

**Chapter 9: Congress**

- I. The evolution of Congress
  - A. Constitutional powers Box, p. 196
  - B. Intent of the framers: Congress would be the more dominant, but checked by the combined powers of the other two branches
  - C. Evolution
    - 1. This was generally so until the Civil War (except for Washington, Jefferson, & Jackson)
    - 2. The U.S. Supreme Court was often dominant from the 1870s-1930s (except for T. Roosevelt & Wilson)
    - 3. With the Great Depression, WWII, and the Cold War, the executive branch became increasingly dominant from 1933-72
    - 4. With the end of the Cold War, we have had more balance between the 3 branches
    - 5. But with the “war on terror” and the “great recession” we’ve had more activist presidents
  
- II. Who is in the Congress?
  - A. Personal characteristics: region, age, class, religion, sex, and race: Table 9.1, p. 199 becoming more representative – except for class – education, income, and occupation
  - B. Years of service: greatly increasing – now a life-long career for many members
  - C. Party
    - 1. House: [http://clerk.house.gov/art\\_history/house\\_history/partyDiv.html](http://clerk.house.gov/art_history/house_history/partyDiv.html)
    - 2. Senate: [http://www.senate.gov/pagelayout/history/one\\_item\\_and\\_teasers/partydiv.htm](http://www.senate.gov/pagelayout/history/one_item_and_teasers/partydiv.htm)
  
- III. Getting elected to Congress
  - A. Plurality election: except runoff primary in South
  - B. Personalized and issue-based campaigns
  
- IV. The *informal* organization of Congress Box, p. 203
  - A. Party organization: party voting: majority of Rep. v. majority of Dem. – increasing polarization Fig. 9.1, p. 205
  - B. Interests (caucuses)
    - 1. Congressional Black Caucus
    - 2. Democratic Study Group
    - 3. Conservative Democratic Forum: boll weevils
    - 4. Wednesday Group: gypsy moths
  
- V. The *formal* organization of Congress
  - A. Committees
    - 1. Standing Box, p. 208; Box, p. 210
    - 2. Select
    - 3. Joint
    - 4. Conference
  - B. Staffs and specialized offices
    - 1. Tasks of staff members
    - 2. Staff agencies
      - a. Congressional Research Service
      - b. General Accounting Office
      - c. Congressional Budget Office
  
- VI. How a bill becomes a law Fig. 9.2, p. 214; Box, p. 216
  - A. Introducing a bill
    - 1. Bills
    - 2. Joint resolutions:
      - a. Propose Const. amendments
      - b. State Congress’s position on for. pol./nat. sec. (Tonkin Gulf, War Powers, Persian Gulf)
  - B. Study by committees
  - C. Floor debate
    - 1. House
    - 2. Senate
  - D. Methods of voting
    - 1. Not recorded: voice or division (standing)
    - 2. Recorded: teller or roll call – electronic in House

E. Earmarks: <http://earmarks.omb.gov/>

1. Definition: provision that directs approved funds to be spent on specific projects or that directs specific exemptions from taxes or mandated fees.
2. Pros & cons:

VII. How members vote

- A. Representational view: cues from constituents (delegate model)
- B. Organizational view: cues from colleagues
- C. Attitudinal view: cues from own ideology (trustee model)
- D. Mix of all three: (politico model)

VIII. A polarized Congress in an un-polarized nation

- A. Congressional redistricting
- B. Cues to voters
- C. Seniority and safe districts

IX. Ethics and Congress

- A. Constitutional checks and balances
- B. Congressional ethics code Box, p. 222
- C. Reducing powers and perks
  1. Pork-barrel legislation
  2. Franking privilege
  3. Placing Congress under law Box, p. 226

D. Imposing term limits

1. Historical precedents for imposing term limits on Congress
2. Arguments
  - a. For
    - (1) Increase election competition
    - (2) Improve candidate pool
    - (3) Reduce corruption in office
    - (4) Increase Congressional responsiveness to voters
    - (5) Reduce gridlock with executive branch
  - b. Against
    - (1) Term limits are anti-democratic
    - (2) Increase the influence of media and money in Congressional elections
    - (3) Increase the number of unresponsive "lame ducks"
    - (4) Increase the influence of unelected Congressional staff
    - (5) Increase the influence of unelected executive bureaucrats
3. Partisan differences
  - a. Which party now favors term limits? Neither
  - b. Why? Both parties have too many career politicians that oppose term limits.
4. Constitutional issue
  - a. Conflicting grants of power over Congressional elections
    - (1) Article I, section 4: *time, place, and manner of elections* prescribed by state legislatures
    - (2) Article I, section 5: *qualifications of members* judged by each house of Congress
  - b. In *U.S. Term Limits v. Thornton* (1995) the U.S. Supreme Court struck down all state-imposed (SC & 22 others) term limits on Congress; the Court ruled that adding to the Constitutionally specified qualifications for members of Congress will require a Constitutional amendment.
5. Problem: no one definition of term limits is agreed upon by those who favor term limits (see handout at: [http://people.uncw.edu/lowery/pls101/wilson\\_chapter\\_outlines/C8\\_term\\_limits.PDF](http://people.uncw.edu/lowery/pls101/wilson_chapter_outlines/C8_term_limits.PDF))
  - a. How many terms are allowed? most common in the state legislatures = 6 for H & 2 for S = 12 years
  - b. Are the limits on contiguous terms only or on all terms served?
  - c. How many offices are affected?

X. The power of Congress

- A. Relative to the executive branch
  1. President
  2. Bureaucracy
- B. Relative to judicial

XI. What it all means

- A. Localized viewpoint
- B. Decentralized process
- C. Little party discipline
- D. Heavy committee workload with little floor deliberation