

David C. Kozak
John D. Macartney

2nd edition

CONGRESS
and PUBLIC
POLICY

A
SOURCE BOOK
of DOCUMENTS
and READINGS

CONGRESS

AND PUBLIC POLICY

A Source Book of Documents and Readings

Second Edition

Edited by

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Prospect Heights, Illinois

To our children
Steve Macartney
Jeffrey, Timothy, and Jacqueline Kozak

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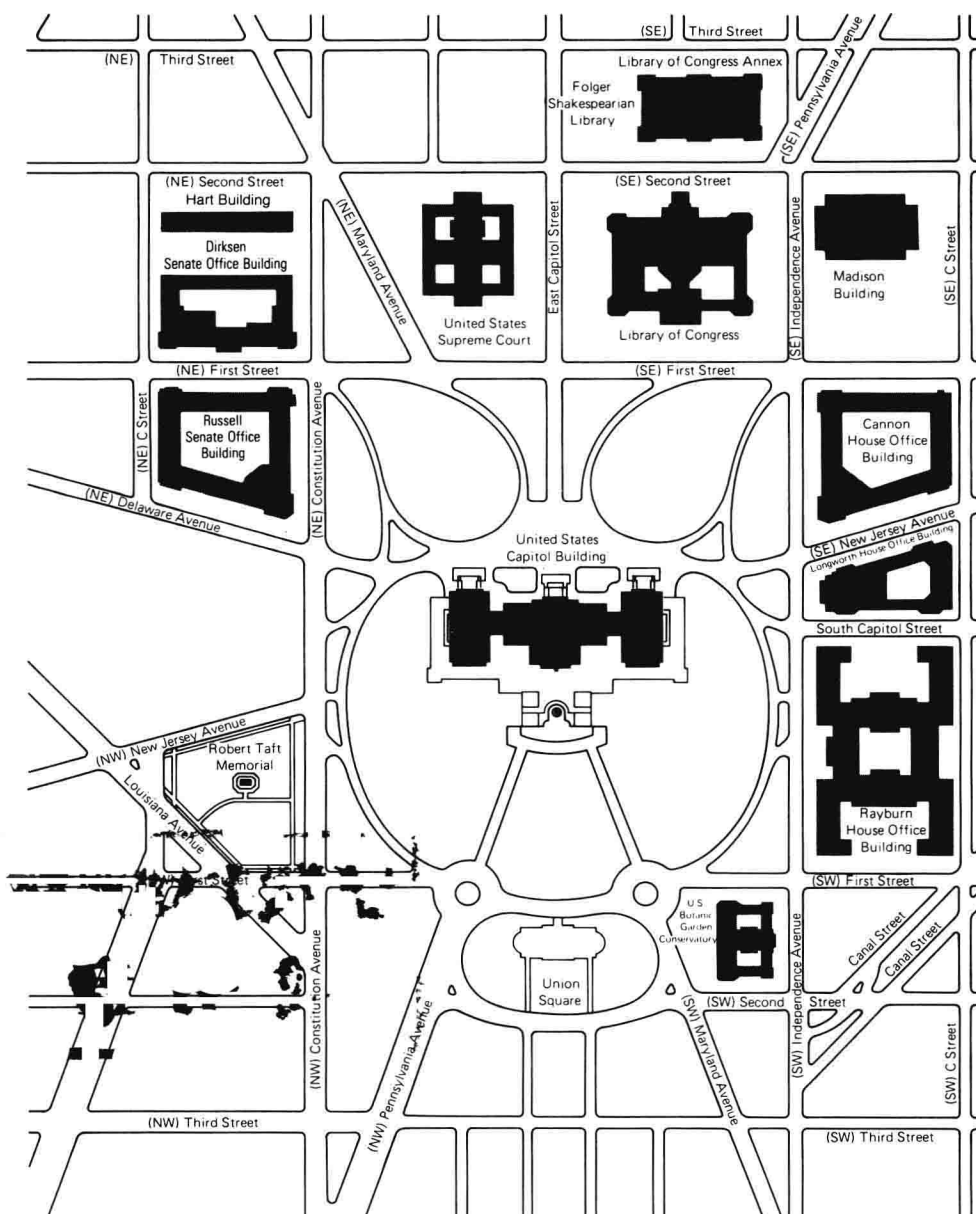
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Congress and Public Policy

A Source Book of Documents and Readings



Foreword

Americans who work on Capitol Hill probably see Congress differently from the way this institution is viewed by their fellow Americans. Those of us who have the privilege of working in the Congress as members and staffers are likely to have greater detailed knowledge of its norms, structures, and processes, but that knowledge can suffer from a lack of objectivity.

News people regularly assigned to cover federal lawmaking, while generally objective, often tend to see and report the shape of the trees rather than the wider view of the forest.

It seems to me that the best place for a thoughtful citizen to seek a balanced understanding of Congress is academia. There it is that the most objective and panoramic, which is to say scientific, view of this turbulent bastion of liberty can be found.

Still, there is much to be learned from those who have been in the arena, the political practitioners. In this volume, masterfully edited by Professors Kozak and Macartney, one finds a satisfying blend of both academic and applied perspectives.

Former U.S. Representative Jim Lloyd and former U.S. Senator Fred Harris will take you behind the scenes and tell you a story so vivid that you can almost hear the sound of wood striking against wood as the gavel falls. The precise examples of bills, rules, committee reports, information sources, including the Congressional Record, found in this book are more educational than a thousand descriptive newspaper articles could ever be.

The discussions of Congress—history, elections, committee procedures, party organizations, floor rules, decision making, policy relationships, and perhaps most of all, change—provide a political science course most universities cannot match.

The editors cover ground heretofore unreported. Macartney's study of staff and home districts is illuminating, as is Kozak's huge study of congressional decision making. And, what is more, Dear Student, both studies are interesting, even, you might say, fun.

Not many students of government get the privilege of serving three-month internships on Capitol Hill. This book is the next best thing to being there.

*Honorable Andy Jacobs, Jr. (D-Ind.)**

*Editors' Note: Andy Jacobs represents the 10th District of Indiana. First elected to Congress in 1964, he served on the Select Committee on the Adam Clayton Powell case, writing a very favorably received book on this experience. Defeated in 1972, he was reelected in 1974, serving on the Ways and Means Committee and chairing its Health Subcommittee. A recent article in *Notre Dame Alumni Magazine* described him as "the best U.S. Congressman."

Preface

This is a unique academic reader, as well as a collection of data and documents about the Congress of the United States. While many selections here will be familiar to those who keep up with the literature, much of the material—more than half—comes from a different and heretofore untapped source: congressional documents. That source is a gold mine!

We know of no other institution that has committed so much effort to self-analysis, nor produced so many high-quality, readable studies of itself. Over the past decade, Capitol Hill has convened a number of special committees and commissions, each given the task of analyzing the legislative branch and producing reform proposals. After the Bolling Committee came the Obey and Patterson Commissions. Meanwhile, over in the Senate, there were the Stevenson Committee and the Hughes Commission, and last year, the Quayle Committee.¹

Congressional scholars know only too well how meager were the outcomes of those reform efforts, but of more lasting value are the analytical outputs, the by-products. Although many of the specific reform recommendations came to naught, their legacy is volume upon volume of high-quality data and analysis written by both reputable scholars and staff members of the Congressional Research Service. Selections from these documents appear in this book.

In assembling this reader, we found that the reports of those prominent reform commissions were really only the tip of a documentary iceberg. To begin with, many working papers and preliminary studies did not make it into the final reports. We've included some of those. Beyond that, we discovered an incredible array of useful material in such miscellaneous Hill products as a Senate history by Senator Robert Byrd (D-W. Va.) printed in the *Congressional Record*, a handbook for newly hired congressional employees, glossy public information handouts, detailed synopses of legislative procedures, histories provided by various leadership offices, internal publications such as *Staff* magazine and *Roll Call*, and research products, as well as bylaws from various caucuses and releases from lobbying groups. Generally speaking, this material is well-written and very informative.

In addition to the analytical materials described above, we've included a number of exhibit documents as examples of everyday items on the

¹The formal titles of these bodies are: Bolling (House Select Committee on Committees, 1973–1974); Obey (Commission on Administrative Review, 1976–1977); Hughes (Commission on the Operation of the Senate, 1976–1976); Stevenson (Senate Select Committee on Committees, 1976–1977); Patterson (House Select Committee on Committees, 1979–1980) and Quayle (Temporary Select Committee to Study the Senate Committee System, 1983–1984). The reform efforts are named after their chairmen: Representative Richard Bolling (D-Mo.), Representative David Obey III (D-Wis.), Senator Harold Hughes (D-Iowa), Senator Adlai Stevenson III (D-Ill.), Representative Jerry M. Patterson (D-Calif.), and Senator Dan Quayle (R-Ind.).

Hill—a bill, a rule, a Whip Notice, a few pages from a calendar, a Dear Colleague letter, and such. The idea here is to give readers, especially undergraduate students, a source book that features an insider's experiential “feel” for the legislative milieu and “blood” of Congress.

The book is not only made up of congressional documents and exhibits, of course. We've supplemented that material with a number of excellent excerpts and articles from academic books and journals, together with original essays by leading authorities. The original essays in this second edition are particularly noteworthy. Alan Abramowitz, a leading authority on congressional elections, provides a basic statement on those phenomena together with predictions for the watershed 1986 elections. Staffers John Oberg and Lee Godown write about service in the Senate and the House, respectively. Larry Burton, a former aide to Senate Republican leadership, discusses this unique vantage point. A professional lobbyist, Rich Roberts, gives an overview of his craft. Noted budget expert Howard Shuman writes about the Gramm-Rudman Act. Roger Davidson gives an up-to-date perspective on the “two Congresses.”

In this second edition, we excerpted from some of the major works that have appeared since the first edition in 1981: Gary Jacobsen on congressional elections, Smith and Deering on subcommittees, Barbara Sinclair on party leadership, Norm Ornstein on the President and Congress, and John Johannes on legislative casework. Also, for the first time since its appearance in 1977, we offer a reproduction of Fenno's important “Congressmen in Their Constituencies.” The resulting volume, we believe, will be useful to graduate scholars as well as new staffers and interested observers of Congress and public policy. We expect it to be particularly valuable for undergraduate courses focused on the Hill. Our intention is to provide a collection that advances an understanding of basic concepts and fundamental points.

The substance and organization reflects the two editors' very different approaches to matters congressional. Both teach and write about Congress, but David Kozak is more apt to focus on the legislative process and the floor votes of members, while John Macartney is fascinated by the organizational/bureaucratic dynamics and the contributions of staff. Those orientations are evident in the table of contents, which also reveals selections on the history of Congress, elective politics, the membership, the committee system, partisan leadership, legislative rules and procedures, and public policy. We believe we are presenting a most comprehensive collection, containing an unparalleled variety of materials.

As is the case in all major endeavors, this project was not completed alone. The editors received much advice, encouragement, and assistance. Professor Samuel C. Patterson, former editorial adviser for the Dorsey series in political science, provided the initial impulse. Walter Oleszek and Roger Davidson of the Congressional Research Service were instrumental in pointing the way to a wealth of documents. Indeed, Oleszek's bookshelves at CRS were an absolutely indispensable source, especially for working papers from now-disbanded committees and commissions. Additionally, Roger Davidson, now serving as the current Dorsey editorial

adviser, gave thoughtful advice and helpful encouragement for this second edition. We wish to acknowledge the helpful suggestions provided by the following colleagues: Sandy Maisel, Colby College; Glenn R. Parker, Florida State University; and William M. Lunch, Oregon State University.

Two former members of Congress, Representative Jim Lloyd and Senator Fred Harris (both political scientists) were especially helpful. Along with encouragement and sage advice came original pieces from each. Also, Jim Lloyd made his Hill office available to us as a base while we were chasing down all those documents in the fall of 1980. In addition, he gave a great deal of useful advice that has found its way into these pages. Many thanks also go to Congressman Andy Jacobs (D-Ind.) and his staff, David Bryant, Phyllis Coehlo, Cathy Noe, Tricia Roberson, and David Wildes, for sponsoring the second edition; to Lee Godown and Dan McGinn of Congressman Bob Wise's (D-W. Va.) office; and to Greg Pallas and Edna Ravnholt of Senator Jim Exon's (D-Neb.) office.

Overall, the lion's share of kudos and thanks are due to Maryanne M. Kozak. Nominally a part-time secretarial assistant for this project, her contributions greatly exceeded her status. Along with her own busy life as a wife, mother, and English instructor at Northern Virginia Community College, she did everything from typing to proofreading, correspondence, and editing. We simply could not have made it without her.

A final word on our numbering system for tables and figures within individual selections: They are numbered sequentially throughout the book, with each chapter and essay number in the collection preceding the table number. Thus, the second table in the third article in Chapter 4 becomes Table 4.3.2.

It goes without saying that we remain fully responsible for the contents, although we'll always be tempted to claim that the inevitable minor discrepancies or omissions were probably the faults of our employer, our publisher, the individual contributors, the other co-editor, or mischievous gremlins.

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