

## AP US Government: Congress Test Study Guide

- House – 435 permanent(voting) members
- Senate – 100 permanent members
  
- At Const. convention, Framers wanted to make Congress the center of the policymaking process.
- All 3 branches can effect policy, but **only Congress has legislative authority**(can draft legislation).
- Law is predominant occupation of Congressmen.
- As a career
  - Early in American history, no one wanted to be a Congressman as a career because the **ideology of state sovereignty** was still there(wanted to be more involved in state government than nation government) and it was **too far** for some delegates to travel to the capital.
  - Up to 1900 - As few as  $\frac{1}{3}$  and as many as  $\frac{1}{2}$  of Congressional seats changed hands in every election.)
  - Today – most Congressmen do it for prestige
  
- Congress's power has fluctuated throughout history and its responsibilities and role have expanded and become more difficult. People are the biggest obstacle.
  - Thru 1900, Congress was the most powerful with 2 exceptions – Jackson and Lincoln's presidencies.
  - At the mid-20<sup>th</sup> century – Power of the Executive
  - Today – back to powerful Congress
- Need to work hard as Congressman and are always busy

### Incumbency Effect

- Only teachers and Congress have job security as there is a 90% change of being reelected in the House and a greater than 50% chance of being reelected in the Senate.

- Rare for wholesale changes – except when 188 seats changed from 1992-1994
- If an incumbent member of the House has a tough challenge, they usually do not run for reelection.
- **Incumbency advantages:**
  1. Advertising
    - Entitled to **frank** - free mail related to constituents' service
  2. Credit Claiming – opponent has nothing to claim credit for.
    - **Pork-barrel legislation** – benefits only constituents
      - Politicians use pork to claim credit
      - There is too much pork in credit claiming
  3. Position taking – have voting records while challenger does not
  4. Fundraising – incumbents can raise \$ and have lists such as Emily's List that show who has donated \$, opponents cannot. They get most \$ from avg. American, interest groups(i.e. AARP)
- **How incumbents are not reelected:**
  1. Personal misconduct – 25% of those not reelected in last 15 years lost due to personal misconduct
  2. Troublesome issues – may be blamed without doing anything wrong such as being a member of a political party
  3. Variation in voter turnout
    - Party that controls White House will lose seats in next midterm election (90% of the time-did not happen in 1998) because in presidential elections voters do not have party loyalty and are uneducated and uninformed, while in the midterm elections the electorate is much more informed and they know the issues.
- Strong challengers run against incumbents esp. in the Senate since it has more prestige and power

- **Redistricting** –every 10 years, there is a census and redistricting in which states may lose or gain representation
  - **Gerrymandering** – party in charge redraws district map to their advantage

### **Congressional Leadership**

- Congress get to choose own leadership along party lines
- Caucus - newly elected representatives are in with three jobs:
  1. Elect party leadership
  2. Set policy agenda
  3. Begin to formulate policy decisions
- 112<sup>th</sup> Congress – leadership structure for each party is the same
  - HOR
    - Speaker of the House - John Boehner (GOP)
      - Speaks 1<sup>st</sup> in debate
      - Person who has been in the house the longest in majority party
      - Sets speaker list
      - Selects chairman and majority party in the House Rules Committee
      - Decides which bills will be debated and when
    - Majority Leader – Eric Cantor (GOP)
      - Leader of party on the floor
      - Organizes debate
      - Lines up support for legislation
    - Minority Leader – Nancy Pelosi (D)
      - Does what Majority Leader does, but for the minority party
    - Majority Whip – Kevin McCarthy (GOP)
      - Organizes and tracks voting
      - Tells people how they are supposed to vote
    - Minority Whip – Steny Hoyer (D)

- Does what Majority Whip does, but for minority.
- Senate
  - Senate President - Joe Biden (D) – VP
  - Majority Leader – Harry Reid (D)
    - Most important person in Senate
    - Voice of his party – comes up with majority party legislative politics
    - Drum up legislative support for policy
  - Minority Leader – Mitch McConnell (GOP) –
    - Voice of his party
  - President pro tempore - Daniel Inouye (D)

## **Committees**

- Started working in 1940's – Legislative Reform Act of 1946 said particular bills had to go to the respective committee.
- Everything in Congress is accomplished through committees. Without them nothing would get done. Each committee has a subcommittee. The majority party in that house has the most seats in a committee.
- Each committee has a chairperson-member of majority party.
- Have legislative authority since draft legislation
- HOR – members are in 6 committees, 12 subcommittees on average
- Senate – members are in 10 committees, 20 subcommittees on average
- Types of Committees:
  1. Standing – permanent such as education and defense. There are usually corresponding committees in both houses.
    - 20 in HOR and 16 in Senate
  2. Select – temporary committee established for a particular purpose and then it is eliminated
  3. Joint – formed by members of both houses that are not standing, but won't go anywhere

4. Conference – a joint-select committee with the purpose to resolve legislative differences the two houses for bills

## **2 Types of Representation**

1. Descriptive – Congress represents nation as a whole
2. Substantive – Congress represents our interests
  - Congress is descriptive based on political beliefs
  - It does not mirror electorate with regard to gender and race

Category		House of Representative	Senate
Party Affiliation	Democrats	192	51
	Republicans	240	37
	Other	3 vacancies	2 independent
Gender	Male	360	83
	Female	75	17
Race	White	360	96
	Black	44	0
	Hispanic	25	2
	Asian	7	2
	Native American	1	0

**\*\*These statistics do not affect how Congress functions, but it could affect outcomes though.**

## **How a Bill Becomes a Law**

- Only a member of Congress can introduce a bill.
  - Revenue bills can only originate in the House
- It is then numbered as goes to a appropriate committee. The committee assigns it to an appropriate subcommittee
- If the bill has merit, the committee/subcommittee will organize a hearing.
- If full committee approves, **rules committee**(HOR only), establishes terms of debate and open-closed rule

- Open – amendments can be added related to legislation
- Closed – no amendments
- Then goes to full floor for debate
  - Senate
    - Allows **filibuster**(unlimited debate), unless **cloture**(limits filibuster) called for
    - Allowed to attach riders(something attached to back of bill that may not be relevant to the bill itself)
- If it is passed by this house, it is sent to the other house.
- If passed by both house, goes to conference committee to work out differences.
- Goes to President. He can:
  1. Sign it – becomes law
  2. Veto it – sends bill back to originating house with reasons
    - Bill can be overridden with two-thirds vote in each house.
  3. Do nothing – 2 options:
    - Not sign it – Becomes law in ten days in Congress in session
    - Pocket veto – If Congress adjourns(on break), the bill is vetoed
- Clinton used a line-item veto – allowed him to strike out a particular part of a bill and sign it into law

### **Functions of Congress**

1. Lawmaking – primary
2. Representation

#### **Lawmaking**

- 2 types of lawmaking
  1. Broad policy – Congress not good at large scale issues. Some exceptions are the New Deal, the environment, education and urban development(LBJ's Great Society)

- Congress is fragmented – why hard to fix issues on larger scale. Cannot agree on issues because of disparity between states.
- 2. Narrow policy – Congress much more equip to deal with smaller issues,
- Most programs that Congress passes are distributive programs that benefit few, but costs are distributed to everyone such as Social Security.

### **Representation**

- Everybody represented by interests in Congress
- A big question for a representative has been whether the primary focus should be the nation as a whole or the constituents – the truth is somewhere in between. You side with locals rather than yourself.

### **3 Non-lawmaking powers of Congress**

- Oversight – power Congress has given itself, there is not much of it.
  - A committee most related to the executive agency makes sure laws are followed faithfully
  - Legislative veto – eventually ruled unconstitutional
- Advice and consent – granted by Constitution
  - The President make appointments(majority from Senate to confirm) and writes treaties(2/3 Senate) with the advice and consent of Senate
    - By putting hold on confirmations, the Senate can use it as a political bargaining chip for concessions from the other side.
- Impeachment – not really used, does not mean removal from office
  - Information brought to House Judiciary Committee. Committee conducts hearings.
  - If find that treason, bribery, high crime or a misdemeanor was committed, they write up articles of impeachment, which are brought to HOR.
  - If majority of House approves articles the official is impeached.

- They are then put on trial in the Senate and the Chief Justice officiates.
  - If majority of Senate approves articles, the official is removed from office
- Case Act – 1972 = If president issues executive order, he has 60 days to tell Congress. If doesn't, Congress will cut funding for executive order.