

Cross-Cutting Legislation and The Impact of
Committee Reform on the Pursuit of Black Interests in
the House of Representatives *

Periloux C. Peay

University of Oklahoma
Department of Political Science

Contact Information:
455 West Lindsey St.
Dale Hall Tower, Room 205
Norman, OK 73019
Ph: (409)658-0017
Fax: 405-325-0718
Email: pcpeay@ou.edu

November 24, 2018

*This is a working paper. Please, do not cite without author's permission.

Abstract

The value of increased diversity in lawmaking bodies and the reconciliation such increases with a perceived lack of substantive policy gains by Black representatives has been at the center of scholarly debate for several decades. Increasingly, scholars have argued, it may be necessary move beyond examinations of voting behavior to identify where members of color represent the interests of their unique constituencies. This analysis seeks to explore the strategy surrounding Black lawmakers effort to shape the legislative agenda in the House of Representatives and how institutional change over time may have impacted their probability of success. More specifically, through an evaluation of bill success from the 103rd to the 112th Congress, I find a positive influence of sponsoring bills that result in multiple committee referrals on the likelihood of bill success at the committee stage and in floor votes. These successes span across the broader sponsorship of Black members as well as in policy areas targeted by the Congressional Black Caucus. I also find that such conditions were not the case prior to a series of reforms that rearranged policy jurisdictions and referee procedures.

Keywords: Black Interests, Descriptive Representation, Committees, Reform, Agenda-Setting

1 Introduction

“When legislation is actually considered by a number of committees, multiple perspectives are brought to bear on complex problems. More interests have a voice and a more diverse group of members a say at the committee stage, where it matters the most.” - Barbara Sinclair in Unorthodox Lawmaking, 2016

In May of 2018, the Congressional Black Caucus (CBC) introduced a 1,300-page omnibus package to the House of Representatives. This complex, cross-cutting piece of legislation - titled the *Jobs and Justice Act* - spanned more than a half-dozen major policy topic areas and, if taken up, would have demanded, and likely garnered, the attention of nearly every committee in the chamber. Understandably, in a Republican-controlled Congress, the bill stalled almost immediately after introduction. However, their efforts speak to a larger and increasingly relevant trend among black legislators - and within the House as a whole - of sponsoring multidimensional legislation (Hammond, Mulhollan, and Stevens 1985; Krutz 2001; Krutz 2005; Krutz 2000; Sinclair 2011). This study proposes that such efforts are the product of an institutional evolution in rules and structure that facilitates such actions and that Black members have adapted their tactics in hopes of increasing their success within the chamber.

The success of actors within lawmaking bodies often rests in their ability to adapt to, and capitalize on, ever-changing political and institutional conditions (Sabatier 1988; Bennett and Howlett 1992; May 1992; Pralle 2003). The U.S. House has certainly undergone a great deal of changes in recent decades that have fundamentally altered the structure and functional capacity of the chamber. How have these reforms impacted the ability of lawmakers of color to pursue policy change in the unique areas of interest that are rooted in their racial identity? Moreover, as Carol Swain (1993; 44) noted more than two decades ago, Black representatives are far removed from the days when the approach to legislating was to “simply drop their bills into the hopper [...] and pray for action”; instead, they call on a multitude of strategies to seek out success in their collective and individual goals. In the years since, this is becoming increasingly true; however, scholarly attention to the strategic

nature of Black legislative activities remains scarce and underdeveloped.

This study looks to build on a foundation of scholarship surrounding diversity in representative bodies by exploring territory that remains relatively uncharted - their legislative strategy. In doing so, I draw on elements of institutional and policy process research to further explore the relationship between their efforts to sponsor multidimensional legislation and the institution's capacity to process cross-cutting proposals. I examine substantive bills sponsored by Black members of the House of Representatives from the 103rd through the 112th Congress in an effort to gain insight as to the ramifications of creating policy proposals that span across multiple committee jurisdictions. Specifically, this work traces a sharp uptick in the sponsoring of bills resulting in multiple committee referrals to decisions made in preceding congressional sessions that could prove to be advantageous for Black lawmakers. I find that when Black lawmakers propose multidimensional legislation - both broadly and in areas targeted by the Congressional Black Caucus - the likelihood that a bill progresses through the legislative process increases dramatically; this is especially true during the most recent period of Democratic majority control.

I begin with a brief survey of the literature concerning the pursuit of Black issues and transition immediately into a conversation focused on how the nature of these issues can - and likely do - spawn cross-cutting legislation. I, then, examine the concerted effort on the part of Black lawmakers to design and propose multidimensional laws that cut across committee jurisdictions. This includes the role and motivations of collective organizations of marginalized representatives - or caucuses - in the strategic development of these multidimensional policy proposals. Next, I discuss changes that have occurred in the modern Congress that reshape its ability to efficiently process and solve complex issues. This conversation prompts the proposal and testing hypotheses concerning the progress of more than four-thousand bills sponsored in the twenty year period in the House. Following a discussion of the data and methodology, I report and discuss the findings of the analysis. Finally, I conclude with a discussion of the implications on future research.

2 Black Lawmakers and the Pursuit of Black Issues

Early measures of minority representation and responsiveness were largely framed through two lenses. On one hand, scholars have examined the racial composition of member districts and the result of majority-minority district creation and find little substantive effects on policy outcomes (Lublin 1999; Cameron, Epstein, and O'Halloran 1996). Others have relied on voting behavior on a constricted set of bills in policy areas that members of color *should* care about - with mixed results (Whitby 2000; Swain 1993; Gay 2007; Tate 2001). Despite an abundance of literature suggesting Black lawmakers partake in policymaking that is driven by their identity and the unique experiences that are associated with it, the jury is still out as to their ability to translate such efforts into substantive policy gains. These disjointed findings may be the product of individualized approaches that largely ignore what proponents of proportional representation assert is at the core of increasing diversity within legislative chambers: capitalizing on their strength in numbers. In advocating for a collective presence in Congress, the discipline has largely ignored the collective effort to identify, define and prioritize problems, search out and design solutions to those problems, as well as devise collective strategies to carry out their targeted agenda.

Increasingly scholars are reaching beyond voting behavior for evidence of substantive representation. At the state level, Black representatives sponsor significantly more bill in Black interest areas (Bratton and Haynie 1999; Miller 1989). At the federal level, scholars have begun to engage the process of lawmaking to find examples of Black representatives championing racialized policy issues (Canon 1995; Canon 1999). An emerging line of research concerning Black representatives examines the role of increasingly sophisticated infrastructures created to routinely shape the discourse around and attempt to draw attention to Black interests in debate, deliberation, and oversight (Minta 2011; Minta and Sinclair-Chapman 2013; Tyson 2016). It is through these caucuses where members organize, strategize, and pool resources in an effort to forward their collective goals (Hammond, Mulhollan, and Stevens 1985; Hammond 1991; Stevens, Mulhollan, and Rundquist 1981).

Recent scholarship concerning the effectiveness of Black representatives has worked to remedy many of the challenges that faced earlier efforts to identify substantive representation of Black interests. Unfortunately, there remains terrain left relatively unexplored in Congressional scholarship that highlights (1) not if, but *how* Black representatives pursue their catered agenda and (2) explores if *and* how circumstances have improved since the late twentieth century. Inspired by the likes of Minta, Gamble, Sinclair-Chapman, and others that have devoted attention to the process, I build on their advancements of the literature by, too, looking beyond voting behavior by focusing on the strategy of Black lawmakers and how their response to institutional change reshaped policy outcomes in the chamber. It seeks to explain how restructuring of policymaking arrangements in Congress can motivate strategic actions aimed at potentially circumventing cognitive, informational, and transactional barriers that may exist within the institution. Here, I argue that a collective increase in cross-cutting policy proposals - prompted by formal and informal reforms of committees and their jurisdictions - created an opportunity to increase their likelihood of achieving substantive gains in both individual and collective, group-specific interests. Finally, it paints this phenomenon as a slow-moving process - one with delayed consequences to layered institutional changes and payouts that surface well after the initial decision to reform the committee structure.

3 Black Issues and Cross-Cutting Legislation

An earnest attempt at problem-solving in issue areas that concern marginalized groups may result in the realization that remedies may call on multifaceted solutions that tackle the interwoven and multidimensional nature of Black issues. For example, poverty in Black constituencies goes well beyond job creation - it can be traced to inequality in educational opportunities, the development of communities and infrastructure, the availability of affordable childcare, access to cost-saving and preventative healthcare services, and a number of

other conditions that span across several committee jurisdictions (Ogbu 1979; Fleming 1985; Shapiro 2004). The “Jobs and Justice Act” is merely an example of what a holistic approach to solving issues in the Black community would resemble. Racial inequality is also transferred across generations with consequences that are deeply rooted in the fabric of American reality, and always have been. Therefore, those tasked with addressing these issues must, first, categorize the multiple components tied to the particular issue (Workman, Shafran, and Bark 2017). Cross-cutting - also referred to as multidimensional or boundary-spanning - policy proposals may emerge due to the complex nature of issues that are ill-fit to current jurisdictional arrangements.

It may be necessary to look deeper in search of explanations for findings that may be counter to conventional expectations. One critique of scholarship surrounding the influence of racial representation - and racial identity politics, in general - is that it is often discussed without placing political phenomenon in their proper context and could be at risk of “severely misinterpreting the meaning of the data” (Dawson and Cohen 2002, 491). Some point to marginalization in the institution that could work to thwart or mask substantive progress in the chamber. Hawkesworth (2003, 546) points to interpersonal marginalization where “in committee operations, floor debates, and interpersonal interactions, they are treated as less than equal in various ways that carry palpable consequences for their identities and their policy priorities”. Frymer (2010, 2011) along with Griffin and Keane (2011) forwards claims that inter-party dynamics work against the substantive pursuit of Black interests.

Scholars have also found more structural barriers that exist within the chamber. Congressional committees are “clearly stratified” (Matthews 1960, 152), with a pecking order that provides select members the chance to “gain the power and prestige it offers, in order to serve his constituency. Membership on a committee also provides some members the opportunity to exert a degree of leverage over policy areas that concern them that arise either as a function of personal expertise or from constituency demands (see Shepsle and Weingast 1987 Leighton and Lopez 2002; Frisch and Kelly 2006; Adler and Lapinski 1997 among others).

However, evidence suggests committee assignments fall short of being race neutral (Griffin and Keane 2011; Rocca, Sanchez, and Morin 2011).

There may also exist more institutionalized barriers prohibiting policy change that are rooted in the preservation of power structures and institutional orders. At any given time, Congress is tasked with finding solutions to a multitude of diverse, complex problems that arise that vary in degree of urgency. Despite a design that should encourage and facilitate parallel processing, a number of burdens - namely, limitations on time, resources, and attention - weigh heavily on the ability to completely and efficiently collect, organize, process, and respond to every signal that is relayed to the institution (Jones 1994; Jones 2003; Baumgartner et al. 2009; May, Workman, and Jones 2008). Naturally, there exists a need to prioritize some signals for attention while de-prioritize others, resulting in a “bottleneck of attention”, where issue compete for institutional attention with only a select few actually acquiring it (Simon 1985; Krutz 2005; Jones and Baumgartner 2005).

Moreover, American politics have long been plagued with racialized ordering that has undoubtedly bled into institutions and shaped preferences, processes, and policy outcomes (King and Smith 2005; Dawson and Cohen 2002; Holt 2009). Thus, Cobb and Elder (1997) add that there are often cultural components to decisions of which issues arrive on the institution’s legislative agenda. Racialized policy issues often threaten to expose cleavages in power arrangements, and attempts to address such issues play on contentious dynamics that result from the nature of the policy (Lowi 1964). Solutions in these areas are often portrayed as redistributive and regulatory and routinely play on “haves and have not’s” dynamics that often result in conflict - regardless of the true character of the proposal (Peterson 2012). In an effort to mitigate conflict and preserve institutional power structures, committees may be incentivized to preemptively filter such proposals early and often. The congressional committee serves as one of those filtering agents. If such conditions are as wide-spread and institutionalized as some argue, where then are there opportunities for Black members to pursue the policy goals that most assume they will.

Cross-cutting legislation may be the product of a direct strategy aimed at cutting through barriers of inattention in Congress. On one hand, as members become more incorporated into the institutional power structure, designing policy proposals with multiple dimensions may increase the likelihood that the bill is referred to a committee with a more advantageous presence of Black membership. Researchers of identity caucuses - like the Congressional Black Caucus - argue there may be some validity to venue-shopping as a legislative strategy; “the groups perform an integrative role, developing legislative programs which cut across committee boundaries [and] take the lead in drafting legislative proposals, monitoring developments throughout Congress and the executive branch, and persuading to their viewpoint members of the various committees” dealing in relevant policy areas (Hammond, Mulhollan, and Stevens 1985, 429; see also Stevens, Mulhollan, and Rundquist 1981). The organization of the caucus, itself, is structured in a fashion that facilitates cross-cutting legislation. Scholars have argued that representatives now rely on the development of a extra-party infrastructure designed to aid in the search for wins in collective interests (Minta and Sinclair-Chapman 2013). These diverse needs of Black constituencies “could not be represented adequately in the House by any one member, black or white; through the united efforts of the congressional Black Caucus, these needs are more likely to achieve effective representation.” (Hammond, Mulhollan, and Stevens 1985, 434). The Caucus has formalized its presence over time by organizing into standing taskforces and working groups. These working groups serve as policy laboratories and sources of information gathering and dissemination and are comprised of members with either direct interests or advantageous committee placements in relevant policy areas.

Multiple Referrals and the Pursuit of Black Interests

What impact could a surge in multidimensional bill sponsorship have on members’ quest for success in their catered policy agenda? Multiple referrals could serve as mechanisms to mitigate institutional costs and cut through the layers of friction that exist in American

political institutions that work against policy change. Due to the complexity of Black issues, it may be necessary for multiple committees to take on the role of information gatherers in their particular substantive jurisdictions. Allowing for several committees to divide the labor that is involved with recognizing and defining problems as well as weighing the proposed solution against its alternatives would certainly reduce the informational burden that would be incurred by a single committee taking on such complex issues. Boundary-spanning proposals also create opportunities for committees with broader jurisdictions to take on new issues that may have previously been ignored by the institution (Sheingate 2006), and for members across the multiple committees or through the agencies under their jurisdiction to apply their perceived expertise to deliberating and reshaping the legislation (Workman, Shafran, and Bark 2017). Sponsoring bills that receive multiple referrals also comes with the potential to reduce transaction costs through exposure and coalition building that comes along with distributing bills to multiple committees. As bills make their way through several committees, this creates opportunities to acquire additional cosponsors - especially those from out-group members of the chamber.

Multidimensional legislation becomes the mechanism through which representatives of color seek to drive attention from both inside and outside of relevant committees. On one hand, as previously discussed, multiple referrals induce competition among committees as they struggle to gain jurisdiction over relevant issues. Additionally, committees may preempt these jurisdictional battles with hearings in broad topic areas, providing avenues for Black committee members to take a more active role in the problem definition and redefinition stage of the process. Also, as King (1994; 2008) notes, Black members could seek to sway jurisdictional battles by sponsoring bills from within committees that they are a part of in hopes of establishing parliamentary precedents. This creates a cycle where activity from within particular committees is rewarded and reinforced by forwarding a more diverse range of policy issues during this time of uncertainty, when this may not be the case in times of more jurisdictional stability. These things in mind, I propose two hypotheses concerning the

impact of sponsoring cross-cutting legislation in the post reform era. First:

Hypothesis 1 *Sponsoring bills that receive multiple committee referrals will lead to an increased probability that the bill will be reported out of a committee.*

While there remains a great deal of doubt as to the gate-keeping function of congressional committees, there is reason to believe that the successful navigation through the committee phase may have carryover effects on the floor. Those bills have - at the very least - garnered at the attention of committee leadership on multiple committees, been exposed to multiple members from both parties upon which coalitions could be built around, and possibly rewritten to maximize its chances on the floor. In a modern Congress that is characterized by a strong hand in the process on the part of leadership, the fact that a bill has circumvented a committee may be a function of approval by party higher-ups and may already have assurances from leadership of future scheduling (Cox and McCubbins 2005; Stewart III 2012). Thus, there is reason to believe sponsorship will have positive effects of multiple committee referrals on the prospects of success in floor votes. Therefore, I propose:

Hypothesis 2 *Sponsoring bills that receive multiple committee referrals will increase the likelihood that the bill will pass in a House floor vote.*

I also seek to determine if more dimensions are better when it comes to bill sponsorship in the House. Is there a point to where the utility of creating multidimensional bills diminishes for Black members of Congress? I explore this possibility by proposing the following:

Hypothesis 3 *Each additional committee to which a bill is referred to will have a positive impact on the probability of navigating the committee or House floor.*

The Impact of Reform on Black Lawmakers

Political institutions are the result of layers of innovations; not all of which are comparable to and compatible with one another (Schickler 2001). Formally, Rule X defines committee jurisdictions as well as the process surrounding the referral of bills that is carried out by

the parliamentarian. However, policy jurisdictions are neither stable nor permanent; they constantly evolve through informal modifications and procedural adjustments (King 1994; Adler and Wilkerson 2011). The current arrangement of jurisdictions is the product of both competition and power grabs at the committee level and consolidation and reform prompted by leadership that has resulted in disjointed, overlapping jurisdictions (King 1994; King 2008; Jones and Baumgartner 2005). Gingrich era reform had direct and indirect impacts on Black lawmakers that reshaped the way members operate within the chamber. Restructuring and eliminating three committees provided black members with new venues - with potentially new participants - to seek out more favorable outcomes than in previous arrangements. Reforms also disrupted jurisdictional arrangement of the House as a result of the elimination of joint referrals. Informal adjustments soon followed in the 108th Congress with a minor, informal, adjustment that allowed for such referrals under a vaguely defined “exceptional circumstances” and as a result of 9/11 Commission recommendations (Congressional Research Service 2014). This created a battleground of sorts for jurisdictional turf wars to be fought in in the near and distant future. With evolving committee policy domains, reorganizing committee structures, and an extended period of Republican control of the House, Black lawmakers were provided time to devise a strategy to promote the unique issues on their catered legislative agenda should more advantageous times surface.

Although cognitive costs are typically viewed as a burden on institutional attention (Baumgartner et al. 2009; Jones and Baumgartner 2005; Baumgartner, Jones, and Mortensen 2017 among others), periods of committee reform appear to be one moment where the committees are willing to set aside those costs and broaden their scope of attention and compete for jurisdiction over areas of interest (King 1994; Evans 1999; King 2008; Adler and Wilkerson 2011). Often, efforts to construct narrow jurisdictional definitions can lead to further uncertainty as committees struggle to parse out complex policies with several moving parts (Baumgartner, Jones, and MacLeod 2000). Adler and Wilkerson (2011, 107) argue, members recognize the problems associated with stagnant committee jurisdictions - “issue fragmen-

tation, conflicting policies, and insufficient information sharing” - and work to counteract them. These jurisdictional battles often result in bill sponsorships, hearings, and other forms of engagement with issues in an effort to set precedents for future jurisdictional considerations (King 2008). If reform breeds institutional uncertainty, then that uncertainty breeds opportunity for Black lawmakers to pursue those interests that are typically undermined by the stability and rigidity of political institutions.

If committee jurisdictions evolve “informally and incrementally”, as scholars suggest (Adler and Wilkerson 2011, 88; see also King 1994; King 2008), one could expect very moderate increases in bills resulting in multiple referrals. The abrupt, collective nature of the shift in such activities in the 109th Congress suggest two important notions: this shift in trends was both abnormal and absent favorable partisan conditions (see Figure 1). Prior to the 109th, Black lawmakers lagged behind the House average in both average sponsorship of bills resulting in multiple referral and the average number of committees to which their bills are referred to. In the 109th, however, the sponsorship of cross-cutting legislation increased from 24% to 35% of all bills. This sudden shift is a stark difference from the gradual increase experienced by the remaining House members. In addition, while most political institutions await “windows of opportunity” to arise in order to seek out policy change (Kingdon 2011), this change in tactics predates the most commonly-associated window available in Congress - majority control. This may signal that the resulting activities may be more so the product of a different window opening: committee reform. Multidimensional legislation may have been a goal for Blacks in Congress; however, it was not until a series of jurisdictional reform were set in place that that aim became a viable practice for those members.

[Insert Figure 1 about Here]

Scholars often point to a number of reforms - both formal and informal - over the years that have directly contributed to the decentralization of the House of Representatives (Aldrich and Rohde 1997; Schickler 2001; Rohde 2010; Adler and Wilkerson 2011). Adler and Wilkerson (2011, 107) argue “informal practices such as these can set in mo-

tion a path dependent process that can undermine other policy objectives”. Can they also bolster some policy objectives by providing opportunities for entrepreneurial legislators to exploit ambiguous and amorphous committee boundaries during times of uncertainty, as Evans (1999) suggest? The final hypothesis speaks directly to the impact of committee reform on the prospects of bills sponsored by Black members. It predicts the rise in multiple referrals that result from uncertainty created from reform should be advantageous for those members. It examines if there were delayed, unintended consequences to reform during the period of Republican majorities that manifested following a shift in partisan control. Should reform play a role in the impact of multiple referrals one would expect:

Hypothesis 4 *The impact of multiple referrals will be greater in the post-reform Democratic majorities than in the pre-reform Congresses.*

4 Design and Methodology

In an effort to determine how the sponsorship of multidimensional legislation impacts the pursuit of Black interests in the House of Representatives, I employ bill-level analysis of sponsorship by Black lawmakers from the 103rd through the 112th congressional. Characteristics that are associated with bill sponsorship, the progress of the bills of interest, and the ultimate success of those bills are pertinent to this analysis. I accomplish this through the use of the Congressional Bills data available as a subsection of the larger Policy Agendas Project. Scholars have placed a great deal of emphasis in delineating between symbolic and substantive representation of Black interests (Pitkin 1967; Swain 1993; Tate 2003; Canon 1995). Driven by this fact, I opt to constrain this query so that it reflects outcomes of only substantive bills.

From this larger, twenty-year sample of legislative sponsorship, I look to hone my attention on trends in the broader sponsorship patterns of Black lawmakers as well as in policy areas that are a part of their collective interests. To accomplish this, I subset the 4,326 substantive bills produced by Black Caucus members to highlight policy topics that fall with

the Congressional Black Caucus' expressed agenda. Each year, the CBC publishes their public agenda to the Congressional Record and on their website. From this agenda, I identify thirty-five well-articulated policy areas that also fall within the policy jurisdictions of their taskforces and working groups (see Table 1). This results in a smaller set of more than 1,500 bills sponsored in those 20 years. Figure 2A visualizes the productivity of Black members in both general sponsorship as well as in targeted areas. There are noticeable increases in output during times of Democratic majority control of the House - particularly in the most recent period in the 110th and 111th Congresses. There is also a steady increase in CBC-Interest bills; the caucus nearly doubled its output from the 103rd to the 110th Congress.¹ Ultimately, the discussion of the effects will be facilitated by both an all-encompassing view of the sample as well as pre-to-post reform comparison - examining Democratic majorities in the 103rd in comparison to the 110th and 111th Congress - of effects across general sponsorship as well as CBC interests.

[Insert Table 1 about Here]

[Insert Figure 2 about Here]

Dependent Variables and Model Selection

The hypotheses proposed focus on two particular benchmarks in the legislative process: clearing the committee stage and receiving a favorable vote on the House floor. These two checkpoints represent two of the most significant - and most difficult - hurdles to clear in the House. Quite possibly the most discriminant function in the House occurs early in the legislative process as proposals are winnowed before they ever considered for action (Krutz 2005). Thus, the first dependent variable of interest is a dichotomous indicator that a bill has received a *report* out of at least one committee. 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. Committee reports

are also a good indicator of the discriminant nature of the winnowing process.

The second major benchmark identified by a hypothesis in this analysis is the ultimate hurdle to clear in this chamber: passing a vote on the House floor. If only a fragment of bills clear the committee stage, even fewer make it to an official roll-call vote. Doing so means - in most cases - that you have successfully navigated the committee stage, avoided any major pitfalls during debate and deliberation, have received approval from party leadership, and have acquired enough of a consensus - by at least a majority of the majority party - to ensure that a vote can be both scheduled and see a favorable outcome.² The failure to achieve any one of these conditions could prove to impede the progress of a bill. Thus, bills that have navigated the slew of informal obstacles are in rarefied air; only eight-percent of bills sponsored in the House passed a floor vote in between the 103rd and 112th Congress. Figure 2C reveals two realities. First, success at the committee level and on the floor is largely dependent on Democratic control. This is not a surprise, especially when one considers the overwhelming majority of Black representatives are members of the Democratic Party. The CBC is even more exclusively Democratic. The second reality is that winnowing is just as unkind to Black members as it is their non-black counterparts. An overwhelming majority of bills sponsored never see action in the chamber. In both cases, a need arises for a model that is designed specifically to handle the dichotomous nature of both dependent variables of interest. This demand leads to the choice between Logistic and Probit varieties of maximum likelihood estimation. In this instance, I opt for the tighter fit of the Probit model.

Independent Variables of Interest

The two key independent variables of interest in this analysis are both indicators of multiple referrals of an individual bill sponsored by Black members in the House. The first is a dichotomous variable that represents the 1,242 bills that received *multiple committee referrals* over the span of the sample. Of those bills, 376 were in areas targeted by the Congressional Black Caucus. Figure 3A reveals that multiple referrals doubled for Black members in the

time between Democratic majorities. In total, 110 bills in the sample were referred to multiple committees in the 103rd Congress - 29 of which were in CBC interest areas; that number increased to 242 bills (77 CBC-interest bills) in the 110th. As seen in Figure 1, by the 110th Congress, more than one-third of all bills sponsored by Black lawmakers were referred to multiple committees - well above the chamber average. The second covariate of interests is designed to measure the additive impact of bill referrals. I, therefore include a count of the total *number of committees* that a bill was referred to. Panel B in Figure 3 highlights a steady increase in average committees per bill. However, this was not the case for all bills. Following the “Contract” reforms in the 104th, CBC-interest bills saw a steady decline. This trend took a sharp turn following reforms resulting from 9/11 Commission recommendations in the 109th Congress. H3 predicts a positive additive effect on bill progress.

[Insert Figure 3 about Here]

Additional Considerations

To facilitate my analysis of the impact of multiple referrals on bill success for Black lawmakers, I incorporate a number of control variables that are most often associated with a bill’s prospects in the House. A significant amount of literature has been contributed to the impact of co-sponsorship on the legislative process (Krehbiel 1995; Koger 2003). Thus, I include a count-level control variable that notes the number of *cosponsors* a particular bill has garnered. 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 with the expectation that more extreme members will experience less favorable outcomes resulting from their sponsorship. I also consider the length of a member’s service within the chamber with a measure of *seniority*. Third, scholarship concerning both positive and negative agenda control argues there should be a substantive advantage when sponsoring bills during majority control (Cox and McCubbins 2005; Cox and McCubbins 2007; Aldrich and Rohde 2005; Rohde 2010). With

that in mind, I account for sponsorship that occurs while the member is in the *majority party*. It could also be argued that some members are simply more effective at forwarding legislation in the chamber. To control for this variation, I include Volden and Wiseman’s (2014) measure of *legislative effectiveness* for each primary sponsor. Finally, Krutz (2005) identifies a number of conditions that have positive impacts on a bill’s likelihood of navigating the winnowing phase of the legislative process including a sponsor’s degree of influence through membership and leadership on relevant committees. To control for these, I take account of bills that are sponsored by *members of a committee that the bill was referred to*, and those that occupied *chairmanships of committees or sub-committees of referred committees*.

5 Findings

How does the sponsorship of multidimensional legislation impact the prospects of bills sponsored by Black lawmakers in the U.S. House of Representatives? H1 predicts that sponsoring bills that receive multiple referrals will increase the likelihood of a bill receiving a report out of at least one of the committees that it was referred to. Table 2 depicts the results of Probit regression analysis, and Model 1 suggest that there is a significant, positive relationship between sponsoring a bill with multiple referrals and navigating the committee phase of the legislative process throughout the 103rd-112th Congress (coef = 0.575; $p < 0.001$). Figure 4A indicates a moderate impact on receiving a committee report; the probability increases of just over three-percent. Bayesian simulations suggest the range of predicted probability for bills with multiple referrals spans from approximately three to six percent.

A similar affect is evident when testing for the additive impact of sponsoring cross-cutting legislation. Model 2 in Table 2 finds a significant and moderate added value in each additional referred committee when it comes to the likelihood of receiving a report (coef = 0.130; $p < 0.001$). Of course, as most theories of congressional organization would argue, both the dichotomous and additive impacts are largely influenced by majority party membership (coef

= 0.322 and 0.315; $p < 0.001$) (Cox and McCubbins 2005; Cox and McCubbins 2007). In both models, the impacts of member effectiveness, membership on a committee of referral, and leadership on those committees all performed as expected - with positive, significant impacts on progress. Ideological extremity and seniority had no statistical bearing. However, even controlling for these factors there remains enough evidence to confidently reject the null hypotheses.

[Insert Table 2 about Here]

A stronger impact is measured in both the dichotomous and additive measures when it comes to the prospects of clearing the House floor. When bills sponsored by Black members receive more than one committee referral, this results in an increase in of 0.986 in the log-likelihood coefficient ($p < 0.001$); the predicted probability of receiving a favorable roll call vote is four-and-a-half to eight-and-a-half percent, while those with only one enjoy less than a one percent chance of receiving a favorable floor vote (see Figure 4C). Predicted probabilities of passing floor votes are also more responsive to the additive measure of multiple referrals (coef = 0.225; $p < 0.001$). As Figure 4D reveals, a bill sponsored that is referred to three committees has a 2.6 to 5.3% probability of clearing the floor; that probability increases to a six-to-fourteen percent probability with five referrals. A bill with seven referrals enjoys a 11.5 to 29.4% probability of receiving a favorable floor vote. These robust findings suggest there is significant value in increased exposure at the committee phase that translates into added success on the floor.

[Insert Figure 4 about Here]

Multiple Referrals and Black Issues

Analysis on the subset of bills that fall within policy areas of interests targeted by the Congressional Black Caucus also reveals significant effects of multiple referrals on bill progress and passage. When it comes to navigating the committee stage, both the dichotomous (coef = 0.674) and additive (coef = 0.150) measures exerted positive influence on the likelihood

of receiving a committee report (Models 3 and 4 in Table 2, respectively). The measures perform as expected in models concerning the likelihood of receiving a favorable floor vote (Models 7 and 8). CBC-interest bills see a coefficient effect of 1.053 when referred to more than one committee and an additive coefficient effect of 0.249 (both coefficients significant at $p < 0.001$ levels). Figure 5 shows, these effects are far more constrained than those seen across the broader sponsorship of bills. In all CBC-interest bills sponsored from the 103rd to the 112th Congress, the dichotomous indicator results in a two-to-seven percent probability of clearing the committee stage and a one-to-five percent change of receiving a favorable vote (Figure 5A and C). The additive measure results in a moderate increase as well for both dependent variables with stronger effects on the probability of passage in the House - mirroring findings from the broader sponsorship (Figures 5B and D).

[Insert Figure 5 about Here]

Reform, Cross-cutting Issues, and Bill Success

Multiple referrals appear to have positive impacts on the prospects of bills - both broadly and in more targeted areas. However, these effects appear to not have always been the case, especially when it comes to Black interest bill sponsorship. Broadly, both the dichotomous (coef = 1.06; $p < 0.001$) and additive (coef = 0.274; $p < 0.01$) variables show positive effects on bill progress at the committee stage in the 103rd Congress (see Models 1 and 2 on Table 3). This trend continued across all bill sponsorship in the post-reform Democratic majority (Models 5 and 6). The dichotomous measure resulted in a statistically significant, twenty-percent increase (from 3.8 to 24.6%) in predicted probability of receiving a committee report. Going from two committee referrals to three increases the median predicted probability from 9.8 to 15.4%. Pre-to-post reform comparisons show a decline in average coefficient effects, however. In the 110th and 111th Congresses, while still statistically significant and positive, the change in predicted probability that resulted from the dichotomous indicator was ten percentage points less than in the 103rd across all bill sponsorship. The median performance

of the post-reform additive measure was also slightly less across the span of referral counts than in the 103rd Congress (see Figure 6). Although, both the dichotomous and additive effects from the 110th and 111th sessions still fall within the distribution of pre-reform estimates.

This may, however, be a tradeoff that Black lawmakers may be willing to accept considering the pre-to-post comparisons of effects regarding CBC-interest bills. Prior to the “Contract” reforms, the effects of multiple referrals on bills sponsored in the policy areas targeted by the caucus was statistically insignificant in both the dichotomous and additive measures (see Models 3 and 4 in Table 3). In fact, Figures 6C and 6D shows that the predicted probability of CBC-interest bills sponsored by Black members receiving a committee report was virtually zero, regardless of how many committees were exposed to the bill. This changed sharply in the Democratic majority immediately following those formal and informal reforms. On average, there was a twelve and a half percent chance of CBC-interest bills receiving a report. Pre-to-post-reform comparisons reveal a significant increase in the additive impact of committee referrals through at least five committees (Figure 6D).

[Insert Table 3 about Here]

[Insert Figure 6 about Here]

As seen in previous models, for Black member-sponsored bills, multiple referrals were a much stronger predictor of passing a roll call vote in the House³. Table 4 reveals, broadly, multiple referrals was exerted a positive influence on the likelihood of floor success in both the dichotomous (coef = 1.050 in the 103rd Congress and 1.114 in the 110th and 111th Congresses) as well as the additive measures (coef = 0.268 and 0.287, respectively). Contrary to the much broader sample (refer to Figure 6), comparisons between Democratic majorities resulted in a slight increase in coefficient strength from the pre-“Contract” era majority to the post (see Figure 7). The predicted probability of passing a floor vote increased from an median of 16 to 22% - a result that is largely the function of reducing the low-end of the simulations from 7.1 to 16.6%. The average effect of additive measure was also slightly

higher, moving from two to three referred committees resulted in an increase in median predicted probability of 9.5% in the 103rd. This nearly doubled - to 18.2% - in the latest Democratic majority (Figure 7B). During this period, one in four bills with four committee referrals cleared the House floor.

[Insert Table 4 about Here]

The most notable increases in pre-to-post reform comparisons were among policy areas targeted by Black Caucus. As seen with Black-sponsored bills attempting to navigate the committee stage, the likelihood of passing a floor vote in those targeted areas was essentially nil. Multiple referrals had no significant impact on bill passage (Table 4, Models 3 and 4). This was not the case following a sharp uptick in bills resulting in multiple referrals (Figure 1). As predicted, in the most recent Democratic majority, Black-interest bills benefited from being packaged in a way that resulted in multiple referrals even when controlling for member leadership, seniority, and effectiveness. The dichotomous variable yielded an average log-odds coefficient effect of 1.114 and the additive resulted in an impact of 0.374 (both significant at $p < 0.001$). A less than one-percent chance in passing the floor in the 103rd increase to a 11 to 30% chance for bills sponsored with multiple referrals (Figure 7C). The additive effect in the 110th and 111th was significantly greater than in the 103rd as well. Increasing the bill referrals from two committees to three increased the probability of passage from a 4 to 14% to an eight to twenty-five-percent chance of passage (Figure 7D). These findings allow me to confidently reject the null hypotheses for H4 in Black-interest bills at both the committee stage as well as on the house floor. Ultimately, when comparing pre-reform Democratic majorities to post-reform control, the difference of additive impact of multiple referrals in CBC-interest areas is significantly greater in bills that obtain up to four committee referrals.

[Insert Figure 7 about Here]

6 Discussion and Conclusion

While there exists a growing consensus that the congressional committee's legislative importance has diminished in recent years (Krutz 2001; Sinclair 2011 ;Stewart III 2012), this may not be the case for all members and their pursuits. When combined with previous studies from the like of Gamble (2007) and Minta (2011), the preceding analysis suggests that the committee structure is increasingly becoming central to Black representatives when pursuing their catered legislative agendas. This is especially true when they seek to capitalize on the ever-evolving political and structural arrangements of Congress. These findings suggest two things, both with major implications on policymaking on the part of lawmakers from traditionally marginalized groups. First, for Black lawmakers, sponsorship of cross-cutting legislation certainly has its payoffs. Doing so increases the probability that Black legislators will achieve both their collective goals - evident in significant findings from bills sponsored in policy areas targeted by the Congressional Black Caucus - and in their broader individual legislative agenda. Second, it appears that there is a significant additive effect when it comes to the success of multidimensional legislation. In an institution where an overwhelming majority of bills receive no attention, complexity - in terms of covered policy areas - seems to be key in garnering attention. In fact, these effect appear to carry beyond the committee stage and into roll-call voting where exposure to multiple committees seems to weigh heavily on a bill's likelihood of success. For Black members, this may be the key for breaking through barriers that may work against substantive policy change.

Many of these conditions are relatively new phenomenon. Multiple referrals have increased significantly for both Black representatives and among the larger institution, as has the average number of committees to which bills are referred to, since committee reform in the 109th Congress. This reform is one of several to be enacted during the Republican reign over the House of Representatives that appear to have had delayed, yet significant, impacts on the pursuit of Black issues. While this work does not point to one specific moment in congressional reform as the causal mechanism for these changes, nor was it intended to do

so, it may not be necessary. As Schickler (2001) points out, reform is not a process where the slate is wiped clean with each attempt; new congressional reforms are layered on top of previous efforts and fragments of previous structural arrangements and processes remain for some time. Although there are traceable affects of the reforms associated with “Contract with the American People”, it would be unwise to suggest that all of the blame (or credit) should rest on Newt Gingrich’s reform in the 104th Congress. In fact, it is likely that the subsequent reforms - minor revisions in the 106th, the reforms that resulted from the 9/11 Commission, and adjustments following the change in partisan majority in the 110th Congress - each played a role in the current state of issue instability and uncertainty that exists in the House of Representatives.

This work does, however, provide an intriguing path forward for Black lawmakers attempting to navigate the minefield of the House of Representatives in search of substantive policy change. Sponsoring multidimensional legislation appears to have its advantages. It allows for Black lawmakers to initiate and take part in jurisdictional battles between committees, engage in the problem recognition and definition stage of policy making, and activity may soften up the institution until moments of opportunity arise (Kingdon 2011). Doing so, also, fits in with current trends in alternative legislating in the House (Krutz 2001; Sinclair 2011). Stewart (2012) posits that it may be the case that only top-tier, brand-defining partisan issues are selected to bypass the committee phase. There remains opportunities for bills to take advantage of the committee structure as it currently exists. Hopefully, this study will serve as a conversation starter for those seeking to build upon scholarship concerning the role of the Black lawmaker. While earlier works established a solid foundation, times have certainly changed since the penning of many of those essential pieces of scholarship, especially in there strategy, mobilization, and influence within the chamber. The institution, itself, has also undergone a great deal of evolution since the work of Pitkin (1967), Swain (1993), Canon (1999), and Tate (2001) - many of which struggled to link increased proportional representation by Black lawmakers and legislative wins in substantive policy

areas.

Previous findings - or the lack thereof - may be relics of a tendency for congressional scholarship to concentrate solely on late-stage differences and roll-call voting. Although, some recent scholarship has shown that exploration into the lawmaking process - especially at the committee level - could prove fruitful (Gamble 2007; Gamble 2011; Minta and Sinclair-Chapman 2013). Addressing this may mean that scholars must dedicate effort to identifying and examining political phenomenon where the politics happen. This work is an attempt to connect each stage of the process in an effort to determine the how tactics can influence outcomes for Black members of Congress. Moving forward, more attention should be directed towards how members actions have evolved to keep up with the ever-changing political dynamics within the chamber, how they strategize to overcome institutional barriers to their success, and how institutions respond to their increased influence on the legislative process. Finally, there should also be a concerted effort to place political phenomenon in their proper context by accommodating for big, slow-moving or layered processes - like reform - that could bear fruit long after the initial act has taken place.

References

- Adler, E. Scott, and John S. Lapinski. 1997. "Demand-Side Theory and Congressional Committee Composition: A Constituency Characteristics Approach". *American Journal of Political Science* 41 (3): 895–918.
- Adler, E. Scott, and John D. Wilkerson. 2011. "Intended Consequences: Jurisdictional Reform and Issue Control In the U.S. House of Representatives". *Legislative Studies Quarterly* 33 (1): 85–112.
- Aldrich, John H., and David W. Rohde. 1997. "The Transition to Republican Rule in the House: Implications for Theories of Congressional Politics". *Political Science Quarterly* 112 (4): 541–567.
- Aldrich, John H, and David W Rohde. 2005. "Congressional committees in a partisan era". In *Congress Reconsidered*, 8:249–270. Washington, DC: CQ Press.
- Baumgartner, Frank R., Bryan D. Jones, and Michael C. MacLeod. 2000. "The Evolution of Legislative Jurisdictions". *The Journal of Politics* 62 (2): 321–349.

- Baumgartner, Frank R., Bryan D. Jones, and Peter B. Mortensen. 2017. "Punctuated Equilibrium Theory: Explaining Change and Stability in Public Policymaking". In *Theories of the Policy Process*, 4th Edition, ed. by Paul A. Sabatier, 55–101. New York: Westview Publishing.
- Baumgartner, Frank R., et al. 2009. "Punctuated Equilibrium in Comparative Perspective". *American Journal of Political Science* 53 (3): 603–620.
- Bennett, Colin J., and Michael Howlett. 1992. "The lessons of learning: Reconciling theories of policy learning and policy change". *Policy Sciences* 25 (3): 275–294.
- Bratton, Kathleen A., and Kerry L. Haynie. 1999. "Agenda Setting and Legislative Success in State Legislatures: The Effects of Gender and Race". *The Journal of Politics* 61 (3): 658–679.
- Cameron, Charles, David Epstein, and Sharyn O'Halloran. 1996. "Do Majority-Minority Districts Maximize Substantive Black Representation in Congress?" *The American Political Science Review* 90 (4): 794–812.
- Canon, David T. 1995. "Redistricting and the Congressional Black Caucus". *American Politics Quarterly* 23 (2): 159–189.
- . 1999. *Race, Redistricting, and Representation: The Unintended Consequences of Black Majority Districts*. University of Chicago Press.
- Cobb, Roger W., and Marc Howard Ross. 1997. *Cultural strategies of agenda denial: avoidance, attack, and redefinition*. University Press of Kansas.
- Congressional Research Service. 2014. *House Committee Jurisdiction and Referral: Rules and Practice*.
- Cox, Gary W., and Mathew D. McCubbins. 2005. *Setting the Agenda: Responsible Party Government in the U.S. House of Representatives*. Cambridge University Press.
- . 2007. *Legislative Leviathan: Party Government in the House*. Cambridge University Press.
- Dawson, Michael C, and Cathy Cohen. 2002. "Problems in the Study of the Politics of Race". *Political science: The state of the discipline*: 488–510.
- Evans, C. Lawrence. 1999. "Legislative Structure: Rules, Precedents, and Jurisdictions". *Legislative Studies Quarterly* 24 (4): 605–642.
- Fleming, Jacqueline. 1985. *Blacks in College. A Comparative Study of Students' Success in Black and in White Institutions*. Jossey-Bass Inc.
- Frisch, Scott A., and Sean Q. Kelly. 2006. *Committee Assignment Politics in the U.S. House of Representatives*. University of Oklahoma Press.
- Frymer, Paul. 2010. *Uneasy Alliances: Race and Party Competition in America*. Princeton University Press.
- . 2011. *Black and Blue: African Americans, the Labor Movement, and the Decline of the Democratic Party*. Princeton University Press.

- Gamble, Katrina L. 2007. "Black Political Representation: An Examination of Legislative Activity within U. S. House Committees". *Legislative Studies Quarterly* 32 (3): 421–447.
- . 2011. "Invisible Black Politics: An Analysis of Black Congressional Leadership from the Inside". *PS: Political Science and Politics* 44 (2): 463–467.
- Gay, Claudine. 2007. "Legislating Without Constraints: The Effect of Minority Districting on Legislators' Responsiveness to Constituency Preferences". *The Journal of Politics* 69 (2): 442–456.
- Gelman, Andrew, et al. 2008. "A weakly informative default prior distribution for logistic and other regression models". *The Annals of Applied Statistics* 2 (4): 1360–1383.
- Griffin, John D., and Michael Keane. 2011. "Are African Americans Effectively Represented in Congress?" *Political Research Quarterly* 64 (1): 145–156.
- Hammond, Susan Webb. 1991. "Congressional Caucuses and Party Leaders in the House of Representatives". *Political Science Quarterly* 106 (2): 277–294.
- Hammond, Susan Webb, Daniel P. Mulhollan, and Arthur G. Stevens. 1985. "Informal Congressional Caucuses and Agenda Setting". *The Western Political Quarterly* 38 (4): 583–605.
- Hawkesworth, Mary. 2003. "Congressional Enactments of Race-Gender: Toward a Theory of Raced-Gendered Institutions". *The American Political Science Review* 97 (4): 529–550.
- Holt, Thomas C. 2009. *The Problem of Race in the Twenty-first Century*. Harvard University Press.
- Jones, Bryan D. 1994. *Reconceiving Decision-Making in Democratic Politics: Attention, Choice, and Public Policy*. University of Chicago Press.
- . 2003. "Bounded Rationality and Political Science: Lessons from Public Administration and Public Policy". *Journal of Public Administration Research and Theory: J-PART* 13 (4): 395–412.
- Jones, Bryan D., and Frank R. Baumgartner. 2005. *The Politics of Attention: How Government Prioritizes Problems*. University of Chicago Press.
- King, David C. 1994. "The Nature of Congressional Committee Jurisdictions". *The American Political Science Review* 88 (1): 48–62.
- . 2008. *Turf Wars: How Congressional Committees Claim Jurisdiction*. University of Chicago Press.
- King, Desmond S., and Rogers M. Smith. 2005. "Racial Orders in American Political Development". *The American Political Science Review* 99 (1): 75–92.
- Kingdon, John W. 2011. *Agendas, Alternatives, and Public Policies*. Longman.
- Koger, Gregory. 2003. "Position Taking and Cosponsorship in the U.S. House". *Legislative Studies Quarterly* 28 (2): 225–246.
- Krehbiel, Keith. 1995. "Cosponsors and Wafflers from A to Z". *American Journal of Political Science* 39 (4): 906–923.

- Krutz, Glen S. 2000. "Getting around Gridlock: The Effect of Omnibus Utilization on Legislative Productivity". *Legislative Studies Quarterly* 25 (4): 533–549.
- . 2001. "Tactical Maneuvering on Omnibus Bills in Congress". *American Journal of Political Science* 45 (1): 210–223.
- . 2005. "Issues and Institutions: Winnowing in the U.S. Congress". *American Journal of Political Science* 49 (2): 313–326.
- Leighton, Wayne A., and Edward J. Lopez. 2002. "Committee Assignments and the Cost of Party Loyalty". *Political Research Quarterly* 55 (1): 59–90.
- Lowi, Theodore J. 1964. "American Business, Public Policy, Case-Studies, and Political Theory". Ed. by Raymond A. Bauer, Lewis A. Dexter, and Ithiel de Sola Pool. *World Politics* 16 (4): 677–715.
- Lublin, David. 1999. *The Paradox of Representation: Racial Gerrymandering and Minority Interests in Congress*. Princeton University Press.
- Matthews, Donald R. 1960. *United States Senators and Their World*. University of North Carolina Press.
- May, Peter J. 1992. "Policy Learning and Failure". *Journal of Public Policy* 12 (4): 331–354.
- May, Peter J., Samuel Workman, and Bryan D. Jones. 2008. "Organizing Attention: Responses of the Bureaucracy to Agenda Disruption". *Journal of Public Administration Research and Theory* 18 (4): 517–541.
- Miller, Cheryl M. 1989. "Agenda-Setting by State Legislative Black Caucuses: Policy Priorities and Factors of Success". *Review of Policy Research* 9 (2): 339–354.
- Minta, Michael D. 2011. *Oversight: Representing the Interests of Blacks and Latinos in Congress*. Princeton University Press.
- Minta, Michael D., and Valeria Sinclair-Chapman. 2013. "Diversity in Political Institutions and Congressional Responsiveness to Minority Interests". *Political Research Quarterly* 66 (1): 127–140.
- Ogbu, John U. 1979. "Minority Education and Caste: The American System in Cross-Cultural Perspective". *Crisis* 86 (1): 17–21.
- Peterson, Paul E. 2012. *City Limits*. University of Chicago Press.
- Pitkin, Hanna F. 1967. *The Concept of Representation*. University of California Press.
- Pralle, Sarah B. 2003. "Venue Shopping, Political Strategy, and Policy Change: The Internationalization of Canadian Forest Advocacy". *Journal of Public Policy* 23 (3): 233–260.
- Rocca, Michael S., Gabriel R. Sanchez, and Jason L. Morin. 2011. "The Institutional Mobility of Minority Members of Congress". *Political Research Quarterly* 64 (4): 897–909.
- Rohde, David W. 2010. *Parties and leaders in the postreform House*. University of Chicago Press.
- Sabatier, Paul A. 1988. "An Advocacy Coalition Framework of Policy Change and the Role of Policy-Oriented Learning Therein". *Policy Sciences* 21 (2): 129–168.

- Schickler, Eric. 2001. *Disjointed Pluralism: Institutional Innovation and the Development of the U.S. Congress*. Princeton University Press.
- Shapiro, Thomas M. 2004. *The Hidden Cost of Being African American: How Wealth Perpetuates Inequality*. Oxford University Press.
- Sheingate, Adam D. 2006. “Structure and opportunity: Committee jurisdiction and issue attention in Congress”. *American Journal of Political Science* 50 (4): 844–859.
- Shepsle, Kenneth A., and Barry R. Weingast. 1987. “The Institutional Foundations of Committee Power”. *The American Political Science Review* 81 (1): 85–104.
- Simon, Herbert A. 1985. “Human Nature in Politics: The Dialogue of Psychology with Political Science”. *American Political Science Review* 79 (2): 293–304.
- Sinclair, Barbara. 2011. *Unorthodox Lawmaking: New Legislative Processes in the U.S. Congress*. SAGE.
- Stevens, Arthur G., Daniel P. Mulhollan, and Paul S. Rundquist. 1981. “U. S. Congressional Structure and Representation: The Role of Informal Groups”. *Legislative Studies Quarterly* 6 (3): 415–437.
- Stewart III, Charles. 2012. “Congressional Committees in a Partisan Era”. *New Directions in Congressional Politics*: 85.
- Swain, Carol M. 1993. *Black Faces, Black Interests: The Representation of African Americans in Congress*. Enlarged Edition edition. Lanham, Md: UPA.
- Tate, Katherine. 2001. “The Political Representation of Blacks in Congress: Does Race Matter?” *Legislative Studies Quarterly* 26 (4): 623–638.
- . 2003. *Black Faces in the Mirror: African Americans and Their Representatives in the U.S. Congress*. Princeton University Press.
- Tyson, Vanessa. 2016. *Twists of Fate: Multiracial Coalitions and Minority Representation in the US House of Representatives*. Oxford, New York: Oxford University Press.
- Volden, Craig, and Alan E. Wiseman. 2014. *Legislative Effectiveness in the United States Congress: The Lawmakers*. Cambridge University Press.
- Whitby, Kenny J. 2000. *The Color of Representation: Congressional Behavior and Black Interests*. University of Michigan Press.
- Workman, Samuel, JoBeth Shafran, and Tracey Bark. 2017. “Problem definition and information provision by federal bureaucrats”. *Cognitive Systems Research* 43 (Supplement C): 140–152.

Notes

¹This is likely a product of an increase in the number of Black representatives in the chamber during that time.

²Scholars have pointed out that certain steps can be fast-tracked, or bypassed altogether, at the will of leadership.

³To account for perfect separation in bill passage models for CBC-interest bills (Models 3 and 4 in Table 3) in the 103rd, reported coefficient measures are the result of Bayesian estimates with weakly informed priors.

The appendix includes a conversation of decisions made and justifications in reporting model selection for bill passage in the 103rd. Also, see Gelman, et al (2008) for more information.

7 Tables and Figures

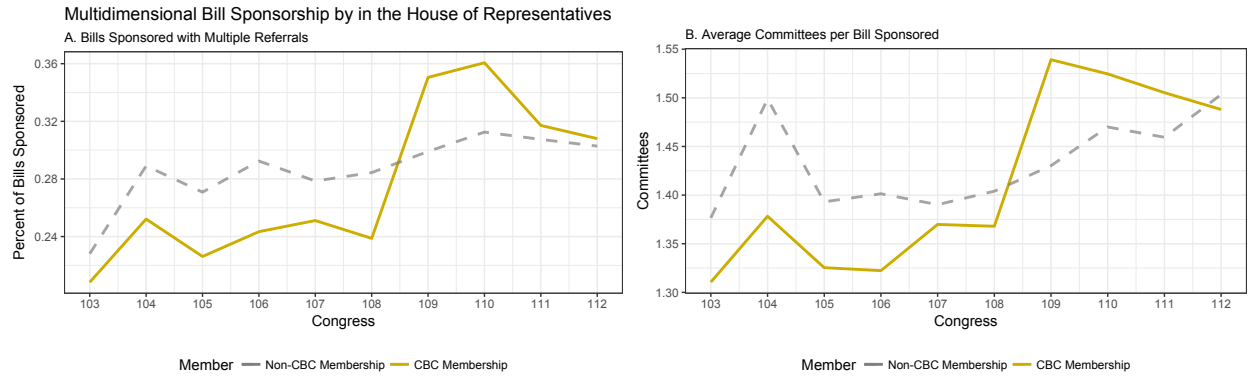
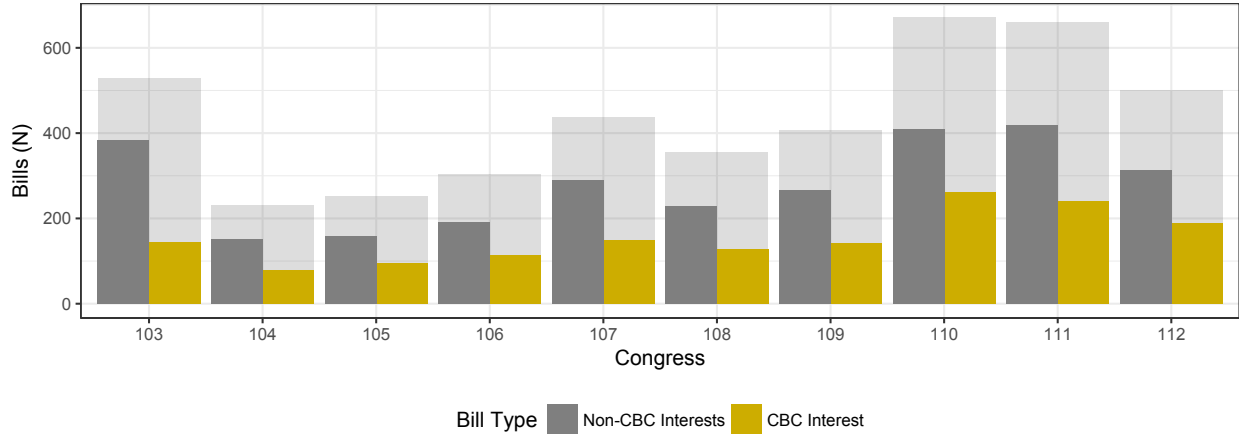


Figure 1: The figure above represents the number of bills sponsored from the 103rd - 112th Congress that resulted in multiple referrals. The grey, dashed line represents the House average. The gold, solid line represents the output by members of the Congressional Black Caucus.

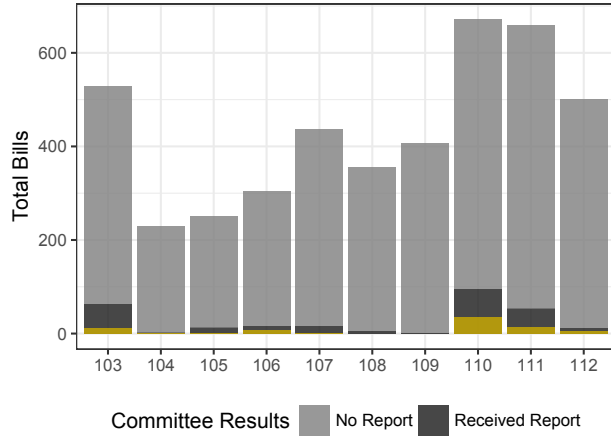
Bill Sponsorship by CBC Membership in the House of Representatives

A. 103rd - 112th Congress



The Fate of CBC Member-Sponsored Legislation

B. Bills Receiving Reports from Referred Committees



C. Bills Passing Roll Call Votes

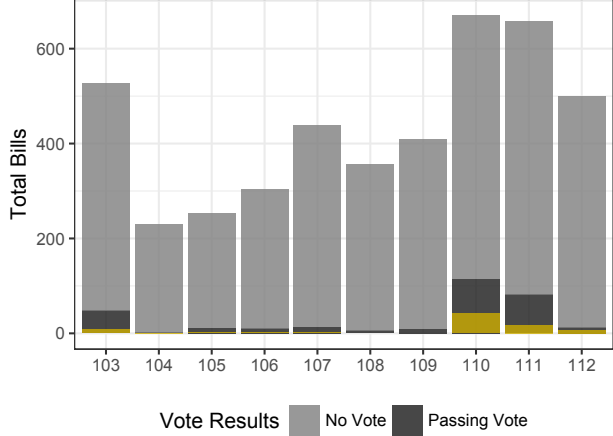
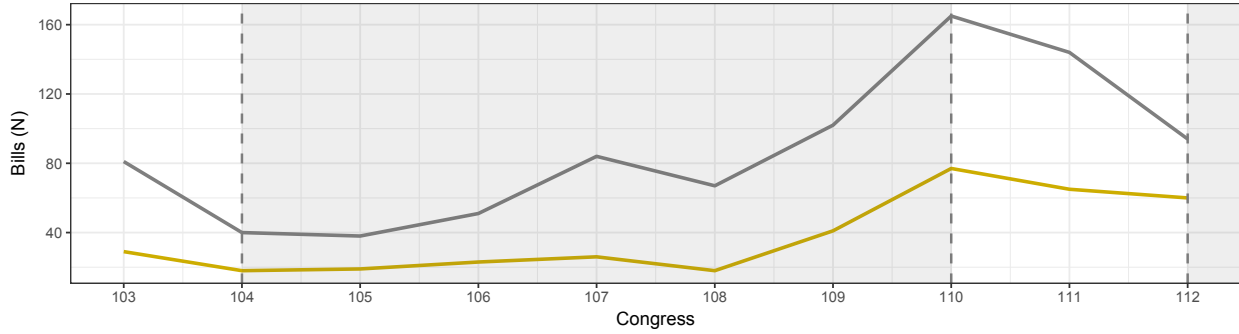


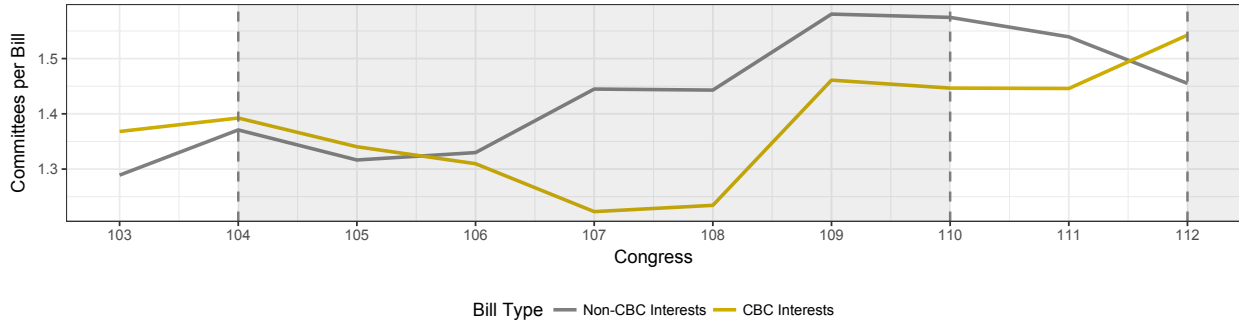
Figure 2: The figure above represents the number of bills sponsored by members of the Congressional Black Caucus from the 103rd - 112th Congress.

CBC Sponsorship of Cross-Cutting Legislation

A. Total Sponsorship of Bills with Multiple Referrals



B. Average Number of Committees per Bill Sponsored



Bill Type — Non-CBC Interests — CBC Interests

Figure 3: The figures above represents the number of bills sponsored from the 103rd - 112th Congress. Shaded regions indicate periods during Republican majority control.

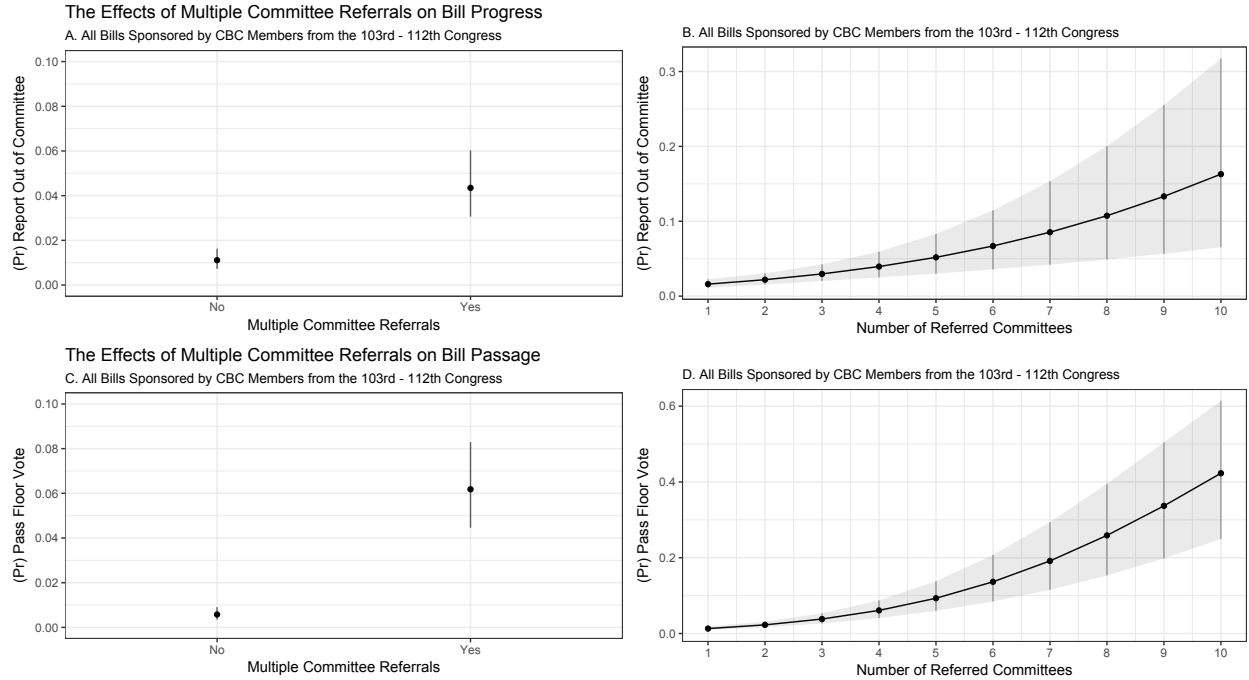


Figure 4: This figure depicts changes in coefficient impact of multiple referrals on progress and passage for all bills across from the 103rd through the 112th Congress holding all else constant. Point estimates displayed are the result of 11,000 Bayesian simulations. Confidence intervals are the distribution of 1,000 simulations of each point estimate across the span of each measure.

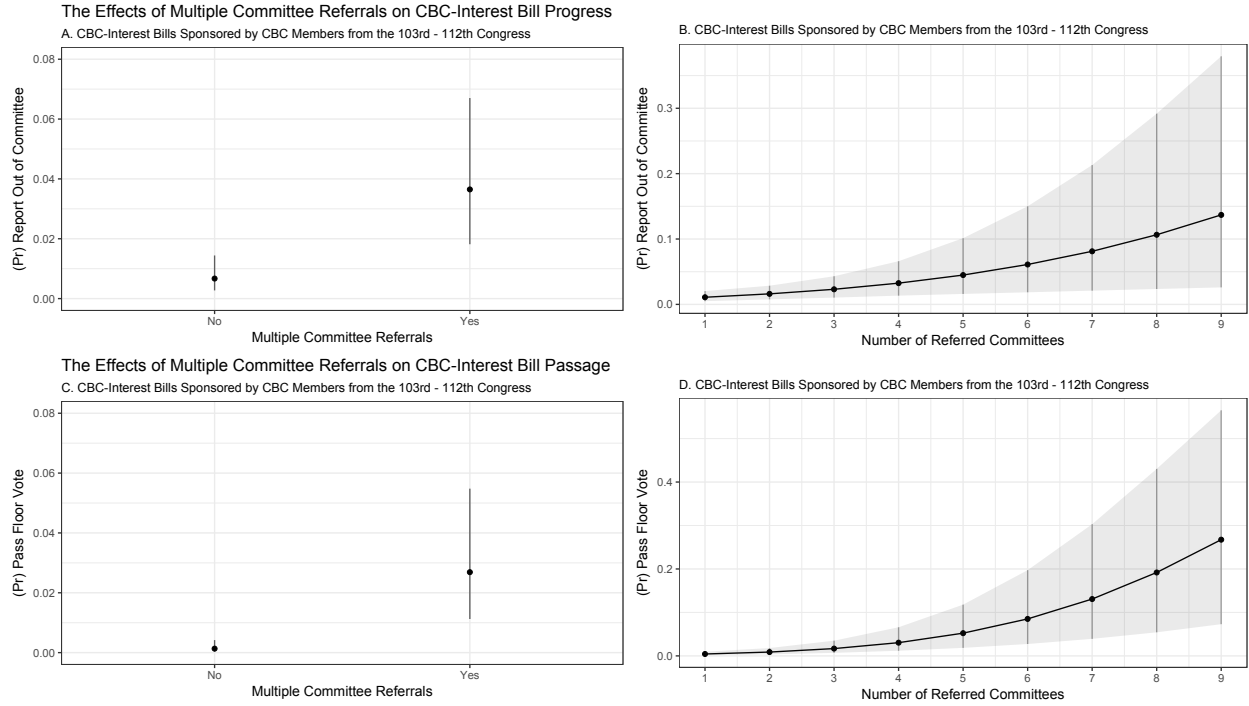


Figure 5: This figure depicts changes in coefficient impact of multiple referrals on progress and passage for CBC-Interest bills across from the 103rd through the 112th Congress. Point estimates displayed are the result of 11,000 Bayesian simulations holding all else constant. Confidence intervals are the distribution of 1,000 simulations of each point estimate across the span of each measure.

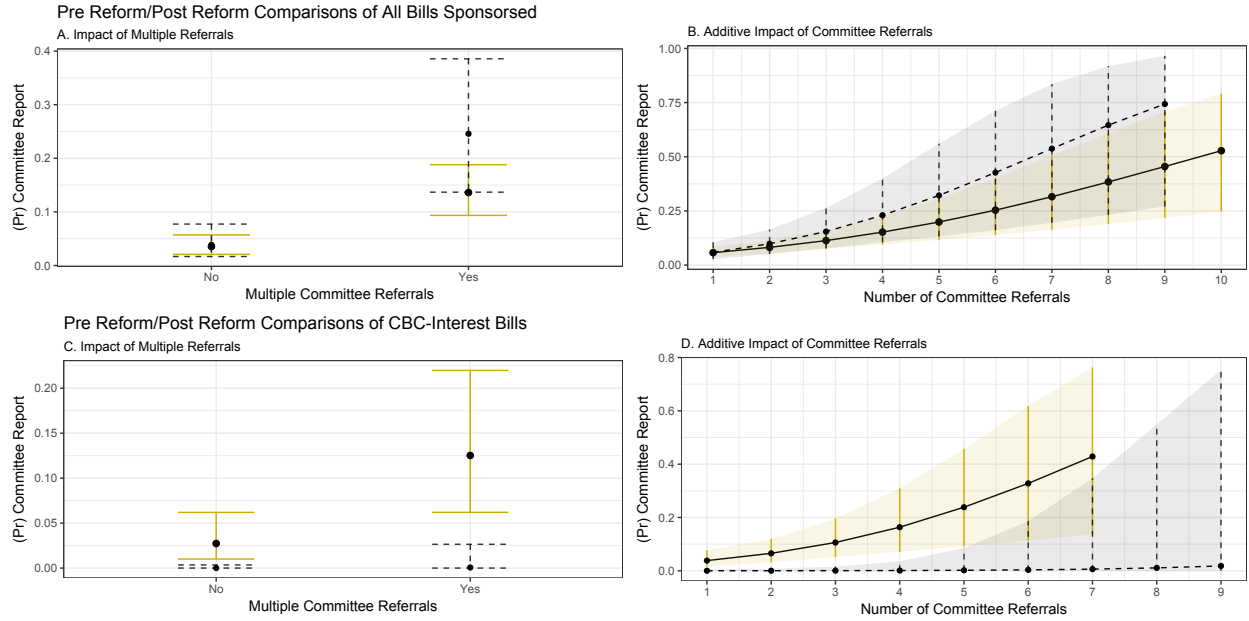


Figure 6: This figure depicts changes in coefficient impact of multiple referrals on progress. In each figure, the black figure represents impacts during the 103rd Congress. Gold represents the impact in the 110th and 111th Congress. Point estimates displayed are the result of 11,000 Bayesian simulations holding all else constant. Confidence intervals are the distribution of 1,000 simulations of each point estimate across the span of each measure..

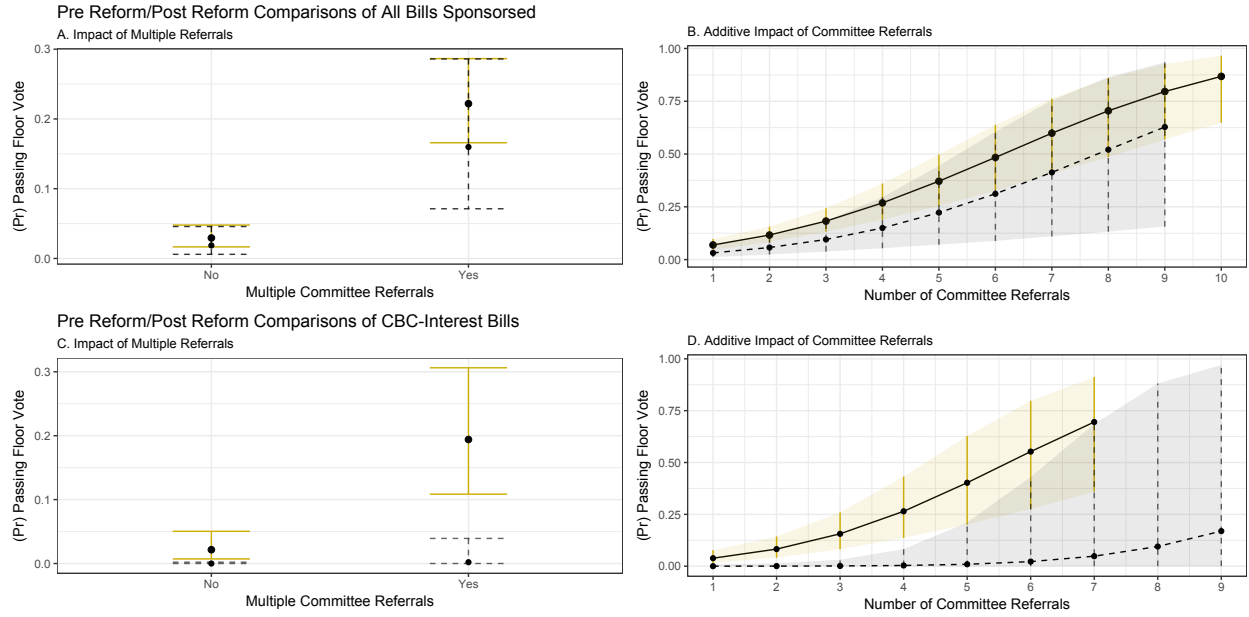


Figure 7: This figure depicts changes in coefficient impact of multiple referrals on the predicted probability of passage. In each figure, the black figure represents impacts during the 103rd Congress. Gold represents the impact in the 110th and 111th Congress. Point estimates displayed are the result of 11,000 Bayesian simulations holding all else constant. Confidence intervals are the distribution of 1,000 simulations of each point estimate across the span of each measure.

Task Force	Policy Area (CAP Code)	CBC Member-sponsored Bills
Education and Labor	Employment Training (502)	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)	
Healthcare	Healthcare Reform (301)	245
	Insurance (302)	
	Disease Prevention (331)	
	Infants and Children (332)	
	Alcohol & Drug Abuse, Treatment, and Education (342)	
Budget, Appropriations, & Taxation	Tax Code (107)	123
	National Budget (105)	
Economic Development and Wealth Creation	Consumer Finance (1504)	227
	Small Business (1521)	
	Consumer Safety and Consumer Fraud (1525)	
Civil & Voting Rights	General Civil Rights (200)	131
	Minority Discrimination (201)	
	Voting Rights (206)	
Poverty Reduction	Food Assistance & Nutrition Monitoring Programs (1301)	115
	Low Income Assistance (1302)	
	Low Income Housing (1406)	
Government Oversight	General Government Oversight (2000)	98
	Government Efficiency and Bureaucratic Oversight (2002)	
	Campaign Regulations (2012)	
Criminal Justice Reform	Court Administration (1204)	89
	Prisons (1205)	
	Riots, Crime Prevention, and Crime Control (1211)	
	Police (1227)	
Technology & Infrastructure	Community Development (1401)	69
	Urban Development (1403)	
	Infrastructure (1010)	
Energy, Environment, & Agriculture	Alternative & Renewable (806)	40
	Conservation (807)	
	General Agriculture (400)	
Expressed Agenda		1,537

Table 1: This table identifies ten policy taskforces and their corresponding issues of interest for the Congressional Black Caucus. 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.

	Receiving Report				Passing Floor Vote			
	All Bills (1)	CBC Interests (2)	CBC Interests (3)	CBC Interests (4)	All Bills (5)	All Bills (6)	CBC Interests (7)	CBC Interests (8)
Multiple Committee Referrals	0.575*** (0.067)	0.130*** (0.030)	0.674*** (0.127)	0.150** (0.053)	0.986*** (0.071)	0.225*** (0.029)	1.053*** (0.141)	0.249*** (0.054)
Number of Committee Referrals								
Number of Cosponsors	0.003*** (0.001)	0.003*** (0.001)	0.003 (0.002)	0.003 (0.002)	0.003*** (0.001)	0.003*** (0.001)	-0.000 (0.002)	-0.001 (0.002)
Ideological Extremity	-0.475 (0.255)	-0.430 (0.250)	0.079 (0.572)	-0.021 (0.561)	-0.379 (0.265)	-0.335 (0.251)	-0.620 (0.616)	-0.732 (0.589)
Seniority	-0.012 (0.008)	-0.014 (0.008)	-0.007 (0.015)	-0.009 (0.014)	-0.026** (0.009)	-0.028*** (0.008)	-0.018 (0.017)	-0.021 (0.016)
Majority Party	0.322*** (0.081)	0.315*** (0.079)	0.277 (0.152)	0.265 (0.148)	0.425*** (0.085)	0.398*** (0.080)	0.578*** (0.174)	0.526** (0.163)
Legislative Effectiveness Score	0.046*** (0.014)	0.048*** (0.013)	0.040 (0.025)	0.047 (0.024)	0.091*** (0.014)	0.088*** (0.014)	0.090*** (0.026)	0.095*** (0.024)
Member of Referred Committee	0.284*** (0.078)	0.317*** (0.077)	0.324* (0.149)	0.328* (0.145)	0.233** (0.082)	0.295*** (0.077)	0.482** (0.166)	0.466** (0.156)
Chair of Referred Committee	0.518*** (0.144)	0.539*** (0.143)	0.781** (0.283)	0.770** (0.282)	0.700*** (0.143)	0.700*** (0.139)	0.523 (0.288)	0.495 (0.284)
Chair of Referred Sub-committee	0.662*** (0.095)	0.666*** (0.094)	0.623*** (0.185)	0.636*** (0.181)	0.505*** (0.099)	0.493*** (0.096)	0.555** (0.188)	0.574** (0.180)
Intercept	-2.056*** (0.151)	-2.056*** (0.151)	-2.546*** (0.328)	-2.454*** (0.316)	-2.315*** (0.163)	-2.238*** (0.154)	-2.610*** (0.364)	-2.424*** (0.334)
AIC	1698.959	1754.491	482.101	503.050	1574.074	1724.738	414.489	456.028
BIC	1762.683	1818.215	535.431	556.380	1637.798	1788.462	467.819	509.358
Log Likelihood	-839.480	-867.246	-231.050	-241.525	-777.037	-852.369	-197.244	-218.014
Deviance	1678.959	1734.491	462.101	483.050	1554.074	1704.738	394.489	436.028
Num. obs.	4326	4326	1530	1530	4326	4326	1530	1530

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

Table 2: Probit Coefficients of the impact of multiple referrals on the likelihood of being reported out of committee and passing floor votes from the 103rd through the 112th Congress.

	103rd Congress			110th - 111th Congress				
	All Bills (1)	CBC Interests (2)	CBC Interests (3)	All Bills (4)	All Bills (5)	CBC Interests (6)	CBC Interests (7)	CBC Interests (8)
Multiple Committee Referrals	1.060*** (0.189)		0.970 (0.570)		0.706*** (0.103)		0.756*** (0.183)	
Number of Committee Referrals		0.274** (0.084)		0.158 (0.201)		0.182*** (0.045)		0.263** (0.083)
Number of Cosponsors	0.005 (0.003)	0.006* (0.003)	0.003 (0.008)	0.003 (0.006)	0.004** (0.001)	0.003* (0.001)	0.005 (0.003)	0.005 (0.003)
Ideological Extremity	-2.078** (0.765)	-1.790* (0.724)	-3.663 (3.209)	-3.490 (3.101)	0.434 (0.469)	0.424 (0.459)	0.736 (0.855)	0.665 (0.837)
Seniority	-0.019 (0.030)	-0.029 (0.030)	0.161 (0.094)	0.140 (0.093)	-0.016 (0.014)	-0.021 (0.014)	-0.018 (0.024)	-0.025 (0.024)
Legislative Effectiveness Score	0.367*** (0.076)	0.351*** (0.076)	0.619* (0.241)	0.582* (0.260)	0.018 (0.016)	0.022 (0.016)	0.012 (0.028)	0.018 (0.028)
Member of Referred Committee	0.469* (0.226)	0.394 (0.215)	0.336 (0.762)	0.198 (0.725)	0.252 (0.140)	0.321* (0.136)	0.320 (0.238)	0.326 (0.234)
Chair of Referred Committee	0.153 (0.319)	0.228 (0.311)	0.453 (0.816)	0.441 (0.967)	0.806*** (0.199)	0.802*** (0.199)	1.116** (0.372)	1.142** (0.372)
Chair of Referred Sub-committee	0.561* (0.244)	0.653** (0.237)	0.921 (0.692)	1.037 (0.665)	0.629*** (0.133)	0.635*** (0.131)	0.578* (0.236)	0.619** (0.234)
Intercept	-1.779*** (0.406)	-1.860*** (0.393)	-3.897* (1.726)	-3.539* (1.709)	-2.245*** (0.266)	-2.219*** (0.263)	-2.548*** (0.492)	-2.597*** (0.484)
AIC	289.638	311.739	52.882	55.376	772.204	803.709	257.589	265.542
BIC	328.060	350.161	79.610	82.104	818.940	850.446	295.556	303.509
Log Likelihood	-135.819	-146.870	-17.441	-18.688	-377.102	-392.855	-119.794	-123.771
Deviance	271.638	293.739	34.882	37.376	754.204	785.709	239.589	247.542
Num. obs.	528	528	144	144	1330	1330	502	502

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

Table 3: Probit Coefficients of the impact of multiple referrals on the likelihood of being reported out of committee during Democratic majorities in the 103rd Congress along with the 110th and 111th Congresses

	103rd Congress			110th - 111th Congress				
	All Bills (1)	CBC Interests (2)	CBC Interests (3)	All Bills (4)	All Bills (5)	CBC Interests (6)	CBC Interests (7)	CBC Interests (8)
Multiple Committee Referrals	1.050*** (0.195)		0.955 (0.544)		1.114*** (0.104)		1.127*** (0.184)	
Number of Committee Referrals		0.268** (0.085)		0.260 (0.188)		0.287*** (0.046)		0.374*** (0.084)
Number of Cosponsors	0.005 (0.003)	0.006* (0.003)	0.005 (0.005)	0.006 (0.005)	0.003 (0.001)	0.002 (0.001)	0.000 (0.004)	0.000 (0.003)
Ideological Extremity	-1.995* (0.830)	-1.750* (0.785)	-0.502 (3.847)	-0.451 (3.702)	0.261 (0.459)	0.191 (0.435)	-0.069 (0.855)	-0.146 (0.818)
Seniority	-0.016 (0.032)	-0.026 (0.032)	0.099 (0.083)	0.083 (0.083)	-0.049*** (0.014)	-0.053*** (0.014)	-0.069** (0.025)	-0.074** (0.024)
Legislative Effectiveness Score	0.285*** (0.078)	0.278*** (0.079)	0.371 (0.197)	0.392 (0.213)	0.084*** (0.016)	0.081*** (0.016)	0.089** (0.029)	0.090** (0.028)
Member of Referred Committee	0.189 (0.243)	0.143 (0.232)	-0.610 (1.152)	-0.783 (1.114)	0.290* (0.138)	0.380** (0.128)	0.402 (0.242)	0.395 (0.233)
Chair of Referred Committee	0.417 (0.325)	0.467 (0.318)	-0.854 (0.862)	-0.968 (0.938)	0.982*** (0.194)	0.961*** (0.189)	1.167** (0.381)	1.169** (0.370)
Chair of Referred Sub-committee	0.639* (0.270)	0.720** (0.263)	1.879 (1.125)	1.990 (1.092)	0.530*** (0.134)	0.526*** (0.127)	0.728** (0.235)	0.776*** (0.228)
Intercept	-1.680*** (0.426)	-1.769*** (0.411)	-4.327 (2.235)	-4.264* (2.145)	-2.148*** (0.263)	-2.034*** (0.249)	-1.998*** (0.481)	-2.057*** (0.461)
AIC	249.034	269.384	50.310	51.800	788.382	872.072	248.959	267.968
BIC	287.456	307.806	77.039	78.529	835.118	918.808	286.926	305.936
Log Likelihood	-115.517	-125.692	-16.155	-16.900	-385.191	-427.036	-115.479	-124.984
Deviance	231.034	251.384	32.310	33.800	770.382	854.072	230.959	249.968
Num. obs.	528	528	144	144	1330	1330	502	502

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

Table 4: Probit Coefficients of the impact of multiple referrals on the likelihood of passing the House floor during Democratic majorities in the 103rd Congress along with the 110th and 111th Congresses

	Bayesian Probit		Probit (Separation)		Member of Committee		Sub-Chair	
	(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)
Multiple Committee Referrals	0.955 (0.544)		1.037 (0.579)		1.158* (0.562)		1.089 (0.572)	
Number of Committee Referrals		0.260 (0.188)		0.299 (0.204)		0.280 (0.188)		0.286 (0.196)
Number of Cosponsors	0.005 (0.005)	0.006 (0.005)	0.005 (0.005)	0.006 (0.005)	0.005 (0.005)	0.006 (0.005)	0.005 (0.005)	0.006 (0.005)
Ideological Extremity	-0.502 (3.847)	-0.451 (3.702)	-0.303 (4.448)	-0.192 (4.264)	-2.746 (3.124)	-2.818 (2.982)	-0.747 (4.262)	-0.871 (4.027)
Seniority	0.099 (0.083)	0.083 (0.083)	0.108 (0.089)	0.088 (0.089)	0.148 (0.088)	0.136 (0.088)	0.107 (0.088)	0.085 (0.088)
Legislative Effectiveness Score	0.371 (0.197)	0.392 (0.213)	0.406 (0.212)	0.439 (0.236)	0.366 (0.204)	0.355 (0.213)	0.408 (0.209)	0.424 (0.224)
Member of Referred Committee	-0.610 (1.152)	-0.783 (1.114)	-3.975 (361.978)	-4.226 (365.368)	0.854 (0.572)	0.706 (0.537)		
Chair of Referred Committee	-0.854 (0.862)	-0.968 (0.938)	-1.049 (0.958)	-1.217 (1.045)	-0.461 (0.844)	-0.467 (0.921)	-1.033 (0.957)	-1.103 (1.028)
Chair of Referred Sub-committee	1.879 (1.125)	1.990 (1.092)	5.290 (361.978)	5.461 (365.368)			1.460* (0.590)	1.439* (0.564)
Intercept	-4.327 (2.235)	-4.264* (2.145)	-4.698 (2.612)	-4.690 (2.516)	-3.596* (1.663)	-3.325* (1.505)	-4.603 (2.504)	-4.395 (2.339)
AIC	50.310	51.800	50.052	51.506	53.446	56.160	48.754	50.618
BIC	77.039	78.529	76.780	78.234	77.204	79.919	72.512	74.376
Log Likelihood	-16.155	-16.900	-16.026	-16.753	-18.723	-20.080	-16.377	-17.309
Deviance	32.310	33.800	32.052	33.506	37.446	40.160	32.754	34.618
Num. obs.	144	144	144	144	144	144	144	144

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

Table 5: Model options for Probit Coefficients of the impact of multiple referrals on the likelihood of passing the House floor during Democratic majorities in the 103rd Congress.

A Appendix

Model Selection in the 103rd Congress

In the body of the analysis (Table 3, Models 3 and 4 that addresses bill prospects in the 103rd Congress), I opted to report a Bayesian estimate of *Bill Passage* for CBC-interest bills to accommodate for perfect separation in the ordinary version of the Probit regression (see Table 5 in the Appendix). This decision was prompted by two factors. First, Gelman et al. (2008) recommends the use of Bayesian estimates with weakly informed priors to accommodate for such an error. Second, the point estimates reported in the regression tables were simply used as a baseline for future Bayesian simulations (11,000 point estimate simulations) upon which, comparisons were made. Table 5 reveals the similarities in the estimates and model fit when comparing the Bayesian estimates (used in the analysis) and other options for accounting for perfect separation. First, I identified the two variables that are likely responsible for the separation (*Member of Referred Committee* and *Chair of a Referred Sub-committee*) and ran individual Probit analysis after removing each from the model. It is only in one instance where statistical significance changes as a result of the alteration. In the models that omits the sponsorship of a bill from a sub-committee chairperson, the dichotomous measure of multiple referrals inches above normal measures of statistical significance ($z = 2.059$).

If forced to set priorities on one of the two models, I choose the model that accounts for sponsorship from a chair of a corresponding sub-committee for theoretical and statistical reasons. Theoretically, while membership on a committee certainly has its advantages, I opt to control for the influence that a person in leadership has over the agenda-setting function of the committee. Statistically, measures of model fit prefer the accounting for such influence, as well. There is a noticeable improvement of both AIC and BIC measures in the sub-committee model. The decision to report the Bayesian model in the body is based partially based on these measures of model fit and partially a preference for continuity across the remaining models that did not suffer perfect separation.

[Insert Table 5 about Here]