Congressional Voting on the Secure Fence Act of 2006: Political Posturing Overshadows Campaign Contributions

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ABSTRACT

This study examines the determinants of voting on the 2006 Secure Fence Act in the U.S. House of Representatives. First, a simultaneous probit-Tobit model is used to account for the endogenous nature of campaign contributions. It reveals five significant determinants of campaign contributions from Agribusiness—political ideology, membership on the Committee on Agriculture, Mexican border geography, urbanization, and seniority—only to find that industry donations were not levered to affect Congress members' votes. A multivariate probit analysis reveals that political posturing, constituent interests, political ideology, environmentalism, and district racial composition all helped determine representatives' votes on the bill.

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I. Introduction

National security and immigration reform have been of significant interest during the last several legislative sessions. Creating a just and reasonable way to manage the millions of illegal immigrants already in the country, formulating a guest-worker program to match willing workers with available jobs, and intensifying the enforcement of employers guilty of hiring undocumented workers are all viewed as necessary steps, and have been on President Bush's agenda throughout his presidency (Bush, 2006, State of the Union, para. 42). Especially following the events of September 11, 2001, border security increased in importance as an immigration control mechanism, in addition to being seen as vital to the national security of the United States. Ultimately, these two issues collided with pre-election political posturing in the form of H.R. 6061: The Secure Fence Act of 2006.

This was not the first time that the House had encountered similar legislation. Early on in the session, it seemed as if Congress was making progress towards more comprehensive reforms. The House passed H.R. 4437, which encompassed the objectives of H.R. 6061 (Congressional Record (CR), Rep. Farr, H6591). Approximately five months later, the Senate passed similar legislation, S. 2611, the Comprehensive Immigration Reform Act. A major difference between the two, however, was that the Senate bill included a provision that would have granted amnesty to 10 million illegal immigrants, a specification absent from the House bill (Rector, 2006). Democrats accused Republican leadership multiple times of balking at the opportunity to confer and resolve the differences between the bills in order that it reach the President for signature

(CR, H6588-H6592). Instead, Republicans resorted to piecemeal legislation to pass the provisions that had ample support.

On September 13, 2006, the Secure Fence Act was introduced in the House. Just one day later, it was passed by Representatives by a vote of 283-138 (Roll Call 446). Two weeks later, it was passed by members of the Senate, 80-19, and then it was signed into law by President George W. Bush on October 26. This paper examines the determinants for Representatives' vote on the bill in order to determine if the vote was representative of constituent interests, altered by campaign contributions from stakeholders in immigration reform, or simply the product of political maneuvering and gamesmanship. Which of this trio is primarily responsible for the passing of H.R. 6061 ultimately helps determine whether the legislation will have a meaningful impact or not.

This paper begins with a description of the fence bill, both its provisions and its controversy, followed by a review of relevant congressional voting and immigration literature. Next, it presents the simultaneous probit-Tobit model, and its utility for incorporating campaign contributions as an endogenous variable. Since campaign contributions are found to be extraneous, I also present a simplified probit model, which does not include campaign contributions as an independent variable. The results from these two models follow, finding that political posturing, constituent interests, strength of political ideology, environmentalism, and district racial composition each had a significant impact on the way that Congress members voted.

II. The Secure Fence Act

Though it was only considered for one day, the Secure Fence Act was subject to heated debate on both sides. Proponents touted the measure as an integral part of a larger,

forthcoming immigration reform package, while opponents dismissed the legislation as a hollow effort at political wrangling. Examining the content, rhetoric, and debate surrounding the bill illuminates its intended purposes and major points of contention.

A. Content

The bill "directs the Secretary of Homeland Security, within 18 months of enactment of this Act, to take appropriate actions to achieve operational control over U.S. international land and maritime borders," which includes construction of 700 miles of reinforced fence with an all-weather road to allow Border Patrol officers easier control over more of the border (H.R. 6061 at Sec. 1a). It also calls for technological and lighting improvements (including ground-based sensors, satellites, radar coverage, and cameras) in order to more easily maintain border security remotely.

The Act also directs the Department of Homeland Security to "conduct a study on a state of-the-art infrastructure security system along the northern international land and maritime border" (H.R. 6061 at Sec. 4). The study would be used to determine the necessity, feasibility, and economic impact of implementing such a system. Further, the Act required an evaluation of the "authority of personnel of United States Customs and Border Protection to stop vehicles that enter the United States illegally and refuse to stop when ordered to do so by such personnel" (H.R. 6061 at Sec. 5). This last provision was in response to the "absurd anti-American prosecution of two Border Patrol agents, Ignacio Ramos and Jose Compean, who were doing their jobs to protect the U.S. border and protect drugs from entering America" (CR, Poe, H6585). Ramos and Compean were charged with the unlawful pursuit of an illegal invader, whom they shot and wounded after stopping his van loaded with $1 million of marijuana (Seper, 2006).

B. The President's Stance and Agenda

As President Bush (2006) noted in a speech given at the bill's signing, "The Secure Fence Act is part of our efforts to reform our immigration system. We have more to do". Sweeping immigration reform seemed to become a more pressing issue following September 11, doubling funding for border security to $10.4 billion, and doubling the number of Border Patrol agents by 2008 (Bush, President Bush signs Secure Fence Act 2006). With all the progress that has been made, however, the 109th Congress fell far short of the broader reforms that President was looking to implement.

The legislation was not an unequivocal positive for the President, however. While he portrayed it as a step toward immigration reform, the bill put "him in a tight squeeze with international allies and his own immigration principles on one side, and the electoral needs of his party on the other" (Fletcher, 2006). The fence was an affront to the Mexican government, which immediately issued an "emphatic rejection" of the barrier (Montgomery, 2006).

C. Congressional Debate

Support for the bill originated primarily from an intent to "show the American people that we can perform the most basic obligation of any government, and that is to secure the Nation's borders" (CR, King, P., H6582). Debate included assertions that there was popular support for the fence based on numerous hearings, that illegal immigrants—especially terrorists—were flooding over the border, and that the fence would significantly reduce the number of successful illegal crossings. According to Customs and Border Patrol, "644 illegal immigrants from countries that sponsor terrorism were apprehended by the Border Patrol in 2005" (CR, Weldon, H6590). Furthermore, that

Democratic governors have declared states of emergency in New Mexico and Arizona as a result of mass immigration served as an attempt to de-politicize the issue , since the fence would be one step towards reducing this influx (CR, Tancredo, H6584).

Democrats responded that the facts about illegal immigration and terrorism were nothing more than a Republican scare tactic. Lloyd Doggett (D-TX), "accused House Republicans of using immigration as a scare tactic, conflating terrorists with immigrants looking for work so that Americans would think that 'Osama bin Laden is heading north in a Sombrero'" (Gaouette, 2006). According to Democrats, the evidence for terrorists illegally crossing the southern border has been unnecessarily inflated.

Proponents also note that the sections of fence built near San Diego have had a significant impact on the crime rates of border cities. As Rep. Hunter explains, "The fence in Sand Diego works…We stopped the murders. We stopped the border gangs. And the crime rate in the City of San Diego dropped by more than 50%, according to FBI statistics" (CR, Hunter, H6590). These gains, according to proponents, would be replicated in every place the fence is built.

The fence was also seen as having a spillover benefit the War on Drugs. As Rep. Steve King (R-IA) argues, "There are $65 billion of illegal drugs pushing on that wall. We can shut all that off and save America drug addicts at the same time" (CR, King, S., H6585). As an impenetrable physical barrier, the fence would make it much more difficult and costly for drug smugglers to cart their wares across the southern border. Another secondary benefit of the fence, according to Rep. Pete King (R-NY), is humanitarian: "not allowing so many people to die in the desert the way they do today because there is no fence" (CR, King, P., H6583). Though the Democrats point out that

this argument seems far-fetched, it is plausible that a fence along the most treacherous stretches of the southern border would reduce the number of unintended deaths. As Rep. Duncan Hunter (R-CA) relates, "about 400 people a year die in [the] desert of dehydration or sunstroke after their smuggler tells them it is just a few miles north to the road and it turns out to be 10 or 20 miles" (CR, Hunter, H6590).

Democratic opposition centered on the political nature of the bill. As Nicole Gaouette (2006) reports, "Democrats in both chambers dismissed the border measures as a political ploy, particularly considering that the House has already passed many of their provisions, including the fencing requirement". Just one look at the Congressional Record makes this expressly clear. Representative Hoyer very candidly expresses the Democratic viewpoint:

> "We only have…3 weeks to go, the elections are coming, and, very frankly, the Republicans aren't doing too well, and the fear factor is one of their major political ploys… this is to score political points that are going to be demagogued in 30 second ads…" (CR, Hoyer, H6588)

Hoyer is not alone in his criticism. Rep. Alcee Hastings, D-FL, attributed the measure to "nothing more than political gamesmanship in the run-up to the midterm elections," while Rep. Grijalva (D-AZ) accuses the Republicans of wanting "to appear that we are accomplishing something as we are nearing election" (Durbin, 2006) (Grijalva, H6584).

Criticism of the bill did not stop at mere politics, however. Rep. Doggett, called the bill a "barbed-wire smokescreen", since, "with no funding accompanying the bill, it is really less of a fortification than a fairy tale…" (Doggett, H6586). This is perhaps one of the biggest telltale signs of the magnitude of the bill's relevance: the estimated total cost of fence construction is $7 billion, but the bill only appropriated $1.2 billion. When

ongoing maintenance costs are added to that, it is difficult to fathom the fence ever becoming a realistic anti-immigration tool.

There is also a clear economic cost to the fence, as demonstrated by Rep. Hinojosa (D-TX). Having grown up along the border, he notes that,

> "Trade is the lifeblood of the Mexico-US border communities and of this Nation. In the Rio Grande Valley, thousands of people cross back and forth across the border daily to shop, to work, to get medical care, and to go to school. Fences will stifle that trade and destroy the economic gains border communities have made" (CR, Hinojosa, H6583).

Republicans respond that the cost of $7 billion "is a small fraction of the cost that illegal immigration imposes upon the taxpayers of the United States and the taxpayers of the various States of this country" (CR, Goode, H6584). Studies done indicate that there is a substantial cost to the Federal budget of illegal immigration. Steven Camarota (2004) of the Center for Immigration Studies estimates that the average annual cost of illegal households was over $10 billion and growing (Appendix).

Detractors also note that the fence would have negative environmental side effects. As Rep. Sam Farr (D-CA) notes, "building a 2-layer fence through hundreds of miles of public lands and National Parks will have severe ramifications on the delicate ecosystems of the desert. Already in Arizona alone, the Border Patrol estimates that 39 protected or proposed to be protected species are being affected by its operations" (CR, Farr, H6591). Members of Congress concerned with environmental issues, who are often considered more liberal, are thus provided with another reason to oppose this piece of legislation.

D. Industry Positions

Both the Agribusiness and Labor sectors are interests that have a vested interest in immigration reform, though in opposite directions. Agribusiness depends on cheap, immigrant labor to perform many of the harvest-time duties. Roberto Martinez (1997), director of the U.S./Mexico Border Program, says, "the growers, if they had to comply with fair labor laws of the state of California…they'd go broke" (Part 3). Ideally, farmers are in favor of a guest worker program that would give them access to immigrant labor legally, but without comprehensive reforms, this measure would be ineffectual. Stories of the garlic harvest being lengthened by months in California, and oranges being left unpicked in Florida, speak to the dire need for agricultural labor (Campbell, 2006). As Sen. Barbara Boxer (D-CA) explains, "the status quo is killing farmers. They are desperate" (Gaouette, 2006). Until broader measures are passed, the demand for labor causes Agribusiness to rise in opposition to the fence.

Organized labor is naturally at odds with any type of reform that allows cheap labor easy access to American markets. The AFL-CIO's executive council believes, "our failed immigration policies also have encouraged employers to use guest-worker programs to lower labor standards and working conditions for all workers within our borders" (Hurt, 2006). Senator Byron Dorgan, when similar legislation was being debated in the Senate, described the situation, saying, "the corporate strategy is export good American jobs and then import cheap labor. That might be good corporate strategy, but in my judgment, it's not good for the American worker" (Hurt, 2006). Labor unions protect the interest of their member organizations by rising for the wall and the obstacle it presents to potential low wage laborers.

III. Literature Review

Legislators' motivations when voting on a bill are numerous and tangled. As such, a wealth of literature exists that attempts to disaggregate the number and magnitude of influences when they vote in congress.

The foundation of the economic theory of congressional decision making is in that congressmen are trying to maximize their chance at reelection, so they will thus attempt to maximize the number of votes they will receive. As McArthur and Marks (1988) put it, "In order to get reelected, legislators must further the pocketbook interests and ideological views of their constituents." Stratmann (1991) argues that the number of votes a candidate receives depends on his position relative to the opposition candidate's position, "where the position of the candidates is a function of the voters' preferences" (p. 607). This is essentially an extension of the Median Voter Theory, which hypothesizes that in close races, candidates will move toward the median voter in hopes that they are able to win more votes from their opponents' support base (Congleton, 2002).

Stratmann (2001) also helps explain the role of interest group contributions. He posits that, "if voters had perfect knowledge, campaign contributions would have no effect on the outcome of the election, nor on the position of the candidates… rational ignorance is the door through which money enters the political process" (p. 607). In other words, since it is too costly for voters to precisely track their representatives' voting records, representatives will accept money from interest groups in order to help win votes. Though the evidence doesn't suggest that politicians trade votes for money in the same way as a bribe, there is evidence that the receipt of monies from interest groups can

affect a legislator's position by an indirect mechanism: increased access to a legislator (Baldwin & Magee, 2000, 81).

The received money is primarily used in campaigns, which help inform voters—though often selectively—of a particular candidate's positions, which often translates into votes. Baldwin and Magee (2000) sum up this exchange nicely, in that, "interest groups provide the campaign funds that public officials need to stress the merits of their candidacies to imperfectly informed voters. In exchange, politicians provide public policies that raise the economic rents earned by the interest groups" (p. 80).

In one of the earliest studies that used an economic approach to congressional decision making, Silberman and Durden (1976) used a multivariate probit analysis to identify the major determinants of congress's collective decision making. They found that interest groups and constituent characteristics both had a significant impact on the congressional vote on the minimum wage.

Since Silberman and Durden, congressional voting theory has seen a dynamic evolution. Chappell (1982) proposes a simultaneous probit-Tobit model to better deal with the endogeneity of campaign contributions. Filmer and Lokshin (no date) thoroughly describe the implementation of this technique, and Rivers and Vuong (1988) develop an exogeneity test for the model. Stratmann (1991) uses and refines this model in his analysis, concluding that even relatively small contributions can have a significant effect on both votes. He also offers that the failure to find a causal relation is not the result of a poorly constructed economic theory, but rather "the selection of inappropriate votes and improper empirical models" (p. 619). He further hypothesizes that "Empirical models that test [the relationship between campaign contributions and voting behavior of

legislators] must allow for the endogeneity of campaign contributions, for the dichotomous nature of the dependent vote variable, and the non-negativity constraint of campaign contributions" (Stratmann, p. 606). All three criteria are met by the SPT model.

Fordham and McKeown (2003) propose that "economic interests play a major role in shaping the party composition of Congress, as well as the ideology of its members", and so incorporate the idea that constituent interests influence congressional votes even on issues where they are not specifically lobbied. Baldwin and Magee (2000), in their analysis of three pieces of trade legislation, use the SPT model to determine that policymakers choose "a particular set of contributions and associated policies to maximize his or her own welfare function" (p. 91).

IV. Econometric Model

At the most fundamental level, models of congressional voting employ a probit model, where the dependent variable—a congressman's vote—is dichotomous: either no (0) or aye (1). Probit models are nonlinear models that generate predicted values between zero and one.

$$\Pr(\text{vote} = 1 | X_1, X_2, \ldots, X_k) = \Phi(\beta_0 + \beta_1 X_1 + \beta_2 X_2 + \cdots + \beta_k X_k) \quad (1)$$

The independent variables, X_i, are regressed as a function of Φ, the standard normal distribution function. Each coefficient, β, represents the effect of each independent variable on the probability of a yes vote.[1] Since the coefficients are only given meaning by the standard normal distribution function, however, they are not easily interpreted beyond strictly the sign of the coefficient, or as tradeoffs among independent variables. A positive coefficient will raise the probability of a yes vote and a negative

[1] For a more thorough explanation of basic Probit models, see Stock and Watson p. 302

coefficient will diminish it, but the magnitude of this impact requires the additional analysis of calculating marginal effects. In STATA, this is done by reporting "the change in the probability for an infinitesimal change in each independent, continuous variable and…the discrete change in the probability for dummy variables" (STATA, 2007). The estimates for continuous variables are taken from the mean, so they will vary for each individual congressman.

The multivariate probit model encounters difficulties, however, when campaign contributions are added as an independent variable, since it is plausible—and even likely—that campaign contributions are an endogenous variable. This is the case if unobserved components in the contribution equation are correlated with the unobserved components of the probit voting model, which would result in biased estimators. This characteristic is quite plausible when examining the nature of campaign contributions.

For instance, suppose a candidate is a member of a caucus that supports all minority and immigrant interests, and that PACs tend to give money to legislators who are members of that coalition.[2] Thus, membership in the caucus increases the probability that a representative votes in the donor's interest, and increases the probability that they receive funding from the PAC. In this case, the legislator might have been in support of the contributors' interests, irrespective of the contribution. However, since "the probability of voting yes and contributions move in the same direction…the coefficient is overestimated with a single equation method because the disturbances are positively correlated" (Stratmann, 2001, p. 610). In other words, campaign contributions are correlated with the population error term. Similarly, the coefficient on contributions would be underestimated if this relationship is negative. Either way, the effect is a biased

[2] Example adapted from Stratmann, p. 609

estimator in the single equation probit model. A simultaneous equation or reverse causality bias could also arise within the single-equation method.

Noting these pitfalls, Thomas Chappell (1982) derived the SPT model. Along with endogenous campaign contributions, the SPT model constrains contributions to be non-negative, while still incorporating the dichotomous nature of the dependent vote variable.

Simultaneous Probit-Tobit Model

$$y_{1i} = \gamma w_{2i} + \beta_1 X_{1i} - \upsilon_{1i} \quad (1)$$

$$y_{2i} = \beta_2 X_{2i} - \sigma_2 \upsilon_{2i} \quad (2)$$

$$w_{1i} = 1 \text{ if } y_{1i} > .5 \quad (3)$$
$$= 0 \text{ if } y_{1i} \leq .5$$

$$w_{2i} = y_{2i} \text{ if } y_{2i} > 0 \quad (4)$$
$$= 0 \text{ if } y_{2i} \leq 0$$

$$E(\upsilon_{ji}) = 0;\ E(\upsilon_{1i}\,\upsilon_{2i}) = \rho;\ E(\upsilon_{ji}\upsilon_{j'i'}) = 0 \text{ for } j, j' = 1, 2; \quad (5)[3]$$
$$i, i' = 1,\ldots, n,\ i \neq j$$

where

y_{1i} = the propensity of a congressman to vote in favor of the contributor's position
w_{1i} = a dummy variable where 1 indicates a vote in favor of the contributor's position and 0 indicates a vote in opposition
y_{2i} = the propensity of the interest group to contribute to congressman i
w_{1i} = the predicted contribution to congressman i
X_{1i} = a vector of variables representing constituency characteristics
X_{2i} = a vector of variables indicating party, ideology, and seniority, and describing the legislative power of a congressman[4]

[3] For a full description of error term assumptions, see Chappell, p. 78 and Stratmann, p. 610
[4] Chappell's model deals with candidates for election, so the probability of election is included here. Since this analysis deals with already-elected candidates, however, it differs from Chappell's inclusions in this area.

Equation (1) designates that the propensity of a congressman to vote in favor of the contributor's position is determined by the contribution, as well as a vector of exogenous variables. Chappell (1982) explains that, "it is useful to imagine that the exogenous variables determine an 'initial position' on the issue for a candidate, and that contributions cause shifts away from that position" (p. 78). Since the politician's goal is reelection, he will attempt to increase his odds by reflecting his constituents' interests in his voting behavior. However, since, as previously noted, the political world is characterized by imperfect voter knowledge, interest group expenditures are also part of the propensity function.

Equation (2) indicates the propensity of an interest group to contribute to a candidate as y_{2i}, as long as y_{2i} is greater than zero. This equation incorporates the nonnegative nature of campaign contributions. One would expect certain characteristics of legislator influence—seniority, committee memberships, and ideological leanings—to impact the receipt of interest group funding, so these variables make up X_2.

Equation (3) indicates the vote predicted by the model, after incorporating both the estimated campaign contributions and other independent variables. As long as the …?

Equation (4) incorporates the non-zero characteristic of the Tobit model. If the propensity of an interest group to contribute to a congressman is negative, then the Tobit model will predict a zero contribution. This is to prevent candidates from receiving an impossible negative contribution from the interest group.

In order to actually carry out this simultaneous model, I used a template created by Deon Filmer (1999) (See Appendix 3) with two slight modifications—one that

allowed me to compare results from the SPT with a multivariate probit analysis, and another that calculated the marginal effects of the probit model.

V. Data

The data necessary to perform the simultaneous model included variables that could be used to accurately predict both the amount that the agribusiness sector would contribute to a candidate, as well as the potential determinants of that candidate's vote. As such, I collected a variety of demographic, interest-group-specific, and agricultural data. Variables, their origination, and their means are reported in Table I, but several deserve further explanation.

There were 421 votes cast, as the legislation passed 283-138. Of the 283 ayes, 219 were Republicans and 64 were Democrats. Of the 138 noes, 6 were Republican and 131 were Democrat.

ADA—the "liberal quotient" developed by Americans for Democratic Action—is used essentially as a variable that proxies for party on a 1-100 scale. I use this variable in the SPT and simple probit as a continuous proxy for party characteristics of the congress member.

Campaign contributions, by their nature, are often exponential in their distribution. Contributions from both Agribusiness and Labor are no exception (See Appendix 2. In order to better predict these in the linear Tobit model, it was advantageous to take the natural log of each of these values.

Percent of labor-intensive crops (PctLbrInt) is a creation that attempts to describe the amount of crops in a district that are labor intensive in their harvest. From the U.S. Department of Agriculture's National Agriculture Statistics Service (NASS, 2002),

Table I. Variable names and means		
Variable	Description	Mean
ADA	Americans for Democratic Action "Liberal Quotient", 2006. Range 0 (least) to 100 (most) liberal	44.2824
Party	0 = Democrat, 1 = Republican	.5336
Vote	0 = No, 1 = Yea on HR 6061	.6746
Gender	0 = Female, 1 = Male	.8426
Seniority	# of years in office: (2007 – year first elected)	12.7732
NatSec	American Security Council[5] support, 0-100	63.1458
Environ	League of Conservation Voters Environmental scorecard[6], 0-100	46.2824
FisCon	National Taxpayers Union score of Fiscal Conservatism[7], 0-100	40.8997
Agric	1 = committee member	.1065
Homeland	1 = committee member	.0718
Labor	Campaign contributions from Labor sector (from Center for Responsive Politics)	88938.1
Lnlabor	ln of contributions from Labor sector	10.5396
AgriBus	Campaign contributions from Agribusiness sector (Center for Responsive Politics)	47442.3
LnAgriBus	ln of contributions from Agribusiness sector	10.0683
Income	Average income of congressional district (US Census Bureau)	43398.8
LnIncome	ln of Average income of congressional district	10.6483
Orchards	Land in orchards (USDA National Agricultural Statistics Service)	453035
VegMelon	Land producing vegetables and melons (USDA National Agricultural Statistics Service)	222123
Berries	Land producing berries (USDA National Agricultural Statistics Service)	8479
Cropland	Total cropland	1.06e+07
PctLbrInt	(Orchards+VegMelon+Berries)/Cropland	.0915
MexBorder	1 = Mexican border state	.2199
CanBorder	1 = Canadian border state	.1620
PctUrban	Percent of district in urban area (US Census Bureau)	.7888
PctHisp	Percent of district Hispanic (US Census Bureau)	.1258
PctWhite	Percent of district White (US Census Bureau)	.7523
PctBlack	Percent of district Black (US Census Bureau)	.1219

[5] Available from Project Vote Smart, www.vote-smart.org
[6] *Ibid.*
[7] *Ibid.*

which gives the amount of land in each state devoted to certain types of crops, I divided the number of acres devoted to orchards, berries, vegetables, and melons by the total number of acres of cropland. Labor intensive crops include fruits, nuts, vegetables, and melons (Khan, Martin and Hardiman, 2004, p. 35). Using this proportion was more acceptable than a nominal amount of cropland n order to provide the most accurate comparison of the relative strength of interests in each legislative district.

Demographic data from the US Census Bureau was based on the year 2000 counts, and as such was not perfectly descriptive of legislators' constituencies. Any changes within the last six years, though, should not be of a magnitude such that it renders these counts irrelevant.

The only interest group variable with problematic reporting was the American Security Council's scorecard, NatSec, which was missing ratings for 96 representatives. This made it difficult to include in both the multivariate probit and the SPT, since it cut the number of available observations by 23%.

It is also important to note that Close is a variable that only applies to Democrats. If a Democratic representative was involved in a close race for reelection, this dichotomous variable equals one; it is 0 otherwise.

VI. Findings

A. Simultaneous probit-Tobit model

The SPT model finds five variables to be the best determinants of agribusiness's expected contribution in the Tobit half of the simultaneous model (Table III, column (5)). One anomaly was the sign for the seniority variable (-), which was expected to be positive; I will address this in greater depth shortly. The liberal quotient (ADA, -),

membership on the House Committee on Agriculture (Agric, +), Mexican border states (MexBorder, +), and proportion of the district urbanized, (PrpUrban, -), were all significant. In the simultaneous probit (Table IV, column (5)), it finds that campaign contributions are significant, but with the opposite expected signs.

Since campaign contributions are an exogenous determinant of a congressperson's vote on H.R. 6061, the first step was to identify a Tobit model that would predict agribusiness contributions as accurately as possible. Initially, I regressed the natural log of the total contributions from agribusiness[8] on twelve variables (model (1)), gradually refining the model to be as descriptive as possible by using the most relevant independent variables.

Not surprisingly, two of the variables with the smallest and least significant coefficients were Canadian border states and membership on the Homeland Security committee, both of which are more likely to be determinants of the vote itself instead of agribusiness contributions.

I had expected the proportion of crops that are labor intensive to have a positive impact on the expected donation, but this turned out not to be the case, as the sign was inconsistent and the coefficient never significant. I also ended up dropping the districts' racial composition variables from the final model for two reasons: first, there is no reason to suspect a direct link between race and a propensity to contributed to agribusiness; and second, some of these characteristics likely would have interacted with the geographic

[8] Contribution values were left in full values, rather than scaled in thousands. The latter is incompatible with the Tobit model, since positive contributions of less than $1000 have a negative natural log. For example. A positive contribution of $500 would relate to a ln of -.69, which would be inaccurately reported as 0 by the Tobit model.

variable, MexBorder. Since none of the descriptive power of the model was lost in this decision, it seems appropriate.

Interestingly, in model (4), just two variables were responsible for explaining 25.74% of the variance in agribusiness contributions: membership on the House Subcommittee on Agriculture and the proportion of the district in an urban area. With these two variables forming the foundation of the preferred model, I then included a geographic (MexBorder), ideological (ADA), and legislative power (seniority) variable. I found that the model (5) with these five variables was significant in every variable, while explaining just as much of the variation in the data as model (1), with 12 regressors. Furthermore, all except for one of the signs and magnitudes matched the theoretical predictions.

Table II. Marginal Effects of Tobit Model

Variable	Δ Regressor	Initial (mean)	Est. Contribution	Δ expected contribution
ADA	+ 10	23416.618	21768.11	-1649
ADA	+ 50	23416.618	16255.74	-7161
Agric	dichotomous*	20497.433	71557.38	51060
MexBorder	dichotomous*	21503.908	31681.56	10178
PrpUrban	- 0.1	23416.618	27904.72	4488
PrpUrban	- 0.5	23416.618	56271.94	32855
Seniority	+ 2	23416.618	22760.94	-656

*change from 0 to 1

Seniority

Of the four Tobit models that included seniority as an independent variable, all four were negative and significant. In the preferred model, for example, each additional term decreases the expected contribution from agribusiness by $656, or 2.8%. One would expect that interest groups are more inclined to donate to candidates with the most

influence in Congress, which typically increases with the length of a congressman's tenure. One possibility for this sign is that less-senior Republicans likely receive more contributions than certain more-senior Democrats. Another interpretation is that incumbents are more likely to retain their seats, so fewer campaign contributions are necessary to keep them in office. If interest groups are looking to impact votes, however, this effect would likely be outweighed by contributions to powerful representatives.

Committee on Agriculture

Simply being a member of the Committee on Agriculture increases the expected contribution by over 100%. At the mean, being a member of the Committee on Agriculture would increase the expected contribution by $51,060, double what the candidate would be expected to receive otherwise. This effect occurs because members of House Committee on Agriculture will have much more of an impact on bills concerning agribusiness that are referred to committee, and because their constituencies are often impacted greater by agricultural legislation.

Liberal Quotient

The coefficient on the "liberal quotient" is negative and significant, though the magnitude at first seems small. Recalling the scale (0-100) of the ADA variable, however, implies that the staunchest Democrats (those receiving a rating of 94, 50 points above the average) would see a decrease in their expected funding by approximately 30%, or $7,161. Since Republicans are more often seen as aligned with the interests of agribusiness (Center for Responsive Politics, 2007), this ideological variable makes

sense. It is further corroborated by the fact that, in the 2006 election cycle, agribusiness gave over two-thirds of their funds to Republicans (See Appendix 1).[9]

Mexican Border States

The dichotomous MexBorder variable had a positive and significant coefficient. While this is expected, it is also difficult to determine exactly why this is the case. The only time it was significant was when used it absent any of the racial determinants in model (5), likely meaning that it incorporated some of these demographic effects, rather than being purely geographic. This is supported by a moderately strong .6696 correlation between a state being on the Mexican border and its Hispanic population. Though disaggregation of the link between Mexican border states and higher agribusiness contributions is difficult, this combination of geographic, demographic, and agricultural factors is an important determinant of contributions. Representatives of Mexican border states are expected to receive $10,178 more than an otherwise identical counterpart.

Urbanization

The proportion of a district's population that lives in urban areas was also an important determinant of the expected contribution from agribusiness in the final model. Theoretically, agribusiness donations would be targeted where there the most agribusiness-related activities occur: rural districts. This is confirmed by the data: every model showed the coefficient on the proportion of a district that is urban to be negative. A 50% reduction in urbanization—from 78.9% to 28.9%—caused a significant decrease of $32,855 in expected contribution.

[9] This unequal distribution by party is also further evidence of the benefit of controlling for endogeneity with the SPT model.

Overall, the Tobit model predicts approximately 32% of the variance in the data, meaning that, though it is far from perfect, it is acceptable enough to run simultaneously with the Probit in order to eliminate any endogeneity. The expected contribution is then simultaneously used as a regressor in the probit equation, which predicts the propensity of a candidate to vote for the legislation, between 0 and 1 (See Table IV).

Since the purpose of the SPT model was to eliminate the effect of endogeneity that results from including a campaign contributions variable, I naturally examined the agribusiness regressor first. Surprisingly, in every model, the coefficient was positive, and, as I refined the model, it became significant. Similarly, the coefficient for donations from Labor interest groups was negative, and, in model (5), significant. For both interest groups, this is the opposite sign expected, given the interest group position, as presented previously in section II D.

There are several possible explanations for these coefficients contradicting the interest group positions. The first is in line with the Democratic charge that the whole measure is just political posturing. Since Labor contributes 87% of their money to Democrats, and Agribusiness makes 68% of their contributions to Republicans, the reality that all Republicans voted for the bill, and that two-thirds of Democrats voted against it is likely largely responsible for these signs (See Appendix 1).

The nature of the legislation is also not significant enough that interest groups would use any political capital to influence someone's vote on this legislation. As Stratmann (1991) explains, "the best test of the theory [that campaign contributions affect congressional voting] results if votes have a clear economic payoff to contributors, benefits of the votes are concentrated, and costs are distributed throughout the electorate"

(p.607). With the Secure Fence Act, though the costs are distributed evenly throughout the United States, there are no clear, concentrated benefactors within either interest group. Agribusiness donations are likely intended to influence votes more directly relevant to their represented interests, such as farm subsidies. In the same way, labor donations are likely more targeted to worker rights, protectionism, and trade legislation.

Further, on "public goods votes, like defense, it is expected that contributions have less of an effect (Stratmann, 2001, p. 607). The benefits of the Secure Fence Act—national security, decreased illegal immigration, lowering crime, and hindering drug smuggling—are public goods by nature. Since the bill has only minimal funding attached to it, there is little confidence that any of these benefits will fully accrue. If the bill was in fact simply a political maneuver without real economic ramifications, interest groups would have little incentive to lobby legislators on their interests' behalf.

The rest of the results, since they corroborate the results of the multivariate probit analysis, are explained in greater detail in the results of the next model. Since the coefficients on both of the contribution coefficients were significant in the opposite direction of the stated interest platform, I discarded this model in favor of a simpler one.

B. Multivariate probit model

Since campaign contributions were not a relevant descriptor of Congress members' votes in the SPT model, I perform a simple probit analysis of the vote instead (see Table V). Since Republican party loyalty was so strong in the vote—95% of Republicans were in favor—it makes the most sense to examine only Democrats, to see what would compel them to vote against their party line and for the bill. Another reason to separate Democrats from Republicans in this analysis is that the interest group

scorecards are often somewhat politically motivated; there is often a strong correlation between high (or low) scores and party membership. The model determines that political posturing in close races, adherence to Democratic ideology, environmentalism, Hispanic racial district composition, and Mexican border geography were the most relevant and significant determinants of congresspersons' votes.

Close Races

The most striking finding comes in the form of the marginal effect of a Democrat incumbent being embroiled in a close reelection race ((4), (5)). The median voter theory would predict that, in response to a political posturing maneuver by Republicans, the Democrat would be likely to vote in favor of the bill. This hypothesis is supported by each model, though it is only significant in the preferred model (4). In this instance, the marginal effect of a switch in close from 0 to 1 was .5153. In a probit model, which predicts values between 0 and 1, this is an enormous impact—enough to automatically change a predicted "no" vote into a predicted "yes" vote.

It also shows that, as critical as Democrats were of Republican political gamesmanship, they were just as guilty of the same type of vote switching. One example of this was Representative Brian Baird (D-WA), who voted for the bill after running up against attacks from Republican opponent Michael Messmore that he was "confused" on border security. Baird previously had a long record of opposition to similar legislation: as recent as December 2005, Baird voted against a House immigration reform bill that included authorization for the border fence. Explaining his position, Baird said, "In the past, I have voted against some bills with the fencing provision because they waived environmental and prevailing-wage rules" (Durbin, 2006). The Secure Fence Act "does

contain the waivers of labor and environmental laws Baird had opposed. He voted for it anyway" (Durbin, 2006). In November, Baird won with 63.1% of the vote.

Though political posturing was certainly important, it was not the only reason that Democrats would choose to switch. Though nine of the eleven Democrats in close races voted for the bill, only 9 of the 65 Democrats that voted for the bill were in such situations; thus, other ideological and constituent characteristics were at play.

Environment

The ADA liberal quotient and the League of Conservation Voters' environmental scorecard also had small negative effects. At the mean, each additional point for the former had a -0.75% marginal effect, while the latter had a -0.53% effect. This implies that congressional ideology, whether a personal characteristic or a reflection of constituent characteristics—and most likely a combination of the two—effected the chance of a Democratic 'yes' vote. Also, the environmental concerns raised earlier by Rep. Farr were significant: the more consistent a congressperson's voting record was with environmental conservationism, the less likely they were to vote for this legislation.

Mexican Border

Representatives in Mexican border states were also significantly less likely to vote for this legislation, with a marginal effect of -34.13% on the predicted vote. This result implies that Democrats view the fence as having a more disruptive effect than the potential benefits of crime reduction and drug prevention. Perhaps the more real the proposition of a fence becomes, the more cynical a representative becomes at its actual effectiveness. As Representative Loretta Sanchez (D-CA) says, the bill "will not be a real solution to our Nation's border security and to our immigration problem" (CR, Sanchez,

H6583). Contrast this with the proponents who saw the fence a solution to larger issues such as the war on drugs and illegal immigration, and the concept of a fence seems a reasonable step.

Racial Composition of District

Racial demographics also had a significant effect on legislators' votes. The marginal effect of increasing the proportion of population that identifies as Hispanic by .01 was -0.6%. Thus, representatives from districts with high Hispanic constituencies are significantly less likely to vote for the fence. It is likely that many of the Hispanics in those states in which there are the highest concentrations maintain relations with Hispanics in other countries, and are thus opposed to both the message and function of a fence. Certain districts in California and Texas, for instance, which are upwards of 70% Hispanic (.6 above the mean of .1258), will see a significant reduction in their predicted probability of voting.

National Security

In each of the first three models, the National Security variable was positive and significant at the 10% level. Since this legislation is primarily focused on immigration and national security, it is comforting to see that Democrats with a previous track record of supporting national security of objectives were in favor of this bill. While political posturing certainly had an enormous impact, perhaps some legislators believed the bill could have a real impact on obtaining operational control of the borders. The marginal effect conveys the magnitude of this coefficient; in model (3), the effect is 0.58% for an additional point in the index from the mean.

Seniority

The seniority coefficient in each of the first three models is also negative and significant. Since political posturing is found to impact votes, it follows that this coefficient is negative, since incumbents do not have to worry as much about re-election.

VII. Conclusion

This analysis of the Secure Fence Act of 2006 used two separate models to describe the influences behind the House vote on the bill. It found political posturing in close races, adherence to Democratic ideology, environmentalism, Hispanic racial district composition, and Mexican border geography to be the most significant influences on how legislators voted, while campaign contributions had no significant impact.

The Tobit foundation of the SPT identified five major determinants of contributions from agribusiness: political ideology, membership on the Committee on Agriculture, Mexican border geography, urbanization, and seniority. While the SPT model is useful for eliminating the effects of campaign contributions' endogeneity, the entire exercise loses much of its value when analyzing legislation that does not accrue concentrated benefits to the interest groups in question, regardless of their stated position on an issue. A simpler multivariate Probit model provides just as much accuracy and descriptive power when contributions are not used as a regressor.

Election year politics were a major impetus behind this legislation, and Republican support for the measure was overwhelming. Democratic candidates, in an effort to boost their chances at reelection by appealing to the median voter, were more likely to vote against party lines. The maneuver was to no avail, however, as the Republicans lost 30 seats to Democratic challengers, forfeiting their majority in the

House. It remains likely that a majority of the fence will not even be built, since a majority of the funding remains to be appropriated. Congress has not abandoned the idea of immigration reform completely; the issue has been reintroduced in the first session of the 110th congress. If more meaningful and comprehensive legislation is passed, a similar analysis would be beneficial.

Table III. Tobit model estimated coefficients

Dependent Variable: propensity to contribute to legislator (y_{2i})(lnagribus)					Model used for SPT
Independent Variable	(1)	(2)	(3)	(4)	(5)
ADA	-.0081*** (.0016)	-.0082*** (.0015)			-.0073*** (.0014)
Agric	1.2187*** (.1770)	1.2055*** (.1750)		1.3708*** (.1786)	1.2502*** (.1750)
CanBorder	.0058 (.1476)		-.1872 (.1637)		
Homeland	-.0939 (.1974)				
Ln(Income)	.2814 (.3076)		-1.2753*** (.2592)		
MexBorder	.1344 (.1860)	.1529 (.1754)			.3875*** (.1275)
PrpHisp	1.2467** (.5798)	.9976** (.4438)			
PrpBlack	.8000 (.8251)	.5693 (.3724)	-.4797 (.6970)		
PrpWhite	.0185 (.7458)		1.1476** (.5773)		
PrpLbrInt	.3564 (.5228)	.3647 (.4997)	-.0160 (.5766)		
PrpUrban	-2.3078** (-.0132)	-2.0805*** (.3251)		-2.0260*** (.2785)	-1.7535*** (.2977)
Seniority	-.0132*** (.0067)	-.0136** (.0066)	-.0294*** (.0074)		-.0142*** (.0066)
Constant	8.9620*** (3.2684)	11.8539** (.2519)	23.2480*** (2.7942)	11.5176*** (.2309)	11.7306*** (.2454)
# of observations	423	424	423	424	424
F-statistic	18.30	27.61	9.5	74.3	42.29
Adjusted R^2	.3297	.3348	.1978	.2574	.3280

* indicates a coefficient significant at the .10 level
** indicates a coefficient significant at the .05 level
*** indicates a coefficient significant at the .01 level

Table IV. SPT model estimated coefficients (Equation 1)

Dependent Variable: propensity of legislator to support ???? (y_{1i})					Preferred Model
Independent Variable	(1)	(2)	(3)	(4)	(5)
ADA	-.0172*	-.0143**	-.0167***	-.0316***	-.0283***
	(.0090)	(.0058)	(.0056)	(.0031)	(.0039)
Agric	-.2575	.2959			
	(5385)	(.3642)			
CanBorder	.1010	-.0693			
	(.3374)	(.2701)			
Close	.7491			1.1814*	
	(.7761)			(.6921)	
Environ	-.0077	-.0148**	-.0142***		
	(.0083)	(.0058)	(.0054)		
FisCon	.0020	.0122	.0093		
	(.0165)	(.0108)	(.0104)		
Gender	-.2335				
	(.3651)				
Homeland	-.1201	-.1372			
	(.4442)	(.3635)			
Ln(Income)	-.4107				
	(.7439)				
Ln(Labor)	-.2489				-.2416**
	(.1677)				(.0987)
MexBorder	-.1307	-.3920		.0892	-.1494
	(.5178)	(.3716)		(.2882)	(.3343)
NatSec	.0171***				
	(.0055)				
PrpBlack	-2.3248	-1.3398	-1.8657***	-1.9863***	-2.0770***
	(1.8575)	(1.3346)	(.6076)	(.6192)	(.6288)
PrpHisp	-6.1388***	-4.0552***	-4.6874***	-4.5941***	-4.9835***
	(1.4468)	(.9198)	(.6877)	(.7871)	(.8829)
PrpWhite	.4294	.5203			
	(1.6937)	(1.2789)			
PrpLbrInt	.9444	.9029			
	(1.3780)	(1.0436)			
PrpUrban	.0548	-.3943			
	(1.0838)	(.6869)			
Seniority	-.0506***				-.0405***
	(.0185)				(.0123)
Est.	.0945	.1504	.1744*	.2448***	.2872***
Ln(Agribus)	(.1228)	(.0963)	(.0934)	(.0876)	(.0932)
Constant	9.8786***	2.4382	2.8545***	3.0902***	6.3107***
	(8.1639)	(1.6086)	(.7332)	(.2832)	(1.1484)
# observations	316	410	410	413	393
Rivers-Vuong P > chi2	.44	.1183	.0618	.0052	.0021
R-squared	.6750	.6005	.5980	.5736	.5943

* indicates a coefficient significant at the .10 level
** indicates a coefficient significant at the .05 level
*** indicates a coefficient significant at the .01 level

Table V. Simple probit model for Democrats only (party == 0)

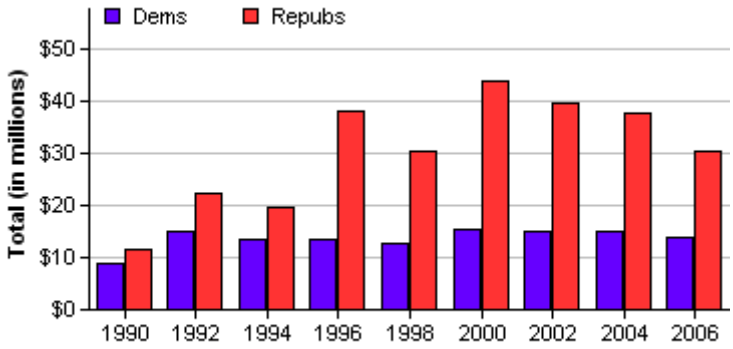
Dependent Variable: chance of a yes vote				Preferred Model	Marginal Effect[10]
Independent Variable	(1)	(2)	(3)	(4)	(5)
ADA	-.0264**	-.0273**	-.0269***	-.0233***	-.0075
	(.0110)	(.0109)	(.0063)	(.0073)	
CanBorder	.1415				
	(.3576)				
Close	1.6175*	1.4709	1.0218	1.3981**	.5153
	(.9717)	(.9471)	(.8289)	(.6981)	
Environ	-.0212*	-.0204*		-0165**	-.0053
	(.0128)	(.0111)		(.0071)	
Fiscon	.0302	.0280			
	(.0222)	(.0215)			
Gender	-.5509	-.5341			
	(.4546)	(.4451)			
Homeland	-.1649				
	(.5154)				
Ln(Income)	.3006				
	(.8792)				
MexBorder	-3.6180***	-3.3194***	-1.5448**	-1.4585**	-.3413
	(.8481)	(.8425)	(.7640)	(.6052)	
NatSec	.0212***	.0225***	.0203***		
	(.0054)	(.0051)	(.0053)		
PrpBlack	-1.7868	-2.7996***			
	(1.6346)	(.7502)			
PrpHisp	-1.3354	-2.6130**	-2.5232**	-1.8748**	.6030
	(1.4397)	(1.2757)	(1.2259)	(.8879)	
PrpWhite	.7177				
	(1.4348)				
PrpLbrInt	6.2262	5.3380***			
	(2.0148)	(1.8947)			
PrpUrban	-1.0284				
	(1.0128)				
Seniority	-.0374*	-.0347*	-.0272*		
	(.0201)	(.0190)	(.0153)		
Constant	.6990	3.8690***	1.8987	3.1852***	
	(9.0773)	(1.4913)	(.6978)	(.5350)	
# of observations	167	167	167	195	
Log Lik	-51.642	-52.2814	-61.9342	-84.5057	
R-squared	.5120	.5060	.4148	.3192	

* indicates a coefficient significant at the .10 level
** indicates a coefficient significant at the .05 level
*** indicates a coefficient significant at the .01 level

[10] Marginal effects reported at mean, or dichotomous 0-1

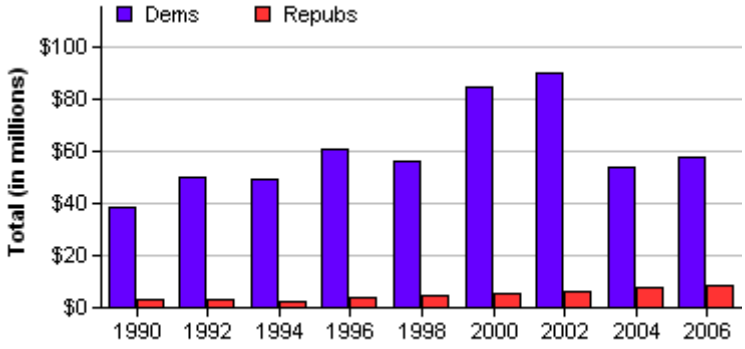
Appendix 1. Distribution of Funds by Industry (Center for Responsive Politics)

Agribusiness



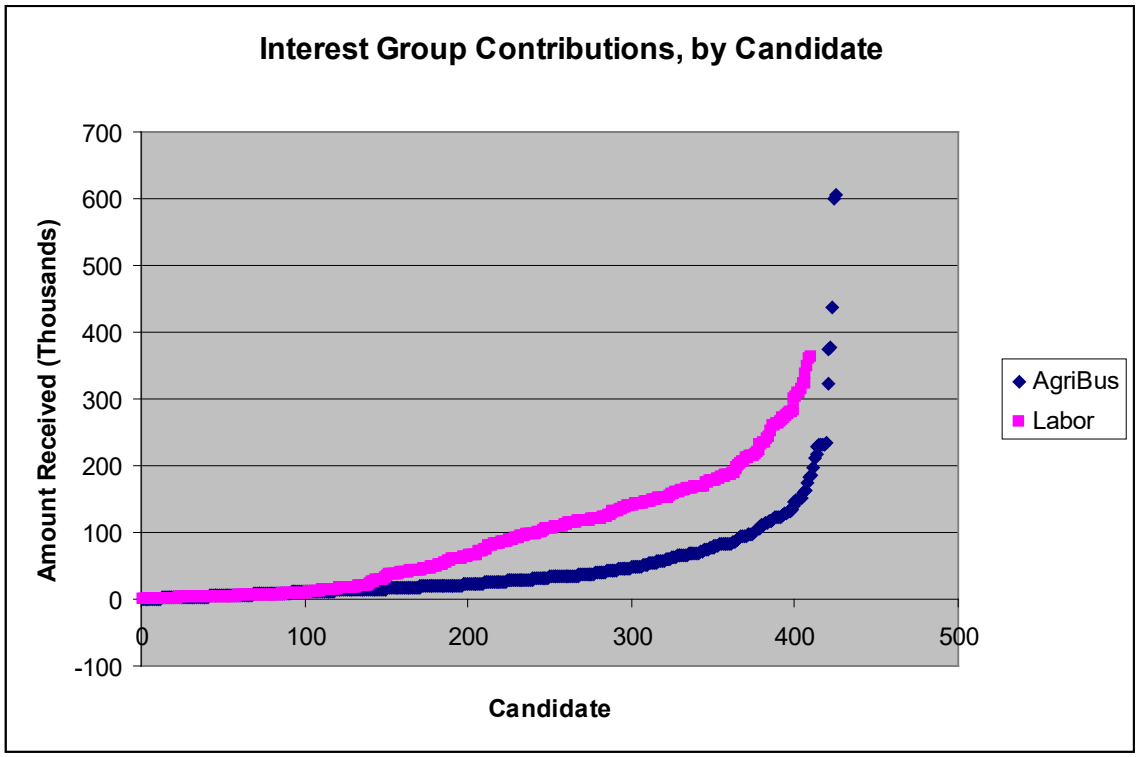
Election Cycle	Total Contributions	Donations to Democrats	Donations to Republicans	% to Dems	% to Repubs
2006*	$44,628,476	$13,974,976	$30,433,211	31%	68%
2004*	$52,969,919	$15,162,635	$37,718,095	29%	71%

Labor (from Center for Responsive Politics)



Election Cycle	Total Contributions	Donations to Democrats	Donations to Republicans	% to Dems	% to Repubs
2006*	$66,302,308	$57,546,053	$8,198,859	87%	12%
2004*	$61,507,730	$53,661,492	$7,709,388	87%	13%

Appendix 2. Graph of Interest Group Industry Contributions



Appendix 3: Modified STATA Template from Filmer and Lokshin
(modifications in **bold**)

```
capture log close
clear
set more 1
set matsize 300

log using probiv,replace

*-------------------------------------------------------*
* Writted by Deon Filmer                                *
* Version 1 - Nov 8 1999                                *
*                                                       *
* Following estimates the structure:                    *
* y1 = a*y2 + b *X        + eps1   (probit equation)    *
* y2 =        c1*X + c2*Z + eps2   (continuous)         *
* where (eps1,eps2) ~ jointly normal with correlation   *
* rho, eps1 normalized to have variance 1, eps2 has     *
* standard deviation sigma2                             *
*-------------------------------------------------------*

*********************************************************
*** Input dataset to be used ****************************
*********************************************************

insheet using "P:\Thesiss\FenceBillDataSet2.csv"

*********************************************************
*** Input left hand side and right hand side variables ***
*********************************************************

* probit equation - replace contents of "" with
* lhs variable for pbdep1 and  rhs variables for pbind1
local pbdep1 "vote"
local pbind1 "ada mexborder prpblack prphisp"

* continuous equation 1- replace contents of "" with
* lhs variable for ctdep1 and  rhs variables for ctind1
local ctdep1 "lnagribus"
local ctind1 "seniority ada agric prpurban mexborder"

*********************************************************
*****  You shouldn't need to change anything below  ******
*********************************************************

dprobit  `pbdep1'  `pbind1' lnagribus
probit  `pbdep1'  `pbind1'

mat Mpb1 = e(b)

regress `ctdep1'  `ctind1'
mat Mct1    = e(b)
predict _alph2 , resid
local rmse2 = _result(9)
```

```
*************************************************************
* Rivers and Vuong test for exogeneity

probit  `pbdep1'  `pbind1' _alph2
dprobit `pbdep1'  `pbind1' _alph2
test _alph2

if chiprob(1,_result(6)) < 0.05 {di "Reject exogeneity"}
if chiprob(1,_result(6)) >=0.05 {di "Cannot reject exogeneity"}



*************************************************************


capture program drop pbcont

program define pbcont
version 6
args lnf I1 I2 rho12 sigma2

tempvar eps2 index cindex lnf1 lnf2

qui gen double `eps2'  = $ML_y2 - `I2'
qui gen double `index' =  ( `I1' + `eps2'*`rho12'/`sigma2')
qui replace    `index' = `index' / sqrt(1-`rho12'^2)
qui gen double `cindex'= normprob(`index')
qui gen double `lnf1'  = .
qui replace    `lnf1'  = ln(`cindex')   if $ML_y1==1
qui replace    `lnf1'  = ln(1-`cindex') if $ML_y1==0
qui gen double `lnf2'  = -.5 * ln(2.0*_pi) -.5*ln(`sigma2'^2)
qui replace    `lnf2'  = `lnf2' -  .5*(`eps2'/`sigma2')^2.0
qui replace `lnf' = `lnf1' + `lnf2'

end

#delimit;
ml model lf pbcont
        (`pbdep1' = `pbind1')
        (`ctdep1' = `ctind1')
        /rho12
        /sigma2
;
#delimit cr

ml init Mpb1 Mct1 0 `rmse2' , copy
ml maximize

log close
}
```

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