

Congress and Its Members



Fourth Edition

Roger H. Davidson
Walter J. Oleszek

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*For Nancy, Douglas and Victoria, and Christopher
R.H.D.*

*Janet, Mark, and Eric
W.J.O.*

Preface

The U.S. Congress is an institution that mirrors its political surroundings and adapts or adjusts to events and trends. This changeability is manifested in this new edition of *Congress and Its Members*.

As we go to press, President Bill Clinton and Congress's fractious Democratic majority are struggling to prove that they can govern. It is clear that political gridlock (a now-fashionable term) is caused not wholly, or even primarily, by divided party control. President Clinton's troubles, which brought him the briefest presidential honeymoon since Gerald Ford's, remind us of the pervasive pluralism of our political system. Not the least of its qualities is what we call the "two Congresses" problem: Congress is a conduit for localized interests and concerns as well as a maker of national policy.

Congress in the 1990s is significantly different from the institution of 1981, when the first edition of this book appeared. More than half of all House and Senate members have been elected since then. Most committee chairmen and virtually all party leaders assumed their posts after that date. And, although Congress has made relatively few formal alterations in structures or procedures, the legislative workload and techniques for handling that workload are strikingly different from the way they were just a few years ago.

In this edition we examine the effect of these changes on the institution. Formal elements of House representation—census taking, apportionment, and districting—were all fiercely contested in the early 1990s. Gerrymandering, a perennial but little analyzed phenomenon, has raised new issues that are being fought out in academic, political, and judicial forums. Our expanded treatment of these subjects responds to these ongoing developments.

The 1991-1992 congressional election cycle yielded unusually high numbers of retirements, challengers, and defeats. The 1992 electoral results, while confirming much of what we have learned about congressional elections over the past two decades, also reminded us that changing contextual factors can shift the resources available to all contestants—senators or representatives, incumbents or challengers, Democrats or Republicans. Our analysis of what happened in 1992 identifies what was unique about those events; at the same time we attempt to show how they demonstrate underlying variables and continuities in the electoral equation.

We discuss new developments, and fresh research findings, in connection with nearly every aspect of Congress. The growing strength of partisanship and party leadership, perhaps the biggest Capitol Hill "story," is only recently gaining serious attention from analysts. We record subtle changes in

the committee system as well as academic disputes over the sources of committee influence. Congress's shifting relationships with both Bush and Clinton illustrate the centrality of White House-Capitol Hill relationships and raise once again fundamental questions about the results of unified versus divided party control.

The continuing urgency of fiscal issues dictates detailed coverage of the budget and domestic policy making. We have tried, however, to avoid the arcane terminology of budget-process specialists, preferring instead to emphasize how budget practices reflect political conflicts. In examining foreign and national security policies, we stress the likely effect upon Congress of the end of the cold war—for example, an altered international agenda and a downsized military establishment. Finally, we consider the love-hate relationship between Congress and the American people that in the 1990s brought waves of public criticism and demands for reform in matters both large and trivial.

Amid all these legal, political, and institutional changes, there are underlying constants in Congress's character and behavior. Most important is the dual nature of Congress as a collection of career-maximizing politicians and an arena for shaping and refining national policy. In this edition we employ the "two Congresses" theme even more forcefully than in previous editions to explain the myriad details of congressional life as well as the scholarly findings about legislators' behavior. Colorful personalities and practical examples illustrate the enduring topics essential for understanding Capitol Hill. We strive to describe recent events and trends precisely and perceptively; more than that, we try to place these developments in the broader historical and conceptual frameworks necessary for full understanding of how Congress and its members function.

This edition, like its predecessors, is addressed to general readers seeking an introduction to the modern Congress as well as college or university students taking courses on the legislative process or national policy making. To supplement this book, we have prepared a legislative simulation exercise, designed to be used in classrooms or workshops, that replicates the political divisions and procedural features of the House of Representatives. Each participant is assigned a congressional district to represent in the three phases of the exercise: committee hearings, committee markups, and floor deliberations. Robert M. Tennant, a Ph.D. candidate at the University of Maryland, compiled the simulation materials, based on exercises successfully conducted by the coauthors for college students, federal managers, lobbyists, and Capitol Hill staff members.

In the course of preparing these four editions, we have incurred debts to more friends and fellow scholars than we could ever recount. We acknowledge our colleagues at the Congressional Research Service: Mildred Amer, Stanley Bach, Richard Beth, Joe Cantor, Royce Crocker, Sandy Davis, Louis Fisher, Gary Galemone, Carol Hardy-Vincent, David Huckabee, Robert Keith, Ronald Moe, Ilona Nickels, Fred Pauls, John Pontius, Sula P.

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Our friends at CQ Press deserve special appreciation. Acquisitions Editor Brenda Carter patiently encouraged us at every step; General Manager Patrick Bernuth and Editorial Director David R. Tarr have given valuable support over the years. Senior Editor Ann Davies proves once again the exceptional quality of CQ's editorial work. And Michelle Sobel gave invaluable assistance with production and photo research. Our deep appreciation for our families, their love and support, cannot be adequately expressed in words. As a measure of our affection, this edition is dedicated to them.

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Walter J. Oleszek
Washington, D.C.
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Contents

| | | |
|----------------------|---|-----------|
| <i>Part 1</i> | In Search of the Two Congresses | 1 |
| 1 | The Two Congresses | 3 |
| | The Dual Nature of Congress | 4 |
| | Divergent Views of Congress | 8 |
| 2 | Evolution of the Modern Congress | 13 |
| | Antecedents of Congress | 13 |
| | Congress in the Constitution | 17 |
| | Institutional Evolution | 25 |
| | Evolution of the Legislator's Job | 33 |
| | Conclusion | 39 |
| <i>Part 2</i> | A Congress of Ambassadors | 43 |
| 3 | Going for It: Recruitment Roulette | 47 |
| | Formal Rules of the Game | 48 |
| | Districting in the House | 51 |
| | Becoming a Candidate | 61 |
| | The Money Factor | 71 |
| | Nominating Politics | 82 |
| | Conclusion | 83 |
| 4 | Making It: The Electoral Game | 89 |
| | Campaign Strategies | 89 |
| | Campaign Resources | 92 |
| | Campaign Techniques | 97 |
| | How Voters Decide | 100 |
| | Election Outcomes | 111 |
| | After the Election Is Over | 116 |

| | |
|---|-----|
| 5 Being There: Hill Styles and Home Styles | 121 |
| Hill Styles | 121 |
| Looking Homeward | 134 |
| Office of the Member, Inc. | 145 |
| Members and the Media | 151 |
| Conclusion | 157 |
| Part 3 A Deliberative Assembly of One Nation | 163 |
| 6 Leaders and Parties in Congress | 167 |
| Leaders of the House | 168 |
| Leaders of the Senate | 177 |
| Selection of Leaders | 184 |
| Leadership Activities | 186 |
| Party Caucuses, Committees, and Informal Groups | 190 |
| Party Continuity and Change | 193 |
| Conclusion | 198 |
| 7 Committees: Workshops of Congress | 203 |
| Evolution of the Committee System | 206 |
| Types of Committees | 208 |
| The Assignment Process | 213 |
| Committee Leadership | 221 |
| Policy Making in Committee | 222 |
| Committee Staff | 229 |
| Committee Reform and Change | 231 |
| Conclusion | 233 |
| 8 Congress and the President | 239 |
| The President as Legislator | 240 |
| Sources of Legislative-Executive Cooperation | 252 |
| Sources of Legislative-Executive Conflict | 256 |
| Lobbying the Congress | 259 |
| The Balance of Power | 262 |
| Conclusion | 264 |
| 9 Congress, the Bureaucracy, and the Courts | 269 |
| Congress Organizes the Executive Branch | 270 |
| Congressional Control of the Bureaucracy | 280 |
| Congress and the Courts | 287 |
| Conclusion | 289 |

| | |
|--|----------------|
| 10 Congress and Organized Interests | 295 |
| A Nation of Joiners | 295 |
| Pressure Group Methods | 296 |
| Groups and the Electoral Connection | 302 |
| Groups and Legislative Politics | 305 |
| Informal Groups of Members | 307 |
| Regulation of Lobbying | 312 |
| Conclusion | 314 |
| Part 4 Policy Making and Change in the Two Congresses | 319 |
| 11 Congressional Rules and Procedures | 321 |
| Introduction of Bills | 322 |
| Referral of Bills | 327 |
| Scheduling in the House | 330 |
| House Floor Procedures | 337 |
| Scheduling in the Senate | 342 |
| Senate Floor Procedures | 345 |
| Resolving House-Senate Differences | 349 |
| Conclusion | 351 |
| 12 Decision Making in Congress | 355 |
| The Power to Choose | 356 |
| Types of Decisions | 357 |
| Determinants of Voting | 363 |
| Giving and Taking Cues | 372 |
| Legislative Bargaining | 374 |
| 13 Congress, Budgets, and Domestic Policy Making | 383 |
| Definitions of Policy | 383 |
| Stages of Policy Making | 385 |
| Types of Domestic Policies | 388 |
| Characteristics of Congressional Policy Making | 391 |
| Congressional Budgeting | 394 |
| The 1974 Budget Act | 398 |
| Changes in the Budget Process | 400 |
| Assessment and Implications | 405 |
| Conclusion | 407 |

| | |
|--|------------|
| 14 Congress and National Security Policies | 413 |
| Constitutional Powers | 414 |
| Types of Foreign and National Security Policies | 415 |
| Who Speaks for Congress? | 428 |
| The Ebb and Flow of Power | 430 |
| Conclusion | 433 |
| 15 The Two Congresses and the American People | 437 |
| Congress-as-Politicians | 439 |
| Congress-as-Institution | 444 |
| A Mirror of Ourselves | 447 |
| Into the Third Century | 448 |
| Appendix | 455 |
| Suggested Readings | 459 |
| Index | 467 |

Tables, Figures, and Boxes

Tables

| | |
|---|-----|
| 2-1 Growth in Size of House and Its Constituents, 1790-1990 Censuses and Projections | 26 |
| 2-2 Measures Introduced and Enacted, Selected Congresses, 1789-1993 | 30 |
| 3-1 The Advantage of Incumbency in the House and Senate, 1946-1992 | 64 |
| 3-2 Average House and Senate Campaign Contributions, 1974- 1992 (in thousands of dollars) | 72 |
| 4-1 Where the Campaign Dollars Go: Percentage of Funds Spent by Incumbents and Challengers in the 1990 Elections | 95 |
| 4-2 Midterm Fortunes of Presidential Parties, 1934-1990 | 106 |
| 4-3 Voters' Contact with House Candidates, 1990 (in percent- ages) | 109 |
| 5-1 House Members' Views on the Jobs Expected of Them | 129 |
| 5-2 Activities of Members of Congress: Actual and Ideal (in per- centages) | 132 |
| 5-3 Representational Roles of Eighty-Seven House Members | 136 |
| 5-4 House and Senate Margins of Victory, 1972-1992 | 140 |
| 6-1 Party Committees in the Senate and House | 192 |
| 7-1 Standing Committees of the House and Senate, 103d Con- gress (1993-1995) | 209 |
| 7-2 House and Senate Committee Comparison | 216 |
| 7-3 Multiple Referrals as Percentage of House Committee Work- load, 102d Congress (1991-1993) | 225 |
| 8-1 Sources of Ideas for the President's Domestic Agenda | 244 |
| 8-2 Number of Presidential Vetoes, 1789-1993 | 247 |
| 10-1 Membership in Various Groups, 1980, 1984, 1988, 1991 | 297 |
| 10-2 Lobbying Techniques Used by 174 Sampled Interest Groups | 298 |
| 10-3 Informal Congressional Groups, 1992 | 308 |
| 11-1 Number and Length of Public Laws, 80th-101st Congresses (1947-1991) | 326 |
| 11-2 Bills Introduced and Legislation Enacted, 80th-102d Con- gresses (1947-1993) | 328 |

| | |
|--|-----|
| 11-3 The Growth of Commemorative Legislation, Selected Congresses (1901-1993) | 329 |
| 11-4 Open and Restrictive Rules, 95th-103d Congresses (1977-1995) | 333 |
| 11-5 Cloture Motions, 1977-1993 | 349 |
| 12-1 Typology of Bargaining | 375 |
| 13-1 Outlays for Major Federal Entitlement Programs, 1994 Estimates (in billions of dollars) | 398 |
| 14-1 Major Congressional Committees Dealing with International Affairs | 429 |
| 15-1 High Ratings for Members and Low Ratings for Congress | 444 |
| A-1 Party Control of the Presidency, Senate, House, 1901-1993 | 456 |

Figures

| | |
|---|-----|
| 2-1 Member and Committee Staffs, 1891-1989 | 29 |
| 2-2 Hours in Session, House of Representatives, Selected Congresses, 1955-1993 | 31 |
| 2-3 Turnover and Seniority in Congress, 1791-1988 | 36 |
| 3-1 Congressional Apportionment After the 1990 Census | 50 |
| 3-2 Gerrymandering in the 1990s | 57 |
| 3-3 House Reelection and Turnover Rates, 1790-1990 | 66 |
| 3-4 Senate Reelection and Turnover Rates, 1790-1990 | 67 |
| 3-5 Average Campaign Expenditures for Incumbents, Challengers, and Open-Seat Candidates, House (1972-1990) and Senate (1972-1992) | 74 |
| 3-6 Party Committees' Contributions to Congressional Candidates, 1976-1992 | 77 |
| 4-1 Campaign Spending and Public Recognition of Candidates | 94 |
| 4-2 Turnout in Presidential and House Elections, 1932-1992 | 101 |
| 4-3 Political Party Identification of the Electorate, 1952-1992 | 103 |
| 4-4 Ticket Splitting in Federal Elections, 1952-1988 | 104 |
| 5-1 Occupations of House Members in Eleven Selected Congresses | 123 |
| 5-2 Incoming and Outgoing Congressional Mail, 1972-1993 | 152 |
| 6-1 Organization of the House of Representatives, 103d Congress (1993-1995) | 170 |
| 6-2 Organization of the Senate, 103d Congress (1993-1995) | 178 |
| 7-1 Percentage of Joint Referrals in the House, 1975-1993 | 224 |
| 8-1 Presidential Success on Votes, 1953-1992 | 256 |
| 9-1 Organization of the Federal Executive Branch | 272 |
| 9-2 The Appointments Process | 273 |
| 11-1 How a Bill Becomes a Law | 324 |
| 12-1 Party Unity Votes in Congress, 1970-1992 | 364 |
| 12-2 Levels of Party Voting in Congress, 1970-1992 | 365 |

| | |
|--|-----|
| 12-3 Conservative Coalition Votes and Victories, 1970-1992 | 370 |
| 13-1 Entitlement Spending as Percentage of Federal Outlays | 399 |
| 13-2 Composition of the Federal Budget, 1962 and 1992 | 402 |
| 14-1 Defense and Foreign Policy Spending as Percentage of Total Budget Outlays, 1940-1998 | 420 |
| 15-1 Public Assessments of the "Two Congresses," 1974-1993 | 445 |

Boxes

| | |
|--|-----|
| Congressional Allowances, 1993 | 149 |
| Three Views on the Role of Committees | 205 |
| Party Assignment Committees | 218 |
| The Senate GOP Assignment Process | 219 |
| Options for Presidential Powers | 251 |
| Types of Legislation | 325 |
| Example of a Rule from the Rules Committee | 332 |
| Examples of Creative Rules | 334 |
| Example of a Unanimous Consent Agreement | 344 |
| Holds in the Senate | 347 |
| Authority vs. Outlays | 396 |
| The War Powers Resolution in Action | 427 |
| Congressional Ethics | 442 |

Part 1

In Search of the Two Congresses

A good government implies two things: first, fidelity to the object of government, which is the happiness of the people, secondly, a knowledge of the means by which that object can be best attained.

The Federalist, No. 62 (1788)

Legislatures are really two objects: a collectivity and an institution. As a collectivity, individual representatives act as receptors, reflecting the needs and wants of constituents. As an institution, the Legislature has to make laws, arriving at some conclusions about what ought to be done about public problems.

Charles O. Jones

"From the Suffrage of the People: An Essay of
Support and Worry for Legislatures" (1974)

These two statements—one by the authors of *The Federalist*, the other by a contemporary scholar—express our thesis. As the words suggest, the idea that representative assemblies contain an inherent tension between representation and lawmaking, between individual and institution, is neither new nor novel. This dualism is embedded in the Constitution, manifested in history, and validated by scholars' findings.

In elaborating the "two Congresses" notion, we have organized this book into four parts, each with a brief explanatory introduction. In the first part we outline the two Congresses theme and briefly trace the historical development of the institution and its members.

Chapter 1



First-term representatives from the 103d Congress gather for a traditional class photo by the Capitol. One hundred ten new representatives were elected in November 1992—one-fourth of the House membership.

The Two Congresses

Two House members, once friends, were fighting for their political lives in Illinois's 3d Congressional District, which covers south-central Chicago and the nearby suburbs. When Illinois lost two House seats after the 1990 census, Reps. Marty Russo and William O. Lipinski, both Democrats, were tossed into a combined district redrawn by Republicans.

The race was not only between two individuals but between two ways of being an elected representative. Russo, an eighteen-year veteran, was an ebullient legislative negotiator, an articulate voice on the issues concerning his suburban voters. A Capitol Hill insider, a floor whip, and an influential member of the Ways and Means Committee, he was a major player on such national issues as tax reform and health care. In his fifth term, Lipinski had little national visibility. Known as "Bungalow Bill," after the nearly identical houses of his working-class supporters, he used his seat on the Public Works and Transportation Committee to his district's advantage. When the White House owed him a favor, he asked for federal money for a local transit line.¹

The campaigns of the two members reflected their differing "home styles." Although both were effective face-to-face campaigners, their messages diverged: Russo talked about national issues, Lipinski touted local service. Russo's impressive war chest, funded by contributions from political action committees, paid for an extensive media campaign. Lipinski, endorsed by most local ward leaders, was aided by what was left of Chicago's once-invincible Democratic party machine. Russo criss-crossed the district in a blue Ford van with a license plate that read "Member of Congress, 3d District." The plates on Lipinski's Chrysler sedan read simply "Ward 23."²

A thousand miles away in the nation's capital, the 102d Congress was mired in scandal and bitter election-year conflicts. Economic recession had shattered public confidence. The public's faith in Congress, shaky at best, sank even lower as a result of the acrimonious Clarence Thomas confirmation hearings, revelations of senatorial favors for a failed savings and loan kingpin, and charges of mismanagement of the House "bank" (payroll office), restaurants, and post office. Little headway was made on substantive legislation. Locked in combat with President George Bush (enmeshed in his own electoral problems) and stymied by competing pressure groups, Congress left many pressing issues unresolved: economic recovery, deficit reduction, bank restructuring, national health insurance, campaign finance reform, to name a few.

"All politics is local," former House Speaker Thomas P. O'Neill once declared. That dictum was borne out in 1992, when voter discontent and