

CONGRESS

CONGRESS IS NOT A POPULAR INSTITUTION

- Why is that?
- It's the most democratic... at least it's designed to be

- people feel as though their reps work hard for them
- however, they feel the institution is slow, inefficient, and corrupt

COMPARE TO PARLIAMENT

- Parliament is, by nature, party centered
- members are loyal first to the party and second to constituents
- (opposite in the US)
- Congress is less powerful as an institution because of it

PARLIAMENT

Parliament: "talk" v. Congress: "come together"

TWO CENTRAL DIFFERENCES

- member selection
- legislative behavior

- both Parliament and Congress have two houses
- selection of members:
 - Parliament: focused almost exclusively on party (parties select)
 - Congress: much more individualistic (especially with decentralization of parties through campaign finance and primaries) (parties can't stop people from running)

LEGISLATIVE BEHAVIOR

Parliament: rewarded (your job depends on your party's success)

Congress: can be punished for party loyalty that is too strong?

- Why? if parties can agree, agenda gets passed -- why wouldn't that make US constituents happier with congress?

LIGHTBULB MOMENT

- constituents elect people who are loyal to them
- often that means running against party and congress
- reps/senators try to bring it home for their constituents; their elected careers depend on it

DEBATE V. BUREAUCRACY

Legislative behavior differences between congress and parliament:

- in parliament, debate, then decision - streamlined
- in congress much more bureaucratic (committees, subcommittees, compromise, modification, coordination with other branches, esp. executive agencies)

DIFFERENCES MATTER

- parliament is much more centralized in its power
- does that make congress weak? no

- congress was designed separately from the executive and judicial branches to ensure the people's house would be able to represent the vast array of interests of our republic

CONGRESS GOES THROUGH PERIODS

- centralization and decentralization
- how this happens requires an understanding of how each house works/works together

THE CONSTITUTION AND THE LEGISLATIVE BRANCH

- Article One creates a bicameral legislative branch of government
- the upper house is called the Senate
 - each state receives two representatives
 - six year term with 1/3 of seats up for reelection every two years
- the lower house is called the House of Representatives
 - apportioned by population
 - two year terms

POWERS OF CONGRESS

- the most important constitutional power of Congress is the power to make laws
- this power is shared by the House and Senate
- in order to become a law, a bill must be passed by both the House and Senate

KEY DIFFERENCES

House	Senate
initiate revenue bills	advise and consent
2-year term	6-year term
435	100
formal	relaxed
specialist	generalist
tax policy	foreign policy

WHAT DOES CONGRESS LOOK LIKE?

- historically, Congress is older, better educated, whiter, and richer than most of the US
- however, great strides have been made
- can a man represent a woman?
- can a white man represent a black man?

skip?

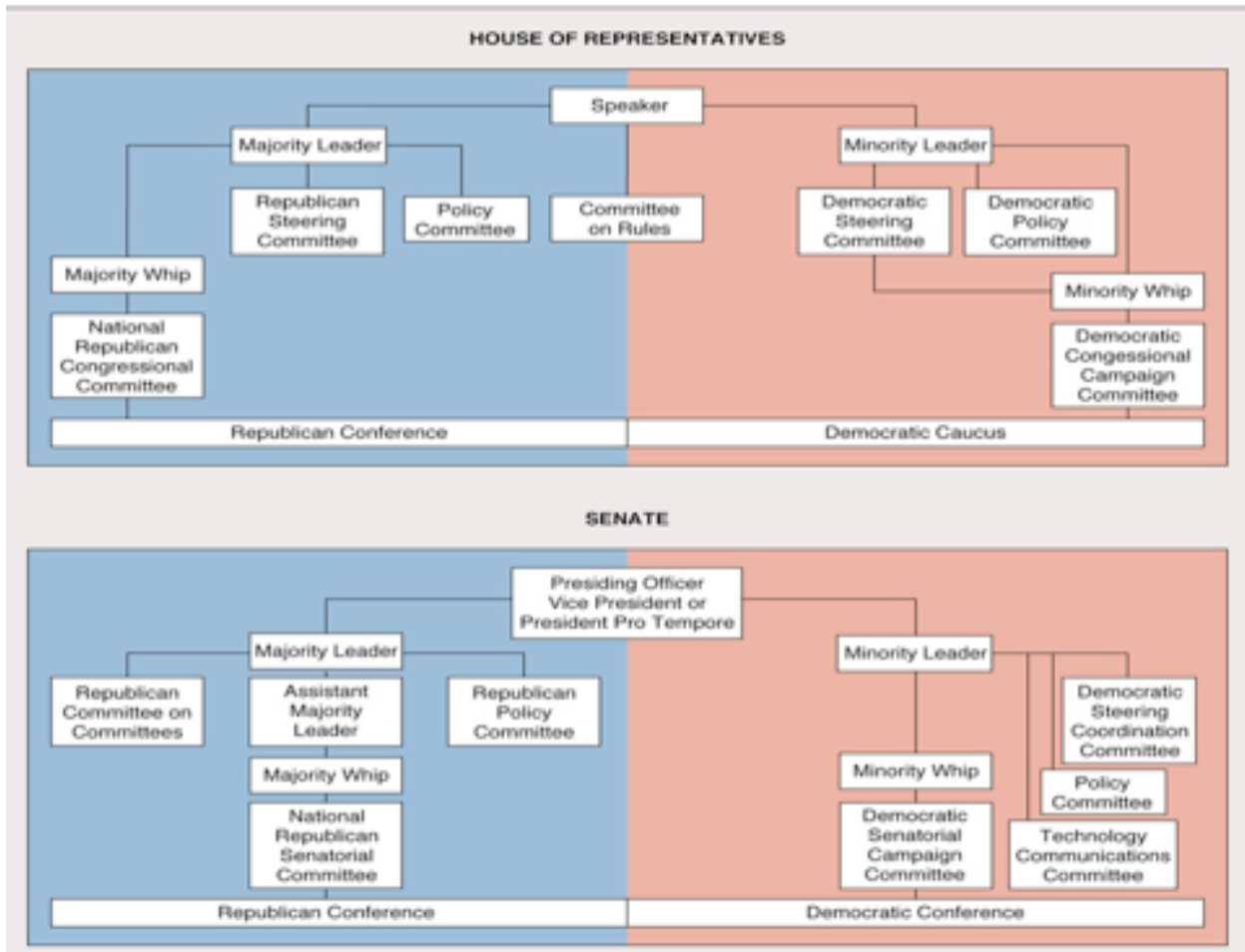
THE REPRESENTATIONAL ROLE OF MEMBERS OF CONGRESS

- how should an elected official represent his/her constituents?
- trustee -- representatives use their own best judgement
- delegate -- representatives vote the way their constituents want them to
- politico -- representatives act as trustee or delegate depending on the issue

ORGANIZATION OF CONGRESS

- every two years, a new congress is seated
- the first order of business is the election of leaders and adoption of new rules
- both houses of Congress are organized on the basis of party for both leadership and committee purposes

Figure 7.3 Organizational Structure of the House of Representatives and the Senate during the 106th Congress (1999-2000)

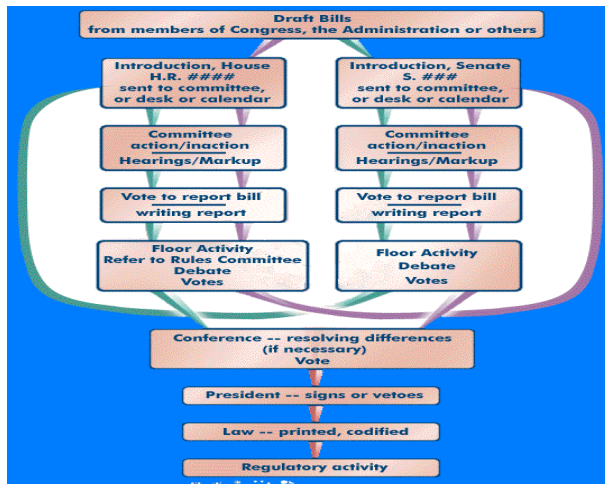


LAWMAKING

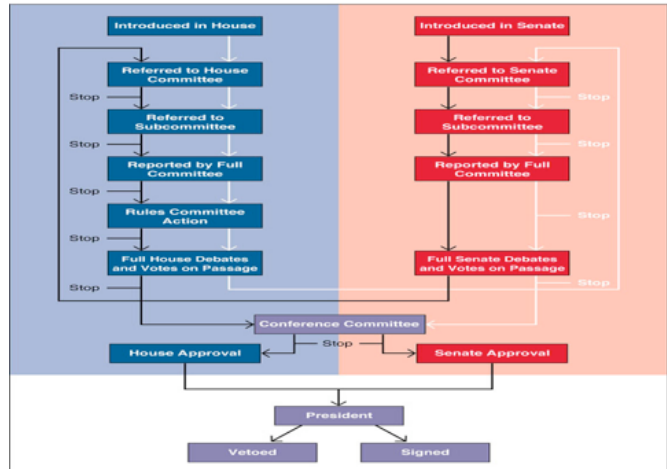
- only a member of the House or Senate may introduce a bill but anyone can write a bill
- over 9000 bills are proposed and fewer than 5%-10% are enacted
- most bills originate in the executive branch
- a bill must survive three stages to become a law: committees, the floor, and the conference committee
- (a bill can die at any stage)

HOW MEMBERS MAKE DECISIONS

- it is rare for a legislator to disregard strong wishes of constituents, particularly on hot button issues or those contentious issues that get a lot of media attention
- deciding how the voters feel is not possible
- the perceptions of the representative are important since he cannot really know all the constituents feel about an issue



7.7 How a Bill Becomes a Law



- if constituents have little knowledge or interest in an issue, the legislator often makes an autonomous decision

HOW MEMBERS MAKE DECISIONS

- interest groups
- colleagues
- party
- staff
- political action committees
- constituents
- caucuses

HOW CAN CONGRESS CENTRALIZE?

- if it does, it legislates more quickly
- if it does not, it moves more slowly
- why? again, compare to parliament
- parties can exert more control over independent members (recalcitrant ones) by threatening committee assignments, primary challenges, etc.

DIFFERENCES BETWEEN HOUSE AND SENATE

- Rule 22 passed after WWI
- why? to allow Senators the ability to bring end to debate
- Senate debate may go on a very long time; House has strict time limit

DEBATE

- the House rules on debate are very strict whereas in the Senate they are very liberal
- debate can be endless in the Senate (called a filibuster)
- Rule 22 and its amendment has allowed 60 senators to end debate through "cloture" - ending a debate and taking a vote

POWER CAN BE MORE CENTRALIZED IN HOUSE MORE QUICKLY

- because of debate rules in House, the mechanisms which can bring independent members in line with party are more powerful
- these include: limiting chairmanships to loyal party members and less on seniority

- decreasing numbers of committees and subcommittees (reliance on staff instead)
- threats of Primary Challenges

DESPITE THESE DIFFERENCES... STILL SENATE CAN BECOME MORE CENTRALIZED

- first, you can get enough members to end debate (that's rare)
- second, you must allow members of the opposing party the opportunity to work with out -- allows centrist members to have a louder voice to maintain that 60 vote margin

REVIEW

- centralization means stronger party control of Congress' houses and more efficient legislative process (collective action = inst. efficiency; congress' approval goes up as an inst.)
- trade off: harder to have ind. members in both chambers exert themselves enough in a favorable light to their constituents (which may make them vulnerable to primary challenge)
- decentralization: parties weaker and ind. members exert more control -- (inst. less efficient, and approval goes down)
- good for members not for legislative movement (tends to get more stuck)

CONGRESS AND THE PRESIDENT

- since the 1930s, the president has seemed to be more powerful than congress
- however, congress retains several key powers with regards to the president:
 - funding powers
 - oversight
 - impeachment/removal

CONGRESSIONAL OVERSIGHT

- Congress has the power to review the actions of the executive branch
- Congressional oversight is used to ensure that the bureaucracy is enforcing and interpreting laws the way Congress intended

CONTINUITY AND CHANGE

- the framers of the Constitution placed Congress at the center of the government
- in the early years of the republic, Congress held the bulk of power
- the face of Congress is changing as women and minorities have achieved seats
- today, the presidency has become quite powerful particularly since FDR
- Congress now generally responds to executive branch legislative proposals