

Un-Equal Opportunity Lawmaking?:  
Agenda Denial and The Disproportionate Filtering of  
Minority Issues in the House of Representatives †

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## **Abstract**

Are underlying institutional forces working against policy change for Black lawmakers? I explore the process of winnowing - a necessary, but discriminant function of lawmaking institutions that must prioritize certain issues over others. I argue that in an effort to partake in low-cost policy making, mitigate conflict, and preserve power structures, policymaking institutions are incentivized to deprioritize minority issues. This exploration of bill sponsorship from the 103rd - 112th congresses supports this assumption. Bills in policy areas targeted by the Congressional Black Caucus are subject to disproportionate filtration in congressional committees. However, there are typically avenues available for members to forward key issues on to the agenda. Unfortunately, a number of institutional resources often found to increase a bills prospects - including leadership, placement on committees with jurisdiction over policy areas of interest and majority control - are ineffective for CBC members and the issues they pursue.

# 1 Introduction

Legislative agendas are defined as much by what fails to receive attention as which issues are dominant at a given time. Even more so, they are defined by who has control over the agenda, and how they come about such influence (Kingdon 2011; Cox and McCubbins 2005; Cobb and Ross 1997; Krutz 2005; Baumgartner and Jones 1991). The most recent iterations of Congress are as diverse as ever experienced in the more than two centuries of the institution's existence. Why, then, have noticeable proportional gains in minority membership in Congress yet to produce sizable policy gains for the communities they represent? It may be that substantive bills proposed by minority members in targeted areas are met with resistance that inhibits their to progress beyond the committee phase and onto the main stage. Fortunately, if true, foundational literature on the agenda setting process points to the accumulation and operationalization of resources and the ability for entrepreneurial actors capitalize on "windows of opportunity" as essential to shaping and carrying out ones agenda (Cox and McCubbins 2005; Cox and McCubbins 2007). However, we have yet to determine if commonly-associated resources and windows are evenly effective for all.

The analysis has substantive implications for the ongoing scholarship concerning the value of increasing racial diversity in representative bodies. One such contribution is that this work provides insight as to why increased rigor in the pursuit of minority issue results in such an unsatisfying yield in policy outcomes. Another contribution lies in a broader conversation of suppressive forces that exist - and have always existed - within American lawmaking institutions that are designed to thwart efforts to propel potentially contentious, race-centered issues onto the agenda. This has resulted in what may be a habitual underresponsiveness to signals provided by members of color. In an effort to answer the call from Hacker and Pierson (2014; 643) - and others - to examine the intersections between American politics and policy processes, it is my hope that this political phenomenon is better explained by providing "a more accurate portrayal of the institutional environment of modern politics, an appreciation for the fundamental importance of organized groups, a better understanding

of the dynamics of policy change, and a more accurate mapping of interests, strategies, and influence”. It is only when political and social conditions are placed in their proper context, Dawson and Cohen (2002) argue, that we can fully understand the impact of racial identity on political phenomena and outcomes.

This work situates squarely with both institutional and policy process theoretical presumptions of how issues arrive on the legislative agenda. It considers the most commonly associated variables argued to shape the process of agenda setting while incorporating an issue-focused approach inspired by conversations from the likes of Simon, Jones and Baumgartner who highlight the cognitive and processing limitations of humans and organizations comprised of humans and the resulting friction that is imposed on efforts to seek policy change. This analysis is also complimentary to the party-centric congressional debate; it argues that party dynamics have the potential to result in the marginalization of group-specific interests in an effort to preserve the leadership-centered power structure and agenda dominance within the organization. While the institutional literature identifies ways that representatives of color are disadvantaged within the system, it is largely silent the impacts of those hindrances on their representative functions - particularly in the areas of agenda setting, debate, deliberations, and information processing - that may not be revealed in scholarship that examines roll call votes and late-process differences (Hawkesworth 2003; Gamble 2011). Congressional - and to an extent, policy process - literature does, however, provide avenues for actors or groups to improve the prospects of their prioritized issues receiving attention on the larger institutional stage. However, neither evaluate if these resources are available and equally impactful for actors for all groups. This piece seeks to remedy these shortcomings.

To accomplish this, the article proceeds as follows. First, I briefly discuss efforts on the part of minority members of Congress to shape the legislative agenda to, hopefully, achieve substantive gains in targeted policy issues. I, then, engage scholarship on agenda control and how institutions impose these controls as a means to cope with limitations rooted in the

problems of bounded rationality. I offer hypotheses concerning the prospects of bills sponsored in key minority interest and the utility of representatives of color acquiring resources that are typically seen as effective ways to forward legislative agendas. The article continues by measuring the prospects of more than 49,000 individual bills sponsored between the 103rd and 112th Congresses to determine if minority interest bills are subject to a disproportionate degree of winnowing during the committee stage. I conclude with a discussion of the findings and implications on our understanding of both institutional friction and efforts of marginalized groups to successfully impact the legislative agenda, situate these findings among current literature, and offer suggested pathways for future studies.

## **2 Racial Identity and Legislative Agenda Setting**

The cupboard of literature on minority representatives efforts to shape the policymaking process is not bare; impactful scholarship exists that chronicles the efforts of Black lawmakers to shape the legislative agenda. Analysis at both the state and federal level provides an abundance of evidence that highlights the impact of racial identity on the issues they pursue and how they pursue them. Minority representation has increased, both in the number of elected officials and in their formal and informal activity within their respective chambers. Scholars of race and representation argue members of marginalized groups possess experience that shapes their priorities, and it is their responsibility to communicate “uncrystallized” concerns to an institution that has historically shown a general unwillingness to address. Once embedded into the representative body, minority members have a duty to translate the perspectives and insights that are of concerns of their identity group into legislative action (Pitkin 1967; Fenno 1978; Mansbridge 1999). Individually and collectively, members of color sponsor group-specific issue bills (Bratton and Haynie 1999; Bratton 2006; Barrett 1995; Wilson 2010) and serve as vessels to increase debate and deliberation surrounding problems that plague the unique constituencies that they represent (Gamble 2011; Minta

and Sinclair-Chapman 2013). However, despite an increase in minority representation within the halls of Congress, questions remain as to if such proportional gains will translate into substantive policy wins(Lublin 1999; Swain 2006; Cameron, Epstein, and O’Halloran 1996).

Dawson and Cohen (2002) identify one potential cause for the disjointed nature of findings concerning minority members ability to translate increases in proportionality into substantive gains. Absent from a great deal of political science research rooted in race is a discussion of context. For centuries, American politics have been plagued with racialized ordering that shapes preferences, processes, and outcomes (King and Smith 2005; Dawson and Cohen 2002; Holt 2009). As a result, political conditions that exist in communities are the product of consistent and resilient political structures that create and reinforce those conditions. In their call to arms urging political scientists to consider incorporating such conditions in their analysis of race and politics, they argue “without any attention to historical and current context of these interaction or phenomena we may be severely misinterpreting the meaning of the data” (Dawson and Cohen 2002; 491). Noticeably absent in their, otherwise, insightful and impactful commentary is a robust discussion of the role institutions play in establishing and maintaining racial orders and the impact of these orders on minority representatives efforts to seek change. A routine focus on late-stage processes - if employed with no consideration of social and political conditions that exist within the institution - may contribute to a potentially misguided presumption of ineffectiveness on the part of these representatives. This work is an effort to build upon this conversation by placing the actions of Black lawmakers in its proper context.

## **Winnowing and the “Bottleneck” in Congress**

Policymaking greatly mirrors the “signal-response chain” found in human cognition, where signals are recognized and classified before responses are selected among a number of alternatives and then executed (Kahneman 1973); (Simon 1985; Simon 1994); (Jones and Baumgartner 2005). If this is the case, it raises the question of how institutions move from

the “signal” phase, where problems are identified, to the response phase, where the organization decides a course of action to address the problem. Winnowing - the process of sifting through multitude of proposals in determining which should receive the attention of the full institution - is a necessary-but-discriminant function of legislative committees that are designed to reduce the amount of time and resources necessary to attend to a number of issues in manner that resembles parallel processing. As a function of this process, a vast majority of proposed bills will never reach the floor, and this is by design (Krutz 2005; Jones 1994; Jones and Baumgartner 2005).

At any given point in time, Congress processes hundreds of unique, context-driven problems that are often poorly-structured and contain a number of attributes that could all, justifiably, be considered for attention. However, policymaking institutions are ill-equipped to handle, simultaneously, every single signal that is relayed by both actors within the institution and external events. While Congress is designed to process issues in a parallel fashion, it is still composed of boundedly-rational humans with cognitive limitations and diverse preferences. To accommodate for deficiencies in resources - time, manpower, and information, for instance - institutions are forced to prioritize certain issues over others. The question central to this article is are signals relayed by a particular subset of institutional actors subject to a disproportionate degree of de-prioritization than others? More specifically, has congress developed a propensity to filter minority issues from receiving attention from the larger institution? If so, what impact does this friction have on the prospects of achieving substantive change in those issues?

The filtering of issues has the potential to impact both the problem recognition and definition phases of insitutional problem solving. First, in order to solve problems, the institution must first be made aware of the problem through environmental signals and information (Cobb and Elder 1971; Jones 1994; Jones and Baumgartner 2005; Workman, D. Jones, and E. Jochim 2009). Second, once problems are taken up, they must be defined by the attributes that exist the problem. Filtering proposals at the committee stage may

also mean ignoring the definitions of particular problems that those proposals seek to rectify. What complicates this process is that problem definitions are the product of varying and competing perspectives of the event and priorities of those perceiving the event. Dawson and Cohen (2002) note, differences in racial identity can be at the root in variations in problem definitions and lead to the undermining of political communication.

## **Agenda Denial and Minority Issues**

Of course, agenda denial is not always a naturally-occurring phenomenon. Committees are often called upon to serve as the mechanism to instill, maintain, and reinforce power structures - be it larger institutional orders or partisan powers - by the routine and deliberate under-responsiveness to certain issues (Cox and McCubbins 2005; Cox and McCubbins 2007). Institutions also have a vested interest in assuring that problems that are attended to remain relatively consistent and, thus, maintaining the status quo (Polsby 1968; Schattschneider 1975; Dawson and Cohen 2002; Holt 2009). New problems have the potential to threaten established power structures within political institutions by exposing cleavages in the existing order. As a result, those in power must work to maintain order and mitigate the emergence of new conflict by taking on familiar problems with “antagonists already well identified in old contests” (Schattschneider 1975; 73).

Once one group is shut out of the institution’s problem-solving process - rather it be through the filtering of issues that need to be addressed by the institution *or* in the assigning of attributes of those issues - it complicates their ability to achieve substantive change. It also reinforces the conditions that plague the communities that they represent, further preserving the racial political order and the resulting status quo. Schattschneider (1975) argues that dominant political systems have a vested interest in maintaining the status quo in an effort to mitigate conflict and avoid realignments of power. Allowing for nascent issues to emerge on the agenda results increased tension and conflict in the institution as a result of the additive nature of conflicts; new conflicts compete with old conflicts.



I identify six reasons that marginalization of group issues may be encouraged by the institution. First, minority issues are often *complex*. If many of the issues facing Congress are “poorly structured”, the issues facing minority populations are as complex as they come. With that in mind, second, attending to minority issues is *costly*. Attention to new issues bring upon new search costs, especially after lengthy periods of inattention. If a policymaker lacks a particular degree of motivation towards an issue, they may choose to ignore the issue - and all relevant information - all together, thus, making making an institutional diversion of attention towards minority issues a costly endeavor. Cobb and Ross(1997) argue the longer issues remain on the agenda, the more costly they are to deny attention to. Therefore, it may be considered advantageous to deny access to minority issues early and often. Relatedly, third, minority issue marginalization is *convenient*. All things considered, when it comes to the competition for the already-scarce agenda space, dealing with complex, and sometimes unpopular, issues could further complicate the process. Suppressing a subset of issues from the offset clears at least a bit of room in the congested bottleneck of attention. Doing so decreases costs on the overall institution and, as a result, reduces the overall degree of friction on the more pressing issues on the legislative agenda.

Fourth, inaction may be *facilitated by other branches of government*. Congress’ ability to delay legislative attention and action is eased, in part, due to executive and administrative departments taking the lead in the enforcement and observance of minority issues such as voting rights, housing and urban development, and education. Essentially, the lawmaking bodies often defer legislative action to the rule-making functions of these groups. The judiciary also plays a vital role in defining parameters, determining constitutionality, and serving as the final arbitrator in many minority issues such as voting rights and Affirmative Action. This allows Congress to delegate de facto lawmaking capabilities to the courts. Fifth, both the existence of minority problems and the suppression of minority issues are likely *institutionalized*. The fact that many of these disparities are, at most, codified and sanctioned by government entities or, at least, facilitated through institutional inattention ensures that

the pursuit of policy change in these areas will remain central to their causes.

Finally, and likely most importantly, minority issues are *conflict inducing*. Drawing on Lowi's (1964) typology and the resulting influence on the policymaking process, the nature of the policy areas that have been identified as central to the Congressional Black Caucus has potential to expose and capitalize on cleavages within the system and realign power at both the institutional and party level (Schattschneider 1975). These issues are naturally disruptive; they routinely draw on partisan, ideological, regional, and social differences in an effort to challenge the status quo. If it is a goal of Congress to partake in low-cost policymaking while mitigating conflict and preserving institutional power structures (Schattschneider 1975; Polsby 1968; Baumgartner and Jones 1991; Jones 1994; Jones and Baumgartner 2005; Cox and McCubbins 2007), it may be incentivized to deprioritize minority issues. There could be a disproportionate winnowing of minority issues in the committee stage resulting in a systematic and routine de-prioritization of minority issues takes place, pushing group-specific bills out of the attention of the larger body of lawmakers. All things considered, I expect:

**Hypothesis 1** *Bills sponsored in issue areas that have been prioritized by the Congressional Black Caucus will have a lower probability of being forwarded out of committee.*

## **Mechanisms for Driving Attention**

Congressional literature has performed admirably identifying the symptoms of marginalization, however it often fails to incorporate the individual symptoms in diagnosing the larger issue - why proportional increases do not appear to yield substantive policy gains. The reality is that members of Congress - like many of the citizens they represent - face structural exist that inhibit group-specific policy change. What happens, however, when these structural hurdles are removed? The literature suggests that as members of Congress gain access to resources within the institution, their ability to influence the legislative agenda should be

magnified. In an institution with relatively limited attention spans, “decision makers must have some mechanism for shifting attention and effort among multiple problems” (Jones and Baumgartner 2005, 44). It is also the case that the selection process of leadership and committee membership is one that embraces and reinforces the status quo (Jones 1994, 158).

Advantageous committee assignments and leadership appointments have the potential to spark a degree of inertia for promoting issues that are normally left unattended to effectively alter the organization’s priorities. However, these assignments are often reflective of the individual members ability to conform to the wishes of party leadership; loyalty is often rewarded with more favorable assignments and appointments (Cox and McCubbins 2007). I examine three of these mechanisms that are commonly considered to be valuable resources for promoting policy change in both policy and institutional scholarship: In addition to shifts in partisan majorities, I explore the impacts increased influence through leadership and membership on legislative committees with jurisdiction over policy areas of interest. Scholars have shown that members of color have certainly increased their influence in both of these areas (Minta and Sinclair-Chapman 2013; Gamble 2007; Gamble 2011). However, does this increased influence empower these members in a manner that allows them forward key interests?

### **Increasing Agenda Influence as a Result of Majority Control**

Scholarship suggests that the ability to influence a legislative agenda is largely dependent on majority control - especially within the House of Representatives (Cox and McCubbins 2005; Curry 2015). Figure 1 indicates this is certainly the case - identifiable shifts are evident at each shift of partisan control. However, I have also presented arguments suggesting that the party power structure has a vested interest in maintaining the status quo and, thus, continuing any marginalization that may exist otherwise. Since its inception, the Congressional Black Caucus has been an overwhelmingly Democratic organization in terms of party affiliation and has obtained a great deal of mobility within the party structure.

Scholars of Black congressional representation routinely point out that - more than most of their counterparts - Black representatives are hamstrung by partisan conditions (Tate 2001; Swain 2006). Figure 1 reveals the significant decline in effectiveness associated with partisan control; unsurprisingly, Black members often struggle to receive attention and progress bills beyond the committee stage under periods of Republican control. Although, when Democratic majorities present themselves, they become more effective. This figure does not, however, distinguish between minority issues and non-racialized policy. Nevertheless, it is not unrealistic for at least some of the effects of partisan control to bleed over into success in minority policy interest areas and to expect:

**Hypothesis 2** *The probability of a CBC-interest bill being forwarded out of committee will improve under Democratic majorities.*

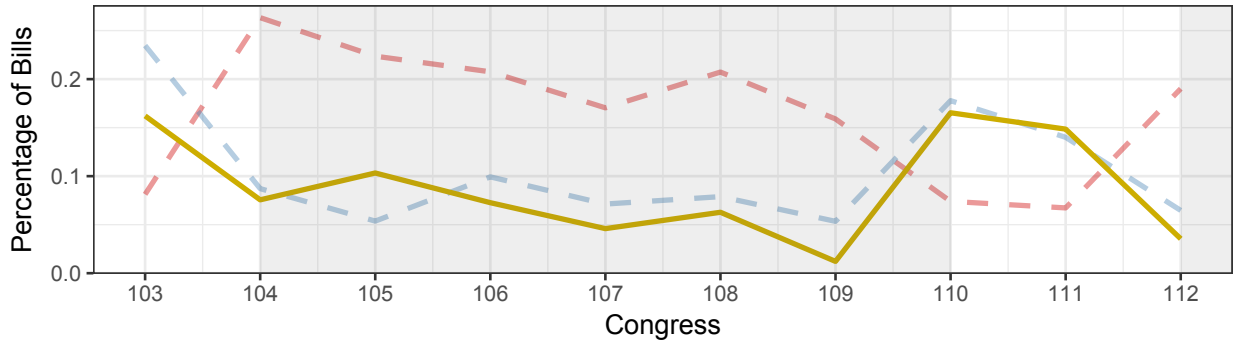
### **Increasing Agenda Influence through Committee Leadership**

True incorporation of minorities into a racialized institution, such as Congress, is most evident when members of color ascend to power. In the case of the House of Representatives, the general power structure flows through a combination of elected and appointed leadership positions both in the general body and within the committee structure. Committee leadership has long been determined to have positive impacts on the prospects of a bill's survival. Ascension to leadership indicates members have displayed a particular skill set needed to gain approval, at the very least, by being appointed by party leadership, and at most, by confirmation of the majority of the general membership. Ideally, a rise to a leadership means that you have successfully showcased a level of success and quality necessary to gain such a consensus.

However, for members of color, a promotion to leadership may introduce a certain degree of personal conflict into the legislative process. On one hand, there is the notion that it is the sole responsibility of committee leadership to facilitate the overall agenda of party leadership (Cox and McCubbins 2005). The desire to pursue minority interest may directly

## Bill Activity in the House of Representatives (103rd - 112th Congress)

### A. Substantive Bills Receiving Action in Committee



### B. Substantive Bills Receiving Action Beyond Committee

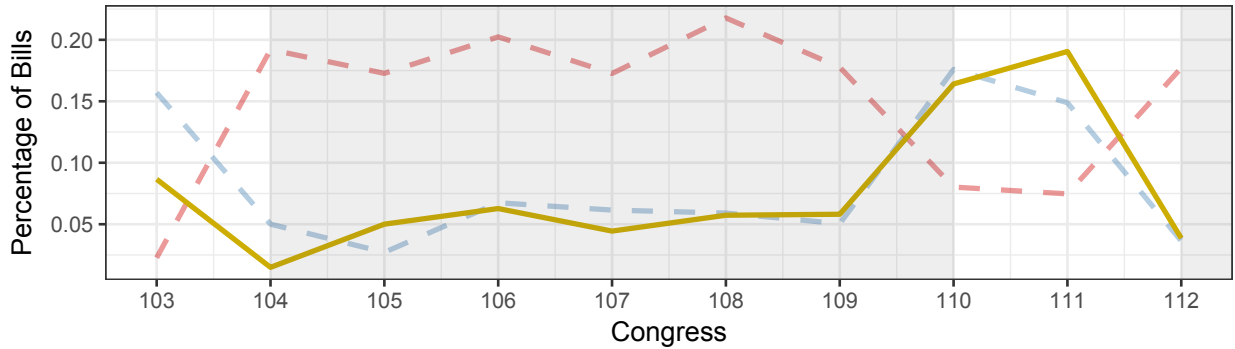


Figure 1: The figure above represents the progress of bills sponsored from the 103rd - 112th Congress. Coloring delineates partisan control during this timeframe. (Grey = Republican Control).

impede their ability to toe the party line, especially if their party is resistant to addressing minority issues as Frymer (2010; 2011) argues the Democratic Party is - and always has been. There is also the idea that, as one assumes leadership positions, one must seek out pragmatic approaches to legislating. Gamble (2011) highlights the struggle black leaders face while pursuing potentially contentious, big-ticket policy issues. She contends, instead, members often elect to take on “smaller, quieter” means to shape the agenda. Further, in some instances, acquiring leadership positions may be actually be the product of institutional restraints - especially when quality members of color are diverted to less prestigious committees with narrower jurisdictions. Here, it is easier to obtain leadership - ranking member or chair - in committees and subcommittees that are less desirable (Rocca, Sanchez and Morin

2011). Although the inclusion of minority members in leadership positions is desired, one must consider how the institution diffuses influence and power throughout the House.

Nevertheless, empowering minority members means exposing more traditionally marginalized members to all of the luxuries afforded to congressional leadership, including increased staff resources and funding. This often translates into more active and effective representatives (Gamble 2007; Volden and Wiseman 2014). Leadership positions also maximize the level of influence a member can have on the legislative agenda, committee functionality, and floor actions (Cox and McCubbins 1993). Further, leadership results in increased productivity when it comes to bill sponsorship. Sinclair (1986) and Schiller (1995) have both found that leaders at the committee and sub-committee level are more likely to sponsor bills than those not appointed to those positions. This productivity could be for a number of reasons: for example, the ability for leadership to determine the committees legislative agenda and the need to fulfill responsibilities - such as re-authorizations of expiring legislation within the committee (Schiller 1995). Pivotal to this study, Krutz (2005) finds, committee leadership has a positive impact on the likelihood of a bill progressing through the committee stage. This study seeks to determine if the luxuries afforded to those appointed to leadership positions are extended to members of color as well, particularly when they are in pursuit of minority-issue policies.

If legislators await moments of opportunity to capitalize on, one would think there would be no better time to seek out and realize policy gains in key issues than when members such as Charlie Rangel and John Conyers sat atop two of the more prominent committees in the House of Representatives - Ways and Means and the Judiciary, respectively. These committee appointments are not only advantageous because of their prestige within the chamber, they also have broad, sweeping policy jurisdictions that could be leveraged to make headway in issue areas that would otherwise struggle to gain attention. There were also a number of sub-committee chairmanships that were obtained in the 110th and 111th Congresses that could have been used to forward the CBC agenda. If this is indeed the case, one would

expect the following hypothesis to be confirmed:

**Hypothesis 3** *The probability of a CBC-interest bill being forwarded out of committee will increase when the bill's sponsor is a chairperson of a committee or subcommittee with jurisdiction over that policy area.*

### **Increasing Agenda Influence through Committee Placement**

Committee placement is often seen as another mechanism to pursue substantive change in policy areas of concern (see Masters 1961; Matthews 1960; Bullock 1973; Shepsle and Weingast 1987; Leighton and Lopez 2002; Cameron, Epstein, and O'Halloran 1996 and Frisch and Kelly 2006 among countless others). Lawmakers jockey for position on “clearly stratified” committees to take advantage of prestige offered by placement on a committee, take advantage of one’s personal expertise, or to leverage placement on committees to satisfy constituency demands and improve their prospects for re-election. Most relevant to this study, Congressmen target specific committees to gain influence over the legislative agenda by drawing attention to particular problems, offering solutions for those problems, and maximizing bargaining opportunities provided by committee membership. Increasingly, members are able to capitalize on ever-evolving, ever-expanding policy jurisdiction within committees (Baumgartner, Jones, and MacLeod 2000). However, the political and institutional nature of committee assignments virtually ensure the marginalization of minority members extends into the committee assignment process (Hawkesworth 2003; Griffith and Keane 2011).

Ideally, members of color will be placed on an equal footing with their white counterparts. Although some progress has been made from periods of overt suppression of minority members in the institution (Canon 1995; Friedman 1996; Mixon and Ressler 2001; Mixon and Pagels 2007), after accounting for differences in party control Griffin and Keane (2011, 152) argue that “while African American MCs have diversified and improved their committee assignments, there is still some distance to go before assignments are race neutral”. These differences are even more noticeable when Democrats are in the minority, suggesting

when Democrats as a whole are disadvantaged, they treat minority members' placement as expendable.

Inclusion, particularly in Congress, is selective and likely a result of marginalization. Griffin and Keane (2011) offer two insights - both untested in that particular study - as to the nature of the disparities in outcomes at the committee level. The first is marginalization on behalf of the Democratic Party "for fear of white voter backlash" (Griffin and Keane 2011, 152). This would be in line with findings from Frymer (2010 and 2011) that paint the Democratic Party as a reluctant and conditional ally when it comes to issues of race. Even when Black Caucus members do receive favorable committee assignments, it is likely the result of Democratic leadership using party loyalty as a measuring stick (Mixon and Ressler 2001); uniformity in voting behavior and other representative functions pay off. While the ideas of political "cartels" is not new, especially when speaking of committee and leadership assignments (Cox and McCubbins 2007), Mixon finds that party loyalty serves as a pre-screening device. Party loyalty is also reinforced, according to Mixon, by rewarding the behavior of old members by placing incoming members in more favorable positions. This line of argument hinges on the idea that, inversely, "boat-rockers" are not rewarded with influence. Conformity and roll-call vote cohesion means, for minority members, substantive policy change often takes the shape of "color-blind" or satisficing solutions.

The second problem is one of potential "dilution". Here, African-American MC's see their committee portfolios diluted by Democratic leaders who wish to see Black Representation on every committee. On one end, ensuring minority voices are present on each committee would be perceived as admirable. However, dilution is not ideal, especially for members of a group seeking to spread influence through achieving a critical mass, proportional representation on committees. While dispersion gives off the appearance of representation, it may actually diminish the true power of minority members - strength in numbers - that is used to "to convince others - particularly members of dominant groups - that the perspectives or insights they are advancing are widely shared, genuinely felt, and deeply held within their



own group” (Mansbridge 1999, 636). Krutz (2005) finds a positive effect across five policy issues - agriculture, healthcare, education, environmental policy, and telecommunications - of committee membership on the likelihood of receiving attention at the committee level. Is this same impact extended to minority-interest areas and the members of color that pursue them? Similar effects would be signaled by significant, positive results in the following:

**Hypothesis 4** *The probability of a CBC-interest bill being forwarded out of committee will increase when the bill’s sponsor is a member of a committee with jurisdiction over that policy area.*

### 3 Design and Methodology

There are two central questions that this piece seeks to examine. First, are minority-interest issues marginalized within the House of Representatives through a process of disproportionate winnowing? The second question seeks to determine if there are avenues to improve the prospects of minority-interest bills navigating the committee stage. It can be argued that the classic “Schoolhouse Rock” explanation of the lawmaking process is antiquated (**sinclair** Curry 2015). With recent trends in lawmaking calcifying, it may be increasingly difficult for issues to gain attention on the floor. The dependent variable of interest that a bill has been *received a committee report*. Committee reports are one of the better identifiers that an individual bill has fully navigated a committee that it was referred to. It is often accompanied by the history of the bill, signals that the bill has been thoroughly considered and rewritten, and can also recommend action to the floor. The nature of the dependent variable calls for a statistical model designed to binary outcomes. The dichotomous nature of the dependent variable mandates that a model be used that is suited to handle binary outcomes. I opt for the tighter fit of then Probit model over the often-used logistic regression<sup>1</sup>.

Winnowing in Congress is an unkind, yet necessary, process. On average, only ten-percent of sponsored bills are reported out of committee (see Figure 2). This number is relatively

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<sup>1</sup>I report findings from the Probit model. However, as a robustness check, I include estimates of both the Logit and Probit models in the appendix

consistent across congressional terms and partisan majorities. Scholars agree that winnowing is an effective means of sifting through multitude of signals to cope with limitations of boundedly-rational individuals and institutions comprised of them. What has yet to be determined is if the winnowing process unfairly disadvantages members seeking change in specific policy areas.

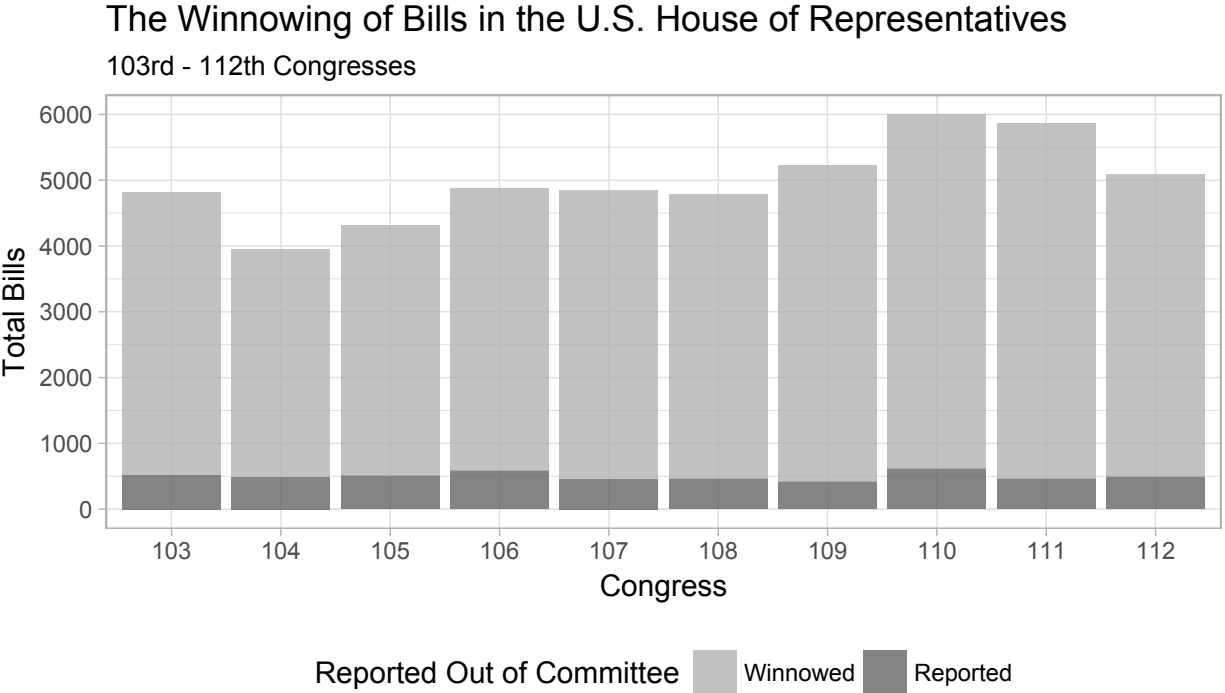


Figure 2: The figure above represents the number of bills sponsored from the 103rd - 112th Congress. Coloring delineates those that received a committee report and those that were winnowed.

### Data

In order to facilitate my analysis, I call on bill sponsorship data from the 103rd - 112th Congresses provided by the comprehensive Congressional Bills Project - a subsection of the larger Comparative Agendas Project. Due to the aim of determining what inhibits substantive change in those specific policy areas, this count of bills is also reflective dataset that only considers non-trivial bills. This yields a dataset that consists of a total of 49,713

bills across the ten-Congress sample.<sup>2</sup> There is a possibility that a difference exists in their ability to promote their central issues as partisan conditions become more favorable. To account for such a possibility an increased influence on the agenda, or the lack thereof, I employ a second model designed to examine Democratic majorities within the sample by subsetting out the 103rd, 110th, and 111th Congresses. Doing so yields a sample of 16,636 total bills.

## Independent Variables

Krutz (2005) paints a winnowing process that is dependent on three aspects of a policy: sponsor-level factors, leadership, and policy area context. In the mold of Krutz, this is a bill-level analysis that considers all three factors. To determine if marginalization is a product of policy contexts, I identify policy areas that fall squarely within the expressed legislative domestic agenda of the Congressional Black Caucus. To accomplish this, I consider a combination of factors. First, I use ten standing working groups and task forces organized by the caucus as a baseline indication of interest areas. I, then, consider official, public commitments that speak directly to agenda areas and specific policy goals made by the Caucus (see Appendix A for examples). For example, the Congressional Black Caucus releases a public agenda at the beginning of each congressional term and routinely issue public releases on their official website and through social media that offer insight into their legislative goals. I focus on jurisdictions of the taskforces for two reasons. First, they clearly define the policy areas of interest for the caucus. This counters prevalent trend in research of Black lawmakers and their interest to assign to them what their interests *should be*. Instead, I allow their agenda to speak for itself. Second, the Black Caucus makes a concerted effort to create policy that cuts across committee jurisdictions, and their working groups are reflective of such a goal.

This approach reveals a multifaceted agenda with that spans a diverse set of issues. From

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<sup>2</sup>The Comparative Agendas Project provides for such an adjustment.

these statements, I identify 36 distinct minor policy areas that fall within the jurisdiction of these particular working groups (see Table 1). Each of the specific jurisdictions have varying degrees of attention through bill sponsorship - from 3,523 in *Education and Labor* to 361 in *Civil and Voting Rights* (see Table 1). This treatment identifies 14,263 bills were sponsored in key areas identified by the Caucus by all members of the House. CBC members were the primary sponsor of 1,548 of such bills. In all, bills sponsored in these ten policy areas targeted by the CBC constitutes 29% of the all-inclusive 49,713-bill sample and 35% of the Caucus members' total sponsorship activity.

A second possibility is that marginalization that exists in inter-personal relations between minority members and their counterparts (Hawkesworth 2003) also extends to the bills that they sponsor as well. Scholarship also suggests that leadership relies on members of color's ability to promote the party agenda, and thus, cannot afford to completely erase them from the legislative process - especially as they ascend to leadership positions, themselves. If there is, indeed, an effort to silence members of color, it would be evident in the second variable of interest - a dichotomous indicator of bills *sponsored by CBC members* across all policy areas.

## **Opportunity, Resources, and the Pursuit of Minority Issues**

At the core of Cartel literature is legislative agendas is driven by partisan control. I account for if the primary sponsor of the bill is in the *majority* party. Membership on a particular committee provides, or indicates a previous existence of, a degree of expertise or knowledge in that particular policy area. It also allows for the mediation of institutional, friction-inducing costs that are often necessary for a bill to gain traction including acquiring co-sponsors and bargaining with fellow committee members. Thus, I include a dichotomous measure of *membership on the committee of referral*. Drawing on Krutz's (2005) findings that leadership has a positive influence a bills progress, I include dichotomous indicators of leadership in the form of Chairmanships at the *Committee* and *Sub-Committee* levels.

Task Force	Policy Area (CBP Code)	Total Bills	CBC Member-sponsored Bills
Government Oversight	General Government Oversight (2000)	1,563	100
	Government Efficiency and Bureaucratic Oversight (2002)		
	Campaign Regulations (2012)		
Healthcare	Healthcare Reform (301)	2,658	247
	Insurance (302)		
	Disease Prevention (331)		
	Infans and Children (332)		
	Alcohol & Drug Abuse, Treatment, and Education (342)		
Education and Labor	Employment Training (502)	3,523	402
	Fair Labor Standards (505)		
	Migrant and Seasonal workers, Farm Labor Issues (529)		
	Immigration Reform (530)		
	Higher Education (601)		
	Elementary & Secondary Education (602)		
	Education of Underprivileged Students (603)		
Budget, Appropriations, & Taxation	Tax Code (107)	2,238	123
	National Budget (105)		
Economic Development and Wealth Creation	Consumer Finance (1504)	1,421	229
	Small Business (1521)		
	Consumer Safety and Consumer Fraud (1525)		
Energy, Environment, & Agriculture	Alternative & Renewable (806)	851	41
	Conservation (807)		
	General Agriculture (400)		
Criminal Justice Reform	Court Administration (1204)	725	89
	Prisons (1205)		
	Riots, Crime Prevention, and Crime Control (1211)		
	Police (1227)		
Poverty Reduction	Food Assistance & Nutrition Monitoring Programs (1301)	564	115
	Low Income Assistance (1302)		
	Low Income Housing (1406)		
Technology & Infrastructure	Community Development (1401)	359	70
	Urban Development (1403)		
	Infrastructure (1010)		
Civil & Voting Rights	General Civil Rights (200)	361	132
	Minority Discrimination (201)		
	Voting Rights (206)		
Expressed Agenda		14,263	1,548

Table 1: This table identifies ten policy taskforces and their corresponding issues of interest for the Congressional Black Caucus. Policy areas were identified through analysis of official materials. Comparative Agendas Project (CAP) minor topics codes are included for reference. The table also includes counts of the total number of bills sponsored across each policy taskforce jurisdiction from the 103rd - 112th Congress.

Two variables are constructed to identify the impact of influence on the general prospects of bill success at the committee level. If membership and leadership on committees are perceived as valuable to the agenda-setting process, then - absent any degree of targeted friction - those conditions should also be advantageous for CBC members, as well. Therefore, I include in both models a two dichotomous indicators. The first variable captures when bills are sponsored by CBC members that are positioned on committees that the bill was referred. The second variable identifies when the bill's primary sponsor is a *Black Caucus member* that occupies a *leadership position on a committee that the bill was referred*. Here, I define leadership as a chair or ranking member on a corresponding committee or sub-committee.

One question that is central to this study asks if traditional mechanisms for forwarding issues onto the legislative agenda are equally robust and effective for those pursuing minority-interest bills. The second and third hypotheses propose that increased influence should have a positive impact on the prospects of navigating the committee. To measure the impact of increased influence over the legislative agenda on the ability for minority members to pursue their target issues, I include four interactions in both the general model and the subset of Democratic majority. I interact, first, the sponsorship of *CBC-interest bills* by *CBC members* in general. I also interact the pursuit of *CBC-interest bills* by *CBC members on referred committees* as well as *CBC leaders on referred committees*. Figure 3 reveals, of the more than 1,500 total bills sponsored in across the ten policy areas, 45% are sponsored by CBC members from within committees with jurisdiction over all or portions of the bill; this is on par with traditional behavior across all policy areas, where 46% of bills are sponsored by committee insiders. Twenty-four percent are authored by Black Caucus members in leadership positions within those committees.

In general, the proportion of bills in CBC-targeted policy areas that are sponsored that qualify under these two interactions make up a small portion of the total workload of the House. However, if H3 holds, one would expect - across each interaction - significant increases in the likelihood of receiving a report out of the committee stage. The insider/outsider dy-

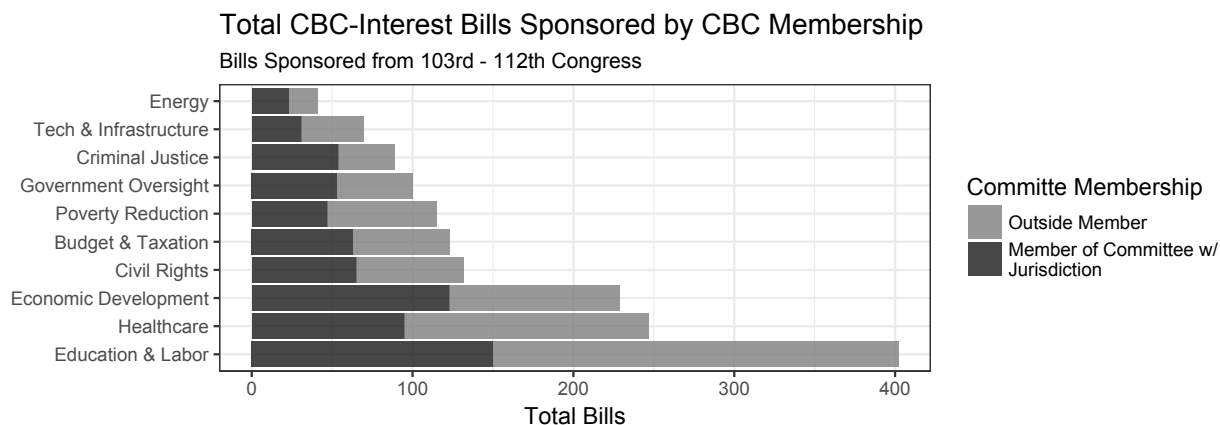


Figure 3: This figure represents CBC-member sponsorship of bills in policy areas targeted by the Black Caucus. It visualizes total bills sponsored within and outside committees with jurisdiction over the specific policy area.

namics play a major role in the progress of bills beyond the committee phase. Setting general benefits of committee membership aside for the moment, if members of color are blocked from gaining access to advantageous committees - as some scholars suggest - institutional marginalization would place minority members at an extreme disadvantage in their quest for policy change. For example, in their most targeted areas - *Healthcare* and *Education & Labor* - well more than half of their bills are sponsored as outsiders. As a counterfactual, I offer a fourth interaction that measures the impact of sponsorship by *general members on a committee of referral* on the prospects of navigating the committee stage. Table 2 summarizes each coefficient and communicates the expected relationship between it and the likelihood of report out of committee.

### Additional Considerations

I incorporate a number of control variables that have been found to contribute to the progress of a bill in the House of Representatives. I identify sponsor-level characteristics that have the potential to greatly shape the progress of a bill through the committee level. Coalitional support is vital for a bill's prospects in the House of Representatives. Significant literature has been contributed to the impact of co-sponsorship on the legislative process (Krehbiel 1995;

Variable	Measurement	Measure	Expected Relationship
<i>Minority Variables</i>			
CBC-Interest Bill	Yes or No	29%	-
CBC-member-sponsored Bill	Yes or No	9%	-
<i>Additional Considerations</i>			
Number of Cosponsors	Count	Median of 4	+
Ideological Extremity (Absolute Value of DW-Nominate)	Scale = 0 - 1.4	Avg. of 0.46	-
Seniority	Count of Tenure	Avg. of 6	+
Multiple Committee Referrals	Yes or No	Median of 1	+
<i>Resources and Opportunity</i>			
Member of the Majority Party	Yes or No	60%	+
Member of Referred Committee	Yes or No	46%	+
Chair of Referred Committee	Yes or No	5%	+
Chair of Referred Sub-committee	Yes or No	10%	+
CBC Member on Referred Committee	Yes or No	4%	+
CBC Leadership on Referred Committee	Yes or No	2%	+
<i>Interaction Effects</i>			
CBC-Interest Bill x CBC Member	Yes and Yes		-
CBC-Interest Bill x CBC Member on Referred Committee	Yes and Yes		+
CBC-Interest Bill x CBC Leadership on Referred Committee	Yes and Yes		+
CBC-Interest Bill x Member of Referred Committee	Yes and Yes		+

Table 2: Expectations of relationship between covariates and the likelihood of being reported out of committee. For clarity, this table also describes how each variable is measured within the model as well as baselines for interactions of variables.

Koger 2003). I include a count-level control variable that notes the number of *cosponsors* a particular bill has garnered. There is also a dichotomous indicator to account for *bills with multiple committee referrals*. There are three individual characteristics that could shape the bill’s likelihood of passing out of committee. First, I account for the *ideological extremity* of the primary sponsor by including the absolute value of DW-Nominate. I also consider the length of a member’s service within the chamber with a measure of *seniority*.

## 4 Results

What challenges arise in the pursuit of substantive, group-specific policy gains in issue areas targeted by the Congressional Black Caucus? The first hypothesis proposes the institution is likely to disproportionately filter bills sponsored in those issue areas during the winnowing process. Figure 4 reveals, results from the 103rd through the 112th Congresses suggest this



is certainly the case. Bills sponsored in the areas highlighted as central to the agenda of the CBC approximately three to four-and-a-half percent less likely to clear the committee stage than other substantive bills (coef = -0.433;  $p < 0.001$ ). While winnowing is a discriminant process by nature, it appears that issues with potentially racialized elements suffer from a more routine deprioritization in committees. Some may view this four-percentage-point deficit as marginal. However, in comparison, the magnitude of that deficit is greater than or essentially equivalent to conditions that are normally associated with more favorable outcomes - like placement on a committee with jurisdiction and multiple committee referrals for a single bill.

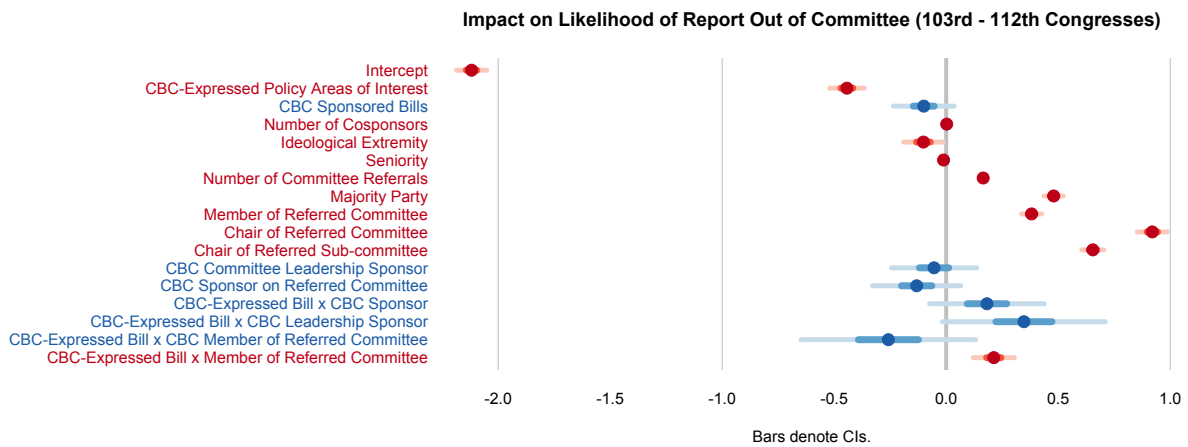


Figure 4: The figure above represents coefficient effects on the likelihood of receiving a report out of committee for bills sponsored in the 103rd - 112th Congress with 95% confidence intervals.

While the direction does infer some type of marginal disadvantage for Black members, this twenty-year sample does not show that CBC-membership, on its own, leads to any statistically significant disadvantage when it comes to the winnowing of bills, broadly. The non-significant effects of the interaction identifying when CBC members sponsor bills in central caucus issues suggest, as well, that marginalization may be centered around the issues regardless of who sponsors them. This blanket avoidance would be in-line with assumptions that institutions will attempt to mitigate conflict, altogether, by filtering issues with a high

probability to introduce such conflict into the system. Despite the fact that bills in these ten policy areas comprise nearly one-third of the focus of the members within the chamber, they are substantively less likely to clear the committee stage.

Setting racial elements aside for the moment, the models are both consistent with Krutz's (Krutz 2005) foundational work on winnowing and factors that could improve the prospects of a bill receiving attention in committee - at least among the general membership. Predictors such as *number of cosponsors* (coefs = 0.002 in full sample and 0.003 in Democratic majorities; both  $p < 0.001$ ) and *majority party membership* (coefs = 0.480 in full sample and 0.295 in Democratic majorities; both  $p < 0.001$ ) each had positive impacts on clearing the committee stage. As predicted, *ideological extremity* had a significant, negative bearing on a bills prospects, especially in Democratic majorities (coefs = -0.102 in full sample, increases to -0.309 in Democratic majorities). One deviation from Krutz's study is found in the effects of a member's tenure of service. *Seniority*, across the full sample, appears to have a slightly negative impact on the likelihood of a bill reporting out of committee. While his work found the opposite, this is likely a relic of sampling and evolution within the chamber.<sup>3</sup>

## Opportunity through Shifts in Partisan Control

Are the prospects of CBC-interest bills improved when partisan conditions are more favorable? The short answer is no. Figure 6 shows that targeted policy areas of the Black Caucus remain marginalized despite Democratic party control over the legislative agenda (coef = -0.407;  $p < 0.001$ ). Figure 7 visualizes the change in the expected probability of navigating the committee stage. While, at face value, the probability does show a marginal increase under Democratic control - from 3.7% to 4.2% - this does not tell the entire story. First difference simulations show the margin between CBC-interest bills and other bills is

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<sup>3</sup>The span of the Krutz study encompasses 1991 - 1998; the sample in this article picks up in 1993 and culminates in 2013. During this period of time, there was a great deal of turnover - evident in the shifts in partisan control. Along with this turnover, it is expected that the new generation of members will actively seek to influence the legislative agenda. While this proposition is beyond the scope in this study, this may work to mitigate (or even reverse) the effects of seniority.

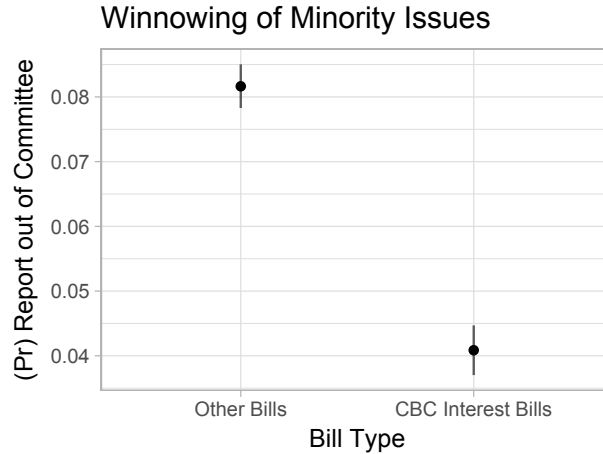


Figure 5: The figure above represents the effects of policy type on the expected probability of receiving a report out of committee during the 103rd - 112th Congress. Confidence intervals represent a distribution of 11,000 point-estimate simulations while holding other variables at their respective measures of central tendency.

virtually unchanged (see Figure 8). If anything, there exists a slight decrease in the deficit between minority-interest bills and their color-blind counterparts. The difference shrinks by one-third of a percent in probability. As with the larger sample, the subset of Democratic-controlled congresses does not indicate a significant marginalization of CBC members across all policy issues (despite a negative coefficient). This suggests that when minority members sponsor bills that are in-line with the larger party agenda, the treatment of their bills at the committee stages is indiscriminant from non-CBC members.

## Leveraging Leadership and Committee Membership

Both models - the general model and the subset of Democratic majorities - mirror Krutz's (2005) findings of an leadership increasing a member's ability to promote bills through the committee stage of the legislative process. Across both samples, membership on a committee to which the bill was referred to (coefs = 0.381 in full sample and 0.465 in Democratic majorities; both  $p < 0.001$ ), and being appointed to chairperson of a *committee* (coefs = 0.920 in full sample and 0.678 in Democratic majorities; both  $p < 0.001$ ) or *sub-committee* with jurisdiction (coefs = 0.655 in full sample and 0.496 in Democratic majorities; both  $p$

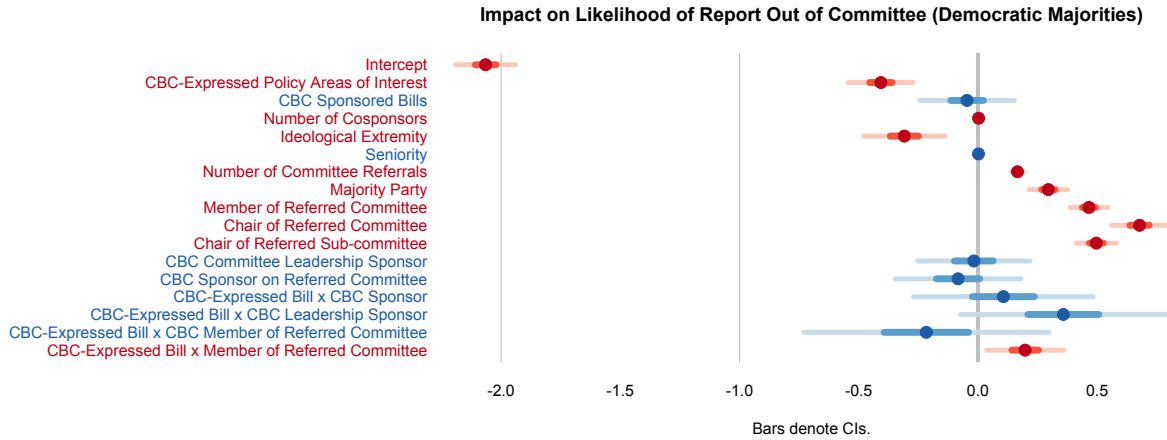


Figure 6: The figure above represents coefficient effects on the likelihood of receiving a report out of committee for bills sponsored under Democratic majority (103rd, 110th and 111th Congresses) with 95% confidence intervals.

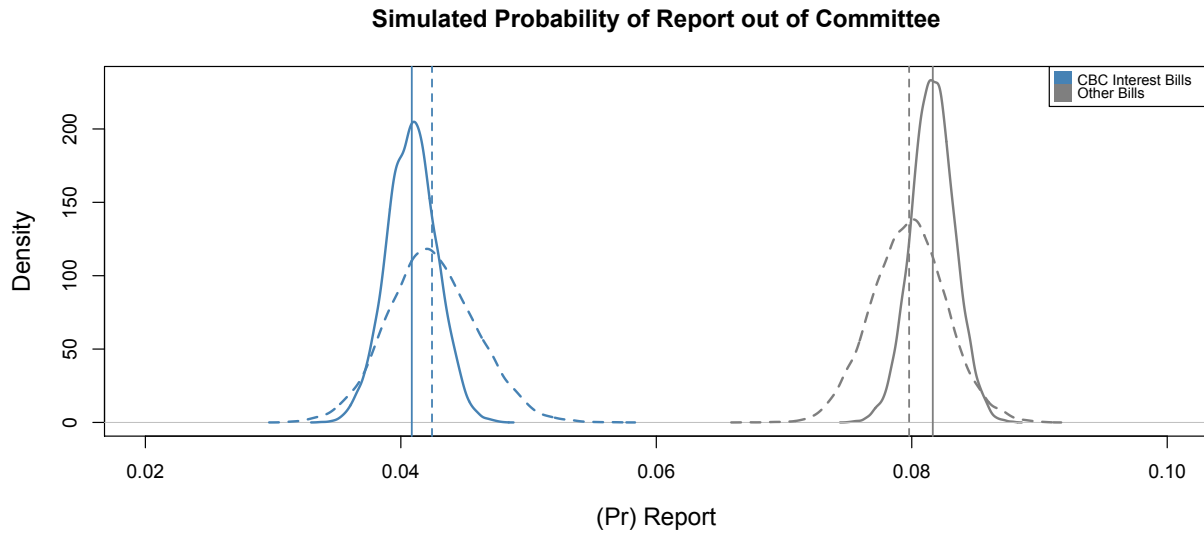


Figure 7: The figure above represents the expected probability of bills being reported out of committee. The solid line represents the full sample of the 103rd - 112th Congress. The dashed line represents the subset of congresses that were under Democratic majority rule. The distributions pictured are the results of 11,000 point-estimate simulations. Corresponding vertical lines indicate the mean estimate in the distribution.

< 0.001) have drastic effects on the prospects of a bill. These findings come with a large - and significant - caveat; these benefits do not appear to be afforded to members of the Congressional Black Caucus or for the issues they seek to promote.

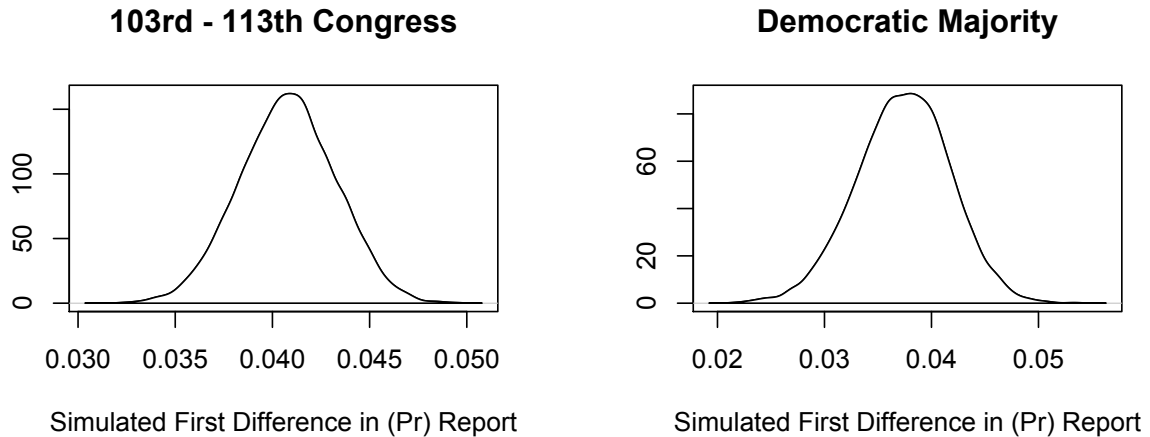


Figure 8: The figure above visualizes distributions of 11,000 first difference simulations of expected probabilities of CBC-interest and non CBC-interest bills receiving a report out of committee. Pictured are distributions across full sample of the 103rd - 112th Congress and the subset of Democratic majorities.

Compounding the marginalization of CBC-interest bills at the committee stage, interaction effects in both models reveal little to no impact of leadership or committee placement on their prospects. In the larger samples, the interaction between *CBC-interest bills* and *CBC Committee Leadership sponsors* shows some promise; however the estimate fails to meet standard indicators of statistical significance ( $p = 0.06$ ). Even more unexpected are the findings that, for CBC members, leadership and favorable committee assignments have little bearing on their ability to forward policies even across the more “color-blind” policy areas. However, for each of the mentioned variables, I am left unable to confidently reject the null hypotheses. Only one of the four interactions measured in this model yielded significant results; when members of referred committees sponsored bills in CBC-interest areas, they were more likely to be promoted through the committee stage. This finding reveals another problematic reality. When committees *do* decide to forward those issues through to the larger stage, chances are, the bills considered may be from a different or even counter-perspective from the agenda of Black Caucus members. This may indicate that, in a political environment where factions are at constant competition in the game problem identification

and attribute definition, minority members remain disadvantaged. CBC members may be at the mercy of opposing definitions or be heavily reliant on allies within the committee to forward bills with definitions and attributes that run concurrent to the interests Caucus members pursue.<sup>4</sup>

## 5 Discussion

Findings support the idea that particular issues are subject to a certain degree of deprioritization and filtering when it comes to forwarding bills out of committee. The winnowing process is an unforgiving one; however, policy areas identified by the Congressional Black Caucus as central to their cause are subject to a disproportionate degree of winnowing. These differences may be a result of the highly competitive nature of some of those issues; it could also be a product of the contentious nature that surrounds many of those issues as well. What may be a more direct indicator of a more targeted friction can be found in the interaction effects - all of the mechanisms that are generally effective for members to promote issues appear to be ineffective when it comes to the pursuit of key issues identified by the Congressional Black Caucus. If the agenda-setting function is dependent on actors' abilities to accumulate and capitalize on resources, minority representation has certainly translated into increased influence in a central mechanism to induce policy change: the congressional committee.

Minority members have made the tremendous strides in closing the gap in committee portfolios and upward mobility in the chamber. Promotion appears to benefit some members of the institution. However, for Black representatives, the occupation of agenda-influencing positions does not appear to translate into increased success in forwarding their catered agenda. Although majorities in Congress are often viewed as an opportunity to advance one's legislative agenda, Democratic majorities offer little solace for Black Caucus members

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<sup>4</sup>Testing the degree of support for non-CBC-member sponsored bills in those areas of interest would require textual analysis or bill-level co-sponsorship trends - both of which are beyond the scope of this particular study. However, this possibility provides an avenue for future research.

despite their presence as a sizable, reliable subsystem within the party's legislative apparatus. For those that pursue change in key Black Caucus issues, the effects of those resources and windows of opportunity are marginal to non-existent. Ultimately, substantive change in the most concerning issues of the caucus cannot be achieved if corresponding bills never reach the floor.

It is important to remind - and to an extent reassure - readers that bill sponsorship in those targeted policy areas is not wasted effort on behalf of the Black Caucus despite the institution's overall inattentiveness. Congress is "sticky" by design and require surges of information - or "signals" - in order to invoke a response (Jones 1994; Jones and Baumgartner 2005; Workman, D. Jones, and E. Jochim 2009). Policymaking institutions have a tendency to behave in two fashions: they underrespond to environmental signals until those signals become unavoidable, then, they overrespond. As Kingdon (2011) argues, it is often necessary to "soften up" decision making institutions prior to windows of opportunity presenting themselves in order for policy change to occur. Thus, persistence may not reap immediate rewards, however, this effort is not futile. The question remains, how sturdy has Congress become in their underresponse to minority issues.

More importantly, this conversation is, by no means, intended to paint Black lawmakers - or the CBC - as subordinate or, even, ineffective. In fact, it aims to do the opposite; when success does come, it is important to understand the hurdles that these lawmakers must overcome in order to bring about change in an institution that has yet to shake its history of racialized institutionalism despite significant gains in minority representation (King and Smith 2005). Minority members of Congress are forced to challenge not one but two power structures in order to achieve their substantive policy goals. On one front, they must navigate the larger institution and its interests that have historically been at least resistant to minority advancement or, in many instances, a causal force in their marginalization. On the second front, they operate - almost uniformly - within a party that avoids addressing minority issues and reinforces conformity with the larger "color-blind" agenda. Absent a realignment in

power - either through the rearrangement of priorities or an upheaval of the power structure itself - in one of the two systems, a constant imposition of friction may inhibit their ability to gain traction on many of the issues that they have prioritized.

## 6 Conclusion

Agenda-setting scholarship has certainly advanced in recent decades. Early studies of problem-solving, decision making, attention, alternatives, path-dependency, coalition advocacy provide a well-developed foundation that has birthed a new generation of policy-process scholarship. However, there are still dimly-lit paths left to explore. While process scholarship acknowledges and hypothesizes about the dynamics between winners and losers - rather they be winning coalitions versus losing ones, advantaged versus disadvantaged groups, when policy change occurs versus when it does not, or issues that receive attention versus those that are left off of the agenda - attention is heavily skewed towards explaining circumstances that lead to winning. Our understanding of policy dynamics would be benefited by promoting a balance between the two. Scholars should make a concerted effort to identify and explain forces that undergird the policy process that lead to losing in the policy process - especially if that force leads to a perpetuated cycle of losing.

Existing literature on institutional friction starts that conversation. Research should be devoted to not only expanding knowledge of friction as a change-resistant force, it should also consider the motivations surrounding more intentional impositions of friction within the process at and beyond the institutional level. Work should also seek to tie these forces - like friction - to current conditions of disadvantaged and marginalized groups. There are policy and political ramifications to creating and perpetuating cycles where losers remain losers despite the efforts of pressure groups, internal change, and crisis. Congress has shown to be one of those institutions that - despite endogenous and exogenous force - avoids taking on minority issues.



It is often assumed that members from disadvantaged groups pursue vastly different issues than their counterparts. The preceding conversation reveals that members from underrepresented populations suffer from a filtering in the institution that works to inhibit wholesale policy change in many of their preferred issue areas. This occurs even in Democratic-controlled houses and despite advantageous positioning in committees. Hopefully, these findings inspire new questions directly tied to attempts to promote minority issues onto the institutional agenda. If traditional identifiers of influence are ineffective for minority representatives - both in general and in their pursuit of minority issues - what, if any resources are available for them to shape the agenda? If Democratic majorities have little bearing on their ability promote group-specific interests, what do “windows of opportunity” look like? Most importantly, if there are underlying forces at play that impede policy change in key issues, what avenues are there to overcome them, especially if traditional means are ineffective?

Moving forward, there are a number of potential avenues that exist that could further explore the nature of issue marginalization in Congress. First, there are several means to measure institutional attention. This article focuses solely on the winnowing process. A more qualitative focus on committee hearing transcripts would also provide valuable insight into if, and how, minority issues are processed through committees. Second, CBC members have made a concerted effort into crafting bills that cut across committee jurisdiction (Hammond, Mulhollan, and Stevens 1985). While individual members have no control over the committee which their bill is referred to, another question that remains unanswered by this study is how the process differs for minority-issue bills that are sponsored to multiple committees. Are these bills treated more favorably in deliberation and in consideration when minority members are more incorporated into the committee structure? Or, is there a cognizant effort on the part of party leadership to steer Black-issue bills away from committees with large Black presences in an effort to further preserve party power and avoid conflict? Finally, the fourth interaction in both models suggests that non-CBC members fare better when sponsoring bills in CBC-targeted issue areas. While neither model discriminates between

which party members on the committee are sponsoring bills in those areas, it would be interesting to identify with whom CBC members form coalitions around to determine how these members interact with supportive party members when their own party structure is hostile towards their interest advancement efforts.

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	103rd - 111th Congresses	Democratic Majorities	103rd - 111th Congresses (Logit)	Democratic Majorities (Logit)
Intercept	-2.119*** (0.034)	-2.065*** (0.064)	-3.907*** (0.071)	-3.726*** (0.129)
CBC-Expressed Policy Areas of Interest	-0.443*** (0.039)	-0.407*** (0.069)	-0.968*** (0.091)	-0.883*** (0.162)
CBC Sponsored Bills	-0.100 (0.069)	-0.046 (0.102)	-0.244 (0.155)	-0.091 (0.219)
Number of Cosponsors	0.002*** (0.000)	0.003*** (0.000)	0.004*** (0.000)	0.005*** (0.001)
Ideological Extremity	-0.102* (0.045)	-0.309*** (0.087)	-0.136 (0.085)	-0.636*** (0.169)
Seniority	-0.012*** (0.002)	0.002 (0.004)	-0.025*** (0.004)	0.004 (0.007)
Number of Committee Referrals	0.165*** (0.008)	0.166*** (0.013)	0.288*** (0.014)	0.283*** (0.023)
Majority Party	0.480*** (0.022)	0.295*** (0.041)	1.037*** (0.048)	0.625*** (0.086)
Member of Referred Committee	0.381*** (0.023)	0.465*** (0.041)	0.764*** (0.046)	0.948*** (0.083)
Chair of Referred Committee	0.920*** (0.034)	0.678*** (0.060)	1.587*** (0.061)	1.150*** (0.104)
Chair of Referred Sub-committee	0.655*** (0.025)	0.496*** (0.043)	1.126*** (0.045)	0.847*** (0.075)
CBC Committee Leadership Sponsor	-0.054 (0.097)	-0.017 (0.120)	-0.067 (0.189)	0.023 (0.221)
CBC Sponsor on Referred Committee	-0.132 (0.101)	-0.083 (0.135)	-0.210 (0.215)	-0.163 (0.277)
CBC-Expressed Bill x CBC Sponsor	0.182 (0.131)	0.107 (0.192)	0.373 (0.309)	0.209 (0.444)
CBC-Expressed Bill x CBC Leadership Sponsor	0.347 (0.186)	0.358 (0.220)	0.688 (0.379)	0.682 (0.425)
CBC-Expressed Bill x CBC Member of Referred Committee	-0.258 (0.199)	-0.217 (0.262)	-0.581 (0.445)	-0.438 (0.573)
CBC-Expressed Bill x Member of Referred Committee	0.213*** (0.047)	0.198* (0.083)	0.566*** (0.103)	0.506** (0.182)
AIC	26442.449	8830.159	26501.538	8863.516
BIC	26592.287	8961.388	26651.376	8994.745
Log Likelihood	-13204.224	-4398.080	-13233.769	-4414.758
Deviance	26408.449	8796.159	26467.538	8829.516
Num. obs.	49713	16636	49713	16636

\*\*\* $p < 0.001$ , \*\* $p < 0.01$ , \* $p < 0.05$

Table 3: Statistical models

## A Appendix

## B Online Appendix

### B.1 Member Progress in the House of Representatives

It is worth noting, as time has progressed, CBC members have certainly closed the gap in production between themselves and their non-Black Democratic Party members. On the surface, Figure 1 reveals, in the 103rd Congress, CBC-members lagged behind in successfully navigating the committee phase. However, when the next Democratic majority presented itself, those differences in both receiving attention in committee and seeing action beyond were virtually indistinguishable from their non-minority counterparts. In fact, in the 111th Congress, CBC members outpaced their colleagues when it came to clearing the committee stage and receiving attention on the floor. These findings, however, are likely inflated by productivity of Charlie Rangel (D-NY) who occupied the chairman's seat in one of the most influential committees in the chamber - Ways and Means. From that position, he authored more than ninety bills in his two years as chair. In that same time, likely aided by his influence, his proposals saw a unique level of success; two-thirds of the substantive bills sponsored in the 110th Congress cleared the committee stage and half of those sponsored in the 111th Congress saw similar results. As Chairman of the House Judiciary Committee, John Conyers saw similar success. While his productivity did not match his colleague Rangel's output, he was able to author several bills that progressed beyond the committee stage (Volden and Wiseman 2014). These finding, however, do not distinguish between attempts to sponsor bills in areas that have been identified by the Black Caucus.

### B.2 The expressed agenda of the Congressional Black Caucus according to communications

The official website of the Congressional Black Caucus routinely discusses its legislative focus with for each congressional term. From these communications an example of the 115th CBC agenda is:

**Equity:** The Constitution guarantees every man, woman, and child equal protection under the law, but those civil liberties have never applied to all Americans equally. While we have come a long way, African Americans continue to face racist and discriminatory policies and institutions that result in disparities across almost every facet of life, from access to quality affordable health care and education, to police brutality and voter suppression. The CBC will continue its decades-long mission of forming a more perfect union by fighting for equality and justice for all Americans by:

- Fighting to expand access to the ballot through initiatives like automatic voter registration and early voting;
- Reforming the criminal justice system from end-to-end, from de-escalation training for law enforcement officers and banning private prisons, to fully funding the Second Chance Act;

- Investing in and defending the public education system to ensure every child has access to quality education;
- Supporting our Historically Black Colleges and Universities and Predominantly Black Institutions;
- Expanding access to affordable higher education by providing year-round Pell Grants, reducing student loan interest rates, and providing two years of free tuition at certain institutions of higher education;
- Preserving the Affordable Care Act to ensure millions of Americans retain access to affordable, quality healthcare, and retaining investments in minority health clinics to combat health disparities; and
- Protecting the Environmental Protection Agency to ensure all Americans have equal access to clean air, water, and land.

**Economic Empowerment:** The CBC is committed to advancing Black families in the 21st Century. To do so, we must address the economic disparities that have plagued our communities for generations and create opportunities that lift all Americans out of poverty and into the middle class and beyond. Unfortunately, the racial wage and wealth gaps in America are worsening. That is why the CBC supports policies that strengthen protections for workers and expand Black entrepreneurship and business development. Investing in economic development benefits entrepreneurs and workers alike, as well as communities at large. The CBC will continue to fight for economic justice for disadvantaged businesses and the workers they employ by:

- Advancing tax reform that provides relief for middle-class families and small businesses while asking the richest of the rich to pay their fair share;
- Rebuilding our nations infrastructure to ensure long-term economic competitiveness for all communities, including modernizing schools, expanding broadband, and providing summer and year round jobs for Opportunity Youth;
- Preserving programs that support minority businesses, like the Community Development Block Grant Program and the Minority Business Development Agency; Expanding access to capital by advancing FinTech initiatives, bolstering mission-driven lending options, like Community Development Financial Institutions, and providing regulatory relief for minority depository institutions;
- Preparing Americans for the work of the future through workforce development programs that anticipate the demands of a 21st Century economy; and
- Strengthening labor protections that help put more money in the pockets of hardworking Americans, like increasing the minimum wage and expanding overtime protections.