How Congress Works Part 1:  
Structure and Organization

Purpose:  The United States Congress, vested with the legislative authority of the federal government, is a mammoth institution of five hundred and thirty five voting members. Yet, how Congress gets done the business of the American people is often a mystery. In the first of two lesson plans on how Congress works, students will explore the “nuts and bolts” of the structure and organization including the role of party leadership positions as well as the function and purpose of legislative committees. This lesson may be used as a stand-alone plan or in conjunction with How Congress Works Part II: The Legislative Process.

Objectives:
1. Students will evaluate the meaning and relevance of quotations about Congress.
2. Students will analyze the demographic data of Congress.
3. Students will compare and contrast the rules and culture of the House and the Senate.
4. Students will define the major party leadership positions in Congress and identify the current leaders.
5. Students will investigate the structure, purpose and function of legislative committees.
6. Students will apply their knowledge of congressional committees by conducting a committee hearing role play.
7. Students will interpret and analyze political cartoons.

Key Words:
- demographic profile
- Speaker of the House
- majority leader
- minority leader
- party whips
- President of the Senate
- President Pro Tempore
- caucus
- standing committee
- select committee
- joint committee
- conference committee
- appropriations
- hearing
- Rules Committee

Materials:
1. Quotes About Congress Student Handout
2. Demographic Profile: 111th Congress Student Handout
3. House v. Senate Student Handout and Teacher Key
4. Overhead: House-Senate Differences
5. Scavenger Hunt: Party Leadership Student Handout and Teacher Key
6. Overhead: Congressional Committees Quotation
7. Overhead: Congressional Committees: Function & Purpose
8. Types of Committees Student Handout and Teacher Key
9. Overhead: Types of Committees
10. Making Connections: Congressional Committee Hearing Simulation
11. Political Cartoons Overhead or Student Handout
12. The Congress student handout
13. 111th Congress Jigsaw Activity Student Handout
14. Jigsaw Article Packet (four articles)

Procedure:

1. **Warm-up: Analyzing Quotes About Congress** – Pass out *Quotes About Congress* and divide the class into small groups. In their teams, students should discuss each quotation and address the questions below:
   a. What does the quote mean (i.e. your interpretation)?
   b. What does the author seem to think of Congress (i.e. what’s her/his bias)?
   c. What does the quote show us about how Congress works?

2. **Think-Pair-Share: Who’s in Congress? (demographics) – How representative of us is the representative branch?** Pass out the *Demographic Profile: 111th Congress*
   a. Write the term “demographics” on the board and ask students to define its meaning.
   - **demographics** - selected population characteristics as used in government, marketing or opinion research; commonly-used demographics include race, age, level of education, gender, religion, political affiliation and occupation.
   b. Ask students to work with a partner or small group to analyze demographic data on the 111th Congress, and discuss the “Questions for Discussion.” Each individual member of the group should record her/his own answers.
   c. Bring students back into a full class discussion. Pose the following “big picture” questions:
      - Based on the demographic data provided, what generalizations can we make about the 111th Congress (record answers on the board).
      - How representative of us is the representative branch?
      - Does it matter if members of Congress match up demographically with the general population? Defend your answer.
   Note: There is a less detailed slide on the Powers of Congress PowerPoint

3. **Differences Between the House and Senate** – Pass out the *House v. Senate* graphic organizer and project the slide/overhead *House-Senate Differences*.
   a. Briefly discuss the key differences between the House and Senate.
   b. Place students in small groups and ask them to brainstorm reasons behind each of these differences (Hint: students may consider the Founder’s intent in the Constitution as well as practicality and common sense).
   c. Have each group share their findings with the rest of the class.

4. **Scavenger Hunt: The Organization of Congress – Party Leadership** - Handout the *Scavenger Hunt: Party Leadership* graphic organizer. Place students into small teams, and ask them to research the current leader, her/his party and state as well as a description of the major roles and responsibilities associated with each position.
   - Optional Activity: Assign each team a particular leadership position and have them present their findings to the class.
5. **What Do Congressional Committees Do?** – This activity introduces students to the structure, purpose and work of legislative committees. Teachers may choose to use the *How Congress Works* PowerPoint and/or overhead slides.
   a. Project via PowerPoint or overhead slide the *Congressional Committee Quotation*. Ask students to explain what Wilson meant in the quote (Sample response: *The speeches on dramatic debates on the floor of Congress is often for show put on for the public’s benefit; whereas the real nuts-and-bolts work of Congress takes place in legislative committees*)
   b. Project via PowerPoint or overhead slide *Congressional Committees: Function & Purpose*. Discuss each function and ask students to brainstorm examples for each. Sample Responses:
      - Consider or “mark-up” bills - Senate Judiciary Committee drafts the USA PATRIOT Act
      - Maintain oversight of executive agencies - House Armed Services Committee considers funding for the Iraq War
      - Conduct Investigations - Senate Homeland Security and Government Affairs Committee investigates the failures of government response before, during and after Hurricane Katrina
   c. Distribute the *Types of Committees* student handout and project via PowerPoint or overhead
      Long Version:
      - Divide the class into five teams: 1) Standing Committees, 2) Subcommittees, 3) Select Committees, 4) Joint Committees, and 5) Conference Committees.
      - Using their textbooks and online sources, ask students to describe the assigned committee and provide several examples from each chamber.
      Online Resources:
      - [http://www.house.gov/house/CommitteeWWW.shtml](http://www.house.gov/house/CommitteeWWW.shtml)
      - [http://www.senate.gov/pagelayout/committees/d_three_sections_with_teasers/committees_home.htm](http://www.senate.gov/pagelayout/committees/d_three_sections_with_teasers/committees_home.htm)
      - [http://www.access.gpo.gov/congress/senate/sclinks.html](http://www.access.gpo.gov/congress/senate/sclinks.html)
      - Students may then present their research to the whole class OR you may divide the class again into at least 5 groups with one member of the original teams in each new group. Students will then teach the other group members about the types of congressional committees.

   Short Version:
   - Project the *How Congress Works* PowerPoint or *Types of Committees* overhead and have students discuss the information and fill in their graphic organizer.

6. **Making Connections: Congressional Committee Hearing Simulation** - In this activity, students will apply their knowledge of the work of Committees. Then conduct the simulation
7. **Wrap Up: Political Cartoons** - Break students into groups- give each a cartoon, have them analyze and present. Or you may choose to project the political cartoons via overhead or PowerPoint. Ask students to interpret the cartoon:
- Describe what’s going on in the political cartoon (Who? What? When? Where?)
- Identify any symbols (ex: an elephant to represent the Republican Party) portrayed in the cartoon and analyze what they represent.
- What is the artist’s message in the cartoon? What do you think is its purpose?
- Do you agree or disagree with the cartoonist’s message? Explain your answer.
- In what ways does this cartoon inform us about how Congress works (ex: party leadership, committee function)?

**Appendix: How Congress Works Part I PowerPoint** – a resource for teachers that includes many of the important content elements of the lesson.

**Extension Activities:**

1. **The Congress, A Ken Burns Documentary** – This film by Ken Burns does an excellent job documenting the history and evolution of Congress as it delves into the institution’s inner workings as well as the influence of political parties and influential members.
   - Pass out *The Congress* student handout and show the Ken Burns documentary.
   - Class discussion questions after the film:
     - In what ways has Congress changed over the last 200 years?
     - How important have party leaders (ex: Speakers of the House, Majority/Minority leaders) been to the operation of and policy making of Congress over the years?
     - How does the current Congress and its leaders compare with those in the past six eras?
   Note: *The Congress* is available for purchase through the websites below:
     - [http://www.shoppbs.org/home/index.jsp](http://www.shoppbs.org/home/index.jsp)
     - [http://www.bestprices.com/cgi-bin/vlink/841887051422IE.html?id=3tkaszD9](http://www.bestprices.com/cgi-bin/vlink/841887051422IE.html?id=3tkaszD9)

2. **Jigsaw Activity: 111th Congress**
   - Pass out 111th Congress Jigsaw Activity handout as well as the articles below:
     - *For 111th Congress, Somber Topics Eclipse Ceremony*
     - *Domestic Agenda: Five Key Items for the 111th Congress*
     - *GOP Drafts Ideas on Stimulus Plan*
     - *Obama and the 111th Congress*
   - Divide the class into four large groups and assign each team one of the articles. Ask students to read the article and then discuss the questions in *Round 1: The Expert Group* (15 minutes).
   - Now divide the class into smaller teams where each member has a different article. Ask students to discuss the questions in *Round 1: The Teaching Group* (15 minutes)
Quotes About Congress

Directions – Your team will analyze the quotations below and address the following questions: a) What does it mean (i.e. your interpretation)? b) What does the author seem to think of Congress (i.e. what’s her/his bias)? c) What does the quote show us about how Congress works?

1. “And the thing about my jokes is, they don’t hurt anybody. You can take ’em or leave ’em - you can say they’re funny or they’re terrible or they’re good, or whatever, but you can just pass ’em by. But with Congress, every time they make a joke, it’s a law! And every time they make a law, it’s a joke!”
   ~ Will Rogers (1879-1935), journalist, humorist and social commentator

2. “I have wondered at times what the Ten Commandments would have looked like if Moses had run them through the US congress” ~ Ronald Reagan (1911-2004), movie actor, 40th President

3. “If the present Congress errs in too much talking, how can it be otherwise in a body to which the people send one hundred and fifty lawyers, whose trade it is to question everything, yield nothing, and talk by the hour?” ~ Thomas Jefferson (1743-1826), author, statesman, 3rd President

4. “Congress is functioning the way the Founding Fathers intended—not very well. They understood that if you move too quickly, our democracy will be less responsible to the majority. . . . I don’t think it’s the function of Congress to function well. It should drag its heels on the way to decision.”
   ~ Barber B. Conable, Jr. (1922-2003), U.S. Congressman, president of the World Bank

5. "You see, in Washington they have these bodies, Senate and the House of Representatives. That is for the convenience of the visitors. If there is nothing funny happening in one, there is sure to be in the other, and in case one body passes a good bill, why, the other can see it in time and kill it." □
   ~ Will Rogers (1879-1935), journalist, humorist and social commentator

6. "Congress is continually appointing fact-finding committees, when what we really need are some fact-facing committees." ~ Roger Allen (1957- ), science fiction author

7. “Can any of you seriously say the Bill of Rights could get through Congress today? It wouldn’t even get out of committee.” ~ F. Lee Bailey (1933- ), former defense attorney (defended O.J. Simpson prior to his disbarment

8. “Reader, suppose you were an idiot. And suppose you were a member of Congress. But I repeat myself.” ~ Mark Twain (1835-1910), American humorist, satirist and writer

9. “Congress is so strange. A man gets up to speak and says nothing. Nobody listens - and then everybody disagrees.” ~ Boris Marshalov (1902-67), Russian observer

10. “They say women talk too much. If you have worked in Congress you know that the filibuster was invented by men.” ~ Clare Boothe Luce (1903-87), journalist, playwright social activist politician
### Demographic Profile: 111th Congress

<table>
<thead>
<tr>
<th>Demographic Categories</th>
<th>House of Representatives</th>
<th>Senate</th>
<th>General Population (2001 stats)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Party Association:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Democrats</td>
<td>256</td>
<td>56</td>
<td>48%</td>
</tr>
<tr>
<td>Republicans</td>
<td>178</td>
<td>41</td>
<td>26%</td>
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<tr>
<td>Independents</td>
<td>0</td>
<td>2</td>
<td>26%</td>
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<tr>
<td><strong>Median Age:</strong></td>
<td>57</td>
<td>63</td>
<td>36.6</td>
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<tr>
<td><strong>Gender:</strong></td>
<td></td>
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<tr>
<td>Men</td>
<td>82% (78)</td>
<td>83%</td>
<td>48.6%</td>
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<tr>
<td>Women</td>
<td>18% (17)</td>
<td>17%</td>
<td>51.4%</td>
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<tr>
<td><strong>Education (college)</strong></td>
<td>95% college educated</td>
<td>HR &amp; S combined</td>
<td>36.6%</td>
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<tr>
<td><strong>Religion:</strong></td>
<td></td>
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<tr>
<td>Protestants</td>
<td>59% (36)</td>
<td>53%</td>
<td>56.1%</td>
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<tr>
<td>Catholics</td>
<td>28%</td>
<td>25%</td>
<td>25.9%</td>
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<tr>
<td>Jews</td>
<td>7% (6)</td>
<td>13%</td>
<td>1.4%</td>
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<tr>
<td>Muslims</td>
<td>&gt;1% (1)</td>
<td>0%</td>
<td>0.6%</td>
</tr>
<tr>
<td>Other/None</td>
<td>&gt;1%</td>
<td>9%</td>
<td>16%</td>
</tr>
<tr>
<td><strong>Ethnicity:</strong></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Whites</td>
<td>84% (540)</td>
<td>94%</td>
<td>67%</td>
</tr>
<tr>
<td>Hispanics</td>
<td>6% (28)</td>
<td>3% (3)</td>
<td>14.8%</td>
</tr>
<tr>
<td>African Americans</td>
<td>10% (41)</td>
<td>1% (1)</td>
<td>13.4%</td>
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<tr>
<td>Asian Americans</td>
<td>&gt;1% (9)</td>
<td>2% (2)</td>
<td>4.4%</td>
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<td>Native Americans</td>
<td>&gt;1% (1)</td>
<td>0%</td>
<td>&gt;1%</td>
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<tr>
<td><strong>Military Service:</strong></td>
<td>25% (96)</td>
<td>25% (25)</td>
<td>10% (approximate)</td>
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<td><strong>Occupation:</strong></td>
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<tr>
<td>Lawyers</td>
<td>50% (215)</td>
<td>58% (58)</td>
<td>0.5%</td>
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<tr>
<td>Businesspersons</td>
<td>37% (162)</td>
<td>26% (26)</td>
<td>9.9%</td>
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<tr>
<td>Public Officials</td>
<td>20% (109 combined HR &amp; S)</td>
<td>NA</td>
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<tr>
<td>Educators</td>
<td>19% (82)</td>
<td>14% (14)</td>
<td>4.6%</td>
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<tr>
<td><strong>Length of Service:</strong></td>
<td>11 yrs. (5.5 terms)</td>
<td>12.9 yrs. (2.2 terms)</td>
<td>N/A</td>
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</table>

**Questions for Discussion** - Use the profiles of the House of Representatives, the Senate and the general population in the chart to help you in answering the questions below.

1. Identify at least six characteristics of a typical representative in the 111th Congress based on the data above.

2. List three groups of people who might have reason to question whether or not the Congress adequately represents their interests. Explain each.

3. Identify and explain several differences between the make-up of Congress and the general public.

4. How important is it to elect someone of the same statistical profile as the majority in the district in order to gain good representation? Provide pros and cons.
<table>
<thead>
<tr>
<th>House</th>
<th>Senate</th>
<th>Reason(s)</th>
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<tbody>
<tr>
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<tr>
<td><strong>House</strong></td>
<td><strong>Senate</strong></td>
<td><strong>Reason(s) [Examples Below]</strong></td>
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<td>-----------------------------------------------</td>
<td>------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
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</tbody>
</table>
| 435 members; 2 yr terms                       | 100 members; 6 yr terms            | - House closer to the people with representation based on population and 2 yr terms  
- Senate smaller, more deliberative  
- Incumbents win re-election over 90% of the time in the House  
- Senate races are state-wide and more competitive  
- Difficult for individual members to challenge the Speaker of the House; members limited by strict rules  
- Members of the Senate more independent operators  
- House - majority party tightly controls Leadership and Rules with little minority party  
- Senate – much more cooperation between parties  
- Impractical with 435 members to have unlimited debate in the House; nothing would get done  
- Senate has only 100 members; more time  
- House – in order to get re-elected, members most become experts in policies that directly effect their districts; must serve on those committees  
- Senators represent diverse interest of an entire state  
- All tax and revenue bills must originate in the House; much of public policy decisions in HR involve the budget  
- Senate “advice and consent” of ambassadors, cabinet; ratify treaties  
- House much bigger, need strict rules to be efficient; members 1 of 435  
- Senate smaller, more collegial; members 1 of only 100 |
| Low turnover                                  | Moderate turnover                  |                                                                                                                                                                                                                            |
| Speaker bill referral hard to challenge       | Referral decisions easily challenged |                                                                                                                                                                                                                            |
| Scheduling/rules controlled by majority party; powerful Rules Committee | Scheduling/rules agreed to by majority & minority leaders |                                                                                                                                                                                                                            |
| Debate limited to 1 hour                      | Unlimited debate unless cloture invoked |                                                                                                                                                                                                                            |
| Members policy specialists                    | Members policy generalists         |                                                                                                                                                                                                                            |
| Emphasizes tax & revenue policy               | Emphasizes foreign policy          |                                                                                                                                                                                                                            |
| More formal & impersonal                      | More informal & personal           |                                                                                                                                                                                                                            |
# House-Senate Differences

<table>
<thead>
<tr>
<th><strong>House</strong></th>
<th><strong>Senate</strong></th>
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<tbody>
<tr>
<td>435 members; 2 yr terms</td>
<td>100 members; 6 yr terms</td>
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<tr>
<td>Low turnover</td>
<td>Moderate turnover</td>
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<tr>
<td>Speaker bill referral hard to challenge</td>
<td>Referral decisions easily challenged</td>
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<tr>
<td>Scheduling/rules controlled by majority party; powerful Rules Committee</td>
<td>Scheduling/rules agreed to by majority &amp; minority leaders</td>
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<td>Members policy specialists</td>
<td>Members policy generalists</td>
</tr>
<tr>
<td>Emphasizes tax &amp; revenue policy</td>
<td>Emphasizes foreign policy</td>
</tr>
<tr>
<td>More formal &amp; impersonal</td>
<td>More informal &amp; personal</td>
</tr>
</tbody>
</table>

**Scavenger Hunt**

**Party Leadership**

**Name(s)**
**House of Representatives Leadership - 111th Congress**

<table>
<thead>
<tr>
<th>LEADERSHIP POSITION</th>
<th>CURRENT LEADER</th>
<th>ROLES/RESPONSIBILITIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Speaker of the House</td>
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<tr>
<td>House Majority Leader</td>
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<tr>
<td>House Majority Whip</td>
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<td>House Minority Leader</td>
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<tr>
<td>House Minority Whip</td>
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</tbody>
</table>

**Directions** – Your task is to research the major leadership positions in the House and Senate and include the following information in the table below: 1) identify the current leader, her/his party and state, 2) briefly describe the major roles and responsibilities of each position. The websites below are excellent resources:

- [http://www.congresslink.org/print_basics_110leaders.htm](http://www.congresslink.org/print_basics_110leaders.htm)
- [http://www.ncsl.org/programs/leaders/LRDRoles.htm#pos](http://www.ncsl.org/programs/leaders/LRDRoles.htm#pos)
- [http://www.congresslink.org/print_basics_leadershippositions.htm](http://www.congresslink.org/print_basics_leadershippositions.htm)
## Senate Leadership - 111th Congress

<table>
<thead>
<tr>
<th>Leadership Position</th>
<th>Current Leader</th>
<th>Roles/Responsibilities</th>
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<tbody>
<tr>
<td>President of the Senate</td>
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<tr>
<td>President Pro Tempore</td>
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<tr>
<td>Senate Majority Leader</td>
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<tr>
<td>Senate Minority Leader</td>
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<td></td>
</tr>
<tr>
<td>Senate Majority Whip</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Senate Minority Whip</td>
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</tbody>
</table>
### House of Representatives Leadership - 111th Congress

<table>
<thead>
<tr>
<th>Leadership Position</th>
<th>Current Leader</th>
<th>How Selected/Roles &amp; Responsibilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Speaker of the House</td>
<td>Nancy Pelosi D-CA</td>
<td>Chosen by majority party</td>
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<tr>
<td></td>
<td></td>
<td>Chief presiding officer (constitutionally) of the House</td>
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<tr>
<td></td>
<td></td>
<td>Decides whom to recognize to speak on the floor</td>
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<td>Rules on germaneness of motions</td>
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<td></td>
<td></td>
<td>Decides to which committee bills go</td>
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<td></td>
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<td>Schedules bills for action</td>
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<tr>
<td></td>
<td></td>
<td>Appoints members of special and select committees</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Has some patronage power</td>
</tr>
<tr>
<td>House Majority Leader</td>
<td>Steny Hoyer D-MD</td>
<td>Chosen by majority party</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Assists Speaker</td>
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<td></td>
<td>Plans party's legislative program</td>
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<td></td>
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<td>Steers important bills through the House</td>
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<tr>
<td></td>
<td></td>
<td>Party leader</td>
</tr>
<tr>
<td>House Majority Whip</td>
<td>James Clyburn D-SC</td>
<td>Party floor leader</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Keeps close watch on how majority members intend to vote</td>
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<td></td>
<td></td>
<td>Attempts to influence voting</td>
</tr>
<tr>
<td>House Minority Leader</td>
<td>John Boehner R-OH</td>
<td>Party leader</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Performs similar tasks to House Majority Leader</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Has no power over scheduling work in the House</td>
</tr>
<tr>
<td>House Minority Whip</td>
<td>Eric Cantor R-VA</td>
<td>Assists party minority leader</td>
</tr>
<tr>
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<td></td>
<td>Keeps close watch on how majority members intend to vote</td>
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<td>Attempts to influence voting</td>
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<td>LEADERSHIP POSITION</td>
<td>CURRENT LEADER</td>
<td>ROLES/RESPONSIBILITIES</td>
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| President of the Senate     | Joe Biden D-DE     | - Elected in general presidential election  
- Chief presiding officer (constitutionally) of the Senate  
- Cannot participate in floor debate  
- Casts vote only in case of tie |
| President Pro Tempore       | Robert Byrd D-WV   | - Chosen by majority party; often most senior member  
- Presides over Senate in absence of vice-president |
| Senate Majority Leader      | Harry Reid D-NV    | - Chosen by majority party  
- Majority party leader in Senate  
- Steers party’s bills through Senate  
- Plans Senate’s work schedule in consultation with Minority Leader  
- Makes sure majority members attend important sessions |
| Senate Majority Whip        | Dick Durbin D-IL   | - Chosen by majority party  
- Assists Majority Leader  
- Rounds up members for key votes  
- Heads group of deputy whips |
| Senate Minority Leader      | Mitch McConnell R-KY | - Chosen by minority party  
- Minority party leader in Senate  
- Develops criticisms of bills from majority party  
- Consults with Majority Leader re: Senate’s work schedule  
- Tries to keep members working together |
| Senate Minority Whip        | Jon Kyl R-AZ       | - Chosen by minority party  
- Assists Minority Leader  
- Rounds up members for key votes  
- Heads group of deputy whips |
"Congress in session is Congress on public exhibition, whilst Congress in its committee-rooms is Congress at work."

– Woodrow Wilson (1885)
CONGRESSIONAL COMMITTEES: FUNCTION & PURPOSE

#1: Consider Bills (‘‘mark-up’’ bills)

#2: Oversight of Executive

#3: Conduct Investigations
# Types of Committees

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<tr>
<th>Committee Type</th>
<th>Description</th>
<th>House Examples</th>
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<tr>
<td>Conference Committee</td>
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Online Resources:

- [http://www.house.gov/house/CommitteeWWW.shtml](http://www.house.gov/house/CommitteeWWW.shtml)
- [http://www.senate.gov/pagelayout/committees/d_three_sections_with_teasers/committees_home.htm](http://www.senate.gov/pagelayout/committees/d_three_sections_with_teasers/committees_home.htm)
- [http://www.access.gpo.gov/congress/senate/sclinks.html](http://www.access.gpo.gov/congress/senate/sclinks.html)
# Types of Committees

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</table>
| **Standing Committee**  | Permanent panel with full legislative functions and oversight responsibilities | • Appropriations – charged with setting specific expenditures for the federal government  
• Rules – the “traffic cop” of the HR, determines under what rules bills will come to the floor  
• Ways & Means – jurisdiction over all taxes, tariffs and revenue raising measures | • Armed Services – oversees US military & Dept. of Defense  
• Foreign Relations – provides foreign policy leadership and considers important treaties  
• Judiciary – conducts hearings and makes confirmation recommendations to the full Senate re: presidential appointments to the federal bench |
| **Subcommittee**         | Formed to tackle very specific tasks within the jurisdiction of the full committees | • Livestock, Dairy & Poultry Subcommittee (Agriculture Committee)  
• Early Childhood, Elementary & Secondary Education Subcommittee (Education & Labor Committee)  
• Space & Aeronautics Subcommittee (Science & Technology Committee) | • National Parks Subcommittee (Energy & Natural Resources Committee)  
• Clean Air & Nuclear Safety Subcommittee (Environment & Public Works Committee)  
• Health Care Subcommittee (Finance Committee) |
| **Select or Special Committee** | Groups appointed for a limited purpose and limited duration | • Select Committee on Energy Independence & Global Warming  
• Select Committee on Intelligence | • Select Committee on Ethics  
• Select Committee on Intelligence |
| **Joint Committee**      | Includes members of both chambers to conduct studies or perform housekeeping tasks | • Joint Economic Committee  
• Joint Committee on Printing  
• Joint Committee on Taxation | • Joint Economic Committee  
• Joint Committee on Printing  
• Joint Committee on Taxation |
| **Conference Committee** | Includes members of House & Senate to work out differences between similar bills | Conference committees formed as needed | Conference committees formed as needed |

Resources:  
http://www.house.gov/house/CommitteeWWW.shtml  
http://clerk.house.gov/committee_info/index.html  
http://www.senate.gov/pagelayout/committees/d_three_sections_with_teasers/committees_home.htm  
http://www.access.gpo.gov/congress/senate/sclinks.html
Types of Committees

• **Standing Committees** - permanent panel with full legislative functions and oversight responsibilities
  o **Subcommittees** – formed to tackle very specific tasks within the jurisdiction of the full committees

• **Select or Special Committees** - groups appointed for a limited purpose and limited duration

• **Joint Committees** - includes members of both chambers to conduct studies or perform housekeeping tasks

• **Conference Committee** - includes members of House & Senate to work out differences between similar bills
Making Connections  
Congressional Committee Hearing Simulation

**Directions:** This lesson enables students to actively participate in a simulation of a congressional committee hearing. Each member of the class takes on the role of a committee member or witness.

**Simulation: Congressional Committee Hearing**

**Stage 1: Pre-simulation**
1. As a class, choose a particular issue/topic to be investigated by your committee [the teacher may also choose the issue].
   a. The issue/topic may be national in scope and currently in the news (ex: Iraq War, global climate change)
   b. Or students may choose an issue that is directly relevant to their community or school (ex: No Child Left Behind and high stakes testing, school funding)
2. Choose an appropriate House or Senate committee that would be concerned about this issue (ex: Iraq War – Senate Armed Services Committee; global climate change – House Select Committee on Energy Independence & Global Warming

**Stage 2: Preparation Phase**
1. Students choose or are assigned roles.
   Simulation Roles:
   a. Committee members
      i. House roles – each student declares her/his state, district and party affiliation
      ii. Senate roles – each student declares her/his state and party affiliation
   b. “Experts” in the field (need at least one from each side of the issue) – ex: scientist, intelligence expert
   c. Concerned citizens affected by the issue (students create the character) – ex: family member of soldiers, parent of school age student
   d. Government official – ex: Secretary of Defense, director of the EPA
   e. Interest group representatives from both sides (optional) – ex: Defense of the Family, National Education Association
2. Majority party elects committee chairperson; minority party elects its senior member.
3. Students may need to conduct preliminary research related to their roles.

**Stage 3: Senate Judiciary Committee Hearing**
1. The Chair calls the committee to order.
2. Witnesses called to testify are sworn in.
3. The Chair recognizes members to ask questions to the witnesses (limit one question per member).
4. Committee makes recommendations for how the chamber should proceed on the issue.

**Stage 4: Simulation Debriefing – full class discussion**
1. What was realistic about this simulation and what was not?
2. How did the committee ultimately make its recommendation?
3. What generalizations can you make about the work of Congressional committees based upon this simulation?
1. Describe what’s going on in the political cartoon (Who? What? When? Where?)

2. Identify any symbols (ex: an elephant to represent the Republican Party) portrayed in the cartoon and analyze what they represent.

3. What is the artist’s message in the cartoon? What do you think is its purpose?

4. Do you agree or disagree with the cartoonist's message? Explain your answer.

5. In what ways does this cartoon inform us about how Congress works (ex: party leadership, committee function, legislative process)?
1. Describe what’s going on in the political cartoon (Who? What? When? Where?)

2. Identify any symbols (ex: an elephant to represent the Republican Party) portrayed in the cartoon and analyze what they represent.

3. What is the artist’s message in the cartoon? What do you think is its purpose?

4. Do you agree or disagree with the cartoonist's message? Explain your answer.

5. In what ways does this cartoon inform us about how Congress works (ex: party leadership, committee function, legislative process)?
1. Briefly analyze and provide context for the following quotes re: Congress:
   - “If men were angels, no government would be necessary.” (James Madison)
   - Congress is “the engine of democracy.”
   - Congress takes up “the business of compromise”
   - “Lawyers, always lawyers”
   - Congress is “the great commanding theater of this nation” (Thomas Jefferson)
   - “Stronger than all the armies on earth is an idea who’s time has come. The time has come for equal opportunity”
     (Sen. Everett Dirkson)

<table>
<thead>
<tr>
<th>I. The Builders (1789-1820)</th>
<th>II. The Progressives (1900-1917)</th>
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<tr>
<td>II. The Debaters (1820-1870)</td>
<td>V. “There It Is” (1917-1945)</td>
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<tr>
<td>V. The Bosses (1870-1900)</td>
<td>VI. The Managers (postwar era)</td>
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</table>

2. Chronicle the evolution of Congress (include the important people, events actions of Congress):

3. In the last twenty years, an analyst of Congress states: “The danger to Congress is the weakening of the two party system.” Discuss why this is true.
Directions: To complete this assignment, you will be participating in a Jigsaw. You will first be assigned to a group. Then you will meet in small groups (your “expert group”) with other people who were given the same article and discuss it, using the guided questions provided. The purpose of this meeting is to become an expert on your particular article.

   **Group 1:** For 111th Congress, Somber Topics Eclipse Ceremony  
   **Group 2:** Domestic Agenda: Five Key Items for the 111th Congress  
   **Group 3:** GOP Drafts Ideas on Stimulus Plan  
   **Group 4:** Obama and the 111th Congress

The second part of the activity involves peer teaching. You will be put into different small groups (your “teaching group”) with people who had different article than you. Your job is to explain to your “teaching group” the highlights of your article, using the questions you discussed with your “expert group” as a guide. Each member of the teaching group will explain their particular selection in turn. Finally, once everyone in your teaching group has shared their material, you will all discuss the last three overarching questions.

**Round 1: “Expert Group” Discussion Questions**

1. What policy initiatives/priorities for the 111th Congress are discussed in your reading selection?

2. What does the article reveal about the majority and minority party leadership structure of the 111th Congress? Include in your discussion specific Democratic and Republican leaders as examples.

3. To what extent does President Obama exert influence over the domestic agenda? Examples?
111th Congress
Jigsaw Activity-2

Round 2: “Teaching Group” Over-Arching Questions

1. What challenges face the Democratic majority in the House and the Senate in getting their legislative agenda passed?

2. What challenges and opportunities do you see for the Republican minority in the House and Senate?

3. How successful do you expect the 111th Congress to be in addressing the major problems facing the country (i.e. economic, foreign policy, environment, etc.)?
The 111th Congress began yesterday with debates over how to ease the nation's worsening recession and to fight a pair of wars overseas, adding a sense of gravity and purpose to a day normally dedicated to symbolism and the swearing-in of members.

Veterans as well as newcomers to the House and Senate said the immensity of the problems the nation faces created an opportunity to move beyond the bitter partisan battles of the last decades or, conversely, to descend into legislative gridlock that would further damage a body already suffering from historically low approval ratings.

"There's something transformational happening here," said Sen. Christopher J. Dodd (D-Conn.), a 34-year veteran of Congress. "It's the kind of year historians will write about... Can this institution deal with it?"

While the mood in the Senate was one of bipartisan consensus, Republicans in the House accused Democrats of rewriting the rules to strip away what little power they have left. Brushing aside the criticism, House Speaker Nancy Pelosi (D-Calif.) vowed quick action on an economic stimulus plan, universal health care and climate change legislation, among other issues that have stalled during the Bush administration.

"We need action, and we need action now," Pelosi said repeatedly.

With Democrats' big gains on Election Day giving the caucus at least 256 members, Pelosi swore in the largest majority either party has held since 1993. In the Senate, seven seats had to be physically removed from the right side of the chamber and bolted down on the left side of the aisle to accommodate Democratic newcomers.

Democrat Al Franken, who has been certified as the winner of a Senate seat from Minnesota, did not join his colleagues in the Capitol yesterday, after Republican Norm Coleman announced he would file a legal contest to the ruling by state election officials that Franken defeated him by 225 votes. The legal action could delay the seating of Franken for weeks or even months.

If Franken prevails and the controversy surrounding the successor to President-elect Barack Obama is settled, Democrats will hold 59 seats in the Senate, the largest majority either party has claimed since 1980. Democrats would be one vote shy of the 60 needed to thwart filibusters.

Obama told a bipartisan group of congressional leaders Monday that tax cuts would represent about 40 percent of the total cost for the stimulus plan, with the likely focus coming on a $1,000-per-household tax cut and business tax credits, which would allow firms to write off purchases more quickly, and an increase in small-business expensing limits.

The plan would also include $350 billion for infrastructure programs such as highway construction, an upgrade of health-care technology, the extension of unemployment benefits and increased funds for food stamps. In addition, states would receive at least $100 billion to help cover shortfalls in Medicaid funding and other budget items.

Rank-and-file Republicans questioned the details of the stimulus plan, large portions of which were negotiated over the holiday break by Obama advisers and Democratic staff members, and suggested that could set the stage for how the Obama agenda takes shape over the next two years.

"Somebody needs to slow this train down," said Sen. Jeff Sessions (R-Ala.), warning Republicans that they should not accept "small, temporary tax cuts" -- which Obama advisers have pegged at $300 billion -- "in exchange for massive federal spending."
The Democratic leaders' goal is to pass the legislation through both chambers by early February, but Sen. Daniel K. Inouye (D-Hawaii), the new chairman of the Appropriations Committee, said yesterday that his aides had only recently received the broad parameters of the legislation. "Now we have to put it into the little details of legislation," he said, declining to specify a final spending target.

Some Republicans have been impressed by Obama's initial moves, particularly the decision to increase the size of tax cuts and the bipartisan tone he has struck in this week's meetings. "This could be a welcome change from the polarizing atmosphere of the past few years, or it could be just a nice little honeymoon for the same old, same old," said Sen. John Cornyn (R-Tex.).

In their public actions, most senators struck a cheerful posture. Vice President-elect Joseph R. Biden Jr. was sworn in for another Senate term because Delaware elected him on the same day the Obama-Biden ticket won the White House. He will resign his Senate seat in a matter of days. Biden, holding a bulging family Bible dating back to the 19th century, shook hands with Vice President Cheney, who swore in the class of 2009 in his capacity as president of the Senate.

Milling about on the chamber floor were three Cabinet secretary-designees: Sen. Hillary Rodham Clinton (D-N.Y.), the nominee for secretary of state; Sen. Ken Salazar (D-Colo.), the interior secretary nominee; and former senator Thomas A. Daschle (D-S.D.), the health secretary nominee who was on hand to see close friend Sen. Tim Johnson (D-S.D.) start his third term.

The mood in the House was more dour. Democrats approved, on a mostly party-line vote of 242 to 181, a new set of rules to govern the House, including restrictions on motions that the Republicans could offer. Democrats said these were "common sense" changes necessary because House Republicans had abused the motion process, turning what had previously been procedural votes into partisan amendments.

Republicans accused Democrats of thwarting the minority's ability to offer input, allowing them to draft bills in secret with little or no input from most of the chamber. Republicans warned that the restrictions represent a bad omen for Obama's bipartisan outreach.

"The package we're going to be voting on today literally shreds the Obama vision," said Rep. David Drier (R-Calif.), the ranking minority member on the House Rules Committee.

Source: http://www.washingtonpost.com/wp-dyn/content/article/2009/01/06/AR2009010602976.html
Here is a rundown of five of the most urgent issues facing Congress when lawmakers return in January.

**Economic Recovery**

Hoping to get the economy back on track, President-elect Barack Obama and Congressional leaders will work to craft and pass a potentially massive stimulus package when lawmakers return in January for the start of the 111th Congress.

Although the president-elect has called the plan “costly,” he hasn’t provided a price tag and has given only broad indications of what might be included in the measure. Most unofficial estimates for the package range up to $700 billion, though some have suggested numbers even higher.

The main goal, Obama has said, is to create 2.5 million jobs by 2011.

“We have to make sure that the stimulus is significant enough that it really gives a jolt to the economy,” Obama said.

Speaker Nancy Pelosi (D-Calif.) and Senate Majority Leader Harry Reid (D-Nev.) have said they expect an economic recovery package will be introduced, and possibly passed, during the first week of the Obama administration in late January.

The stimulus plan — which will be shaped by his growing team of economic advisers in cooperation with House Appropriations Chairman David Obey (D-Wis.) and House Ways and Means Chairman Charlie Rangel (D-N.Y.) — would borrow elements from proposals that have already passed the House. Those include investment in infrastructure, food stamps, tax cuts and environmentally sustainable technology.

Rangel’s committee is working on a tax-cut proposal that aims to aid the middle class.

Obama has said he isn’t sure how he is going to handle the tax cuts enacted under President George W. Bush, saying he would consult with his economic team to determine a course of action.

“The basic principle is that we’re going to provide tax cuts to the vast majority of Americans,” he said recently. During the campaign, Obama said he would favor a repeal of the Bush tax cuts, which critics say disproportionately benefit wealthier Americans.

One of the items in the stimulus, Obama said, will be investments in the “clean-energy infrastructure of the 21st century,” including boosting alternative power sources such as wind or solar. As a candidate, Obama promised to invest $150 billion in clean energy over 10 years — an investment that he said would lead to the creation of 5 million jobs.

— Vicki Needham

**Financial Services**

With the economic crisis showing no signs of ending, Congress will be addressing the problems that got the nation into this crisis in the first place by overhauling the regulatory structure for the financial services industry.

The focus of the two key panels — the House Financial Services Committee and the Senate Banking, Housing and Urban Affairs Committee — will likely be on increasing transparency, eliminating loopholes and consolidating regulatory power to a smaller number of agencies. The chambers could vote to create a special select committee to oversee an overhaul of financial markets.

House Financial Services Chairman Barney Frank (D-Mass.) has signaled that he intends to regulate credit default
swaps, which are essentially insurance contracts on lending, and the credit rating industry will likely see some changes.

One proposal to bring transparency could further fuel a jurisdictional battle between the chambers’ financial services committees and their Agriculture panels. Sen. Tom Harkin (D-Iowa), chairman of the Senate Agriculture, Nutrition and Forestry Committee, is planning legislation for the 111th Congress to bring all over-the-counter derivatives, including

Domestic Agenda: Five Key Items for the 111th Congress-2

credit default swaps, onto regulated futures exchanges. Harkin’s proposal, the Derivatives Trading Integrity Act, would require credit default swaps to be traded as futures contracts. Doing so would grant the Commodity Futures Trading Commission sole regulatory jurisdiction over the complex product, giving his committee and the House Agriculture Committee sole jurisdiction over credit default swaps.

Both committees will continue to handle oversight of the $700 billion Troubled Asset Relief Program, the fund the Treasury Department is using to stabilize the financial markets. Senate Banking Chairman Chris Dodd (D-Conn.) has said he will continue to push for financial institutions receiving funds under the TARP to make credit available to small businesses and consumers. Meanwhile, Frank has also argued that some TARP funds should be allocated for mortgage foreclosure mitigation. — Charlene Carter

Health Care

The top health care issues likely to emerge in the 111th Congress are the reauthorization and expansion of the State Children’s Health Insurance Program, efforts to improve health coverage for all Americans and an overhaul of Medicare.

SCHIP is likely to head the list because a temporary extension of the federal health care program for lower-income children expires in April.

The battle will focus on the scope of the program, with Democrats trying again to expand it by raising the income threshold for eligibility. Democrats failed to win enough support to overcome President George W. Bush’s presidential veto of legislation that would have increased the eligibility cap for SCHIP to 300 percent of poverty, as opposed to the current 200 percent level. But with Barack Obama in office, such expansion is more likely.

Beyond expanding coverage through SCHIP, lawmakers are also expected to consider other options to ensure universal coverage for all Americans. Various Senators, including Finance Chairman Max Baucus (D-Mont.) and Health, Education, Labor and Pensions Chairman Edward Kennedy (D-Mass.), are working to develop a plan to ensure that the 46 million Americans without health insurance are covered.

Their efforts have seemingly been bolstered by the Obama administration’s decision to offer former Senate Minority Leader Tom Daschle (D-S.D.) the job of Health and Human Services secretary. Daschle, who served in the Senate until he lost his re-election bid in 2004, also is set to take on the position of “health care czar.” Daschle’s connections on the Hill and knowledge of the health care issues are expected to ease the path toward reform.

Congress is also expected to consider how to reform Medicare reimbursement rates for physicians. While doctors avoided a 10 percent cut with the passage of a temporary reprieve earlier this year, they stand to face a 21 percent reduction when this interim patch runs out in 2010. A new patch would cost $20 billion. — Stephen Langel

Climate Change

With expanded majorities and a friendly administration on deck, Democrats will have a much easier time seeing comprehensive climate change legislation signed into law.

But striking the right balance between environmental protection and economic growth will remain a key hurdle, and the strategy for getting a cap-and-trade bill through Congress and to the desk of President-elect Barack Obama remains a work in progress.

Speaker Nancy Pelosi (D-Calif.) last month said Congress will work “closely” with the Obama administration on the
substance and timing of the bill, which would attempt to control global warming through the establishment of a federal cap-and-trade program. Under such a plan, the government would cap emissions and distribute annual emission permits that can be traded or sold, creating a financial incentive for reducing pollution.

Domestic Agenda: Five Key Items for the 111th Congress

But previous legislative attempts have collapsed under the sheer complexity of the task, which amounts to a new economywide regulatory system for carbon dioxide and other greenhouse gases. Key Senators last month, including Environment and Public Works Chairman Barbara Boxer (D-Calif.) and Energy and Natural Resources Chairman Jeff Bingaman (D-N.M.), suggested that lawmakers may press a more “streamlined” bill than past efforts.

Boxer plans to introduce a bill in January that would direct the Environmental Protection Agency to draw up a cap-and-trade system, essentially leaving much of the details of the effort to the executive branch.

Bingaman last month said Congress should get started on some of the “necessary preliminaries” for a successful cap-and-trade program, including the advancement of new low-carbon technologies.

In the House, last month’s successful coup by Rep. Henry Waxman (D-Calif.), in which he snatched the gavel of the Energy and Commerce Committee from longtime Chairman John Dingell (D-Mich.), is expected to shift that chamber’s climate debate to the left. Waxman in October led efforts to put 150 House Members on the record as supporting a series of aggressive principles for writing a cap-and-trade bill.

He is also expected to closely coordinate legislative efforts with the incoming administration, which has hired Phil Schiliro, a former top Waxman aide, as assistant for legislative affairs. — Geof Koss

Energy

Key House and Senate lawmakers are preparing to hit the ground running on a host of familiar energy issues early in the next Congress.

House Natural Resources Chairman Nick Rahall (D-W.Va.) announced last month that offshore oil and gas drilling will be “front and center” before his committee, which has jurisdiction over wide swaths of public land. Lawmakers are not expected to resurrect the blanket moratorium on offshore drilling that expired in September, but new limits could prevent production immediately off coastal areas, which were left unprotected when the ban expired amid aggressive support by Republicans and many Americans burdened by high gasoline prices.

In the Senate, Energy and Natural Resources Chairman Jeff Bingaman (D-N.M.) is preparing a comprehensive energy bill that he hopes to advance early in the next Congress. The bill would promote clean energy technologies and energy efficiency.

The bill, which Bingaman expects to pass in 2009, is also expected to include first-time renewable energy standards that mandate that a percentage of U.S. electricity be generated from clean energy sources such as wind or solar by a certain date. Such standards are a longtime goal of Bingaman’s and are also supported by the president-elect.

Renewable energy advocates are also pressing for a long-term extension of tax credits for clean energy production, as well as upgrades to transmission lines to prepare for the expected increase in power from alternative sources.

In addition, lawmakers are expected to heavily promote funding for “clean coal” technology and incentives for next-generation biofuels such as cellulosic ethanol. — G.K.

Vowing not to be merely the party of "no," Republicans are offering up their ideas on the economic stimulus package - even if they are likely to go nowhere.

Despite President-elect Barack Obama's invitation earlier this month for bipartisan ideas, House Democrats already have developed a $825 billion package without any input from the minority party, and are forging ahead with no indications that they will consider Republican proposals.

But those realities, and the fact that Mr. Obama has enough support to push the bill through without a single vote from across the aisle, have not stopped House Republicans from crafting their own alternatives.

Minority Whip Eric Cantor last week chaired an economic hearing with testimony from former Massachusetts Gov. Mitt Romney, who called for slashing corporate tax rates and cutting taxes for those earning less than $200,000 a year, and former eBay Inc. Chief Executive Officer Meg Whitman, who endorsed tax relief and incentives for small businesses.

The conservative House Republican Study Committee also came out with its own plan it said would spur immediate economic growth without new spending.

"I take [Mr. Obama] at his word that he is serious in wanting to work together," Mr. Cantor said last week.

Mr. Cantor, along with Minority Leader John A. Boehner and Republican Conference Chairman Mike Pence, summarized their ideas in a letter to Mr. Obama on Thursday night. "We look forward to sharing a detailed set of responsible priorities with you which will help put the economy back on a growth path," they wrote.

Mr. Cantor said they will likely seek a meeting with Mr. Obama following his inauguration.

The Obama transition team did not respond to calls and e-mails seeking comment.

Democrats' $825 billion stimulus package, dubbed the American Recovery and Reinvestment Bill, includes $550 billion in spending on infrastructure, education, energy and other projects in addition to about $275 billion in tax cuts. Republicans were quick to disapprove.

"It calls for more than half a trillion dollars in questionable new government spending on programs and projects, while providing less tax relief for middle-class families and small businesses than President-elect Obama has proposed," Mr. Boehner said.

The Republican Study Committee's bill, the Economic Recovery and Middle-Class Tax Relief Act of 2009, eschews extensive deficit spending. The conservative caucus, which has about 100 members, calls for an across-the-board income tax cut of 5 percent, boosting the child tax credit from $1,000 to $5,000 and cutting the top corporate income tax rate from 35 percent to 25 percent. In addition, the group wants to make the lower 15 percent capital gains tax - set to expire at the end of next year - permanent.

"After a year of bailouts, rebates and taxpayer-funded backstops, it should be clear to all that the approach of throwing huge sums of money at the problem has utterly failed," RSC Chairman Tom Price of Georgia said.
Mr. Price described himself as "the eternal optimist" when asked whether Democrats would consider the plan, but others were skeptical.

GOP Drafts Ideas on Stimulus Plan

"This bill will not be able to be debated in the open and in front of people and that is the real shame," said Rep. Lynn Westmoreland, Georgia Republican. "So with all the merits of it, probably the majority of the majority party will never hear about this bill."

Nadeam Elshami, a spokesman for House Speaker Nancy Pelosi, did not comment on Republican proposals but said the stimulus plan is moving forward quickly.

"The speaker has laid out the way forward on this critical issue and the discussions are ongoing with all parties involved and we hope to be marking up this legislation in committees next week," he said.

In the Senate, Republicans appeared skeptical of Mr. Obama's promises of inclusion.

"That's the biggest problem we all have - lack of transparency," said Sen. John Cornyn of Texas, the fourth-ranking Senate Republican. "It's basically been negotiated [with] Democrats behind closed doors."

An uncertain fate awaits the Obama administration’s ambitious policy agenda on Capitol Hill. Although lawmakers are predisposed to work with the new president on the nation’s economic miseries, the experience of Presidents Carter and Clinton indicates that a party majority in Congress does not guarantee success for key legislative priorities.

Purveyors of conventional wisdom assert that Obama will fare better at the hands of legislators because he won more convincingly than his Democratic predecessors, has bipartisan instincts, and is a gifted orator. Nevertheless, many newcomers to the Oval Office with equally impressive credentials make early mistakes that hamper their effectiveness with Congress over the long run.

One common error that new presidents commit is assuming that their electoral mandate extends to Congress. Members have electoral concerns and time horizons that differ from those of the president, however. Despite Obama’s healthy electoral margin, very few legislators owe their seats to his prowess as a fundraiser and grass roots organizer. Moreover, a majority of those elected in 2006 or 2008 hold office in formerly Republican districts or states. They require leeway to reconcile competing demands from their constituents and their party.

Democrats who served in the early Clinton years, no doubt, recall Republicans jeering "Bye-bye, Marjorie," as first-termer Marjorie Medvinsky (D, PA) cast the tie-breaking vote on the president's budget resolution. Others remember being "BTU-ed," which became shorthand for the electorally fatal support of Clinton’s controversial energy tax in the House, which he subsequently abandoned in the Senate. Such early evidence of the president's seeming disregard for the conflicting political pressures on members made them wary of backing his subsequent proposals.

Second, presidents starting their first term see themselves as representing a fresh start on the nation's business, but they cannot escape the institutional dynamics put in motion by their predecessors. In the American system of checks and balances, as in physics, action produces reaction. Periods of burgeoning presidential power thus lead to periods of resurgence in Congress.

Obama assumes office in the wake of extraordinary claims of prerogative by the Bush administration. Lawmakers are smarting from years of treatment as an irksome "appendage," to use retiring senator, Chuck Hagel’s term.

Attempts to reestablish the legislature as a co-equal branch may be similar to the response to Nixon's many abuses, resulting in a period of widespread reform inside Congress and aggressive oversight of the executive. The Carter years provide a telling example of the aftermath of an imperial president. In terms of bills passed, the 95th and 96th Congresses were highly productive, but Carter himself failed to secure key legislative priorities, such as control of pork-barrel spending or a serious energy policy. And though Carter largely kept his promise to exercise restraint, his administration received the most aggressive scrutiny in legislative hearings of any modern president.

The intense activity on Capitol Hill in revising the Treasury’s bailout plan for the financial services industry, the public thrashing of CEO’s from the auto industry, and the insistence on accountability for the expenditure of federal revenue to aid business are all signs of a newly energized legislature. Lawmakers took advantage of the power vacuum created by the change in administrations to reassert themselves, and it would be naive to assume that they will return to quiescence once Obama takes the oath of office.

Third, since Teddy Roosevelt coined the term "bully pulpit," presidents have exaggerated their ability to mobilize public pressure in order to move legislation on Capitol Hill. The White House dominates the news, to be sure, but it has
limited ability to sustain media focus on its agenda or to change people's minds. Moreover, the decision to bypass Congress can be costly, denying presidents the expertise and institutional memory of legislative committees and the political cover of allies in the House and Senate.

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Reagan's major successes on domestic policy -- tax cuts in 1981, social security reform in 1983, or sweeping changes to the tax code in 1986 -- were the result of skillful collaboration with committee chairs and party leaders not popular demand. In contrast, "the Great Communicator's" speeches to rally the public against congressional opponents of his policies in Nicaragua or El Salvador were ineffectual. Similarly, the Clintons' exclusion of Congress in developing their complicated health care plan resulted in a proposal now legendary for its incomprehensibility. Once opponents started exploiting its many avoidable shortcomings, the president was unable to stem the rapid decline in public approval for his plan, and he had no advocates on the Hill to back him up.

So far, Obama's key appointments have created the potential for a constructive partnership between the White House and Capitol Hill. In striking contrast to both Carter and Clinton, the president-elect has selected close advisors and Cabinet officials with firsthand knowledge of the procedures and personalities that govern policymaking.

The challenge will be engaging in the tough give and take between co-equal branches that the framers envisioned. Given the desire of the White House staff to maximize its own importance and the numerous pressures on the president to fulfill his campaign promises, the temptation for the Obama team will be to ignore the lessons of the past.

Perhaps this president will be different, not because of his heritage, his campaign innovations or his gifts as a speaker, but because he is a student of the Constitution. If Obama absorbed its lessons about the dynamics of institutional power, then he may avoid the mistakes of his predecessors.