
93	S	S2747	3/5/74	To Table Buckley Amdt.	22	21
93	S	S2747	3/5/74	To Amend: Dominick Substitute	23	22
93	S	S2747	3/5/74	To Amend: Change Wage	24	22
93	S	S2747	3/7/74	To Amend: Cover Domestic	25	22
93	S	S2747	3/7/74	To Amend: Clarify Guidelines	26	22
93	S	S2747	3/7/74	To Amend: Require Study Before Adoption	27	22
93	S	S2747	3/7/74	To Amend: Exempt Policemen & Firemen	28	22
93	S	S2747	3/7/74	To Pass: S. 2747	22	33
93	S	S2747	3/28/74	To Pass: S2747 Conf. Rpt.	32	33
95	H	HR3744	9/15/77	To Amend: Change Wage	3	2
95	H	HR3744	9/15/77	To Amend: Commission to study effect	4	3
95	H	HR3744	9/15/77	To Amend: Indexing	5	4
95	H	HR3744	9/15/77	To Amend: Tip credit	6	4
95	H	HR3744	9/15/77	To Amend: Exempt Seasonal workers	7	6
95	H	HR3744	9/15/77	To Amend: Set Youth Wage	8	7
95	H	HR3744	9/15/77	To Amend: Exclude Youth Ag work	9	7
95	H	HR3744	9/15/77	To Amend Blouin Amdt: Small bus. exemption	10	9
95	H	HR3744	9/15/77	To Amend Blouin Amdt: Small bus. exemption	11	9
95	H	HR3744	9/15/77	To Pass HR3744	11	1
95	H	HR3744	10/12/77	To Table Motion to Disagree with Sen. Amdt. and Request Conf.	11	12
95	H	HR3744	10/20/77	To Pass Conf. Rpt on HR3744	12	1
95	S	S1871	10/6/77	To Amend William Amdt: Change Wage	13	12
95	S	S1871	10/6/77	To Amend William Amdt: Change Wage	14	12
95	S	S1871	10/6/77	To Amend William Amdt: Change Timing	15	12
95	S	S1871	10/6/77	To Amend: Williams Substitute	12	16
95	S	S1871	10/6/77	To Amend: Study Tip Credit	17	12
95	S	S1871	10/6/77	To Amend: Tip Credit	18	12
95	S	S1871	10/7/77	To Amend: Exempt Youths	19	12
95	S	S1871	10/7/77	To Amend: Set Youth Wage	20	12
95	S	S1871	10/7/77	To Amend: Set Youth Training Wage	21	12
95	S	S1871	10/7/77	To Amend: Set Youth Training Wage	22	12
95	S	S1871	10/7/77	To Amend: Elderly Wage	23	12
95	S	S1871	10/7/77	To Table Division 2 of Deconcini Amdt.	24	12
95	S	S1871	10/7/77	To Table Bumpers Amdt. to Tower Amdt.	25	12
95	S	S1871	10/7/77	To Amend in Nature of Substitute:	11	12
95	S	S1871	10/7/77	To Pass HR 3744: Strike all but enacting clause, insert S1871	12	11
101	H	HR2	3/23/89	To Amend: Goodling Substitute	3	2
101	H	HR2	3/23/89	To Amend: Murphy Substitute	4	2
101	H	HR2	3/23/89	To Amend: Increase penalties	5	4
101	H	HR2	3/23/89	To Pass: HR2	4	1
101	H	HR2	5/11/89	To Pass Conf. Rpt for HR2	6	1
101	H	HR2	6/14/89	To Pass over President's veto	6	1
101	H	HR2710	11/1/89	To Pass: HR2710	7	1

Cong.	Chmbr.	Bill	Date	Brief Description	$\theta_{y(t)}$	$\theta_n(t)$
101	S	S4	4/11/89	To Amend: Perfecting Amdt.	9	8
101	S	S4	4/12/89	To Amend: Hatch Substitute	10	9
101	S	S4	4/12/89	To Amend: Increase SSA monthly earnings	11	9
101	S	S4	4/12/89	To Amend: Delay tax	12	11
101	S	S4	4/12/89	To Amend: Davis-Bacon	13	12
101	S	S4	4/12/89	To Table Wallop Motion	14	13
101	S	S4	4/12/89	To Recommit: S4	15	14
101	S	HR2	4/12/89	To Pass: HR2	14	1
101	S	HR2	5/17/89	To Pass: Conf. Rpt for HR2	6	1
101	S	HR2710	11/8/89	To Table Symms amdt.	7	16
101	S	HR2710	11/8/89	To Table Gramm amdt.	7	17
101	S	HR2710	11/8/89	To Pass: HR2710	7	1
104	H	HR1227	5/23/96	To Amend: Change Wage	3	2
104	H	HR1227	5/23/96	To Amend: Many Changes	4	3
104	H	HR1227	5/23/96	To Amend: Small Bus. exemption.	5	4
104	H	HR1227	5/23/96	To Pass HR1227	4	1
104	H	HR3448	8/2/96	To Pass Conf. Rpt. HR 3448 (& HR 1227)	6	1
104	S	HR3448	7/9/96	To Amend: Wage Provisions	8	7
104	S	HR3448	7/9/96	To Amend: Change Wage & Others	9	7
104	S	HR3448	7/9/96	To Pass HR3448 (& HR 1227)	10	1
104	S	HR3448	8/2/96	To Pass Conf. Rpt. for HR3448 (& HR 1227)	6	1
106	H	HR3846	3/9/00	To Amend:	3	2
106	H	HR3846	3/9/00	Motion to recommit	4	3
106	H	HR3846	3/9/00	To Pass HR3846	3	1
106	S	S1429	7/30/99	Sense of Senate: Amend FLSA (NG)	5	6
106	S	S625	11/9/99	To Table: Sense of Senate: Amend FLSA (NG)	9	10
106	S	S625	11/9/99	To Amend: Change Wage (NG)	7	8

Table 1: Note: the indexing is unique to each Congress – $\theta_{y(2)}$ in the 92nd Congress is not equivalent to $\theta_{y(2)}$ in the 93rd.

Appendix B: WinBUGS Code

```

model{ for (i in 1:V92){
  y92[i] ~ dbern(prob92[i])
  uy92[i] <- -pow((x[legis92[i]] - theta92[yi92[i]]),2)
  un92[i] <- -pow((x[legis92[i]] - theta92[ni92[i]]),2)
  logit(prob92[i]) <- uy92[i] - un92[i]}

for (j in 1:V93){
  y93[j] ~ dbern(prob93[j])
  uy93[j] <- -pow((x[legis93[j]] - theta93[yi93[j]]),2)
  un93[j] <- -pow((x[legis93[j]] - theta93[ni93[j]]),2)
  logit(prob93[j]) <- uy93[j] - un93[j]}

for (k in 1:V95){
  y95[k] ~ dbern(prob95[k])
  uy95[k] <- -pow((x[legis95[k]] - theta95[yi95[k]]),2)
  un95[k] <- -pow((x[legis95[k]] - theta95[ni95[k]]),2)
  logit(prob95[k]) <- uy95[k] - un95[k]}

for (l in 1:V101){
  y101[l] ~ dbern(prob101[l])
  uy101[l] <- -pow((x[legis101[l]] - theta101[yi101[l]]),2)
  un101[l] <- -pow((x[legis101[l]] - theta101[ni101[l]]),2)
  logit(prob101[l]) <- uy101[l] - un101[l]}

for (m in 1:V104){
  y104[m] ~ dbern(prob104[m])
  uy104[m] <- -pow((x[legis104[m]] - theta104[yi104[m]]),2)
  un104[m] <- -pow((x[legis104[m]] - theta104[ni104[m]]),2)
  logit(prob104[m]) <- uy104[m] - un104[m]}

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```

for (n in 1:V106){
  y106[n] ~ dbern(prob106[n])
  uy106[n] <- -pow((x[legis106[n]] - theta106[yi106[n]]),2)
  un106[n] <- -pow((x[legis106[n]] - theta106[ni106[n]]),2)
  logit(prob106[n]) <- uy106[n] - un106[n]}

for (o in 1:N){x[o]~dnorm(0,1)}
for (p in 1:M92){theta92[p]~dnorm(0,.16)}
for (q in 1:M93){theta93[q]~dnorm(0,.16)}
for (r in 1:M95){theta95[r]~dnorm(0,.16)}
for (s in 1:M101){theta101[s]~dnorm(0,.16)}
for (t in 1:M104){theta104[t]~dnorm(0,.16)}
for (u in 1:M106){theta106[u]~dnorm(0,.16)}
}

```

Appendix C: Model Fit

Table 2 reports the fit of the constrained model used in the text. It reports the number of votes analyzed in each Congress, the number of parameters that are estimated using the set of votes, and the ratio of estimated parameters to votes. Recall that in an unconstrained ideal point model two parameters are estimated for every roll call, yielding a ratio of 2. Imposing the constraints described in Table 1 of Appendix A results in a significant reduction of the number of estimated parameters; only during the 106th Congress does the number of parameters approach the number estimated without the constraints.

	Votes	Vote Parameters	Ratio	Naive Classification	Model Classification
92nd (1971-72)	19	18	.947	.597	.904
93rd (1973-74)	34	32	.941	.631	.855
95th (1976-77)	27	25	.926	.624	.831
101st (1989-90)	19	17	.895	.644	.897
104th (1995-96)	9	10	1.11	.633	.902
106th (1999-00)	6	10	1.67	.588	.920

Table 2: Model Fit

“Naive Classification” reports the probability of correctly predicting an individual vote based only on the modal vote, and “Model Classification” presents the probability of correctly predicting a vote using the estimated model parameters. Despite estimating half as many constraints as the unconstrained model, the model classification is quite sensible.

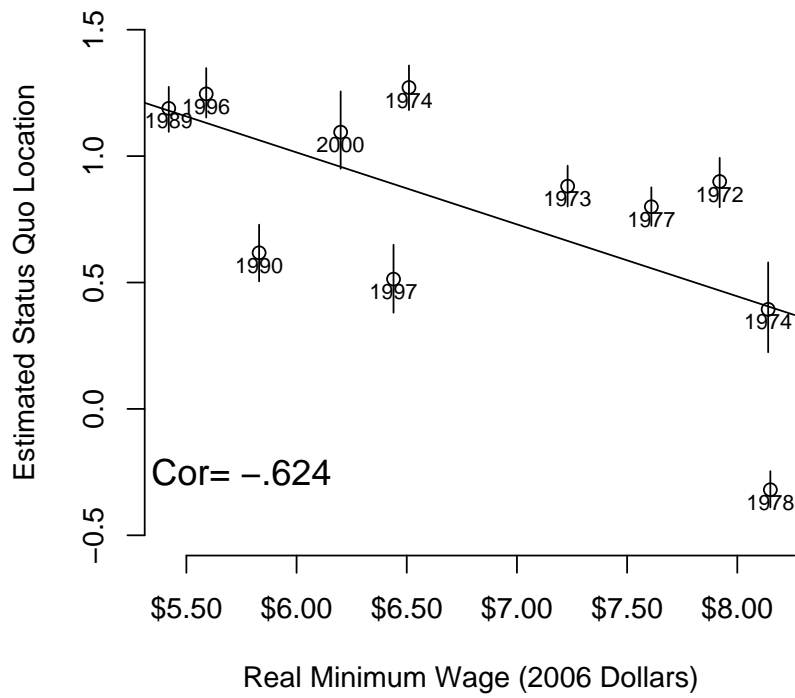


Figure 1: ESTIMATED POLICY OUTCOMES AND REAL MINIMUM WAGES: Relationship between the estimated location of successful enactments and status quo locations and the real minimum wage. Excluding the outlying 1978 policy location still produces a sizable correlation of -.512.

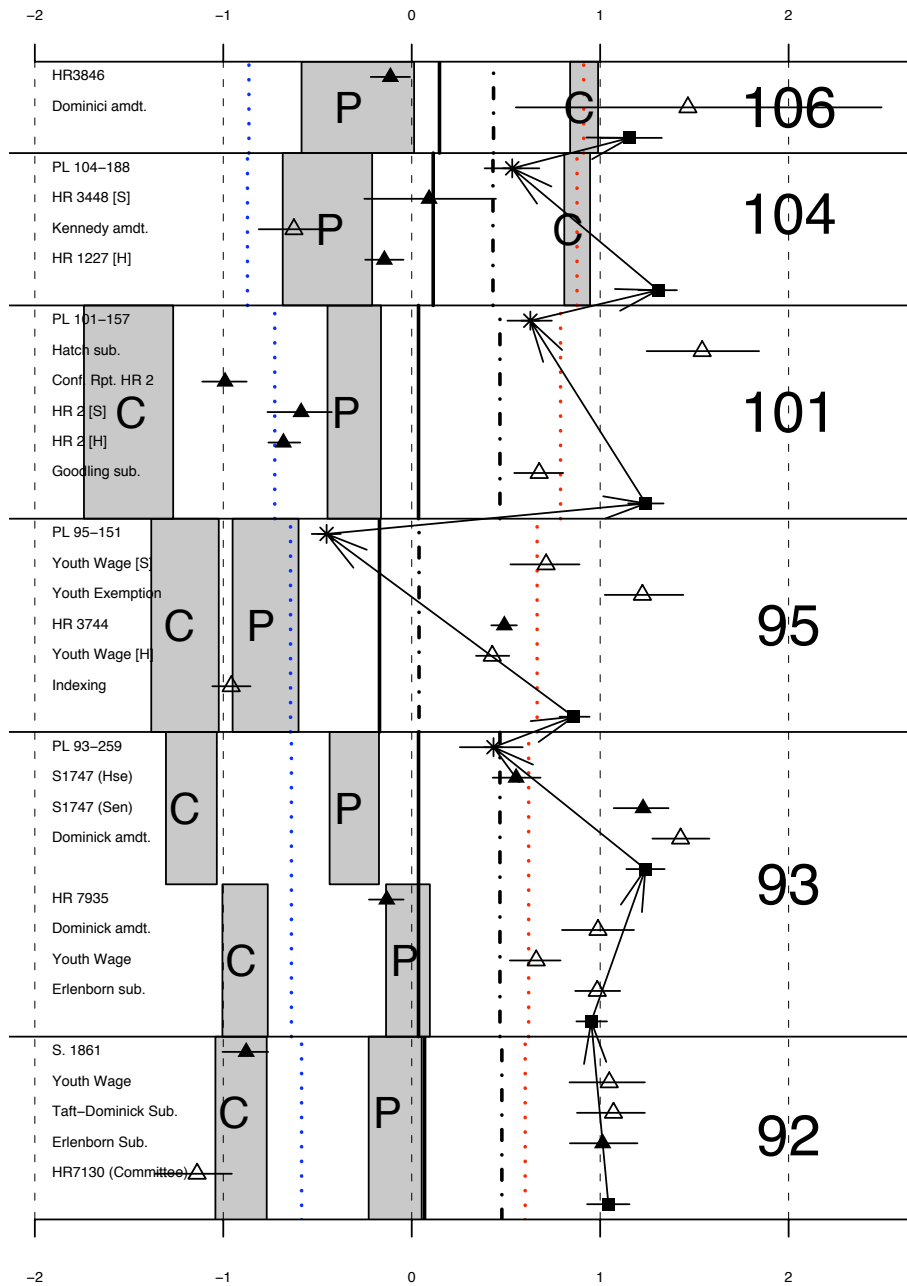


Figure 2: ESTIMATED POLICY CHANGE & KEY PROPOSAL LOCATIONS, 1971-2001 Trajectory of successful (solid) and unsuccessful (open) policy change as well as enacted public laws (asterisks) in the estimated policy across time relative to the status quo (solid square) and most liberal outcomes under the Cartel (C) and Pivot (P) theories.

Comparing Final Proposal Locations

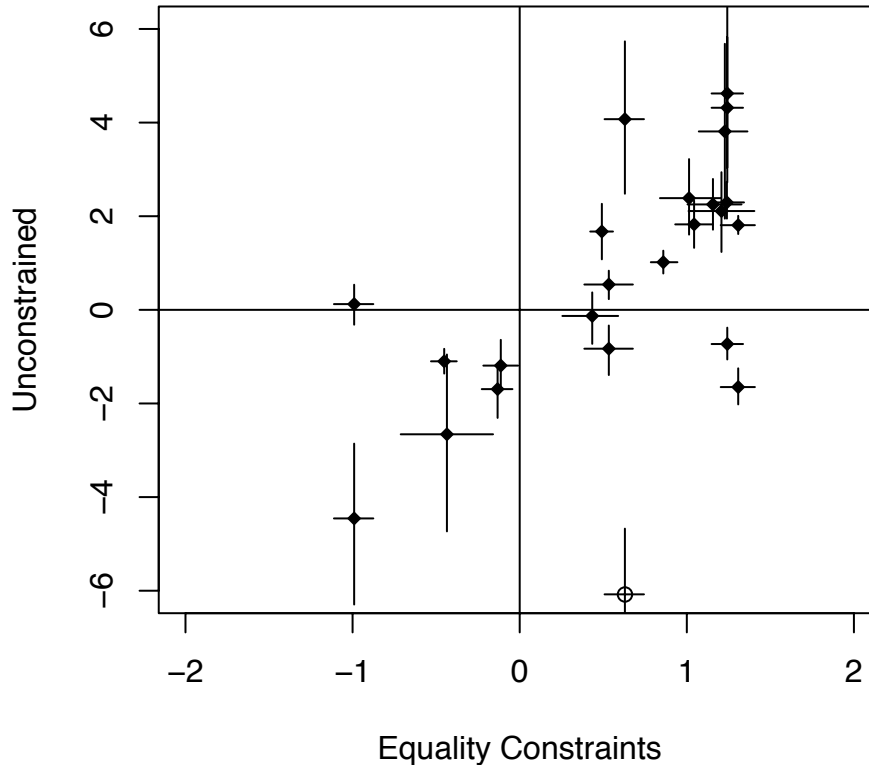


Figure 3: COMPARING CONSTRAINED AND UNCONSTRAINED FINAL PROPOSAL LOCATION ESTIMATES: The figure graphs the final estimated location using estimators with and without the equality constraints imposed for the proposals graphed in Figure 4 in the text. The one outlying point (unshaded in the figure) is the estimated location of the proposal associated with the successful final passage vote on HR 2710 in the House on 11/1/1989. This vote overwhelmingly passed on a 382 to 37 vote. Highlighting the problems that result from relying exclusively on the parametric identification of the proposal locations, without any additional information the unconstrained estimator estimates the implied policy location associated with the passage of the vote to be -6.08 – wholly implausible given that the most liberal member of Congress is estimated to have an induced ideal point of -2.05. Given the imposed constraints on the location of the status quo involved in the vote, the constrained estimator produces an estimate of .660 (which is reassuringly similar to the estimated ideal point of President George H.W. Bush given the substantive policy content of HR 2710). Note also that the unconstrained estimates are far more extreme than the constrained estimates despite the fact that the same normalization assumption is imposed on the estimated ideal points (i.e., \mathbf{x} is mean 0 and variance 1). This reflects the nature of the parametric identification noted by Poole and Rosenthal (1997).

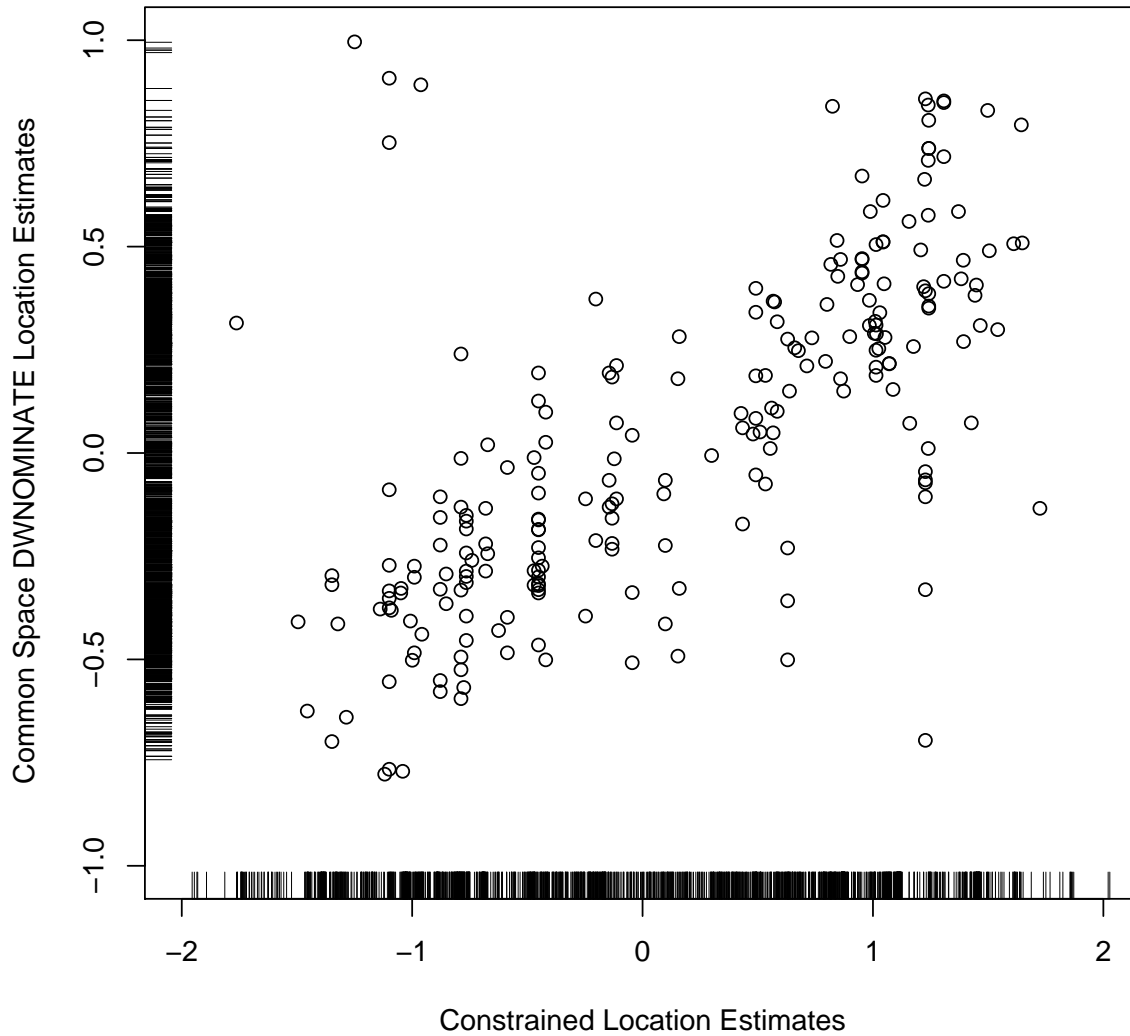


Figure 4: COMPARING AGENDA CONSTRAINED AND (UNCONSTRAINED) COMMON SPACE DW-NOMINATE LOCATION ESTIMATES: The figure graphs the final estimated location using the estimator described in the text and the proposal location estimates associated with the (unconstrained) DW-NOMINATE Common Space estimator. The effect of the equality constraints is evident in the “stacking” of the points for a given constrained location estimate. The hashes along the x and y axes denote the distribution of estimated ideal points by each estimator. As is clear from the figure, despite scale differences due to differences in the identifying assumptions, there is a clear relationship between the two set of estimates. Even so, differences are sometimes evident and the Common Space proposal locations appear more extreme than the constrained estimator.