



CASE STUDY

Government in Action

Getting the Best Offices in Congress

What happens every two years in Washington, D.C., that can be compared to the National Football League's college draft? The answer is room draw—the competition for offices on Capitol Hill. Among members of the House of Representatives, the newly elected members have last pick. They fight over cramped offices that are sometimes about the size of large broom closets. In general, selection is based on seniority—who has been in office longer. Members who have been in office the same amount of time use a lottery system. (The Senate also has a room draw, but because it has fewer members, the process is much less formal.)

Before the first day of room draw, scouts—that is, office managers for the various representatives—develop reports that include the probabilities of obtaining particular offices. During the first day of room draw, office managers use their cellular phones frequently to confer with their bosses. Each representative has twenty

senators serve six-year terms, they have more time than representatives to understand and deal with issues before they must think about the next election. The six-year term is supposed to make senators less subject to the pressures of public opinion and the pleas of special interests. The longer term in office gives senators more time to act as national leaders before facing the electorate again.

Qualifications The qualifications senators must meet are somewhat different from those for representatives. Members of the Senate must be at least thirty years of age, citizens of the United States for at least nine years, and legal residents of the states from which they are elected. The Constitution allows the Senate to judge the qualifications of its members and to exclude a member-elect by a majority vote.

minutes to decide (measured to the second with a digital clock). Some legislators end up running at the last minute to make an office inspection within that twenty-minute period.

Some etiquette is involved in this process. For example, it is considered bad form to survey a retiring legislator's office before election day. If a member of Congress dies in office, though, according to one observer, "it's vulture city, with everyone looking over the office. It gets a little morbid when people come by to look."

THINK ABOUT IT

1. If you were a member of Congress, would you be worried about what office you had? Why or why not?
2. Why is the Senate procedure for allocating offices much less formal than that of the House?

The Power of Incumbency

There are several possible explanations for the repeated successes of incumbents. One explanation, although the least likely one, is that voters know how their representatives vote on important policy issues, agree with their positions, and want to send them back to Washington. The more likely source of incumbents' success, however, is visibility. Incumbents work very hard at making themselves known throughout their districts so that, in the voting booth, voters will at least recognize their names on the ballot. Incumbents frequently travel back to their home districts (on the average members visit their home districts about thirty-five times a year). They also enjoy the franking privilege, which is a free mail service designed to keep voters informed about current issues and the representative's

voting record. Instead of postage, they use their printed signatures, called franks, on official correspondence.

Additionally, incumbents win friends and votes by servicing "the folks back home." They do this in two ways. One is casework,

Just the Facts

The terms pork and pork barrel were not used to describe legislation until the 1880s.

which involves helping individual constituents cut through bureaucratic red tape to get what they want. The other is pork barrel, which involves bringing federal funds to their districts in the form of federal projects, contracts, or grants

available to cities, colleges, businesses, and other organizations.

Another explanation for an incumbent's success is that a current member of the House (or Senate) is usually in a better position to raise campaign funds than an opponent. Incumbent representatives raise, on

average, six times more for their reelection campaigns than do challengers.

SECTION 2 REVIEW

1. What is the term of office for representatives? For senators?
2. What are the constitutional requirements for election to the House of Representatives? For election to the Senate?
3. What are two possible reasons why incumbents are frequently reelected?
4. **For Critical Analysis:** Do you believe that the constitutional requirements to serve as a representative or a senator should be changed? Why or why not?

SECTION 3

Members of Congress and Their Responsibilities

Preview Questions:

- 1. What are the general characteristics of members of Congress?
- 2. Who sets the salary for members of Congress?
- 3. What are some of the special benefits and privileges members of Congress receive?
- 4. What roles does a member of Congress play?
- 5. How does the Constitution allow the House and Senate to judge the conduct of their members?

Key Terms:

congressional immunity, censure, expulsion, reprimand

Although members of Congress act as the people's representatives, by no stretch of the imagination are they a representative cross section of the American

people. The process of recruiting, nominating, and selecting congressional candidates ensures that only certain types of individuals serve in Congress.

Profile of Members

If we look at a collective portrait of the members of Congress, we can quickly see that they are not a typical collection of Americans. Members tend to have very high levels of income, education, and occupational status compared with the rest of the population. Nearly all have college degrees, and most have graduate or professional degrees. Law is the dominant occupation. Other "elite" occupations, such as business and banking, are also well represented.

An overwhelming number of those elected to Congress have been white, Protestant males of Western European descent. A profile of the 107th Congress

Who Is in Congress? If you want to find out who is in Congress or who your representative or senators are, you can look in the *Congressional Directory*, available in most libraries. It includes biographies of lawmakers, lists of committees and staff members, and maps of districts. You can also access the Web site for the Clerk of the House of Representatives, which provides a state-by-state listing of representatives. Go to clerkweb.house.gov/. For a complete listing of senators, you may wish to access www.senate.gov/. Additionally, the *Almanac of American Politics* can help you learn more about your members' views. Another resource that summarizes and evaluates each member's performance and describes each district is *Politics in America: Members of Congress in Washington and at Home* (Washington, D.C.: Congressional Quarterly Press).

Your representative and senators have telephone numbers in both Washington, D.C., and



How to Find Out What's Going On in Congress

your state. You can also contact members of Congress via e-mail. You can find the e-mail addresses for all members of Congress at the following Web site: www.lib.umich.edu/libhome/Documents.center/congress/conemail.txt.

What Is Happening in Congress?

To get information about bills being considered in Congress, call the Legislative Status Office at 202-225-1772. To find out

whether a bill has been passed, call 202-456-2226. To learn what legislation is currently being considered in Congress, call 202-225-7400 for the House or 202-224-8601 for the Senate. You can obtain a copy of a bill from the House or Senate Document Room. Both the Democratic and Republican parties prepare tapes to provide accounts of proceedings on the floors of both houses. To listen to these tapes call:

Senate Democratic: 202-224-8541
 Senate Republican: 202-224-8601
 House Democratic: 202-225-7400
 House Republican: 202-225-7430

TAKING ACTION

1. Find an article in a local or national newspaper or a national news magazine that mentions a proposed bill in Congress. Determine the

Speech and debate clause is

protection is called congressional immunity. The goal is to protect the freedom of legislative debate. The provision allows members to address their colleagues in open debate without fear of being sued for making harmful or false statements. Normally, a member may make any statements he or she wishes in connection with official duties and not be sued for libel or slander or be otherwise subject to legal action. This privilege does not cover speeches, articles, or conversations made in public apart from legislative business.

Roles of Members

In 1899, one senator said, "God made a day twenty-four hours long for the ordinary man. After a man becomes a United States senator, he requires a day forty-eight hours long." These words still ring true for senators as well as for representatives. Studies show that national legislators work almost sixty-hour weeks while Congress is in session. They must spend a great deal of time learning about the issues on which they

U.S. House of Representatives

106th Congress, 2nd Session



[House Operations](#)

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United States House of Representatives
Washington D.C. 20515
(202) 224-3121

[House Office Web Sites](#)

[Member Offices](#)

[Committee Offices](#)

[Leadership Offices](#)

[Other House Organizations, Commissions, and Task Forces](#)

[Media Galleries](#)

◀ As you can see by this excerpt from its Web site, the House of Representatives has joined the information age. To find out what your representatives are working on in Washington, D.C., and to let them know what you think about it, access the site at www.house.gov.

[This Week on the House Floor](#)

The schedule the House intends to consider this week.

[Currently on the House Floor](#)

Up-to-date events on the House floor as they happen.

[Annual Congressional Schedule](#)

[The Legislative Process](#)

Access to information about bills and resolutions being considered in the Congress.

[Employment Opportunities](#)

Information on job openings within the House.

[Roll Call Votes](#)

As compiled through the electronic voting machine by the House Tally Clerks under the direction of Jeff Trandahl, Clerk of the House.

[House Committee Hearing Schedules and Oversight Plans](#)

Each committee maintains its own schedule of hearings on the web. A committee's oversight plan describes its agenda for the 106th Congress, based on the jurisdiction of the committee. The public can attend any open committee meeting listed, and some hearings are televised by C-SPAN.



In the spirit of THOMAS Jefferson, the Library of Congress provides you with searchable information about the U.S. Congress and the legislative process. Search [bills](#), by [topic](#), [bill number](#), or [title](#). Search through and read the text of the [Congressional Record](#) for the 104th, 105th, and 106th Congresses. Search and find [committee reports](#) by [topic](#) or [committee name](#).

[Write Your Representative](#)

Constituents may [identify and/or contact](#) their elected Member to the U.S. House of Representatives.

[United States Code](#)

Free, public, full-text searchable and downloadable access to the U.S. Federal statutes of a general and permanent nature, organized by subject.

status of the bill in Congress. Contact the office of your senator or representative to find out his or her views on

the bill. Follow the progress of the bill over the next few weeks as it passes through the chambers.

2. Use one of the references listed on page 384 to help you make a profile of the representative for your district or one of the senators for your state. In the profile, include what committees the member is on, how many staff members he or she has, what bills he or she has introduced recently, and what political action committees (PACs) support him or her.

will vote, reviewing bills introduced by other legislators, and getting support for their own bills. Committee and subcommittee work occupies a great deal of time. Legislators also try to be present on the floor of the House or Senate chambers as much as possible to listen to speeches, give speeches, and vote on bills. Every day, dozens of people ask to see them—a fellow member with questions about a bill, a lobbyist with arguments against a bill, a constituent visiting the Capitol. Between meetings, members prepare bills,

study reports, attend political party functions, and write speeches and articles.

In carrying out all their duties, the 535 members of Congress play several different but closely related roles. We explore some of these roles below.

1. Policymaker The Constitution requires that policymaking be the primary role of Congress and its members. Congress is the highest elected body in the country charged with making the legal rules that

► A powerful Republican chairman of a powerful committee, Senator Jesse Helms singlehandedly thwarted President Bill Clinton's desire for William Weld (foreground), a former Democratic governor of Massachusetts, to serve as U.S. ambassador to Mexico. As chairman of the Senate Foreign Relations Committee, Helms refused to consider Weld's nomination for the post and appears to be showing him the way out.



govern our society. Policymaking includes conducting investigations to identify problems, researching and deciding on bills, and voting intelligently for policies in the national interest. Policymakers decide many important matters, such as establishing the rate of federal taxes and the size of the federal budget.

2. **Representative** A member of Congress is also a representative, expected by “the folks back home” to represent their views in Washington. Members of Congress are supposed to reflect and translate into action the interests and concerns of constituents. Some political philosophers argue that representatives should vote exactly as their constituents would vote if the constituents themselves were present. This is the view of representative as an *instructed delegate*, where *delegate* means “agent of the people.” Others argue that representatives should vote according to their own best judgment and evaluation of the issues. This is the view of representative as a *trustee*, someone who manages the affairs of another.

3. **Servant of Constituents** Representatives and senators not only represent the voting decisions of their constituents but also act as the servants of the constituents. In this role, they work as intermediaries between their constituents and the imposing and complicated federal

bureaucracy. Helping constituents with problems is part of the casework of a member of Congress.

Generally, members of Congress are flooded with constituents' requests from the moment they take office. These requests range from appearing in a local parade with the mayor of a city, to helping a student to secure an appointment to a service academy such as West Point, to helping with Social Security benefits, to helping with an immigration or passport problem. These small but time-consuming concerns take up hours of a legislator's day, even though routine tasks are delegated to the staff. This is time spent away from the main responsibility of policymaking, but a constituency well served is a constituency well satisfied, especially at the next election.

Committee Member The typical senator is a member of eleven committees and subcommittees. The average representative is a member of six. If a member is on a committee long enough, he or she will become a policy expert whose advice is sought by other members.

Politician and Party Member All of the roles that members of Congress play are related to their roles as politicians and party members. In order to continue to serve in Congress, legislators must be reelected, and reelection campaigns take time and energy. Every



ARCHITECTS

of Government

Daniel K. Inouye
(1924–)

After Hawaii was admitted to statehood in 1959, Daniel K. Inouye was the first member of Congress elected from the new state. Of Japanese origin, Inouye served in the U.S. Army during World War II and lost his right arm in an attack against a German bunker in northern Italy. Senator Inouye has chaired numerous special investigations in the Senate and continues to be a top-ranking Senate Democrat.

HIS WORDS

“Our native Hawaiian neighbors have asked for the opportunity to express themselves [about] sovereignty. They have spoken and I am prepared to support their decision, and if called upon, will work with them towards their goal for sovereignty.”

(Press release, September 13, 1996)

“The Internet is constantly evolving, and these new technologies can keep the people of Hawaii better informed about the federal government, the issues and their importance to our state. One of the most important responsibilities that I have to my constituents is staying in touch with them.”

(Announcement on Senator Inouye’s Home Page, May 13, 1997)

DEVELOPING CRITICAL THINKING SKILLS

1. Regarding the first quotation, does any group living within the United States have sovereign status?
2. Regarding the second quotation, do improvements in communications technology mean that members of Congress will be more responsive to their constituents’ needs and interests than they were in the past?

loss of government contracts for businesses, or the passage of new laws and regulations.

The Oversight Function

Congress exercises its power to examine how effectively the executive branch and its officials carry out the laws through its oversight function. The term oversight has two opposing meanings. An oversight can be something that was accidentally missed or ignored. In the context of this chapter, however, oversight means careful supervision. The oversight function of Congress is sometimes referred to as its “watchdog function.”

Congress has defined its oversight function in several laws. The Legislative Reorganization Act of 1946 calls for Congress to exercise “continuous watchfulness” over executive agencies. The Reorganization Act of 1970 states, “Each standing committee shall review and study, on a continuing basis, the application, administration, and execution” of laws relating to its interests.

Methods of Oversight Congress exercises its oversight function in several ways. One method is to hold committee hearings and investigations. A second technique is to require agencies to submit reports to Congress on their activities. During any one term, Congress may receive more than a thousand such reports from various agencies.

Congress also exercises oversight by controlling the budget. The House and Senate review the budgets of all executive agencies every year. If Congress evaluates an agency positively, it may reward the agency by increasing its budget. Other agencies may have their budgets cut or kept at present levels.

Lawmakers often have one of the congressional support agencies, such as the General Accounting Office (GAO), undertake a study of an executive agency’s work. In fact, nearly every important law passed by Congress directs the GAO to study how the law has been implemented by the relevant executive agency.

Limits of Oversight For several reasons, Congress is limited in its ability to perform the oversight function. For one thing, the actions of the executive branch are not reviewed on a regular basis. For another, the complexity, size, and number of federal programs make oversight difficult. There are dozens of executive agencies, and many of them have large numbers of employees.

Chapter 5 Reading Guide
Roles and Powers of Congress

Section 1 – Role of Congress

P. 385 +
386

1. What are the three roles of Congress?

P 240,
241,
243

2. What influences the way a Congress Person votes? Explain three of them – This does not mean list.

Dictionary

3. What is a Constituent?

~~246~~
P 257
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4. What is an Interest Group?

P 416

5. What is Oversight? Why does Congress do this?

P 386

6. Describe 2 ways a Congressman helps their constituents.

Section 2 Houses and Members of Congress

P 373

1. What are the two houses of Congress?

P 374

2. What is a Census and how is it used to determine the membership in the House of Representatives?

P375 3. How many members are in the House of Representatives?

X 4. How many people did one House member represent in 2000?

P374 5. How many members in the House is each state guaranteed no matter how small they are?

P379 6. How long is a term in the House of Representatives?

P373 7. What is apportion? What will happen to a state that grows in population? What will happen to a state that does not grow in population

P. 378 8. What is Gerrymandering?

P380 9. What are the three requirements to be a member of the House of Representatives?

P381 10. What is franking privilege?

P384 11. What is immunity and why do members of Congress have it?

P380 12. What are two differences members experience from being a member of the House of Representatives and a member of the Senate?

P380 13. How many Senators does a state receive?

P381 14. How long is a Senators term in office?

P380 15. Why do they only have 1/3 of the Senators up for election every two years?

P381 16. What are the three qualifications to be a Senator?

P382 17. What are 4 characteristics of the members of Congress? Is Congress Representative of the population of America?