

**Latinos and the Deliberative Process:
Examining the Role of Ethnicity on Committee Participation in
Congress**

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Abstract: Committees provide a setting for legislators in general, and for minority representatives in particular, to strongly articulate the interests of their constituents and to have a larger individual impact on legislative agenda. In this paper I examine levels of participation among members of three committees in the House of Representatives—Energy and Commerce Committee, Financial Services Committee, and the Ways and Means Committee—for the 109th and 110th Congresses. I am particularly interested in how ethnicity affects committee participation and how deliberation and levels of participation relate to the descriptive and substantive representation of Latinos. Using a logit model to analyze levels of committee participation on non-Latino and Latino interest legislation during markup sessions, I find that ethnicity plays an important role in committee activity, but not in the most obvious or expected way. Latino legislators are no more likely than non-Latinos to engage in committee activity even when Latino salient legislation is being considered. However, when Latino interest measures are being deliberated, committee members in general engage in greater committee participation. I also find that legislators with a large Latino constituency are more willing to participate in committee markup sessions. The results here show that, similar to previous work on the representation of Latinos at the roll call stage of the legislative process, Latinos receive substantive rather than descriptive representation in committees.

Deliberation is a cornerstone of democracy and is key to the success of our democratic institutions. Scholars have discussed deliberation in many contexts, but the common tie is always its essential presence in the political process. For example, Michael Briand (1999) notes that deliberation is one of five key principals to making democracy work (what he calls “practical politics”). Briand (1999, 42) says of deliberation, “Because the things human beings consider good are various and qualitatively distinct; because conflicts between such good things have no absolute, predetermined solution; and because to know what is best requires considering the views of others, we need to engage each other in the sort of exchange that will enable us to form sound personal and public judgments. This process of coming to a public judgments and choosing—together, as a public—is the essence of democratic politics.”

Within the legislative setting, deliberation takes place at all stages of the policy making process, in both formal and informal ways. A plethora of legislative research provides a good deal of information about the actual decisions that are the product of such deliberations

(represented most visibly by votes), but much less about the process of deliberation itself. This process is important, not only for understanding how and why lawmakers arrive at policy decisions, but about the level of participation legislators engage in and the costs and benefits of such participation.

From a normative perspective, democratic legislative assemblies are especially designed to foster deliberation. Richard Hall (1996, 2) states that “the assembly makes possible a deliberation in which conflicting judgments about the public good, or even the efficient promotion of narrow interests, can be examined, debated, and resolved. And through such a process the actions of government achieve legitimacy.” However, from a positivist (realist) viewpoint, it is often difficult to observe and measure deliberation. This is particularly true because legislators are only expected to participate in the most formal of institutional activities when a binary yes or no decision must be rendered; and even then, failure to follow norm is met with few tangible institutional sanctions. As a result, all legislators are not equally involved in every aspect of the legislative process and are left to weigh the costs and benefits of particular forms of participation.

Nevertheless, deliberation deserves scholarly attention because it provides an important and often overlooked distinction between preferences and the intensity of preferences. Hall (1996) argues that choice intensity is crucial to a better understanding of representation because how strongly legislators are willing to deliberate and advocate for certain policy interests says as much (or even more) about the quality of representation than a legislator’s actual voting record. This distinction is particularly relevant when discussing the representation of minority interests and how deliberation and levels of participation relate to the concepts of descriptive and substantive representation.

Although much of the literature on minority politics makes descriptive representation—representation based on a legislator sharing similar traits as the constituency he or she represents—a prerequisite to substantive representation—advancing the interests of a constituency even if constituency characteristics are not reflected by the representative (Canon 1999; Haynie 2001; Swers 2000)—the connection between the two is by no means guaranteed. Minority legislators do not provide substantive representation by simply being present in a legislative body. In fact, given that minorities do not receive proportional representation in Congress (despite great strides in that direction), the less formal and more deliberative actions of both descriptive and non-descriptive representatives are important pieces of the minority representation puzzle.

COMMITTEES: LABORATORIES FOR DELIBERATION

The difficulties in observing and measuring deliberation have relegated these more informal aspects of representation to a less prominent role in the literature, relative to work on such topics as elections, constituency service, and voting behavior. However, scholars like Fenno (1973), Mayhew (1974), Krehbiel (1991), Hall (1987, 1996) and Wawro (2000) have shown that a fruitful place to examine deliberation and participation is within Congressional committees. Ironically, as these scholars point out, most of the legislative work in Congress takes place in committees. Particularly, as legislators have become more specialized, as Congress has become more streamlined, and as information has become more selective, the influence of committees on the policy making process is greater than ever (Krehbiel 1991).

Committees provide a setting for legislators in general, and for minority representatives in particular, to strongly articulate the interests of their constituents and to have a larger individual impact on legislative agenda. Gamble (2005, 71) argues that, especially for

minorities, committees provide an opportunity for “institutional leadership” and that “institutional leadership has a major impact on legislative participation.” In this paper, I examine levels of participation among members of committees in Congress, specifically as these activities pertain to the representation of Latinos. As previously discussed, research on deliberation, and in particular committee work, often takes a back seat to more easily quantifiable activities with more readily available data, such as sponsorship and roll call voting. This may be sufficient information when the composition of a representative body has little effect on legislative outcomes, that is, when legislatures are fairly homogeneous; however, if one is to understand the role of ethnicity in legislative decision-making and representation, and place the descriptive/substantive representation debate into broader context, analysis of committee work must be part of the discussion. As one Latino legislator noted to me about the importance of committees:

Committees are very important. It is not enough to be in the legislative body if you are not effective, and therefore for that to occur, you need to work within the system. The only reason I have certain positions of perceived power is because I have the respect of my chairman and the Speaker who gave me the appointment. The reason they’ve done it is because I am not a bomb thrower and they know I will work with others to help get their legislation passed.¹

Scholars who have examined committees generally agree that committees wield a significant and disproportionate amount of power within legislatures (Fenno 1973; Hall 1996). Shepsle and Weingast (1987, 85) point out that there is a “substantial consensus” on a number of facts about committees:

- Committees act as “gatekeepers” in their respective jurisdictions.
- Committees are repositories of policy expertise.
- Committees are policy incubators.

¹ Personal interview conducted by author in 2008.

- Committees possess disproportionate control over the agenda in their policy domains.
- Committees are deferred to, and that deference is reciprocated.

While the role of committees in the legislative process is viewed as significant, the level of participation on committees by individual legislators is fairly unpredictable. This variance stems from the fact that legislators have competing interests and a finite amount of time and resources, all of which they must take into account when deciding their level of participation. As Gamble (2005, 43) states, “given multiple committee assignments, district work, and other obligations, it is impossible for members to be active on every piece of legislation that comes through their committees.” However, committees are perceived as specialists within their policy jurisdictions and are relied upon by other legislators to gather and disseminate relevant information to the chamber at large (Krehbiel 1991). Gamble (2007) shows that legislators rely on particular committee members with whom they share similar ideologies for cues on how to vote on certain pieces of legislation. Given these demands and expectations, the type of legislation on which committee members choose to focus and their level of participation are important pieces of the legislative puzzle.

In contrast to committee participation, a typical and often used measure of legislative participation is roll call votes. These votes, however, come at the end of the legislative process and do not really capture the overall level of involvement expended by individual members. Further, roll call votes are a relatively low cost and less engaging legislative activity (Kingdon 1981; Warwo 2000). For these reasons, it is important to make the distinction between preferences and preference intensity, as referenced at the onset of this work. Hall (1996) notes that preferences are “revealed” by votes, while the intensity of these preferences is indicated by time and legislative effort. Since there are no set institutional rules placed upon legislators

regarding legislative effort, the participation choices made by individuals is important for determining their impact on the legislative process. Level and form of participation can reveal a great deal about how legislators view and perform their jobs. The deliberative nature of committees-- from hearings, to offering amendments, to motions, to votes on bills-- provides a setting where not only preferences, but the intensity of preferences can be examined; committees are a place where individual rather than institutionally-designed choices are highlighted. Each legislative member, regardless of dispositional characteristics, must decide how to weigh a plethora of interests under finite conditions. Few scholars have undertaken a study of this process, and even fewer have considered the effect of ethnicity on this aspect of representation.

EXPECTATIONS ABOUT THE ROLE OF ETHNICITY ON COMMITTEES

In his seminal work on committee participation, Hall (1996, 8) points out that "...a model of legislative choice must tell us not only how the preferences of the players become aggregated, but also how nominal members come to be players in the first place." In an institutional setting where majority rule (both ideologically and in terms of group composition) can determine legislative outcomes, it becomes difficult to disentangle process from results. It is, however, the process that I am particularly concerned with here, the process by which Latino interests are represented and the behavior of those who represent them. As previously discussed, roll call votes signify the end result of a number of legislative activities. These activities are performed to varying degrees by a subset of legislative members who have different incentives (or disincentives) to participate. From a rational perspective, incentives must outweigh the costs involved in participation. For minority members, the benefits include the opportunity to advocate for the interests of their constituents (descriptive representation) at certain points in the legislative process.

Aside from roll call analysis, previous research on descriptive and substantive representation has focused primarily on the effects of race and gender on agenda setting activities such as bill introduction and co-sponsorship (Thomas 1991, 1994; Bratton and Haynie 1999; Haynie 2001; Swers 2002). These studies find that both women and African American legislators are more likely than white representatives to introduce and support black and gender interest bills. In one of the few published studies that examine the activity of a minority group within legislative committees, Gamble (2007) finds that African American legislators are more likely than their white counterparts to participate in committee activities when black interest policies are involved. Research specific to the representation of Latinos has mainly focused on roll call voting (Welch and Hibbing 1984; Hero and Tolbert 1995), with some examination into the role of ethnicity on bill sponsorship, committee composition, and bill passage (Bratton 2006), but none on committee participation. The impact of committee activity on the descriptive and substantive representation of Latinos has been largely overlooked.

Gamble (2007, 424) states that the theoretical expectations for black committee members is that blacks “will be involved in more resource-costly representational activities on black interest issues than will white representatives” because black representatives are driven by such factors as life experiences, surrogate representation, and linked fate. Gamble further notes that based on these expectations, she makes no prediction about the effects of race on non-racial bills. Based on the Latino literature, which posits that Latinos are much more heterogeneous than blacks, their policy interests are more diverse, and they do not share a strong sense of “linked fate” or group consciousness (Martinez-Ebers 2000; de la Garza 2004; Chong and Kim 2008), theoretical expectations about the role of ethnicity on committee participation depart somewhat from Gamble’s work and the broader research on race and representation.

Previous work on the role of ethnicity in Congress and the descriptive-substantive representation link has produced mixed results. For example, Welch and Hibbing (1984), in one of the earliest works on Latino representation, examined the impact of Latino constituencies and Latino representatives on roll call voting. They find that both Latino representatives and non-Latino representatives with a substantial Latino constituency have more liberal voting records than their counterparts. In contrast, Hero and Tolbert (1995) show that despite an increase in Latino population during the 1980's, roll call votes on Latino interest legislation revealed little direct substantive representation of Latinos; rather, the authors find that Latinos receive indirect substantive representation through the collective efforts of the Democratic Party. True to form of some of the inconsistencies in the Latino representation literature, Kerr and Miller (1997), using the same data as Hero and Tolbert, find that not only do Latino House members behave distinctly from non-Latino members, but that Latinos do receive direct substantive representation. More recent work has looked at the role of ethnicity in state legislatures. Bratton (2006) shows that at the agenda stage of the legislative process, Latino legislators are more likely than non-Latinos to sponsor "Latino interest" measures, but that the ethnicity of a legislator is not significant to the passage of the bills he or she introduces.

Further, as Hall (1996) and Gamble (2005, 2007) point out, there are a number of factors that have been shown to influence committee participation. These factors include: individual policy interests, constituency interests, party preferences, institutional resources, and institutional positions. In comparison to the committee at large with similar contextual attributes (e.g. district composition and institutional positions), ethnicity should be a significant predictor of participation on Latino relevant legislation. Additionally, Latinos face similar challenges as African Americans and women in their ability to effectively represent minority group interests

(Bratton 2006; Gamble 2007). These similarities include the marginalization of issues important to Latinos - what Mansbridge (1999) calls “uncrystallized issues”- and the obligation a Latino legislator may feel toward pursuing not only legislation that benefits his constituency, but legislation that is more broadly representative of the needs of the entire Latino community (Fraga et al. 2003).²

Latino legislators do not face the same type of constraints at the deliberative stage of the legislative process as they do at the agenda setting stage. First, unlike agenda setting, the specialization of committees affords members who are willing to invest time and resources the opportunity to mold legislation to benefit his/her constituents and even a broader constituency pool (i.e. surrogate representation). In this vein, committee work relies less on a consensus and more on individual effort, and is therefore less exposed to the “critical mass” debate. Second, as previously noted, legislators rely on committees and committee members to provide information shortcuts and cues on how to vote. Therefore, Latino representatives have the opportunity to use their roles as committee members to serve as information conduits to other legislators who may, in turn, support (either directly or indirectly) legislation that is important to Latinos. Finally, bills that reach the committee stage of the legislative process have already cleared some legislative obstacles, particularly those involved in agenda setting. Given the time and effort expended in committee work, it is reasonable to assume that committee action can be viewed as substantive effort toward the success of legislation and much less as merely symbolic activity.

² This is what Gamble (2005) refers to as “surrogate representation” when discussing the role of African American legislators. Surrogate representation is the idea that legislators take on the role of representing groups beyond their own constituency on issues where these groups lack direct substantive representation. An example of a surrogate representative is Barney Frank (D-Massachusetts) who, as a gay man, supports legislation that benefits the entire gay community.

Previous research points to uncertainty about the expected role of ethnicity on committee participation in Congress. This is due not only to the paucity of research on the topic, but also because of the inconsistencies found in research on the link between ethnicity and representation in Congress conducted to date. Therefore, based on the general literature on committee participation, the race and representation literature, and the ethnicity and representation literature, I posit the following hypothesis:

Given the obstacles affecting minority representatives and minority interest legislation, Latino legislators, *ceteris paribus*, will be more likely than other members to incur the higher cost of committee activity when this activity is particularly valuable, therefore,

H₁: Latino legislators are more likely to engage in higher levels of committee participation when Latino interests are being considered.

The lack of proportional representation for Latinos means that Latinos must rely on non-Latinos to advocate for Latino interest legislation within committees. Therefore,

H₂: Legislators with a high percentage of Latino constituents are likely to engage in higher levels of committee participation when Latino interests are being considered.

As previous literature on committee work has shown, committee members with leadership positions and more seniority (i.e. institutional resources), are better situated to incur the higher costs of committee participation, therefore,

H₃: Committee chairs and more senior committee members will be more likely to engage in higher forms of committee participation when Latino interest legislation is under consideration.

DATA AND METHODS

I collected data on committee activity in the U.S. House of Representatives for the 109th (2005) and the 110th Congress (2007). I examine the participation activity of individual members for three committees in the U.S. House: the Energy and Commerce Committee, the Financial Services Committee, and the Ways and Means Committee. I chose the 109th and 110th Congresses because they both recorded the largest number of Latino members ever serving in a single Congress (Congressional Research Service 2008).³ Legislative information from these congressional years provides a fertile opportunity to measure the effects of ethnicity on representation.

I use information from markups to examine committee participation. Committee markup meetings occur to consider legislation that has been referred to a particular committee. Actions at these meetings include discussions, amendments, motions, and changes to the language of legislation. The final action undertaken at markups is to vote on whether a particular bill should be referred out of the committee. Committee markups provide a rich opportunity to explore varying levels of participation (Hall 1987, 1996; Gamble 2007). Markup meetings are the point in the legislative process when major changes to legislation can take place. Committee members who choose to participate in this process have a disproportionate amount of influence over policy formulation. In addition, markups are not a very visible legislative activity, compared to congressional hearings, floor speeches, or floor votes. As a result, members who participate in markups are more likely to be engaged in substantive legislative activity and less in symbolic and grandstanding actions. As Hall (1996, 29) states, “the markup both serves as an indicator of who has participated behind the scenes and is itself an important forum for policymaking.”

³ The 109th and 110th Congresses counted 24 Latino representatives (including 1 delegate from Puerto Rico) as House members; 21 Latino members were Democrats and 3 were Republicans.

Gathering markup information for committees can be a challenging task for several reasons. First, markup information in the U.S. House of Representatives is compiled and made available by each individual committee. This means that there is no general “clearinghouse” for committee markup data across a particular chamber (as there is for general bill information or roll call votes). Second, each committee varies in the amount and type of information it provides and for which legislative sessions it provides that information. For example, many committees offer markup and hearing information on the current Congress/legislative session, but provide no information on markup activity for previous congressional sessions. Also, when available, the data from each committee varies in the amount of markup detail. A committee may publish the minutes from a markup session, but not include individual up or down votes of committee members on amendments or bills. For these reasons, my first criterion in committee selection was to ensure that similar detailed data was available for the committees chosen. I then selected committees that had at least two Latino members and had some jurisdiction over policy areas affecting Latinos.⁴

For both theoretical and conceptual purposes, I develop a variation of Richard Hall’s (1987; 1996) formal participation scale to measure committee activity. Hall’s measure of committee participation is based on an eight point scale ranging from 0 to 7, which places non-participation at one end of the spectrum and significant agenda-setting role at the other end. At each level of participation, committee members incur additional costs to participate, but these costs are less apparent the more categories of participation are included.⁵ My intent here is to

⁴ The Energy committee and the Ways and Means committee each had two Latino members in both the 109th and the 110th Congresses; the Financial Services committee had four Latino members in the 109th Congress and five Latino members in the 110th Congress.

⁵ As an example, Hall’s participation scale includes a score of 3 if a committee member speaks during markup, but he or she is a “minor” participant in the discussion. A score of 5 on this same scale refers to a committee member who offers a “minor or technical amendment or procedural motion.” While the act of being a minor participant in a

capture a threshold for “opportunity costs” that a legislator must meet in order to be involved in a significant form of committee participation. I argue that in ascending order, the most significant forms of participation are: attending markup meetings, deciding whether or not to vote legislation out of committee, and offering an amendment or motion to a piece of legislation. Going from the lowest level of participation (simply attending markup meetings) to a higher level of participation incurs additional “opportunity costs.” These costs may come in the form of time and effort, but also in resources necessary to be sufficiently informed about a particular piece of legislation. To this end, I posit that a four point scale does a better job of capturing this threshold. This scale makes distinctions between attendance, committee voting, and participation beyond committee voting.⁶ Conceptually, these distinctions are possible based on the data available for analysis, and theoretically, they capture the most explicit levels of participation necessary to measure the role of ethnicity on committee activity. Table 1.1 illustrates Hall’s original seven point participation scale, and Tables 1.2 shows the four point scale I employ for analysis of committee activity in the 109th and 110th Congresses.

[Insert tables 1.1-1.2 here]

I examine a subset of bills for each committee under analysis. Only bills which contained a recorded vote were included in the dataset.⁷ I divide bills into three categories to capture levels

discussion is probably less costly than offering minor changes to a bill, the difference between these costs are not very apparent, particularly with the amount of information on markup sessions offered by committees.

⁶ House committees employ “voice votes” when legislation does not require a recorded vote for further action. “Voice votes” require a smaller quorum and are typically used for non-controversial legislative action where there is obvious agreement on how the particular piece of legislation should be handled. “Voice votes” are not recorded and legislation is usually approved by the committee chair. Many bills that come through committees are handled through voice votes. For obvious reasons, bills handled through “voice votes” are not included in the analysis.

⁷ Bills that died in committee, never received a hearing, or no action was taken on a proposed motion or amendment were excluded from the datasets.

of Latino saliency. Bills were coded 0 (non-Latino interest) if they dealt with an issue that could not implicitly or explicitly be construed as addressing something of importance to Latinos; bills were coded 1 (general Latino interest) if they dealt with an issue that was of some importance to Latinos, but did not specifically single out Latinos as the subject of the legislation; and bills were coded 2 (specific Latino interests) when legislation specifically targeted Latinos.⁸ Only a small percentage of bills introduced during a legislative session actually reach the committee markup process. I include all specific Latino interest legislation that was considered during the mark up meetings of each committee as well as a random sample of general Latino interest and non-Latino interest bills.

The unit of analysis in the model is the individual legislator and the dependant variable is the participation score of each committee member on the bill being considered. Legislators are only coded Latino if it can be explicitly verified that they are of Latino descent.⁹ In order to test the level of committee activity by Latino legislators, I create a variable that captures the interaction between ethnicity and Latino interest legislation.¹⁰ I expect that Latinos will be more likely to engage in higher levels of committee participation when Latino interest legislation is being considered.

I also include in the model a number of control variables that are hypothesized to influence committee participation. First, based on previous research, I expect that African American legislators will be more likely to engage in committee activity, especially when legislation disproportionately affects blacks (Gamble 2005, 2007). Given that black interests and Latino interests often overlap, it is reasonable to assume that African American legislators will

⁸ I employ similar guidelines in content coding specific “Latino interest” legislation as Bratton (2006) uses in her analysis of bills. A sample of each form of legislation is included in the Appendix.

⁹ I rely on Bratton (2006), as well as the National Association of Latino Elected and Appointed Officials, Congressional legislative websites, and individual member web pages to verify Latino descent.

¹⁰ This variable is labeled “Latino*Latino salience” in the models.

be more active in committees when both general and specific Latino interest legislation are considered (since this legislation is also likely to be important to African Americans). Issues of similar interest to both Latinos and blacks are health, education, and anti-discrimination (Bratton 2006). Therefore, I include in the model a variable that accounts for whether or not a legislator is black. Second, an important institutional consideration of committee participation is committee leadership. A committee leader is expected to take special interest in the legislation that is brought before his or her committee. Research on committee participation has shown that committee chairs offer more amendments and motions than other committee members (Hall 1996; Warwo 2000; Gamble 2007). I include a measure of committee leadership (whether or not a legislator is chair of the committee) to capture this effect.

Previous work on committees has also noted the influence of party on levels of participation. Gamble (2007) finds in her study of the 107th Congress that black legislators were all members of the Democratic Party, which was the minority party. Gamble (2007, 434) hypothesized that Democrats would be more likely to participate in formal markups “because as members of the minority party, they have limited access to informal meetings and negotiations.” A majority of Latino House members, and in particular those serving on the committees under analysis, are members of the Democratic Party. In the 109th Congress, the Republican Party was the majority party, but the 110th Congress saw a shift in majority party status from the Republicans to the Democrats. For this reason, I include a party variable in the models.

District composition plays an important role in general legislative behavior. Previous research has shown that legislators with a higher percentage of Latino and/or African American constituents in their districts are disproportionately more responsive to minority interests (Canon 1999; Haynie 2001; Fraga et al. 2003). I expect that similar constituency factors will influence

committee activity levels. Therefore, I include a measure for the percentage of Latinos and blacks in a legislative district, as well as the average household income of the district. Finally, I also include committee dummy variables (fixed effect variables) to account for varying levels of activity across committees. A table outlining the variable definitions is included in the appendix. I estimate levels of committee participation using ordinal logistic regression. Ordinal logit estimation is the appropriate method given that the dependant variable is ordered and discrete.¹¹

RESULTS

Tables 2 provides the coefficient estimates for the ordered logit model and the change in predicted values of committee participation for each independent variable (increasing from minimum to maximum value). The dependant variable, *score*, is the odds that increased levels of committee participation will occur given the defined explanatory variables.¹²

[Insert table 2 here]

The first finding of note in the model is the role of Latinos on committee participation. Latino committee members are no more likely than other committee members to be engaged in committee activity. Even more surprising is that this result holds true even when Latino salient legislation is being considered. However, one cannot fully dismiss the role of ethnicity; committee members in general are significantly more likely to participate in markup sessions when Latino salient legislation is being addressed. For every unit increase in *latino salience* a .22 increase in the log odds of greater committee activity can be expected. It appears that

¹¹ I also estimated the models using multinomial logit and ordinary least squares. The results of these models were similar to the ordered logit estimator (little change in significance, direction, or size of the coefficients). Ordered logit is also the most appropriate method given that the assumptions of OLS are violated when the dependant variable is a non-interval (as is the case here) and that the ordering of the dependant variable is not ambiguous.

¹² Tests conducted to measure whether the models violate the proportional odds assumption were not significant.

Latinos receive substantive representation in committee; however, the link between descriptive and substantive representation is not clear as neither the ethnicity of a legislator nor the race of a legislator (black committee members are not significantly likely to participate in committees) are meaningful predictors of increased committee activity on issues important to Latinos.

Turning to other institutional factors, committee leaders are significantly more likely to engage in committee activity; being the chair of a committee increases the chances of committee participation by 2.05 points. As previously discussed, committee chairs are not only disproportionately interested and involved in the legislation that comes before their committee, but they also have more resources than rank and file members to dedicate to committee activity (Gamble 2007). The seniority of a legislator is also significant; the more senior a committee member is, the less likely he or she will engage in committee activity. The magnitude of the seniority coefficient is fairly small (.03), but nonetheless depresses committee participation. This finding is a bit puzzling because, on the one hand, one would expect that senior committee members may be more likely to engage in committee activity given their experience with the process, however, on the other hand, it may be that younger committee members are more willing to incur the costs involved with committee activity since they may lack other opportunities (formal or informal) to advance their legislative interests. Electoral security also influences committee participation; the more decisive an electoral victory a committee member experienced in the previous election, the more likely he or she will engage in committee activity. This result is supported by previous literature that shows legislators who are less concerned with reelection are likely to engage in more costly and less visible aspects of the legislative process. Also, party has no discernable impact on committee activity, while the fixed effect variables in

the model indicate that members of the Energy Committee are less likely than the other two committees to engage in markup activity.¹³

Looking at the constituency variables, ethnicity once again stands out as an important measure. Committee members with a large Latino constituency are more likely to participate in markup sessions. This finding speaks further to the substantive representation of Latino interests in committees. The other two constituency measures, percent blacks in district and median household income in district, do not affect committee participation.

The downside of running logit models is the difficulty in interpreting the coefficients, which are calculated as log-odds units. Therefore, a more meaningful exercise, and one that will help illustrate the effects of ethnicity on committee participation, is to calculate predicted values. I calculate predicted values for changes in legislator (from non-Latino to Latino) and changes in Latino saliency of legislation (from non-Latino interest legislation, to general Latino interest legislation, to specific Latino interest legislation) on committee participation scores. The predicted values are illustrated in chart 1.

[Insert chart 1 here]

As the pie charts illustrates, the probability of committee participation at the voting stage is fairly consistent regardless of legislator ethnicity or Latino bill saliency.¹⁴ However, the ethnicity of the legislator does have a differentiating effect on the probability of committee members offering amendments or motions—the highest form of committee activity. Non-Latinos are 5% more

¹³ The effect of party may be dependent on majority party status. Since I included data for both the 109th and the 110th Congresses, a time when majority party status changed, it is important to disentangle the party effect. For this reason, I also ran separate logit models for each Congress. The results showed that party does not influence committee participation in the 109th Congress, but it is significant in the 110th Congress ($p < .05$). Republicans are more likely to engage in committee activity when they are the minority party.

¹⁴ The only appreciable difference in committee voting probabilities between non-Latinos and Latinos occurs on non-Latino legislation—non Latinos are 5% more likely than Latinos to vote on these types of bills.

likely than Latinos to offer amendments or motions on non-Latino and general Latino interest bills and 7% more likely to offer amendments or motions on specific Latino interest legislation.

Discussion and Conclusion

What conclusions can be drawn from the results above regarding committee participation—and whether and how the link between descriptive and substantive representation for Latinos is reflected in committee activity? The results show that ethnicity plays a role in the markup activities of committee members for the three committees under investigation. Although Latino legislators do not participate at higher levels than non-Latinos, there is a greater overall level of participation when committees consider Latino interest legislation. Further, committee members who have a large Latino constituency also engage in greater committee activity.

Also, the influence of committee chairs on committee participation is hard to overlook. A committee chairmanship is often touted as an important institutional resource. In the analysis conducted here, this perceived benefit can be observed. Not only are committee chairs in a position of disproportionate power in their ability to shape the direction of markup sessions, but they have more resources (staff and money) to dedicate to the participation process. During the data coding process, it was evident that committee chairs are deeply involved with the legislation brought before their committees. This involvement includes, not only motions and amendments during markup sessions, but also includes the coordination of voice votes on non-controversial legislation (and probably determining what will and will not be controversial). It is possible that committee members, particularly Latino members, take advantage of the disproportionate power and resources wielded by committee chairs to advocate legislation on their behalf. Further research needs to be conducted in order to tease out the tangible and direct influence of committee chairs on Latino interests.

This is an initial examination on the role of ethnicity on committee participation, and on how committee participation shapes the representation of Latinos and Latino interests. In contrast to the effects of ethnicity on sponsorship behavior and roll call votes (where most of the research on Latino representation resides), here I make an important distinction between preference and preference intensity when referring to forms of legislative activity. Since committee activity (preference intensity) is guided less by institutional rules and more by individual effort, it is an important piece of the legislative puzzle and supports the argument that an understanding of the link between Latino descriptive and substantive representation must extend to less visible areas of the legislative process. The results from this analysis point to Latinos receiving substantive rather than descriptive representation in committees. This is in line with previous research that has shown, at best, inconsistent results about the presence of descriptive representation for Latinos, particularly at the national level. Other research has found the race of a legislator to have a distinct influence on black interest legislation. However, descriptive representation has not been as evident for Latinos. Scholars have pointed to differences in group homogeneity, group consciousness, and linked fate between blacks and Latinos as some of the reasons for these findings. Clearly, however, research on Latino representation is much less developed than work on African Americans and more work needs to be done in order to better understand the Latino descriptive-substantive representation link.

Deliberation is crucial to the success of democratic institutions. Committees embody the quality of deliberation via the different avenues by which legislators are able to participate. Given that most legislative work occurs in committees and that Latinos are now the largest minority group in the U.S., the role of ethnicity on committee participation is an important avenue of inquiry. Majoritarian rule, which is viewed largely through up and down votes, cannot

speaking alone for the actions and decisions of legislators that are often determined by minority interests and by less constrained individual efforts.

Table 1.1: Committee Participation Scale Developed by Hall

Score	Committee Activity
0	Engaged in none of the activities
1	Attended markup
2	Voted in one or more recorded roll calls
3	Spoke during markup, minor participant in the discussion
4	Spoke during markup, major participant in the discussion
5	Offered minor or technical amendment or procedural motion
6	Offered one or more substantive amendments
7	Engaged in agenda action

Sources: Hall (1987, 1996) and Gamble (2005, 2007)

Table 1.2: Participation Scale for Committee Markups (109th and 110th Congresses)

Score	Committee Activity
0	No attendance
1	Attended markup
2	Registered Vote
3	Offered amendment or motion

Table 2.1: Committee Participation in the U.S. House of Representatives (109th and 110th Congresses)

Dependant Variable: Committee Participation Scores

Independent Variables	Ordered Logit Estimates (robust standard error)	Change in Predicted Probabilities ^a			
		no attendance	attendance	vote	amend./motion
<i>Individual Characteristics</i>					
Latino Legislator	-0.742 (.393)	.01	.07	-.03	-.05
Black Legislator	-0.230 (.276)	.003	.02	-.0004	-.02
<i>Institutional Characteristics</i>					
Latino Salience	.218** (.072)	-.005	-.03	-.007	.04
Latino*Latino Salience	-0.051 (.277)	.001	.007	.0004	-.009
Committee Leader	2.048*** (.326)	-.01	-.07	-.28	.36
Seniority	-0.029 (.008)	.03	.15	-.08	-.10
Republican	.110 (.112)	-.001	-.008	-.001	.01
Energy and Commerce Committee	-0.479*** (.126)	.006	.04	-.002	-.04
Financial Services Committee	.051 (.061)	-.001	-.007	-.001	.01
<i>District Characteristics</i>					
Percent Latino in District	.010** (.004)	-.007	-.04	-.03	.08

Percent Black in District	.001 (.006)	-.0004	-.002	-.0004	.003
Avg. Household Income in District	9.570 (5.000)	-.006	-.04	-.02	.06

N= 2365

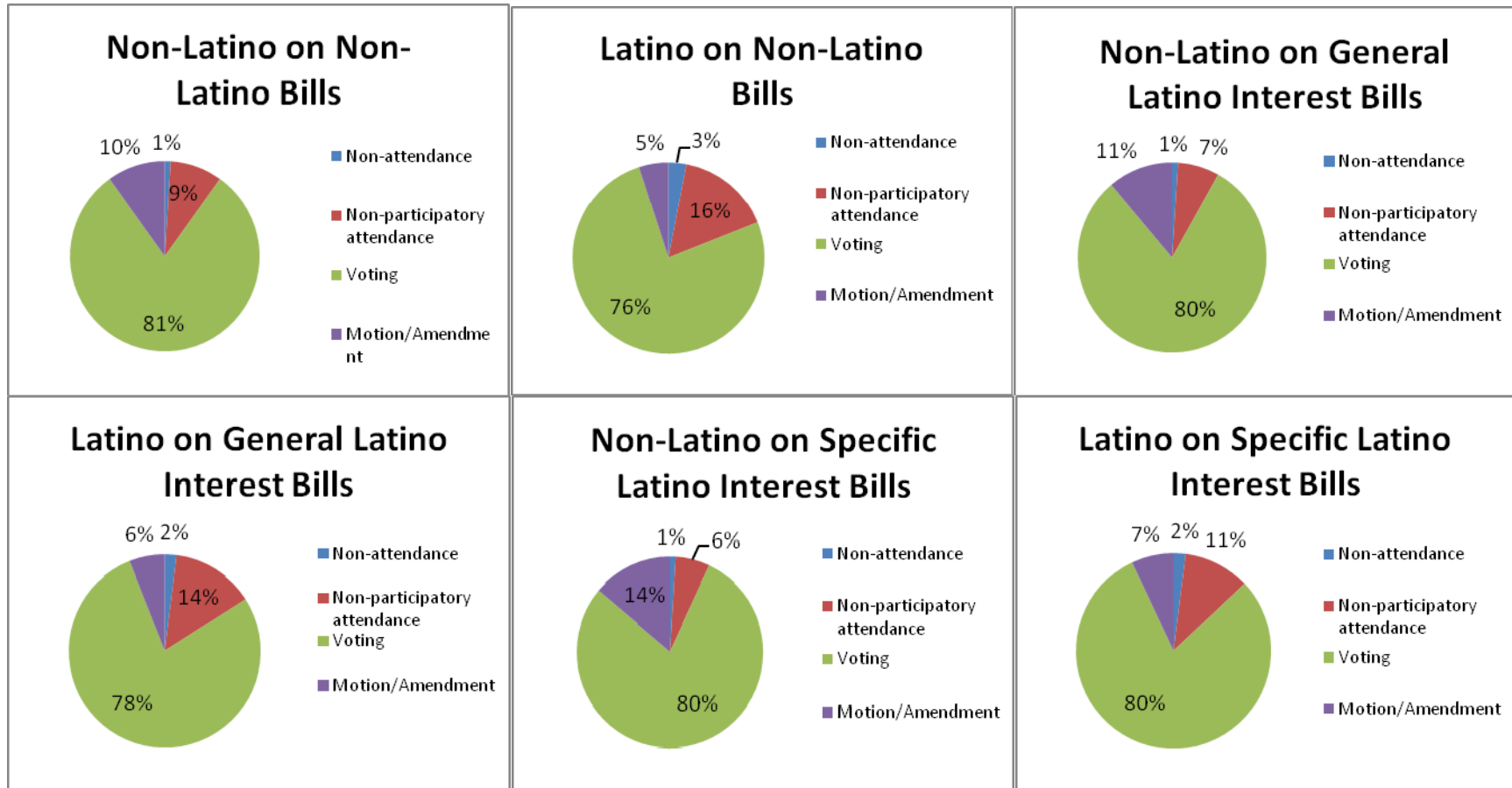
Wald Chi Square= 121.75***

Sources: Committee markups for Energy and Commerce Committee, Financial Services Committee, Ways and Means Committee for 109th and 110th Congresses

***p < 0.001; **p < 0.01; *p < 0.05 (two-tailed tests)

^a Change in predicted probabilities of moving in level of committee participation, increasing from minimum to maximum value on each independent variable while holding all other independent variables at their constant mean values.

Chart 1: Predicted Role of Ethnicity on Different Levels of Committee Participation



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APPENDIX A

VARIABLE DEFINITIONS FOR COMMITTEE ANALYSIS

Institutional Variables

Score (dependant variable)	level of committee participation 0= no attendance; 1= attended; 2=vote; 3= amendment/motion
Latino Salience	0= non-Latino interest; 1= general Latino interest; 2= specific Latino interest
Latino*Latino Salience	Interaction between legislator ethnicity and Latino interest legislation
Latino	1 if legislator is Latino
Black	1 if legislator is Black
Committee Leader	1 if chair of committee
Seniority	Time served in chamber
Electoral Security	Percent of vote from previous election
Party	1 if Republican
Energy and Commerce Committee	Committee fixed effect
Financial Services Committee	Committee fixed effect

District Characteristics

Percent Latino in District	Percentage of Latinos in a legislative district
Percent Black in District	Percentage of Blacks in a legislative district
Household Income	Median Household Income in a legislative district

APPENDIX B

SAMPLE OF BILLS CODED FOR LATINO SALIENCY

Non-Latino Interest Legislation (no Latino salience):

HR 5782 Pipeline Safety Improvement Act of 2006

Amends federal transportation law to revise certain one-call notification system minimum requirements to subject to certain civil judicial action or assessment of a civil penalty: (1) persons who excavate without using the one-call notification system to establish the location of underground pipelines or disregard location information or markings established by a pipeline operator; and (2) pipeline operators who fail to respond to a location request or fail to take steps, in response to such request, to ensure accurate marking of the pipeline location in order to prevent damage to the pipeline.

General Latino Interest Legislation (low Latino salience):

HR 5039 Saving America's Rural Housing Act of 2006

Saving America's Rural Housing Act of 2006 - (Sec. 3) Amends the Housing Act of 1949 with respect to multifamily rural housing and related facilities for elderly persons and families or other persons and families of low income, especially projects for which loans were made or insured by the Under Secretary of Agriculture for Rural Development under section 515 of such Act (section 515 loans).

HR 3043 Zero Down Payment Pilot Program Act of 2005

To authorize the Secretary of Housing and Urban Development to carry out a pilot program to insure zero-downpayment mortgages for one-unit residences. Amends the National Housing Act to authorize the Secretary of Housing and Urban Development to insure first-time homeowner zero-downpayment mortgages for one-family residences, including one- to three-unit dwellings, condominiums, cooperatives, and manufactured housing.

Specific Latino Interest Legislation (high Latino salience):

HR 3045 Dominican Republic-Central America-United States Free Trade Agreement Implementation Act

pproves the Dominican Republic-Central America-United States-Free Trade Agreement entered into on August 5, 2005, with the governments of Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, and Nicaragua (CAFTA-DR), and the statement of administrative action proposed to implement the Agreement, both submitted to Congress on June 23, 2005.

HR 4051 Housing Assistance Authorization Act of 2007

Housing Assistance Authorization Act of 2007 - Authorizes the Secretary of Housing and Urban Development (HUD) to make a grant to the National Urban League to provide technical and financial assistance to local non-profit organizations to undertake community development and affordable housing projects and programs serving low- and moderate-income households, particularly through organizations located in neighborhoods with substantial populations of African American income-disadvantaged households. Authorizes the Secretary also to make a grant to the Raza Development Fund to provide technical and financial assistance to local nonprofit organizations to undertake similar projects and programs serving low- and moderate-income households, particularly through organizations in neighborhoods with substantial populations of income-disadvantaged households of Hispanic origin.