

11

Congress

□ Chapter Overview

Congress was intended by the founders to be the “people’s branch.” Its members are directly elected by the people to make decisions on their behalf. In this chapter, we examine the role of Congress in U.S. politics. We begin by considering the electoral politics of Congress, exploring both how representative members of Congress are of the U.S. population in general and identifying the factors that influence congressional elections. Then we examine the committee structures, leadership positions, and support staff that shape Congress’s business. We consider in particular the role of the Congress in lawmaking, appropriations, and oversight. By the end of the chapter, students should understand the complex role and functions of Congress in the context of American government.

□ Study Outline

11.1 Learning Objective 11.1: Characterize the backgrounds of members of Congress and assess their impact on the ability of members of Congress to represent average Americans. (p. 361)

The Representatives and Senators

- Congress is composed of 435 representatives and 100 senators, for a total of 535 members.
- Congress is not a very diverse place.
- Most members are lawyers or businesspeople.
- The members of both houses have always been largely Caucasian.

- The House is more diverse than the Senate, which is almost exclusively white.
- The ratio of men to women in both the House and the Senate is about five to one.
- Most election years leave both houses about **evenly split** between Democrats and Republicans, with one or two independents in each.

11.2

Learning Objective 11.2: Identify the principal factors influencing the outcomes in congressional elections. (p. 364)

Congressional Elections

- Congressional elections are held every two years in November.
- The most important factor that determines which candidate wins an election is incumbency.
- **Incumbents** are elected officials who already hold office and are running for reelection. Incumbents win reelection more than 90 percent of the time.
- Incumbency allows senators and representatives to gain valuable experience and bring some stability to Congress; however, this may also work to insulate members of Congress from change, making it more difficult for constituents to effect change.
- Senatorial races are usually intense because incumbents, who tend to have **higher profiles**, are more likely to be held accountable for public policy successes or failures.
- Their challengers are also more likely to be known already in the political arena because senatorial races often draw former representatives or governors.
- Still, incumbents usually win, though by a narrower margin. In fact, turnover in Congress usually occurs only when members retire.

The Advantages of Incumbents

- Incumbents engage in three activities that increase the probability of being elected:
 - **Advertising:** Advertising makes a candidate visible to many constituents and name recognition is an important advantage for incumbents.
 - The number of votes a candidate receives is fairly proportional to his or her airtime on television and the frequency of his or her public appearances.

- Advertising requires a great deal of campaign funds, particularly for senators, which explains in part why Congress is composed mostly of wealthy men.
- **Credit claiming:** Incumbents have the benefit of being able to present their **congressional record** to their constituents to demonstrate their hard work in service of the district or state.
 - They may have helped specific people or groups sidestep bureaucratic red tape (**casework**), or they have helped with federal programs and institutions (**pork barrel**).
 - From this record of service to the constituency, incumbents can build a more clearly defined **public image**, whereas challengers new to politics are less likely to be able to convey their position on issues to the public.
- **Position taking:** Incumbents' public image is strengthened because they have already taken a stand on issues relevant to their constituency; and at election time, this can work in their favor to identify them in the minds of the public.

The Role of Party Identification

- **Party identification:** Voters for the most part cast their ballots along **party lines**; therefore, a predominantly Democratic district, for example, is most likely to elect and then reelect a Democratic candidate.

Defeating Incumbents

- While defeating an incumbent is very difficult, it does happen occasionally.
- Sometimes redistricting can occur, forcing incumbents to attempt to win over an unfamiliar constituency, or even making them compete against another incumbents.
- Sometimes incumbents are involved in scandals that are visible in the media, which tarnishes their name.
- Occasionally, the unpopularity of a president of the same party as the incumbent can have a negative impact on the incumbent's chances of success.

Open Seats/Stability and Change

- When an incumbent leaves a seat open, there is more likely to be competition; however, the competition usually occurs within the primary, as most seats are safe for one party or the other.
- Because real competition for seats is unusual, Congress does not change very much or very often.

11.3

Learning Objective 11.3: Compare and contrast the House and Senate, and describe the roles of congressional leaders, committees, caucuses, and staff. (p. 370)

How Congress Is Organized to Make Policy: American Bicameralism

- A bicameral legislature is divided into two houses.
- Legislation must pass both houses of Congress to become law.
- The Senate is designed to represent states and the House is designed to represent the population.

The House

- A state's **population** determines how many representatives it has.
- A state is divided into **congressional districts**, each with an equal population.
- Every ten years, district lines must be redrawn according to the population data supplied by the national **census**.
- The political party in power in each state will try and draw district lines to their advantage, a process called gerrymandering.
- States therefore can lose or gain a seat in the House, but total membership remains at 435.
- Other characteristics of the House:
 - Members tend to vote along party lines.
 - Power is usually hierarchical.
 - Special responsibilities include introducing revenue bills and articles of impeachment.
- Key to agenda setting in the House is the **House Rules Committee**.

- The House Rules Committee gives each bill a rule for debate, schedules the bill on a calendar, allows time for debate, and may specify what types of amendments can be offered.
- The Speaker of the House chairs the Rules Committee.

The Senate

- Power is more evenly distributed among senators.
- Senators act more independently of their parties.
- Special responsibilities include approving presidential nominations, ratifying treaties, and the trial of impeached federal officials.
- Senators can **filibuster** and this power of unlimited debate means that they can talk so long that they delay or even prevent voting on a piece of legislation.
- Senators can stop a filibuster by voting for **cloture**, which halts debate.
- This rarely happens because it requires 60 votes; the majority party usually holds fewer than 60 seats, making cloture nearly impossible.

Congressional Leadership

- There are several elected positions in the House of Representatives. At the beginning of each congressional term, the parties will meet in caucus to elect these leaders.
- The leader of the House is the **Speaker of the House**, who is chosen by the majority party, and who presides over each session and is largely responsible for assigning representatives to committees or party positions.
- The vice president of the United States is president of the Senate, however, this role is more formal than active because most authority rests with party leaders in the Senate.
- In the House, the **majority leader** assists the Speaker of the House in assigning majority party members to committees and scheduling legislation.
- The **minority leader** leads the minority party in opposing the agenda of the majority, and in choosing minority party members for committees.
- The **majority leader** in the Senate is usually the most active or seasoned member of the majority party.

- The majority leader manages the schedule of debate and rallies party votes for party legislation or against proposals of the minority party.
- The **minority leader** rallies the support of the minority party around legislation and acts as its spokesperson.
- The majority and minority **whips** are responsible for “counting votes” for proposed legislation, working with members of their party to get enough votes to pass or defeat a piece of legislation.

The Committees and Subcommittees

- Committees are the nuts and bolts of Congress.
- Most members serve on at least five committees and subcommittees; senators usually serve on more committees than representatives do.
- There are four basic types of committees.
 - **Standing committees** handle a **specific policy area**, such as agriculture, finance, energy, and commerce; both the House and Senate have standing committees and each committee is often divided into **subcommittees**.
 - **Joint committees** are composed of both senators and representatives and are responsible for legislation that **overlaps policy areas**.
 - **Select committees** are appointed to handle a **specific issue**, such as an investigation or impeachment trial.
 - **Conference committees** are composed of members of both houses and they iron out the differences between the House and Senate version of a bill.
- Committees are responsible for researching, assessing, and revising the thousands of bills that are introduced by members of Congress each year.
- Committees also conduct **legislative oversight**, which is the monitoring of federal agencies and their execution of the law.
- Oversight usually takes the form of investigation—often committees **hold hearings** to question agency officials about the activities of their departments.
- As the federal bureaucracy has grown over the last few decades, so has the process of legislative oversight.
- One key to a new member of Congress’s success is getting on a high-profile committee.

- Members seek committees that will help them to assist their constituency, or provide publicity to help them get reelected.
- Committee placement is decided by the chamber leadership.
 - **Committee chairs** influence the agenda of the committee.
 - The chair is always a member of the majority party, and usually is the most senior member of the majority party on the committee.
 - The minority party member of the committee with the longest tenure is called the ranking member.
 - The **seniority system** was a formal rule used to select chairs, but is no longer a requirement.

Caucuses: The Informal Organization of Congress

- A **caucus** is a group of members of Congress who share a similar interest.
- Each party has a caucus, and there are hundreds of caucuses, some more active than others.
- The Congressional Black Caucus and the Congressional Caucus for Women's Issues are two examples.
- Caucuses may hold hearings and put pressure on committees to try to influence legislation.

Congressional Staff (Personal Staff, Committee Staff, Staff Agencies)

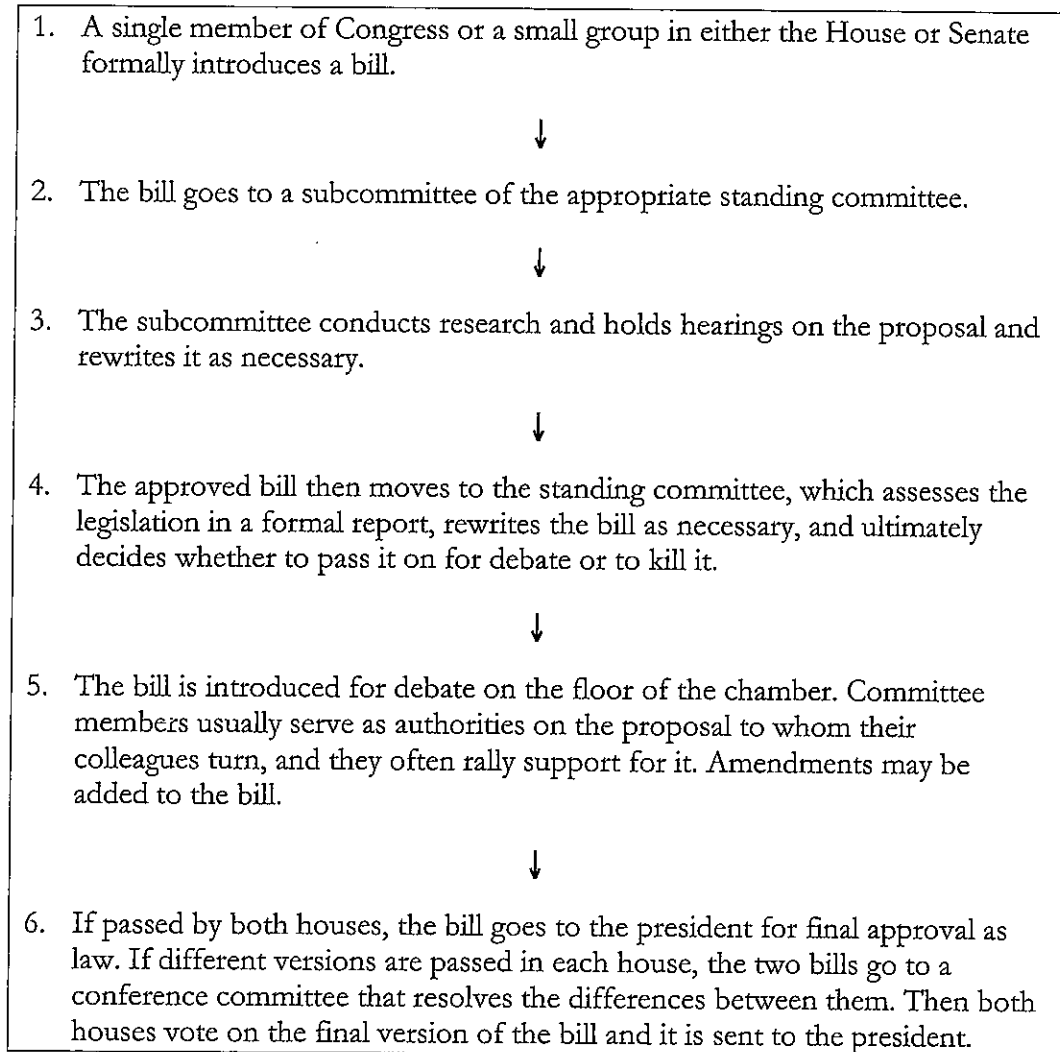
- Senators and members of the House of Representatives each have a number of staff who assist them in serving their constituencies, researching legislation, and communicating with those who contact the office.
- The Committees also employ staff to organize hearings, draft reports, and perform other duties.
- Finally, Congress has staff agencies such as the *Congressional Research Service (CRS)* to track the progress of bills and perform research for members of Congress.

11.4

Learning Objective 11.4: Outline the path of bills to passage and explain the influences on congressional decision making. (p. 381)

The Congressional Process and Decision Making

- Policymaking is a slow and laborious process, and often a final bill has changed significantly from the original.
- The authors of the Constitution intentionally devised a complicated legislative system as a means to prevent hasty decisions and to encourage compromise in policymaking. The following diagram shows how proposed legislation usually follows a path through Congress.



- Some important committees to know:
 - The **House Rules Committee** reviews all bills submitted by committees before they go to the House floor, assigns them a slot on the calendar, allocates time for debate, and even decides whether the bill may be amended or not. This committee is unique to the House and has a significant degree of power.
 - The **House Ways and Means Committee** writes bills concerning tax and other public revenue, which are subject to the approval of both houses.
 - The **Senate Finance Committee** works in conjunction with the House Ways and Means Committee to write **tax and revenue bills**.
 - The **Appropriations Committee in each house** decides how government money will be **apportioned** to federal agencies. This is the largest committee on each side, and divides into many subcommittees that attach to each of the standing committees.

Party, Constituency, and Ideology

- Members of Congress do not always vote with their party.
- Partisanship tends to be strongest on economic and welfare issues, however, on other issues, members of Congress may act more independently, especially to fulfill the needs of their constituents.
- When representatives or senators do act independently, what influences their vote?
 - If the issue is of significance to their constituency, or is likely to be highly publicized, members of Congress tend to vote as the constituency would want them to.
 - On the many other issues about which the public is less informed, representatives and senators are more likely to vote according to their own personal views and convictions.
- Over the past three decades, Republicans in Congress have become consistently more conservative, Democrats have become consistently more liberal, and the distance from the center of each party has increased.
- As a result of these ideological differences between the parties in Congress, it has been more difficult to reach any compromises.

- Increasingly divergent electoral coalitions and districts, which are more one-sided, have played an important role in this.

Lobbyists and Interest Groups

- With lobbyists dominating Washington, how effective is Congress in representing the people? You should be familiar with both sides of this debate.

Congress Represents the Interests of the Electorate

- Interest groups are organized by groups of “the people” to make their views known so that policymakers will act on their behalf.
- As pluralists contend, the competition among groups for the support of members of Congress ensures that compromise will play a part in policymaking.
- The issues on which Congress focuses are as diverse as the interests pushing them to the forefront, thereby decentralizing the political agenda and power in each house.

Congress Serves the Interest Groups, Not the Public

- Critics argue that those interest groups with enough money to buy influence dominate the policy agenda and distract policymakers from the needs of the public.
- So many competing interests prevent the formation of cohesive policy. In fact, different committees may handle the same policy issue in drastically different ways.
- Ultimately the government wastes a significant amount of money by attempting to appease so many interests.

For Additional Review

As you read your textbook, keep a list of all the committees you come across. For each committee, jot down what kind of committee it is and its role or policy specialty. Not only will this information help you prepare for Section I of the AP Government and Politics: United States Exam, but also, it may contain good examples for use in your free-response answers.

Create a chart comparing and contrasting the qualifications, organization, and powers of the House and the Senate. Use this chart when studying and preparing for the unit test and for the AP United States Government and Politics exam.