Abortion Politics in the U.S. Congress:  
A View across Committees and over Time  

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When it comes to abortion politics in the House of Representatives, Congressman Christopher Smith, Republican of New Jersey, is a busy man. He is the head of the House Pro-Life Caucus and was chosen in 2001 by President George Bush to read a statement by the President at the annual pro-life march on Washington to protest the anniversary of the Roe v. Wade decision. Of the 78 bills and amendments offered in the House during the 106th Congress related to abortion, Smith offered six. Sharp divides over basic, fundamental rights continue to mark abortion politics. Nevertheless, Smith never sponsored a constitutional amendment related to abortion, even as chair of the Pro-Life Caucus and as a member of the Republican Party, which supports a human life constitutional amendment. In fact, there were only two constitutional amendments introduced in the 106th Congress related to abortion, and one was introduced by Congressman James Oberstar (D-MN), who has introduced the same amendment since 1975.

Extremely sharp debates over fundamental rights fail to translate into sustained constitutional debates, even among the staunchest advocates in the abortion policy area. If you look at the numbers, abortion politics in the 1990s is clearly not about constitutional amendments to outlaw the procedure nor is it about amendments to codify the right to abortion articulated in the Roe decision. This is a large change from the mid-1970s, when abortion politics in Congress was so often about constitutional amendments. Abortion politics has become increasingly subtle. Today, abortion policy players are most likely to attempt incremental change (Ainsworth, Deitz, Hall 2000; N.d.). In addition to its incremental nature, abortion politics today is also more pervasive throughout Congress, taking place across a spectrum of committees starting with Judiciary and moving to Appropriations, International Relations, Commerce, and others.

Over time, member’s knowledge of abortion procedures has changed and the technical issues surrounding abortion have changed. Such changes might lead to a natural realignment of committee jurisdictions. Technical issues were important to jurisdictional change in other policy areas (e.g., King 1997), and certainly abortion policy has been complicated by legal, ethical, and technical concerns. New technological issues may lead to new jurisdictions, or new strategies
may lead to new committees. That is, the strategic concerns of policy advocates may drive the changes in jurisdiction as much or more than the technical issues themselves. By playing committees off of one another, abortion policy advocates may simply be using technological changes and concerns about turf to create the most hospitable niche within the committee system to secure policy goals.

In this paper, we examine how abortion politics has evolved over time within the U.S. Congress. Our work builds on the work of scholars who study committee turf (e.g., King 1997), focusing on how the bill strategies employed by members have evolved over time. However, the nature of our dependent variable is very different from King’s. King focuses on House members’ entrepreneurial efforts to stake claims and expand turf. We focus on the actual committee referral. We ask ‘Under what circumstances are abortion related measures referred to Judiciary, and under what circumstances are measures referred to other committees?’ We consider how the abortion issue has been framed in legislative language, and how changes in the framing of the issue affect which committees have considered abortion legislation. How do staunch abortion policy advocates pursue turf warfare? Some members are clearly symbolic actors who make abortion a point of rhetoric, but others act far more strategically, working to find new niches in which to promote their position. In short, what sort of congressional context facilitates the movement of abortion politics away from the Judiciary Committee, and how might abortion referrals be affected by legislators’ external environment: election cycles, public opinion, and media attention?

ABORTION POLITICS: Technology and Strategic Advocates

Typically, individuals associate abortion politics with the House and Senate Judiciary Committees. This is not surprising for two reasons. First, there is the obvious reason. Abortion became a major political issue following the Supreme Court’s Roe v. Wade decision. The Judiciary Committees have jurisdiction over proposed amendments to the Constitution and other legal matters, and the Senate Judiciary Committee is responsible for confirming judges, who can also influence abortion policy. However, the term “abortion” itself does not appear in the formal rules for either the House or the Senate, so no committee has been formally granted authority
over this issue. Of course, as noted by King (1997), formal rules alone do not determine the assignment process.

Second, the textbook institutionalist view of politics in Congress is one where committees have fixed and clearly delineated jurisdictions. This can lead to the conclusion that all abortion politics in Congress is Judiciary Committee politics. Viewed from the ‘turf wars’ perspective of committee competition over jurisdictional issues, movement in abortion politics away from the Judiciary Committees and toward other committees could be viewed as a loss of jurisdictional power by Judiciary. The failure of the Judiciary Committee to capture all abortion referrals would be seen as a loss of control over an issue by the committee.

Battles over jurisdiction often arise when new technologies or new policies arise that fit somewhere in-between the existing jurisdictions of two or more committees. However, it is also possible that advocates of a particular type of abortion policy may adapt to changing opportunities within Congress. The older committees of jurisdiction may not be well-suited or well-positioned for new strategies because of the way in which the context surrounding the issue changes over time. Specifically, there can be dramatic changes over time in how policy entrepreneurs frame an issue (Edelman 1985; Stone 1988). Changes in issue framing can occur to respond to changes in public opinion or other changes in the congressional or electoral environment. For example, Baumgartner and Jones (1993) note that the way in which nuclear power and drug policy have been considered has changed dramatically over time. As the issue framing changed, so did the salience of the issue for different committees.

Sabatier and Jenkins-Smith (1993) have noted that the coalitions involved in a given policy niche evolve over time as the overall knowledge about the policy changes. As new studies are conducted and new information becomes available, various policy actors will change their strategies on how to address an issue. For example, views on the issue of air quality have changed over time, based on changes in scientific knowledge, social contexts, and technology. Support for methods of lowering airborne toxins from cars depends on whether there is an energy crisis, the relative cost of the technology that will be used to eliminate these toxins, and our knowledge of the relative health benefits that will accrue from making such changes. As with the case of air quality, knowledge about abortion has changed since 1974, as have the ways in which
members of Congress, interest groups, and the media frame the issue. But the impact of
technological changes and framing effects on committee jurisdictions can never be fully separated
from internal congressional politics. We contend that it is the congressional context that allows
technological changes and framing effects to alter committee jurisdictions.

In the next sections, we examine the ebb and flow of abortion related activity in Congress
and consider how the congressional context and members’ external environment affect committee
jurisdictions.

THE RISE AND FALL OF THE CONSTITUTIONAL AMENDMENT

The national debate over abortion arose, in large measure, from the Supreme Court’s *Roe v. Wade* decision, which found a that constitutional right to privacy that grants women autonomy
over their bodies extends to determining if they should or should not have access to abortion. As
Table 1 shows, the abortion issue was initially seen by members--especially House members--as
being a constitutional one. In the years following the Supreme Court’s decision, members of both
parties introduced many constitutional amendments aimed at banning abortion. These
amendments came in various forms, such as:

- an amendment to the Constitution of the United States guaranteeing the right to life to the
  unborn, the ill, the aged, and the incapacitated;
- an amendment to the Constitution to permit the States to regulate and forbid abortion;
- an amendment to the Constitution of the United States for the protection of unborn
  children and other persons.

Each of these constitutional amendments was assigned to the House or Senate Judiciary
Committees, where they languished.

[Table 1 about here]

Table 1 also shows that after 1980, interest in addressing abortion policy as a
constitutional issue declined dramatically. In the House, more constitutional amendments related
to abortion were introduced during the years 1975-1980 than were introduced in the next 18
years combined. Even after the Republican takeover of Congress, with the influx of new, more conservative members, the number of abortion related constitutional amendments continued to decline in the House, accounting for only 8 percent of all abortion related activity. There are a limited number of usual suspects in the U.S. House who are the keepers of the pro-life constitutional amendment flame. The most consistent member in this regard is Congressman James Oberstar (D-MN), who has introduced a pro-life constitutional amendment in every Congress since the 94th and whose his interest in abortion politics is almost entirely focused on the symbolic. Oberstar has not introduced any other form of abortion related legislation since 1979.

In the Senate, abortion related constitutional amendments were never as popular as they have been in the House. At the height of constitutional amendment introductions in the 1970s, abortion amendments were only 40 percent of all abortion related bills and amendments introduced into the Senate. From 1993-1998, exactly one constitutional amendment related to abortion was introduced into the Senate. Consider the implication of the last piece of information: Senator Jesse Helms, who is often viewed as the Senate’s champion of the right-to-life position, did not think it even symbolically important for such a bill to be introduced in the Senate during this period. Helms has not introduced an abortion related constitutional amendment since 1983. In fact, there have only been two congressional votes on constitutional amendments that would ban abortion. In 1976, the Senate voted to table a right to life constitutional amendment offered by Senator Helms. Seven years later, in 1983, the Senate voted on a Helms right-to-life constitutional amendment, soundly defeating the proposal. With only two votes on the issue, constitutional amendments are clearly symbolic in nature. The constitutional amendments--either to ban all abortions or to codify the Roe decision--represent the absolute positions of pro-life and pro-choice advocates. With these amendments, members symbolize polar extremes on abortion policies, and may be able to curry favor with either pro-life or pro-choice groups.

Over the past 25 years, not only have the absolute number of abortion related constitutional amendments declined, but so have abortion amendments as a percentage of all abortion legislation considered by the House Judiciary Committee. Before 1981, constitutional amendments constituted 88% of the abortion legislation considered by Judiciary. During the
1980s, constitutional amendments constituted approximately 64% of all abortion legislation Judiciary considered. However, during the 1990s, there have only been 12 abortion related constitutional amendments introduced in the House, less than 29% of the Judiciary Committee workload related to abortion. Similar findings hold for the Senate, where the declines were even more dramatic.

Early in the debate over abortion, pro-choice and, especially, pro-life members of Congress moved to a much more incremental strategy on abortion. Instead of undertaking grand, sweeping efforts on abortion policy that are the focus of constitutional amendments they moved to change abortion policy more gradually. There are several likely reasons for this switch. First, there is the arithmetic issue. A constitutional amendment requires getting two-thirds of the members of both chambers and the president all on the same position on the issue. The majoritarian nature of traditional bills and amendments is much simpler to navigate. Second, popular opinion on the abortion issue became clearer during this time, with a slim majority of people favoring some access to abortions but also willing to accept limitations on the procedure. As we have shown elsewhere (Ainsworth, Deitz, and Hall 2001; N.d.), public opinion offered legislators some wiggle room for incremental changes, but not for broad, sweeping proposals. Moving away from constitutional amendments also allowed House members in particular to move away from the Judiciary Committee. Although the Rules of the House defining committee jurisdictions give Judiciary control over proposed amendments to the Constitution, Judiciary held no formal lock on more incremental proposals.

THE ABORTION STRATEGY SHIFT: New Venues

The seeds for the decline in importance of the abortion related constitutional amendment were sown during the first Congress after the *Roe* decision as a few members initiated incremental efforts to limit abortion. These early incremental efforts were successful, and nothing leads to changes in strategy like success. In fact, the success of a certain type of incremental activity--restricting federal funding of abortions--in many ways shifted abortion from being a Judiciary Committee issue to being an Appropriations Committee issue. In 1974 and 1975, amendments were offered in both the House and the Senate to the Labor, HEW, and Related Agencies’
appropriation bills that would have “prohibited the use of any funds in the bill to perform abortions or to encourage the performance of abortions except to save the life of the mother” (CQ Almanac, 1974, 106)\. These amendments were deleted from the final bill. However, in 1976, House members amended the Labor-HEW appropriations bill to ban the use of funds in the bill to pay for or promote abortions (CQ Almanac, 1976, ). The legislation passed after Congress overrode President Ford’s veto, a veto that was based on the high cost of the overall bill, not the abortion language.

With the success achieved on the Labor-HEW appropriations bill, pro-life members of Congress began to write narrow amendments restricting abortion and attaching them to similar legislative vehicles. In 1978, pro-life forces attached restrictive language to the Labor-HEW appropriations bill, the Department of Defense appropriations bill, and legislation related to the Peace Corps. Soon thereafter, funding restrictions were added to appropriations bills covering everything from the District of Columbia to foreign aid. Pro-life forces benefitted from the fact that once a member voted to restrict the use of federal funds for abortions in one area, restrictions in other areas (e.g., Department of Defense or the Peace Corps) were hardly different. Thus, by 1980, abortion politics was often appropriations politics. In the 1970s, there were a small but significant number of abortion related bills coming from the Appropriations Committee, approximately 6.5% of all abortion activity. By 1980-1986, in the House, Appropriations Committee referrals accounted for a quarter of all abortion related legislative activity, and remained consistently at this level into the 1990s.

As Table 2 shows, trends in both the Senate and the House have led to increasingly diverse committee venues for abortion policy advocates. Abortion politics became more pervasive throughout the House and Senate. The shifts in abortion related legislative activity occurred after 1980 and gave greater emphasis to the work of committees other than Judiciary. In the Senate, there was relatively broad distribution of abortion legislation by 1981. In the House, where committee jurisdictions are better defined and more easily defended, there was not a broad distribution of abortion cases across House Committees until the mid 1980s, with Appropriations, Energy and Commerce, and Appropriations all constituting approximately a quarter of all abortion cases.
Two examples illustrate how the issue has changed over time. First, beginning in the late 1970s, members of Congress began to see abortion not only as a domestic issue, but as an international one as well. This can be seen in bill referrals to the House International Relations Committee. Beginning in 1978, the House International Relations Committee began to have bills related to the use of international aid for health, population control, and family planning referred to it. Specifically, pro-life members wanted to ensure that federal aid would not go to programs or organizations that provided abortions or forced sterilizations. Interest in legislation related to overseas abortions has increased the role for the International Relations Committee, allowing it to expand its turf in the area. International Relations now controls over ten percent of all abortion related measures whereas in the late 1970s it controlled less than 1 percent of abortion measures.

Second, in the 1980s and 1990s, the actions of the appropriators affected other committee’s turf. After disallowing the use of federal fund for abortions, the House Energy and Commerce Committee had many bills related to Medicaid funds for abortions referred to it. Bills related to the teaching of abortion procedures in medical schools that receive federal funds were also sent to Energy and Commerce. In more recent years, the House Energy and Commerce Committee has been ground zero for the debate over fetal tissue research because medical research falls within the committee’s jurisdiction. Both pro-choice and pro-life members have introduced bills related to whether federal medical research funds can be used to fund research on fetal tissue and stem cells.5

We conclude this section with three points. First, abortion politics has never been completely monopolized by the Judiciary Committees, but the move away from the Judiciary Committee, especially in the House, has been sharp. Second, as indicated in Table 2, the Appropriations Committee has never dominated the abortion policy area. The movement away from Judiciary was not perfectly matched by a movement toward Appropriations. Finally, not all Judiciary Committee activity dealt with proposed constitutional amendments, even in the mid 1970s. Judiciary had always handled an array of different abortion measures, so abortion policy
advocates could have abandoned the constitutional amendment strategy without forsaking Judiciary. In the next section, we use a logistic regression to analyze Judiciary’s loss of turf. In particular, we explore how members’ congressional and external environments affected turf claims and abortion politics.

**JUDICIARY’S LOSS OF TURF: A Logistic Regression**

Turf battles are sharpest in the House. The Senate has more open floor procedures, affording less automatic protection of bills. Unless explicitly constrained by a unanimous consent agreement, senators are able to address virtually any issue or measure, regardless of committee jurisdiction. In addition, senators much more than House members think of themselves as generalists. In sum, Senators have the inclination and the ability to address a broad array of issues without regard to formal committee jurisdictions. In the House, jurisdictions matter (King 1997). The House parliamentarian adheres to the formal rules of the House and referrals that fall beyond the reach of the rules are watched closely as precedents. The logistic regression focuses exclusively on referrals of pro-life abortion measures in the House. The dependent variable simply reflects whether an abortion measure was referred to Judiciary (=1) or some other committee (=0). We highlight Judiciary because as previously shown it was the committee losing the turf battles.

For this analysis, we collected data on every bill that could affect abortion policy that was introduced in the U.S. House of Representatives from 1975-1998. Information collected on these 675 bills includes the sponsor’s NOMINATE score and party identification, the number of cosponsors, and the direction the proposal would move the status quo, either in the pro-choice or the pro-life direction. In addition to the characteristics of each individual abortion measure, the internal legislative and external political environments were also analyzed. Internal legislative environment variables include Judiciary Committee Median NOMINATE and House Median NOMINATE.

Variables reflecting the external political environment include public opinion data, which we interact with election year, and a proxy for the level of group activity surrounding the abortion issue. Public opinion data was obtained from the Gallup Poll. Each year, Gallup has asked “Do
you think abortion should be (a) legal under any circumstances, (b) legal only under certain circumstances, or (c) illegal in all circumstances?\textsuperscript{8} For our work, the percentage of respondents indicating that abortion should be “legal only under certain circumstances” reflects the opportunity legislators have to alter abortion policy in ways less sweeping than constitutional amendments. That percentage is interacted with election year. Group activity concerning the abortion issue was measured by a surrogate: the amount of media coverage received aggregated into six month periods. The total number of articles reporting on group activity regarding both sides of the issue was collected by conducting a Lexis-Nexis search of the headlines and leading paragraphs of the two leading newspapers of record, the \textit{New York Times} and \textit{The Washington Post}. We focus here on media coverage of group activity seeking to limit abortion access. Key search terms for pro-life group activity included references to the National Right to Life Committee, Operation Rescue, and Susan B. Anthony’s List.

We view the independent variables as falling into one of three broad categories. First, legislators’ \textit{personal ideologies} affect their interests in the sponsorship and referral of measures. The Sponsor’s NOMINATE and Sponsor’s Party variables fall within this category. Second, legislators are very sensitive to their \textit{external environments}. Are referrals, made by the House parliamentarian, correlated with Pro-Life Media Mentions or our interactive Election Year*Opinion variables? The House parliamentarian a non-elected public official who serves at the pleasure of the Speaker, but King makes clear that the parliamentarian is “most closely associated with the median position of the whole House” (1997, 8). If King is correct, which we think is the case, then the parliamentarian’s referrals reflect commonplace political concerns of legislators, such as media attention and public opinion. Finally, legislators are sensitive to their \textit{strategic opportunities in the House}. Those legislators working in the abortion policy area inevitably must ask themselves whether or not Judiciary would be a hospitable committee for a particular measure. If necessary, legislators can craft abortion measures so that the ‘weight of the bill’ leads the parliamentarian to consider venues other than the Judiciary Committee. The presence of cosponsors may affect the course of a turf battle. A large number of cosponsors increases the chance that a cosponsor’s own committee might lose a jurisdictional battle. We predict that turf renegades will run in smaller packs. Independent variables reflecting the strategic
opportunities within the House are the Number of Cosponsors, the House Median NOMINATE, and the House Judiciary Committee Median NOMINATE.

For the regression, we use robust variance estimates, as allowed by the Stata robust option and employ a clustering option by congress. The clustering option allows us to weaken the assumption of independent observations within a congress. Our observations are organized by measure, but our observations within a particular two-year congress may not be fully independent from one another because legislators within the same congress face the same external and internal environments. However, observations across congresses are assumed to be independent. Generally, a clustering option increases the standard errors for a model’s independent variables, thereby reducing levels of significance, which is indeed the case in this situation.

[Table 3 about here]

The model reported in Table 3 is very strong, with a pseudo R² of .33 and a 54% reduction in error. All variables, except for Sponsor’s Party and Number of Cosponsors, are strongly significant. Even though the significance of Sponsor’s Party is only .155, its expected impact on referral is considerable. The baselines for expected Judiciary referral are .66 and .46 for Democratic and Republican sponsors when all other variables are held at their means. All else equal, Democratic sponsors are most likely to secure a Judiciary referral, increasing the expected value of the dependent variable by .20. A Sponsor’s NOMINATE also affects referral. More conservative sponsors are most likely to secure Judiciary referrals. This effect is particularly strong for Republican sponsors, increasing the predicted probability of a Judiciary referral from .46 to .87 for a one standard deviation increase in a Republican sponsor’s NOMINATE.

The external environments, as predicted, are strongly significant. As Media Mentions of pro-life groups increase, the Judiciary Committee is most likely to lose referrals. Again, we do not contend that the parliamentarian is affected by the media directly. Rather, we suspect that members craft their abortion measures with an eye towards the media and the House context, insuring that the ‘weight’ of their bill will lead the parliamentarian away from a Judiciary referral. Democrats are slightly more sensitive than Republicans to Media Mentions. A one standard
deviation increase in Pro-Life Media Mentions leads to an expected decrease in the dependent variable of -.29 for Democratic sponsors and -.26 for Republican sponsors. The interactive variable Election Year*Opinion also has a demonstrable impact on the referral of abortion measures. As more of the American public opines that abortion should be “legal only under certain circumstances,” the Judiciary Committee loses turf. When the external environment is more volatile, the traditional committee of jurisdiction loses turf. We suspect this occurs for two reasons. First, legislators from around the chamber may adhere to the expression that ‘if it is broke, fix it.’ That is, if Judiciary Committee activity cannot quell policy disputes, then other committees may jump into the fray. Second, as the external environment becomes more volatile, more and more legislators further afield from Judiciary will seek to take a symbolic stand by sponsoring legislation.

Finally, the strategic opportunities in the House are also important for abortion measure referrals. A more conservative Judiciary Committee Median NOMINATE leads to a much greater chance of Judiciary referral. For a Democratic sponsor the expected value of the dependent variable increases by .28, from .66 to .94 for a one standard deviation increase in the Judiciary Committee Median NOMINATE. The impact for Republican sponsors is even greater. As the Judiciary Committee Median NOMINATE increases by one standard deviation, the expected value of the dependent variable increases by .40, from .46 to .86. Clearly, conservative sponsors are attracted to Judiciary (recall Sponsor’s NOMINATE) and they are particularly attracted when the Judiciary Committee itself is conservative. Our last variable, the House Median NOMINATE is strongly significant, both statistically and substantively. As the House becomes more conservative, referrals are most likely to be non-judiciary. A one standard deviation increase in the House Median NOMINATE virtually insures the loss of turf for Judiciary. The expected changes in the dependent variable are -.54 and -.40 for Democratic and Republican sponsors respectively. Given the baseline values for the dependent variables of .66 and .46, the impact of the House Median NOMINATE is substantial.
DISCUSSION

Much of the work that has been done on the evolution of abortion politics has examined mass and elite opinion, considering how views on abortion have changed over time (e.g., Adams 1997; Alvarez and Brehm 1995). The links between opinion and vote choice are being re-examined as well (e.g., Abramowitz 1995). However, abortion politics also plays out in the U.S. Congress. Indeed, abortion politics remains one of the most volatile issues that Congress revisits on a regular basis. Given the volatility of the issue, how do members and the chamber itself respond? Though committee referrals are a very narrow slice of entire legislative context, they are crucial for setting the tone of policy debates and for affecting the fates of measures and committees. Over the period we studied, the reduction in turf for the House Judiciary Committee was dramatic. Such a loss of turf is especially surprising because, as King argues, turf begets more turf and Judiciary has one of the most expansive jurisdictions in the House (1997, 22). That is, an expansive jurisdiction allows a committee to reach into numerous policy areas. Judiciary’s reach did not, however, prevent it from losing ground in the area of abortion politics.

Was the loss of turf a natural occurrence due to substantive technical issues or was there a strategic underpinning to the changing referrals among committees? Certainly abortion policies have become more intricate as they have reflected technological changes. Some natural loss may have occurred with the International Relations Committee, as members addressed abortions overseas. However, there appear to be very prominent strategic underpinnings to abortion referrals. Personal ideologies, legislators’ external environments, and the strategic opportunities within the House all affect the referral of abortion measures. No doubt, legislators’ personal ideologies are important for the sponsorship of abortion measures, but legislators’ personal ideologies, as measured by their party affiliations and their NOMINATE scores, also affect the referral of abortion measures.

Referrals are also correlated with the external environment variables. There are numerous studies linking public opinion and public policy outcomes, but in this work public opinion affects bill referrals. We found that a volatile external environment, especially during an election year, leads to the loss of turf for Judiciary. This result roughly parallels King’s finding that constituency interests are important to entrepreneurial efforts to claim turf (1997, ch 6). We
suggest that members craft their legislation and frame the abortion issue with an eye toward public opinion, media attention, and their chamber.

Did the loss of turf correspond with what we have labeled the changing strategic opportunities in the House? In short, yes. Judiciary maintained its turf when its median NOMINATE score was more conservative, and it lost turf when it became more liberal. This result reinforces the effect of the Sponsor’s NOMINATE variable. Conservative sponsors from both parties were most likely to secure Judiciary Committee referrals, especially when the Committee was conservative. It appears that conservative sponsors seek hospitable niches for their measures. Finally, though a conservative Judiciary can preserve turf, a conservative chamber is associated with losses in Judiciary turf. Conservative congresses were more willing to alter established jurisdictions, perhaps because abortion policy has been so important to conservatives. Preferences over policies ‘roll back’ and affect preferences over congressional procedures.

For future work, one may want to assess whether measures are released to the floor from their committees. Such a model of success would, however, be complicated by a highly skewed dependent variable because most bills die in committee. One could also analyze votes on final passage for the few measures that the floor does consider. Shipan (1992) argues that members care little about jurisdictions at the floor stage. Members simply vote their preferences, regardless of any preceding turf battles. We could fine tune the dependent variable to allow for a closer look at other committees. A multinomial logit model assessing the referral of abortion measures among the three or four most prominent committees may be warranted. Finally, other issues could be assessed with the same general model. However, from the work done to date, it is clear that the strategic concerns of legislators, as set within their external and internal environments, affect the referral of abortion related measures.
ENDNOTES

1. Specifically, the 2000 Republican Party platform states “[w]e support a human life amendment to the Constitution and we endorse legislation to make clear that the Fourteenth Amendment’s protections apply to unborn children.” Accessed July 6, 2001, http://www.rnc.org/GOPInfo/Platform/2000platform4

2. This occurred to some extent with energy policies in the 1970s and ‘80s. More recently, King notes that this occurred with the development of the magnetic levitating trains (King 1997).

3. From 1975 to 1998, Gallup has asked “Do you think abortion should be (a) legal under any circumstances, (b) legal only under certain circumstances, or (c) illegal in all circumstances?” For our work, the growing percentage of respondents indicating that abortion should be “legal only under certain circumstances” reflected the ‘wiggle room’ that allowed legislators to pursue incremental changes in abortion policy.

4. This legislation, commonly known as the Hyde Amendment, in effect constrained and reduced authorizations. The Appropriations Committee can typically reduce authorizations without running afoul of House rules. However, such actions by Appropriations are hardly devoid of legislative or policy impact, which House rules attempt to limit. We have yet to complete a full study of floor waivers, which would address this issue directly.

5. The technological changes in the fetal tissue research have strained parts of the established abortion coalitions. In particular, issues and debates surrounding fetal tissue research changed as the potential of stem cells—which are extracted from fetal tissue—became better understood. In 1998, with a breakthrough in the ability to culture stem cells, it became clear that stem cells might provide potential cures for a variety of diseases, such as Parkinson’s, Alzheimer’s, Huntington’s, and diabetes, as well as spinal cord injuries. As it became more clear that this research would likely provide medical benefits to millions of Americans, and could be conducted using embryonic tissue from fertilization clinics—and not fetal tissue taken as a by-product of abortions—this became more of a public health issue focused on medical benefits and less of an abortion issue. Clearly, some members continued to press a pro-life position on fetal tissue research, but other pro-life members supported the research.

6. Long (1997) is one of the better references for information about logistic regressions.

7. NOMINATE scores are ideological measures for legislators. See Poole and Rosenthal (1997) for a full description of the NOMINATE data.

8. In those years in which the question was asked more than once, the average of the responses was used.
REFERENCES


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<td>Constitutional Amendment</td>
<td>Not a Constitutional Amendment</td>
<td>Total</td>
<td>Constitutional Amendment</td>
</tr>
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<td>1975 - 1980</td>
<td>40.5% (15)</td>
<td>59.5 (22)</td>
<td>100.0 (37)</td>
<td>70.1% (162)</td>
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<tr>
<td>1981 - 1986</td>
<td>29.3 (17)</td>
<td>70.7 (41)</td>
<td>100.0 (58)</td>
<td>31.8 (42)</td>
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<td>1987 - 1992</td>
<td>14.3 (8)</td>
<td>85.7 (48)</td>
<td>100.0 (56)</td>
<td>16.0 (25)</td>
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<td>1993 - 1998</td>
<td>1.2  (1)</td>
<td>98.8 (81)</td>
<td>100.0 (82)</td>
<td>7.7  (12)</td>
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<td>TOTAL</td>
<td>17.6 (41)</td>
<td>82.4 (192)</td>
<td>100.0 (233)</td>
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### TABLE 2: PERCENT OF ABORTION BILLS INTRODUCED INTO CONGRESS BY COMMITTEE

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<th>Appropriations</th>
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<th>International Relations</th>
<th>Other</th>
<th>Total</th>
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<td></td>
<td>House</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>1975 - 1980</td>
<td>79.7% (184)</td>
<td>6.5% (15)</td>
<td>6.5% (15)</td>
<td>0.9% (2)</td>
<td>6.5% (15)</td>
<td>100.0% (231)</td>
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<tr>
<td>1981 - 1986</td>
<td>50.0 (66)</td>
<td>25.8 (34)</td>
<td>12.9 (17)</td>
<td>6.1 (8)</td>
<td>5.3 (7)</td>
<td>100.0 (132)</td>
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<td>1987 - 1992</td>
<td>24.4 (38)</td>
<td>24.4 (38)</td>
<td>28.8 (45)</td>
<td>9.0 (14)</td>
<td>13.5 (21)</td>
<td>100.0 (156)</td>
</tr>
<tr>
<td>1993 - 1998</td>
<td>26.9 (42)</td>
<td>26.3 (41)</td>
<td>19.2 (30)</td>
<td>10.9 (17)</td>
<td>16.7 (26)</td>
<td>100.0 (156)</td>
</tr>
<tr>
<td>TOTAL</td>
<td>48.9 (330)</td>
<td>19.0 (128)</td>
<td>15.9 (107)</td>
<td>6.1 (41)</td>
<td>10.2 (69)</td>
<td>100.0 (675)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Senate</th>
<th></th>
<th>Labor/ HR</th>
<th>Foreign Relations</th>
<th>Other</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>House</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1975 - 1980</td>
<td>40.5% (15)</td>
<td>0.0% (0)</td>
<td>18.9% (7)</td>
<td>2.7% (1)</td>
<td>37.8% (14)</td>
<td>100.0% (37)</td>
</tr>
<tr>
<td>1981 - 1986</td>
<td>36.2 (21)</td>
<td>20.7 (12)</td>
<td>8.6 (5)</td>
<td>6.9 (4)</td>
<td>27.6 (16)</td>
<td>100.0 (58)</td>
</tr>
<tr>
<td>1987 - 1992</td>
<td>21.4 (12)</td>
<td>7.1 (4)</td>
<td>30.4 (17)</td>
<td>16.1 (9)</td>
<td>25.0 (14)</td>
<td>100.0 (56)</td>
</tr>
<tr>
<td>1993 - 1998</td>
<td>18.3 (15)</td>
<td>14.6 (12)</td>
<td>13.4 (11)</td>
<td>14.6 (12)</td>
<td>39.0 (32)</td>
<td>100.0 (82)</td>
</tr>
<tr>
<td>TOTAL</td>
<td>27.0 (26)</td>
<td>12.0 (28)</td>
<td>17.2 (40)</td>
<td>11.2 (26)</td>
<td>32.6 (76)</td>
<td>100.0 (233)</td>
</tr>
</tbody>
</table>
TABLE 3: LOGISTIC REGRESSION: JUDICIARY V. NON-JUDICIARY REFERRAL FOR PRO-LIFE ABORTION MEASURES

<table>
<thead>
<tr>
<th>Variables</th>
<th>Coefficient</th>
<th>Standardized Coefficient</th>
<th>Std. Error</th>
<th>Sig.</th>
<th>Expected Change in Dep Var&lt;sup&gt;1&lt;/sup&gt; Dem Spnsr, Rep Spnsr</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sponsor’s NOMINATE</td>
<td>1.835</td>
<td>1.1088</td>
<td>.731</td>
<td>0.012</td>
<td>.28, .41</td>
</tr>
<tr>
<td>Sponsor’s Party</td>
<td>.823</td>
<td>0.2904</td>
<td>.578</td>
<td>0.155</td>
<td>.20, -.20&lt;sup&gt;2&lt;/sup&gt;</td>
</tr>
<tr>
<td>Pro-Life Media Mentions</td>
<td>-.018</td>
<td>-0.6584</td>
<td>.002</td>
<td>0.000</td>
<td>-.29, -.26</td>
</tr>
<tr>
<td>Election Year * Opinion</td>
<td>-.061</td>
<td>-0.3565</td>
<td>.013</td>
<td>0.000</td>
<td>-.16, -.16</td>
</tr>
<tr>
<td>Number of Cosponsors</td>
<td>.006</td>
<td>0.1058</td>
<td>.005</td>
<td>0.169</td>
<td>.04, .04</td>
</tr>
<tr>
<td>House Judiciary Committee Median NOMINATE</td>
<td>9.512</td>
<td>1.0898</td>
<td>2.219</td>
<td>0.000</td>
<td>.28, .40</td>
</tr>
<tr>
<td>House Median NOMINATE</td>
<td>-23.604</td>
<td>-1.4826</td>
<td>4.773</td>
<td>0.000</td>
<td>-.54, -.40</td>
</tr>
<tr>
<td>Constant</td>
<td>.776</td>
<td>.401</td>
<td>0.053</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Number of obs = 480
Wald chi<sup>2</sup>(7) = 100.80
Prob > chi<sup>2</sup> = 0.00
Log likelihood = -222.14
Pseudo R<sup>2</sup> = 0.33

<table>
<thead>
<tr>
<th>Classified</th>
<th>1</th>
<th>0</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>+</td>
<td>203</td>
<td>45</td>
<td>248</td>
</tr>
<tr>
<td>-</td>
<td>54</td>
<td>178</td>
<td>232</td>
</tr>
<tr>
<td>Total</td>
<td>257</td>
<td>223</td>
<td>480</td>
</tr>
</tbody>
</table>

Correctly classified 79%
Reduction of Error 54%

1. Except for Sponsor’s Party, the reference categories for all variables are their means. Except for Sponsor’s Party, the expected change in the dependent variable is based on a one standard deviation increase in the particular independent variable of interest. Separate expected changes are calculated for Democratic and Republican sponsors.

2. This cell indicates the percentage change that occurs when the Sponsor’s Party variable moves from Democrat to Republican and Republican to Democrat when all other variables are held at their means.