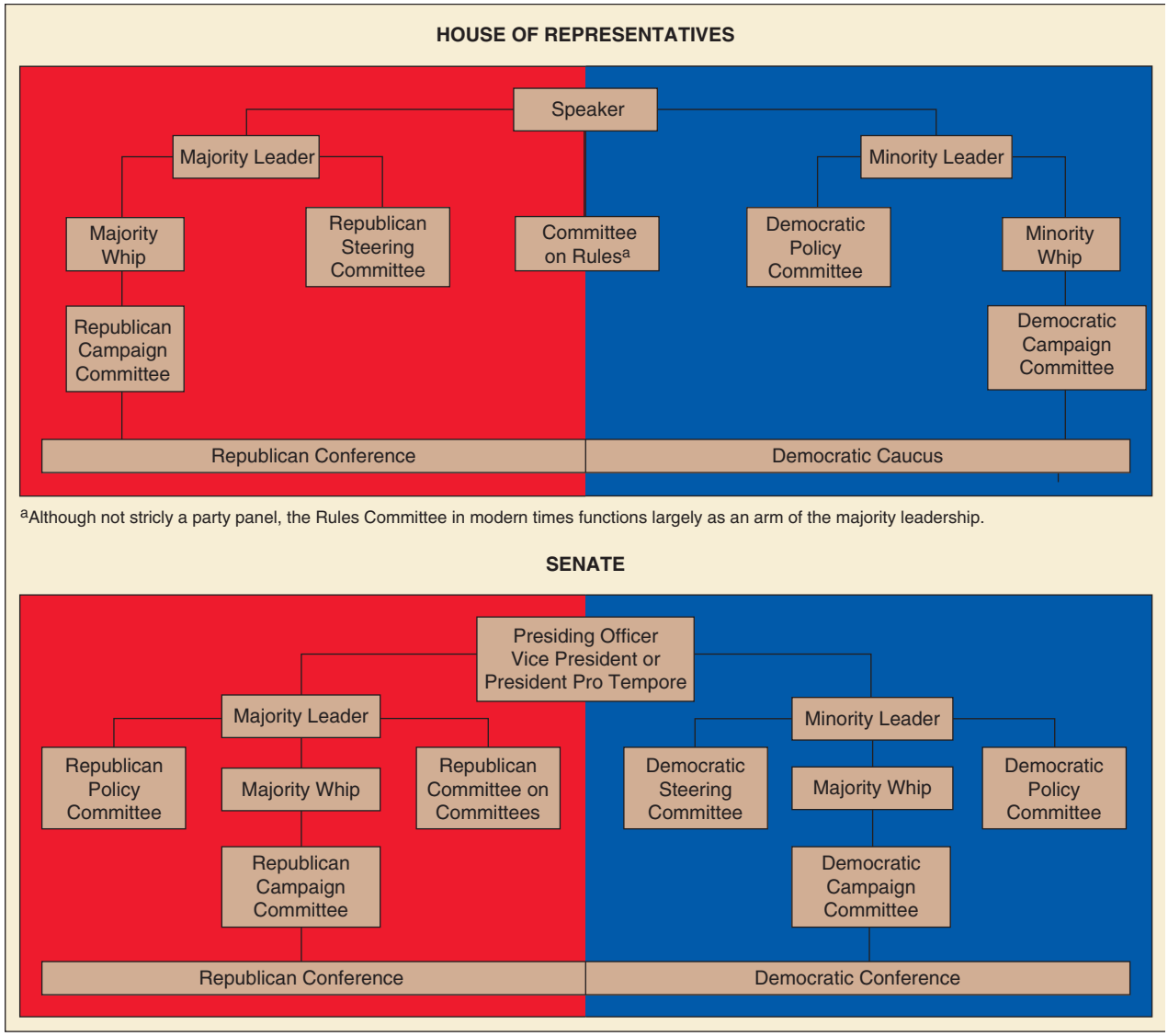
HOW CONGRESS IS ORGANIZED

EVERY TWO YEARS, a new Congress is seated. After ascertaining the formal qualifications of new members, the Congress organizes itself as it prepares for the business of the coming session. Among the first items on its agenda are the election of new lead-

FIGURE 7.1 Organizational Structure of the House of Representatives and the Senate in the 109th Congress. ■



Source: Adapted from Roger H. Davidson and Walter J. Olezek, *Congress and its Members,* 6th ed. Washington, D.C.: CQ Press, 2002.

Life on the Floor and in the Halls of Congress

Throughout Congress's first several decades, partisan, sectional, and state tensions of the day often found their way onto the floors of the U.S. House and Senate. Many members were armed, and during one House debate, thirty members showed their weapons. In 1826, Senator John Randolph of Virginia insulted Secretary of State Henry Clay from the floor of the Senate, referring to Clay as "this being, so brilliant yet so corrupt, which, like a rotten mackerel by moonlight, shined and stunk." Clay immediately challenged Randolph to a duel. Both missed, although Randolph's coat fell victim to a bullet hole. Reacting to public opinion, in 1839, Congress passed a law prohibiting dueling in the District of Columbia.

Nevertheless, dueling continued. A debate in 1851 between representatives from Alabama and North Carolina ended in a duel, but no one was hurt. In 1856, Representative Preston Brooks (D–SC) assaulted Senator Charles Sumner (R–MA) on the floor of the Senate. Brooks claimed he was defending the honor of his region and family. Sumner was disabled and unable to resume his seat in Congress for several years. Guns and knives were abundantly evident on the floor of both House and Senate, along with a wide variety of alcoholic beverages.

ers and the adoption of rules for conducting its business. As illustrated in Figure 7.1, each house has a hierarchical leadership structure.

The House of Representatives

Even in the first Congress in 1789, the House of Representatives was almost three times larger than the Senate. It is not surprising, then, that from the beginning the House has been organized more tightly, structured more elaborately, and governed by stricter rules. Traditionally, loyalty to the party leadership and voting along party lines has been more common in the House than in the Senate. House leaders also play a key role in moving the business of the House along. Historically, the speaker of the House, the majority and minority leaders, and the Republican and Democratic House whips have made up the party leadership that runs Congress. This group now has been expanded to include deputy whips of both parties.

The Speaker of the House. The **speaker of the House** is the only officer of the House of Representatives specifically mentioned in the Constitution. The office, the chamber's most powerful position, is modeled after a similar office in the British Parliament—the speaker was the one who spoke to the king and conveyed the wishes of the House of Commons to the monarch.[4]

The entire House of Representatives elects the speaker at the beginning of each new Congress. Traditionally, the speaker is a member of the **majority party,** the party in each house with the greatest number of members, as are all committee chairs. (The **minority party** is the party in each house with the second most members.) Although typically not the member with the longest service, the speaker generally has served in the House for a long time and in other House leadership positions as an apprenticeship. The current speaker, Dennis Hastert (R–IL), spent twelve years in the House, and his predecessor Newt Gingrich (R–GA) took sixteen years to work his way to the gavel and dais.

The speaker presides over the House of Representatives, oversees House business, and is the official spokesperson for the House, as well as being second in the line of

speaker of the House
The only officer of the House of Representatives specifically mentioned in the Constitution; elected at the beginning of each new Congress by the entire House; traditionally a member of the majority party.

majority party
The political party in each house of Congress with the most members.

minority party
The political party in each house of Congress with the second most members.

Join the Debate

Ethics and the Congress

OVERVIEW: Article I, section 5, of the U.S. Constitution gives both chambers of Congress the authority to police the activities and conduct of its members. Because of the nature of congressional office, members enjoy certain protections denied to most Americans—for example, members receive heightened protections for speech, as well as protections against arrest for civil violations during legislative sessions. It is not that members are considered above the law; it is simply that the Constitution's framers believed those engaged in law-making, the highest function of representative government, needed additional freedoms and protections to carry out their duties. Nevertheless, the Constitution does not speak to ethical norms or provide guidelines for correct behavior during congressional assemblies. Over time, ethical oversight and procedure has been determined by the leadership of the two major political parties, who have taken on the responsibility for supervising the behavior of party and congressional members.

The past two decades have seen high-profile ethical lapses from members of Congress. Two speakers have resigned in disgrace, another member resigned after conviction for having sex with a minor and soliciting child pornography, one more pleaded guilty to mail fraud, and yet another was removed after being convicted of bribery and racketeering.

When it comes to ethical lapses regarding campaign finance and party politics, the Congress is less than forthright in detailing ethical failures. Investigations of members are usually secret, and congressional rules do not allow outsiders to bring charges of malfeasance. Prior to 1997, both major parties used accusations of corruption to score political points, so much so that many observers believed protocol in the House would degenerate into disorder. In 1997, the parties in the House instituted an ethics truce in an attempt to bring order and decorum to the legislative process. The primary problem is the secret nature of investigating ethical transgressions; this helps foster the public perception that Congress hides its accountability and protects morally suspect members.

The nature of political office is such that the American people hold elected representatives to high ethical standards; after all, law ultimately reflects the prevailing morality of legislative bodies. How can the American public ensure representatives are held accountable for bad behavior? Should outside watchdog groups be allowed to bring charges of corruption and wrongdoing, or is the electoral process an adequate safeguard against political malfeasance? Should Congress create an independent regulatory body to ensure members' compliance to ethical standards, or should the parties themselves be held to stricter accountability for their members' behavior? What can be done to reestablish trust between the American people and their elected officials?

Arguments Supporting Congressional Oversight Authority

- **The Framers gave Congress traditional parliamentary rights.** Supreme Court Justice Joseph Story, in his *Commentaries on the Constitution,* states that common law gives legislators the right to define contempt, or unethical behavior, based on the fact that members of Congress have unique competency in determining matters of leg-

Timeline

The Power of the Speaker of the House

presidential succession. Moreover, the speaker is the House liaison with the president and generally has great political influence within the chamber. The speaker is also expected to smooth the passage of party-backed legislation through the House.

The first powerful speaker was Henry Clay (R–KY) (see Roots of Government: Life on the Floor and in the Halls of Congress). Serving in Congress at a time when turnover was high, he was elected to the position in 1810, his first term in office. He was the speaker of the House for a total of six terms—longer than anyone else in the nineteenth century.

By the late 1800s, the House ceased to have a revolving door and average stays of members increased. With this professionalization of the House came professionalization in the position of speaker. Between 1896 and 1910, a series of speakers initiated changes that brought more power to the office as speakers largely took control of committee assignments and the appointing of committee chairs. Institutional and personal rule reached its height during the 1903–1910 tenure of Speaker of the House Joseph ("Joe") Cannon (R–IL).

Negative reaction to those strong speakers eventually led to a revolt in 1910 and 1911 in the House and to a reduction of the formal powers of the speaker. As a consequence, many speakers between Cannon and Newt Gingrich, who became speaker in 1995, often

islative ethics. Thus, Congress is the "proper and exclusive forum" for determining if ethical breaches have occurred.

- **Congress does respond to unethical behavior by its members.** The Congress is responsive to ethical violations by its members. For example, many members of Congress have resigned in disgrace—in 1995 Senator Bob Packwood resigned due to sexual misconduct; in 1990 Representative Barney Frank was reprimanded for fixing parking tickets for a lover, and in 1991 Senator Alan Cranston was formally reprimanded for his role in the Keating Five savings and loan scandal.
- **Voters are competent to unseat unethical members.** Voters force members to pay attention to ethics or risk losing their seats. For example, Representative Gary Condit was not reelected after his relationship with an intern became public, and Representative Dan Rostenkowski was not returned to office amid allegations of fraud and influence peddling.

Arguments Against Congressional Oversight Authority

- **Congress has demonstrated that it cannot be trusted to exercise oversight over its members.** The 1994 Republican Revolution in the House was in part due to the GOP's promise to "clean up Washington" while adhering to strict ethical standards. During the last decade, rules have been flouted and the Congress has slowly relaxed ethical standards; for example, the 108th House relaxed gift rules, giving lobbyists loopholes so they can provide perks—such as dinners, golfing vacations, and tickets to sporting and cultural events—to members as they attempt to gain access.
- **An independent regulatory agency acting as a filter between members and the ethics process can ensure fairness in investigatory procedure.** An independent, unbiased, nonpartisan entity can ensure members are treated impartially. An independent entity can also ensure allegations of ethical misconduct are investigated fairly and then make recommendations for disposition of allegations. This will help limit partisan political maneuvering.
- **Allowing private individuals and watchdog groups to request investigations would improve accountability.** Establishing a formal procedure for investigations initiated by the public can help increase congressional accountability by putting members under the watchful eye of public interest groups. Members would be less likely to engage in misbehavior if they knew their actions were being observed by those outside their party.

Questions

1. What can be done to make members of Congress adhere to ethical guidelines?
2. In 2005, the House considered changing its ethics rule in a move perceived to protect some House leaders. How did public opinion act to stop those changes?

Selected Readings

Martin and Susan Tolchin. *Glass Houses: Congressional Ethics and the Politics of Venom.* Boulder, CO: Westview, 2001.

Dennis Thompson. *Ethics in Congress: From Individual to Institutional Corruption.* Washington, DC: Brookings Institution Press, 1995.

relied on more informal powers that came from their personal ability to persuade members of their party. Gingrich, the first Republican speaker in forty years, convinced fellow Republicans to return important formal powers to the position. These formal changes, along with his personal leadership skills, allowed Gingrich to exercise greater control over the House and its agenda than any other speaker since the days of Cannon.

In time, Gingrich's highly visible role as a revolutionary transformed him into a negative symbol outside of Washington, D.C., and his public popularity plunged. Gingrich's general unpopularity with large segments of the public worked to reinforce Republicans' discontent with Gingrich. The 105th Republican Congress had few legislative successes; members were forced to accept a budget advanced by the Democratic-controlled White House, and Republicans running for office in 1998 lacked the coherent theme that had been so successful for them in 1994. These were but two of many reasons that prompted several members to announce that they would run against Gingrich for the position of speaker. Gingrich, who could read the writing on the wall, opted to resign as speaker (later he resigned altogether from the House) rather than face the prospect that he might not be reelected to the position he had coveted for so long.

Photo courtesy: Ron Sachs/Corbis Sygma

House leaders—Majority House Whip Tom DeLay (R–TX) and Speaker of the House Dennis Hastert (R–IL)—talk to reporters after meeting with President George W. Bush at the White House.

party caucus or conference
A formal gathering of all party members.

majority leader
The elected leader of the party controlling the most seats in the House of Representatives or the Senate; is second in authority to the speaker of the House and in the Senate is regarded as its most powerful member.

minority leader
The elected leader of the party with the second highest number of elected representatives in the House of Representatives or the Senate.

whip
One of several representatives who keep close contact with all members and take nose counts on key votes, prepare summaries of bills, and in general act as communications links within the party.

After their first choice to replace Gingrich resigned from the House after acknowledging an extramarital affair, Republicans turned to someone largely unknown to the public: a well-liked and respected one-time high school wrestling coach and social studies teacher, Dennis Hastert (R–IL). Since coming into his "accidental speakership," Hastert has shown himself to be a "pragmatic and cautious politician" known for his low-profile leadership style.[5] Until campaign finance reform debates during the 107th Congress, he never "lost a vote on the rule to govern floor debate, a feat not seen in at least a decade."[6]

Other House Leaders. After the speaker, the next most powerful people in the House are the majority and minority leaders, who are elected in their individual **party caucuses** or **conferences.** The **majority leader** is the second most important person in the House; his or her counterpart on the other side of the aisle (the House is organized so that if you are facing the front of the chamber, Democrats sit on the left side and Republicans on the right side of the center aisle) is the **minority leader.** The majority leader helps the speaker schedule proposed legislation for debate on the House floor. In the past, both leaders worked closely with the speaker. In the 108th Congress, however, Republicans rarely consulted Minority Leader Pelosi, prompting her to call for a new code of cooperation, as described in Politics Now: A Minority Bill of Rights?

The Republican and Democratic **whips,** who are elected by party members in caucuses, assist the speaker and majority and minority leaders in their leadership efforts. The position of whip originated in the British House of Commons, where it was named after the "whipper in," the rider who keeps the hounds together in a fox hunt. Party whips—who were first designated in the U.S. House of Representatives in 1899 and in the Senate in 1913—do, as their name suggests, try to whip fellow Democrats or Republicans into line on partisan issues. They try to maintain close contact with all members on important votes, prepare summaries of content and implications of bills, get "nose counts" during debates and votes, and in general get members to toe the party line. Whips and their deputy whips also serve as communications links, distributing word of the party line from leaders to rank-and-file members and alerting leaders to concerns in the ranks. Whips can be extraordinarily effective. In 1998, for example, when President Bill Clinton returned home from his trip to the Middle East amid calls for his impeachment, he was stunned to learn that moderate Republicans whom he had counted on to vote against his impeachment were "dropping like flies." The reason? Then-House Republican Whip Tom DeLay (R–TX) threatened Republicans that they would be denied coveted committee assignments and would even face Republican challengers in the next primary season unless they voted the party line.

The Senate

The Constitution specifies that the presiding officer of the Senate is the vice president of the United States. Because he is not a member of the Senate, he votes only in the case of a tie. In 2001, first Vice President Al Gore and then Vice President Dick

Politics Now

A Minority Bill of Rights?

It is customary for the party in control of the House of Representatives to limit the minority's ability to amend bills as well as shape the debate on proposed legislation. But Democrats, as the minority party after forty years of control, are charging that Republicans are wielding their power in unfair ways that damage the deliberative process of that body. A scholar from the moderate to conservative American Enterprise Institute said that Democrats' complaints have some merit. "Republicans are at a point now where, reveling in the power they have, they are using techniques to jam bills through even when they don't have to . . . simply because they can."[a]

In 2004, in an effort to allow the minority party more input, Democratic Leader Nancy Pelosi proposed a "Minority Bill of Rights," which she pledged to follow if the Democrats regain power. Among its provisions are calls for:

- *Bipartisan administration of the House.* This would provide for regular consultation between the leaders of both parties concerning scheduling, administration, and operation of the House. This would include a guarantee that the minority party would get at least one-third of committee budgets and office space.

In the past, meetings of minority and majority party leaders were routine, as were meetings between committee chairs and ranking members. Speaker Dennis Hastert rarely meets with Pelosi, and only a few committee chairs consult with ranking minority members. The budget and office space condition was followed in the 108th Congress, and Pelosi says it should be mandatory.

- *Regular order for legislation.* This would require that bills be developed following full hearings and open committee and subcommittee mark-ups, and that members would have at least twenty-four hours to read any bill before it came to a vote. This would also mandate that all floor votes be completed within fifteen minutes.

In the 108th Congress, Republicans delayed floor votes in order to allow the whips and other leaders to convince members to change their votes. For example, the Republicans held up voting on the Medicare prescription drug bill for nearly three hours until well after midnight, to convince Republican dissidents to change their votes after the leadership appeared headed for defeat. On other legislation, the Republican leadership met until one or two o'clock in the morning, then scheduled votes on what it had done for ten o'clock the same morning. This did not allow many rank and file members to be familiar with the legislation they were voting on.

- *Collaboration on final legislation.* In the 108th Congress, the Rules Committee frequently rejected amendments from Democrats. Thus, Pelosi called for regular House-Senate conference committee meetings that would allow minority party members some input into final conference committee legislation.

Questions

1. Do you think these suggestions should be adopted? Why or why not?
2. Can you think of other suggestions to cure the problems Pelosi seeks to address?

[a] Charles Babington, "Pelosi Seeks House Minority 'Bill of Rights,' Hastert Dismisses Democrats' Complaint, Saying GOP Record Is Better Than Foes'," *Washington Post* (June 24, 2004): A23.

Cheney briefly presided over an evenly divided Senate, the first time this had happened since 1881.

The official chair of the Senate is the president pro tempore, or pro tem, who is selected by the majority party and presides over the Senate in the absence of the vice president. The position of pro tem today is primarily an honorific office that generally goes to the most senior senator of the majority party. Once elected, the pro tem stays in that office until there is a change in the majority party in the Senate. Since presiding over the Senate can be a rather perfunctory duty, neither the vice president nor the president pro tempore actually perform the task very often. Instead, the duty of presiding over the Senate rotates among junior members of the chamber, allowing more senior members to attend more important meetings.

The true leader of the Senate is the majority leader, elected to the position by the majority party. Because the Senate is a smaller and more collegial body, operating without many of the more formal House rules concerning debate, the majority leader is not nearly as powerful as the speaker of the House. The Republican and

Democratic whips round out the leadership positions in the Senate and perform functions similar to those of their House counterparts. But, leading and whipping in the Senate can be quite a challenge. Senate rules always have given tremendous power to individual senators; in most cases senators can offer any kind of amendments to legislation on the floor, and an individual senator can bring all work on the floor to a halt indefinitely through a filibuster unless three-fifths of the senators vote to cut him or her off.[7]

Because of the Senate's smaller size, organization and formal rules never have played the same role in the Senate that they do in the House. Through the 1960s, it was a gentlemen's club whose folkways—unwritten rules of behavior—governed its operation. One such folkway, for example, stipulated that political disagreements not become personal criticisms. A senator who disliked another referred to that senator as "the able, learned, and distinguished senator." A member who really couldn't stand another called that senator "my very able, learned, and distinguished colleague."

In the 1960s and 1970s, senators became more and more active on and off the Senate floor in a variety of issues, and extended debates often occurred on the floor without the rigid rules of courtesy that had once been the hallmark of the body. These changes weren't accompanied by giving additional powers to the Senate majority leader, who now often has difficulty controlling "the more active, assertive, and consequently less predictable membership" of the Senate.[8]

The Role of Political Parties in Organizing Congress

The organization of both houses of Congress is closely tied to political parties and their strength in each house. (For the party breakdowns in the 109th Congress, see Figure 7.2.) Parties play a key role in the committee system, an organizational feature of Congress that facilitates its law-making and oversight functions. The committees, controlled by the majority party in each house of Congress, often set the congressional agendas, although under Newt Gingrich's leadership, chairs' power eroded substantially in the House of Representatives as the speaker's power was enhanced.[9]

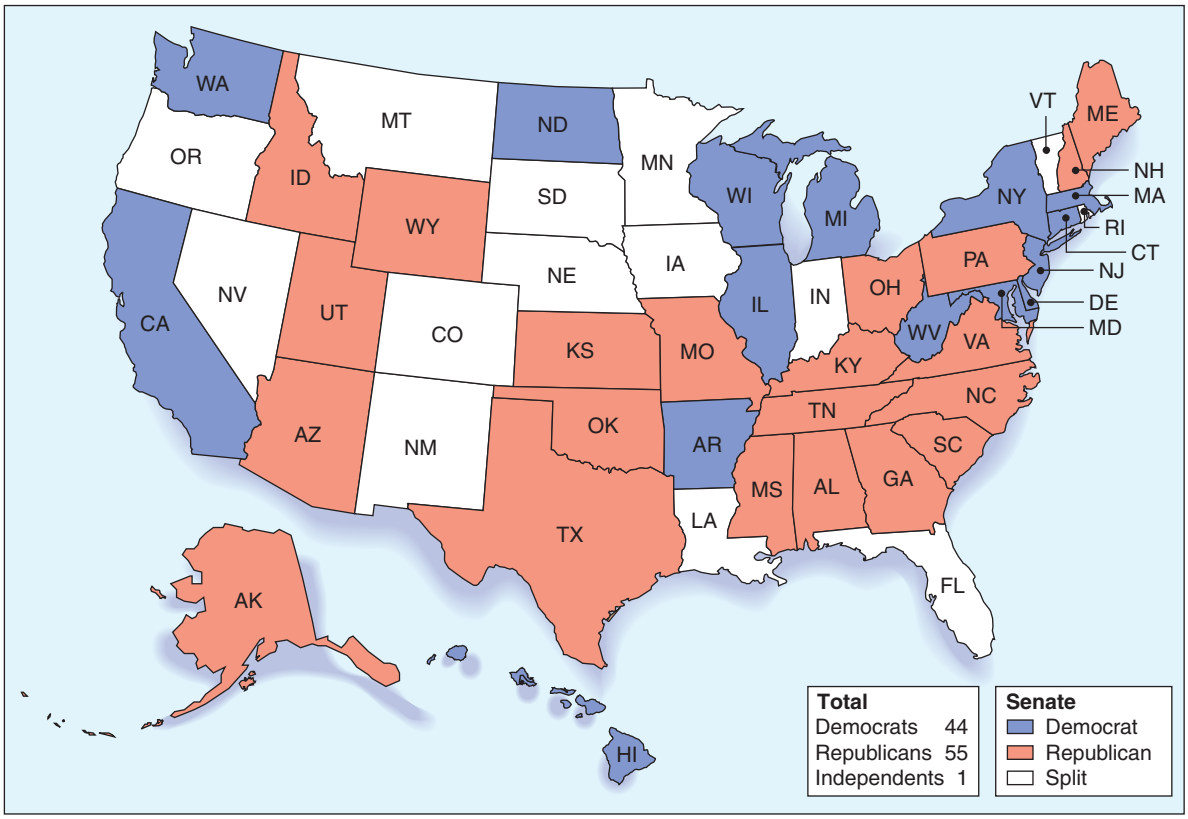
At the beginning of each new Congress—the 109th Congress, for example, will sit in two sessions, one in 2005 and one in 2006—the members of each party gather in their party caucus or conference. Historically, these caucuses have enjoyed varied powers, but today the party caucuses—now called caucus by House Democrats and conference by House and Senate Republicans and Senate Democrats—have several roles, including nominating or electing party officers, reviewing committee assignments, discussing party policy, imposing party discipline, setting party themes, and coordinating media, including talk radio. Conference and caucus chairs are recognized party leaders who work with other leaders in the House or Senate.[10]

Each caucus or conference has specialized committees that fulfill certain tasks. House Republicans, for example, have a Committee on Committees that makes committee assignments. The Democrats' Steering Committee performs this function. Each party also has a congressional campaign committee to assist members in their reelection bids.

The Committee System

The saying "Congress in session is Congress on exhibition, whilst Congress in its committee rooms is Congress at work" may not be as true today as it was when Woodrow Wilson wrote it in 1885.[11] Still, "The work that takes place in the committee and subcommittee rooms of Capitol Hill is critical to the productivity and effectiveness of Congress."[12] Standing committees are the first and last places to

FIGURE 7.2 The 109th Congress. ■



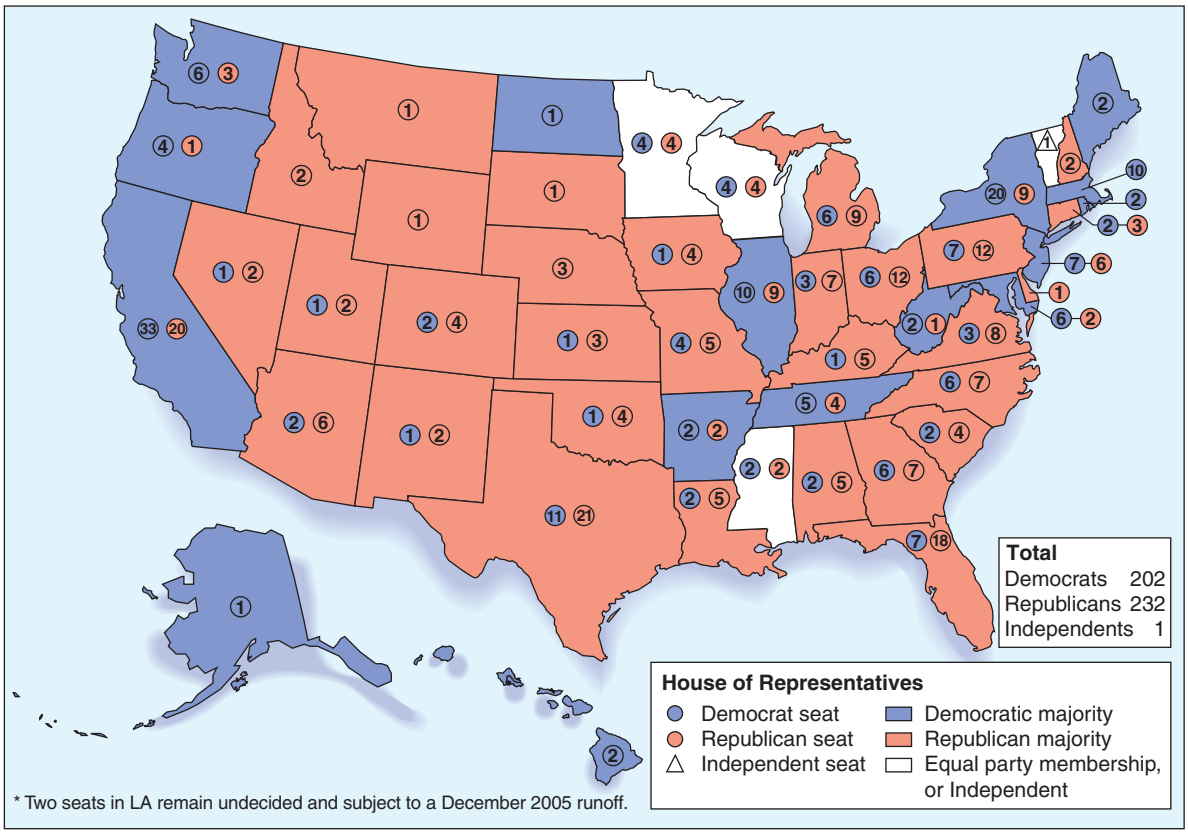


Photo courtesy: Tony Talbot/AP/Wide World Photos

■ Representative Bernie Sanders (I–VT), right, shares a toast of milk with Senator Jim Jeffords (I–VT) at a news conference celebrating the Northeast Dairy Compact. Sanders and Jeffords, the only independents in the 109th Congress, both vote with Democrats.

which most bills go. Usually committee members play key roles in floor debate in the full House or Senate about the merits of bills that have been introduced. When different versions of a bill are passed in the House and Senate, a conference committee with members of both houses meets to iron out the differences.

The organization and specialization of committees are especially important in the House of Representatives because of its size. The establishment of subcommittees allows for even greater specialization.

Congress created an institutionalized committee system in 1816, and more and more committees were added over time. The large number of committees resulted in duplication of duties and jurisdictional battles. When Republicans took control of the House in 1995, they cut several committees and subcommittees and reorganized (and renamed) several committees to lessen duplication and highlight issues of importance to them.[13]

Types of Committees. There are four types of congressional committees: (1) standing; (2) joint; (3) conference; and, (4) select, or special.[14]

standing committee
Committee to which proposed bills are referred.

joint committee
Includes members from both houses of Congress; conducts investigations or special studies.

conference committee
Joint committee created to iron out differences between Senate and House versions of a specific piece of legislation.

select (or special) committee
Temporary committee appointed for specific purpose, such as conducting a special investigation or study.

1. **Standing committees,** so called because they continue from one Congress to the next, are the committees to which bills are referred for consideration.
2. **Joint committees** are set up to expedite business between the houses and to help focus public attention on major matters, such as the economy, taxation, or scandals. They include members from both houses of Congress who conduct investigations or special studies.
3. **Conference committees** are special joint committees that reconcile differences in bills passed by the House and Senate. The conference committee is made up of those members from the House and Senate committees that originally considered the bill.
4. **Select (or special) committees** are temporary committees appointed for specific purposes. Generally such committees are established to conduct special investigations or studies and to report back to the chamber that established them.

In the 109th Congress, the House has nineteen standing committees, as shown in Table 7.3, each with an average of thirty-one members. Together, these standing committees have a total of eighty-six subcommittees that collectively act as the eyes, ears, and hands of the House. They consider issues roughly parallel to those of the departments represented in the president's Cabinet. For example, there are committees on agriculture, education, the judiciary, veterans affairs, transportation, and commerce.

Although most committees in one house parallel those in the other, the House Rules Committee, for which there is no counterpart in the Senate, plays a key role in the House's law-making process. Indicative of the importance of the Rules Committee, majority party members are appointed directly by the speaker. This committee reviews most bills after they come from a committee and before they go to the full chamber for consideration. Performing a traffic cop function, the Rules Committee gives each bill what is called a rule, which contains the date the bill will come up for debate and the time that will be allotted for discussion, and often specifies what kinds of amendments can be offered. Bills considered under a closed rule cannot be amended.

Standing committees have considerable power. They can kill bills, amend them radically, or hurry them through the process. In the words of former President Woodrow Wilson, once a bill is referred to a committee, it "crosses a parliamentary bridge of sighs to dim dungeons of silence from whence it never will return."[15] Committees report out

TABLE 7.3 Committees of the 109th Congress (with a Subcommittee Example)

Standing Committees

House	*Senate*
Agriculture	Agriculture, Nutrition, and Forestry
Appropriations	Appropriations
Armed Services	Armed Services
Budget	Banking, Housing, and Urban Affairs
Education and the Workforce	Budget
Energy and Commerce	Commerce, Science, and Transportation
Financial Services	Energy and Natural Resources
Government Reform	Environment and Public Works
House Administration	Finance
International Relations	Foreign Relations
Judiciary	Governmental Affairs
Courts, the Internet, and Intellectual Property	Health, Education, Labor, and Pensions
Immigration, Border Security, and Claims	Judiciary
Commercial and Administrative Law	Judiciary Subcommittees
Crime, Terrorism, and Homeland Security	Immigration, Border Security, and Citizenship
Constitution	Antitrust, Competition Policy, and Consumer Rights
Resources	Terrorism, Technology, and Homeland Security
Rules	Crime, Corrections, and Victims' Rights
Science	The Constitution, Civil Rights, and Property Rights
Small Business	Rules and Administration
Standards of Official Conduct	Small Business and Entrepreneurship
Transportation and Infrastructure	Veterans Affairs
Veterans Affairs	
Ways and Means	

Select, Special, and Other Committees

House	*Senate*	*Joint Committees*
Select Intelligence	Special Aging	Economics
Select Homeland Security	Select Ethics	Printing
	Select Intelligence	Taxation
	Indian Affairs	Library

discharge petition
Petition that gives a majority of the House of Representatives the authority to bring an issue to the floor in the face of committee inaction.

to the full House or Senate only a small fraction of the bills assigned to them. Bills can be forced out of a House committee by a **discharge petition** signed by a majority (218) of the House membership.

In the 109th Congress, the Senate has sixteen standing committees ranging in size from fifteen to twenty-nine members. It also has sixty-eight subcommittees, which allows all majority party senators to chair one.

In contrast to the House, whose members hold few committee assignments (an average of 1.8 standing and three subcommittees), senators each serve on an average of three to four committees and seven subcommittees. Whereas the committee system allows House members to become policy or issue specialists, Senate members often are generalists. In the 109th Congress, Senator Kay Bailey Hutchison (R–TX), for example, serves on several committees, including Appropriations; Commerce, Science, and Transportation; Veterans Affairs; and Rules. She serves on even more subcommittees, chairing two of them, and is the vice chair of the Republican Conference.

Senate committees enjoy the same power over framing legislation that House committees do, but the Senate, being an institution more

■ In 2002, Representatives Linda and Loretta Sanchez (both D–CA) became the first sisters to serve together in the U.S. Congress. Since then, they have pushed for women's issues, such as enforcement of Title IX, research for breast cancer, and protections against sexual assault in the military.

Photo courtesy: Office of Representative Loretta Sanchez

Photo courtesy: Hillery Smith Garrison/AP/Wide World Photos

■ Depending on whether or not his party controls the Senate, Robert Byrd (D–VA) has served as president pro tem of the Senate as well as the chair of the powerful Appropriations Committee. Senator Byrd is known as the "Prince of Pork" for his ability to "bring home the bacon" in the form of public works projects to West Virginia.

pork
Legislation that allows representatives to bring home the bacon to their districts in the form of public works programs, military bases, or other programs designed to benefit their districts directly.

open to individual input than the House, gives less deference to the work done in committees. In the Senate, legislation is more likely to be rewritten on the floor, where all senators can participate and add amendments at any time.

Committee Membership. Many newly elected members of Congress come into the body with their sights on certain committee assignments. Others are more flexible. Many legislators seeking committee assignments inform their party's selection committee of their preferences. They often request assignments based on their own interests or expertise or on a particular committee's ability to help their prospects for reelection. One political scientist has noted that committee assignments are to members what stocks are to investors—they seek to acquire those that will add to the value of their portfolios.[16]

Representatives often seek committee assignments that have access to what is known as **pork,** legislation that allows representatives to bring money and jobs to their districts in the form of public works programs, military bases, or other programs. In the past, a seat on the Armed Services Committee, for example, would allow a member to bring lucrative defense contracts back to his or her district, or to discourage base closings within his or her district or state. In one example from the 2004 appropriations bill, the House approved $2 million to help develop a youth golf program in Florida.[17]

Legislators who bring jobs and new public works programs back to their districts are hard to defeat when up for reelection. But, ironically, these are the programs that attract much of the public criticism directed at the federal government in general and Congress in particular. Thus, it is somewhat paradoxical that pork improves a member's chances for reelection. Senator Robert Byrd (D–WV) is regarded as the Prince of Pork. He even got the U.S. Coast Guard Operations Systems Center built in a landlocked state, West Virginia.

Pork isn't the only motivator for those seeking strategic committee assignments.[18] Some committees, such as Energy and Commerce, facilitate reelection by giving House members influence over decisions that affect large campaign contributors. Other committees, such as Education and the Workforce or Judiciary, attract members eager to work on the policy responsibilities assigned to the committee even if the appointment does them little good at the ballot box. Another motivator for certain committee assignments is the desire to have power and influence within the chamber. The Appropriations and Budget Committees provide that kind of reward for some members, given the monetary impact of the committees. Congress can approve programs, but unless money for them is appropriated in the budget, they are largely symbolic.

In both the House and the Senate, committee membership generally reflects the party distribution within that chamber. For example, at the outset of the 109th Congress, Republicans held a narrow majority of House seats (229) and thus claimed about a 55 percent share of the seats on several committees, including International Relations, Energy and Commerce, and Education and the Workforce. On committees more critical to the operation of the House or to the setting of national policy, the majority often takes a disproportionate share of the slots. Since the Rules Committee regulates access to the floor for legislation approved by other standing committees, control by the majority party is essential for it to manage the flow of legislation. For this reason, no matter how narrow the majority party's margin in the chamber, it makes up more than two-thirds of the Rules Committee membership. In the Senate, during its brief 50–50 split in 2001, the leaders agreed to equal representation on committees, along with equal staffing, office space, and budget.

Photo courtesy: Doug Dreyer/AP/Wide World Photos

■ Democrat Stephanie Herseth listens to the applause of supporters after winning the special election for South Dakota's U.S. House seat in June, 2004. When Herseth got to the Hill, members of the Resources and Veterans Affairs Committee gave up their seats for Herseth believing these appointments would help her November 2004 re-election bid.

Global Perspective

The Parliament of the "United States of Europe"

The union of thirteen separate British colonies into the United States and the subsequent expansion into a country of 50 states spanning a continent and beyond is one of the amazing political stories of history. Today, another amazing political story is unfolding. In 1956, six countries in Western Europe—France, Italy, West Germany, Belgium, the Netherlands, and Luxembourg—came together to create the European Common Market. It was an economic union, not a political one, but virtually from the outset some political commentators saw in it the nucleus of a "United States of Europe." Still, for most observers, it was an inconceivable notion that many of the states of Europe, which had fought two long and brutal world wars in the twentieth century and then became the primary battleground for the Cold War, might overcome their differences and voluntarily and peacefully form a single country. Yet, this vision slowly appears to be becoming true.

The process of unification begun in 1956 has passed through several stages. A first expansion in membership occurred in 1973 when Denmark, Ireland, and Great Britain joined the then Common Market. Greece joined in 1981, and Spain and Portugal joined in 1986. In 1994, Austria, Finland, and Sweden became members. Enlargement reached a new milestone in May 2004 when ten new states joined what is today known as the European Union (EU). Even more significant than the number of states that joined (increasing membership from fifteen to twenty-five) or the overnight growth of its population (by 20 percent to 450 million) was the identity of the states that joined. Five of the ten were Eastern European states once ruled by communism: the Czech Republic, Slovenia, Slovakia, Poland, and Hungary. Three states had actually been part of the Soviet Union before it collapsed: Latvia, Estonia, and Lithuania. The other two were Malta and Cyprus. The EU was now truly becoming continental in scope and may continue to grow. Turkey hopes to be admitted in the near future, and another round of expansion is set for 2007.

As with the American experience, adding new states (countries) requires making a series of adjustments in how the EU is governed. One of the most significant changes was adjusting the size of the legislature, the European parliament. It had 140 members when first created in 1958. With this latest expansion, it now has 787 members. The distribution of seats by country is shown in the table.

The United States has a system of checks and balances in which Congress and the president possess separate powers. This is not the case in the EU. The essential power of the EU is "codecision." This means that the EU acts as a partner with the European Commission (made up of representatives appointed by member countries) in making policy. In some cases, such as taxation policy, the parliament only gives an opinion.

Making the European parliament bigger was necessary to ensure that all of the countries belonging to the EU are fairly represented. To reach the goal of bringing the states of Europe together in a democracy, the EU had to answer questions such as the following.

Distribution of Seats in the European Parliment

Austria	21	Latvia	9
Belgium	25	Lithuania	13
Cyprus	6	Luxembourg	6
Czech Republic	24	Malta	4
Denmark	16	Netherlands	31
Estonia	6	Poland	54
Finland	16	Portugal	25
France	87	Slovakia	14
Germany	99	Slovenia	7
Greece	25	Spain	64
Hungary	24	Sweden	22
Ireland	15	United Kingdom	87
Italy	87		

- *How are members to be chosen?* The first answer given was that members should be appointed by their national parliaments. Since 1979, members have been directly elected by the people.
- *Who can vote for members to the European parliament?* The voting age in all countries is eighteen. Even if you are not a citizen of the country you are living in, you may still vote in that country for members of the European parliament provided you are considered a resident of that country. Definitions of residence, however, vary greatly. So do rules governing the right of citizens living abroad to submit absentee ballots in their home country.
- *Who can run for a seat in the European parliament?* Age requirements vary from country to country, ranging from a low of eighteen to a high of twenty-five. Luxembourg also has a ten-year residency requirement.
- *When are elections held?* There is no single day for parliamentary elections. In 1999, the most frequent voting day was Sunday, June 13, but in four countries it was June 10 because Thursday is the traditional voting day there.
- *How will the parliament be organized?* Members do not sit as part of country delegations but according to their political affiliation. Among the political groups that can be found in the European parliament are the European People's Party, the Party of European Socialists, the European Liberal Democratic Party, and the Reform Party.
- *How many committees should there be?* There are currently seventeen committees as well as a number of parliamentary delegations.

Questions

1. How does current and past U.S. experience compare to that of the European Union in terms of selecting members of the legislature and organizing the legislative body for work?
2. Would policy making in the United States be improved if Congress and the president worked together as partners, rather than as separate, competing powers? Explain your answer.

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■ Representative Barney Frank (D–MA) has been in the rare position of having fun while being in the minority party. Says Frank, "I'm a counterpuncher, happiest fighting on the defensive. Besides, I really dislike what the Republicans are doing. I think they are bad for the country and for vulnerable people. I feel, 'Boy, this is a moral opportunity—you've got to fight this.' Also, I'm used to being in a minority. Hey, I'm a left-handed gay Jew. I've never felt, automatically, a member of any majority."

Committee Chairs. Committee chairs enjoy tremendous power and prestige. They are authorized to select all subcommittee chairs, call meetings, and recommend majority members to sit on conference committees. Committee chairs may even opt to kill a bill by refusing to schedule hearings on it. They also have a large committee staff at their disposal and are often recipients of favors from lobbyists, who recognize the chair's unique position of power. Personal skill, influence, and expertise are a chair's best allies.

Historically, committee chairs were the majority party members with the longest continuous service on the committee. Committee chairs in the House, unlike the Senate, are no longer selected by **seniority,** or time of continuous service on the committee. Today, the House leadership interviews potential chairs to make certain that candidates demonstrate loyalty to the party. For example, in 2003, Representative Christopher Shays (R–CT), who went against the Republican Party in supporting campaign finance reform, was passed over as chair of the House Resources Committee in favor of a less senior but more loyal committee member.[19] In 1995 and 1997 respectively, the House and Senate enacted a term limit of six years for all committee chairs. This term limit has forced many longtime committee chairs to step down. However, these chairs often take over another committee. For example, Representative Henry Hyde (R–IL) stepped down as chair of the House Judiciary Committee in favor of a new position as chair of the International Relations Committee.

seniority
Time of continuous service on a committee.