

CONGRESS



Origins of Congress

▶ Great Compromise

- ▶ Two separate chambers in Congress (BICAMERAL)

▶ Senate

- ▶ Each state receives two senators; 6 year terms
- ▶ Originally selected by state legislatures, but 17th amendment changed to popular election

▶ House of Representatives

- ▶ Number based on population (total = 435); two year terms



Currently...

► 115th Congress (2017) (more later)



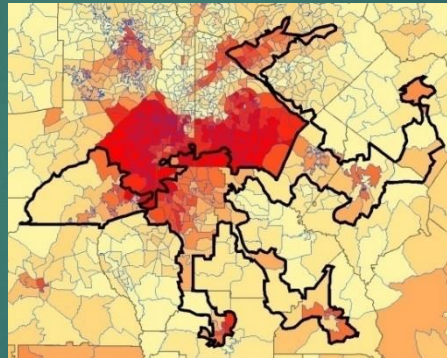
Apportionment and Redistricting

- ▶ Reapportionment Act of 1929- after every census, the House changes to reflect population changes

- "sampling" v. "actual enumeration"

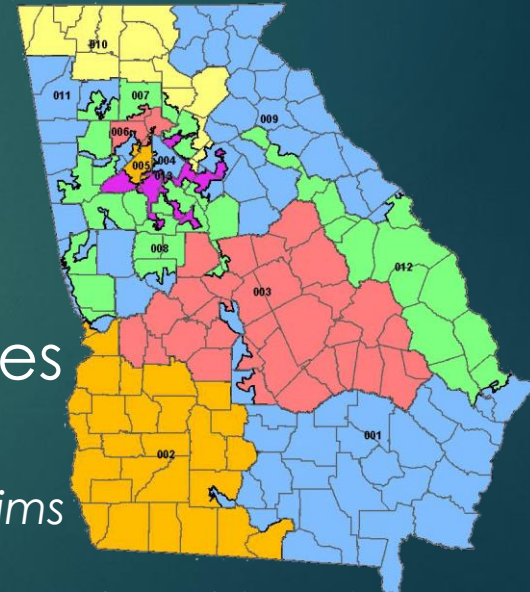
- ▶ Redistricting

- ▶ Gerrymandering



- ▶ Courts have been involved in these issues

- ▶ to ensure one-person, one-vote
- ▶ *Baker v. Carr*, *Westbury v Sanders* and *Reynolds v Sims*
- ▶ minority districts





10

Change since 2000: +4 seats +2 seats +1 seat No change -1 seat -2 seats

Change since 2000: +4 seats +2 seats +1 seat No change -1 seat -2 seats

Bold numbers indicate the state's current number of House seats



JOHN DUCHNESKIE / Staff Artist

Powers of Congress



A.) Authority to make laws

- ▶ In order for a bill to become a law, identical forms must be passed in each
- ▶ Most are spending issues

B.) Other powers: declare war, coin money, regulate commerce, etc.

C.) “necessary and proper” clause



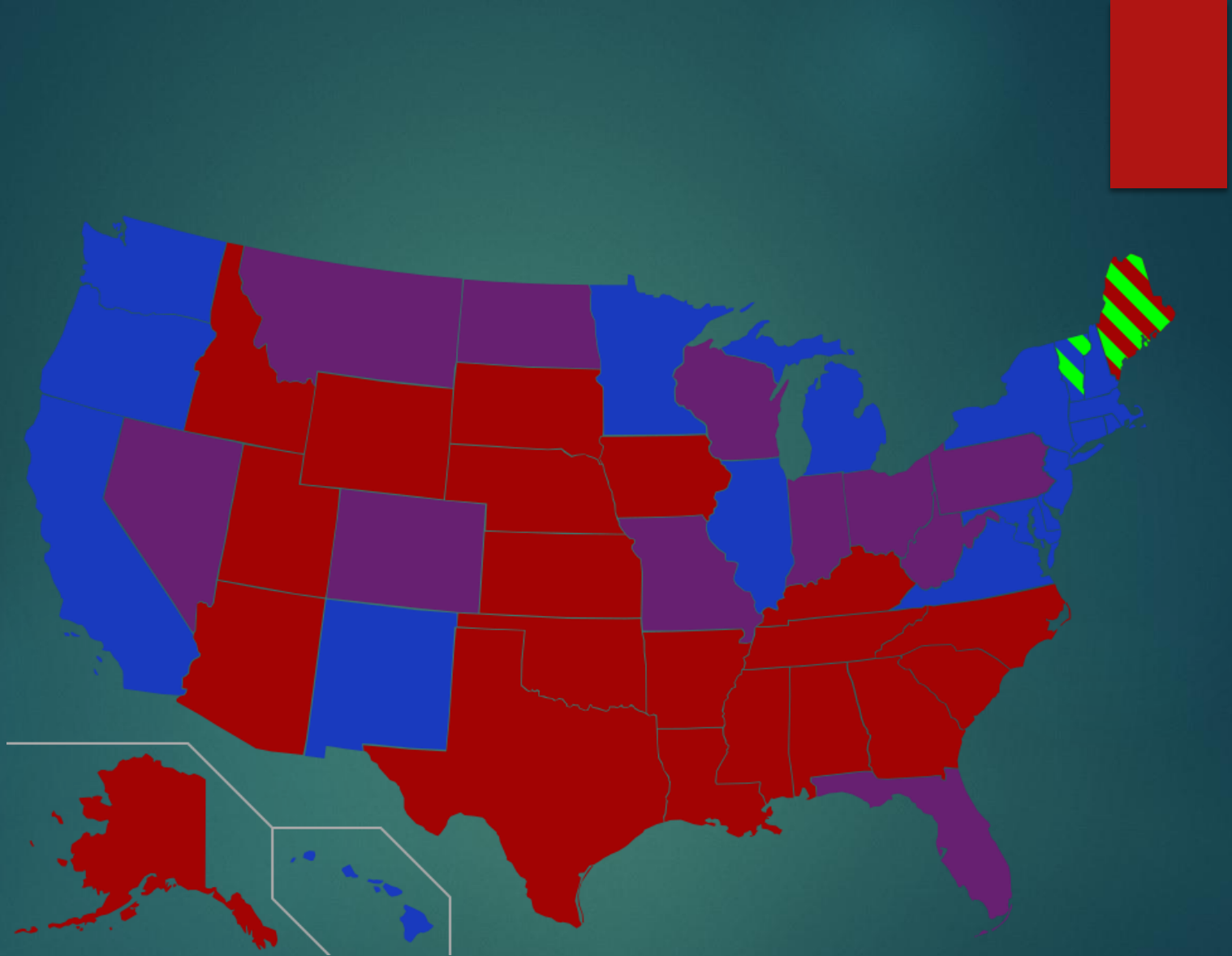
D. DIFFERENCES OF THE HOUSES

HOUSE

- 435 members; 2 yr terms
- Higher turnover
- Speaker bill referral hard to challenge
- Scheduling/rules controlled by majority party with powerful Rules Committee
(controls time of debate, amends., etc)

SENATE

- 100 members; 6 yr terms
- Moderate turnover
- Referral decisions easily challenged
- Scheduling/rules agreed to by majority & minority leaders



IV. Members of Congress

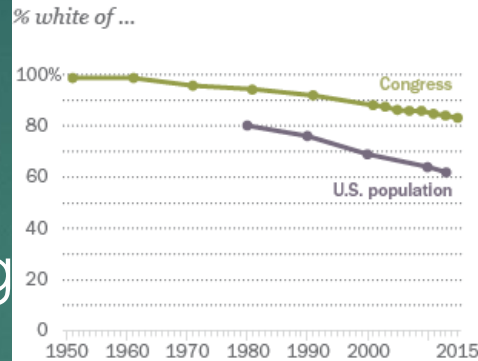
A.) Make-up

- majority Caucasian but slowly becoming more diverse



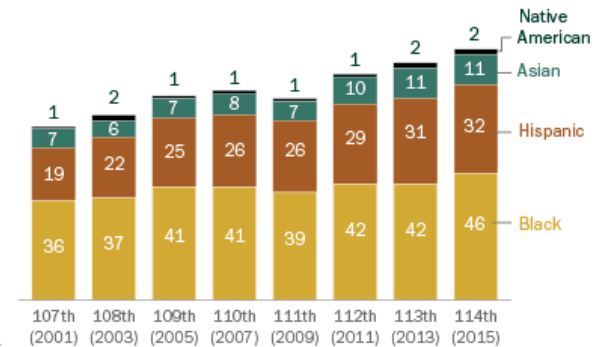
- More men than women- Why?
 - ▶ family responsibilities
 - ▶ understand when to run
 - ▶ Biases

Whites Make Up Larger Share of Congress than of U.S. Population



Growing Racial and Ethnic Diversity in Congress

Number of House and Senate members by race and ethnicity

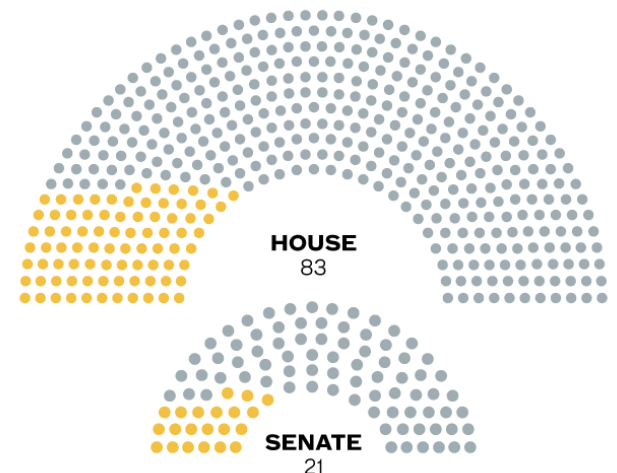


Note: The data do not include nonvoting delegates or commissioners. Figures represent the makeup of Congress on the first day of the session. Asian includes Pacific Islanders.

Source: CQ Roll Call, Congressional Research Service, Brookings Institution

PEW RESEARCH CENTER

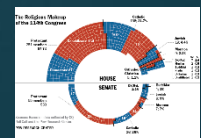
WOMEN: 104 total



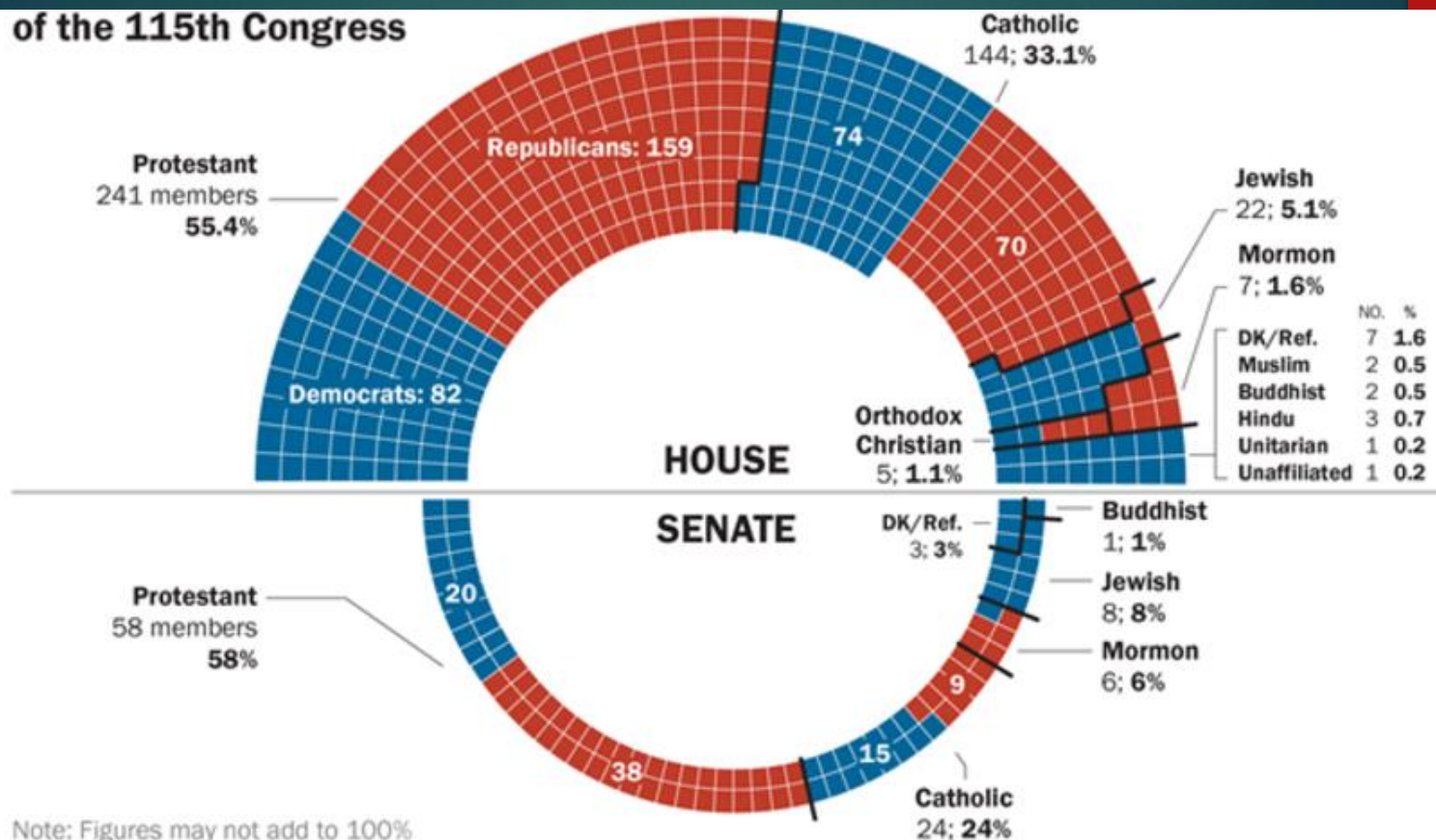


115th Congress - U.S. Senate

Category	Democrats		Republicans		Total	
Party	48	48%	52	52%	100	
New Member	5	10%	2	4%	7	7%
Fewer Than Six Years	18	38%	18	35%	36	36%
Split-Ticket State	11	23%	3	6%	14	14%
Women	16	33%	5	10%	21	21%
Black	2	4%	1	2%	3	3%
Hispanic	2	4%	2	4%	4	4%
Asian	3	6%	0	0%	3	3%
Racial or Ethnic Minorities	6	13%	3	6%	9	9%
Openly LGBTQ	1	2%	0	0%	1	1%
Women/Minorities/LGBTQ	18	38%	8	15%	26	26%



of the 115th Congress



Note: Figures may not add to 100%

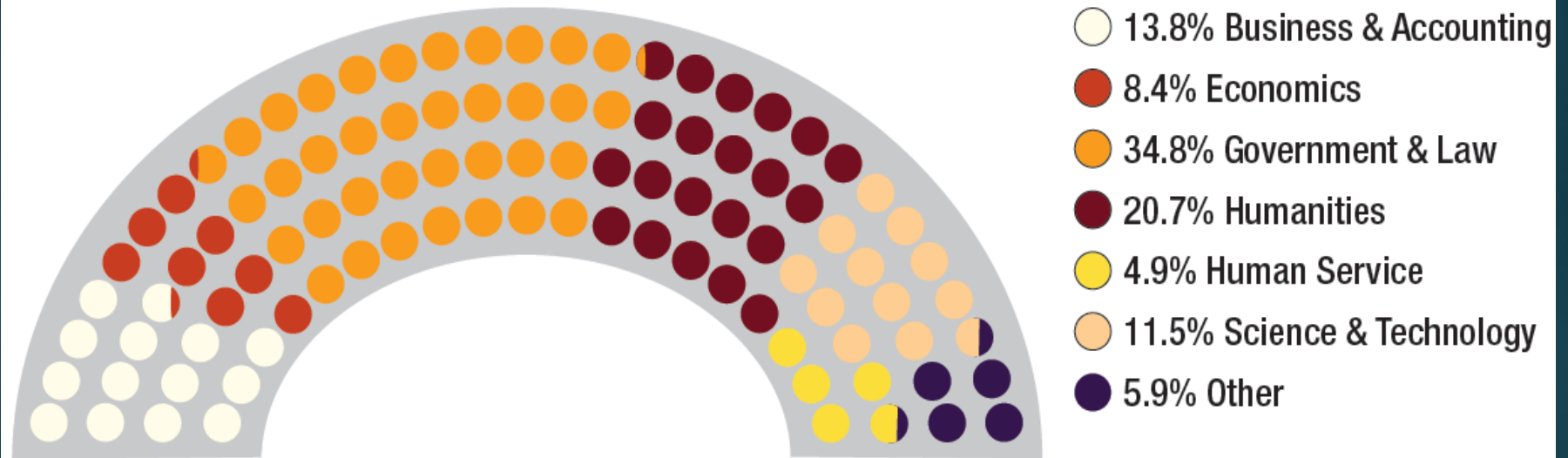
or to subtotals due to rounding. Figures for Democrats include independents.

Source: Figures for Congress based on Pew Research Center analysis of data collected by CQ Roll Call, reflecting members of Congress to be sworn in on Jan. 3, 2017.

B.) Backgrounds:

- most have college degrees

College Background of Members of Congress

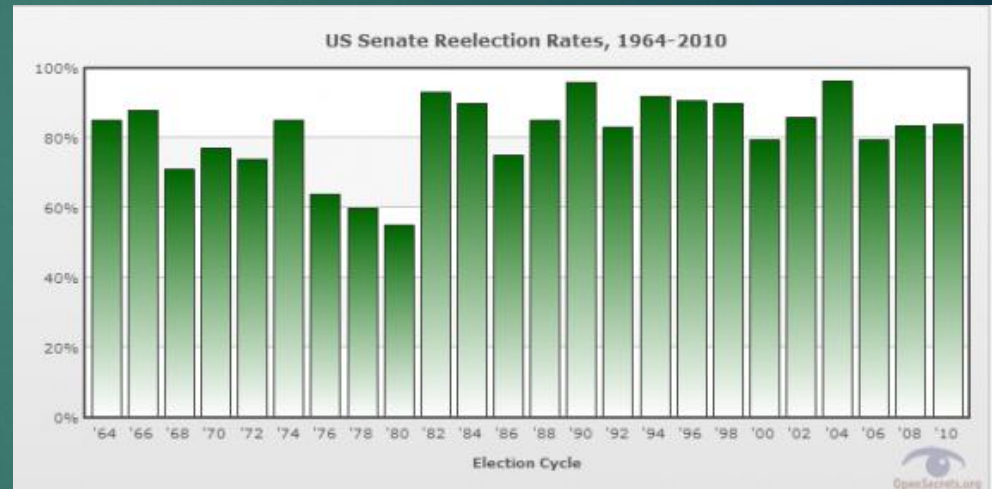
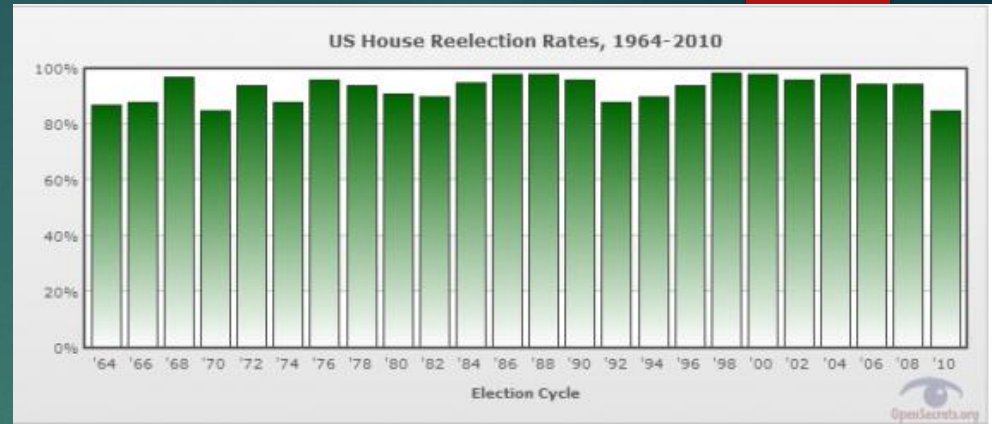




- ▶ Careerism relatively recent phenomenon
 - ▶ Taking toll on some people
- ▶ Two Constituencies
 - ▶ Washington (lobbyist, colleagues, etc.)
 - ▶ Constituents at home
- ▶ Casework

Incumbency Advantage

- ▶ Redistricting
- ▶ Name Recognition
 - ▶ press secretaries
- ▶ Franking
- ▶ Casework
 - ▶ pork-barrel projects
- ▶ Fundraising

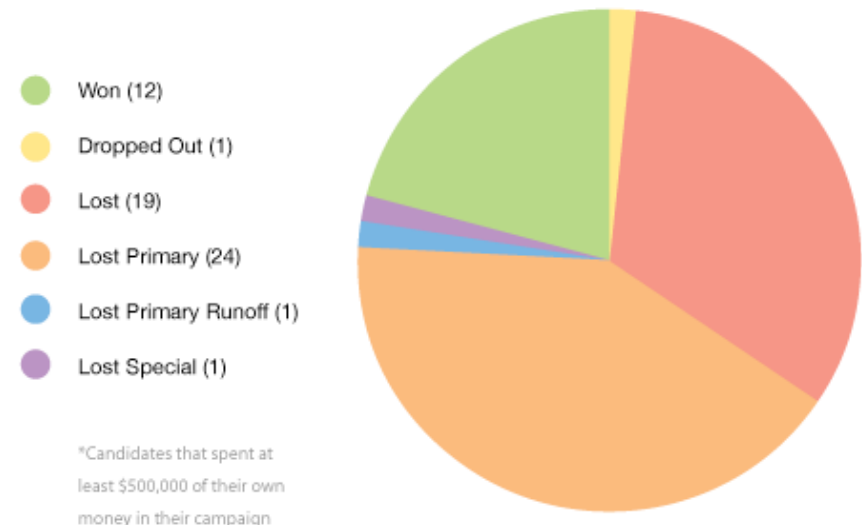


Money and Elections

Table 3-1 The Cost of Winning an Election, 1986-2010 (in nominal and 2010 dollars)

	<i>House Winners</i>		<i>Senate Winners</i>	
	<i>Nominal Dollars</i>	<i>2010 Dollars</i>	<i>Nominal Dollars</i>	<i>2010 Dollars</i>
2010	1,434,760	1,434,760	8,993,945	8,993,945
2008	1,362,239	1,379,677	7,500,052	7,596,058
2006	1,259,791	1,362,624	8,835,416	9,556,624
2004	1,038,391	1,198,663	7,183,825	8,292,621
2002	911,644	1,105,000	3,728,644	4,519,473
2000	845,907	1,071,168	7,198,423 ¹	9,115,327
1998	677,807	906,748	4,655,806	6,228,383
1996	686,198	953,662	3,921,653	5,450,223
1994	541,121	796,185	4,488,195	6,603,764
1992	556,475	864,880	3,353,115	5,211,453
1990	423,245	706,129	3,298,324	5,502,826
1988	400,386	738,010	3,746,225	6,905,214
1986	359,577	715,401	3,067,559	6,103,099

2010 Millionaire* Candidate Outcomes



Term Limits

- ▶ Would allow service for a specified number of years
- ▶ Movement due to voter frustration and gridlock
- ▶ Court has ruled that state imposed limit on national office is unconstitutional
- ▶ Is it a good idea? (see pro con articles)



Congress and Representation

- ▶ Dilemma b/t what a rep's constituent wants versus the needs of the nation.
- ▶ Should a rep. act as a trustee?
 - ▶ consider views of constituent, but vote how the member think is best
- ▶ Or as a delegate?
 - ▶ bound to represent the majority view of his/her constituents
- ▶ Or as Partisan?
 - ▶ Follows party's line
- ▶ Politico -- depends on the issue



Congressional Organization

House

- ▶ More organized, rule based
- ▶ Speaker of the House
- ▶ Others: Majority & Minority leaders, whips

Senate

- ▶ Less rule based
- ▶ VP and President Pro Tempore
- ▶ Majority Leader



115th Congress Party Makeup

House:

Dem:193 Rep:237 vac: 5

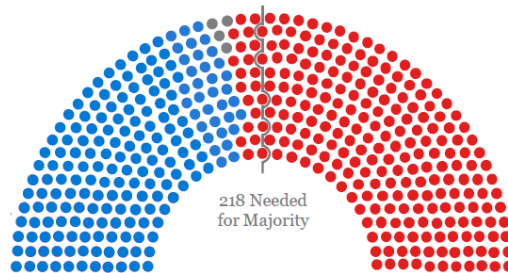
Senate:

Dem:46 Ind:2 Rep:52

Republicans keep the Senate and limit Democratic gains in the house in 2016 elections

Party control at beginning of 115th Congress (2017-2019)

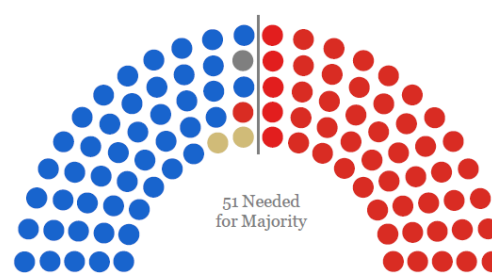
■ Democrat ■ Republican ■ Independent (caucusing with Dems) ■ Not yet called



193 - 238*

Republican House Majority

**As of 12:00 PM on Nov. 10, four House races have yet to be called*



46-2-51*

Republican Senate Majority

**As of 12:00 PM on Nov. 10, one Senate race has yet to be called. Louisiana will hold a run-off on Dec. 10*

- — 2 Independent Senators- Bernie Sanders (Vermont) and Angus King (Maine)

The Presiding Officers



- ▶ The Speaker of the House most important member of the House
- ▶ Leader of the majority party in the House
- ▶ Current Speaker of the House – Paul Ryan
- ▶ Is the elected presiding officer of the House and the acknowledged leader of its majority party.
- ▶ Powers revolve around several duties
 - ▶ presides over proceedings on the House floor
 - ▶ influences which bills go to which committees
 - ▶ influences committee assignments for new members
 - ▶ appoints the party's other leaders
 - ▶ rules on questions of parliamentary procedure

Floor Leaders



► House

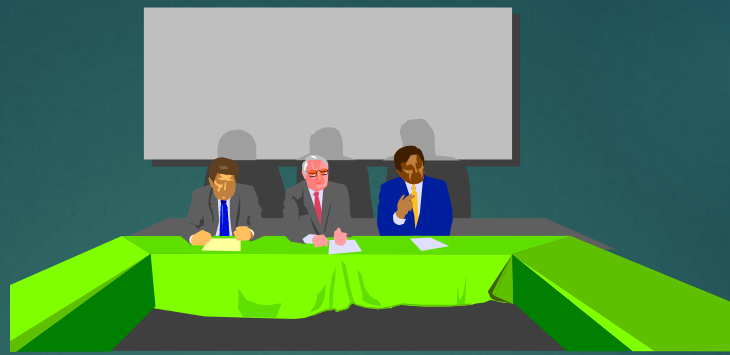
- *Speaker of the House: Paul Ryan*
- *Majority Leader: Kevin McCarthy*
- *Majority Whip: Steve Scalise*
- *Minority Leader: Nancy Pelosi*
- *Minority Whip: Steny Hoyer*



► Senate

- *President: Mike Pence*
- *President pro tempore: Orrin Hatch*
- *Majority Leader Mitch McConnell*
- *Majority Whip: John Cornyn*
- *Minority Floor Leader: Chuck Schumer*
- *Minority Whip: Dick Durbin*





Committee System

- ▶ Congress at work is Congress in Committee
- ▶ Both houses are divided into a number of committees concentrating on specific issues
- ▶ Those not on a committee rely on the committee members
- ▶ Each House committee has from 10 to 75 members, while Senate committees have from 14 to 28 members.
- Representatives usually serve on one or two standing committees, while senators serve on three or four.



How significant are committees?



- Life or death over legislation; can kill legislation by not discussing it and not marking it up for debate (aka- Pigeonholing a bill)
- Chairs very powerful-can kill bill by refusing to schedule them for debate, push through favourite bill.
- Log rolling; bargaining over votes, e.g. Republican offer to support a traditionally Democrat bill in return for Democrat supporting a traditionally Republican issue. Often takes place between committees.



Committee System (con't)



Types of Committees

▶ Standing Committee

- ▶ permanent comm. that specialize in a particular area or jurisdiction (e.g., Judiciary, Appropriations, Labor and Education)
- ▶ 16 in the Senate (68 subcommittees and 4 joint committees),
- ▶ 20 in the House (1 select committee); all but two have subcommittees
- ▶ Standing committees are typically broken down into a number of subcommittees

House Standing Committees

- ▶ Today the House has 20 standing committees.
- ▶ The most influential House committees are Rules, Ways and Means, Foreign Affairs, Armed Services, Judiciary, Agriculture, and Appropriations.

House Standing Committee Chairs

Committee	Name, Party, State, Year Elected
Agriculture	Frank D. Lucas (R., Oklahoma), 1994
Appropriations	Harold Rogers (R., Kentucky), 1980
Armed Services	Howard P. "Buck" McKeon (R., California), 1992
Budget	Paul D. Ryan (R., Wisconsin), 1998
Education and Labor	John Kline (R., Minnesota), 2002
Energy and Commerce	Fred Upton (R., Michigan), 1986
Financial Services	Spencer Bachus (R., Alabama), 1992
Foreign Affairs	Ileana Ros-Lehtinen (R., Florida), 1988
Homeland Security	Peter T. King (R., New York), 1992
House Administration	Dan Lungren (R., California), 1978
Judiciary	Lamar Smith (R., Texas), 1986
Natural Resources	Doc Hastings (R., Washington), 1994
Oversight and Government Reform	Darrell Issa (R., California), 2000
Rules	David Dreier (R., California), 1980
Science and Technology	Ralph M. Hall (R., Texas), 1980
Small Business	Sam Graves (R., Missouri), 2000
Standards of Official Conduct	Jo Bonner (R., Alabama), 2002
Transportation and Infrastructure	John L. Mica (R., Florida), 1992
Veterans' Affairs	Jeff Miller (R., Florida), 2001
Ways and Means	Dave Camp (R., Michigan), 1990

SOURCE: *Congressional Directory* and Clerk of the House

Senate Standing Committees

- ▶ Today the Senate has 16 standing committees.
- ▶ The most influential Senate committees are Armed Services, Finance, Judiciary, Foreign Relations, Appropriations, and Banking, Housing, and Urban Affairs.



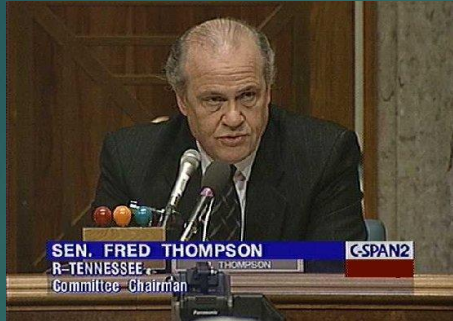
Committee System (con't)

Types of Committees (con't)

- **Joint Committees-** include members from both houses who work together on issues
 - 4 Joint Committees: Economic, Printing, Taxation and Library
 - Conference Committee- irons out differences in a bill
- Select Committees



Committees and Members



- ▶ Chairmen
- ▶ Influenced by member preference and regional need
- ▶ Want a comm. to help your district
- ▶ Some want committees to make major policy decisions
- ▶ Others want “power”
- ▶ Once on a comm, a member begins to gain expertise and seniority
 - ▶ Expertise increases the ability to influence

Standing Committees in Congress

Standing Committees House of Representatives

1. Agriculture
2. Appropriations *
3. Armed Services
4. Budget
5. Education and the Workforce
6. Energy and Commerce
7. Ethics
8. Financial Service
9. Foreign Affairs
10. Homeland Security
11. House Administration
12. Judiciary
13. Natural Resources
14. Oversight and Government Reform
15. Rules *
16. Science, Space and Technology
17. Small Business
18. Transportation and Infrastructure
19. Veterans Affairs
20. Ways and Means *

Standing Committees Senate

1. Agriculture, Nutrition, and Forestry
2. Appropriations
3. Armed Services
4. Banking, Housing and Urban Affairs
5. Budget
6. Commerce, Science and Transportation
7. Energy and Natural Resources
8. Environment and Public Works
9. Finance
10. Foreign Relations
11. Homeland Security and Governmental Affairs
12. Health, Education, Labor and Pensions
13. Judiciary
14. Rules and Administration
15. Small Business and Entrepreneurship
16. Veterans Affairs

Seniority

- ▶ HOUSE: not as influential- helps with chairpersonships
- ▶ SENATE:
 - ▶ Helps with committee assignments
 - ▶ Position of desks near the front of the Senate Chamber
 - ▶ Better Office Space

Lawmaking

- ▶ Proposals for bills can come from anywhere
- ▶ Only a Member of Congress can formally submit
- ▶ Small percentage become law
- ▶ A lot of hurdles, any can trip up a bill



How a bill becomes a law



- ▶ Member introduces a bill (dropped in the hopper in the House)
- ▶ Assigned to committee with jurisdiction and then to subcommittee
- ▶ Hold hearings, do research, and voted on by the subcomm. and then also the full comm.
- ▶ If approved by comm., it goes to the full house for debate (if a House bill, goes through Rules Comm.)



The Senate's Rules for Debate.

- ▶ Major differences between House and Senate involve debate
- ▶ Floor debate is unrestricted in the Senate
 - May speak for as long as they please and
what ever they please
- ▶ Discussion ends and a vote is taken at the agreed upon time by the majority and minority leaders
- ▶ The Filibuster
 - ▶ Is an attempt to “talk a bill to death”

The Senate's Rules for Debate.

▶ The Cloture Rule

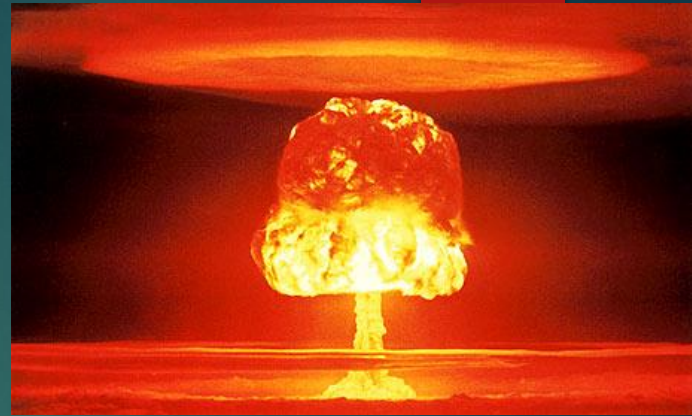
- ▶ Check for a filibuster
- ▶ Rule XXII – provides for cloture – limiting debate
- ▶ 16 members need to petition the Senate to invoke it, then a vote must be taken in 2 days
- ▶ 60 Senators need to vote for this
- ▶ Once passed only 30 hours of debate remain then they must vote on the bill
- ▶ Reasons why Senators don't support this
 - ▶ Their dedication to Senate tradition of free debate
 - ▶ Their practical worry that the frequent use of cloture will undercut the value of the filibuster that they may some day want to use.

Nuclear Option- That term of course refers procedural move that empowered a simple (rather than super) majority to cut off debate on executive and judicial nominations (save for the Supreme Court). First used by the Democrats in 2013.



The Nuclear Option

History



- ▶ Jefferson and Washington- Senate was "saucer" to the House's "tea cup"- cool the passions
- ▶ Senate more deliberate of the chambers
- ▶ No way to cut off a filibuster until..
- ▶ 1917- 2/3 super majority could cloture
- ▶ 1975- changed the number to cloture 60
- ▶ 2013- Democrats used the nuclear option to confirm a federal judge changed to majority for cloture
- ▶ April 6, 2017 Nuclear Option invoked to simple majority for nominee Neil Gorsuch

How a bill becomes a law (con't)

- ▶ Bill sent to the other house of Congress
- ▶ If both houses pass bill, it typically goes to a conference comm to work out differences
- ▶ The compromise version goes back to both houses for approval.
- ▶ If approved by both, it goes to the president
- ▶ If he signs, it becomes law; if he vetoes, it goes back to Congress



Congressional Decisionmaking

- ▶ Political Party
 - ▶ party of the Member is a strong determinate
 - ▶ Divided government
- ▶ President
 - ▶ can claim national representation and use to persuade Congress
- ▶ Constituents
- ▶ Colleagues/Caucuses
- ▶ Staff/Support agencies
- ▶ Interest Groups
 - ▶ represent constituent interest as well as providing campaign funds

Congress and the President

- ▶ Must work together to form policy
- ▶ Power shifted toward the president since FDR
- ▶ Power to persuade
- ▶ Especially true in foreign affairs
- ▶ Line-item veto

Foreign Relations and War Powers

▶ War Powers

- ▶ Shares power with the chief executive
- ▶ President – Commander in Chief – dominates this field
- ▶ Only Congress may declare war
- ▶ Power to raise and support armies, provide and maintain a navy, and to make rules pertaining to governing the land and naval forces.
- ▶ War Powers Resolution of 1973 – limit the use of American troops in combat in areas where a state of war does not exist.



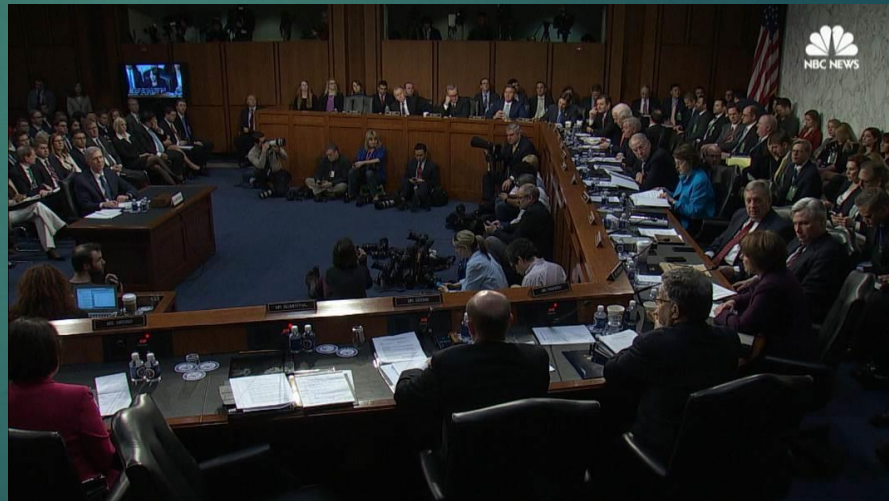
Congressional Oversight

- ▶ Oversight is the process of reviewing agency operations and programs
- ▶ Formal oversight
 - ▶ hearings, requesting reports, GAO eval., leg. veto
- ▶ Informal oversight
 - ▶ contact between congressional staff and agency, contacts with others (int. group)
- ▶ Congressional review of regulations



Oversight (con't)

- ▶ Foreign affairs oversight
- ▶ Confirmation of appointments
- ▶ Impeachment



Congressional Problems

Pork- legislation that benefits only a congressperson's district/state (earmarks)

Gridlock- nothing gets done



Partisanship- too much bickering between the parties

Term Limits-