

Chapter 12: Congress in Action

Section 1

Lecture Notes

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▶ Opening Day in Congress

- Congress begins a new term every two years, on January 3 of odd years.
- In the House, the members elect a Speaker, who takes the oath of office and swears in the other members.
- The House then elects various officers such as the clerk.
- Next the House adopts the rules for the current term.
- These rules have developed for over 200 years and are occasionally amended or expanded.

▶ Opening Day, cont.

- The House then appoints the members of the 20 permanent committees.
- Only a third of the Senate is elected every two years, so newly elected members are simply sworn in and vacancies for officers and committees filled.



▶ The State of the Union

- Checkpoint: What is the purpose of the State of the Union address?
 - The President delivers the State of the Union address to a joint session of Congress a few weeks after it is organized.
 - In addition to describing the general state of national affairs, the President describes the planned policies of his or her administration to Congress and the nation, requesting that Congress pass specific pieces of legislation.

► Speaker of the House

- The Speaker of the House is the presiding officer of the House and the leader of its majority party, a powerful combination.
- Democrat Nancy Pelosi (right) is the first woman to serve as Speaker.



▶ Speaker of the House, cont.

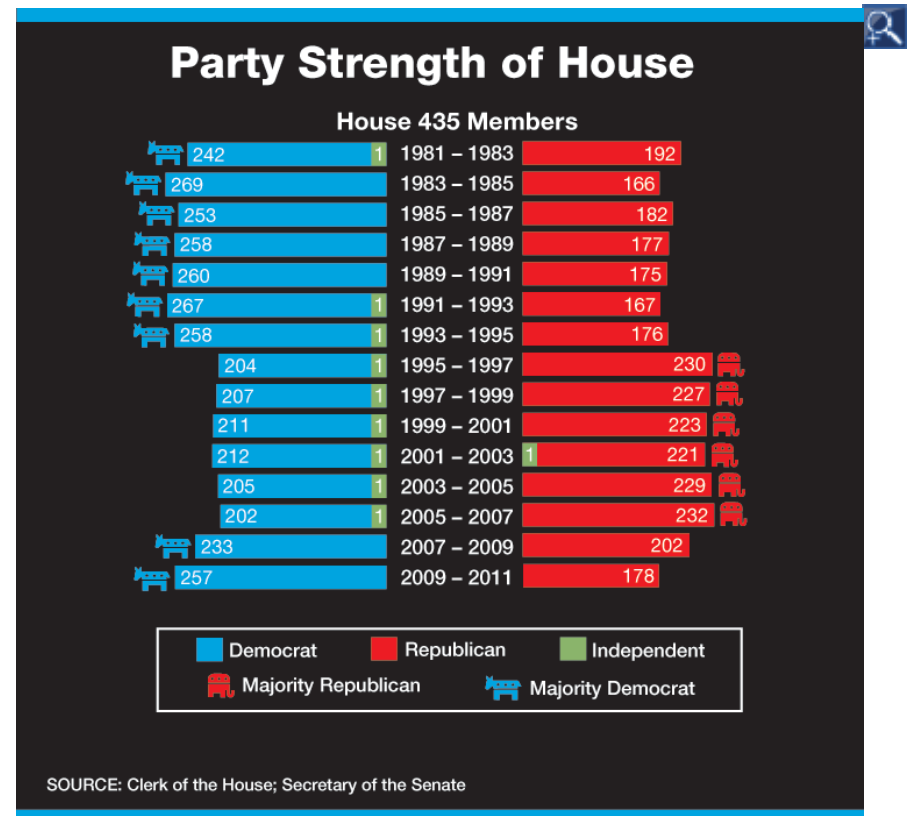
- The Speaker presides and keeps order.
 - The Speaker chairs most sessions of the House. No member can speak on the floor unless recognized by the Speaker.
 - The Speaker interprets and applies rules and procedures, refers bills to committees, and puts motions to a vote.
 - The Speaker also names the members of all select and conference committees.

▶ President of the Senate

- The Constitution names the Vice President as the Senate's presiding officer.
 - The President of the Senate can recognize members, put questions to a vote, and so forth, but cannot take part in debates and votes only to break a tie.
 - The President *pro tempore* is a member of the Senate's majority party elected to serve as Senate leader in the Vice President's absence.

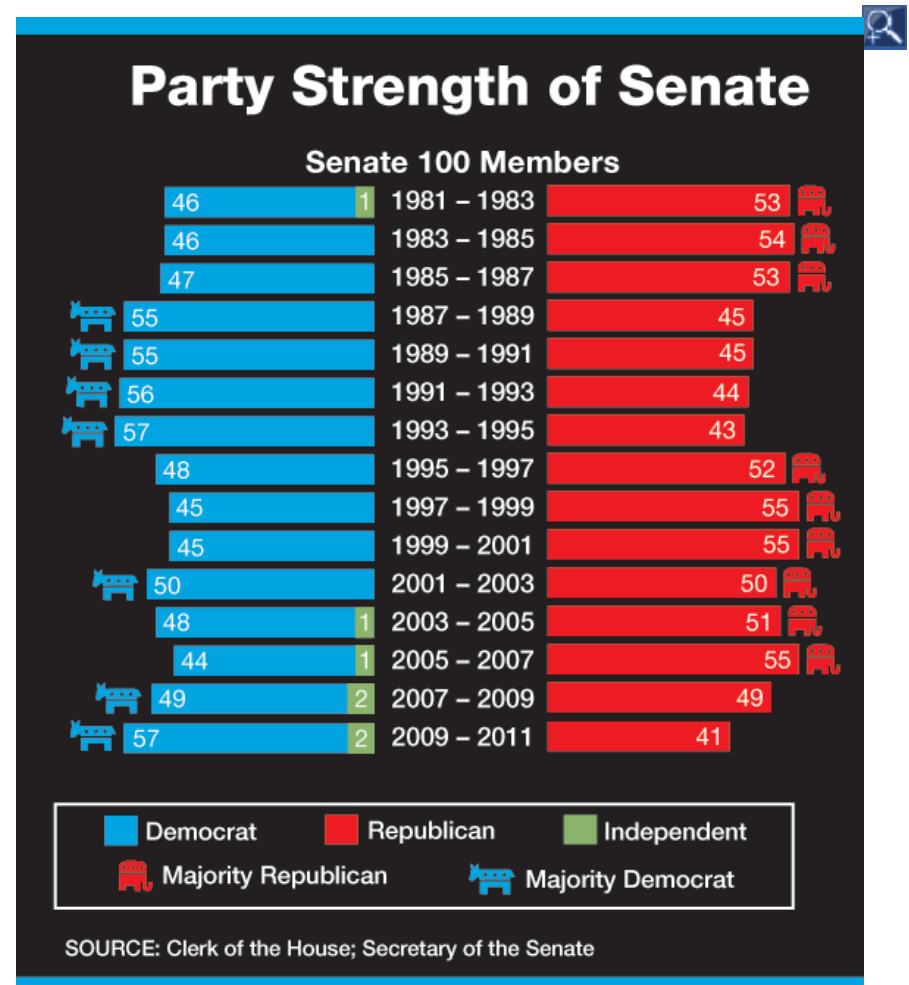
▶ Party Politics in Congress

- Congress is strongly partisan.
- It is organized along party lines, with key positions and committees controlled by the majority party in each house.
 - Since 1981, what is the largest majority held by either party in the House?



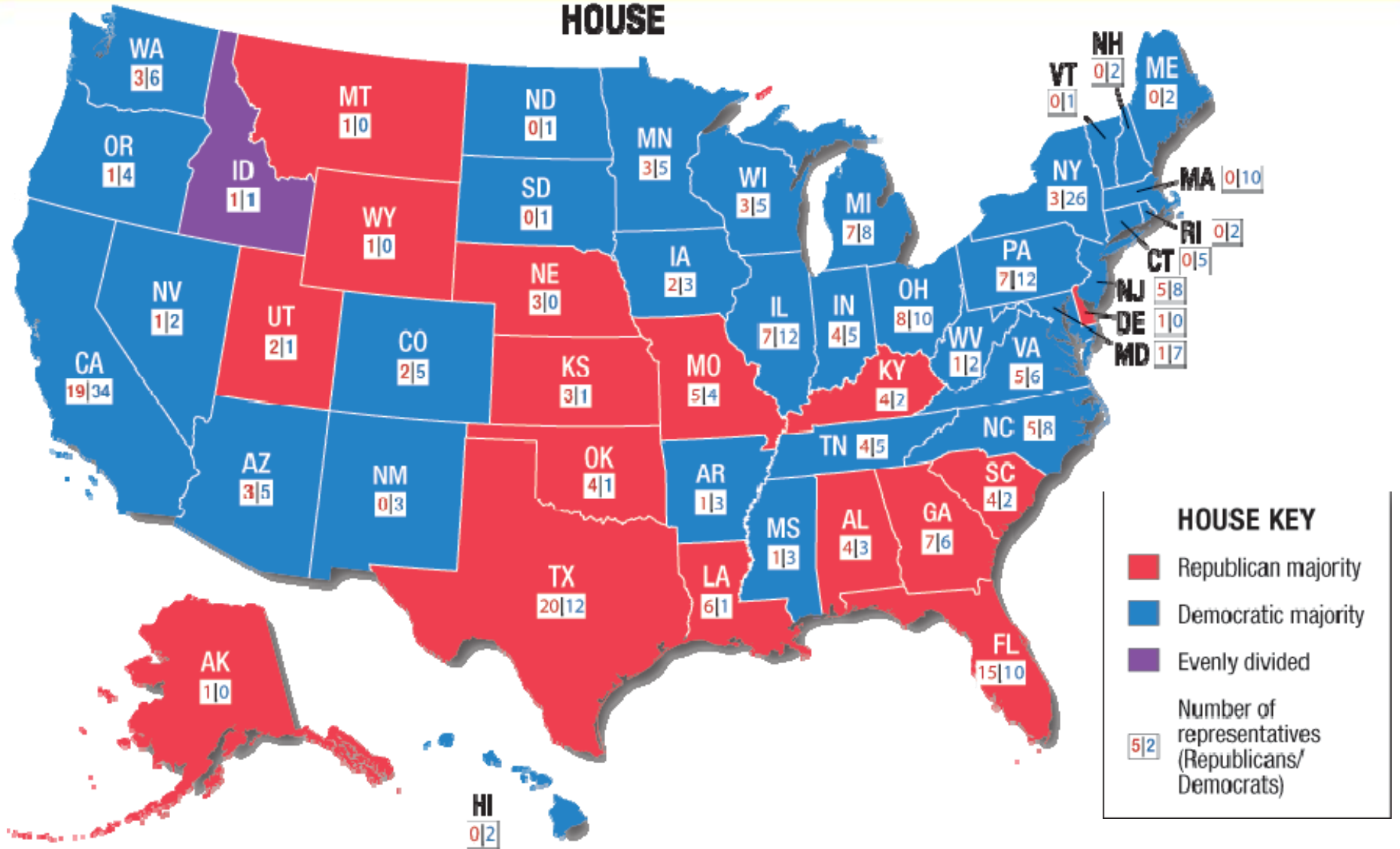
▶ Party Caucus

- Checkpoint: What is a party caucus?
 - A party caucus is a closed meeting of the members of each party in each house.
 - The caucus discusses policy issues and selects the party's floor leaders and committee chairs.



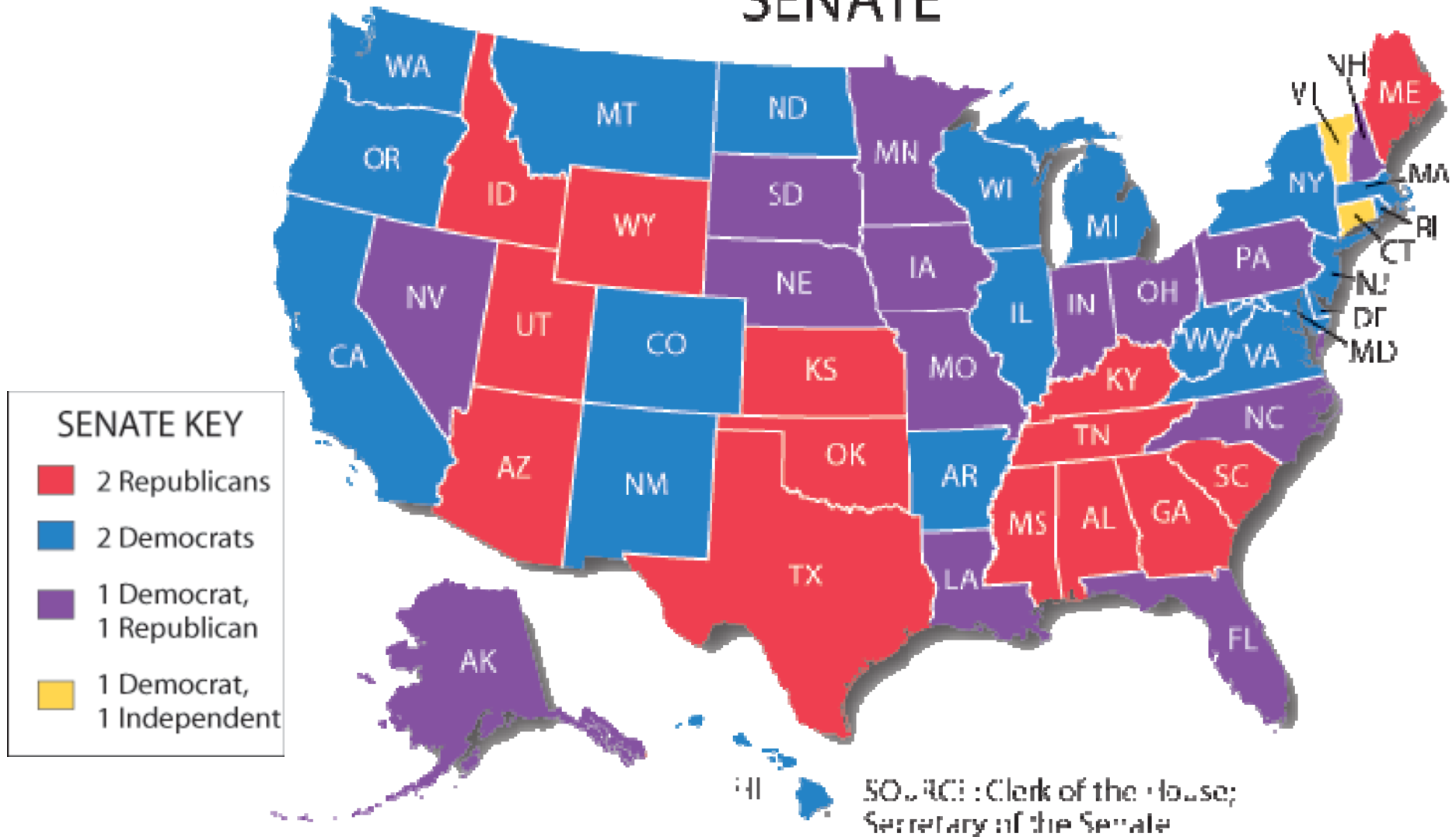
Representation by State

HOUSE



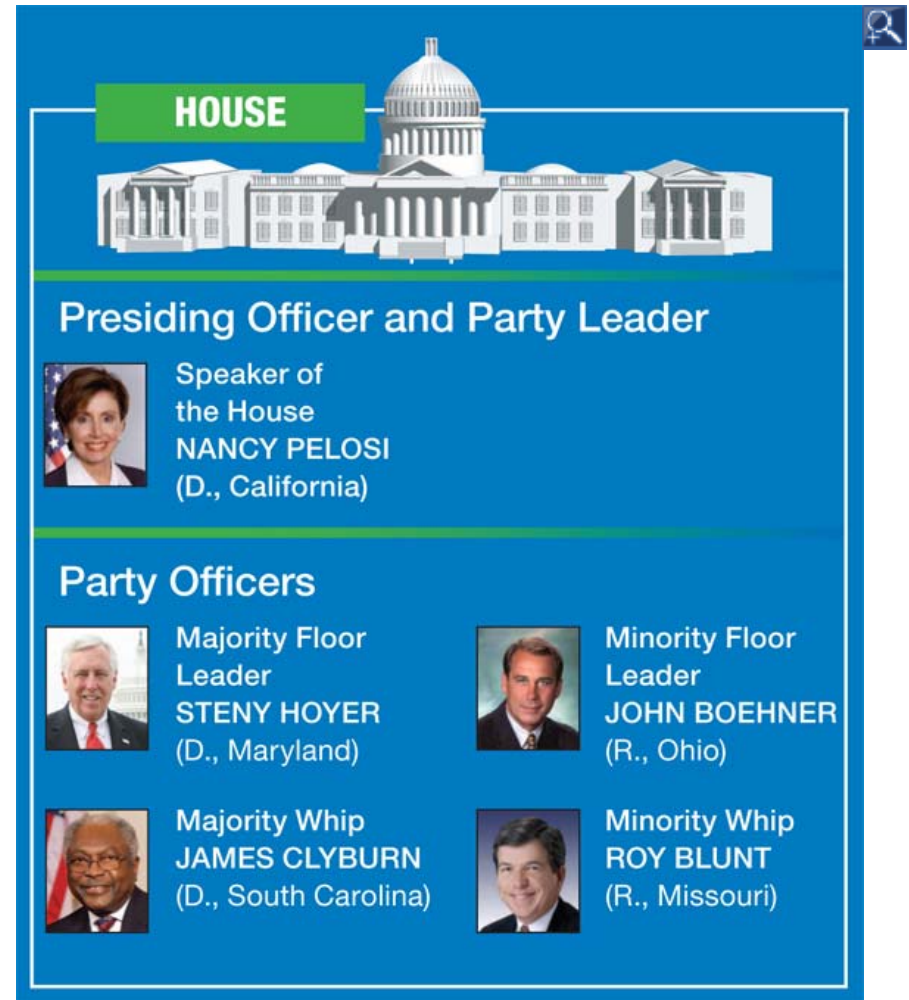
Representation by State

SENATE



▶ Floor Leaders

- The floor leaders are party officers in the House and Senate.
- The majority leader represents the majority party in each house and controls the order of business on the floor.



The infographic is titled "HOUSE" and features a stylized illustration of the U.S. Capitol building. It lists the following leadership roles and individuals:

- Presiding Officer and Party Leader:** Speaker of the House NANCY PELOSI (D., California)
- Party Officers:**
 - Majority Floor Leader: STENY HOYER (D., Maryland)
 - Minority Floor Leader: JOHN BOEHNER (R., Ohio)
 - Majority Whip: JAMES CLYBURN (D., South Carolina)
 - Minority Whip: ROY BLUNT (R., Missouri)

► Floor Leaders, cont.

- The party whips are assistant floor leaders who help connect the party leadership with the rank-and-file members.
- The whips count votes and help see that members are present for key votes.

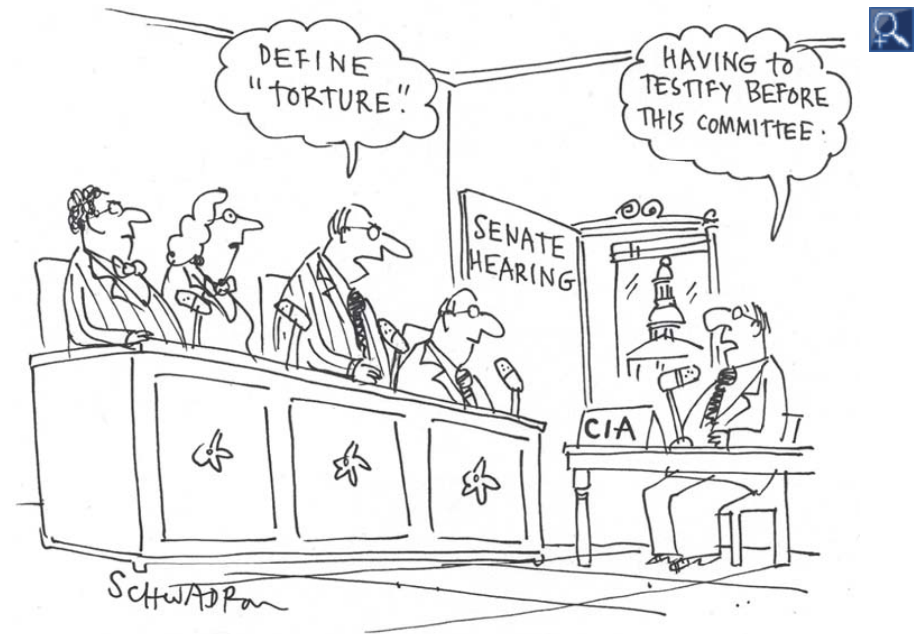


The infographic is titled "SENATE" and features a stylized illustration of the U.S. Capitol building. It is divided into two main sections: "Presiding Officers" and "Party Officers". Each officer is represented by a small portrait photo followed by their name, title, and state.

SENATE	
Presiding Officers	
 President of the Senate JOE BIDEN (D., Delaware)	 President Pro Tempore ROBERT C. BYRD (D., West Virginia)
Party Officers	
 Majority Floor Leader HARRY REID (D., Nevada)	 Minority Floor Leader MITCH MCCONNELL (R., Kentucky)
 Majority Whip DICK DURBIN (D., Illinois)	 Minority Whip JON KYL (R., Arizona)

▶ Committee Chairman

- Committee chairs have a major say in what bills the committee considers, if public hearings will be held, and what witnesses will be called.
 - What does this cartoon say about testifying before a committee?



▶ The Seniority Rule

- The seniority rule is an unwritten custom granting the most important posts in Congress, such as committee chairmen, to the party members with the longest service.
 - Critics say this rule ignores ability, discourages younger members, and limits fresh ideas.
 - Supporters say the rule ensures experienced leadership and is easy to apply without sparking debates.

Chapter 12: Congress in Action

Section 2

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▶ Standing Committees

- When a bill is introduced in either house, it is referred to the standing committee that deals with the subject matter of that bill. The fate of most bills is decided in committee rather than on the floor of either house.



▶ Standing Committees, cont.

- Members of each standing committee are elected by a floor vote at the beginning of each term of Congress.
 - 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.
 - Committee chairmen are chosen according to the seniority rule.

▶ Standing Committees, cont.

- 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	Collin C. Peterson (D., Minn.), 1990
Appropriations	David Obey (D., Wis.), 1969
Armed Services	Ike Skelton (D., Mo.), 1976
Budget	John M. Spratt, Jr. (D., S. C.), 1982
Education and Labor	George Miller (D., Calif.), 1974
Energy and Commerce	Henry A. Waxman (D., Calif.), 1974
Financial Services	Barney Frank (D., Mass.), 1980
Foreign Affairs	Howard Berman (D., Calif.), 1982
Homeland Security	Bennie G. Thompson (D., Miss.), 1993
House Administration	Robert A. Brady (D., Penn.), 1998
Judiciary	John Conyers, Jr. (D., Mich.), 1964
Natural Resources	Nick J. Rahall II (D., W. Va.), 1976
Oversight and Government Reform	Edolphus Towns (D., N.Y.), 1982
Rules	Louise M. Slaughter (D., N. Y.), 1986
Science and Technology	Bart Gordon (D., Tenn.), 1984
Small Business	Nydia M. Velazquez (D., N. Y.), 1992
Standards of Official Conduct	Zoe Lofgren (D., Calif.), 1994
Transportation and Infrastructure	James L. Oberstar (D., Minn.), 1974
Veterans' Affairs	Bob Filner (D., Calif.), 1992
Ways and Means	Charles B. Rangel (D., N. Y.), 1970

SOURCE: *Congressional Directory* and Clerk of the House

▶ Standing Committees, cont.

- 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.

Senate Standing Committee Chairs

Committee	Name, Party, State, Year Elected
Agriculture, Nutrition, and Forestry	Tom Harkin (D., Iowa), 1984
Appropriations	Daniel Inouye (D., Hawaii), 1962
Armed Services	Carl Levin (D., Mich.), 1978
Banking, Housing, and Urban Affairs	Christopher C. Dodd (D., Conn.), 1980
Budget	Kent Conrad, (D., N.D.), 1986
Commerce, Science, and Transportation	Jay Rockefeller (D., W.Va.), 1984
Energy and Natural Resources	Jeff Bingaman (D., N.M.), 1982
Environment and Public Works	Barbara Boxer (D., Calif.), 1992
Finance	Max Baucus (D., Mont.), 1978
Foreign Relations	John Kerry, Jr. (D., Mass.), 1984
Health, Education, Labor, and Pensions	Edward M. Kennedy (D., Mass.), 1962
Homeland Security and Governmental Affairs	Joseph L. Lieberman (I., Conn.), 1988
Judiciary	Patrick T. Leahy (D., Vt.), 1974
Rules and Administration	Mary Landrieu (D., La.), 1996
Small Business and Entrepreneurship	Charles Schumer (D., N.Y.), 1998
Veterans' Affairs	Daniel K. Akaka (D., Hawaii), 1990

SOURCE: *Congressional Directory* and *Secretary of the Senate*

▶ Subcommittees

- Most standing committees are divided into more specific subcommittees, which do much of the work of researching and reviewing bills.
 - There are 99 subcommittees in the House and nearly 70 in the Senate.
 - The subcommittees relay their findings to the main committee.

▶ The House Rules Committee

- The House Rules Committee controls which bills make it to the floor of the House.
- Bills that leave their standing committee must then be scheduled for floor consideration by the Rules Committee.
- This power lets the Rules Committee speed, delay, or block House action on a measure.

▶ A Sample Bill

- The Food and Energy Security Act was introduced in the House in 2007.
 - The Speaker referred the bill to the Committee on Agriculture, which reviewed and reported it, and the Committee on Foreign Affairs, which simply discharged it.
 - After leaving committee, the bill was scheduled for floor debate and amendment by the Rules Committee.
 - The bill was then considered by the full house.

▶ Investigation and Oversight

- Congressional committees and subcommittees often conduct investigations into public issues.
- They may do so to gather information, to ensure that federal agencies are following the law, or to raise public awareness.



▶ Select Committees

- Checkpoint: What is a select committee?
 - Select or special committees are typically temporary panels set up to investigate a specific issue.
 - The Senate Watergate Committee investigated the Watergate scandal.
 - The Iran-Contra Committee examined the arms-for-hostages deal and illegal aid to the Contras.
 - The Senate Committee on Indian Affairs uncovered corruption tied to lobbyists for Native American tribes.

▶ Joint Committees, cont.

- Joint committees include members from both houses.
- Those shown in the chart are permanent groups, while others are select committees.
 - Why do you think the topics shown on the chart are handled by joint committees?

Joint Committees of Congress

The **Joint Economic Committee** addresses matters related to the U.S. economy.
Chair: Sen. Charles Schumer (D., N.Y.)

The **Joint Committee on the Library** addresses matters related to the Library of Congress.
Chair: Sen. Dianne Feinstein (D., Calif.)

The **Joint Committee on Printing** oversees the Government Printing Office and other printing by the Federal Government.
Chair: Rep. Robert A. Brady (D., Penn.)

The **Joint Committee on Taxation** is involved in legislation about taxes. The chair position rotates between the chair of the House Ways and Means Committee and the Senate Finance Committee.

▶ Conference Committees

- Checkpoint: What is the difference between a joint committee and a conference committee?
 - Joint committees coordinate the efforts of each house of Congress on specific subjects and help administer shared functions.
 - Conference committees are temporary, joint panels formed to create a compromise bill when each house has passed a different version of a bill.

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Section 3

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▶ The First Steps

- Most bills are drafted in the executive branch or by special interest groups before being presented to members of Congress.
- Members often try to get support or cosponsors from members before introducing a proposed bill.
- All tax bills must begin in the House.
- House members introduce bills by dropping them into a hopper on the clerk's desk.

▶ Bills and Resolutions

- Public bills are measures that apply to the nation as a whole.
- Private bills are measures that apply to certain persons or places.
- Joint resolutions are special measures that have the force of law. They are used to deal with unusual or temporary matters, such as funding inaugurations or proposing constitutional amendments.

▶ Bills and Resolutions, cont.

- Concurrent resolutions do not have the force of law. They are used when both the House and Senate want to state a position on an issue.
- Simple resolutions are used by each house to adopt or amend its rules.
- A rider is a provision tacked on to an unrelated bill, such as appropriations bill, that is more likely to be passed than the rider would be on its own.

► First Reading

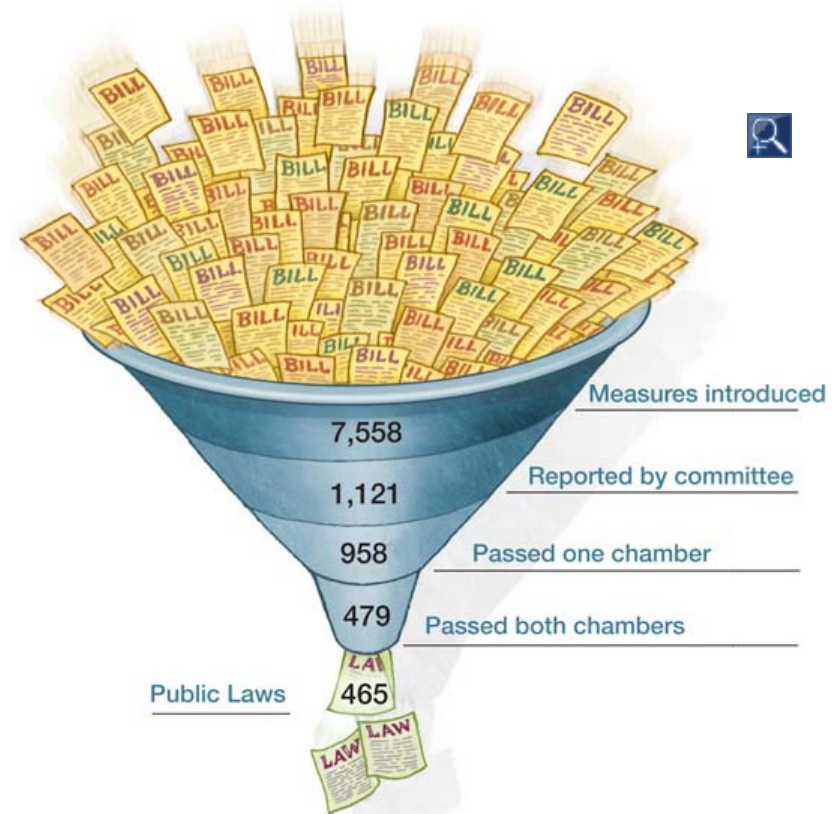
- Each bill is numbered by the clerk, given a short title summarizing its contents, and entered into the official record.
- After this first reading, the bill is assigned to a committee.
 - What does this cartoonist say about the political process?



"The only solution I can see is to hold a series of long and costly hearings in order to put off finding a solution."

▶ The Bill in Committee

- Though not mentioned in the Constitution, committees play an essential role by filtering the many bills submitted to Congress.
- Most bills are pigeonholed. That is, they die in committee.



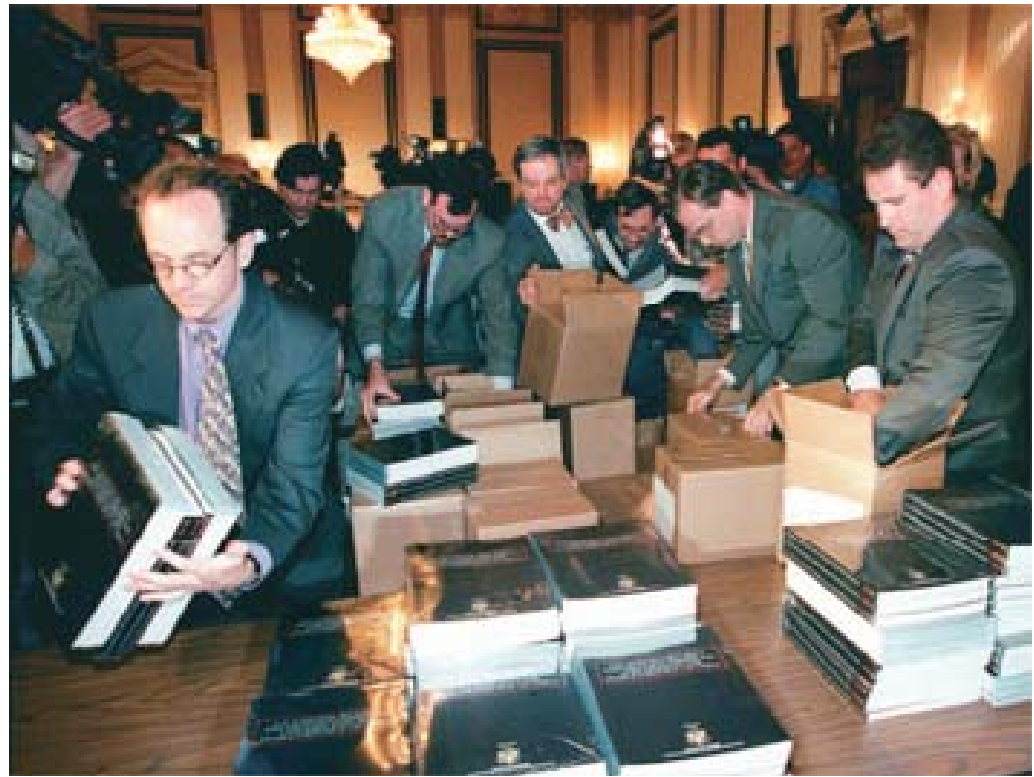
▶ The Bill in Committee, cont.

- Checkpoint: What is a discharge petition?
 - A discharge petition lets House members force a bill that has stayed in committee 30 days onto the floor for debate.
 - Such a petition must be signed by a majority of House members.



▶ A Committee at Work

- Committees refer bills to one of their subcommittees.
- Public hearings to gather data and hear testimony are held for key measures.
- Sometimes members of a subcommittee will take trips to research a bill.



▶ Committee Actions

- A committee can:
 - Report a bill with a “do pass” recommendation.
 - Pigeonhole the bill and kill it.
 - Report an amended version of the bill.
 - Report the bill with a “do not pass” recommendation.
 - Report a committee bill as a substitute for a bill referred to it.

► Congressional Staffers

- More than 2500 people serve congressional committees, offering expert advice on the content and politics associated with various bills.
- Their hard work includes research and presenting information on issues.



▶ Scheduling Floor Debate

- A bill reported by a standing committee must be placed on one of five House calendars before it comes up for floor debate.
- The Rules Committee must then grant a rule to a bill, setting a time for it to appear on the floor.
 - By not granting a rule, the Committee can kill a bill.
 - Special rules can limit debate on a bill.

▶ The Bill on the Floor

- Minor bills get a brief second reading and are passed or defeated.
- Major bills are addressed on the House floor by the Committee of the Whole, which consists of at least 100 members.
 - The House session is suspended as the Committee reads the bill section by section, debating and possibly amending each section.
 - The House then returns to session to adopt the completed bill.

► Debate

- House members must have unanimous consent to speak for more than an hour.
- The Speaker can force a member to give up the floor.
- Any member can move for an up-or-down vote on an issue at any time.



▶ Voting in the House

- Checkpoint: What are the four types of votes that the House can take?
 - **Voice votes** in which the Speaker counts the “yes” and “no” votes.
 - A **standing vote**, where those in favor and against are counted by the clerk.
 - A **roll-call vote** that goes member by member can be demanded by one fifth of the members present.
 - The rare **teller vote** has a teller count the votes for each party.

▶ Voting in the House, cont.

- The House now uses a computerized voting system that shows instantly how each member has voted.
 - Members have 15 minutes to cast their votes or respond to quorum calls.
 - The Senate does not use electronic or teller votes.
- Once a bill is approved, it is printed and given a third and final reading before being sent to the other house.

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Section 4

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▶ The Senate

- Senate standing committees deal with bills in a similar way as the House of Representatives.
- However, the rules for Senate floor proceedings are less formal and strict than those of the House.



▶ Debate in the Senate

- There are few limits on floor debate in the Senate.
- In general, a senator can speak on the floor as long as he or she pleases about any topic that he or she wants to. However, no senator may speak more than twice on the same question on the same day.
- Many Senate bills are debated under a unanimous consent agreement that limits the amount of floor debate.

▶ The Filibuster

- A filibuster is a stalling tactic used by a minority of senators to talk a bill to death.
- Filibusterers try to take up so much floor time with speeches and other time-killing motions that the Senate has to drop or modify a bill to move forward.
- The Senate tries to beat filibusters by holding long daily sessions and enforcing strict rules to wear down talkers.

▶ The Filibuster, cont.

- Strom Thurmond, right, holds the record for a filibuster, holding the floor for 24 hours and 18 minutes.
- Today most filibusters are team efforts, with senators taking turns.
- More than 300 measures have been killed by filibusters.



▶ Cloture

- The Cloture rule was adopted in 1917 after a three week filibuster killed a measure related to World War I.
- Cloture allows debate to be limited by a special procedure that requires support by 60 senators.
- Only a third of the 600 attempts to invoke cloture have succeeded, so filibusters remain effective.
- Senators often oppose cloture to preserve free debate and the value of the filibuster.

▶ Conference Committees

- Checkpoint: What usually happens when House and Senate versions of a bill are not identical?
 - A conference committee is formed to iron out the differences and create a compromise bill.
 - The committee members are usually leading members of the standing committees that handled the bill in each house.

► Conference Committees, cont.

- It is rare for either house to reject a compromise bill approved by the conference committee.
- This rarity is due to the influence of the committee members and the fact that there is usually little time left in a session to consider the bill.



▶ The President Acts

- All bills that pass Congress are sent to the President, who can do one of four things:
 1. Sign the bill into law.
 2. Veto, or refuse to sign, the bill.
 3. Let the bill become law by not signing it within 10 days.



► The President Acts, cont.

4. Kill a bill by using a pocket veto. If Congress adjourns its session within 10 days of submitting a bill that the President has not signed, it dies by pocket veto.
 - Congress can override a veto with a 2/3 majority of each house, but this is rare.



▶ Review

- Members of Congress work hard to gather support and find cosponsors before they draft and submit a bill.
- Authors also tweak the wording of bills so that they will be steered to favorable committees.



▶ How a Bill Becomes a Law, Pt. 1

- A bill introduced in the House follows the 4 steps shown in the graphic and then moves on to the Senate.
- Bills are often referred to more than one standing committee for study and approval.

1 H.R. 1 INTRODUCED IN HOUSE.



2 COMMITTEE ACTION
H.R. 1 referred to standing committee for study, hearings, revisions, and approval.



3 RULES COMMITTEE
The Rules Committee sets conditions for debate and amendment on the floor.



4 FLOOR ACTION
H.R. 1 debated, then passed or defeated. If passed, it goes to the Senate.



▶ The Rules Committee

- The House majority party often uses the Rules Committee to advance its agenda.
- This committee can restrict floor debate about a bill or even bypass standing committees and bring a bill directly to the floor for a vote.



▶ How a Bill Becomes a Law, Pt. 2

- A bill introduced in the Senate begins with steps 5-7 and then moves to the House.
 - How does the lawmaking process for the Senate differ from that of the House?

5 S. 1
INTRODUCED IN
SENATE.



6 COMMITTEE ACTION
S. 1 referred to standing
committee for study,
hearings, revisions, and
approval.



7 FLOOR ACTION
S. 1 debated, then
passed or defeated.



▶ How a Bill Becomes a Law, Pt. 3

- Steps 8-9 are often not needed, as a bill approved by one house is often left unchanged by the second.
- The threat of a veto is often enough to block or force changes in a proposed bill.



8 CONFERENCE COMMITTEE
Conference Committee resolves differences between House and Senate versions of bill.



9 CONGRESSIONAL APPROVAL
House and Senate vote on final passage. Approved bill is sent to the President.



10 PRESIDENTIAL ACTION
The President signs or vetoes the bill or allows it to become law without signing. A vetoed bill returns to Congress; the veto may be overridden.