

Outline Topic VI

CONGRESS

- I. Elections, Parties and Interest Groups provide indirect representation, but Congress represents citizens directly.**

The quality of this representation however depends on two question:

- A. How Representative is Congress of American Public Opinion**
- B. How Effective is Congress as a Policy-Making**

II The question of the Effectiveness of Congress arises because the 20th century has seen a massive shift of power from Congress to the President

A. World War I & II, The Depression, The Cold War, 9-11

B. The SIZE, the SCOPE and the SPEED of GOVT have increased requiring an increase in Executive vs Legislative power.

C. Nevertheless, although the power of Congress has declined, compared to most other legislatures Congress remains one of the most powerful.

II. The Power of Congress, however, traditionally has had TWO primary characteristics:

A. Power has been highly DECENTRALIZED

- 1. Power in congress traditionally not centralized or concentrated in legislative leaders.**
- 2. Rather power traditionally located in Committee and Sub-Committee Chairs and in individual rank-and-file members.**

B. Power in Congress is mostly NEGATIVE (i.e. conservative)

- 1. It is very hard to pass legislation but easy to kill legislation**
- 2. Power favors the STATUS QUO**

C. Over past Twenty Years – since Newt Gingrich was House Speaker

- 1. Power has become much more Centralized – Especially in House of Representatives.**
- 2. Membership has become much more ideological Polarized and Partisan**
- 3. Passing Legislation has become even more difficult**

V Power can be illustrated by looking at how bill becomes law or what Woodrow Wilson called “The Dance of Legislation.”

A. Introducing Bills

- 1. House – Any Member**
- 2. Senate – Any Member after one Legislative Day**
- 3. Power to delay is power to kill**

B. Committees and Sub-Committee

- 1. Most Bills never receive a hearing (and aren't intended to)**
- 2. Committees usually only work on Bills introduced by members**
- 3. Committees can rewrite Bills anyway they want**
- 4. Most Bills go to multiple Committees – all of which can change the Bill in different ways.**
- 5. Committees composed of the most interested members in the legislation.**

C. Getting Bills to Floor

- 1. House: Rules Committee**
 - a. Assigns Bill to Calendars**
 - b. Assigns Bill a 'Rule'**
 - * Amendments in Order?**
 - * Sets Time Limits**

- 2. Senate: Majority and Minority Leader**
 - a. Rule XXII = Unlimited Debate = Filibuster**
 - b. Breaking Filibusters**
 - c. Cloture Requires 60%**

D. Floor Votes and Conference Committees

- 1. Bills must be passed with identical language**
- 2. Conference Committees resolve Discrepancies**
- 3. Conference Committee Composed of House Senate Leaders of Original Committees.**

E. Return to House and Senate for Another Vote

F. Presidential Action

1. Sign or Veto

2. Pocket Pass or Pocket Veto

a. 10 working days

b. Congress Adjourned or In session?

G. Congressional Override

A Bill's "Normal" Legislative Journey

**President's
Signature or Veto**

House Votes Again

Senate Votes Again

**Conference
Committee**

House Vote

Senate Vote

**House Floor /
Limited Debate**

**Senate Floor /
Unlimited Debate**

Rules Committee

Majority Leader

**Committee Hearings
and Mark-up**

**Committee Hearings
and Mark-up**

**Sub-Committee
Hearings and Mark-
up**

**Sub-Committee
Hearings and Mark-
up**

**Referred to
Committee &
Subcommittees**

**Referred to
Committee and
Subcommittee**

**Introduction in
House**

**Introduction in
Senate**

V. How Representative is Congress?

A. Different Definitions of Representative

- 1. Formal – How Accountable is Congress to the Elected?**
- 2. Descriptive – Does Congress Look Like America?**
- 3. Symbolic – Does Citizens Feel Congress is Representative?**
- 4. Responsiveness – Is Congress Responsive to Public Interests?**

B. Different Definition Yield Different Results

- 1. 90% of M.C.s are re-elected;
Districts are Gerrymandered;
Advantage of Incumbency**
- 2. Women, Minorities, the Poor and Middle Class are 'under-represented' – Typical M.C. is a 50 yr old, white, protestant, millionaire, lawyer.**
- 3. 60+% of Americans feel Congress is doing a Poor Job.**

C. How Responsive is Congress: To what extent does Congress Act in the Interests of the Represented?

<u>Act</u>	<u>Interests</u>	<u>Represented</u>
Service	Needs	Country
Porkbarrel	Demands	Constituents
Symbols		Supporters
Policy		Int. Groups
		<i>Women</i>
		<i>Blacks</i>
		<i>Hispanics</i>
		<i>NRA/AARP</i>
		<i>Business</i>

- 1. Service – Members very attentive to casework**

- 2. Pork-barrel – Most members good at ‘bringing home the bacon’**

- 3. Symbolism – Members good at manipulating symbols (naming airports, creating holidays)**

- 4. Members are less Responsive on Policy**
 - a. Do Not Know Public ‘Wants’**

 - b. Not Expert on Most Issues**

 - c. Members know what Interest Groups want better than they know what citizens want.**

VI. Congress is Representative of Concentrated Local Interests

- A. Members of Congress are elected locally**
- B. Members serve on Committees related to local interests (farm members of the Agriculture Committee; members from fishing areas on Merchant Marine and Fisheries; etc)**
- C. Committees monopolize legislative power**
- D. Members of Congress defer to Committees on House Floor**
- E. Decentralization of Power and Conservative nature of Power make it difficult to change entrenched interests. Congress protects the Status Quo.**

VII. The Sum of concentrated local interests does not equal the National Interest or the Public Interest.