

SPECIFIC CONGRESSIONAL DUTIES IN THE CONSTITUTION ASC = ARTICLE, SECTION, CLAUSE

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- A1S2C5 House: Choose a speaker and other officers; have the power to impeach.
- A1S3C5 Senate: Choose officers; try all impeachments.
- A1S4C2 Congress: Meet once a year.
- A1S5 Congress: Judge elections of members; compel attendance; determine rules; punish members; possibly expel members; keep a journal; list votes.
- A1S6 Congress: Be privileged from arrest during sessions; can't hold other offices.
- A1S7 Congress: Start revenue bills in the House; present laws to the president.
- A1S8 Congress: Lay and collect taxes; pay debts; provide for the common defense and general welfare; borrow money; regulate commerce; set rules of naturalization; make laws covering bankruptcy; coin money; fix the standards of weights and measures; set the punishment for counterfeiting; establish post roads and offices; promote the sciences and the arts; set up copyrights; create federal courts; define and set punishments for piracy; declare war; grant letters of marque and reprisal; raise and support armies, provide for a navy and call for the militia if needed; organize and discipline militias; govern the national capital's district; regulate national forts and arsenals; make laws that may be "necessary and proper".
- A1S9 Congress: Do not suspend *writs of habeas corpus* unless emergencies require it; pass no bills of attainder or *ex post facto* laws; set no taxes without a census; do not tax exports; do not give preferential laws to ports or states; do not draw money from the Treasury without laws; do not grant titles of nobility.
- A1S10 Congress: Monitor states' actions over imports and exports; monitor states' actions with other countries.
- A2 Congress: Set the times of the workings of the Electoral College.
- A3 Congress: Decide whether to create federal courts; set court salaries; direct where some federal trials may be heard; declare the punishment of treason but do not include the families of those accused as possible recipients of punishment.
- A4 Congress: Admit new states; control federal territories; protect the states from invasion and domestic violence.
- A5 Congress: Help propose amendments.
- A6 Congress: Swear to uphold the Constitution.
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BASIC COMMITTEES OF CONGRESS

Standing Committees	These are the permanent committees that work on annual items. In the 2008 session, the House had 20 standing committees responsible for issues from agriculture and the armed services to energy, homeland security, sciences, and ways and means. The Senate had 16 such committees that year.
Joint Committees	Members of the House and the Senate gather basic data for Congress on many subjects, such as economics. In 2008, there were four such committees on printing, taxation, the "Economic Committee," and the committee that runs the Library of Congress.
Select/Special Committees	Select/special committees are temporary and set up to investigate or research issues. These committees are disbanded when the issue or conflict is resolved. There have been special committees on energy independence, Indian affairs, ethics, intelligence, and aging.
Conference Committees	When bills emerge from House and Senate debates, there may be significant differences between the House bill and the Senate bill in amendments, budget levels, etc. To rectify this, a Conference Committee is created, including the major sponsors of the bill from both chambers. This committee has the duty of compromising on the version differences and presenting the House and Senate with a united bill.

LEADERSHIP AND ORGANIZATION OF CONGRESS

House of Representatives: 435 members (this number was set in 1929); elected for two-year terms from state districts, with seats being distributed according to state populations

Leaders:

1. The **Speaker of the House** (required by the Constitution) is elected by majority vote of members and, in modern times, has always been a member of the majority party.
2. The **majority leader** is chosen by the majority party to represent its goals and policies.
3. The **majority whip** is the assistant to the majority leader, representing the regular membership and functioning as agenda setter, group communicator, and issue planner.
4. **Committee chairpersons** are from the majority party. Chairpersons help form the legislative calendar, committee hearings, and many bill priorities. Rules Committee members are House leaders selected to make the rules of debates and amendment options for bills. They control the final agenda of the floor.
5. The **House Rules Committee** can make or break a piece of legislation when it either restricts or loosens the time limits and scope of debates.
6. The **minority leader** is the leader of the opposition, minority party.
7. The **minority whip** is the assistant to the minority leader and liaison to the minority party members.
8. The **House Republican Conference** guides GOP bills and agendas.
9. The **House Democratic Caucus** guides Democratic bills and agendas.

Senate: 100 members elected for six-year terms from the entire state (rather than from a specific district, like in the House; there are two Senators per state), 33 or 34 elected every two years (staggered-term system)

Leaders:

1. The **president of the Senate** (required by the Constitution) is the vice president and can monitor debates, count electoral votes, and vote to break a tie vote of the senators.
2. The **president pro tempore** (*pro tem*) (required by the Constitution) serves when the vice president is not available. Generally, it is a ceremonial role given to the majority party Senator with the longest tenure (seniority).
3. A **majority leader** is elected by the majority party to lead procedures, set the agenda, etc.
4. A **majority assistant** (some texts list this as Senate whip) has the same duties as House majority whip.
5. **Committee chairpersons** are from the majority party, usually assigned through seniority. Like House committees, the chairperson can wield power over when bills are debated, how they are debated, and sometimes even whether or not they are debated.
6. A **minority leader** leads the interests of the minority party.
7. A **minority assistant** (Senate whip) has duties that parallel those of the House whips.
8. Each party has a "**Conference Caucus**" that guides policies and agendas for the parties.

THE BASIC STEPS OF CREATING LAWS

The Constitution requires that revenue bills start in the House, but most are given simultaneous treatment by the House and Senate.

Some bills are processed by the Senate and then the House, others by the House and then the Senate. All bills must be considered by both chambers of Congress in order to become law.

Process:

1. Staff members of House and Senate leaders assign bills numbers for processing (e.g., HR 1..., S 1...).
2. Leaders get bills assigned to committees.
3. Committee chairpersons assign bills to subcommittees for study and debate.
4. Subcommittees hold public hearings, amend bills, and vote on bills. This is known as the "markup" procedure. If the bill is approved, it is then referred to the full committee.
5. The committee can hold further hearings and debates, but it often votes based on subcommittee recommendations.
6. The committee refers the bill to the full House or Senate floor.
7. Floor debates can occur, and, if passed, the bill is referred to the other chamber.
8. The powerful House Rules Committee frames House debates, times, etc.
9. Once both chambers have passed the bill, a Conference Committee is formed to join the two versions into a single bill.

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10. Both the House and the Senate vote on the Conference Committee version of the bill.
11. The bill is then sent to the president.
12. If the president signs it, the bill becomes federal law.
13. If the president ignores the bill for 10 days (not counting Sundays), it automatically becomes law without the president's signature.
14. If the Congressional session has fewer than 10 days remaining and the president ignores a new bill, then the bill dies at the end of the session. This is the "pocket veto."
15. If the president vetoes the bill, the House and Senate can vote to override with a two-thirds majority.

KEY DIFFERENCES BETWEEN HOUSE AND SENATE POWERS

House of Representatives

Senate

Initiates revenue bills (both chambers must still vote on the final version).

Initiates impeachments and passes impeachment bills.

Possibly requests discharge petitions for bills stuck in committee.

House Rules Committee controls debate limits.

Must have a speaker as leader.

Selects the president if the Electoral College can't.

Holds trial for those impeached by the House and votes on removal.

Can filibuster bills being debated.

Riders to unrelated bills allowed.

Informal leaders are party heads, with president of the Senate (VP) in a mostly ceremonial role.

Selects the vice president if the Electoral College can't.

Approves the president's appointments to major federal posts and to the Supreme Court.

Approves treaties initiated by the executive branch.

Approves ambassadors as they are nominated by the executive branch.

A SAMPLE OF CONGRESSIONAL EFFICIENCY (DATA FROM THE 102ND CONGRESS)

Total bills introduced in the two-year term:	10,238 (100%)
Bills sent to committees by leaders:	10,178 (99.4%)
Bills referred out of committees:	1,205 (11.7%)
Bills referred from floor debates:	1,201 (11.7%)
Passed by both the House and the Senate:	667 (6.5%)
Finally becoming federal law:	590 (5.7%) of all bills introduced

MAJOR PLACES WHERE LEGISLATION IS BLOCKED

- Leaders can assign bills to openly hostile committees or committee chairpersons.
- Chairpersons can delay the bill's consideration ("pigeonhole").
- Subcommittee and committee members can vote no. (This is done often.)
- Subcommittee and committee amendments can change the bill so much that the original sponsors withdraw their support.
- Lobby groups can create opposition and pressure to kill the bill.
- Debate rules and issues can cause changes in votes or amendments.
- Members of the Senate can filibuster or threaten to filibuster. Senators can hold the floor as long as they can stand, thus delaying any other business. This tactic of "filibuster" can force compromises when the minority cannot stop a vote in any other manner.
- Individual senators can place a "hold" on any bill and keep it from being debated on the floor.
- Floor votes in either chamber can be no.
- The Conference Committee can change the bill enough to change support in chambers.
- The president can pocket veto or veto, and Congress isn't able to override that veto.

KEY COMMITTEES OF CONGRESS

<p>House Committees: Appropriations Budget Rules Ways and Means</p>	<p>Duties: Project money (pork) and other expenditures are controlled here. These are called "earmarks." Oversight of government spending is watched and controlled. Debate rules, bill sequence, and rules of amendments are set. Taxation rules, tariff issues, benefits, and Social Security are set.</p>
<p>Senate Committees: Appropriations Budget Finance Foreign Relations Judiciary</p>	<p>Duties: Federal discretionary spending programs are set. Oversight of government agencies and spending is done. Duties are similar to those of the HR Ways and Means committee. Policy debates and treaty votes are main duties. Judges and justices are debated and possibly confirmed.</p>

WHO CREATES, CONTROLS, OR INFLUENCES THE AGENDA OF CONGRESS?

Senate and House Leaders	Bills are directed to committees, priorities of bills are set, and the party agendas are formulated.
Committee and Subcommittee Chairpersons	Bills are prioritized, scheduled for hearings and debates, and possibly delayed or killed through pigeonholing.
Party Leadership Committees	Overall priorities for legislation are created, and positions of committee membership are determined.
Lobbyists	Their access to information, staff members, and campaign money helps influence bills and their content.
PACs and Interest Groups	PACs and interest groups control votes through member pressure and campaign fund access; campaign support or hostility are set.
Congressional Staff Members	The level of interest, expertise, and access of congressional staff members to detailed information about bills can guide Congress's votes.
Party Members, Party Leaders, and National Party Committees	These can be critical sources of media or campaign support. Pressure is applied for loyal votes and firm representation of the overall party goals.
The President and Staff	Media access, public support, leadership, and guidance of national priorities affect Congress's leanings and its work.
Independent Agencies and Executive Agencies	Vast bureaucracies control the way issues are monitored, the way rules are administered, and the way laws are enforced. These create more ideas and agenda items for Congress.

OPINIONS OF CONGRESS

Throughout recent history, citizens of the country have had a split opinion about the members of Congress. As a branch, the vast majority of citizens hold negative opinions about the leaders and about their effectiveness. We don't trust Congress; we see the members as listening only to wealthy insiders and caring only for personal power. We believe that they are disconnected from the needs of the average citizen.

Yet, when polled about the work of our local representatives, our opinions turn positive. We react favorably to pork projects that create local jobs, we enjoy contact with our representatives through various forms of communication, and we trust their leadership. As partisan splits widen in the early 21st century, we also see local leaders as important representatives of the majority beliefs of our district, often extremely different from the goals of members of Congress of the opposite party.