



**HAL**  
open science

# An Evaluation of the Legislative Reorganization Act of 1946: How Reforming the Congressional Committee System Affects Issue Attention

Sean Theriault, Connor Dye

► **To cite this version:**

Sean Theriault, Connor Dye. An Evaluation of the Legislative Reorganization Act of 1946: How Reforming the Congressional Committee System Affects Issue Attention. 2023. hal-04297813

**HAL Id: hal-04297813**

**<https://sciencespo.hal.science/hal-04297813v1>**

Preprint submitted on 21 Nov 2023

**HAL** is a multi-disciplinary open access archive for the deposit and dissemination of scientific research documents, whether they are published or not. The documents may come from teaching and research institutions in France or abroad, or from public or private research centers.

L'archive ouverte pluridisciplinaire **HAL**, est destinée au dépôt et à la diffusion de documents scientifiques de niveau recherche, publiés ou non, émanant des établissements d'enseignement et de recherche français ou étrangers, des laboratoires publics ou privés.



Distributed under a Creative Commons Attribution - NonCommercial - NoDerivatives 4.0 International License

SciencesPo

LABORATOIRE INTERDISCIPLINAIRE  
D'ÉVALUATION DES POLITIQUES PUBLIQUES

LIEPP Working Paper  
November 2023, n°152

# An Evaluation of the Legislative Reorganization Act of 1946: How Reforming the Congressional Committee System Affects Issue Attention

**Sean THERIAULT**

University of Texas at Austin  
[seant@austin.utexas.edu](mailto:seant@austin.utexas.edu)

**Connor DYE**

University of Texas at Austin  
[cwdye@utexas.edu](mailto:cwdye@utexas.edu)



Distributed under a Creative Commons Attribution License.

[www.sciencespo.fr/liepp](http://www.sciencespo.fr/liepp)

How to cite this publication:

THERIAULT, Sean, DYE, Connor, **An Evaluation of the Legislative Reorganization Act of 1946: How Reforming the Congressional Committee System Affects Issue Attention**, *Sciences Po LIEPP Working Paper* n°152, 2023-11-21.

## **An Evaluation of the Legislative Reorganization Act of 1946: How Reforming the Congressional Committee System Affects Issue Attention\***

### **Abstract**

*This Working Paper reevaluates the Legislative Reorganization Act of 1946. While the act's contemporaries may have been underwhelmed, we show that the jurisdictional changes it mandated had a significant consequence on congressional attention. At a broad level, the committee system operated differently after the act's passage. A more fine-grained analysis shows even more compelling evidence. Committees that experienced jurisdictional changes had relatively more hearings; furthermore, issues that underwent change were the subject of more congressional attention.*

**Keywords:** Congress, Legislatures, Committees, Reform, Oversight, Policy Process

---

\* The authors wish to thank Vin Arceneaux, Alison Craig, Emiliano Grossman, Jonathan Ladd, Ana Manzano, Chou Meng-Hsuan, and Anne Revillard for their helpful comments. Sean gratefully acknowledges the support of LIEPP at Sciences Po, Paris, especially Anne Revillard, Emiliano Grossman, and Samira Jebli, for providing a stimulating environment and the time and resources to work on this project.

## Introduction

This working paper examines how the basic structure of the committee system affects the problems Congress addresses. As the economic devastation caused by the Great Depression and global stability teetered during World War II, President Franklin Roosevelt dominated policymaking in Washington, D.C., either by audacious power grabs or through mere acceptance of Congress yielding him unprecedented discretion. “A common theme among its members was that Congress had lost its mission and was consequently atrophying and becoming irrelevant” (Rosenbloom 2000, 1). Congress created a joint committee in 1945 to address its imbalance with the executive branch – perhaps the biggest in history.

Within a year of the joint committee’s report, Congress adopted the Legislative Reorganization Act of 1946, which was its most comprehensive reorganization ever.<sup>1</sup> In it, Congress reduced the number of standing committees and carefully delineated their jurisdictions. Some of the committees that existed prior to the act did not have any members, let alone hearings. The committee structure even today, more than three-quarters of a century later, looks and acts consistent with the dictates of this landmark piece of legislation. Congress, only on occasion changes the existing committees or their jurisdictions.

Using data from the Comparative Agendas Project (<https://www.comparativeagendas.net/>), we examine how this act changed how members of Congress receive information flows into the U.S. Capitol. Using the congressional hearings database (1870s to present), this project examines how reforms effect how Congress processes information. The act itself provides the natural experiment necessary to evaluate how structural changes affected congressional attention. Some issues were unaffected in who or how they were addressed while others experienced jurisdictional change. Furthermore, some committees were virtually unchanged while others were created, merged, or deleted. The vicissitudes in attention either in frequency or flow after the reforms indicates the extent to which the structural changes affected the work of Congress. If the policy flows of unreformed and reformed committees and unaffected and affected issues look similar before and after the reform, we will have evidence that reforms do not change how Congress processes information; but if the difference between unreformed and reformed committees is pronounced, we will have marshalled evidence that reforms matter.

This evaluation proceeds in four parts. First, we provide a brief history of the role that committees play in Congress and the changes caused by the Legislative Reorganization Act of 1946. Second, we outline our argument and delineate our hypotheses, which are tested in

---

<sup>1</sup> For a compelling history of the development of the act and its passage, see Byrd (1985).

the third section. Last, we conclude with an eye toward further questions that we aim to answer in our broader research program.

The results from this analysis speak to the efficacy of reform and the efficiency of the legislative committee system in processing and responding to the information that flows into Congress. While Congress was not able to reclaim all its power lost to the presidency, the Legislative Reorganization Act of 1946 certainly provided the incentives, means, and power for Congress to start clawing back some of it. As public policy problems persist today, ranging from the flow of guns on American streets to a festering border crisis, even members of Congress seem to have given up on legislative solutions; instead, they plead with President Biden to simply do something. The lessons learned from the Legislative Reorganization Act can help Congress determine how it can solve its problems and those of the country without depending solely upon unilateral executive action.

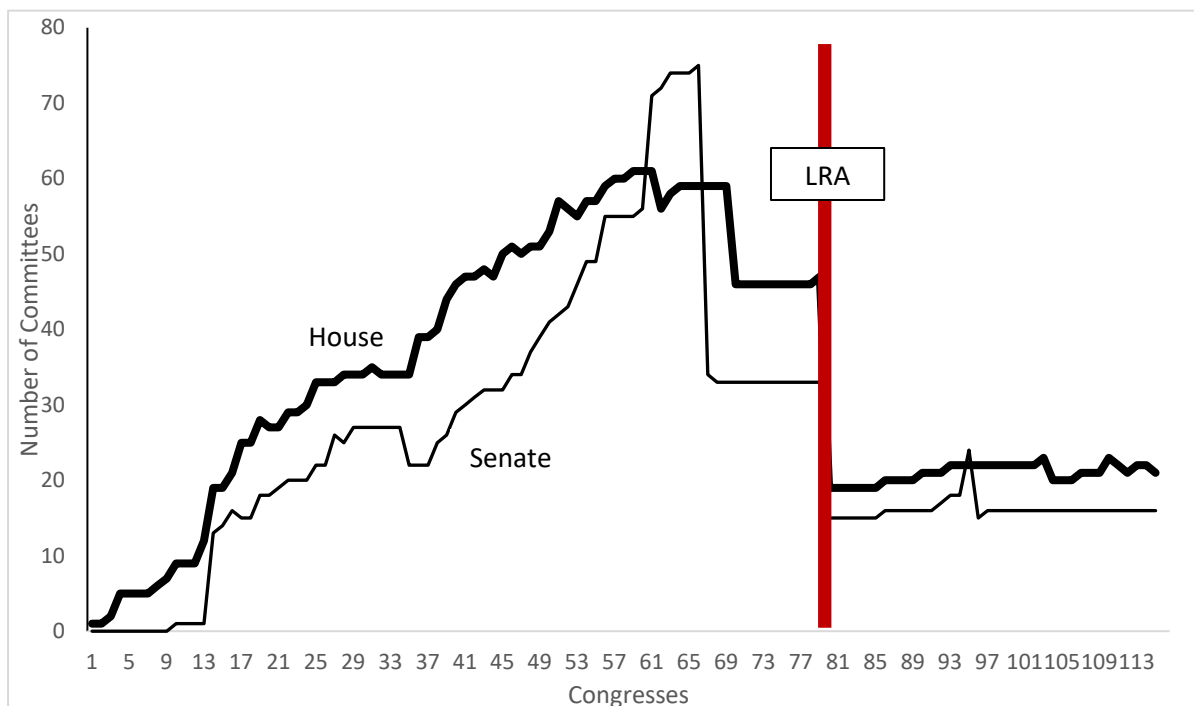
## **I. A Brief History of Congressional Committees**

The Legislative Reorganization Act of 1946 created the modern congressional committee system. In fact, Davidson (1990, 357) called it, “the most far-reaching organizational restructuring since the 1<sup>st</sup> Congress.” The congressional committees in the 80<sup>th</sup> Congress look much more like the congressional committees of today than they look like the committees in the 79<sup>th</sup> Congress. What they created back in 1946, members of Congress ever since have only tweaked around the edges.

To understand the transformation created by the 1946 act, we first offer a brief history of committees in Congress. While they had existed since almost the very beginning, their nature has radically changed. Initially the whole chamber (admittedly with far fewer members than exist today) would decide the thrust of new legislation and then appoint a committee to work out the details. The committee would only exist as long as the bill worked its way through the legislative process. When a new problem arose, the whole chamber would again outline its solution and then task a committee with drafting the legislation. Henry Clay eventually replaced these ad hoc committees with a standing committee system (Gramm and Shepsle 1989). While it may have made sense to have a committee concerned with the expenditures of the navy or the post offices to the members serving in 14<sup>th</sup> Congress (1815-7) when those committees were established, it also may have suited Clay’s politics. If he created committees that had jurisdiction over parts of federal policymaking and if he named the leaders of those committees, he could temper the ambition of his rivals to his speakership and maintain the legislative coalition that he led during War of 1812, which had just concluded. Instead of becoming would-be rivals that would threaten his power, they became lieutenants that helped him exercise it. Because the committee system solved a political problem, its jurisdictions were not as solidified as they would have been had they primarily solved a public policy problem. Congress created new committees however and whenever it saw fit.

And so it was through the Civil War, Progressive Era, World War I, the Great Depression, and World War II. Congress would create new standing committees when either external pressure or internal circumstances dictated it. When new issues arose that did not fit easily within the jurisdiction of an existing standing committee, Congress could create a new standing committee. If party leadership doubted the ability of the existing committee chairs or membership to adequately solve a problem, Congress could simply create a new standing committee. As the committee system evolved in became more similar to the ad hoc committees that existed before the solidification of the standing committee system. While Congress was good at creating new committees, it rarely abolished them. The number of standing committees in both the House and Senate flourished (see figure 1) and at the same time they operated within muddled jurisdictions. Because Congress created committees to solve problems as they appeared, the committees were never intended to be part of a system in which the entire breadth of the federal government was broken down into jurisdictions. Issues would only receive attention when they became sufficiently problematic that constituencies either inside or external to Congress demanded action not unlike the fire alarms described by McCubbins and Schwartz (1984). The Senate in the 1910s, and then later the House, reduced the number of committees, but those reforms paled in comparison to those mandated in the Legislative Reorganization Act of 1946.

Figure 1: The Number of Committees in the House and Senate, 1st to 115th Congresses.



The problems surrounding the unwieldy committees were exacerbated by the Great Depression and World War II. By the time Congress seriously addressed these shortcomings, members of Congress were lining up in 1945 to register their complaints before the La Follette-Monroney Committee to study the reorganization of Congress.<sup>2</sup> The select committee's recommendations were followed by the Senate, which moved first by passing the bill with bipartisan support, 49 to 16. All but three of the nay votes came from Democrats. After watering down the bill to temper the strenuous objections of some of the committee chairs and Speaker Rayburn, the House followed suit in a 229 to 61 division, which did not even have sufficient opposition to trigger a roll-call vote.<sup>3</sup>

George Galloway (1951, 41), who served as the staff director for the La Follette-Monroney Committee, listed the act's ten objectives:

1. To streamline and simplify congressional committee structure.
2. To eliminate the use of special or select committees.
3. To clarify committee duties and reduce jurisdictional disputes.
4. To regularize and publicize committee procedures.
5. To improve congressional staff aids.
6. To reduce the [workload] on Congress.
7. To strengthen legislative oversight of administration.
8. To reinforce the power of the purse.
9. To regulate lobbying.
10. To increase the compensation of Members of Congress and provide them retirement pay.

The early reviews were not positive. Senate Kefauver (1947, 552) asked, "Did we modernize Congress?" to which "the answer must be a definitive no." Philip S. Broughton (1947, 7), writing in the *New York Times Magazine* argued, "Reorganization is falling short. It is falling short because some of its provisions are being circumvented and evaded, and also because additional changes are necessary." Zink (1949, 101) put numbers to Broughton's argument: "If the Act of 1946 may be said to have covered about 50 per cent of the field and the actual carrying-out rate during 1947-49 has been 50 per cent, that means that a net achievement of approximately 25 per cent has been made." Perhaps most famously, President Truman used the first post-reform Congress as his foil – as the "Do Nothing Congress" – in securing his reelection in 1948.<sup>4</sup>

---

<sup>2</sup> According to "Congressional Reorganization," in *CQ Almanac*, 2<sup>nd</sup> ed., 08-362 to 08-370, Washington, D.C.: Congressional Quarterly, 1947, "more than one hundred witnesses recommended some change in Congress' methods of doing business."

<sup>3</sup> The Senate accepted the House changes by a voice vote. Interestingly, though, because a current Congress cannot bind a future Congress, the new members elected in November 1946 could have simply ignored the Legislative Reorganization Act of 1946 when it established its rules in the beginning of the 80<sup>th</sup> Congress. It didn't even though Republicans won a majority in both chambers. Two years later, the Democrats retook the majority in both chambers, and they, too, passed rules consistent with the Legislative Reorganization Act of 1946.

<sup>4</sup> For more about how Truman nurtured this argument, see "Turnip Day Session" on the U.S. Senate's website ([https://www.senate.gov/artandhistory/history/minute/Turnip\\_Day\\_Session.htm](https://www.senate.gov/artandhistory/history/minute/Turnip_Day_Session.htm); accessed on 9 June 2023).

Critics and proponents, for the most part, agree on where the act failed and where it succeeded. The ever-increasing federal budget (and its commiserate deficits) suggests that the act did little to reinforce the power of the purse. The external events of the 1940s and 1950s simply overwhelmed the act's best intentions of encouraging fiscal prudence. On the other hand, even its most strident critics would argue that the act professionalized Congress through an investment in its staff (particularly, committee staff).

We focus our analysis on the act's most important feature – the creation of the modern congressional committee system (objectives 1, 2, 3, 4, 5, and 7). At one level, the success on this feature is unassailable. It reduced the number of standing committees in the House from 48 to 19 (and 33 to 15 in the Senate). The act has been quite resilient. Since it passed, the number of standing committees has only marginally changed. While the jurisdictions of those committees have changed a bit more frequently than the numbers of committees, the fact that it is delineated in the rules of the chamber makes it more enduring. More than that, it was established to be a system to its core. No matter what problem arose, one of the committees was ready to respond. Section 136 of the act explicitly empowered the committee system: “Each standing committee of the Senate and the House of Representatives shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee.” And, if the jurisdiction was unclear, it invited multiple committees to respond, which would only increase the attention that Congress gave to the problem (King 1997). In the more than 75 years since the act passed, the committee system, which it established, persists. While Congress has tinkered with the names and overall numbers of the committees, the broad features that came into existence in the 80<sup>th</sup> Congress persist even today.

And yet, even the committee system objectives have been criticized – and not just by the acts' contemporaries. Davidson (1990, 357) argues that the “act's most celebrated feature... was similarly undermined by the proliferation of subcommittees and of committee assignments.” Furthermore, Adler (2002, 108-9) shows that the committee system was undermined by “the needs of career-oriented politicians.” According to these scholars, subcommittees and high demanders serving on committees complicated the simplicity of the committee system for which the advocates of reform fought.

We think these criticisms, even if valid, do not grasp the importance of the creation of the modern committee system. While the internal congressional dynamics of accountability and the decentralization of decision-making are important, we argue that the focus of the act's evaluation should primarily consider the external dynamics among Congress, the president, and the administrative state. As Rosenbloom (2000, 75) argues, “It is clear that if the 1946 reorganization is used as a baseline, Congress now has a much greater ability and proclivity to exercise oversight.”



Both the president and the bureaucracy have important advantages over Congress in implementing their preferences. The president has the power of unilateral action; Congress only acts with a majority of representatives and usually a supermajority of senators – and sometimes, not even then. As a consequence, presidents can act much more quickly and be nimbler. Congress only acts with great deliberation – and sometimes, not even then. Bureaucrats are not as directly constrained by the American public; members of Congress, of course, only continue in their jobs with the explicit approval of their constituents. These disadvantages for Congress became even bigger as the demands grew after the Great Depression and World War II.

As the federal government became bigger and more complex, Congress's ability to check the president and the administrative state waned. Congress, which by design was hampered by process and accountability, was further weakened by the mid-century setup of its committees. The number of committees and their muddled jurisdictions gave Congress only weak weapons to check and balance the other players in the federal government. Then, Congress passed the Legislative Reorganization Act of 1946.

Through a series of steps, we show that the act created the incentives and the procedures by which Congress could reassert at least some of its authority. While we are not so naïve to argue that Congress began to win the battle against either the president or the bureaucracy after it was implemented, but what we show is that Congress could at least earnestly join the battlefield; something that would have been far more difficult had Congress not passed the Legislative Reorganization Act of 1946.

## **II. The Expediency of Congressional Reform**

Up until the Legislative Reorganization Act of 1946, the committees existed primarily for the purpose of reporting legislation to its parent chamber to enact new laws. The committee system that it established changed the focus of the committees in an important way. By delineating their jurisdictions into the chambers' rules, the act gave committees property rights over issues. If new laws were needed, the act incentivized committees to gain expertise to draft bills. If malfeasance were suspected or inefficiencies uncovered, the act conferred upon committees the power to investigate. Prior to the act, problems had to be sufficiently large to compel committees to act; afterward, with the property rights more firmly established, committees needed less impetus to seek information or develop legislation.

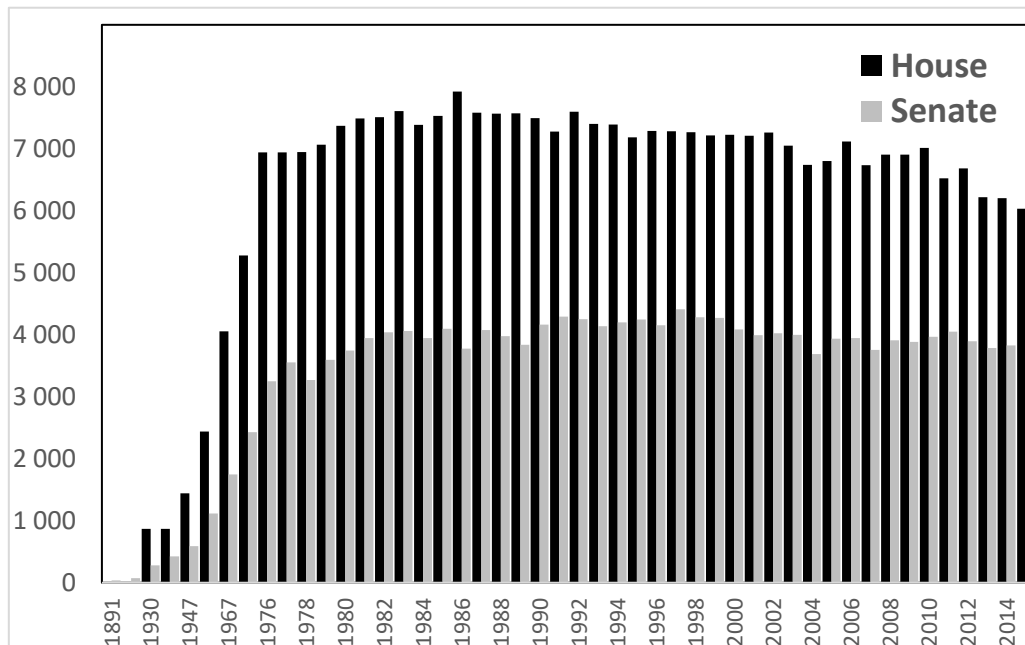
The act not only delineated jurisdictions, but it also guaranteed committee staff. Title II of the act provided for most committees to hire four professional staff members and six clerical assistants (Shull 1947).<sup>5</sup> Additionally, the act greatly expanded the support staff for Congress through the Legislative References Service of the Library of Congress and the Office of the

---

<sup>5</sup> The Appropriations Committees could hire as many staffers as “they may deem necessary” (Shull 1946, 384).

Legislative Counsel. While members could still be pulled in lots of different directions, their staffers could be singularly focused on issues for which they had explicit control. Not unsurprisingly, the number of congressional staff greatly increased (see figure 2).

Figure 2: The Number of Congressional Staff (1891-2014).



Note: Data come from the Brookings Institute (<https://www.brookings.edu/multi-chapter-report/vital-statistics-on-congress/>; accessed on 12 June 2023).

While the act did not create the Great Broadening (Jones, Theriault, and Whyman 2019), it certainly did facilitate it. Prior to the act, issues could gain attention in one of two ways. First, an existing committee had sufficient interest to address it. Second, if no committee had obvious jurisdiction, the issue needed sufficient support within the chamber such that a new committee would be created to address it. The former does not pose a particularly high hurdle in attracting congressional attention; the latter does. With the passage of the Legislative Reorganization Act of 1946, all of those issues that previously had not been obviously within the jurisdiction of a standing committee suddenly had a committee filled with members and staffers that was ready and willing to give it the attention it needed.

If the Legislative Reorganization Act was important to the functioning of Congress, it should change how Congress operated. To assess this change, we analyze congressional hearings. The contrast of hearings to two other legislative products – bills and laws – underscores its appropriateness. Bill introductions are the act of a single member. While those bills are referred to committees, nothing requires committees to act on them. At the other end of the legislative process – public laws – are a much better evaluation of what it is that Congress as a whole does, which is a better evaluation of the legislative process than it is the committee system. Committee hearings, on the other hand, have become the standard venue for where

Congress focuses its attention (Baumgartner and Jones 1993; Talbert, Jones, and Baumgartner 1995; Baumgartner and Jones 2015). Because they use hearings to perform a variety of functions such as reviewing bills, performing oversight, gathering information on problems, and reviewing judicial and cabinet nominees in the Senate, they are representative of where committees focus their energies. Organizing a hearing consists of a significant investment in time and resources as committees must identify an issue that warrants examination, locate and invite witnesses that possess relevant information on the issue, review materials submitted by each witness, and conduct the hearing.

We use two different data sources to examine how the LRA affected the pattern of committee hearings. For hearings between the 41<sup>st</sup> and 80<sup>th</sup> Congress (1869-1948), we rely on a dataset of hearings recorded from the daily journal, which is the official record of the proceedings of each legislative day. From the 81<sup>st</sup> to the 113<sup>th</sup> Congress (1949-2014), we use the hearings dataset collected by the Policy Agendas Project, which collects hearings from the CIS Index to Congressional Hearings. Across both datasets, we identify the policy content of each hearing using the coding system developed by the Policy Agendas Project.<sup>6</sup>

### Congressional Attention Hypotheses

If establishing the committee system, complete with jurisdictions, changed the way that Congress attended to issues, it should be revealed in the data. We hypothesize four potential changes. The first hypothesis concerns the total number of hearings congressional committees held.

*Frequency Hypothesis: After the adoption of the Legislative Reorganization Act of 1946, Congress held more hearings.*

If the barriers for congressional attention were reduced as the totality of potential federal policy was distributed among the committees via their established jurisdictions, the sheer number of hearings should increase even as fewer committees existed. To test this hypothesis, we simply count the number of hearings by congress by chamber.

The second hypothesis considers the scope of Congress's attention once the committee system was formally established.

---

<sup>6</sup> To examine the potential differences in the data collection processes by the daily journal and the CIS index, we compare the number of hearings that are collected in the years when the data sources overlap. From 1946 to 1948, the daily journal data source consisted of 4,404 hearings while the CIS index data source consisted of 3,419 hearings. Due to the large difference in the number of hearings in the overlapping years, we rerun the results in table 2 using the CIS collected data in the overlapping years instead of the data collected by the daily journal (see Appendix table 7). The findings are consistent with the results from table 2.

*Breadth Hypothesis: After the adoption of the Legislative Reorganization Act of 1946, Congress held hearings on a broader array of issues.*

With established jurisdictions and dedicated staffers focusing on the issues within the committees' purviews, the scope of congressional attention should increase. To test this hypothesis, we count the number of Comparative Agenda Project subtopic codes that are the focus of at least one hearing in a particular congress.<sup>7</sup>

The third hypothesis considers the spread of congressional attention across major topics.

*Dispersion Hypothesis: After the adoption of the Legislative Reorganization Act of 1946, congressional attention was more evenly distributed across issues.*

If events alone dictated congressional attention as was the case during the ad hoc committee system, some issues would receive a disproportionate amount of attention. As committees were given explicit jurisdictions and empowered with staff, we expect congressional attention to be more evenly divided among issues. We follow the recommendations of Boydston et al. (2014) and use Shannon's H, which quantifies the uncertainty associated with predicting the issue area of a hearing chosen at random within each congress. Shannon's H is calculated by multiplying the proportion of the agenda that each issue receives by the natural log of that proportion and then taking the negative sum of those products:  $-\sum (p(x_i)) \cdot \ln p(x_i)$ , where  $x_i$  represents an issue,  $p(x_i)$  is the proportion of the total attention the issue receives, and  $\ln(x_i)$  is the natural log of the proportion of attention the item receives. Higher values of Shannon's H indicate that congressional attention is more evenly distributed, whereas lower values indicate that attention is focused on a smaller number of issues.

The fourth hypothesis considers the stability of congressional attention across time.

*Stability Hypothesis: After the adoption of the Legislative Reorganization Act of 1946, the congressional agenda was stable.*

If the committee system created the means by which congressional attention became regularized, we expect congressional attention across congresses to be more stable. Prior to the adoption of the Legislative Reorganization Act of 1946, congressional attention would fluctuate with the issues of the day; afterward, it would still be dependent upon the issues of the day, but it would be tempered by committee jurisdictions and empowered by staffers so that even topics that are not issues of the day would receive some congressional attention.

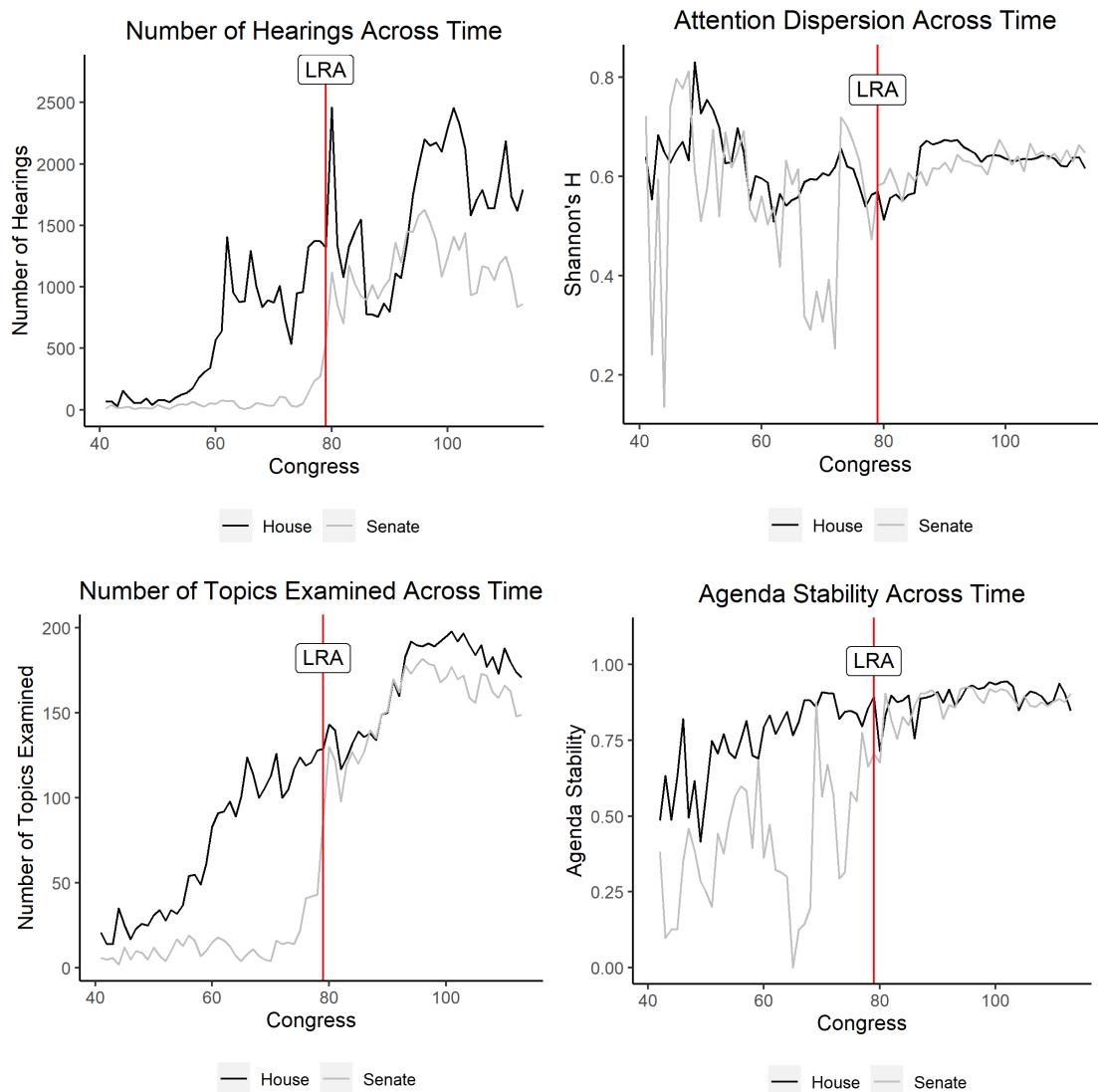
---

<sup>7</sup> The Comparative Agendas Project (<https://www.comparativeagendas.net>) codes all congressional hearings into 21 major topics and 220 subtopics. To measure the breadth, we focus on the subtopics.

### III. The Results

We first present the time series data for the dependent variables in each of our four hypotheses (see figure 3). The red line splits the time series into the before and after the adoption of the Legislative Reorganization Act of 1946. The sight test suggests that the periods before and after look different, though not uniformly in both chambers and for all four hypotheses, but taken as a whole it appears that the LRA changed the way that the committees operated. Working clockwise starting in the upper left hand corner, the figure shows that after the implementation of the LRA, both the House and the Senate (more or less) had more hearings, more evenly distributed across policies, with more consistency across congresses, and on a broader array of topics.

Figure 3: The Time-Series for the Frequency, Breadth, Dispersion, and Stability of Congressional Hearings (1869-2014).



To test the hypotheses more rigorously, we perform both a broad and narrow test. The broader test encompasses the entirety of our data from the 41<sup>st</sup> to the 113<sup>th</sup> Congresses (1869-2014). The narrower test only considers the eight congresses surrounding the adoption of the Legislative Reorganization Act of 1946. While the narrower test may be preferred, we need to be mindful of the time that it takes members to adapt to new rules and procedures. Sometimes rule changes do not immediately elicit the expected behavior. Cooper and Brady (1981) find that speakers were slow to react to the rule changes that they advocated; rules were best utilized by their successors. Moving from speakers to the committee system and from advocated reforms to those placed on their lap suggests that the effects of the Legislative Reorganization Act may be even further delayed.

Reducing these figures to the numbers giving rise to them, we can evaluate the bivariate relationships in the hypotheses. The broader results show overwhelming evidence for our hypotheses (see table 1). In the House, each of the hypotheses reveal evidence that is statistically significant, though the results from the dispersion hypothesis is weaker than for the other three hypotheses. The evidence in the Senate is just as compelling except for the dispersion hypothesis, which is not only statistically insignificant but even in the wrong direction. Not as much evidence exists in the narrower results. In the House, the breadth and dispersion hypotheses reach conventional levels of statistical significance; in the Senate, the frequency and breadth hypotheses are statistically significant, though the evidence for the latter is weaker.

Table 1: Testing the Effects of the Legislative Reorganization Act of 1946.

	House of Representatives				Senate			
	Broad		Narrow		Broad		Narrow	
	Before	After	Before	After	Before	After	Before	After
Frequency	464	1634***	1517	1480	173	1142***	491	865***
Breadth	61	169***	108	129***	41	154***	95	109*
Dispersion	0.602	0.628*	0.403	0.545***	0.662	0.624	0.615	0.578
Stability <sup>^</sup>	0.709	0.896***	0.840	0.876	0.643	0.875***	0.761	0.802

The number of observations for the Broad (Narrow) analysis was 73 (8).

<sup>^</sup> Because our stability observation compares one congress to its predecessor, the 80<sup>th</sup> Congress is deleted from the analysis. Incidentally, the House (Senate) stability was 0.523 (0.666).

\*Statistically significant at 0.1; \*\*Statistically significant at 0.05; \*\*\*Statistically significant at 0.01.

These results suggest that the Legislative Reorganization Act of 1946 changed the way that the committees addressed issues, not necessarily in all the ways we had imagined nor in both time periods we examined. These tests though are the bluntest test we do for understanding how the LRA changed how Congress attended to issues.

### A More Fine-Grained Analysis

What the time series tests show is that the period before the Legislative Reorganization Act was different from the period after it. That is necessary for our argument; but it is not sufficient. In the 1940s, we could imagine that Congress changed not because of the LRA, but because of the war and its aftermath or anything else that might have happened during the decade.

The act itself, though, provides a test of causation more explicitly because it did not affect all committees equally. Some of the committees had essentially the same jurisdiction before the act that it did afterward; other committees experienced greater change. Even better for the casual inference test, the committees experiencing change were not the same in the House and the Senate. We determine whether a committee experienced change by identifying whether the committee absorbed another committee's jurisdiction because of the LRA. The House committees that experienced change were Banking and Currency, Education and Labor, Public Lands, Judiciary, and Post Office and Civil Service. The Senate committees that experienced change were Interstate and Foreign Commerce, Civil Service, and Judiciary.

We think an even purer test of our hypothesis is how the coverage of issues changed after Congress adopted the Legislative Reorganization Act. While we care about how committees acted, we care mostly for how they addressed issues. Just as with committees, the act affected some issues more than other issues. We identified issues affected by assigning issue area codes to each committee that had its jurisdiction transferred to another committee by the LRA. In both chambers, the LRA altered the jurisdictions of committees primarily responsible for issues concerning defense, government operations, immigration, and public lands. The Act also affected some issues in one chamber but not the other. Jurisdictions affecting issues concerning education and labor were altered in the House, while jurisdictions affecting issues concerning transportation and technology were altered in the Senate.

For both casual inference tests, we treat the number of congressional hearings held by committees and on issues as the dependent variable. We include three independent variables. First, an indicator variable for the period after 1946 tests whether all committees held more hearings after the adoption. For the issues, the indicator variable tests whether all issues were the subject of more hearings after the act's adoption. Second, an indicator variable for the committees (or issues) that experienced substantial jurisdictional changes as a consequences of the LRA. This variable tests whether the committees and issues that were the primary subject of the LRA simply had more hearings (or were the subject of more hearings) during the entirety of the 8-congress time period under examination. The third independent variable interacts the first two variables to see if committees that underwent jurisdictional change had even more hearings after Congress adopted the LRA. For the issues, the interaction term indicates if they were the subject of more hearings after Congress adopted the LRA. We perform these tests in both the House and Senate.

Table 2: How the Legislative Reorganization Act Affected Committees and Issues.

	(1)	(2)	(3)	(4)
	House	Senate	House	Senate
	Committees	Committees	Issues	Issues
Experienced Change	-10.828	1.095	100.929***	33.964**
	(23.321)	(10.752)	(21.619)	(12.204)
After LRA	7.639	42.464***	0.304	21.500*
	(19.710)	(8.329)	(16.746)	(9.453)
Change * After LRA	85.211*	29.619	32.821	38.875*
	(32.981)	(15.206)	(30.573)	(17.260)
Constant	48.528***	9.571	37.196**	4.786
	(13.937)	(5.889)	(11.841)	(6.685)
N	112	80	160	160
Adjusted R <sup>2</sup>	0.106	0.429	0.266	0.267
F Statistic	5.398**	20.824***	20.199***	20.315***
	(df = 3; 108)	(df = 3; 76)	(df = 3; 156)	(df = 3; 156)

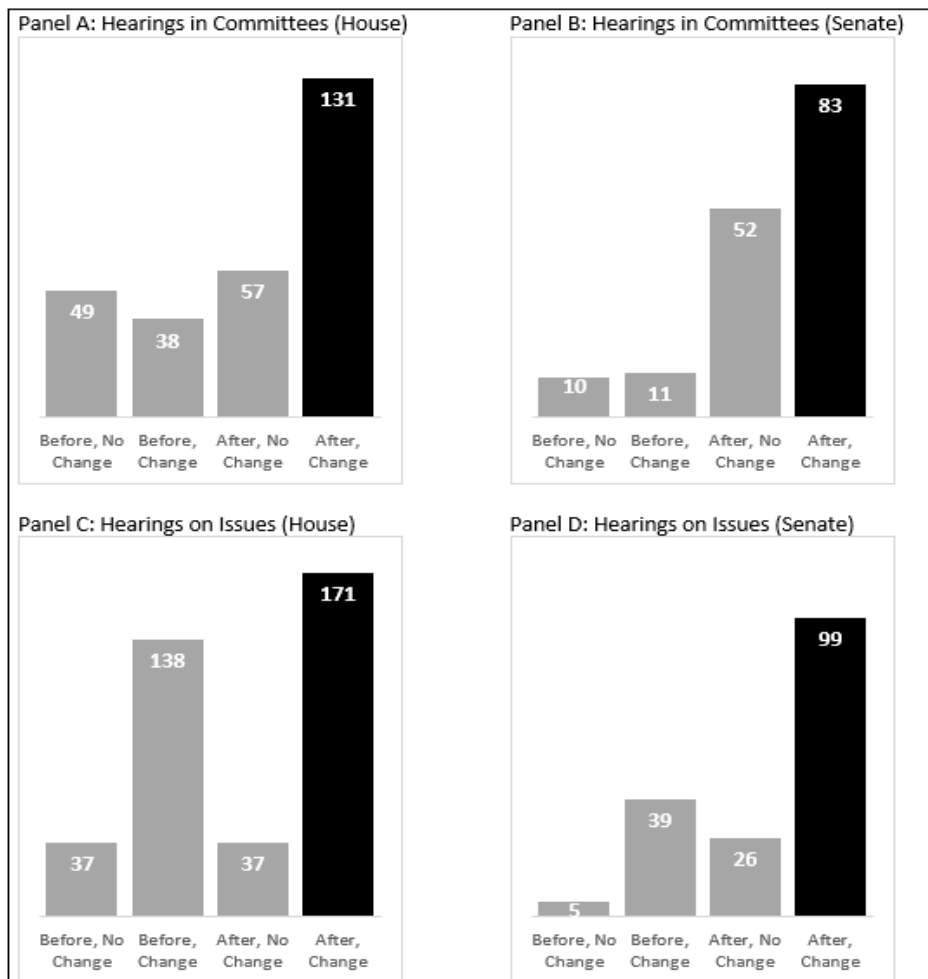
\* p < .05; \*\* p < .01; \*\*\* p < .001

Indicator variables for the period after 1946 and for the committees (and issues) experiencing greater changes and their interaction significantly explain which committees hold congressional hearings and on which issues they cover (see table 2). All four of the models have statistically significant results. Furthermore, they explain between 10 percent and 43 percent of the variance in the dependent variables. Because of the difficulty of determining the substantive significance of the independent variables, we depict the predicted dependent variable under the four different scenarios (no change before, no change after, change before, and change after).



The multivariate tests show that the independent variables matter, and the computation of the predicted dependent variables reveal that they matter a great deal (see figure 4). Evaluating both at the committee level and the issue level, we can compare those committees (panels A and B) [and issues (panels C and D)] that experienced change both before and after Congress implemented the LRA. In comparison to the other three categories, committees that experienced jurisdictional change had 2.7 times as many hearings after the adoption of the Legislative Reorganization Act than the average of the other three scenarios.<sup>8</sup> In the Senate, the effect is even greater (3.4). The issue-level analysis is as compelling. The issues that experienced a change in jurisdiction had 2.4 times as many hearings after the LRA than the average of the other three scenarios. Again, the effect in the Senate is even greater (4.2).

Figure 4: The Impact of the Legislative Reorganization Act on Congressional Hearings.



<sup>8</sup> This calculation is made by averaging the other three scenarios –  $(49+38+57)/3$  – and dividing that by the interacted scenario (131), yielding 2.7.

## Conclusion

World events and the nimbleness of the president to act was making Congress a junior partner in running the American government – a situation that would have horrified the framers of the Constitution. Congress attempted to address its inadequacies with the Legislative Reorganization Act of 1946. The early reviews were not positive. Congress should have done more, so they argued, and what they did do was done inadequately. The learned opinions of those who had both perspective and time on their side was not any more positive.

While Congress certainly could have done more to recalibrate its relationship with the president, we argue in this paper that the LRA did give Congress the capacity to at least develop legislative solutions and oversee the administrative state across a broad range of policies – something that was far more difficult before the act's adoption. In examining different data in a different way, Aberbach (1990, 198) concludes, "The nature of congressional oversight is rather impressive. Oversight is not only more frequent than it was before, it is based on a widespread and often aggressively operated intelligence system." Similarly, we find that Congress had more hearings on a broader range of topics. The natural experiment of affecting some committees more and some issues more shows that the act especially incentivized some committees and some issues more than those in which the jurisdiction was unaffected by the LRA. The committee system established by the LRA was crucial for this development (King 1997, Lewallen 2020). This greater capacity has not been sufficiently appreciated by either the LRA's contemporaries or political scientists afterward. In the end, we think this additional capacity helped pave the way for the Great Broadening.

The LRA was not the only time that Congress explicitly addressed committee jurisdictions. In future work, we hope to test if jurisdictional change had the same consequence during other episodes in congressional history. First, we will examine the committee consolidation that got started in the 1920 (first, in the Senate in the 67<sup>th</sup> Congress and then the House in the 70<sup>th</sup> Congress). Second, in the Subcommittee Bill of Rights in 1974, subcommittees of several committees were given explicit jurisdictions, while other committees went unaffected. Third, we will do an extensive examination of the evolving jurisdiction of the Energy and Commerce Committee in the House, which has gained and lost various issues. The results from these other episodes will shed light on the idea that reform may help Congress gain the information and expertise to address the issues of the day. Congress, of course, is not the only legislature that has attempted to reform itself so that it can better manage its duties and responsibilities. Examining these reforms both within the United States in state legislatures and outside the United States in other countries at both the national and regional level would provide a broader context in which we can understand how successful reform can be when it is carried out by the very body being reformed. Because the Comparative Agendas Project (<https://www.comparativeagendas.net>) is now in multiple countries around the globe, such a comparative analysis could be more easily accomplished.

## Appendix

Appendix Table 1: LRA on Committee Activity in House

	Hearing Count	Breadth	Dispersion	Stability
	(1)	(2)	(3)	(4)
Treat	-10.828 (23.321)	4.367 (3.099)	0.001 (0.014)	0.046 (0.073)
After LRA	7.639 (19.710)	4.444 (2.619)	-0.012 (0.012)	0.019 (0.062)
Treat:After LRA	85.211* (32.981)	0.356 (4.382)	0.001 (0.020)	-0.044 (0.103)
Constant	48.528*** (13.937)	10.333*** (1.852)	0.070*** (0.009)	0.632*** (0.044)
N	112	112	104	112
Adjusted R <sup>2</sup>	0.106	0.052	-0.015	-0.024
F Statistic	5.398** (df = 3; 108)	3.016* (df = 3; 108)	0.499 (df = 3; 100)	0.131 (df = 3; 108)

\* p < .05; \*\* p < .01; \*\*\* p < .001

Appendix Table 2: LRA on Committee Activity in Senate

	Hearing Count	Breadth	Dispersion	Stability
	(1)	(2)	(3)	(4)
Treat	1.095 (10.752)	0.000 (2.581)	-0.068 (0.040)	0.127 (0.121)
After LRA	42.464*** (8.329)	9.607*** (1.999)	-0.070** (0.025)	0.177 (0.094)
Treat:After LRA	29.619 (15.206)	2.726 (3.650)	0.059 (0.051)	-0.208 (0.172)
Constant	9.571 (5.889)	3.500* (1.414)	0.135*** (0.019)	0.512*** (0.066)
N	80	80	65	80
Adjusted R <sup>2</sup>	0.429	0.319	0.097	0.008
F Statistic	20.824*** (df = 3; 76)	13.321*** (df = 3; 76)	3.281* (df = 3; 61)	1.225 (df = 3; 76)

\* p < .05; \*\* p < .01; \*\*\* p < .001

Appendix Table 3: LRA on Committee Activity across both Chambers

	Hearing Count	Breadth	Dispersion	Stability
	(1)	(2)	(3)	(4)
Treat	-1.282 (14.755)	3.780 (2.113)	-0.014 (0.015)	0.024 (0.046)
After LRA	21.694 (12.352)	6.274*** (1.769)	-0.030* (0.013)	0.049 (0.039)
Treat:After LRA	44.620* (19.601)	-0.235 (2.807)	0.021 (0.020)	-0.002 (0.061)
Constant	34.400*** (8.874)	7.867*** (1.271)	0.090*** (0.009)	0.655*** (0.028)
N	209	209	200	209
Adjusted R <sup>2</sup>	0.115	0.112	0.014	0.002
F Statistic	10.011*** (df = 3; 205)	9.764*** (df = 3; 205)	1.929 (df = 3; 196)	1.113 (df = 3; 205)

\* p < .05; \*\* p < .01; \*\*\* p < .001

Appendix Table 4: LRA on Issue Activity in House

	Hearing Count Committee Count Issue Dispersion		
	(1)	(2)	(3)
Treat	101.089 <sup>***</sup>	6.607 <sup>***</sup>	-0.035 <sup>*</sup>
	(21.610)	(1.028)	(0.017)
After LRA	0.357	-0.786	0.008
	(16.739)	(0.796)	(0.013)
Treat:After LRA	32.643	-3.673 <sup>*</sup>	0.009
	(30.561)	(1.454)	(0.023)
Constant	37.036 <sup>**</sup>	6.768 <sup>***</sup>	0.094 <sup>***</sup>
	(11.836)	(0.563)	(0.009)
N	160	160	160
Adjusted R <sup>2</sup>	0.266	0.255	0.029
F Statistic (df = 3; 156)	20.236 <sup>***</sup>	19.156 <sup>***</sup>	2.595

\* p < .05; \*\* p < .01; \*\*\* p < .001

Appendix Table 5: LRA on Issue Activity in Senate

	Hearing Count Committee Count Issue Dispersion		
	(1)	(2)	(3)
Treat	33.964** (12.204)	2.435*** (0.649)	-0.063* (0.027)
After LRA	21.464* (9.453)	2.857*** (0.503)	0.011 (0.021)
Treat:After LRA	38.911* (17.259)	-0.107 (0.918)	0.012 (0.038)
Constant	4.786 (6.684)	1.482*** (0.355)	0.097*** (0.015)
N	160	160	160
Adjusted R <sup>2</sup>	0.267	0.303	0.041
F Statistic (df = 3; 156)	20.320***	24.019***	3.246*

\* p < .05; \*\* p < .01; \*\*\* p < .001

Appendix Table 6: LRA on Issue Activity across both Chambers

	Hearing Count Committee Count Issue Dispersion		
	(1)	(2)	(3)
Treat	67.527*** (12.650)	4.521*** (0.650)	-0.049** (0.016)
After LRA	10.911 (9.799)	1.036* (0.503)	0.009 (0.012)
Chamber	-40.894*** (8.198)	-4.181*** (0.421)	-0.004 (0.010)
Treat:After LRA	35.777* (17.890)	-1.890* (0.919)	0.010 (0.022)
Constant	82.251*** (14.115)	10.397*** (0.725)	0.101*** (0.018)
N	320	320	320
Adjusted R <sup>2</sup>	0.278	0.335	0.040
F Statistic (df = 4; 315)	31.758***	41.167***	4.283**

\* p < .05; \*\* p < .01; \*\*\* p < .001



Appendix Table 7: How the Legislative Reorganization Act Affected Committees and Issues using CIS data.

	House Committees (1)	Senate Committees (2)	House Issues (3)	Senate Issues (4)
Experienced Change	-10.528 (17.985)	2.440 (8.645)	102.369*** (19.244)	32.929** (11.163)
After LRA	7.972 (15.200)	44.250*** (6.697)	-4.071 (14.907)	20.232* (8.647)
Change * After LRA	73.578** (25.435)	27.500* (12.226)	22.821 (27.216)	31.310* (15.787)
Constant	43.778*** (10.748)	5.893 (4.735)	36.464*** (10.541)	4.571 (6.114)
N	112	80	160	160
Adjusted R <sup>2</sup>	0.136	0.551	0.299	0.259
F Statistic	6.843*** (df = 3; 108)	33.293*** (df = 3; 76)	23.555*** (df = 3; 156)	19.528*** (df = 3; 156)

\* p < .05; \*\* p < .01; \*\*\* p < .001

## Bibliography

- ABERBACH, Joel. 1990. *Keeping a Watchful Eye*. Washington: Brookings Institution.
- ADLER, E. Scott. 2002. *Why Congressional Reforms Fail: Reelection and the House Committee System*. Chicago: University of Chicago Press.
- BAUMGARTNER, Frank R., and Bryan D. JONES. 1993. *Agendas and Instability in American Politics*. Chicago: The University of Chicago Press.
- BAUMGARTNER, Frank R., and Bryan D. JONES. 2015. *The Politics of Information: Problem Definition and the Course of Public Policy in America*. Chicago: The University of Chicago Press.
- BOYDSTON, Amber E., Shaun BEVAN, and Herschel F. THOMAS III. 2014. "The importance of attention diversity and how to measure it," *Policy Studies Journal*, 42(2), 173-196. Doi: 10.1111/psj.12055
- BROUGHTON, Philip S. May 18, 1947. "Congress is Far From Reorganized," *The New York Times Magazine*.
- BYRD, Robert C. 1985. "Chapter 28 Congressional Reform: The Legislative Reorganization Act of 1946," in *The Senate 1789-1989 Addresses on the History of the United States Senate*. Washington: US Government Printing Office.
- COOPER, Joseph, and David W. BRADY. 1981. "Institutional Context and Leadership Style: The House from Cannon to Rayburn," *American Political Science Review*, 75(2), 411-25.
- DAVIDSON, Roger H. 1990. "The Advent of the Modern Congress: The Legislative Reorganization Act of 1946," *Legislative Studies Quarterly*, 15(3), 357-373. <https://doi.org/10.2307/439768>
- FORD, Aaron L. 1946. "The Legislative Reorganization Act of 1946," *American Bar Association Journal*, 32(11), 741-809.
- GALLOWAY, George B. 1951. "The Operation of the Legislative Reorganization Act of 1946," *American Political Science Review*, 45(1), 41-68. doi:10.2307/1950883
- GAMM, Gerald, and Kenneth SHEPSLE. 1989. "Emergence of Legislative Institutions: Standing Committees in the House and Senate, 1810-1825," *Legislative Studies Quarterly*, 14(1), 39-66.
- JONES, Bryan D., Sean M. THERIAULT, Michelle WHYMAN. 2019. *The Great Broadening: How the Vast Expansion of the Policy-Making Agenda Transformed American Politics*. Chicago: The University of Chicago Press.
- KEFAUVER, Estes. November 1947. "Did We Modernize Congress?," *National Municipal Review* 36: 552-7.
- KING, David C. 1997. *Turf Wars: How Congressional Committees Claim Jurisdiction*. Chicago: Chicago University Press.
- KRAVITZ, Walter. 1990. "The Advent of the Modern Congress: The Legislative Reorganization Act of 1970," *Legislative Studies Quarterly*, 15(3), 375-399. <https://doi.org/10.2307/439769>

- LEWALLEN, Jonathan. 2020. *Committees and the Decline of Lawmaking in Congress*. Ann Arbor: The University of Michigan Press.
- MCCUBBINS, Mathew D., and Thomas SCHWARTZ. 1984. "Congressional Oversight Overlooked: Police Patrols versus Fire Alarms," *American Journal of Political Science*, 28(1), 165-179. <https://doi.org/10.2307/2110792>
- ROSENBLOOM, David H. 2000. *Building a Legislative-Centered Public Administration*. Tuscaloosa: The University of Alabama Press.
- POSTELL, Joseph. 2021. "The Decision of 1946: The Legislative Reorganization Act and the Administrative Procedure Act," *George Mason Law Review*, 28(2), 609-642.
- SHULL, Charles W. 1947. "The Legislative Reorganization Act of 1946," *Temple Law Quarterly*, 20(3), 375-395.
- TALBERT, Jeffrey C., Bryan D. JONES, and Frank R. BAUMGARTNER. 1995. "Nonlegislative Hearings and Policy Change in Congress," *American Journal of Political Science*, 39(2): 383-405.
- ZINK, Harold. 1949. "Reorganization Efforts in Congress," *Parliamentary Affairs*, 3(Winter): 94-103.



**Le LIEPP (Laboratoire interdisciplinaire d'évaluation des politiques publiques) est un laboratoire d'excellence (Labex) distingué par le jury scientifique international désigné par l'Agence nationale de la recherche (ANR). Il est financé dans le cadre des investissements d'avenir de l'IdEx Université Paris Cité (ANR-18-IDEX-0001).**

**[www.sciencespo.fr/liepp](http://www.sciencespo.fr/liepp)**

## **A propos de la publication**

### **Procédure de soumission :**

Rédigé par un ou plusieurs chercheurs sur un projet en cours, le *Working paper* vise à susciter la discussion scientifique et à faire progresser la connaissance sur le sujet étudié. Il est destiné à être publié dans des revues à comité de lecture (peer review) et à ce titre répond aux exigences académiques. Les textes proposés peuvent être en français ou en anglais. En début de texte doivent figurer : les auteurs et leur affiliation institutionnelle, un résumé et des mots clefs.

Le manuscrit sera adressé à : [liepp@sciencespo.fr](mailto:liepp@sciencespo.fr)

Les opinions exprimées dans les articles ou reproduites dans les analyses n'engagent que leurs auteurs.

### **Directrice de publication :**

Anne Revillard

### **Comité de rédaction :**

Ariane Lacaze, Andreana Khristova

Sciences Po - LIEPP  
27 rue Saint Guillaume  
75007 Paris - France  
+33(0)1.45.49.83.61  
[liepp@sciencespo.fr](mailto:liepp@sciencespo.fr)

