

Summary

6.1 The Institutional Design of Congress

The weaknesses of the Articles of Confederation convinced the member states to send delegates to a new convention to revise them. What emerged from the debates and compromises of the convention was instead a new and stronger constitution. The Constitution established a bicameral legislature, with a Senate composed of two members from each state and a House of Representatives composed of members drawn from each state in proportion to its population. Today's Senate has one hundred members representing fifty states, while membership in the House of Representatives has been capped at 435 since 1929. Apportionment in the House is based on population data collected by the U.S. Census Bureau.

The Constitution empowers Congress with enumerated, implied, and inherent powers. Enumerated powers are specifically addressed in the text of the Constitution. Implied powers are not explicitly called out but are inferred as necessary to achieve the objectives of the national government. Inherent powers are assumed to exist by virtue of the fact that the country exists. The power of Congress to regulate interstate and intrastate commerce has generally increased, while its power to control foreign policy has declined over the course of the twentieth century.

6.2 Congressional Elections

Since the House is closest to its constituents because reelection is so frequent a need, it tends to be more easily led by fleeting public desires. In contrast, the Senate's distance from its constituents allows it to act more deliberately. Each type of representative, however, must raise considerable sums of money in order to stay in office. Attempts by Congress to rein in campaign spending have largely failed. Nevertheless, incumbents tend to have the easiest time funding campaigns and retaining their seats. They also benefit from the way parties organize primary elections, which are designed to promote incumbency.

6.3 Congressional Representation

Some representatives follow the delegate model of representation, acting on the expressed wishes of their constituents, whereas others take a trustee model approach, acting on what they believe is in their constituents' best interests. However, most representatives combine the two approaches and apply each as political circumstances demand. The standard method by which representatives have shown their fidelity to their constituents, namely "bringing home the bacon" of favorable budget allocations, has come to be interpreted as a form of corruption, or pork-barrel politics.

Representation can also be considered in other ways. Descriptive representation is the level at which Congress reflects the nation's constituents in terms of race, ethnicity, gender, sexuality, and socioeconomic status. Collective representation is the extent to which the institutional body of Congress represents the population as a whole. Despite the incumbency advantage and high opinion many hold of their own legislators, Congress rarely earns an approval rating above 40 percent, and for a number of years the rating has been well below 20 percent.

6.4 House and Senate Organizations

The leader of the House is the Speaker, who also typically the leader of the majority party. In the Senate, the leader is called the majority leader. The minorities in each chamber also have leaders who help create and act on party strategies. The majority leadership in each chamber controls the important committees where legislature is written, amended, and prepared for the floor.

6.5 The Legislative Process

In the classic legislative process, bills are introduced and sent to the appropriate committee. Within the committees, hearings are held and the bill is debated and ultimately sent to the floor of the chamber. On the floor, the bill is debated and amended until passed or voted down. If passed, it moves to the second chamber where the debating and amending begins anew. Eventually, if the bill makes it that far, the two chambers meet in a joint committee to reconcile what are now two different bills. Over the last few decades, however, Congress has adopted a very different process whereby large pieces of legislation covering many different items are passed through the budgeting process. This method has had the effect of further empowering the leadership, to the detriment of the committees. The modern legislative process has also been affected by the increasing number of filibuster threats in the Senate and the use of cloture to forestall them.

Key Terms

apportionment

the process by which seats in the House of Representatives are distributed among the fifty states

bicameralism

the political process that results from dividing a legislature into two separate assemblies

bill

proposed legislation under consideration by a legislature

cloture

a parliamentary process to end a debate in the Senate, as a measure against the filibuster; invoked when three-fifths of senators vote for the motion

collective representation

the relationship between Congress and the United States as a whole, and whether the institution itself represents the American people

conference committee

a special type of joint committee that reconciles different bills passed in the House and Senate so a single bill results

constituency

the body of voters, or constituents, represented by a particular politician

delegate model of representation

a model of representation in which representatives feel compelled to act on the specific stated wishes of their constituents

descriptive representation

the extent to which a body of representatives represents the descriptive characteristics of their constituencies, such as class, race, ethnicity, and gender

enumerated powers

the powers given explicitly to the federal government by the Constitution to regulate interstate and foreign commerce, raise and support armies, declare war, coin money, and conduct foreign affairs

filibuster

a parliamentary maneuver used in the Senate to extend debate on a piece of legislation as long as possible, typically with the intended purpose of obstructing or killing it

implied powers

the powers not specifically detailed in the U.S. Constitution but inferred as necessary to achieve the objectives of the national government

inherent powers

the powers neither enumerated nor implied but assumed to exist as a direct result of the country's existence

joint committee

a legislative committee consisting of members from both chambers that investigates certain topics but lacks bill referral authority

majority leader

the leader of the majority party in either the House or Senate; in the House, the majority leader serves under the Speaker of the House, in the Senate, the majority leader is the functional leader and chief spokesperson for the majority party

markup

the amending and voting process in a congressional committee

minority leader

the party member who directs the activities of the minority party on the floor of either the House or the Senate

oversight

the right to review and monitor other bodies such as the executive branch

politico model of representation

a model of representation in which members of Congress act as either trustee or delegate, based on rational political calculations about who is best served, the constituency or the nation

pork-barrel politics

federal spending intended to benefit a particular district or set of constituents

president *pro tempore*

the senator who acts in the absence of the actual president of the Senate, who is also the vice president of the United States; the president *pro tempore* is usually the most senior senator of the majority party

representation

an elected leader's looking out for constituents while carrying out the duties of the office

select committee

a small legislative committee created to fulfill a specific purpose and then disbanded; also called an ad hoc, or special, committee

Speaker of the House

the presiding officer of the House of Representatives and the leader of the majority party; the Speaker is second in the presidential line of succession, after the vice president

standing committee

a permanent legislative committee that meets regularly

surge-and-decline theory

a theory proposing that the surge of stimulation occurring during presidential elections subsides during midterm elections, accounting for the differences we observe in turnouts and results

trustee model of representation

a model of representation in which representatives feel at liberty to act in the way they believe is best for their constituents

whip

in the House and in the Senate, a high leadership position whose primary duty is to enforce voting discipline in the chambers and conferences