

**Structural Change and Theories of Legislative Organization:
A Reassessment of Congressional “Turf Wars”**

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Abstract

What values and priorities motivate the design of political institutions? In this paper, we investigate committee reform in the U.S. House of Representatives to consider two questions: What drives structural change in Congress? What values and priorities decide the “turf wars” that result when Congress assign jurisdictional control over issues to congressional committees? We draw on a new dataset to test three prominent explanations for institutional change: path dependency, mobilization of bias, and informational efficiency. Path dependency predicts that changes tend to reinforce historical patterns of behavior. Mobilization of bias perspectives posit that the main beneficiaries of change are those who have the most to gain. Finally, informational expertise predicts that institutional realignments benefit the actors who are best qualified to evaluate the merits of policy proposals. We test each of these perspectives by investigating seventeen jurisdictional changes and find strong support for the informational/expertise perspective. In the minority of cases where we did find support for the path dependency and mobilization of bias perspectives, the committee gaining the jurisdiction was also the best qualified with respect to issue expertise.

I. Introduction

After passing the bill to create the Department of Homeland Security in the waning days of the 107th Congress, lawmakers faced an even bigger challenge: How would they allocate committee responsibility for overseeing this new agency? The task of assembling 22 disparate federal agencies with over 170,000 employees into a single cabinet department seemed relatively simple when compared to the internal challenges confronting the Congress. No fewer than 88 congressional committees and subcommittees possessed formal jurisdictional authority over at least one function of the new department, and any decision to transfer or consolidate jurisdictional control from one committee to another was likely to be strongly resisted (Cohen, Gorman, and Freedberg 2003). As one legislator put it, “I would say that the war on terrorism has just expanded to the war on [jurisdictional] turf” (Nather and Foerstel 2002).

What did Congress do to prepare for the legislative challenges of bringing the newly created department up to speed when it reconvened in January of 2003? It punted. Congress adopted the same *ad hoc* committee arrangements that had been used to formulate the original bill.¹ Why would Congress put off making such important structural decisions, in effect encouraging conflict and possibly jeopardizing the success of the new department? It is because structural reform decisions are among the most acrimonious in Congress. When Rep. Curt Weldon (PA) went before the Rules Committee to push for a new House Committee on Homeland Security, the Rules chair warned him of the peril and wished him luck: “Having gone

¹ For the Senate this meant the use of the Governmental Affairs Committee as the provisional panel of jurisdiction and for the House it was the temporary Select Committee on Homeland Security – a panel composed of senior members of all the standing committees with claim to jurisdiction regarding the new agency.

through it myself, I just want to have someone else dine alone in the Members Dining Room”²
(Willis 2002).

Possessors of jurisdictional turf are understandably reluctant to cede such policy influence. But jurisdictional reform is also contentious because members have competing visions of what a reform effort should accomplish. During attempts at committee reorganization, legislators try to support established relationships, promote their personal or partisan policy goals, and encourage informed decision-making. In some situations, these multiple motivations yield the same reform prescriptions. For instance, preserving an established committee relationship may be the best way to promote expert policy-making. However, in other situations, they create conflict; legislators who are most interested in a policy area are not always the most expert.

Reform efforts offer opportunities to not only hear legislators articulate differing visions of the purposes of legislative institutions, but to also learn which of these competing visions carries more weight. In this paper, we investigate three agenda setting perspectives that have been proposed as explanations for jurisdictional control in Congress. The first emphasizes the central role of policy entrepreneurs in creating a history of “issue ownership” that enables committees to win control of issues through the bill referral process. The second attributes changes in committee control over issues to policy advocates seeking more receptive venues. The third proposes that a collective desire to lower the costs of information in order to improve policy outcomes motivates jurisdictional change. In contrast to earlier research, we systematically *compare* the evidence for each of these perspectives by studying 17 committee jurisdiction reforms.

² The Rules Committee chair, Rep. David Dreier (CA), was the Republican Party’s point man on jurisdictional reforms in the transition to the GOP majority in the 104th Congress.

We open by introducing the subject of jurisdictional change and ask why it can be useful for studying institutional choice. We then review prior research on committee jurisdictions that falls within the three agenda setting perspectives introduced above, and derive implications for our investigation of jurisdictional change decisions. We next turn our attention to the data, patterns and changes in bill sponsorship and bill referrals before and after 17 jurisdictional reforms that took place in the early 1970s. Finally, we report our results and discuss their implications not only for our understanding of congressional committees but also for future studies of structural change in legislatures.

II. Issue Jurisdictions, Committee Power, and Motivations for Change

Committees are one of the most studied features of Congress, and this high level of attention is deserved. Committees are the primary institution of policy making in Congress. After the leadership, committees are the central players in shaping Congress' legislative agenda. Committees decide what policy proposals will be considered and, as importantly, decide which ones will *not* be considered. Only about 15 percent of the public bills that get introduced are reported out of the committees. And of those that make it past the committee, three-fourths will be enacted into law.

How do committees decide which bills get past the gate and in what form? What does this tell us about the purposes and effects of legislative institutions? These questions have been the subject of an extensive "committee power" literature that has come at them from a variety of angles. Soakers and pokers have studied and compared particular committees in action and interviewed their members (for example, Fenno 1966; Fenno 1973; Manley 1970). Theorists have examined choice mechanisms within committees and the role of committees as gatekeepers to better understand their functions in a legislature (e.g. Denzau and Mackay 1983; Epstein 1997;

Krehbiel 1991). Empiricists have studied patterns in committee activity to test hypotheses developed by the earlier mentioned scholars (e.g. Cox and McCubbins 1993; Maltzman 1997).

Jurisdictions define the policy boundaries of a committee in the sense that they guarantee the involvement of the panel in specific issue areas. In the House of Representatives, jurisdictions are defined and enforced by Rule X, which dictates that “all bills, resolutions, and other matters relating to subjects within the jurisdiction of the standing committees listed in this clause shall be referred to those committees”³ Rule X does not guarantee exclusivity – bills are sometimes multiply referred, similar topics are sometimes considered in other committees, and committees occasionally get circumvented altogether (Sinclair 1997). Nevertheless, multiple referral is uncommon in the House, making the assignment of formal jurisdiction over an issue a very strong, if not the strongest statement that House makes in support of the institutional prerogatives of its committees.

Formal jurisdictional changes have received relatively little attention from scholars in part because they are infrequent events. Adler (2002) finds that meaningful restructuring of committee policy boundaries has only occurred a few times in the modern Congress (the mid-1940s, mid-1970s, and mid-1990s). Moreover, the changes that were actually enacted were typically much less extensive than those sought by reform advocates.

Some scholars go so far as to suggest that formal rules changes are not informative. King, for example, argues that *pro forma* changes to Rule X simply ratify established *ad hoc* bill referral patterns: “If we want to understand change, we should focus not on ‘reforms’ but on the incremental day-to-day changes in the unwritten rules” (1994). Baumgartner and Jones, on the other hand, argue that other committees that are interested in an issue often circumvent the formal jurisdictional boundaries defined by Rule X (Baumgartner and Jones 1993).

³ Rule X, clause 1. Rules of the House of Representatives, 108th Congress.

We argue that studying changes to Rule X can inform our understanding of the legislative process. Our investigation of 17 jurisdictional changes in the early 1970s indicates that these changes often redirect the flow of legislation. Instances of jurisdictional reform are rare, but they nevertheless shed light on two important questions. What is the process of policy deliberation in Congress designed to accomplish? What motivates Congress to reform its committees?⁴

Three Motives for Structural Change

Our intention is to test three prominent theories of institutional choice. Scholars have applied variants of these theories to study committee power. However, these are not “Congress” theories, *per se*. Each has been proffered to explain why institutional change does or does not occur in a variety of contexts, from the development of parliamentary institutions to the failure of the U.S. to adopt a universal health care system. Yet, rarely have these competing theories been put to test. Evidence is often mustered for one theory, but it is not systematically compared against the evidence for alternative theories. This study does compare the evidence, and we see this as one of its central contributions, in addition to its more specific contribution of improving our understanding of the agenda setting process in Congress.

Path Dependence. The first perspective we consider asserts that shifting committee jurisdictions are rooted in historical paths of issue deliberation. Generally speaking, path dependent arguments claim that preceding events, such as choices about institutional arrangements, or in this case bill referrals, limit subsequent possibilities by making a policy reversal increasingly costly (Pierson 2000).

⁴ This also leaves aside a third question not addressed here: Why are certain reform proposals able to elude the electoral resistance to committee changes while others are not?

In the committee context, David King has argued that policy entrepreneurs engage in turf wars to establish property rights through precedent. Because the bill referral process is as much art as science, legislators are sometimes able to draft bills in ways that lead the Speaker in consultation with the parliamentarian to direct the bill to their panel, even though it does not possess formal jurisdiction over the issue. This activity establishes a pattern of referrals that is eventually codified into Rule X. Put another way, bill referrals are a means for getting the proverbial camel's nose under the tent: "One referral precedent is used to justify making another referral precedent, and so on. As a result the nature of committee jurisdictions is that their expansion is dependent on the path that previous bill referrals have taken" (King 1994, 51).

King provides support for this argument by studying expansions in the jurisdictional authority of the House Commerce Committee. For example, King illustrates how Commerce's acquisition of travel and tourism issues in the 1970s can be traced back to its control over legislation establishing the U.S. Travel Bureau in the Department of the Interior in the late 1940s, and subsequently to its involvement in launching the Office of International Travel and Tourism in the early 1960s. Similarly, King asserts that the Commerce Committee's jurisdictional growth into other areas, including consumer protection and health care, was accomplished through a long history of policy entrepreneurs using bill referrals to gradually expand the panel's policy property rights (King 1997).

Mobilization of bias. E. E. Schattschneider and others have argued that decision-making processes are inherently biased (Cobb and Elder 1972; Schattschneider 1960). Seen in this light, politics is partly a contest between those who benefit from preserving the institutional status quo, and those seeking a more sympathetic institutional venue for promoting their causes. For

example, interest groups and policy scholars emphasize the multiple points of access in the U.S. political system and describe how different organizations interested in the same issue will seek out different venues (Congress, the courts, regulatory agencies) to promote their positions.

Jones, Baumgartner and Talbert (hereafter, JBT) have applied the mobilization of bias perspective to the question of committee power by arguing that when viewed from the perspective of a policy issue, agenda control is often dynamic (1993). Like King, they argue that jurisdictional competition is an important feature of the legislative process. If Rule X assigns control over an issue to one committee, that committee's proposal power may go unchallenged for years. For example, the Committee on Agriculture retained nearly exclusive control over agricultural policy for decades despite the fact that many in Congress were unhappy with the fact that policies produced favored the industry at the expense of public health.

According to JBT, jurisdictional change is most likely to occur when events or policy entrepreneurs succeed in highlighting the costs of this institutional bias for other legislators. In this context, the committee is faced with a choice of either shaping up (by becoming more responsive), or losing control. JBT argue that "the choice of committee that might retain jurisdiction can be an important element in deciding the eventual outcome, so policymakers clearly have an incentive to attempt to manipulate it" (1993, 660). However, in their study they examine changing patterns in the content of hearings across committees, and not the institutionalized changes to Rule X.

When applied to formal jurisdictional changes, the mobilization of bias perspective would seem to imply, in contrast to King's path dependence model, that the committee that was receiving bill referrals prior to a jurisdictional change would not be the beneficiary of that

change. Obstruction is the motivation for change, and the solution is to eliminate rather than reinforce the property right by reassigning it to a different, more sympathetic, committee.

In discussing “the destruction of issue monopolies,” JBT conceive of committees as collective entities. Other scholars have advanced the argument that the majority party, acting as a cartel, structures the legislative process to its benefit (Cox and McCubbins 1993). Therefore, we consider two possibilities. First, that the jurisdictional changes incorporated into Rule X assigned referral rights to the panel demonstrating the most interest in that topic, and second, that the jurisdictional changes incorporated into Rule X assigned referral rights to the panel where members of the majority party had demonstrated the most interest.

Informational Efficiency. The rationale for the organization of committees that is most often articulated by the reformers themselves – institutional expertise – is also a prominent explanation in the political science literature. Herbert Simon, for instance, reasoned, “[t]o gain the advantages of specialized skill in a large organization, the work of the organization is subdivided, so far as possible, in such a way that all processes requiring a particular skill can be performed by persons possessing that skill. Likewise to gain the advantages of expertise in decision making, the responsibility for decisions is allocated, so far as possible, in such a way that decisions requiring particular knowledge or skill will rest with individuals possessing that knowledge or skill” (1957, 137). Woodrow Wilson (1981) famously argued that committees are the “little legislatures” where the Congress’ work is done, while Cooper (1970) points out that before permanent or standing committees, it was the practice of the early Congresses to form *ad hoc* committees to consider proposed bills and report its recommendations to the chamber (see

also Gamm and Shepsle 1989). Thus, in the earliest form, congressional committees served a collective purpose – enabling Congress to make more informed decisions through specialization.

The assumption that committees exist to serve a collective purpose was visibly challenged by rational choice scholars beginning in the 1970s. Both Shepsle (1978) and Mayhew (1974) described the committee system as a problem of collective action. What incentive, they asked, do committees have to invest in acquiring expertise when the benefits of expertise are broadly shared? Both proposed that a central purpose of the committee system was to help committee members get reelected. Legislators seek the committees that will best position them to claim credit for benefits that are distributed to their districts. Shepsle and Weingast (1981) took this line of reasoning to its logical conclusion by proposing that the sole purpose of the congressional committee system was to institutionalize a legislative bargain for dividing the legislative pie.

Gilligan and Krehbiel challenged the Shepsle and Weingast “institutional equilibrium” perspective on committees in a series of papers applying signaling theory to legislative committees (1987; 1989; 1990). Because this work is familiar to most readers, our discussion will be brief. Krehbiel formalizes the argument that legislators delegate proposal power to committees because they are uncertain about the consequences of policy proposals. Committees that are composed of experts reduce the costs of information for the legislature as a whole. Legislators may pursue committee assignments in order to promote their reelection prospects, but the chamber decides the organization of committees, and decides to accept or ignore the committee’s recommendations.

What do these competing visions imply for a study of jurisdictional change? Both theories portray a static congressional committee system and as a result are not concerned with

explaining the dynamics of jurisdictional change. The chamber must provide an incentive to encourage committee members to acquire costly expertise, but in doing so face the risk of abuse. In our view, when the chamber consciously acts to create or transfers a jurisdiction, the informational efficiency perspective implies that it will assign the issue to the committee best qualified to make recommendations in that policy area.

Not centralizing policy responsibilities in the hands of experts sends the wrong signal and increases the cost of gaining much needed policy information.

To summarize at this point, the three theoretical perspectives presented above offer distinct predictions about patterns in jurisdictional change. Path dependence predicts that historical patterns in bill referrals will foretell the direction of formal jurisdictional changes. The mobilization of bias perspective predicts that changes in jurisdiction will be done to propel forward policy changes that would otherwise be obstructed under current committee arrangements. Informational efficiency implies, in contrast to the path dependence and mobilization of bias perspectives, that a committee is not entitled to a jurisdiction simply because it has an established history of referrals in that issue area or simply because it has been the most active. It must also be the best qualified to evaluate the issue and make recommendations to the chamber. In the next section, we propose an approach to testing these hypotheses using original data.

III. Data and Findings

Of the formal rules changes in the modern Congress affecting committee jurisdictions, most occurred either in the 93rd Congress, as part of the Committee Reform Amendments (also known as the Bolling-Hansen reforms),⁵ or at the start of the 94th Congress.⁶ For this study, we focus our attention on 17 (25 percent) of the 58 reforms adopted at the beginning of the 94th

⁵ This was H. Res. 988, passed in the October 1974 and took effect on January 3, 1975.

⁶ Part of H. Res. 5, which took effect on January 14, 1975.

Congress.⁷ Seventeen may not seem like a large number, but it is large compared to the typical study of jurisdictional reform. King (1994; 1997) primarily focuses on only one committee, and Baumgartner and Jones study just a handful of issues. We selected cases to ensure that many different committees were involved, and to guarantee that the issues being addressed varied from less salient to more salient. In addition, we selected cases where the jurisdictions fit well with our data on legislative activity (discussed below), and where there was substantial policymaking activity before and after the change.

We also varied our cases by whether the Rules change created a new jurisdiction or transferred a jurisdiction from one committee to another. We label “new” issue areas as those that did not previously appear anywhere in the committee jurisdictions outlined in House Rule X. “Transferred” jurisdictions are those that appeared under the jurisdiction of another committee before the change. All told, we include six new and eleven transferred jurisdictions, which nicely mirrors the overall population. Only about 35 percent of all of the jurisdictional changes adopted since 1973 also fall into the “new” category. The selected cases are displayed in Table 1.⁸

These changes include jurisdictional gains and losses by some of the most important and active committees in the House (e.g., Ways and Means and Commerce), as well as by some of the least prestigious and least active (e.g. Post Office and Standards of Official Conduct). The sample also includes several constituency-oriented (e.g. Agriculture and Public Works) and policy focused panels (e.g. Judiciary and Foreign Affairs; Deering and Smith 1997). All told,

⁷ A jurisdiction was considered formally part of a committee’s policy property rights previous to the reforms if the “notes” in the House Rules stated the issue area was “transferred from __ committee” or “formerly part of the jurisdiction of __ committee.”

⁸ The categorization of these jurisdictional changes as “new” or “transferred” is largely confirmed in work done by the staff of the Joint Committee on the Organization of Congress in the 103rd Congress (see “Jurisdictional Evolution of House and Senate Committees,” part of Background Materials; Y 4.3: or2/M 41, pp. 543-607). There were two small differences: they report that (1) a *portion* of the Food Programs for School Children (school milk) was under the jurisdiction of the Agriculture Committee, and (2) that Biomedical R&D was under control of the Science and Astronautics Committee. I could find no evidence of the latter either in bills referred and reported or hearings activity.

fourteen of 20 House committees are included in our study, as jurisdictional winners, losers, or both.

Measuring referrals, activity, and expertise

Previous studies of committee jurisdictions have tended to focus on the content of committee hearings. Hearings are a valuable indicator of a committee's interests. However, using the explicit *actions* of a committee to define its jurisdiction may be misleading. As King and others (Evans 1999; Hardin 1998) have described, committee jurisdictions include not only those areas where a panel is active, but also those areas where it has formal agenda setting authority but choose to be inactive.

Therefore, we draw on a newly constructed database of all bills introduced in Congress for the 1947-2001 period. For this particular study of jurisdictional change, we focus our attention on bill activity during the four congressional terms before the 93rd and 94th Congresses. Each bill in the database is coded for policy content, thus making it possible to tie legislative activity (who sponsored it, where was it referred, etc.) in a policy area to jurisdictional changes in that area. This policy focus makes our approach quite similar to that of JBT, except that a bills approach is less likely to overlook those situations where a committee possesses jurisdiction, but exercises its agenda setting powers by closing the gates.

Without doubt, the most difficult part of studying the effects of jurisdictional change is matching bill or hearings activity to committee jurisdictions. The goal is to compare which committees are receiving bills through referrals and are most active in sponsoring bills in a given jurisdiction before that jurisdiction is formally assigned or transferred. Jurisdictional boundaries are typically not clearly delineated in the Rules, and a given bill can arguably be about many

things. Indeed, this ambiguity is precisely why the bill referral process is so complicated and the ultimate authority rests with the Speaker.

We began with a committee jurisdiction, as described in Rule X. We then used a multi-step approach to identifying bills whose subject would place them under that jurisdiction. The first step was to identify the subtopic(s) in our own content coding system for bills that would include bills likely to fall within the jurisdiction. We trained coders to make reliable judgments about the primary topic of a bill, based on a description of the bill or its title. Our 226 categories, or “subtopics,” are identical to those of Baumgartner and Jones’ *Policy Agendas Project (PAP)*. After identifying the subtopic(s) most likely to contain bills relevant to the jurisdiction (see Table 2), we then studied each bill in the subtopic and eliminated those that clearly did not fit under the jurisdiction. Then we followed up with a keyword search using terms identified in the selected bills to confirm that we had not missed other bills falling under other subtopics. Finally, we constructed jurisdictional histories from coverage of policy activity in *Congressional Quarterly Weekly Reports* and the *Congressional Quarterly Almanac* to ensure that we did not overlook additional bills of relevance to the jurisdiction. We did catch a few more bills using this method, but in general we found our original methods to be effective.⁹

After assembling this dataset, we then tested its validity by examining referral patterns during the three Congresses (1975-80) after the jurisdiction had been assigned or reassigned. We reasoned that we could have confidence in our measure if a high concentration of the identified bills using our methods were in fact being referred to the new committee of jurisdiction. As we will demonstrate later, our method predicts referrals following jurisdictional changes very well. In all, we include nearly 3000 bills introduced over the four preceding terms as falling within the

⁹ For example, we caught previously overlooked bills related to the Food for Peace program which were not given the same subtopic code as most of the other bills in the *International Commodity Agreements* jurisdiction.

17 jurisdictions that are the focus of this study. In each jurisdiction, the number of bills ranges from fewer than 100 to more than 600.

Path Dependence: Do Bill Referral Histories Predict Jurisdictional Changes? The path dependence approach we employ anticipates that the committee with an established history of referrals in the policy area will be rewarded with the granting of a property right. Is this the case? Table 3 reports the proportion (and number) of bills referred to the committee for four congressional terms prior to the rules change that gave it formal jurisdictional authority over the issue. The cases are divided between those where a jurisdiction was transferred, and those that were new (had never been formally assigned).

The evidence is mixed. Only three of the eleven committees on the receiving end of a transfer were being granted a sizable proportion of the bills in that jurisdiction prior to the transfer. These three jurisdictions were *Commodities* (the Agriculture Committee), *International Finance and Monetary Organizations* (Banking), and *International Fishing Agreements* (Merchant Marine and Fisheries). For the other nine transferred jurisdictions, the gaining committee had received very few bills in the transferred jurisdiction prior to the reform. For example, 172 bills addressing the subject of *General Revenue Sharing* were introduced in the eight years before Government Operations gained control of the jurisdiction. None of these bills was referred to Government Operations.

On the other hand, in all six of the cases involving new jurisdictions, the benefiting committee had been receiving the vast majority of bills prior to the formal assignment. Over the entire eight years, the average was between sixty and ninety percent of the bills in these jurisdictions were being referred to the subsequent “gaining” committee. Accordingly, King’s

relatively narrow focus on the Commerce Committee may help to explain his conclusion. Almost all of the jurisdictional acquisitions by the Commerce Committee (not just during this period but since World War II) have been in new, rather than transferred issue areas.¹⁰ Commerce, however, is not representative of jurisdictional changes more broadly. Seventy-two percent of the 107 jurisdictional gains by all other committees between 1975-2002 involved transfers. If we exclude the transfers associated with the elimination of three committees in the 104th Congress,¹¹ new policy issues still only constitute 35 percent of the cases.

The evidenced presented here indicates that in slightly more than half the cases, the committee that benefited from the reform was receiving a substantial proportion of bill referrals in the issue area prior to reform. However, whether this happens appears to depend in large part on whether the jurisdiction is new or taken away from another committee. Thus, the path dependence theory seems to only consistently work with new jurisdictional areas. Will the mobilization of bias theory explain why jurisdictions get transferred?

Mobilization of Bias: Do the Most Interested Benefit? The mobilization of bias perspective contends that policy advocates pursue changes in control over issues because they are dissatisfied with outputs under existing structural arrangements. When applied to jurisdictional reform, this leads us to expect one or both of the following: First, the losing committee favors the status quo and is obstructing the efforts of those seeking change. Second,

¹⁰ There are a few notable exceptions in the modern era. For instance, Commerce obtained health and health care facilities in the 94th Congress (acquired from the Ways and Means Committee) and large portions of energy policy in the 95th Congress (from the dismantled Joint Committee on Atomic Energy). But more often than not Commerce either subsumed unassigned policy areas or actually relinquished portions of its own jurisdiction to other committees.

¹¹ At the start of the 104th Congress the District of Columbia, Merchant Marine and Fisheries, and Post Office and Civil Service committees in the House were eliminated and their jurisdictions reassigned to existing panels.

the committee that benefits from the jurisdictional change is more predisposed toward policy change.

To establish that a committee impedes legislative change requires knowledge of the following: Did proposals that died in committee deserve to make it beyond the committee? It is well established that uncovering systematic evidence of “non-decision making” is extremely difficult (Bachrach and Baratz 1962; Crenson 1971). Nevertheless, we pursue this question by searching for evidence of obstructionist committees and chairs. To do so, we examine contemporaneous expert reporting of legislative activity in each issue arena, and compare this information with what we know about bill activity in the same time period. (Details of our methodology and summaries of policy histories are presented in Appendix A.)

Although we did find evidence of policy controversy in many areas, there is nothing to indicate that an obstructionist committee was the source of that controversy. In general, the reports suggest that the committees of jurisdiction served as good conduits for the varied opinions within the legislature. For example, among the many legislative proposals for a federal revenue sharing program in the early 1970s, were plans offered by President Nixon, a bipartisan group led by the Ways and Means leadership (the committee that had jurisdiction over the issue at the time), and another from lower ranking Ways and Means members. Eventually a compromise plan was worked out in 1972 through the work of members on the Ways and Means Committee, particularly its chair, Wilbur Mills (D-AR).

In a few jurisdictions, the reporting revealed changing views of a policy arena that would eventually be reflected in the jurisdictional reforms. One example was legislation dealing with commodities sent to foreign countries. For years the Food for Peace Program had been simply seen as a way to dispense with unneeded agricultural surpluses abroad. However, revisions in

the program in the mid-1960s converted it to one that utilized commodities as a tool of foreign aid. As we saw, the jurisdiction was eventually transferred from the Agriculture Committee to the Foreign Affairs Committee.

If there is little evidence of obstruction in the cases we examine, then perhaps jurisdictions were assigned or reassigned to environments where the participants were more likely to be advocates for policy change. Whereas we focused on referral activity to test the path dependence perspective, here we focus on bill sponsorship patterns to test whether committees that demonstrate the most interest in an issue (by introducing the most bills) are likely to be on the receiving end of a jurisdictional transfer or new jurisdictional assignment. We also test a corollary hypothesis that jurisdictional reforms benefit the committee where the majority party contingent demonstrated disproportionate interest in the subject (again, indicated by bill sponsorship activity).

We test these expectations by regressing the number of bills in an issue area sponsored by each legislator on dummy variable indicating whether or not that legislator was a member of the committee that subsequently gained the jurisdiction. Because the dependent variable is a count of bills, we utilize a poisson distribution. Using the mean number of bills sponsored by committee versus non-committee members, we then estimate a coefficient (and p -value) that indicates how many more (or fewer) bills members of the gaining committee introduced in the preceding four terms, and whether that difference is statistically significant.¹² Table 3 presents our results.

¹² This test does allow for the influence of outliers – i.e., legislator who may have introduced many more bills than anyone else in Congress. We felt that it was important to include in our analysis the impact of disproportionate concern for the issue area by even one policy maker. These are the kinds of individuals that could also be considered potential “policy entrepreneurs.” Ultimately, there were no instances where an individual legislator was so far off the scale that it is likely he or she could drive the results.

The evidence is once again mixed. Among the jurisdictions that were transferred from one committee to another, most of the gaining committees were not significantly more active in sponsoring legislation in the issue area. For instance, members of the Government Operations Committee – the panel that eventually acquired the *General Revenue Sharing* jurisdiction – were no more likely to have sponsored bills on the subject than the average House member.

Only three policy arenas among the transferred jurisdictions offer indications of disproportionate policy interest – *Commodities, International Finance and Monetary Organizations*, and *International Fishing Agreements* – the same three issues where the gaining committee also already dominated bill referrals. Surprisingly, we find that before it assumed jurisdiction, Public Works Committee members were significantly *less* interested in *Urban Mass Transit* than the average member.

When we shift our attention to newly emerging jurisdictions, we also find results that closely mirror those reported earlier for bill referral patterns. In almost every case, members of the gaining committee demonstrated a disproportionate interest in the policy area during the years leading up to reform. In some cases the difference was small (e.g. *Biomedical R&D* and *Tourism*), while in others the difference was much wider (e.g. *Consumer Protection* and *Road Safety*).

The findings are not markedly different when we examine sponsorship patterns by members of the majority party. With the exception of the *Export Controls* and *Holidays and Celebrations* jurisdictions, majority party contingents (Democrats) on these committees pretty much looked exactly like their committee membership as a whole. If one is willing to stretch the level of statistical significance to the .10 level, then we also find that Democratic members of Foreign Affairs (for *Export Controls*) and Post Office (for *Holidays*) were more on these policies

than the chamber membership. Interestingly, Commerce Committee Democrats had a far greater likelihood of introducing consumer protection measures than the committee or chamber membership as a whole – over 3 bills on average.

Overall, however, the data do not provide compelling support for the mobilization of bias perspective. We found little evidence of obstruction in the policy record, and the evidence we did find was consistent with what the path dependence argument would lead us to expect.

Specifically, King argues that policy entrepreneurs craft bills so that they get assigned to their committee, thus establishing a track record that forms the basis of the establishment of a formal property right. We found that the gaining committees for new issues tend to be more activist. We did not find, however, that transferred jurisdictions typically go to committees that have been significantly more active.

Informational Efficiency: Is Expertise Accorded Respect? According to this perspective, the committee that acquires a transferred jurisdiction should be a lower-cost expert than the one that is giving it up, and presumably the lowest cost expert among all panels. For similar reasons, a new issue should go to the committee with the most expertise in related policy areas. But how does one develop a plausible measure of jurisdictional expertise that is distinct from prior referral patterns and bill sponsorship activity within the policy arena?

We begin with the concept of jurisdictional proximity that King describes in his own work: “When deciding where to send a jurisdictionally ambiguous bill (thereby granting common law turf to the committee that gets the bill), the parliamentarians use a decision rule called ‘the weight of the bill’ which is similar to the legal construct ‘the weight of the evidence.’ The decision rule is self consciously used so that the expertise of members in a ‘close by’

jurisdiction can be tapped. In this way, the parliamentarians help reinforce the kind of informationally-efficient committee system that Krehbiel (1991) envisions” (1994, 50).

In similar fashion, we measure committee expertise by the extent to which a committee is receiving referrals in related or proximate issue areas. As discussed, our approach to identifying the bills falling within a jurisdiction was to first distinguish the closest subtopic, and then eliminate bills falling within that subtopic that were not specifically related to the jurisdiction. Operating on the belief that these discarded or residual bills in the subtopic are probably very closely related to bills in the jurisdiction of interest, we can devise a measure of issue area expertise using their referral patterns. That is, for most jurisdictions, we gauge committee expertise by which committee is receiving the lion’s share of these excluded (“close by”) bills. For instance, all of the bills in the *General Revenue Sharing* jurisdiction were part of the “Intergovernmental Relations” policy subtopic category (subtopic 2001). However, the subtopic also included bills concerning federal grants to improve intergovernmental relations and matters relating to the Advisory Commission on Intergovernmental Relations. These bills are considered closely related and therefore the committee with the most experience on these “close by” bills would be recognized as having the greatest expertise in the broader policy realm.

In the limited jurisdictions where the included bills encompassed nearly all of the bills contained within the subtopic, we designated the bills included in the most similar subtopic as being “close by.” As an example, Export Controls consumed almost all of the bills designated by our coders as falling within the subtopic category “Export Promotion and Regulation, Export-Import Bank” (subtopic 1803). Using our familiarity with the policy issues falling within the jurisdiction (see Appendix), but having no information about referral patterns, we identified three other related subtopic categories that would seem to indicate expertise: “Productivity and

Competitiveness of U.S. Business, U.S. Balance of Payments” (1806); “Soviet Union and Former Republics” (1908); and “Eastern Europe” (1909). The most qualified committee to assume *Export Control*, we presume, is the one receiving the most referrals in these related subtopics.

Finally, in three jurisdictions, the jurisdiction consumed all bills falling within a subtopic *and* there were no “close-by” subtopics. These were *Holidays and Celebrations*, *Rural Development*, and *Tourism and Travel*. Thus, we did not include these jurisdictions in this part of our analysis.

The “expertise” hypothesis predicts that when a jurisdiction is assigned, it goes to the committee that is best qualified to assume it. We test this with respect to “new” jurisdictions by comparing the expertise of the gaining committee to the second ranking “expert” panel by our measure. For transferred jurisdictions we compare the expertise of three panels: the committee acquiring the jurisdiction, the committee relinquishing it, and the second ranking expert panel.

The most obvious result reported in Table 5 is that in the majority of transferred jurisdictions, as well as all the new jurisdictions, the acquiring committee is by far the most expert in the chamber. That is, the Speaker was referring more related bills to that committee than to any other committee before the panel assumed formal control over the jurisdiction in question. Importantly, in most cases, the acquiring committee was not receiving the bulk of the bills falling within the jurisdiction prior to the reform.

Government Operations, for example, did not receive any bills addressing *General Revenue Sharing* prior to the jurisdictional change. Yet, by our measure it was the most expert committee on this issue, receiving more (30 percent) related bills (those falling within the “Intergovernmental Relations” subtopic but not specifically addressing *General Revenue*

Sharing) than any other House panel. The committee that lost this jurisdiction to Government Operations – Ways and Means – was receiving only half as many bills in related areas, ranking it third on our measure of jurisdictional expertise (behind the Judiciary Committee).

We find the same general result for the assignment of new jurisdictions. The Commerce Committee benefited from many of these reforms, as noted earlier. However, the results in this section also indicate that Commerce was the most qualified to assume biomedical research and consumer protection legislation. Similarly, the Education and Labor Committee was best to consider food programs for school children, and the Public Works Committee was best qualified to assume jurisdiction over road safety.

While the results broadly support the expertise motivation for jurisdictional assignment, there are some unexpected results. For two jurisdictions, the *prima facie* evidence does not support the expertise hypothesis, but, we contend, the bills data overlook an underlying transformation of the policy arena. As alluded to in the earlier discussion of the Food for Peace program, even though the Agriculture panel clearly had the historical expertise on commodities, policy regarding international commodities agreements was changing. This program was becoming more “foreign aid” and less a way to deal with agricultural surplus concerns. From the standpoint of policy deliberation it was appropriate that the issue area was being combined with Export Controls and relocated to the committee with foreign aid expertise.

Similarly, *Urban Mass Transit* was undergoing a policy evolution. The finding in Table 5 show that prior to the reform, Public Works did not have expertise in closely related issue areas such as urban development, general mass transit, rail transportation, or any transportation matter besides highway construction and safety. Once again, however, there was a clear informational justification for moving this jurisdiction out of the urban development realm and into the sphere

of transportation policy. According to Adler (2002) the partial consolidation of transportation issues under Public Works was part and parcel of a broader movement to create a more coherent and consistent federal transportation policy. In the minds of many policymakers, urban mass transit was becoming a transportation issue – Johnson had transferred control of urban mass transit policy out of the Department of Housing and Urban Development to the Department of Transportation, and Congress had recently approved Highway Trust Fund monies for urban mass transit.

Finally, our methodology also portrays Ways and Means as the second ranking expert panel for many jurisdictions, and in one case (*Commodities*) the most expert panel. On the one hand, it is well established that this panel has one of the broadest, if not *the* broadest, jurisdiction among House committees above and beyond its monstrous authority over anything involving taxes or tariffs. For these reasons alone, Ways and Means is viewed as often sticking its nose into pretty much any major issue that passes through Congress (Deering and Smith 1997). On the other hand, our coding practices may also exaggerate its expertise in some issue areas. We assign tax and tariff related bills to substantive subtopics (rather than a general “taxation” subtopic) whenever possible. For example, by our measure, Ways and Means had as much or perhaps even more expertise in the area of *Commodities* as the Agriculture Committee. This is due to its control of bills in one specific tariff policy: the regulation of imports of milk and dairy products. Other than dairy imports, which often made up close to 100 bills a term, Agriculture was the clear specialist in *Commodities* related subjects. Thus, our coding convention makes sense for some purposes, but may attribute more issue expertise to Ways and Means than it actually deserves.

IV. Discussion

The findings lend more credence to the informal/expertise theory than either of the others. The path dependence and mobilization of bias perspectives receive some support in our tests, but the expertise perspective is also supported in all the same cases. When we find that prior referral patterns or the most active committee predict a jurisdictional assignment, it also appears that the committee gaining the jurisdiction was the most qualified to legislate in the issue area. In the remaining jurisdictional turf battles, referral precedent and committee interest lost out to the expertise explanation.

Because our measure of expertise is central to our findings, we return to it to consider a potential objection. One possibility is that the bills that we identify as being “close to” a jurisdiction are part of a larger effort to claim even broader jurisdictional authority for a committee. That is, one might argue that perhaps a policy entrepreneur was trying to assume more than just the narrow jurisdiction in question, and the “close by” bills were part of that bigger effort.

We do not believe that this is the case. In the vast majority of instances the “close by” bills already fell within established statutory jurisdictions of the gaining committee. Many of the bills that were proximate to *General Revenue Sharing*, for example, were already part of Government Operations’ formal jurisdiction on intergovernmental relations.¹³ Most of the bills that we designated as jurisdictionally proximate to *Campaign Contributions*, fit within the House

¹³ Rule XI, Clause 8, para (c) “Such committee shall have the duty of... (4) studying intergovernmental relationships between the United States and the States and municipalities...” Rules of the House of Representatives, 93rd Congress. Up to the 93rd Congress, jurisdictions were defined in Rule XI, but thereafter they were included in Rule X.

Administration Committee's established elections expertise.¹⁴ The Science Committee was deemed the low-cost expert on *Weather*-related issues because of previous referrals of bills that fell within its formal jurisdiction over National Science Foundation issues.¹⁵

Importantly, in many of the jurisdictions, we see a history of referrals for these “close by” issues, at the same time that we see no history of referrals for the bills falling within the jurisdiction that is being reassigned. The expertise perspective offers an explanation for this pattern, as well as for those situations where a committee wins control over an issue where it does have a history of referrals. The burden is on the path dependence and mobilization of bias perspectives to provide an explanation for the same pattern. We cannot think of one.

V. Conclusion

This study has offered important evidence regarding the way legislators conceive of the committee system in Congress. By pitting three prevalent theories of committee jurisdictional change against one another to explain the choices made by lawmakers in a reform period we are able to observe which notion best explains institutional outcomes. In instances studied here, the evidence indicates that reform choices seem to be guided by the collective need of the legislative body for efficiency in gathering much needed information on policy uncertainty. Our method of measuring the policy expertise of panels indicates that when the legislature assigned or reassigned a jurisdiction to a new panel, it was effectively uniting already closely related issue areas under the purview of the committee best able to specialize with the lowest cost.

¹⁴ Rule XI, Clause 9, para (k) “measures relating to the Election of the President, Vice President, or Members of Congress; corrupt practices; contested elections; credentials and qualifications; and Federal elections generally.” Rules of the House of Representatives, 93rd Congress.

¹⁵ Rule XI, Clause 18, para (e) “NSF” ... (h) “Scientific research and development.” Rules of the House of Representatives, 93rd Congress.

Although our path dependence and mobilization of bias explanations were able to account for some of the jurisdictional changes in the 1970s, the informational approach could explain all the same cases and several more that the others could not. This is not to say that elements of the other theories, such as the work of policy entrepreneurs or the drive for new policy directions, are not adequate explanations for *any* jurisdictional reforms in Congress. It is quite plausible that there are ingredients of these other approaches playing a role in the informational explanation of jurisdictional change. For instance, it is reasonable to think that the conversion which occurred in so many transferred jurisdictions to redefine the policy's political objectives was the work of one or more policy entrepreneurs.

Moreover, the theoretical approach supported by the evidence here provides new insights into the relationship between policy evolution and institutional development. The findings assert in convincing fashion that important congressional structures occasionally adapt to meet the varied needs of policy making in a changing world. Additionally, the argument offered in this study asserts that the organizational adaptation to changing policy needs is still driven by the rational and self-interested needs of legislative actors in a collective institution. In essence, the legislature adapts to policy changes as a means of reducing informational costs.

One question left unanswered is whether or not we can say anything about when jurisdictional change should occur? While this issue is not directly addressed, if we place our findings in the context of other work on committee reorganization we can offer some insights to the "when" question. As noted earlier there are significantly higher reassignment rates for transferred versus new jurisdictions – thus, a strong proclivity for moving jurisdictions that are undergoing some kind of redefinition (e.g., urban mass transit moves from urban development to transportation, international commodities moves from surplus goods to foreign aid, etc.). Several

scholars have noted that jurisdictional shifts are likely to involve redefined policy issues (Jones, Baumgartner and Talbert 1993; Jones and Strahan 1985; King 1997)

However, it is likely that many policy issues under go transformation over time and who is to say that one jurisdiction's redefinition is more extensive than another. To that point, it is fairly clear that all of theories of jurisdictional change offered here are likely to predict more jurisdictional change than actually occurs. For example, the mobilization of bias hypothesis would assert that advocates of policy change who face committee obstruction would promote jurisdictional alterations as their remedy – a phenomenon that should occur numerous times every congressional term.

In addition, other research has shown that reforms involving the reshuffling of committee jurisdictions face tremendous obstacles (Davidson and Oleszek 1977; Evans and Oleszek 1997), not the least of which are the reelection motives of legislators (Adler 2002). Thus, its possible that two conditions must be met before serious consideration of jurisdictional change is possible: (1) the current alignment of issue areas and committee specialization is no longer efficient, and (2) altering committee policy property rights will be not be too disruptive to legislators' constituency responsibilities and reelection strategies.

What can our findings say about more recent instances of jurisdictional change? We offer two cases. At the start of the 107th Congress (2001-2002) portions of the Commerce Committee's jurisdiction were shifted to the Banking Committee (Bresnahan and Pershing 2001). Though this shift was done in part to satisfy a battle between two senior Republicans over the chairmanship of the Commerce Committee, the jurisdictional change was also not unreasonable given what issue areas were moved – regulation of securities and exchanges and insurance. One could make a very good argument that such matters fit much better in the

Banking Committee (renamed Financial Services), which already controlled issues such as banking, federal monetary policy, international financial organizations, etc. This case is made even stronger by the fact that the lines between the insurance and financial services industries have been increasingly blurred. The Commerce panel had very few related jurisdictions.

Our second case returns us to where we started: Homeland Security. The Select Committee on Homeland Security in the House is charged with the not-so-enviable duty of proposing jurisdictional changes to create a standing committee in its place. The one thing it may have going for it is that as a result of September 11 several of the agencies now included in the new department have fundamentally new missions (i.e. Immigration and Naturalization Service, Customs Service, FEMA, etc.; Peckenpaugh 2002). It is possible that the redefinition of duties for these agencies and the need for low cost information-gathering may, to some extent, ease the pain of moving committee responsibilities around. This remains to be seen.

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Appendix: Searching the Policy Record for Evidence of Committee Obstruction

We focus specifically on the issue areas where gatekeeping was most likely – those policy arenas where bills were still being referred to the original committee of jurisdiction until the reforms that took effect in the 94th Congress. Our first obstacle was determining the potential legislative agenda within a jurisdictional area for a given time period. While it is not possible to know every issue that each representative might consider significant from year to year, it is possible to know which policy matters members of Congress considered important enough to meet a minimum threshold of significance – they were willing to invest at least a modicum of time and resources into producing a bill. Thus, we start with the profile of introduced bills in each jurisdictional area during the four congressional terms prior to the rules changes as a rough indication of the potential policy agenda within an issue arena.

Once we constructed the potential policy agenda within a jurisdictional area it was necessary to next examine which policy proposals committees passed on to the chamber for further consideration and which areas they did not. That is, were demands for certain policy changes being ignored? This raises another complicated question: what is the appropriate metric for judging committee obstruction? Mismatches in the proportion of bills referred to a committee addressing a specific policy change and the proportion of bills reported out do not necessarily indicate explicit gatekeeping. For one, it is not all that rare for bills to be introduced under one description or title, but to subsequently be combined with other bills into an omnibus bill for which the individual sections or titles may not have appeared in the description. Thus the omnibus bill might have been reported to the floor under a different title or description, and a cursory examination of bill titles and their subsequent disposition would lead us to erroneously conclude that the subject matter never left committee control.¹⁶

Moreover, there is often little direct correlation between the number of bills introduced on a matter and the likelihood of a bill reported out of committee. For example, in the *International Commodity Agreements* jurisdiction, amendments to the Agricultural Trade Development and Assistance Act (a.k.a. Food for Peace program) were produced by the Agriculture Committee from only three bills introduced in the 89th Congress. Alternatively, it took almost 170 bills on *General Revenue Sharing* over four different congressional terms to finally result in a bill reported out of the Ways and Means Committee in the 92nd Congress (see more on this below).

To create a clearer picture of the way each committee treated the potential agenda in each of these jurisdictional arenas, we supplemented our data on bills with contemporaneous accounts of events from *Congressional Quarterly Weekly Report* and *Almanac* (years 1965-1976). We sought descriptions of any legislative activity – including policy proposals from outside Congress – regarding these specific issue areas. Below, we provide a brief summary of the legislative activity in each jurisdictional realm and pay special attention to the prospect of committee obstruction in each jurisdiction.

¹⁶ This occurred with proposals regarding regulation of campaign contributions, which were later included in broader election reform legislation.

Campaign Contributions

The House Standards of Official Conduct Committee (a.k.a. Ethics Committee) was the original committee of jurisdiction for legislation regarding the regulation of campaign contributions in federal elections, but at least as far the period studied here, received a total of one bill in this issue arena. Bills having to do with campaign contributions were of two varieties, those explicitly related to tax deductions for campaign contributions (referred to Ways and Means) or those that were part of bigger election reform proposals (referred to House Administration, which had jurisdiction over broader election reform legislation). Thus, there is little indication that the committee of jurisdiction was obstructionist in any way. This does point up a problem with the earlier analysis – the committee that subsequently gained jurisdiction was already deliberating on policy proposals within this jurisdiction. We will address this in our analysis of the informational theory.

Export Controls

Export controls were quite a busy issue arena in the late 1960s and early 1970s, and the House committee of jurisdiction – Banking – was at the center of much of this deliberation. Export controls, like many foreign policy issues at the time, was largely subsumed by broader Cold War concerns and conflicts between the Nixon administration and Congress over the best course of action. Most attention within this jurisdiction was focused on the Export-Import Bank Act and the Export Control Act. Both were targets of several bill proposals and a number of successful amendments and new legislation, such as the replacement of the fairly restrictive anti-communist Export Control Act by the slightly more open and trade-friendly Export Administration Act in 1969. Though legislation regarding exports sputtered at times, there is little indication that the Banking Committee or Rep. Wright Patman, its chair, had major differences of opinion with anyone but the President over export restrictions.

General Revenue Sharing

Revenue sharing with state and local governments was an issue that had been on the congressional radar for a number of years when Nixon took office in 1969. A Johnson administration plan had been in the works, but the President never fully pursued the proposal in Congress. Nixon and many revenue sharing proponents did place a number of differing programs before Congress in the late 1960s and early 1970s, but these proposals received little attention particularly in the House, where the Ways and Means Committee had jurisdiction. Finally, in 1971 the Ways and Means panel began to hold hearings on the Nixon administration's new revenue sharing plan, but mostly as a means of criticizing its provisions and promoting its own plan which... This committee plan was the work of its Chair, Rep. Wilbur Mills, and ranking Republican, Rep. John Byrnes. Divisions on this issue ran deep in Congress, however, they did not break along party lines nor committee/non-committee lines. In fact, a bipartisan coalition of Ways and Means dissenters promoted a slightly different revenue sharing package of its own. In the end, a compromise plan was worked out in the House-Senate conference, which was signed by the President in late 1972.

Hatch Act

A small number of bills regarding political participation by federal employees were introduced during the congressional terms prior to the jurisdictional transfer, and some attention paid to the matter in the Senate in 1965. However, it was not until 1973, when any significant

alterations were made to the Hatch Act through legislation, and in this instance it was part of a “Home Rule” bill for the District of Columbia that exempted federal employees from compliance with the Hatch Act when running for office. This measure, not surprisingly, went through the District of Columbia Committee on its way to passage on the floor. Meanwhile, opponents of the Hatch Act, particularly the federal employees unions, had been fighting the measure in the courts. After a 1973 Supreme Court decision upholding the law’s constitutionality and the jurisdictional reforms, the battle returned to Congress. In 1976 significant revisions to the Hatch Act were passed by both chambers of Congress, but vetoed by President Ford.

Holidays and Celebrations

Although a seemingly innocuous policy arena, legislation regarding federal holidays can be quite contentious. For example, in the late-1960s dozens of measures were introduced in Congress to adjust the days for celebration of Washington’s Birthday, Memorial Day, and Veteran’s Day, and establishing Columbus Day as a federal holiday. These proposals were seen as having a profound effect on the tourism industry, church attendance, and state and local government budgets (who were likely to follow suit by recognizing an additional holiday); not to mention the controversy surrounding a holiday commemorating Christopher Columbus. Representatives of many of these groups lobbied heavily on the proposals, and in 1968 the Judiciary Committee reported the bill to the chamber. The measure eventually carried by a roll call vote, but not after a very close vote on a recommittal motion (141-153). Soon after, federal policy concerning holidays turned to the coming Bicentennial celebration and funding for the commission charged with its planning. Again funding for this commission – particularly a measure passed in 1972 – was not without its controversy. Despite the flack surrounding these policy arenas, there is no indication that the House Judiciary Committee’s treatment of policy regarding federal holidays was in any way the focus of this controversy.

International Commodity Agreements

Like Export Controls, much of the activity in the area of International Commodity Agreements was wrapped up in Cold War politics. In fact, with the exception of the restructuring of the Food for Peace program and proposals for subsidies for farmers as related to a grain sale deal with Soviet Union in 1972, almost all of the proposals for changes in legislation dealing with international commodities were part of export control legislation. Revisions to the Food for Peace program in 1966 converted it from a program to dispose of US farm surpluses overseas to one mainly focused on supplying agricultural commodities as foreign aid. There is little to indicate that the Agriculture Committee was obstructionist during this period.

Urban Mass Transit

For much of the late 1960s and early 1970s, building and maintaining mass transit systems in urban centers was seen as a way to improve the standard of living in these areas and provide jobs. Among the more important measures considered and passed by Congress during the period under examination were a 1966 extension of the Urban Mass Transportation Act of 1964, a major authorization in 1970 for grants and loans to state and local governments for urban mass transit,... The House Banking Committee was at the center of much of the debate regarding urban mass transit, which in many ways was considered part of broader policy approaches to urban development.

However, in 1968, this policy arena began to experience a shift in emphasis as President Johnson proposed to move authority over the Urban Mass Transportation Administration from the Department of Housing and Urban Development to the Department of Transportation. The plan was to go into effect unless Congress expressed opposition to the move – no such opposition emerged. The redefinition of urban mass transit continued in 1973 when Congress authorized portions of the Highway Trust Fund to be used in urban areas for mass transit projects. This bill, considered in the Public Works Committee, was anything but an attempt to skirt around an obstructionist Banking Committee. First, since the bill dealt with funding the Highway Trust Fund, it had to go through the Public Works Committee, that had jurisdiction over this program. More importantly, this was not a case of a committee looking to expand its reach into urban development. In fact, for two congressional terms Public Works had rejected this proposal, where as members of the Banking Committee had been avid proponents. Nevertheless, the decision of the Public Works panel was overturned by the Rules Committee in 1973 prior to its passage by the chamber.

Weather Bureau/National Weather Service

Weather research and weather-related agencies have never been a particularly lively area of federal policy. Only a handful of bills were introduced on the subject over the years in question. Much like urban mass transportation policy, treatment of issues regarding the Weather Bureau faced a similar bureaucratic reorganization. In 1965, President Johnson proposed consolidating the Weather Bureau along with several other agencies into one office in the Department of Commerce. Again, no opposition to the plan materialized on Capitol Hill. A few years later, in 1971, the Commerce Committee reported out – and Congress eventually passed – a measure to formally grant responsibility for collecting data on weather modification to the same agency. Up until 1968, weather modification information had been the responsibility of the National Science Foundation and for the few intervening years no agency had official responsibility for these data. There are no indications that these measures had been particularly controversial or the Commerce Committee had been obstructionist in any way.

Table 1. Formal Changes in House Committee Jurisdictions Examined, 94th Congresses

JURISDICTIONAL CHANGE	GAINING COMMITTEE	LOSING COMMITTEE
Agricultural Commodities (including Commodity Credit Corp.)	Agriculture	Banking, Currency and Housing
Biomedical Research and Development	Interstate and Foreign Commerce	--
Consumer Affairs and Consumer Protection	Interstate and Foreign Commerce	--
Export Controls	Foreign Affairs	Banking, Currency and Housing
Food Programs for Children in Schools (more than just lunch programs)	Education and Labor	--
General Revenue Sharing	Government Operations	Ways and Means
Hatch Act	Post Office and Civil Service	House Administration
Holidays and Celebrations	Post Office and Civil Service	Judiciary
International Commodity Agreements (other than sugar)	Foreign Affairs	Agriculture
International Finance and Monetary organizations	Banking, Currency, and Housing	Foreign Affairs
International Fishing Agreements	Merchant Marine and Fisheries	Foreign Affairs
Raising and Reporting of Campaign Contributions	House Administration	Standards of Official Conduct
Roads and Safety thereof	Public Works and Transportation	--
Rural Development	Agriculture	--
Travel and Tourism	Interstate and Foreign Commerce	--
Urban Mass Transportation	Public Works and Transportation	Banking, Currency and Housing
Weather Bureau/ National Weather Service	Science and Technology	Interstate and Foreign Commerce

Table 2: Primary or Related Subtopic Codes for Jurisdictional Areas

Jurisdictional Change	Primary Subtopics within Each Jurisdiction (Baumgartner and Jones Subtopic Category Number)
Agricultural Commodities	<ul style="list-style-type: none">• Agricultural Trade (401)• Government Subsidies to Farmers and Ranchers, Agricultural Disaster Insurance (402)
Biomedical Research and Development	<ul style="list-style-type: none">• General Health (NIH, DHHS authorizations, etc.; 300)• Regulation of drug industry, medical devices, and clinical labs (321)• Health facilities construction, regulation, and payments (322)• Health Manpower & Training (325)• Prevention, communicable diseases and health promotion (331)• Health, Infants and children (332)• Mental illness and mental retardation (333)• Health, other or multiple benefits and procedures (treatment of various diseases, medical equipment; 336)• Health research and development (398)
Consumer Affairs	<ul style="list-style-type: none">• Consumer Safety and Consumer Fraud (1525)
Export Controls	<ul style="list-style-type: none">• Productivity and Competitiveness of U.S. Business, U.S. Balance of Payments (1806)• Soviet Union and Former Republics (1908)• Eastern Europe (1909)
Food Programs for Children in Schools	<ul style="list-style-type: none">• Elementary and Secondary Education (602)• Food Stamps, Food Assistance, and Nutrition Monitoring Programs (1301)
General Revenue Sharing	<ul style="list-style-type: none">• Intergovernmental Relations (2001)
Hatch Act	<ul style="list-style-type: none">• Government Employee Benefits, Civil Service Issues (2004)• Regulation of Political Campaigns, Political Advertising, PAC regulation, Voter Registration, Government Ethics (2012)
Holidays and Celebrations	<ul style="list-style-type: none">• Federal Holidays (2030)
International Commodity Agreements	<ul style="list-style-type: none">• Agricultural Trade (401)
International Finance and Monetary organizations	<ul style="list-style-type: none">• Monetary Supply, Federal Reserve Board, and the Treasury (104)• U.S. Banking System and Financial Institution Regulation (1501)• Developing Countries Issues (1905)• International Organizations other than Finance: United Nations, UNESCO, International Red Cross (1926)
International Fishing Agreements	<ul style="list-style-type: none">• Maritime Issues (1007)• International Resources Exploitation, Resources Agreements (1902)
Raising Campaign Contributions	<ul style="list-style-type: none">• Regulation of Political Campaigns, Political Advertising, PAC Regulation, Voter Registration, Government Ethics (2012)
Roads and Safety	<ul style="list-style-type: none">• Highway Construction, Maintenance, and Safety (1002)
Rural Development	<ul style="list-style-type: none">• Rural Economic Development (1405)
Travel and Tourism	<ul style="list-style-type: none">• Tourism (1524)
Urban Mass Transportation	<ul style="list-style-type: none">• Mass Transportation and Safety (1001)
Weather Bureau/ National Weather Service	<ul style="list-style-type: none">• Weather Forecasting and Related Issues, NOAA, Oceanography (1708)• Space, Science, Technology and Communications Research and Development (1798)

Table 3: Bill Referral Histories by Jurisdictional Arena, 1965-1980

TRANSFERRED JURISDICTIONS				NEW JURISDICTIONS																																	
				Commodities (Agriculture)		Campaign Contributions (House Admin)		Export Controls (For Affs)		Gen Revenue Sharing (For Affs)		Hatch Act (Post Office)		Holidays (Post Office)		Intl Commodity Agreements (For Affs)		Intl Finance and Monetary Agreements (For Affs)		Intl Fishing Agreements (For Affs)		Urban Mass Transit (Public Works)		Weather (Sci)		Biomed R&D (Commerce)		Consumer protection (Commerce)		Food for School Children (Ed & Labor)		Road Safety (Public Works)		Rural Devel (Agric)		Tourism (Commerce)	
CONGRESS																																					
89th (1965-66)		0.98 (152)	0.09 (11)	0.00 (39)	0.00 (19)	0.00 (12)	0.00 (62)	0.00 (49)	0.93 (14)	1.00 (16)	0.00 (53)	0.00 (10)	1.00 (9)	0.86 (87)	0.88 (16)	0.88 (110)	0.95 (44)	0.33 (9)																			
90th (1967-68)		0.99 (101)	0.05 (22)	0.00 (31)	0.00 (60)	0.14 (7)	0.00 (111)	0.00 (13)	0.50 (8)	1.00 (6)	0.06 (16)	0.00 (11)	0.50 (16)	0.71 (89)	0.93 (15)	0.88 (127)	0.57 (46)	0.65 (17)																			
91st (1969-70)		1.00 (44)	0.13 (8)	0.00 (16)	0.00 (44)	0.00 (1)	0.02 (53)	0.00 (3)	1.00 (7)	1.00 (7)	0.08 (49)	0.00 (21)	0.67 (6)	0.50 (261)	0.81 (16)	0.89 (81)	0.45 (29)	0.59 (22)																			
92nd (1971-72)		0.98 (117)	0.45 (20)	0.00 (17)	0.00 (49)	0.06 (17)	0.00 (69)	0.00 (8)	1.00 (3)	1.00 (19)	0.08 (64)	0.00 (6)	0.64 (14)	0.63 (189)	0.96 (28)	0.86 (111)	0.35 (99)	0.75 (12)																			
JURISDICTIONAL REFORMS																																					
94th (1975-76)		1.00 (93)	0.98 (47)	0.85 (34)	1.00 (20)	1.00 (26)	1.00 (87)	0.50 (44)	0.90 (10)	1.00 (18)	0.93 (14)	0.78 (9)	1.00 (19)	0.71 (161)	0.95 (20)	0.95 (79)	0.78 (32)	0.71 (7)																			
95th (1977-78)		0.95 (58)	0.97 (35)	0.53 (73)	1.00 (2)	1.00 (1)	0.95 (39)	0.57 (29)	1.00 (9)	1.00 (11)	1.00 (15)	0.93 (14)	1.00 (4)	0.64 (166)	1.00 (13)	0.92 (72)	0.68 (31)	0.63 (8)																			
96th (1979-80)		0.98 (53)	0.88 (26)	0.61 (31)	1.00 (9)	– (0)	0.95 (20)	0.57 (9)	0.89 (9)	1.00 (1)	0.91 (11)	0.80 (5)	– (0)	0.56 (68)	0.88 (8)	0.94 (47)	0.55 (11)	0.86 (7)																			

Cells provide the proportion (and number) of bills within each jurisdictional arena referred to the committee that *acquired* it (listed above) after jurisdictional reforms.

Table 4: Committee “Interest” in Jurisdictional Arenas, 1965-1972

TRANSFERRED JURISDICTIONS		NEW JURISDICTIONS																								
Commodities (Agric)		Hatch Act (Post Office)			Intl Commodity Agreements (For Aff's)		Intl Finance and Monetary Orgs (For Aff's)		Intl Fishing Agreements (For Aff's)		Urban Mass Transit (Public Works)		Weather (Sci)		Biomed R&D (Commerce)		Consumer protection (Commerce)		Food for School Children (Commerce)		Road Safety (Public Works)		Rural Devel (Agric)		Tourism (Commerce)	
Marginal effect of <u>committee membership</u>		1.84	0.20	0.20	0.18	0.15	0.64	0.15	0.51	0.25	0.08	0.13	0.21	2.50	0.60	1.53	1.15	0.22								
P-value		0.00	0.21	0.34	0.52	0.16	0.17	0.16	0.00	0.01	0.00	0.35	0.04	0.00	0.00	0.00	0.00	0.00	0.09							
Mean Bills sponsored by <u>entire chamber</u>		0.54	0.10	0.13	0.23	0.05	0.43	0.07	0.05	0.07	0.28	0.07	0.07	1.06	0.13	0.57	0.34	0.10								
Marginal effect of <u>majority party committee membership</u>		1.61	0.23	0.47	0.13	0.13	0.89	0.15	0.77	0.34	0.33	0.04	0.39	4.75	0.89	1.25	0.60	0.34								
P-value		0.00	0.25	0.06	0.80	0.37	0.08	0.36	0.00	0.03	0.17	0.88	0.02	0.00	0.00	0.00	0.09	0.07								
Mean bills sponsored by <u>majority party members</u>		0.52	0.10	0.21	0.16	0.05	0.49	0.08	0.08	0.08	0.44	0.05	0.13	1.55	0.18	0.61	0.29	0.14								

Table 5: Committee “Expertise” in Jurisdictional Areas, 1965-1972

	TRANSFERRED JURISDICTIONS								NEW JURISDICTIONS								
	Commodities (Agric)	Campaign Contributions (House Admin)	Export Controls (For Affs)	Gen Revenue Sharing (Govt Ops)	Hatch Act (Post Office)	Holidays (Post Office)	Intl Commodity Agreements (For Affs)	Intl Finance and Monetary Agreements (For Affs)	Intl Fishing Agreements (Merch Marine)	Urban Mass Transit (Public Works)	Weather (Sci)	Biomed R&D (Commerce)	Consumer protection (Commerce)	Food for School Children (Ed & Labor)	Road Safety (Commerce)	Rural Devel (Agric)	Tourism (Commerce)
Residual bills in subtopic(s) going to <u>gaining</u> committee	0.45	0.51	0.29	0.30	0.64	--	0.00	0.83	0.80	0.00	0.69	0.65	0.50	0.56	0.60	--	--
Residual bills in subtopic(s) going to <u>losing</u> committee	0.02	0.01	0.01	0.15	0.07	--	0.58	0.02	0.00	0.29	0.09	--	--	--	--	--	--
Residual bills in subtopic(s) going to next most proximate committee	0.49	0.26	0.43	0.19	0.12	--	0.40	0.09	0.07	0.71	0.13	0.12	0.29	0.20	0.12	--	--
Most proximate other committee	WM	Jud	WM	Jud	WM	--	WM	WM	PW	Bank	MMF	WM	WM	WM	WM	--	--
Number of jurisdictionally proximate bills	948	339	136	375	2270	--	374	545	1020	38	159	696	66	578	197	--	--

WM = Ways and Means; Jud = Judiciary, PW = Public Works; Bank = Banking, Currency and Housing