

**DEPARTMENT OF POLITICAL SCIENCE
AND
INTERNATIONAL RELATIONS
Posc 150**

THE CONGRESS

- I. CONTENTS:
 - A. Legislative function and organization

- II. THE BALANCE OF POWER IN WASHINGTON:
 - A. ✱As noted many times previously, the constitution among many other things creates a *presidential* system.
 - 1. President *shares* power with Congress.
 - B. Many argue that a presidential system is inherently weak in this sense: a president can propose major domestic programs but has relatively little power to force their enactment.
 - C. A great deal of power thus resides in Congress.
 - 1. Power of the purse.
 - 2. Approval of appointments
 - 3. Influence over the bureaucracy.

- III. CONGRESSIONAL FUNCTIONS:
 - A. ○The American national legislature has an onerous workload.
 - 1. It may do more than comparable institutions in other parts of the world.
 - 2. Functions:
 - i. Legislative or law making
 - ii. Representation of geographical and other interests.
 - 1) Instructed delegates versus opinion leaders.
 - 2) Case work: *constituency service* and the “permanent campaign”
 - 3) These are the keys to reelection, not necessarily statesmanship.
 - iii. Administrative oversight
 - iv. Advise and consent
 - 1) A power of the senate
 - 2) Judicial appointments, cabinet officers, Federal Reserve, ambassadors, and others
 - 3) Treaties.
 - 3. Investigative
 - i. Watchdog over government activities.
 - 1) Committee on Intelligence
 - 2) Hearings on Enron.
 - 4. Judicial: impeachment.

IV. A PARLIAMENTARY SYSTEM:

- A. Unified government
- B. Function of legislature
 - 1. Hold “government” accountable.
 - 2. Question/answer period.

V. CONGRESSIONAL STRUCTURE - OVERVIEW:

- A. Bicameral legislature: two Houses
 - 1. House
 - i. The “people’s body.”
 - ii. Two-year terms and accountability
 - 1) How desirable are two-year limits? Would four years be better?
 - iii. 435 members.
 - 1) Geographical representation
 - 2) Size implies organizational constraints.
 - iv. Yet, size and complexity provides cover for members.
 - v. Powers:
 - 1) Revenue bills must originate in House, but its power is only coequal with the Senate.
 - 2. The Senate
 - i. 100 senators, two from each state.
 - 1) A “national” constituency?
 - ii. Senate “folkways”: deference and pace
 - 1) Senatorial courtesy, filibuster, etc.
 - a) The politics of the filibuster: judicial nominations?
 - iii. Particular powers: confirmation, treaties
- B. The “main branches”?
 - 1. Committees
- C. Caucuses
- D. A government of strangers
 - 1. Staff and research offices. (CBO)
- E. Leadership
 - 1. House: speaker, minority leader, whips.
 - 2. Senate: majority leader, minority leader; assistants, et al.
- F. *Party in government
 - 1. See above. Note this crucially important fact about Congress: the majority party within each house (that is, the party with most members) gets to “organize” the branch, which is to say it has the power set the schedule and agenda, pick majority staff members, and so forth.
 - 2. Control of a branch is a necessary but not sufficient condition of party success.
- G. *Influences on roll call votes:
 - 1. Issue salience and constituency preference.

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- i. The more visible the issue and the clearer the constituency opinion, the more representatives behave like instructed delegates.
 2. Ideology
 - i. One versus two or more dimensions.
 3. Party identification.
 4. Leadership.
 5. Lobbyists and money.

VI. LEGISLATIVE PROCESS:

- A. For a clear description see the Congressional web site (<http://thomas.loc.gov/>) and in particular “The how a bill...” section: (<http://thomas.loc.gov/home/lawsmade.toc.html>)
- B. General: Note ✨ = sometimes
 1. Introduction
 2. Referral to committee
 - i. Standing committees
 3. Committee(s) and subcommittee(s) action
 4. Floor action
 5. Vote
 6. Next chamber: steps 1 to 6
 7. ✨Conference and reconsideration
 8. President’s signature
 9. Implementation
 - i. Courts
 - ii. Bureaucracy
- C. Comments on the process.
 1. Lots of pitfalls, obstacles means that in many cases it is easier to block legislation than pass it.
 2. The committee and subcommittees mean the president and leaders have a difficult time enforcing the party program.
 3. As noted this labyrinth creates many “hiding places” and hinders accountability.
- D. House:
 1. Size of the chamber creates problems
 2. (Multiple) referral and committee(s) and subcommittee(s) action
 - i. Functional areas of government and policy
 - 1) Standing committees: Agriculture, Appropriations, Banking, Budget, Commerce, etc.
 3. Bypassing committees and “task forces”
 4. Rules committee
 5. Floor action
 - i. Amendments and debate can and usually are restricted.
 6. House acts first on revenue (tax) legislation
- E. Senate

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1. Smaller, more informal
2. Floor action
- i. Filibuster and cloture
- ii. Deference
3. Advise and consent
- F. Types of legislation:
1. Bills and “joint resolutions”
- i. Authorization: creates programs, purposes, and limits but does not allocate funds
- ii. Appropriations: allocates funds (“puts money in the bank”)
2. Omnibus spending
- G. ✱The bottom line
1. Legislative process normally is an arduous, time consuming process.
2. It offers opportunities to obstruct.
3. It makes enacting new, sweeping policy difficult.
4. It provides groups with numerous points of access, especially if they are well organized and funded.
5. It’s hard for average citizens to hold parties accountable.

VII. NEXT TIME:

- A. The Presidency.
- B. Reading:
1. Finish Drew, *The Corruption of American Politics*
2. Work on Tucker, *May God Have Mercy*, this weekend. Read it straight through if possible.
- i. See below.
3. Read Heilbroner and Thurow, *Economics Explained*, Chapters 1, 3-5, 7-9.
- C. Reading:
1. Recommended: “The Legislative Process” at “Learning About the Senate” (http://www.senate.gov/learning/learn_process.html). This is a good site.
2. Recommended: “The U.S. House of Representatives The Legislative Process - Tying it All Together,” (http://www.house.gov/house/Tying_it_all.html). Another good place.