

Congress

The founding fathers intended for Congress to be the central policy-making body in the federal government. Although the power of Congress has fluctuated over the years, today it shares with the presidency and the judiciary the responsibility of making key policy decisions that shape the course of the nation

The People's Influence

- Although the founders saw Congress as the body most directly in touch with the people, most people today have negative overall views of both houses.
- Approval ratings have hovered for years at about 30%, although in recent years those ratings have climbed somewhat higher.
- Yet the majority of voters express higher approval ratings (60 to 70%) for the members of congress from their districts.
- Members of Congress are seen as working for their constituents, but Congress as a whole supposedly represents the nation as a whole. These seemingly contradictory expectations create different pressures on members of Congress.

Americans elect their senators and representatives.

This direct link between the legislature and the people is a very important part of our democracy. Should Congress, then, reflect the will of the people? Or should they pay attention to their own points of view, even if they disagree with their constituents? Many considerations influence the voting patterns of members of Congress, including the following:

Constituents Views

- Members of Congress often visit their home districts and states to keep in touch with their constituents views.
- They also read their mail, keep in touch with local and state political leaders, and meet with their constituents in Washington.
- Some pay more attention than others, but they all have to consider the views of the folks back home.

Party Views

- Congress is organized primarily along party lines, so party membership is an important determinant of a member's vote. Each party develops its own versions of many important bills, and party leaders actively pressure members to vote according to party views. It is not surprising that representatives and senators vote along party lines about three-fourths of the time.

Personal Views

- What if a representative or senator seriously disagrees with the views of his constituents on a particular issue? How should he or she vote?
- Those who believe that personal views are most important argue that the people vote for candidates that they think have good judgment. Representatives should feel free to exercise their own personal views. After all, if the people don't like it, they can always vote them out of office

Why was Congress Created?

- Congress was created to work not just for local constituents but also for the nation as a whole.
- The Founders of the American republic believed that the bulk of the power that would be exercised by a national government should be in the hands of the legislature.
- The leading role envisioned for Congress in the new government is apparent from its primacy in the Constitution.
 - Article I deals with the structure, the powers, and the operation of Congress.
 - Bicameral legislature – Senate and House of Representatives

- The two chambers of Congress reflected the social class biases of the founders.
 - They wished to balance the interests and the numerical superiority of the common citizens with the property interests of the less numerous landowners, bankers, and merchants.
 - This goal was achieved by providing in Sections 2 and 3 of Article I that members of the House of Representatives should be elected directly by “the people,” whereas members of the Senate were to be chosen by the elected representatives sitting in the state legislatures, who were more likely to be members of the elite.
 - With the passage of the 17th amendment in 1913, the Senators are also to be elected directly by the people.

- The logic of separate constituencies and separate interests underlying the bicameral Congress was reinforced by differences in length of tenure.
 - Members of the House of Representatives are required to face the electorate every two years.
 - Senators could serve for a much more secure term of six years – even longer than the four-year term provided for the President.
 - Terms are staggered so that only 1/3 of the senators would face the electorate every two years, along with all of the House members

Powers of Congress

- The Constitution is both highly specific and extremely vague about the powers that Congress may exercise.
- The first 17 clauses of Article I, Section 8, specify most of the **enumerated powers** of Congress – that is, powers expressly given to that body.
 - The right to impose taxes and import tariffs (one of the most important of the domestic powers)
 - Borrow money
 - Regulate interstate commerce and international trade (one of the most important of the domestic powers)

- Establish procedures for naturalizing citizens
- Make laws regulating bankruptcies
- Coin and print money and regulate its value
- Establish standards of weights and measures
- Punish counterfeiters
- Establish post routes
- Regulate copyrights and patents
- Establish the federal court system
- Punish pirates and other committing illegal acts on the high seas
- Declare war (most important foreign policy power)
- Raise and regulate an army and a navy
- Call up and regulate the state militias to enforce laws, to suppress insurrections, and to repel invasions
- Govern the District of Columbia

- Congress is also able to establish rules for its own members, to regulate the electoral college, and to override a presidential veto.
 - Some functions are restricted to only one chamber.
 - Under Article II, Section 2, the Senate must advise on, and consent to, the ratification of treaties and must accept or reject presidential nominations of ambassadors, Supreme Court justices, and “all other officers of the United States.”
 - The Senate may delegate to the president, the courts, or department heads the power to make lesser appointments.
 - Congress may regulate the extent of the Supreme Court’s authority to review cases decided by the lower courts, regulate relations between states, and propose amendments to the Constitution.

- The amendments provide for other congressional powers
 - Congress must certify the election of a president and vice president or itself choose these officers if no candidate has a majority of the election vote (12th amendment)
 - Congress may levy an income tax (16th amendment)
 - Congress will determine who will be acting president in case of the death or incapacity of the President or vice president (20th amendment, Sections 3 & 4, and 25th amendment, Sections 2, 3, and 4.
 - Congress explicitly is given the power to enforce, by appropriate legislation, the provisions of several other amendments.

- **Necessary and Proper Clause** (or elastic clause) – the power to make all laws which shall be necessary and proper for carrying into execution the powers of Article I and all other powers vested by this Constitution in the government of the United States, or any department or officer thereof.
 - This clause sets the stage for a greatly expanded role for the national government relative to the states.
 - It also constitutes, at least in theory, a check on the expansion of presidential powers.

The Functions of Congress

- The Law-making Function – requires decisions about the size of the federal budget, about healthcare reform and gun control, and about long term prospects for war or peace.
 - Not all laws are initiated by Congress. Most of the bills Congress acts on originate in the executive branch, and many other bills are traceable to interest groups and political party organizations.
 - Through the processes of compromise and **logrolling** (offering to support a fellow member's bill in exchange for that member's promise to support your bill in the future), as well as debate and discussion, backers of legislation attempt to fashion a winning majority coalition.

- Service to Constituents – individual members of Congress are expected by their constituents to act as brokers between private citizens and the federal government.
 - Casework is the usual form taken by this function of providing service to constituents.
 - Ombudsperson – a person who hears and investigates complaints by private individuals against public officials or agencies. This role for congressmen strongly benefits the members of congress – helps them get re-elected if they are doing good deeds for their constituents.

- The Representation Function – generally, representation means that the many competing interests in society should be represented in Congress. It follows that Congress should be a body acting slowly and deliberately and that its foremost concern should be to maintain a carefully crafted balance of power among competing interests.
 - The Trustee View of Representation – legislators should act as trustees of the broad interests of their entire society and that they should vote against the narrow interests of their constituents as their conscience and their perception of national needs dictates.

- The Instructed-Delegate View of Representation—the notion that congressmen should behave as instructed delegates. That is, they should mirror the views of the majority of the constituents who elected them to power in the first place.
 - Generally, most legislators hold neither a pure trustee view nor a pure instructed-delegate view. Typically, they combine both perspectives in a pragmatic mix.

- The Oversight Function – oversight of the bureaucracy is essential if the decisions made by Congress are to have any force. Oversight is the process by which Congress follows up on the laws it has enacted to ensure that they are being enforced and administered in the way Congress intended. Oversight is related to the concept of constituency service, particularly when Congress investigates alleged arbitrariness or wrongdoing by bureaucratic agencies. This is done by:
 - Holding committee hearings and investigations
 - Changing the size of an agency's budget
 - Cross-examining high-level presidential nominees to head major agencies

- The Public-Education Function – educating the public is a function that is exercised whenever congress holds public hearings, exercises oversight over the bureaucracy, or engages in committee and floor debate on such major issues and topics as political assassinations, aging, illegal drugs, or the concerns of small businesses.
 - Congress also decides what issues will come up for discussion and decision -- agenda setting – is a major facet of its public education function.
- The Conflict-Resolution Function – Congress is commonly seen as an institution for resolving conflicts within American society.
 - This puts Congress in the role of trying to resolve differences among competing points of view by passing laws to accommodate as many interested parties as possible.

Differences bw House & Senate

- Chosen from local districts
- 2 yr term
- Originally/Still elected by voters
- May impeach (indict) federal judges
- 435 voting members
- More formal rules
- Debate limited
- Chosen from entire state
- 6 yr. term
- Originally (until 1913) elected by state leg.
- May convict fed. Officials of impeachable offences
- 100 members
- Fewer rules & restrictions
- Debate extended

- Less prestige, less PR
- Originates bill for raising revenue
- Local or narrow leadership
- More partisan
- More prestige, more notice
- Has power to advise the president on, and to consent to, presidential appointments & treaties
- National leadership
- Less party loyalty

Size and Rules

- The House has 435 members, plus delegates from the District of Columbia, Puerto Rico, Guam, American Samoa, and the Virgin Islands
- The Senate has 100 members
 - Greater number of formal rules are needed to govern activity in the House due to its size
 - Looser procedures can be followed in the less crowded Senate
 - This difference is most obvious in the rules governing debate on the floors of the two chambers:
 - Senate permits extended debate on all issues that arise before it
 - The House operates with an elaborate system in which its **Rules Committee** normally proposes time limitations on debate for any bill.
 - As a result, the House is usually able to act faster on legislation than the Senate.

Debate & Filibustering

- Filibustering in the Senate is unlimited debate to halt action on a particular bill.
 - Under Rule 22, debate may be ended by invoking **cloture**, or shutting off discussion on a bill. Amended in 1975 and 1979, Rule 22 states that debate may be closed off on a bill if 16 senators sign a petition requesting it and if, after 2 days have elapsed, 3/5 of the entire membership (60 votes) vote for cloture. After cloture is invoked, each senator may speak on a bill for a maximum of one-hour before a vote is taken.
 - In 1979, the Senate extended Rule 22 to provide that a final vote must take place within 100 hours of debate after cloture has been imposed.

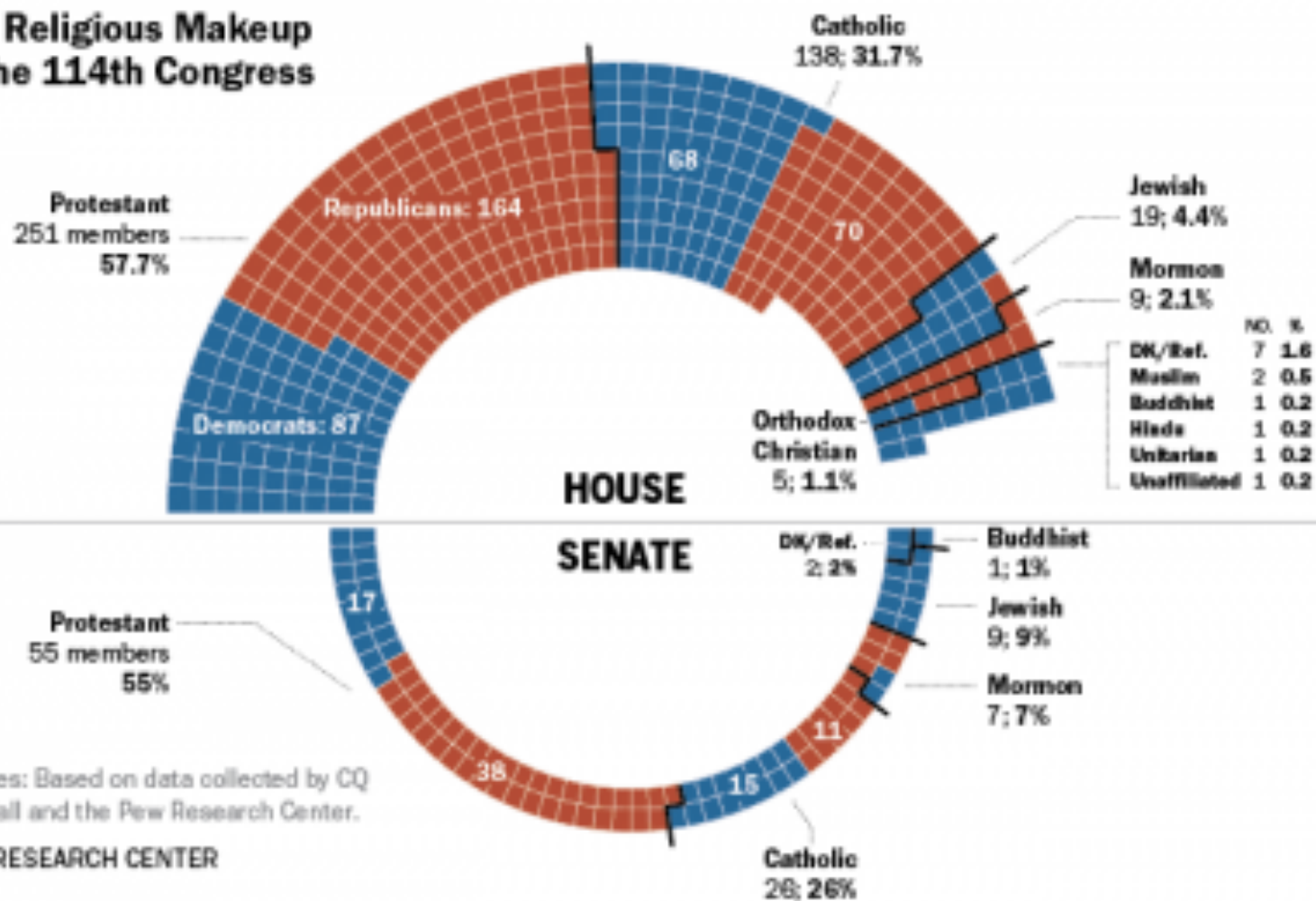
- Prestige – House of Representatives generally cannot achieve as much individual recognition and public prestige as can members of the senate (because of their size). Senators, especially those who openly express presidential ambitions, are better able to gain media exposure and to establish careers as spokespersons for large national constituencies.

Characteristics of the 107th Congress, 2001-2003

Characteristic	U.S. Population 2000*	House	Senate
Age (median)	35.8	54.4	59.8
Percentage Minority	28.6	13.7	3
Religion			
Percentage Church Members	61.0	98	99
Percentage Roman Catholic	39.0	28.7	24
Percentage Protestant	56.0	60	58
Percentage Jewish	4.0	6.4	10
Percentage Female	51.1	13.6	13
Percentage with College Degrees	21.4	93	94
Occupation			
Percentage Lawyers	2.8	36	53
Percentage Blue-collar Workers	20.1	0	0
Family Income			
Percentage of families earning over 50,000 annually	22.0	100	100
Personal Wealth			
Percentage of population with assets over \$1 million	0.7	16	33

* Estimates based on 1990 census; they do not reflect Census 2000 counts

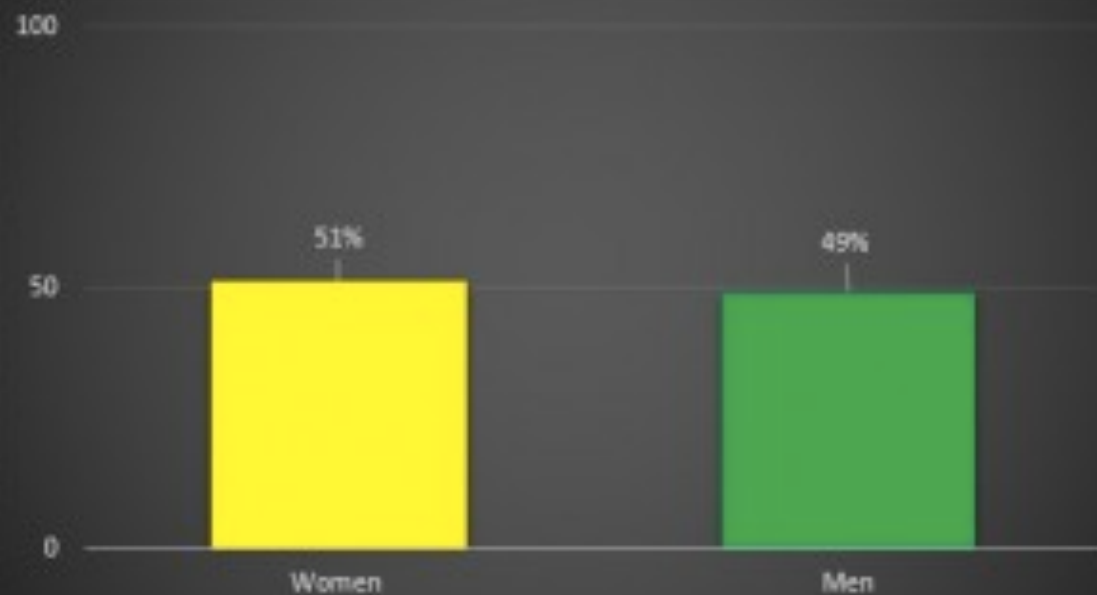
The Religious Makeup of the 114th Congress



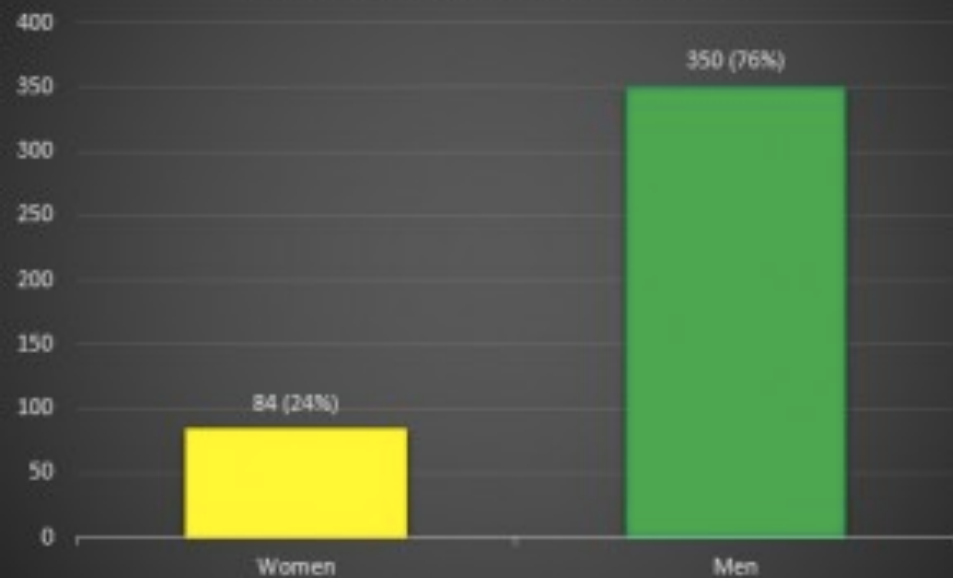
Sources: Based on data collected by CQ Roll Call and the Pew Research Center.

PEW RESEARCH CENTER

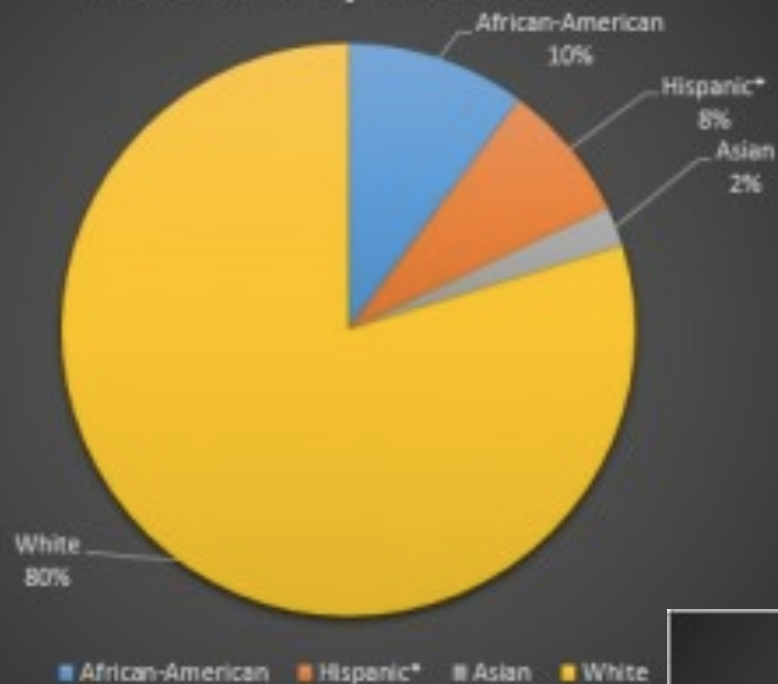
US Population By Gender 2015



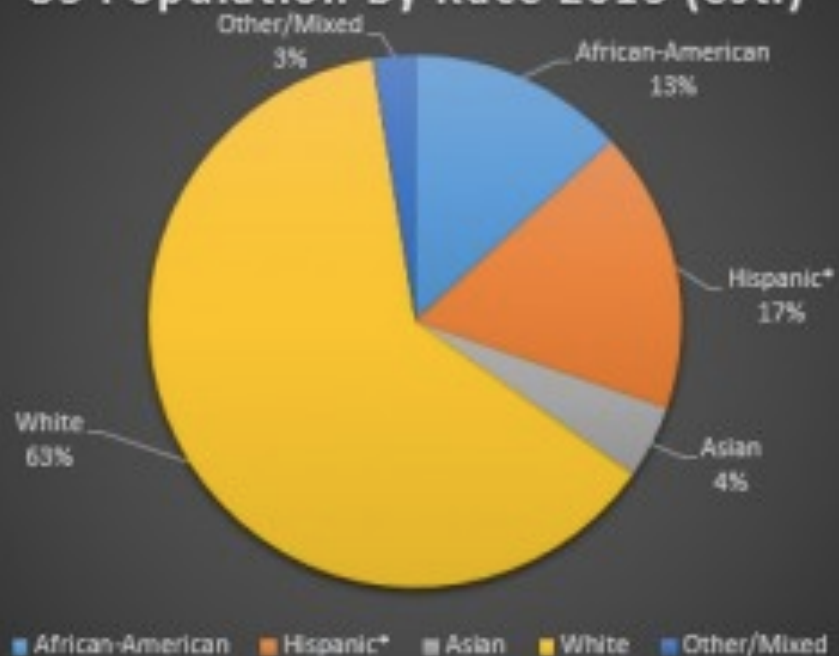
US House By Gender 2015



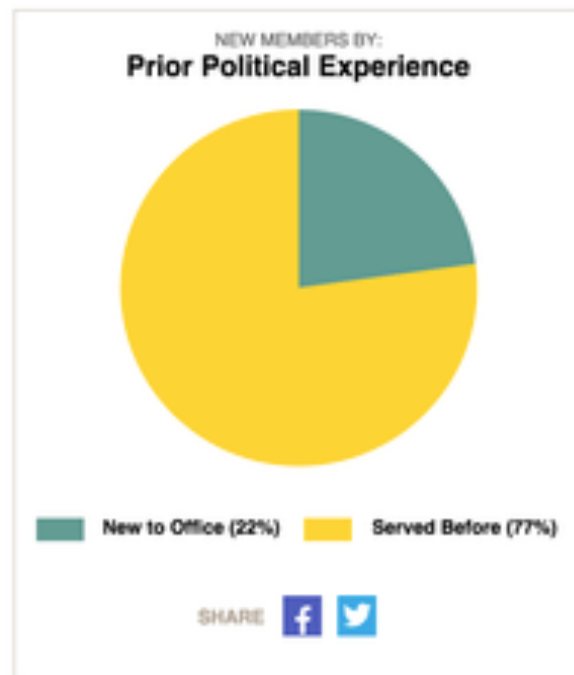
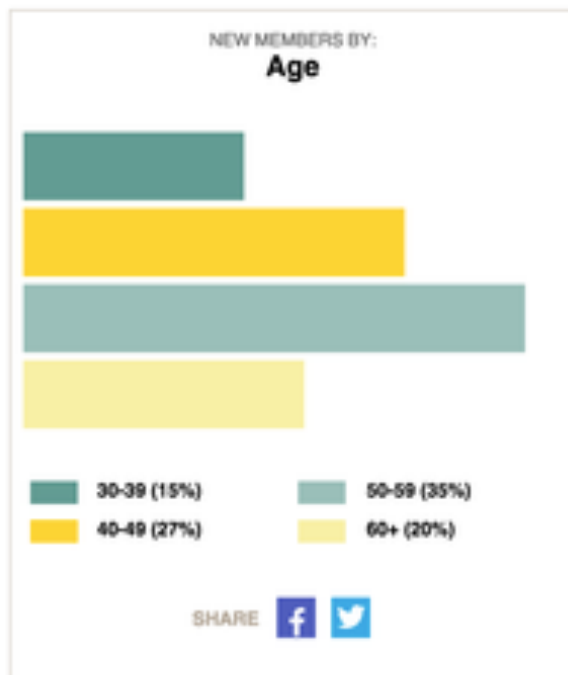
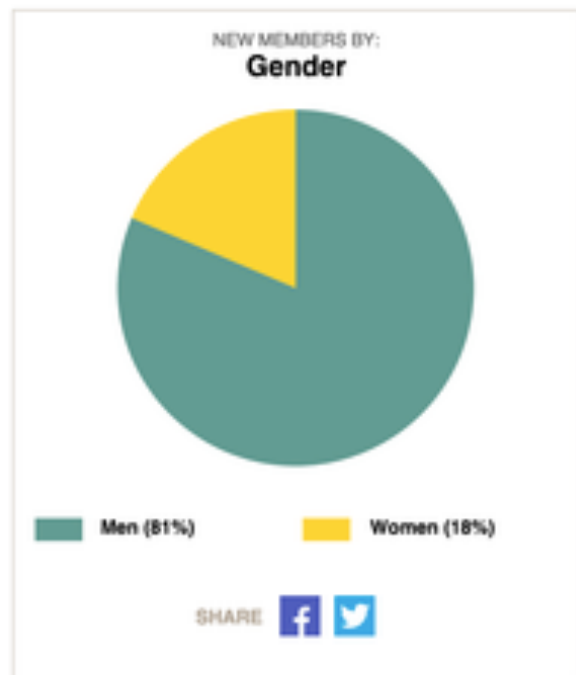
US House By Race 2015



US Population By Race 2015 (est.)



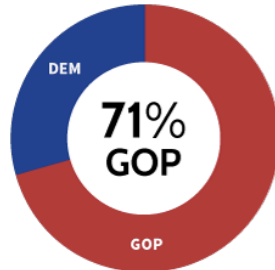
114th CONGRESS



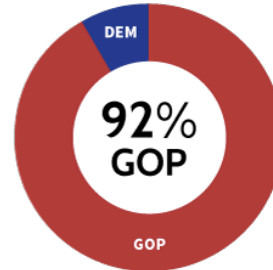
CHAMBER CONTROL

HOUSE

SENATE

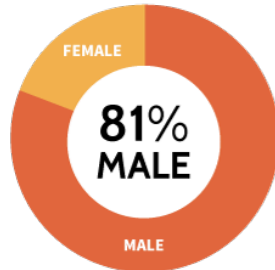


PARTY

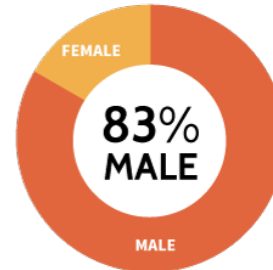


GOP(41) DEM (17)

GOP(11) DEM (1)

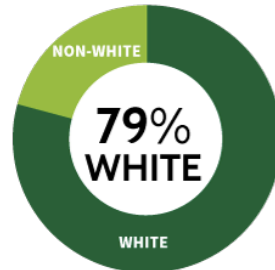


GENDER



MALE (47) FEMALE (11)

MALE (10) FEMALE (2)

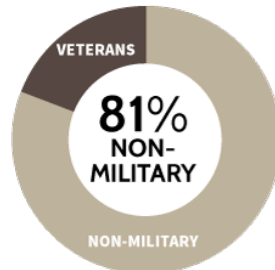


RACE

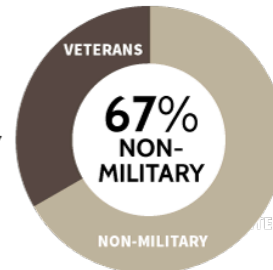


WHITE, NOT LATINO OR HISPANIC(46) NON-WHITE(12)

WHITE, NOT LATINO OR HISPANIC(12) NON-WHITE(0)



MILITARY



MILITARY SERVICE (11)
NO MILITARY SERVICE (47)

MILITARY SERVICE (4)
NO MILITARY SERVICE (8)

Demographics

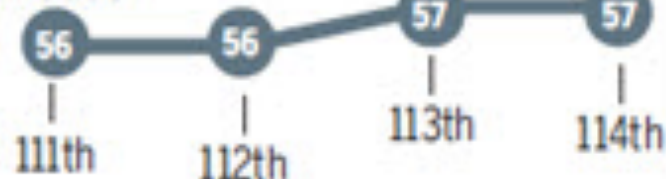
CONGRESS BY THE NUMBERS

Average age

Senate



House



The incoming Senate is a little younger than previous years, and women have made significant gains in the chamber as well. In the House, minorities and women made gains as the GOP strengthened its grip on power.

Under the age of 40

House

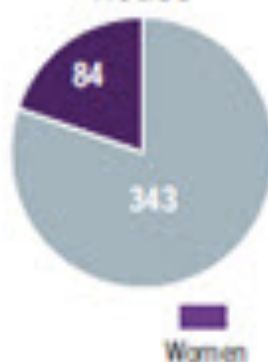


Senate

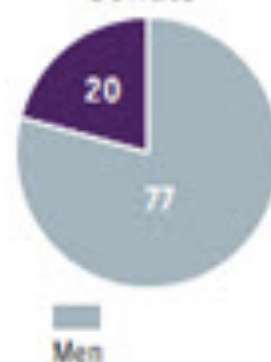


Gender

House

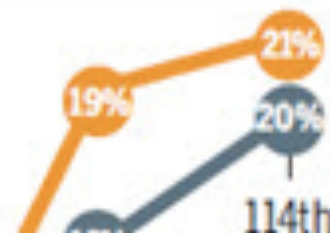


Senate



Women

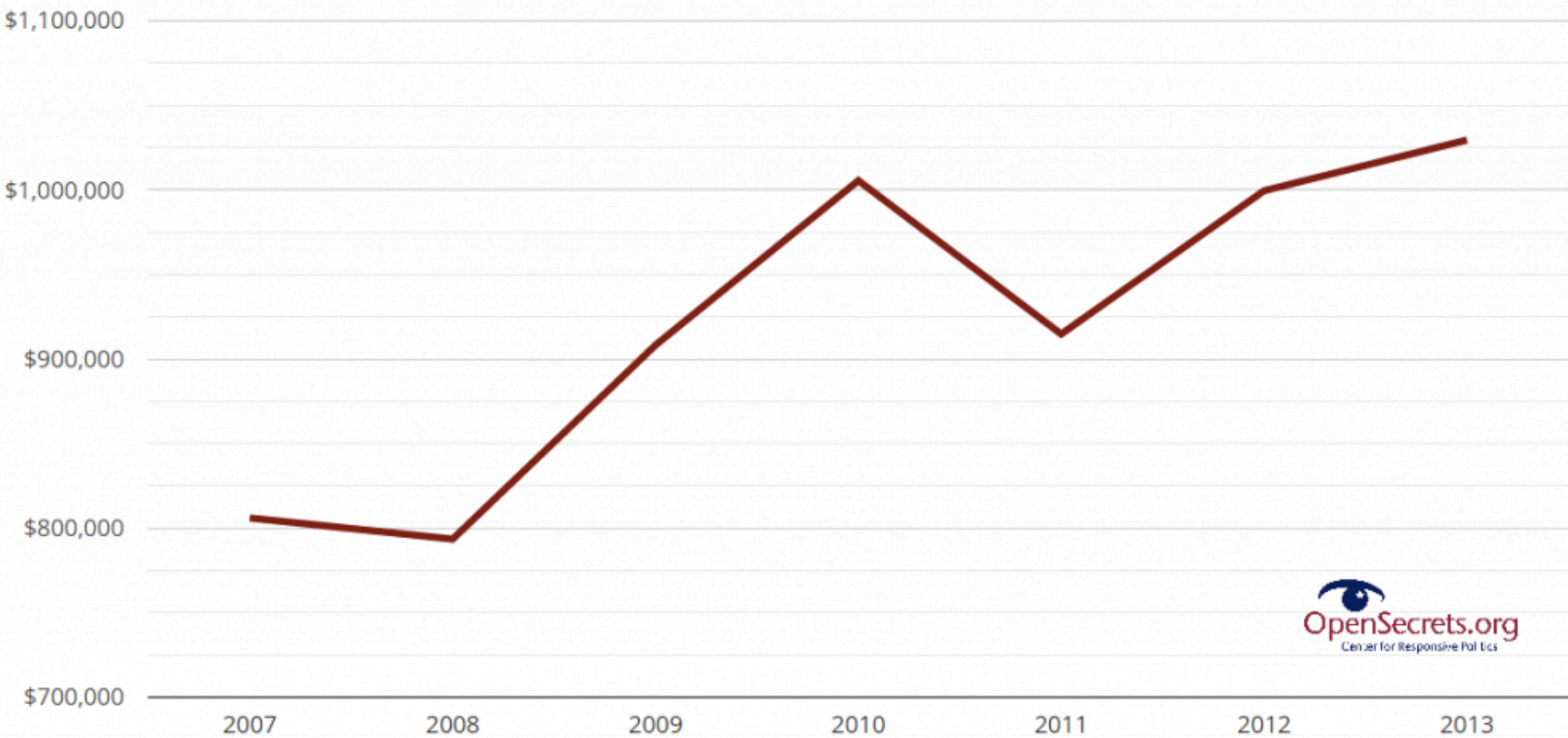
House



Senate



Estimated Median Congressional Wealth



*Values in this graph correspond to Congress as it was c

Brad Wenstrup averages 2.5 million net worth
Steve Chabot averages 700,000 net worth

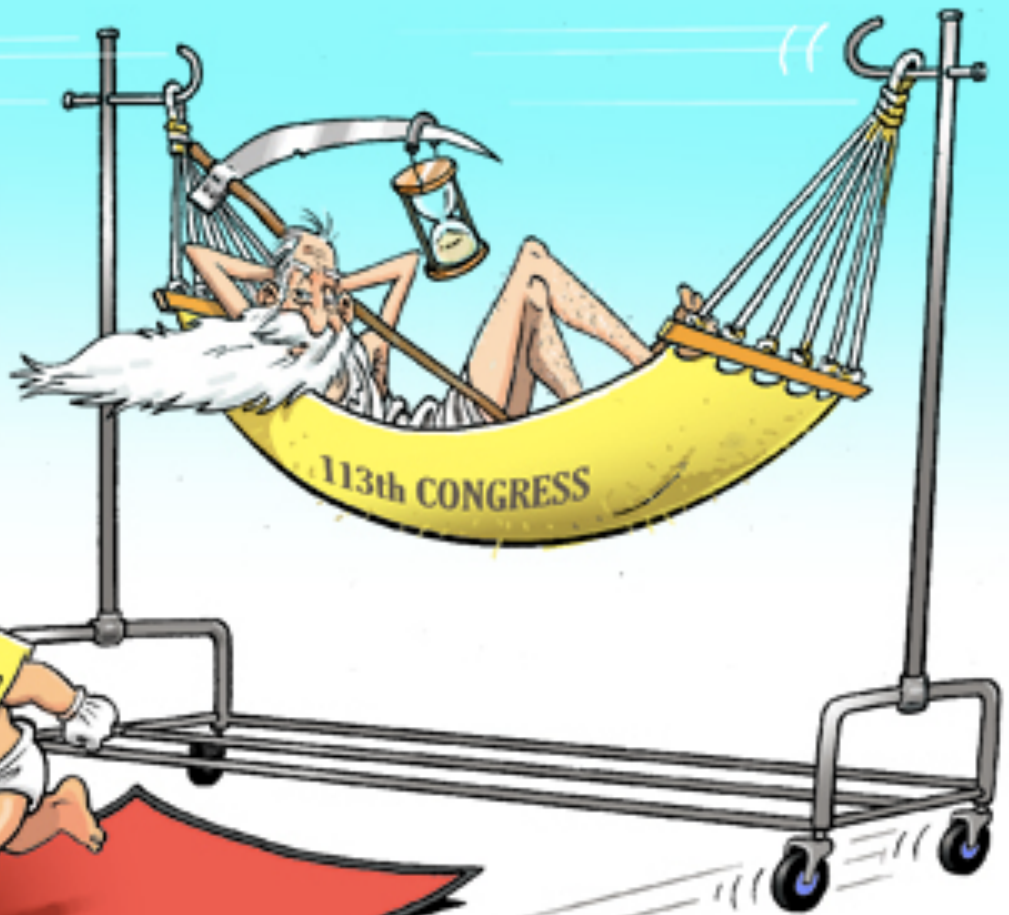
The Richest

\$448.4M Darrell Issa (R-CALIF)	\$254.2M Mark Warner (D-VA)	\$222.4M John K. Delaney (D-MD)	\$213.2M Jared Polis (D-COLO)	\$200.5M Dave Trott (R-MICH)
----------------------------------------------	------------------------------------------	----------------------------------------------	--------------------------------------------	-------------------------------------------

Source: The Center for Responsive Politics

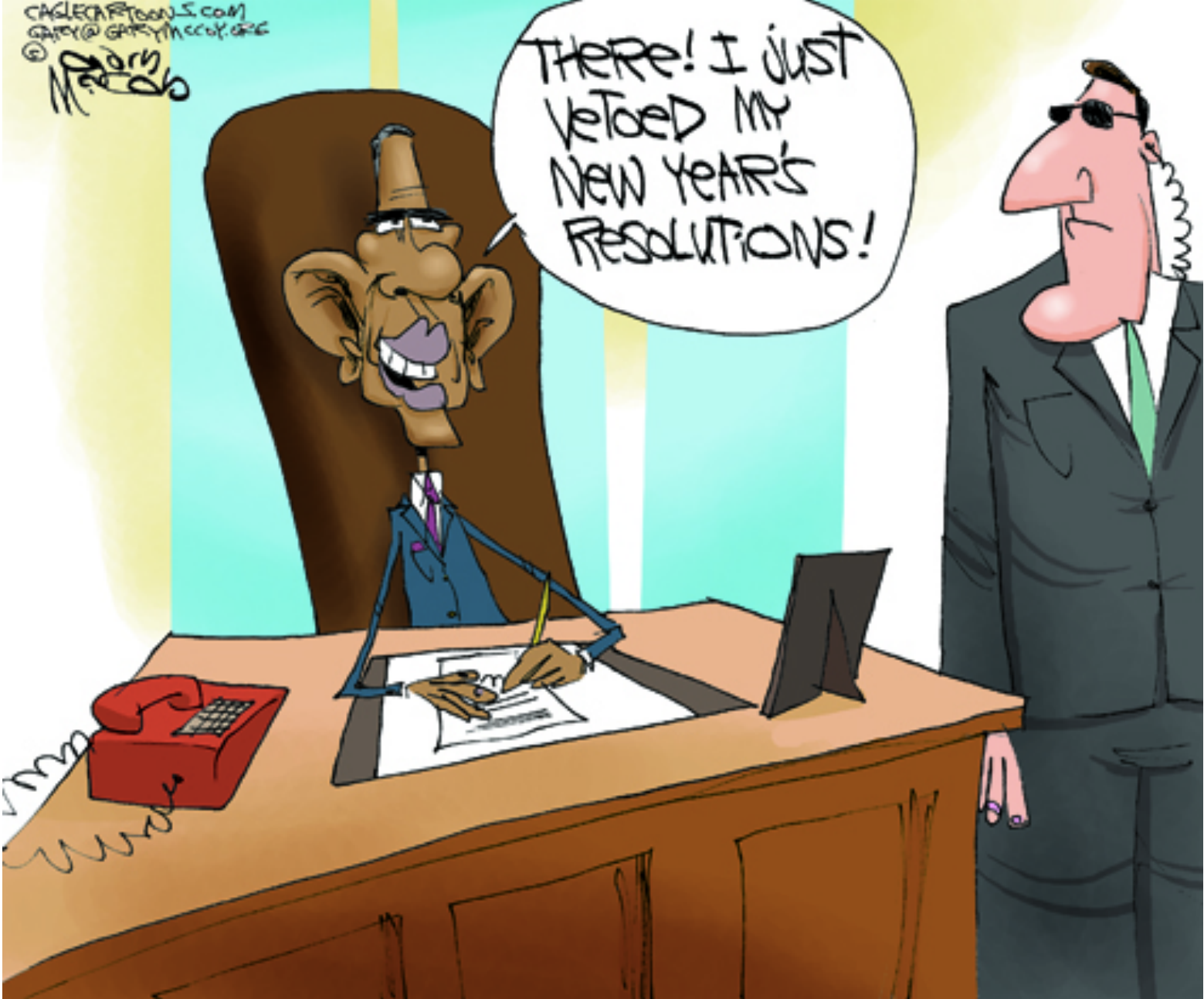
Graphic: CNNMoney

YOU AIN'T SEEN
DO-NOTHIN' YET!



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M. Cagle

THERE! I JUST
VETOED MY
NEW YEAR'S
RESOLUTIONS!



Congressional Elections

- Congressional elections are operated by the individual state governments, which must conform to rules established by the U.S. Constitution and by national statutes.
- The Constitution states that House of Representatives are to be elected every second year by popular ballot, and the number of seats awarded to each state is to be determined by the result of the decennial census (every 10 years). Each state having at least 1 representative.

- Senators are elected by popular vote (since passage of 17th amendment) every six years; approximately 1/3 of the seats are chosen every 2 years. Each state has 2 senators.
- Under Article I, Section 4, of the Constitution, state legislatures are given control over “the times, places, and manner of holding elections for senators and Representatives.”
- Congress may at any time by law make or alter such regulations.

- Candidates for Congressional Elections – are likely to be very successful individuals who have been active in politics before. They may be thinking about a House seat as a steppingstone to future political office as a senator, governor, or presidential candidate.
 - Elections are very expensive. The average cost of a winning senate campaign is around \$5 million and a winning House campaign averaging more than \$770,000.
 - Ohio Senate Race 2012- \$42,829,265 spent by the candidates themselves. \$31,255,500 spent by others PACs, Super PACs, Political Parties, others (2nd highest in country, VA was #1 with \$37,119,695
 - Ohio House Race District #1- \$710,853 spent (no data for anyone but Chabot)
 - “The Others” spent 1.3 billion on the 2012 elections

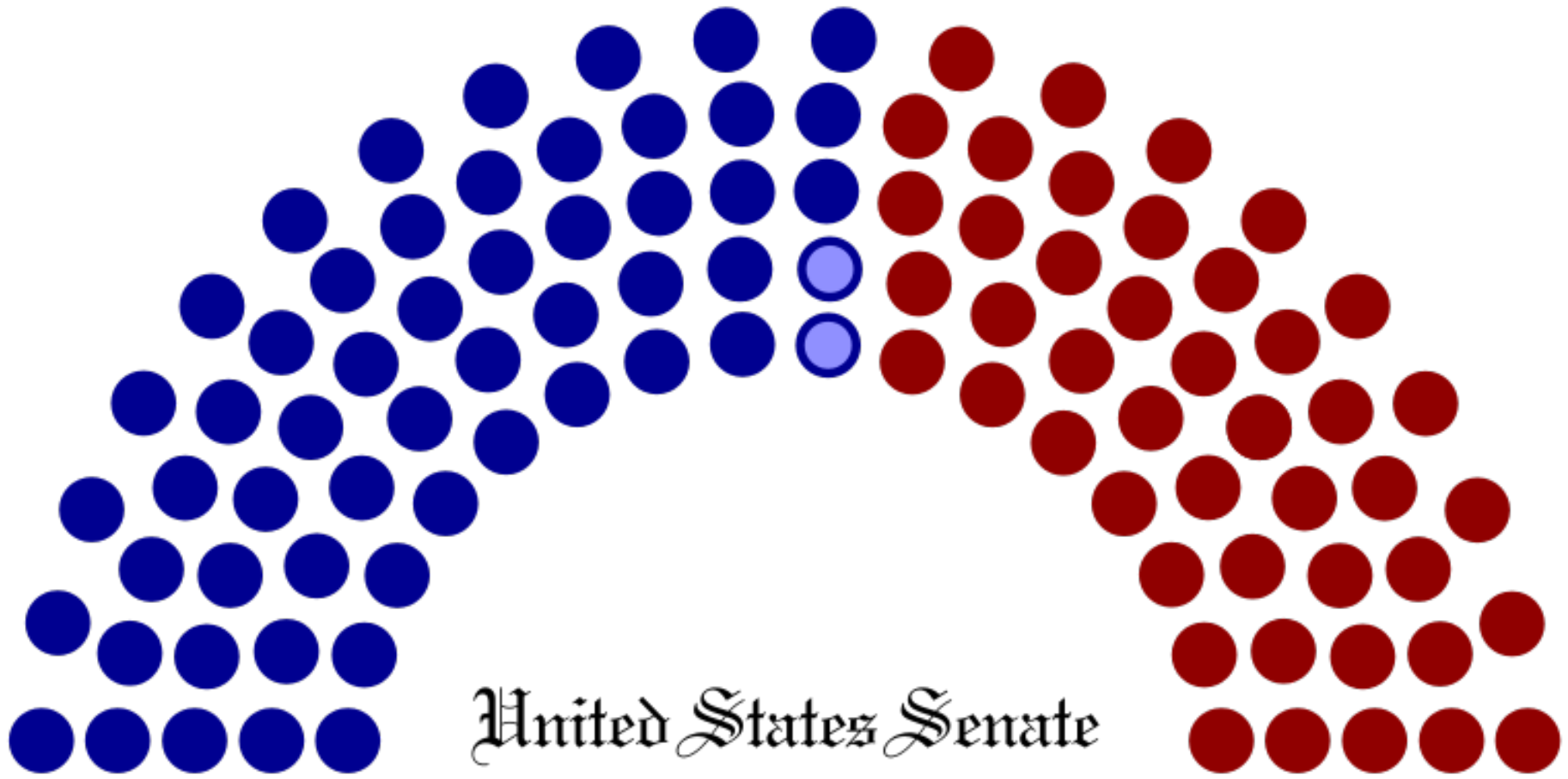
- Once in office, legislators spend some time almost everyday raising funds for their next campaign.
- Most candidates for Congress must win the nomination through a **direct primary** in which **party identifiers** vote for the candidate who will be on the party ticket in the general election.
- Presidential effects – congressional candidates are always hopeful that a strong presidential candidate on the ticket will have “coattails” that will sweep in senators and representatives of the same party

The Power of Incumbency

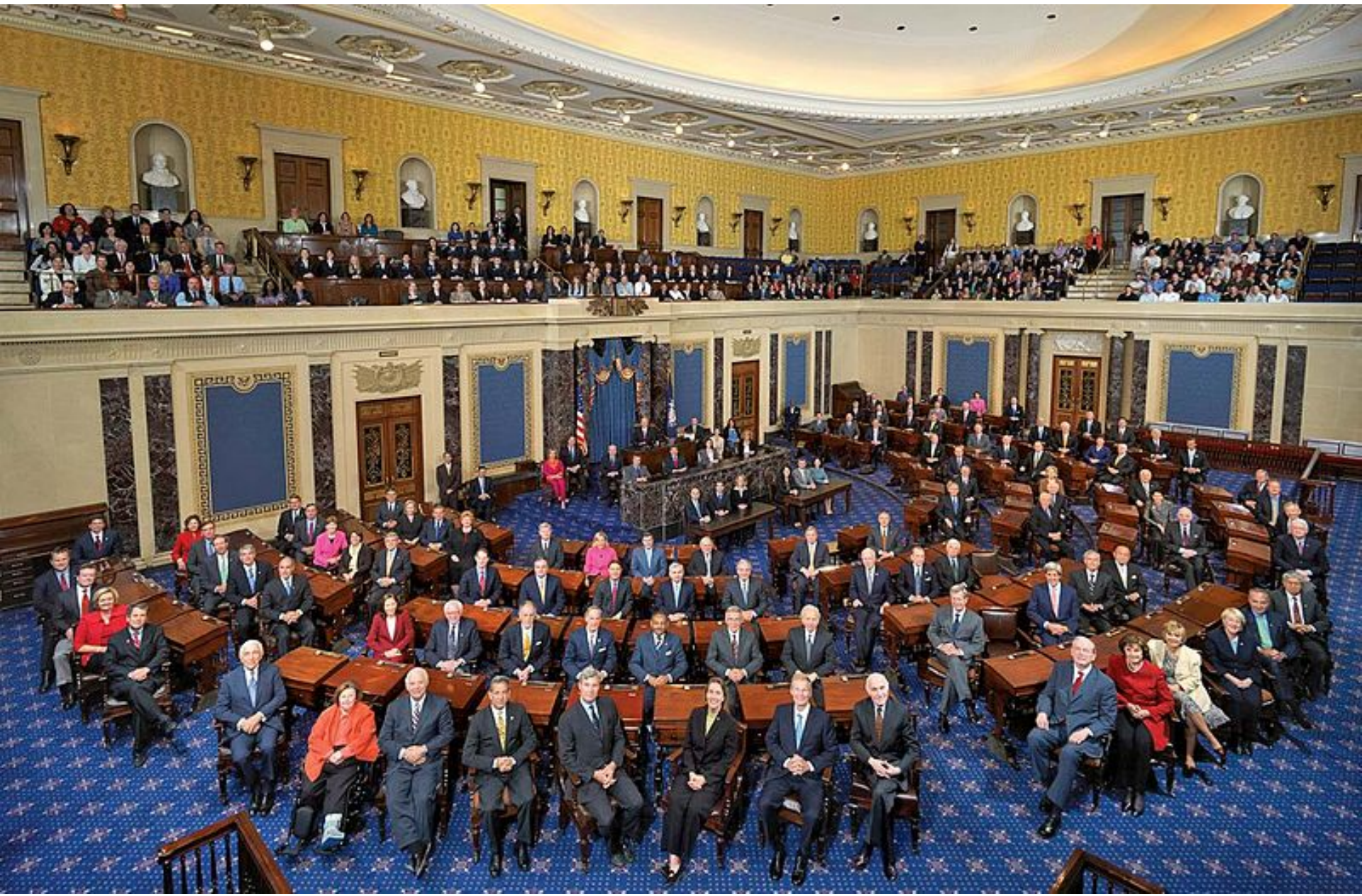
- An overwhelmingly majority of representatives and a smaller portion of senators who decide to run for re-election are successful. This conclusion holds for both presidential-year and midterm elections.
- The pursuit of re-election is the strongest motivation behind activities of members of congress.

- The re-election goal is pursued in three major ways:
 - By advertising – includes using the mass media, making personal appearances with constituents, and sending newsletters – all to produce a favorable image and to make the incumbent's name a household word.
 - By Credit Claiming – focuses on the things a legislator claims to have done to benefit his or her constituents – by fulfilling the congressional casework function or bringing money for mass transit to the district, for example.
 - By Position Taking – occurs when an incumbent explains her or his voting record on key issues; makes public statements of general support for presidential decisions; or indicates that she or he specifically supports positions on key issues, such as gun control, or anti-inflation policies. Position taking carries with it certain risks, as the incumbent may lose support by disagreeing with the attitudes of a large number of constituents.

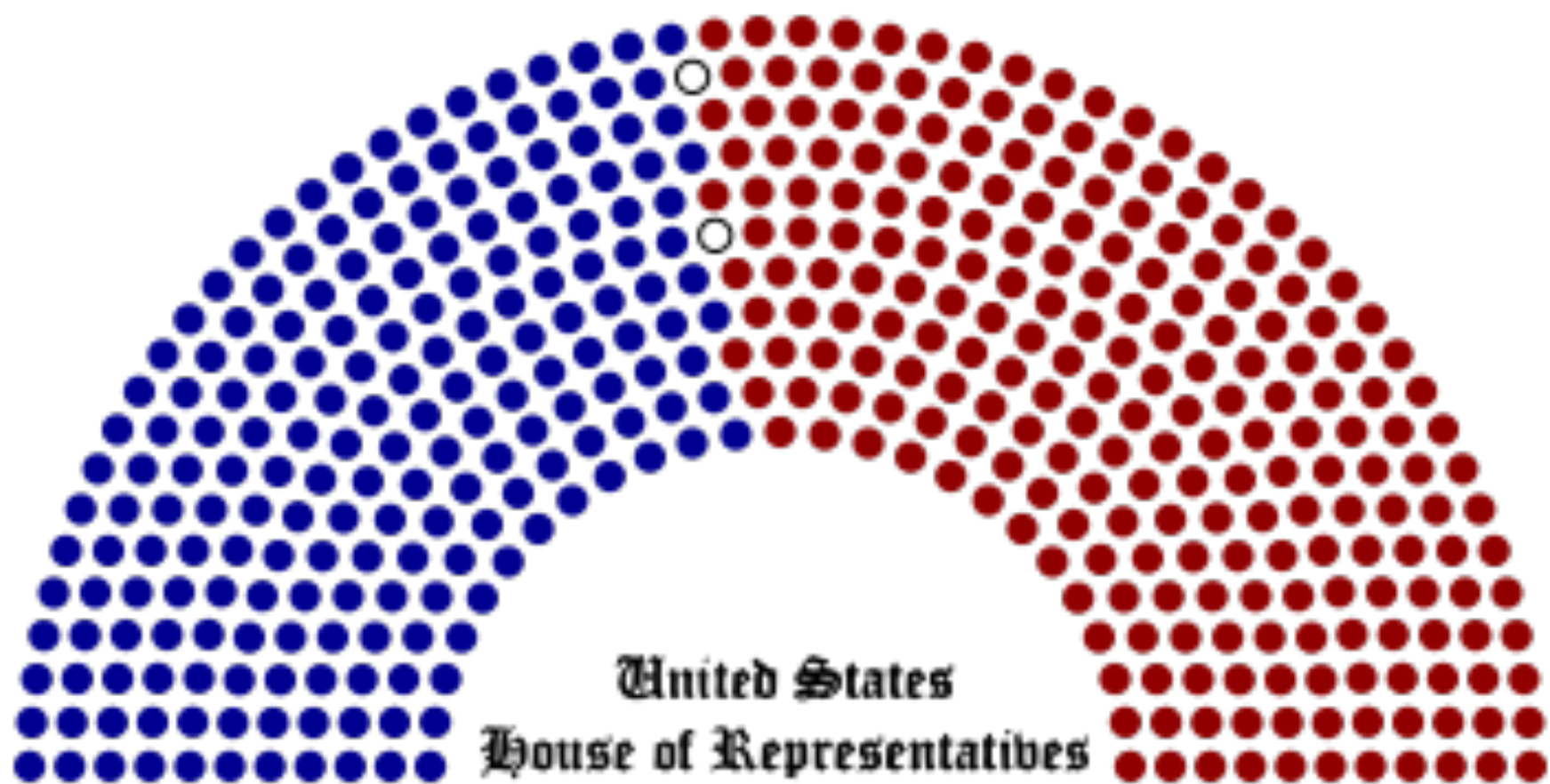
Year	Sitting President	President's Party	Net gain/loss of House Senate	
2014				
<u>2010</u>	<u>Barack Obama</u>	<u>Democrat (D)</u>	<u>D-63</u>	<u>D-6</u>
<u>2006</u>	<u>George W. Bush</u>	<u>Republican (R)</u>	<u>R-30</u>	<u>R-6</u>
<u>2002</u>			<u>R+8</u>	<u>R+2</u>
<u>1998</u>	<u>Bill Clinton</u>	<u>Democrat</u>	<u>D+5</u>	<u>0</u>
<u>1994</u>			<u>D-54</u>	<u>D-8</u>
<u>1990</u>	<u>George H. W. Bush</u>	<u>Republican</u>	<u>R-8</u>	<u>R-1</u>
<u>1986</u>	<u>Ronald Reagan</u>	<u>Republican</u>	<u>R-5</u>	<u>R-8</u>
<u>1982</u>			<u>R-26</u>	<u>0</u>



United States Senate







United States
House of Representatives

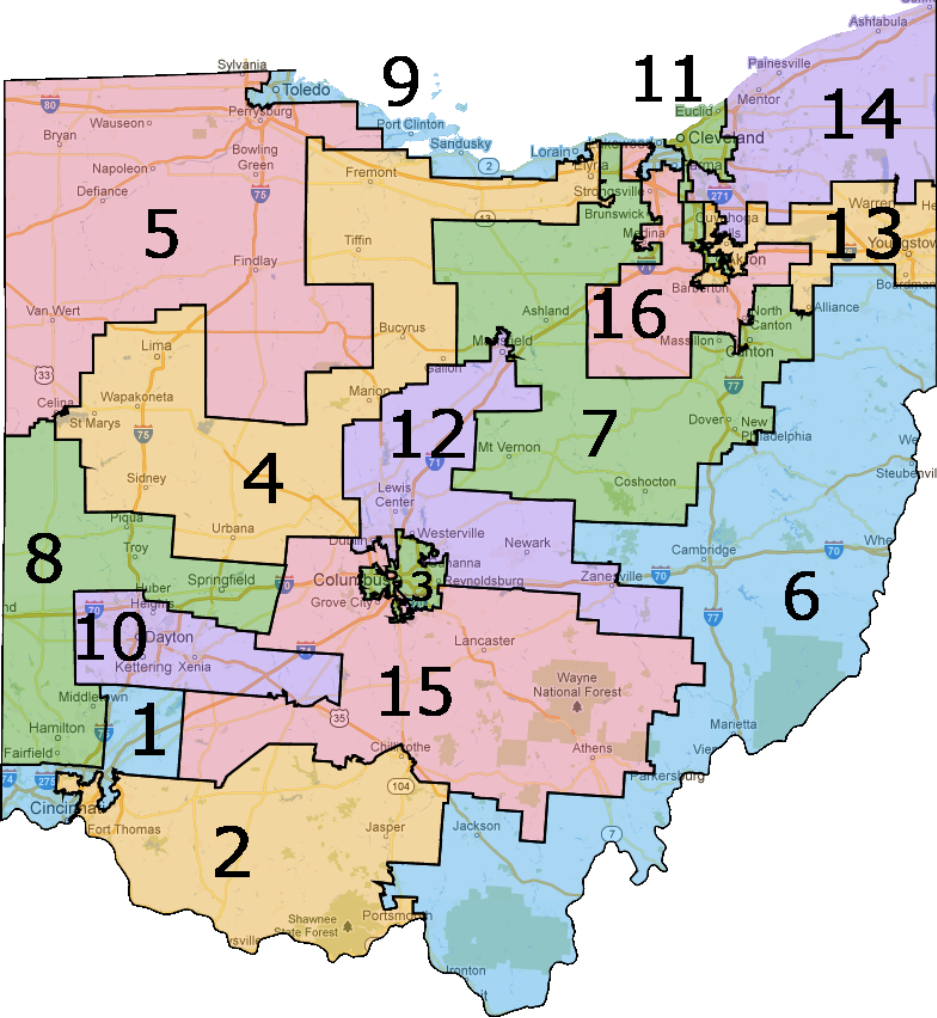


Congressional Reapportionment

- The most complicated aspects of the mechanics of congressional elections are the issues of **reapportionment** (the allocation of seats in the House to each state after each census every 10 years) and **redistricting** (the redrawing of the boundaries of the districts within each state).

- *Baker v. Carr* – invoked the 14th amendment principle that no state can deny to any person “the equal protection of the laws.” In 1962 the Supreme Court made reapportionment a justiciable question (that is, reviewable) in this landmark case.
- *Reynolds v. Sims* – the above 14th amendment principle was directly applied in the 1964 ruling. The Court held that both chambers of a state legislature must be apportioned with equal populations in each district. This “one person, one vote” principle was applied to congressional districts in the 1964 case of *Wesberry v. Sanders*, based on Article I, Section 2, of the Constitution which requires that congresspersons be chosen “by the people of several states.”

- Gerrymandering- a district is said to have been gerrymandered when its shape is altered substantially by the dominant party in a state legislature to maximize its electoral strength at the expense of the minority party.
 - This can be achieved either by concentrating the opposition's voter support in as few districts as possible or by diffusing the minority's strength by spreading it thinly across many districts.
 - In 1986, the Court ruled for the first time that redistricting for the political benefit of one group could be challenged on constitutional grounds in *Davis v. Bandemer*, the Court however, did not agree that the districts were drawn unfairly.



- Minority-Majority” Districts – The Supreme Court had declared as unconstitutional districts that are uneven in population or that violate norms of size and shape to maximize the advantage of one party.
 - In the early 1990s, however, the federal government encouraged another type of gerrymandering that made possible the election of a minority representative from a “minority-majority” area. Under the mandate of the Voting Rights Act of 1965, the Justice Department issued directives to states after the 1990 census instructing them to create congressional districts that would maximize the voting power of minority groups – that is, create districts in which minority voters were the majority.

- Many of these “minority-majority” districts were challenged in court by citizens who claimed that to create districts based on race or ethnicity alone violate the equal protection clause of the Constitution.
 - In 1995, the Supreme Court agreed with this argument when it declared that Georgia’s new 11th District was unconstitutional. The Court went on to say that when a state assigns voters on the basis of race, “it engages in the offensive and demeaning assumption that voters of a particular race, because of their race, think alike, share the same political interest, and will prefer same candidates at the polls.
 - In subsequent rulings, the Court affirmed its position that when race is the dominant factor in the drawing of congressional district lines, the districts are unconstitutional.

Pay, Perks, and Privileges

- Pay- \$174,000
 - Speaker of the House- \$223,500
 - President pro tempore of Senate- \$193,400
 - Minority leader- \$193,400
- Special Benefits – have access to private Capitol Hill gym; get low cost haircuts; receive free, close-in parking at the National and Dulles airports near Washington; get six free parking spaces per member in Capitol Hill garages – plus one free outdoor Capitol parking slot.
 - They also avoid parking tickets because of their congressional license plates and, until 1994, were not required to comply with most labor laws in dealing with their staffs.

- They eat in subsidized dining room and take advantage of free plants from the Botanical Gardens for their offices, free medical care, an inexpensive but generous pension plan, liberal travel allowances, and special tax considerations.
- Members of Congress are also granted generous **franking** privileges that permit them to mail newsletters, surveys, and other letters to their constituents for free.
- Retirement, Health and Life Insurance, Tax Deductions for living expenses in DC
- Member's Representational Allowance (MRA) for the House- average of \$1.4 million to support official & representative duties. Each member may employ 18 ppl, max salary is \$168,411
- Travel Allowance

Congress in the Constitution

- At its creation in 1789 the legislative branch was a unique invention. Rule by kings and emperors was an old style of government, and the legislature in many ways represented the new.
- Almost certainly, the founders intended that Congress have more important powers than they granted to the president and the judiciary. How do we know this?
- However, they placed many checks and balances on the legislature that have shaped what we have today. They controlled power not only by checks from the other branches, but by creating a **bicameral (two-House) Congress** the Senate and the House of Representatives. The powers of Congress are both constitutional and evolutionary.

The Structure of Congress

- Originally, the Constitution provided for members of the House of Representatives to be elected directly by the people and the Senate to be chosen by the legislatures of each state.
- The membership of the House was based on population with larger states having more representatives, and the Senate was to have equal representation, two senators per state.
- In 1913 the 17th amendment provided for direct election of senators. Required a special election to fill Senate vacancies and allows the governor to appoint a temp until the special election

House of Representatives/ Senate

- Requirements
 - 25 years old
 - Citizen for 7 years
 - Citizen of state represented (By custom live in the district represented)
 - Two year term of office
 - No term limits
 - Initiates all revenue bills
 - Initiates impeachment procedures & passes articles of impeachment
- Requirements
 - 30 yrs. Old
 - Citizen for 9 yrs
 - Citizen of state represented
 - 6 year term of office
 - No term limits
 - Must confirm many presidential appointments
 - Tries impeachment of officials

The Committee Structure

- Most of the actual work of legislating is performed by the committees and subcommittees within Congress. Since no one member can possibly be adequately informed on all issues that arise in Congress, the committee system is a way to provide for specialization, or a division of the legislative labor.
- The flow of legislation through both the House and Senate is determined largely by the speed with which the members of those committees act on bills and resolutions.

- The Power of Committees – commonly known as “little legislatures,” committees have the final say on pieces of legislation.
 - Chairpersons of committees exercise control over the scheduling of hearings and formal action on a bill. They also decide which subcommittee will act on legislation falling within their committee’s jurisdiction.

● Types of Congressional Committees

- Standing Committees – permanent bodies that are established by the rules of each chamber of Congress and that continue from session to session. In addition, most of the standing committees have created several subcommittees to carry out their work.
 - Each standing committee is given a specific area of legislative policy jurisdiction, and almost all legislative measures are considered by the appropriate standing committee.
 - Each member of the House serves on two standing committees, except when the member sits on the Appropriations, Rules, or Ways and Means committee – then they only serve on one standing committee.
 - Each Senator may serve on two major committees and one minor committee (only the Rules and Administration Committee and the Veteran's Affairs Committee are considered minor).
- Select Committees – is normally created for a limited period of time and for a specific legislative purpose. Select committees are disbanded when they have reported to the chamber that created them. They rarely create original legislation.

- Joint Committees – is formed by the concurrent action of both chambers of Congress and consists of members from each chamber. Joint committees may be permanent or temporary, have dealt with the economy, taxation, and the Library of Congress.
- Conference Committees – special type of joint committees – are formed for the purpose of achieving agreement between the House and the Senate on the exact wording of legislative acts when the two chambers pass legislative proposals in different forms. A bill cannot be sent to and signed by the president unless it is passed in both Houses in identical form.
- The House Rules Committee – is one of the most powerful committees in congress because of its “gatekeeping” power over the terms on which legislation will reach the floor of the House of Representatives. A special committee rule sets the time limit on debate and determines whether and how a bill may be amended.

- The Selection of Committee Members --In the House, representatives are appointed to standing committees by the Steering Committee of their party. Majority-party members with longer terms of continuous service on a standing committee are given preferences when the committee chairperson – as well as holders of other significant posts in Congress – is selected → seniority system.

House Committees

- **Standing Committees**
 - Agriculture
 - Appropriations
 - Armed Services
 - Budget
 - Education & the Workforce
 - Energy & Commerce
 - Ethics
 - Financial Services
 - Foreign Affairs
 - Homeland Security
 - House Administration
 - Judiciary
 - Natural Resources
 - Oversight & Government Reform
 - Rules
 - Science, Space & Technology
 - Small Business
 - Transpo & Infrastructure
 - Veteran's Affairs
 - Ways & Means
- **Select Committee**
 - Permanent Select Committee on Intelligence

Senate Committees

- Standing

- Agriculture, Nutrition, and Forestry
- Appropriations
- Armed Services
- Banking, Housing, & Urban Affairs
- Budget
- Commerce, Science, Transportation
- Energy & Natural Resources
- Environment & Public Works
- Finance
- Foreign Relations
- Health, Education, Labor, and Pensions
- Homeland Security & Governmental Affairs
- Judiciary
- Rules & Administration
- Small Business & Entrepreneurship
- Veteran's Affairs

- **Special, Select, & Other Committees**

- Indian Affairs
- Select Comm on Ethics
- Select Comm on Intelligence
- Special Comm on Aging

- **All Committees have Sub Committees**

- Ex. Senate Sub Committees on Agriculture, Nutrition & Forestry
 - Commodities, Markets, Trade, & Risk Management
 - Conservation, Forestry, and Natural Resources
 - Jobs, Rural Economic Growth & Energy Innovation
 - Livestock, Dairy, Poultry, Marketing, & Agriculture Security
 - Nutrition, Specialty Crops, Food, & Agriculture Research

Joint Committees

- Economic
- Library
- Printing
- Taxation

The Formal Leadership

- Congress is organized by party. Which ever party wins the majority of seats in either the House or Senate, they control the official positions of power in that chamber, and each important committee has a chairperson and a majority of members from the controlling party.
- Party leaders are a major source of influence over the decisions about public issues that senators and representatives must make everyday.

- Leadership in the House of Representatives – the House leadership is made up of the Speaker, the majority and minority leaders, and the party whips.
 - The Speaker – the official leader of the majority party in the House. Their duties include:
 - Presiding over meetings of the House
 - Appointing members of joint committees and conference committees
 - Scheduling legislation for floor action
 - Deciding points of order and interpreting the rules with the advice of the House Parliamentarian.
 - Referring bills and resolutions to the appropriate standing committees of the House.
 - A speaker may take part in floor debate and vote, as can any other member of Congress.

- The Majority Leader – is elected by a caucus of party members to foster cohesion among party members and to act as a spokesperson for the party. The majority leader influences the scheduling of debate and generally acts as chief supporter of the speaker.
- The Minority Leader – is the candidate nominated for speaker by a caucus of the minority party. Their duties are the same as the Majority leader. They speak on behalf of the president if the minority party controls the White House.
- Whips – are assistants to the majority and minority leaders. They assist the party leaders by passing information down from the leadership to party members and by ensuring that members show up for floor debate and cast their votes on important issues. Whips conduct polls among party members about the member's views on major pieces of legislation, inform the leaders about whose vote is doubtful and whose is certain, and may exert pressure on members to support the leaders' position.

● Leadership in the Senate

- President of the Senate (essentially ceremonial in nature) – the vice president of the United States. He may vote to break a tie, and is rarely present for a meeting of the Senate.
- President Pro Tempore – the senate elects to preside over the Senate in the vice president's absence. Is a member of the majority party with the longest continuous term of service in the Senate. Is mostly a ceremonial position. Junior Senators take turns actually presiding over the sessions of the Senate.

- Majority Floor Leader – real leadership power in the Senate rests in the hands of the majority floor leader, minority floor leaders and their respective whips.
 - Majority and Minority Floor Leaders have the right to be recognized first in debate on the floor.
 - They control the scheduling of debate on the floor in conjunction with the majority party's Policy Committee, influence the allocation of committee assignments for new members or for senators attempting to transfer to a new committee, influence the selection of other party officials and participate in selecting members of conference committees.
 - The leader act as liaisons with the White House when the president is of their party, try to get the cooperation of committee chairpersons, and to seek to facilitate the smooth functioning of the Senate through the senator's unanimous consent.

- Senate Party Whips – maintain communication within the party on platform positions and try to ensure that party colleagues are present for floor debate and important votes.



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The work of Committees

- More than 11,000 bills are introduced in the House and Senate over the two-year life span of a Congress, and all of them cannot possibly be considered by the full memberships.
- Each bill is submitted to a committee that has life or death control over its future. The majority of bills are **pigeonholed**, or forgotten for weeks or forever, and never make it out of committee.

- They are submitted to a subcommittee that will discuss them and possibly hold hearings for them. About 3000 staff assist the various committees and subcommittees, conducting research and administrative and clerical work. Supporters and critics of the bill appear at the hearings and are questioned by subcommittee members.
- The bills that survive this far into the process are then **marked up** (changed or rewritten) and returned to the full committee where they may be altered further. If the committee approves a bill, it will then be sent first to the Rules Committee in the House, and then to the floor. The bill is sent directly to the floor in the Senate

Committee Membership

- Committee membership is controlled by the parties, primarily by the majority party.
- The chairman and a majority of each standing committee come from the majority party.
- The remaining committee members are from the minority party, but they are always a minority on the committee.
- In the House of Representatives, a Committee on Committees places Republicans on committees, and the Steering and Policy Committee selects the Democrats.

- In the Senate, each party has a small Steering Committee that makes committee assignments. Assignments are based on the personal and political qualities of the member, his or her region, and whether the assignment will help reelect the member.

- Getting on the right committee is very important to most members of Congress. A member from a "safe" district whose reelection is secure may want to serve on an important committee that promotes a power base in Washington.
- On the other hand, a member who has few ambitions beyond his or her current position and whose reelection is less secure may want to serve on a committee that suits the needs of constituents.
- For example, a less secure representative from rural Kansas may prefer to serve on the Agriculture Committee.

Committee Chair

- Committee chairmen are the most important shapers of the committee agenda. Their positions were made more powerful in the House by the 1910 revolt which transferred power from the Speaker to the chairmen.

- From 1910 until the early 1970s, chairmen were strictly chosen by the **seniority system**, in which the member with the longest continuous service on the committee was placed automatically in the chairmanship. In the early 1970s, the House decided to elect committee chairmen by secret ballots from all the majority members. As a result, several committee chairmen were removed, and although most chairmen still get their positions through seniority, it is possible to be removed or overlooked.

The Rules Committee in the House

- The Rules Committee in the House of Representatives plays a key role in shaping legislation because it sets very important rules for debate when the bill is presented to the House after it leaves the committee.
- A **closed rule** (sometimes called a gag rule) sets strict time limits on debates and forbids amendments from the floor, except those from the presenting committee. Under closed rule, members not on the committee have little choice but to vote for or against the bill as it is.

- An **open rule** permits amendments and often has less strict time limits, allowing for input from other members. The Rules Committee is controlled by the Speaker, and in recent years, has put more and more restrictions on bills, giving Rules even more power.

Caucuses

- Although Congress is organized formally through its party leadership and committee system, equally important is the informal network of **caucuses**, groupings of members of Congress sharing the same interests or points of view. There are currently more than seventy of these groups, and their goal is to shape the agenda of Congress, which they do by elevating their issues or interests to a prominent place in the daily workings of Congress.

- Some caucuses are regionally based, such as the Conservative Democratic Forum (also known as the Boll Weevils because they are mostly from the South), the Sunbelt Caucus, and the Northeast-Midwest Congressional Coalition. Others share racial, ethnic, or gender characteristics, such as the Congressional Black Caucus, or the Women's Caucus. One of the oldest is the Democratic Study Group, which encourages unity among liberal Democrats. Others share specialized interests, such as the Steel Caucus and the Mushroom Caucus.

- Within Congress caucuses press for committees to hold hearings, and they organize votes on bills they favor. Caucuses also pressure agencies within the bureaucracy to act according to the interest of the caucus.

Staff

- More than 30,000 people work in paid bureaucratic positions for Congress.
- About half of them serve as personal staff for members of Congress or as committee staff members. The personal staff includes professionals that manage the member's time, draft legislation, and deal with media and constituents.
- Staffers also must maintain local offices in the member's home district or state.
- The average Senate office employs about thirty staff members, but senators from the most populous states commonly employ more.
- House office staffs are usually about half as large as those of the Senate.
- Overall, the number of staff members has increased dramatically since 1960.

How a Bill becomes a law

- **INTRODUCTION OF A BILL**

- Every bill must be introduced in the House and Senate by a member of that body. Any member of the House simply may hand a bill to a clerk or drop it in a "hopper". In the Senate the presiding officer must recognize the member and announce the bill's introduction. House bills bear the prefix "H.R.", and Senate bills begin with the prefix "S." If a bill is not passed by both houses and signed by the president within the life of one Congress, it is dead and must be introduced again during the next Congress.

- In addition to bills Congress can pass **resolutions**, which come in several types:
- A **simple resolution** is passed by either the House or the Senate, and usually establishes rules, regulations, or practices that do not have the force of law. For example, a resolution may be passed congratulating a staff member for doing a good job or having an anniversary. Sometimes simple resolutions set the rules under which each body operates.

- A **concurrent resolution** comes from both houses, and often settles housekeeping and procedural matters that affect both houses. Simple and concurrent resolutions are not signed by the president and do not have the force of law.
- A **joint resolution** requires the approval of both houses and the signature of the president, and is essentially the same as a law. Joint resolutions are sometimes passed when the houses of Congress react to an important issue that needs immediate attention. For example, after the terrorist attacks on New York and Washington on September 11, 2001, Congress passed a joint resolution condemning the attacks and authorizing President George. W. Bush to take preliminary military actions.

Bills in Committee

- After introduction, a bill is referred to committee, whether in the House or the Senate. The Constitution requires that "all bills for raising revenue shall originate in the House of Representative," but the Senate can amend bills almost beyond recognition. However, because of this special power, the committee in the House that handles revenue legislation - the Ways and Means - is particularly powerful.
- Most bills die in committee, especially if they are only introduced to satisfy constituents or get publicity for the member of Congress that introduces it. In the House a **discharge petition** may be signed by 218 members to bring it to the floor, but the vast majority of bills are referred to the floor only after committee recommendation.

Calendars

House

- **Union Calendar** - Bills to raise revenue or spend money
- **House Calendar** - Nonmoney bills of major importance
- **Private Calendar** - private bills that do not affect the general welfare
- **Consent Calendar** - Noncontroversial bills
- **Discharge Calendar** - Discharge petitions

Senate

- **Executive calendar** - Presidential nominations, proposed treaties
- **Calendar of Business** - all legislation
- Before a bill can go to the floor in the House of Representatives, it must first go to the Rules Committee that sets time limits and amendment regulations for the debate. Bills in the Senate go straight from committee to the floor.

Floor Debate

- Important bills in the House, including all bills of revenue, must first be referred to a **Committee of the Whole** that sits on the floor, but is directed by the chairman of the sponsoring committee. The quorum is not the usual 218 members, but 100 members, and the debate is conducted by the committee chairman. Sometimes bills are significantly altered, but usually the bill goes to the full floor, where the Speaker presides, and debate is guided by more formal rules. The bills are not changed drastically, largely because many are debated under closed rules. If amendments are allowed, they must be **germane**, or relevant to the topic of the bill

Senate

- Bills in the Senate go directly to the floor where they are debated much less formally than in the House. Senators may speak for as long as they wish, which leads more and more frequently to a **filibuster**, the practice of talking a bill to death.
- Although one-man filibusters are dramatic, usually several senators who oppose a bill will agree together to block legislation through delay tactics, such as having the roll called over and over again.

- A filibuster may be stopped by a **cloture**, in which three-fifths of the entire Senate membership must vote to stop debate.
 - For example, Democratic senators have filibustered several of Republican President George W. Bush's nominees to the judiciary, resulting in those judgeships going unfilled. No limit exists on amendments, so riders, or nongermane provisions, or often added to bills from the floor.
 - A bill with many riders is known as a **Christmas-tree bill**, and usually occurs because individual senators are trying to attach their favorite ideas or benefits to their states.

Voting

- Voting is also more formal in the House than in the Senate. House members may vote according to several procedures:
- **teller vote**, in which members file past the clerk, first the "yeas" and then the "nays"
- **voice vote**, in which they simply shout "yea" or "nay".
- **division vote**, in which members stand to be counted
- **roll call vote** which consists of people answering "yea" or "nay" to their names. A roll call vote can be called for by one-fifth of the House membership.
- **electronic voting**, that permits each members to insert a plastic card in a slot to record his or her vote. This form is the most commonly one today.
- The Senate basically votes in the same ways, but it does not have an electronic voting system.

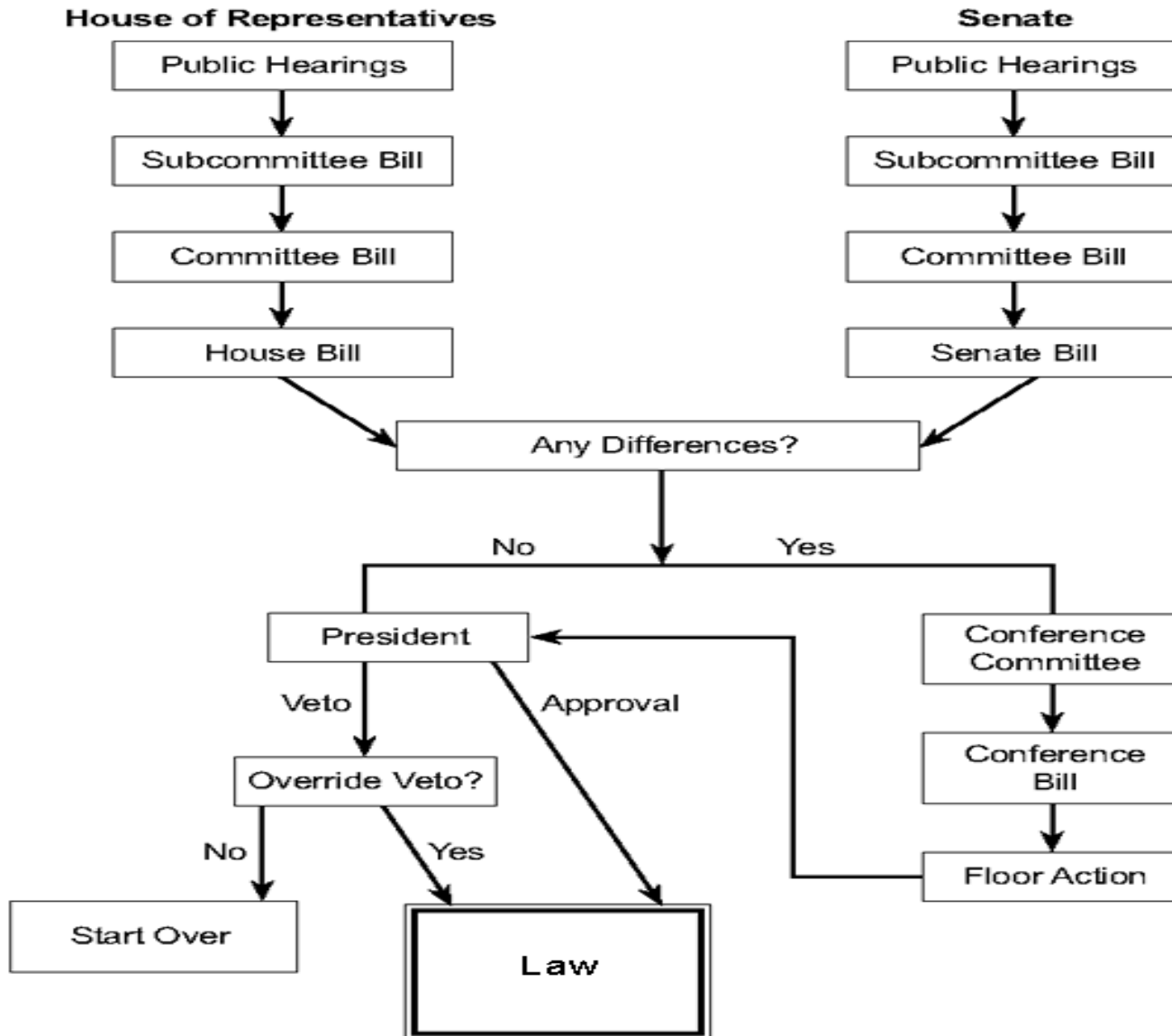
Conference Committee

- If a bill is passed by one House and not the other, it dies. If a bill is not approved by both houses before the end of a Congress, it must begin all over again in the next Congress if it is to be passed at all. When the House and the Senate cannot resolve similar bills through informal agreements, the two versions of the bill must go to **conference committee**, whose members are selected from both the House and the Senate. Compromise versions are sent back to each chamber for final approval.

Presidential Action

- A bill approved by both houses is sent to the president who can either sign it or **veto** it.
- If the president vetoes it, the veto may be overridden by two-thirds of both houses.
- The president has ten days to act on a proposed piece of legislation. If he receives a bill within ten days of the adjournment of the Congress, he may simply not respond and the bill will die. This practice is called a **pocket veto**.

How a Bill Becomes a Law



How much will the government spend?

- All money bills, whether for taxing or spending must originate in the House of Representatives.
- Today, much of the business of congress is concerned with approving government expenditures through the budget process and with raising the revenues to pay for government programs.

- Congress requires the president to prepare and present to the legislature an executive budget.
 - Budget and Impoundment Control Act of 1974 – requires the president to spend the funds that Congress had appropriated, frustrating the president's ability to kill programs of which the president disapproved by withholding funds.
 - The act also forces Congress to examine total national taxing and spending at least twice in each budget cycle.

- Preparing the Budget – the federal government operates on a **fiscal year** (FY) cycle. The fiscal year runs from October 1st through September 30th.
 - 18 months before a fiscal year starts, the executive branch begins preparing the budget.
 - The Office of Management and Budget (OMB) receives advice from the Council of Economic Advisors (CEA) and the Treasury Department.
 - The OMB outlines the budget and then sends it to the various departments and agencies. Bargaining follows.
 - The OMB sends out a letter instructing agencies to submit their requests for funding for the next fiscal year.

- Congress Faces the Budget – in January, nine months before the fiscal year starts, the president takes the OMB's proposed budget, approves it, and submits it to Congress. Then the Congressional budgeting process takes over.
 - Congressional committees and subcommittees look at the proposals from the executive branch.
 - The Congressional Budget Office (CBO) advises the different committees on economic matters, just as the OMB and the CEA advise the president.

- Budget Resolutions – the first **budget resolution** by Congress is supposed to be passed in May. It sets overall revenue goals and spending targets. By September, Congress is supposed to pass its **second budget resolution**, one that will set “binding” limits on taxes and spending for the fiscal year beginning October 1st.
 - In each fiscal year that starts without a budget, every agency operates on the basis of **continuing resolutions**, which enables the agencies to keep on doing whatever they were doing the previous year with the same amount of funding.

- **Budget Control Act of 2011**

- Ended the debt ceiling crisis of 2011
- Created the Joint Select Committee on Deficit Reduction (the so called Super Committee)
- Options for a balanced budget amendment
- Budget sequestration- In the event the Super Committee failed to reach an agreement, the bill created a trigger mechanism to implement drastic across-the-board spending reductions.

- **American Taxpayer Relief Act of 2012**

- An act to extend certain tax relief provisions enacted in 2001 and 2003 (the Bush tax cuts) and to provide for expedited consideration of a bill providing for comprehensive tax reform, and for other purposes
- “Ended the Fiscal Cliff”
- Delayed the Budget Sequestration

Congressional Ethics

- Ethics is the most serious public relations problem confronting Congress today. Perhaps nothing has so tarnished the public's perception of Congress as the revelations concerning the abuse of staff members, the misuse of public funds, and the personal indiscretions and corruption of members of that institution.
- Congresses' response to revelations of member misconduct has been mixed.
- Public financing of congressional campaigns may offer a partial solution to recurring problems of financial misconduct. Nonetheless, Congress has refused to impose spending limits on its members' campaigns.

Criticism of Congress

- Pork-Barrel Legislation/Logrolling
 - By the 1870s members of Congress were using the term **ãporkä** to refer to benefits for their districts, and bills that give those benefits to constituents in hope of gaining their votes were called pork barrel legislation. The term comes from the pre-Civil War days when it was the custom in the South to take salt pork from barrels and distribute it among the slaves, who would often rush on the barrels. Critics point out that such actions do not insure that federal money goes to the places where it is most needed, but to districts whose representatives are most aggressive or most in need of votes

- A particularly controversial example was the mammoth 2005 Consolidated Appropriations Act, which funded about 11,000 projects, from building a Civil War Theme Park, renovating and building museums and health care facilities, constructing several different halls of fame, and funding community swimming pools and parking garages. The act was criticized largely because so much of the money went to constituencies well represented on the Appropriations Committees in Congress.

- **Logrolling** occurs when a member of Congress supports another member's pet project in return for support for his or her own project. The term comes from pioneer days when neighbors would get together to roll logs from recently cleared property to make way for building houses. This "cooperation" occurs in Congress in the form of "You scratch my back, I'll scratch yours." As with **pork barrel legislation**, bills may be passed for frivolous reasons.

● Term-Limit Debate

- The Constitution imposes no limits on the number of terms members of Congress can serve. Just as an amendment was passed during the 1950s to limit the term numbers of presidents, many argue that terms of members of Congress should be limited as well.
- With the growing prevalence of incumbency, supporters of **term limits** believe that popular control of Congress has weakened and that members may become dictatorial or unresponsive to their constituents. Others believe that the most experienced members would be forced to leave when their terms expire, leaving Congress without their expertise. The seniority system and methods of selected party leaders would be seriously altered with questionable results. The demand for term limits increased during the 1990s under House Speaker Newt Gingrich's leadership, but Congress did not vote to impose them.

- Term Limits Amendment was introduced in the Senate on January 22, 2013 by Senator David Vitter (R-La)
 - Limit would be 3 terms for House and 2 for Senate

● Inefficiency

- Particularly in this age where gridlock often slows the legislative process, many people criticize Congress for inefficiency. Some believe that the long process that bills must go through in order to become laws does not work well in modern America. However, the process affirms the Constitutional design put in place by the founders. Their vision was that only well-reasoned bills become law and that many voices should contribute to the process. From that viewpoint, then, the nature of democratic discourse does not insure a smoothly running, efficient Congress, but rather one that resolves differences through discussion, argument, and the eventual shaping of legislation

Congressional Issues for the 21st Century

- Term limits
- Under-representation of minority groups in Congress