

I

Introduction

IN 2005 HURRICANE KATRINA struck the Gulf Coast region of the United States, causing major flooding and displacing many residents in Louisiana, Mississippi, and Alabama. The storm was responsible for more than a thousand deaths, most of them in Louisiana. Many people were left homeless and with no place to turn for help. Although Louisiana state and local officials, such as Governor Kathleen Blanco and Mayor Ray Nagin, received much of the blame from the national press and policymakers for not adequately responding to the disaster, the bulk of the criticism was directed toward the Federal Emergency Management Agency (FEMA). Only weeks after President George Bush had praised FEMA director Michael Brown for the agency's response to the Hurricane Katrina disaster—"Brownie, you're doing a heck of a job,"¹ he said—intense criticism by the public and by both Democrats and Republicans in Congress led to Brown's resignation.

Many members of Congress were outraged by the federal bureaucracy's ineffective and slow response to the disaster. In 2005 and 2006, Congress conducted more than 130 hearings relating to the federal response to Hurricane Katrina. Many high-ranking officials from FEMA and the Department of Homeland Security (DHS), the agency that houses FEMA, were called to testify before House and Senate committees. While FEMA's efforts were universally criticized by both Democrats and Republicans, the explanations for why the federal response was inadequate and poorly managed became fiercely partisan and racially charged. In fact, Democrats refused to participate in the hearings held by the GOP-led House Select Committee, the House committee officially charged with investigating the federal response to Hurricane Katrina, preferring instead to launch an independent investigation into the federal government's response. The Democrats most critical of the efforts of FEMA were members of the Congressional Black Caucus (CBC) and Congressional Hispanic Caucus (CHC).² The CBC and CHC requested that committee oversight hearings

¹"A Punch Line Who Refuses to Fade Away." *The New York Times*, August 26, 2006.

²As a result of federal response to Hurricane Katrina, members of the CBC, CHC, and the Congressional Asian and Pacific Islander Caucus formed the Tri-Caucus to address the needs of marginalized communities. The formation of the coalitions counters conventional wisdom that minority legislators are too divided to work together on important policy issues.

be held, sponsored legislation that required FEMA to do better disaster relief planning, and testified at various congressional hearings in support of residents who could not escape the disaster. Along with failing to provide appropriate shelter, food, and water for stranded residents, minority legislators argued, FEMA had neglected to provide adequate transportation to assist in evacuating the poorest, the disabled, and elderly citizens. Black and Latino legislators, echoing the sentiments of many leaders and residents in the black and Latino communities, argued that FEMA's response would have been quicker and larger in scale if the affected residents had been white and affluent rather than black and poor. The Lower Ninth Ward, the area most affected by the breach of the levees in New Orleans, was more than 60 percent black and largely poor.

While all Democrats and Republicans were expressing their displeasure with federal relief efforts, then, black and Latino members of Congress were articulating the concerns and perspectives of groups that were largely underrepresented in congressional deliberations. Members of Congress from the Gulf Coast, such as Bennie Thompson (D-MS) and William Jefferson (D-LA), offered stinging criticism of the federal relief efforts for their constituents. In assessing under what conditions FEMA could have been more effective in responding to the disaster, Thompson said: "We need someone to run the agency who is qualified. We just can't have a political crony running an agency as important as FEMA. The other thing is that person has to have direct communication with the White House. That individual in time of an incident of national significance should not have to go through some chain of command to marshal the assets necessary to respond to that emergency. It just should not be."³

That legislators from Mississippi and Louisiana would advocate for their constituents is not surprising, but many minority legislators who were not from the affected areas also actively advocated for the interests of Hurricane Katrina victims. Black legislators such as Rep. Elijah Cummings (D-MD), chairman of the Congressional Black Caucus, issued harsh statements regarding the federal government response. Cummings stated in a CBC press release: "We cannot allow it to be said that the difference between those who lived and those who died in this great storm and flood of 2005 was nothing more than poverty, age or skin color."⁴ There were no Latino members of Congress representing either Louisiana or Mississippi—Latinos made up less than 5 percent of the residents in New Orleans—but Latino legislators from other states provided a voice for Latino interests in the affected areas. They argued that immigrant communities along the Gulf

³Hearing held by Department of Homeland Security, House of Representatives: "Legislation to Strengthen FEMA and Better Integrate It into the DHS, and for Other Purposes," May 9, 2006, p. 2.

⁴CHC Press Release, 2005.

Coast were not receiving relief assistance because of language barriers.⁵ In addition to not receiving access to services, these legislators argued, Latino citizens and immigrants were being intimidated and harassed by relief workers and US Marshals. Rep. Raul Grijalva (D-AZ) stated: “Every victim is a victim. To pick out one victim and allow them to suffer greater consequences is not only appalling, it is inhumane.”⁶

The aftermath of Hurricane Katrina serves as a stark reminder of how federal actions by agencies such as FEMA and DHS can profoundly affect the lives of Americans, as well as of the important role that Congress plays in holding these agencies accountable for their actions. The congressional oversight by minority legislators witnessed in the wake of Katrina also draws attention to important questions about the nature of congressional representation. In 2009, more than four years after Hurricane Katrina devastated Louisiana and Mississippi and long after the media spotlight had moved off the Gulf Coast, black and Latino members of Congress continue to actively devote their scarce time and resources to advocating on behalf of citizens who do not reside in their districts. Legislators who are not from the Gulf Coast states, such as Nydia Velazquez and Elijah Cummings, still show up at oversight hearings and make comments directing FEMA officials to devote more resources toward mostly class-based policies, such as affordable housing and community development, that are designed to improve the lives of poor and minority residents affected by the Hurricane Katrina disaster. What factors motivate these legislators to keep an eye on federal agencies in the absence of media attention?

The answer to this question is linked to debates about the nature of congressional representation that are older than the Constitution itself. The Constitution’s proponents (the Federalists), such as James Madison and Alexander Hamilton, argued that what is today called “descriptive representation”—in which the members of Congress resemble the groups present in society—is not essential for Congress to adequately represent the people. Though the concept of descriptive representation presumes that a group’s interests will be best served by a legislator from that group, the Federalists argued that this is not the case, as constituents can always use elections to remove legislators who do not represent their interests (Rossiter 1961). To borrow Madison’s example, one does not have to be a farmer to represent the interests of farmers in one’s district.

More than two hundred years later, political theorists and researchers continue to debate whether descriptive representatives are necessary to provide adequate representation of constituent interests in Congress. Studies of congressional activity, most of which focus on legislators’ voting

⁵CHC Press Release, 2005.

⁶CHC Press Release, 2005.

records, have not only failed to settle the question, they have also raised new questions, both methodological and substantive. Congressional scholars studying race and ethnicity, as well as liberal and conservative critics of descriptive representation, have generally sided with the argument that one does not have to descriptively represent the group in order to represent the interests of the group (Cameron, Epstein, and O'Halloran 1996; Guinier 1995; Hero and Tolbert 1995; Swain 1993; Thernstrom 1987). Other scholars have found, however, that race and ethnicity play a significant role in determining legislators' support for minority-interest issues (Canon 1999; Lublin 1997; Tate 2003; Welch and Hibbing 1984; Whitby 1997). Similarly, scholars examining the impact of gender and representation have come to similar conclusions, finding that female legislators are more likely than male legislators to advocate for and provide a voice to issues that traditionally are of concern to women (Bratton and Haynie 1999; Kathlene 1994; Reingold 2000; Swers 1998, 2002). A number of scholars have pointed to the inadequacy of voting records to measure the extent to which racial and ethnic minorities in Congress succeed in representing their constituents, prompting a search for better methods. Contrary to the critics of descriptive representation, these scholars have found that race and ethnicity provides a voice to underrepresented minorities in areas beyond roll-call voting (Canon 1999; Casellas 2011; Gamble 2007; Griffin and Newman 2008; Grose 2011; Haynie 2001; Minta 2009; Sinclair-Chapman 2003; Tate 2003). Examining forms of legislative activity other than voting permits investigation of this new line and growing body of research on political representation and race and ethnic politics, suggesting answers to an important question: Do minority representatives offer something to their minority constituents that white representatives of identical political orientation do not? That is, would a white legislator who votes identically to a black or Latino legislator necessarily represent his or her district's blacks and Latinos just as well?

This study demonstrates via an analysis of congressional oversight activities that descriptive representatives—in this case, black and Latino legislators—provide superior substantive representation of minority interests. Investigating what I refer to as “legislative intervention” in committee oversight activities shifts the focus beyond assessing whether legislators are voting the “right way,” or in the manner their constituents prefer, to examining how much time and effort they spend intervening in agency policymaking on behalf of their constituents. This approach, unlike one that relies on roll-call voting records, enables me to measure the intensity of legislators' interest in certain policies. After all, legislators have limited time and resources, and their decision to direct their attention to engaging in oversight speaks volumes about the level of their commitment to an issue, particularly because most oversight—in marked contrast to the example of the congress-

sional deliberations regarding Hurricane Katrina—fails to capture the attention of the national media and the American public and consequently is unlikely to improve any given legislator's odds of reelection.

While most legislators are reluctant to engage in the workhorse activity of oversight, I find that black and Latino legislators believe they must take action to collectively uplift blacks and Latinos, respectively. I argue that an ideology of “strategic group uplift” explains the difference in advocacy efforts, or interventions, between minority and white legislators. The presence of blacks and Latinos in Congress leads to qualitatively better representation of black and Latino interests by providing a voice and perspective to underrepresented and marginalized communities that are not normally included in the public policy-making process.

As the chapters that follow will show, black and Latino legislators are more responsive to the interests of blacks, Latinos, and the poor than are white legislators. They are more likely to advocate on issues such as racial profiling and affirmative action. They are also more likely to intervene in agency decision making by attending, testifying, and engaging in deliberations at congressional oversight hearings in support of minority interests. Moreover, minority legislators write more letters urging agency officials to pursue the enforcement of civil rights policies, and they also spend significant time and effort promoting and advocating for class-based solutions that benefit all racial and ethnic groups, such as efforts to end poverty and increase Medicaid and community development funding.

Not only do black and Latino legislators engage more in oversight activity, but their presence in the committee room increases the chances that black and Latino perspectives and concerns will be addressed and included in committee deliberations. Black and Latino legislators bring a distinct perspective to policy deliberations that white legislators do not provide. They are effective at countering negative stereotypes about minorities in policy debates relating to issues such as affirmative action and affordable housing. As one might expect, the impact of race and ethnicity is more pronounced in policy debates relating to racial and ethnic issues, such as racial profiling and bilingual education. The impact of racial and ethnic background is not limited to racial or ethnic issues, however; it also informs policy debates on social welfare issues, such as welfare reform.

Voting as a Measure of Representation

Though the conclusions outlined above may seem commonsensical, a number of contemporary scholars are skeptical about the degree to which descriptive characteristics matter in terms of providing representation to constituents (Pennock 1979; Pitkin 1967). They argue that the logic of

descriptive representation fails in two critical respects: First, the requirement that a legislature resemble the diversity of groups present in society, such as farmers, businesspeople, or racial or ethnic minorities, has very little to do with how policies that substantively affect members of that society are produced (Pitkin 1967). According to Pitkin, legislators should be judged on their actions, not just their closeness in characteristics to their constituents: “The activity of representing as acting for others must be defined in terms of what the representative does and how he does it, or in some combination of these two considerations” (143). In this view, providing substantive representation requires mainly the casting of the “right” votes on policies by reflecting constituent opinions. When applying this concept to racial or ethnic representation, we can see that one does not have to be a Latino legislator, for instance, to vote in favor of a bill that prohibits discrimination against Latino constituents.

Pitkin’s argument is illuminated by recent research into the consequences of racial gerrymandering, or the process by which states draw congressional districts in order to increase the likelihood that racial minorities can successfully elect candidates of their same racial or ethnic background. Historically, black and Latino candidates for Congress and other minorities have been underrepresented in Congress compared to their demographic makeup in society. In the 110th Congress (2007–2009), for example, black legislators represented 9 percent, or 42, of the 440 members in the House, which is less than the 12 percent that blacks constitute in the U.S population.⁷ Latino legislators represented 6 percent of the members, which is less than the 14 percent that Latinos constitute in the US population. Much of the underrepresentation is based on the fact that in majority-white districts, whites have been reluctant to vote for black candidates (Reeves 1997). For example, Canon (1999) found that, in 6,667 House elections in white-majority districts between 1966 and 1996, blacks only won 35, or 0.52 percent, of these elections.

In an attempt to get more blacks and Latinos in Congress, in the early 1990s many black and Latino leaders urged the creation of majority-black and majority-Latino districts. These leaders believed that the creation of these districts would increase the electoral chances of black and Latino candidates, with the likely result of increasing minority representation in Congress. Proponents of the creation of majority-black districts, such as the Congressional Black Caucus and minority interest groups, believed that

⁷There are 435 members in the House of Representatives, along with delegates from American Samoa, the District of Columbia, Guam, and the Virgin Islands and a resident commissioner of Puerto Rico. Information on demographics in Congress obtained from CRS Report for Congress, RS 22007, Membership of the 110th Congress: A Profile. Information on voting-age population obtained from 2004 General Demographic Characteristics: 2004, Data Set: 2004 American Community Survey.

not only would more blacks be elected to Congress, but black legislators would make a difference in the quality of representation on issues that blacks tend to support. Opponents of racial gerrymandering argued that these newly constructed districts were unconstitutional and that the race of the member does not make a difference in the quality of representation provided to blacks. As a result of racial redistricting, the number of black representatives in Congress increased, with blacks being elected in southern states such as South Carolina, North Carolina, Alabama, and Louisiana for the first time since Reconstruction.

Investigations of whether this increase in descriptive representation represents a positive step for black Americans have produced mixed results. Swain (1993) argued that majority-minority districts were not necessary for black candidates to get elected to Congress or for black constituents to receive fair and adequate representation of their interests. Relying mainly on roll-call voting scores, she found no difference between the voting of black and white representatives on general minority-interest issues, such as civil rights and social welfare issues. As a result, she concluded that descriptive representation did not lead to more legislation being passed that was favorable to minorities. Furthermore, after interviewing both black and white members of Congress, she found that white Democratic legislators were more effective at representing black interests than were black Democratic legislators. Swain points out that although concentrating black voters into minority districts increased the number of black representatives in Congress, it led to more Republicans being elected as well. Because Republicans were more hostile to black interests than were Democrats, she argued, blacks would be better served by electing Democrats, regardless of their race.

Cameron, Epstein, and O'Halloran (1996) examined whether majority-minority districts maximize substantive black representation in Congress. Like Swain (1993), they found that white legislators in the North had similar voting records on minority interests as black legislators. Thus, they argued that creating majority-minority districts in the North did not maximize substantive representation, because it removed minorities from marginal districts and hurt Democrats' chances of being elected. In the South, however, they found that to maximize black representation, districts should be constructed that are at least 47 percent black (Cameron, Epstein, and O'Halloran 1996). Differing from Swain, then, they concluded that descriptive representation is most important in southern states.

Taken together, these two studies of black representation suggest that the creation of majority-minority districts successfully increases the number of black legislators elected to Congress, but that increased descriptive representation can result in less effective substantive representation of minority interests—what Lublin (1999) refers to as the “paradox of representation.”

Research into descriptive representation by Latinos has produced equally mixed results. Hero and Tolbert (1995) have found that having Latino representatives in Congress does little to improve the substantive representation of minority interests. Other studies, by contrast, show that having Latino representatives plays an important role in providing substantive representation to Latino interests (Casellas 2009; Welch and Hibbing 1984).

While assessments of congressional voting provide valuable insight into the effect of race or ethnicity in this important legislative arena, one shortcoming of such studies is that they may overstate the degree of partisan unity among legislators on minority-interest issues. For example, when the Democrats control the House, Hall and Heflin (1994) argue, differences are not readily apparent between black and white legislators in the Democratic Party because controversial racial issues are censored before they come to the House floor for a vote. Hall and Heflin note that party leaders do not want to show a split in the party, so the only bills that come up for a vote are the ones on which most white and black Democrats agree. This may be especially true in a Republican-majority Congress; as the modal legislation moves further to the right, more agreement should exist between moderate and liberal Democrats in opposition to the legislation (Cox and McCubbins 2005; Lawrence, Maltzman, and Smith 2006). As a result, white legislators appear as though they are more in step with minority legislators and minority constituents than they actually are.

In addition, many scholars find that as an indicator of black policy preferences, the roll-call voting indicators used to assess substantive representation, such as Leadership Conference on Civil Rights scores, include a host of issues that either blacks do not care about or on which their views are not different from those of whites (Hutchings 1998; Swain 1993; Whitby 1997). The 2001–2002 version of the Leadership Conference on Civil Rights voting score index, for example, included tax reform, an issue on which, according to most public opinion surveys, blacks usually do not differ dramatically from whites. Thus, when trying to evaluate whether legislators provide substantive representation to blacks, this measure is unlikely to find differences between black and white legislators.

Another limitation of existing studies of political representation that use roll-call data is that scholars rarely examine whether black and Latino legislators are just as active on class-based policies that address the poor as they are on racial/ethnic policies. Instead, these studies usually conflate racial/ethnic issues with social welfare issues, thus overstating the extent to which a member's race or ethnicity may motivate him or her to address the interests of lower-income minorities and the poor. It is important to separate class-based policies from racial/ethnic issues, because normative

theorists question whether one can assume that descriptive representatives can effectively represent the interests of all groups (Dovi 2002; Phillips 1995; Young 2000). Many studies pertaining to the intersection of race, class, and gender show that the shared experiences of minority legislators do not necessarily extend to enabling them to provide adequate representation to the diverse interests of all members within their racial or ethnic group (Cohen 1999; Hancock 2004; Strolovitch 2007). Cohen (1999), for example, found that the CBC, while claiming to represent the interests of all blacks, failed to actively advocate for measures to combat the spread of HIV/AIDS among black gays and lesbians and intravenous drug users.

Given the limitations of roll-call voting studies, it is important in gauging the necessity and effectiveness of descriptive representation to look beyond voting to other forms of legislative behavior, such as engaging in deliberations, which are excluded from Pitkin's concept of substantive representation. Like other scholars, I argue that Pitkin's definition of substantive representation is too narrow and creates an unnecessary separation between voting and policy debates surrounding the passage and implementation of legislation, which can be just as important. A number of studies have considered the effect of descriptive representation in less constrained legislative activities, which are unlikely to reflect the strong censoring influence of political parties. For example, Canon (1999) examined the effect of race on legislative participation in activities such as floor speeches, employment of district staff, and sponsorship of race-related bills. He found that white legislators were less likely than black legislators to introduce or cosponsor racial or partly racial bills, to address racial issues in House floor speeches, or to mention race-related matters in newsletters to their constituents. Similarly, other scholars have found that black legislators are more likely than white legislators to sponsor and cosponsor race-related bills (Bratton and Haynie 1999; Canon 1999; Haynie 2001; Sinclair-Chapman 2003; Tate 2003), participate in mark-up hearings (Gamble 2007), discuss racial themes in floor speeches, and hire racially diverse district staff (Canon 1999).

As the oversight activities following Hurricane Katrina suggest, another area in which members of Congress do important work of representation is the oversight of federal agency policymaking. Indeed, congressional oversight of federal agencies responds directly to Pitkin's (1967) charge that descriptive representation must be related to governance for it to be substantive and meaningful. Yet congressional oversight seldom receives attention in studies of the substantive representation of minority interests. With the exception of the work of Hall (1996) and Gamble (2007), little research has been devoted to examining to what extent race and ethnicity influence how actively legislators advocate for the interests of minority

constituents in committee activities. As a result, we do not yet have a complete view of the representative activities of legislators.

Oversight as a Form of Political Representation

FEMA's failure to adequately respond to Hurricane Katrina confirms the fears of many scholars and observers of politics that federal agencies do not always follow the wishes of Congress and the people (Bibby 1968; Ogul 1976). Although Congress delegates much of the enforcement of laws to the federal bureaucracy, constituents rely on legislators to ensure that federal agencies enforce and implement these laws (see, for example, Carpenter 2001; Epstein and O'Halloran 1999; Huber 2007; Huber and Shipan 2002; Mayhew 1991; McCubbins and Schwartz 1984; Weingast and Moran 1983). The protection of racial or ethnic minorities, in particular, has depended heavily on the willingness of Congress to vigorously oversee the federal executive agencies that implement laws protecting civil rights and social welfare. Measuring the extent to which Congress, the branch that is closest to the people, provides an adequate check on the federal bureaucracy is a concern of many democratic theorists.

Participation in deliberations and the correspondence that legislators send to agency policymakers form an important part of substantive representation that is largely ignored in the extant literature. Yet deliberations in the legislative assembly are an important part of governing. Before legislators can make a decision on whether to vote for or against a law or before an agency can implement a policy, deliberations must be held in Congress. Legislators' interventions allow legislators to convey their constituents' preferences or their own preferences to agency bureaucrats regarding agency efforts to implement a federal law or program.

To ensure that agencies follow the will of Congress, congressional committees can initiate hearings and investigate agency policymaking and implementation (Bibby 1968; Ogul 1976; Aberbach 1990). Investigations and hearings are typically used to uncover wrongdoing and misconduct by federal officials, but hearings also provide legislators with an update on the activities and operations of federal agencies. Although hearings and investigations are the most popular approach to oversight, legislators can take a more passive approach, which frees them from constant, time-consuming monitoring. They do this by installing a variety of administrative controls that place the burden on interest groups to notify Congress or sound what McCubbins and Schwartz (1984) refer to as "fire alarms." Congress can also effectively limit potential wrongdoing by agencies by crafting legislation that limits agencies' discretion in implementing public policy (Epstein and O'Halloran 1999; Huber and Shipan 2002; McCubbins, Noll and Weingast 1987).

During committee deliberations, individual legislators can request either verbally or in writing that federal agencies dedicate more resources to agency enforcement efforts. They can also be critical of the inaction of agency officials in response to previous congressional requests to replace or remove agency personnel. In a hearing focusing on efforts by the US Department of Housing and Urban Development (HUD) to enforce fair housing laws, Congresswoman Nydia Velazquez (D-NY) expressed dissatisfaction at the inability of the Bush administration to find a replacement to head the Civil Rights Section of HUD: “Eighteen months into the President’s term, the position of Assistant Secretary for Housing—for Fair Housing and Equal Opportunity—remains unfilled. In fact, the current nominee, Ms. Carolyn Peoples, was only submitted by the President in May. Furthermore, she has had very limited experience administering fair housing laws. I take this to be a troubling indication of the low level of importance placed on these issues by the administration, one that I hope will soon be reviewed. This void has left us with a backlog of fair housing complaints that members of our communities tell us take far longer than the statutorily required deadline of 100 days to address.”

Although legislators can intervene positively on behalf of minority interests, some legislators defend the status quo or do not want an increased effort by an agency. In the same HUD oversight committee hearing, for example, Congressman Gary Miller (R-CA) defended the Bush administration’s efforts to implement antidiscrimination laws: “I am very pleased that we are having this hearing. I think some things might be blown out of perspective. I have to agree there has been lack of enforcement on certain programs and policies, and especially when it comes to disabled and minorities in the past. But I think that is somewhat in the past. I think the new administration [Bush administration] is making every attempt to remove the problems that we faced in the past. So I do not know if it is necessarily a problem that requires new legislation.”

Using legislators’ interventions to evaluate their substantive representation of constituent interests provides advantages over studying roll-call voting. First, this approach is more precise, because it goes beyond simply reporting whether or not legislators are voting in accordance with their constituents’ interests to measure how much time and effort legislators spend advocating for issues on behalf of their constituents. Considering interventions permits a distinction to be made, for example, between a member of Congress who spends fifty hours researching and dedicating staff resources to advocate for a measure favoring civil rights and a legislator who supports civil rights but dedicates only two hours to advocating for stronger enforcement in committee deliberations.

It is useful to measure congressional activities that are costly in terms of time, moreover, because in participating in such activities, legislators demonstrate

intensity of commitment. Legislators have many issues vying for their attention but are limited in time and resources that they have to devote to them (Hall and Miler 2000). Hall and Miler explain what attendance at a hearing entails: “The legislator must fashion a response to an agency whose principal advantage is its expertise and whose presumptive authority is a preexisting statute. At a minimum, the legislator’s staff would need to spend time acquiring and digesting information about the agency proposal; analyzing its consequences for the member’s constituents; formulating and justifying points of criticism (or endorsement); and then preparing the legislator to participate in the dialogue that might ensue” (4). Thus, the decision by a legislator to attend an oversight hearing and engage in deliberations is not a costless one, nor is such attendance a purely symbolic gesture. Rather, a legislator’s decision to commit resources to oversight speaks to that member’s intensity of commitment for or against the policy issue under consideration. In considering legislators’ interventions, moreover, we can move beyond Hall’s (1996) measure of how active legislators are in committee deliberations to indicate as well whether these legislators are for or against a given policy. This approach permits us to gauge if legislators’ actions are consistent with the opinions of blacks and Latinos.

Not only does the decision to intervene in agency policymaking require a heavy investment of legislators’ scarce resources and time, it also offers little in the way of electoral rewards (Aberbach 1990; Arnold 1990; Hall and Miler 2000; McCubbins and Schwartz 1984). Unlike roll-call voting records, which usually are more visible and are followed closely by constituents and potential election opponents, most oversight occurs out of the purview of constituents and competitors. Consequently, individual legislators’ involvement in oversight activities (or lack thereof) may not be easily traced back to them (Arnold 1990). Because the benefits of such activities may be broad, constituents will likely not be able to attribute these benefits to the efforts of their individual representative, nor can that representative successfully claim credit for his or her actions (Arnold 1990; Hall and Miler 2000; McCubbins and Schwartz 1984). Legislators’ interventions in oversight activities are therefore more likely than their votes to reveal their true positions and less likely to reflect the influence of party or reelection pressure.

Strategic Group Uplift

The conventional wisdom of political theorists is that legislators’ actions are motivated primarily by strategic factors related to reelection and constituency influence (e.g., Fiorina 1974; Mayhew 1974). To understand why black and Latino legislators devote more time and energy to the “work-

horse” activities of oversight than do their white peers, it is necessary to look beyond strategy to the influence of race. I argue that most black and Latino legislators, unlike most white legislators, believe that not only must they represent their constituents, but they have an extra obligation to represent the interests of blacks and Latinos nationally and internationally—to uplift their racial or ethnic group. Evidence of this conviction can be found, among other places, in the Congressional Black Caucus and Congressional Hispanic Caucus, which exist as a result of minority legislators’ commitment to engage in collective action that furthers the interests of blacks and Latinos, respectively. The degree to which black and Latino legislators can engage in the advocacy of minority interests in Congress is limited temporally and by resources, by the interests of their political party, and by the practical consideration that they must engage in activities to ensure their reelection to office. These limitations require that legislators be strategic about the ways in which they work on behalf of minorities. Thus, I refer to the ideology that motivates black and Latino legislators to monitor federal agencies’ activities and ensure responsiveness to constituencies as one of “strategic group uplift.”

The concept of strategic group uplift is grounded in survey research and normative political theory relating to the idea of shared racial and ethnic group consciousness, which I explore in some detail in chapter 2. Survey research on the general public shows that the majority of blacks, regardless of their socioeconomic status, believe that what happens to African Americans as a group also affects them individually (Dawson 1994; Gurin, Hatchett, and Jackson 1989). This research finds that black people who possess racial group consciousness and a perception that their fates are linked to those of other black people are more likely to favor race-based programs and social welfare programs than are whites (Conover 1984; Miller, Gurin, Gurin, and Malanchuk 1981; Tate 1993). Although blacks and Latinos are far from monolithic groups, on political issues such as race or ethnicity, strategic group uplift motivates minority legislators to transcend intragroup differences based on income, class, and, with Latinos, differences among subnational groups.

Normative theorists argue that shared group experiences also play a significant role influencing the activities of political institutions such as Congress. They argue that because underrepresented groups share the experience of having been discriminated against because of their race or ethnicity, racial or ethnic minorities are more likely to represent the interests of marginalized groups in the public policy-making process (Williams 1998; Young 2000). As a result of their shared experiences, blacks and Latinos bring different viewpoints and understandings of the causes of problems and conflicts in society, as well as the possible effects of proposed solutions (Mansbridge 1999; Young 2000). Their unique perspective is crucial in a

political context in which members of these marginalized groups have been excluded from political discussion and the policy-making process in Congress.

The concept of strategic group uplift interacts with existing accounts of congressional behavior that emphasize how the desire for reelection and direct constituent pressure motivate legislators. Black and Latino members of Congress feel these pressures, too, of course; the concept of strategic group uplift suggests that these motivations interact with the key third motivation of racial and ethnic group consciousness to guide minority legislators' actions. Understanding the relationship between these concepts provides a more complete picture of the political representation of constituent interests and suggests how shared experiences play an important role in the delivery of substantive representation to minority constituents.

The ideology of strategic group uplift not only benefits minorities, moreover, but also the nation as a whole by bringing a diversity of opinions and perspectives to legislative hearings. Normative political theorists argue that diversity of experience in committee deliberations leads to better public policymaking (Mansbridge 1999; Williams 1998; Young 2000). Young writes that "special representation of marginalized social groups" brings "situated knowledges" to bear on "political discussion and decision-making." She explains: "Because of their social positioning, members of structurally differentiated groups often have different understandings of the causes of the problems and conflicts and the possible effects of proposed solutions. They have differing perceptions of one another and different understandings of the society's history and current relationships. If only a few of those understandings influence discussion and decision-making, political actors are more likely to perpetuate injustice or take imprudent actions" (2000, 145). When disadvantaged groups are provided a voice, their perspectives are injected in congressional deliberations in ways that even the most liberal white supporters could not articulate. This is not to imply the essentialist argument that only blacks can represent blacks or only Latinos can represent Latino interests; however, these legislators bring to bear backgrounds and collective group experiences that they could have obtained only by being a member of the group.

Chapter Outline

The chapters that follow present this argument in greater detail. The first two chapters offer some theoretical and historical background. Chapter 2 outlines the relationship between race, ethnicity, and substantive representation via an in-depth discussion of how racial and ethnic group consciousness operates among black and Latino representatives in Congress. The

chapter that follows examines the history of the federal government's role in securing and denying civil rights protections and social welfare benefits to blacks and Latinos. This discussion highlights the extent to which Congress relies on minority members to engage in oversight as a way to secure these protections and benefits for minorities across the nation.

Chapters 4 and 5 analyze more than three thousand pages of congressional oversight hearings transcripts from the 103rd Congress (1993–1995), 104th Congress (1995–1997), and 107th Congress (2001–2003) to demonstrate that black and Latino legislators advocate more than white legislators in minority-interest congressional oversight hearings. I find that black legislators invest the most time, energy, and resources in ensuring that bureaucracies implement civil rights and social welfare policies, followed by Latinos. Chapter 4 focuses on civil rights advocacy, while chapter 5 investigates social welfare interventions. In addition to examining how much time legislators spend advocating for minority interests, I analyze the interactions between legislators and witnesses at the oversight hearings, particularly exchanges between officials of the bureaucracy and legislators. I consider the content of interventions by members and whether they support or oppose the policy under question. These chapters also examine the content of legislators' questions and the frequency of their comments.

The final chapter discusses the overall findings of this project and its implications for minority representation in the US Congress, and it suggests paths for further research. Generally, communities with lower levels of education and income are less likely to participate in politics (Verba and Nie 1972; Verba, Schlotzman, and Brady 1995). Even though blacks vote more than do whites, they are generally less active in other forms of political activity. Descriptive characteristics such as race or ethnicity can play an instrumental role in enhancing legislators' responsiveness to minority constituents in ways that strategic factors alone do not explain. The implication is that minority communities rely disproportionately on the actions of descriptive representatives to provide a voice for them.