



# UNDER THE DOME

Chamber of Commerce of the United States / Washington, D.C.



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## UNDER THE DOME

Under the dome of our nation's Capitol the operations of Congress affect our lives, our work and our relations with other countries.

As citizens, it is our privilege, and responsibility, to elect the Congress. But further, it is our obligation to help Congress in its lawmaking by taking an active interest in legislation and by giving Congress the benefit of our reasoned views and judgment.

This booklet explains briefly the organization and functions of Congress. It can be used both as a primer and a refresher. It is suited to adult study groups, students (including the thousands who visit Washington each year) and those who patronize industrial employe reading racks.

The reader will find it helpful to refer to the chart in the center of the booklet as he pursues the text. His local library can provide supplementary reading.

A fuller understanding of Congress will help all of us to better discharge our citizenship responsibility.

A handwritten signature in green ink, appearing to read "Warren E. Hearnes". The signature is fluid and cursive, with a long horizontal stroke at the end.

EXECUTIVE VICE PRESIDENT  
Chamber of Commerce of the United States

## HOW OUR CONGRESS WORKS

CONGRESS IS OUR VOICE in the legislative process of representative government.

We elect a House of Representatives and one-third of the Senate every two years.

Congress has broad powers.

Congress, through the impeachment process, can remove members of both the Executive and Judicial branches of the government.

Congress alone has the power to collect and spend our tax dollars. This power of the purse permits Congress to outweigh the other two branches of the federal government.

To be sure, what is told here is not the complete story of Congress. A member of Congress does not—cannot—devote his full time to lawmaking. He must handle voluminous correspondence—much of it related, however, to lawmaking. He must act on an almost never-ending series of requests, complaints and inquiries that flow in by mail, telegraph and telephone from his constituents. When his constituents visit Washington, he is expected to receive, and frequently entertain, them. All of that, in addition to his legislative activities, is involved in and by no means incidental to an indispensable aspect of his job—reelection.

But, in the final analysis, the most important and enduring work that a member of Congress does is that connected with lawmaking. Thus, the story told here is intended to make more understandable the organization and atmosphere in which he functions as a lawmaker.

Congress, like the Executive and Judicial branches, finds its authority and limitation in the Constitution of the United States.

Article I of the Constitution tells the Congress what it shall do (Section 8) and what it may not do (Section 9). The Tenth Amendment states: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people."

The Constitution places all legislative powers of the federal

government in a Congress consisting of a Senate and House of Representatives.

The Constitution gives each state two Senators. Each state's share of House members is based on its proportion of the total national population but each state is entitled to at least one member.

In the case of a House vacancy, the governor of the state involved must call a special election to fill it. In the case of a Senate vacancy, the governor must call a special election unless the state legislature authorizes him to make a temporary appointment. All governors now have this authority but the conditions attached to it vary among states.

### CONGRESSIONAL MAKEUP

THE FIRST CONGRESS, which met March 4, 1789, in New York City, consisted of 26 Senators and 65 House members. Then, as now, members of Congress also represented the diversified economic, geographical and social interests of the people. That diversity increased as the nation reached across the continent and became more complex in its makeup. Meanwhile, the two-party political system emerged and became increasingly important as a factor in the selection of members of Congress.

As state after state was added to the union and population increased, Congress grew to its present proportions—100 Senators and 435 House members. The qualifications for membership have remained unchanged under the Constitution. A House member must be at least 25 years old, a citizen of this country for at least seven years and a resident of the state from which he is elected. A Senator must be 30 years old, be a citizen for at least nine years and a resident of the state from which he is elected.

Originally, Senators were selected by state legislatures but since the 17th Amendment to the Constitution was adopted in 1913, they have been chosen by popular vote.

Congress must meet at least once a year. During a session of Congress, neither chamber can recess for more than three days without the consent of the other chamber. The President can call either the House or Senate, or both, into special session whenever he considers such action necessary.

## ORGANIZATION

CONGRESS IS ORGANIZED strictly along political lines, with each chamber in control of the party that has a numerical majority of the membership. Both political parties of the House and Senate choose their own officers—with the singular exception of the Vice President, who, elected with the President, presides as president of the Senate and can vote only in case of a tie.

The Speaker is the presiding officer of the House and is elected by the majority party. Holding a position of high responsibility and prestige (he is first in line for the Presidency in case of death or removal of the President and Vice President), the Speaker is a high-ranking party member with a solid background of legislative and political experience.

The Speaker is the chief strategist of his party in the House and, being free from committee assignments, can devote his time and talent to advancing the party's legislative program. Much of his strategic work is carried on behind the scenes, so to speak, rather than on the floor of the House. He has much to say in the matter of committee assignments and decides when a particular piece of legislation is to be debated. He can delay or prevent debate on a proposal by refusing to recognize those who wish to present it. He frequently consults with his party's leaders in the Senate and maintains close contact with the White House on the legislative program, except when the White House and the House are controlled by different parties.

The Senate elects from its own membership a President Pro Tempore, who acts in the absence of the Vice President. He is the senior Senator of the majority party. Unlike the Speaker of the House, he usually is chairman of an important legislative committee.

Both the House and Senate have Majority and Minority floor leaders for the handling of legislation on the floor. Their selection is based principally on seniority and party standing. These floor leaders are assisted by Majority and Minority party whips who help to keep a quorum either on the floor or close at hand and to round up party members when important roll calls are approaching.

The Senate has Majority and Minority Policy committees which decide on policy and strategy with regard to legislation.

In the House, the Republicans use a Steering Committee to decide policy and strategy, while the Democrats use informal conferences of party leaders.

## SENIORITY

EACH PARTY in the House and Senate also has a Committee on Committees for the assignment of party members to the various standing committees. Seniority in service in the House and Senate usually determines a member's advancement in committee standing and rise to a committee chairmanship.

The ratio of Majority to Minority membership on each legislative committee conforms to the relative strength of the Majority and Minority memberships of the House and Senate.

All bills to raise revenue must originate in the House but they, like other bills, can be changed in the Senate. Bills on such matters as social security and tariffs, while they are not essentially revenue legislation, must originate in the House because they do involve revenue.

Impeachment proceedings against federal officials must originate in the House, which serves as a grand jury in deciding the indictment, but impeachment trials must be decided by the Senate.

The Senate alone has the authority to pass on major Presidential appointments and has the exclusive power to ratify treaties, with ratification requiring a two-thirds vote of those present and voting.

Congress, by a two-thirds vote of both the House and Senate, can propose amendments to the Constitution. If two-thirds of the state legislatures request a Constitutional Convention to propose new amendments, Congress must call one. That has never happened. Amendments proposed either by Congress or a Constitutional Convention require approval by three-fourths of the states to be effective. There have been 25 amendments since the Constitution was adopted by the Constitutional Convention on September 17, 1787, in Philadelphia. The first ten amendments comprise the Bill of Rights, added to win support from those states which insisted on written guarantees of certain individual rights.

## BILLS

THE FUEL WHICH powers Congress is ideas. These are contained in bills of various types, originating from a wide variety of sources and motives. Not the least of these is the President who, the Constitution says, "shall from time to time give to the Congress information of the state of the union, and recommend to their consideration such measures as he shall judge necessary and expedient . . ." It is, in fact, the President who lays out his party's legislative program before Congress. Normally, a sizable portion of the program is contained in the State of the Union, Economic and Budget messages which the President sends to Congress in the early days of each session.

There is no restriction on the subject matter of public bills and several thousand of them are introduced each year in Congress. Many are duplications, with a number of House members frequently introducing bills on the same subject. A bill can be introduced by as many as 25 House members as joint sponsors. Members may also introduce the same bill under different bill numbers. In the Senate, joint sponsorship is permitted.

Each chamber has its own rules regarding introduction of bills and other matters of procedure. Many of the rules of both the House and Senate were first put in writing by Thomas Jefferson. He compiled a manual while he was presiding over the Senate as Vice President and drew liberally on the rules of the British Parliament for his precedent.

There are several different types of bills and each has a title and a number.

The initials "H.R." before the number designate a bill originating in the House of Representatives.

"H.J.Res.—" designates a House Joint Resolution.

Either an "H.R." or an "H.J.Res.—" becomes a law when passed by both the House and Senate in identical form and signed by the President. In practice, there is little difference between the content of a bill and that of a joint resolution. The most common usage of "H.J.Res.—" is for continuing the life of an existing law. A joint resolution to amend the Constitution does not require the President's signature but must be approved by a two-thirds vote of each chamber.

"H.Con.Res.—" is the abbreviation for House Concurrent

Resolution, which must be approved by both the House and the Senate before it can become effective. A concurrent resolution, which does not require the President's signature, expresses the opinion of Congress and is used by Congress to take joint action which is purely within the jurisdiction of Congress itself.

"H.Res.—" designates a simple House resolution, the authority of which extends only to the House itself. It is used mainly to create special House investigating committees, change House rules or express the will of the House on a particular matter, such as granting debate time for consideration of a piece of legislation.

Senate bills are similarly designated, simply by substituting "S." for "H.", except in the case of "H.R.". Ordinary Senate bills are designated by the initial "S.", while ordinary House bills are designated by the initials "H.R."

A word on appropriations bills is fitting here. No money can be spent on any government project or program until it first has been authorized and then, by separate legislative action, appropriated by Congress.\* For example, Congress may pass a bill authorizing construction of a dam but no money can be spent for it until Congress has approved a specific appropriation for the dam. The amount actually appropriated can be less, but not more, than that stipulated in the authorization bill. There is continuing authority for appropriations for the regular federal departments and agencies. Those are made annually for the fiscal year that starts July 1 and ends the following June 30.

## COMMITTEES

BILLS ARE PROCESSED by committees of Congress. When a bill—drafted by either a member or a committee with the assistance of the House or Senate Legislative Counsel—is introduced, it is referred to the appropriate standing committee.

\*In recent years, Congress has at times circumvented this general rule by using a "backdoor" approach to the federal treasury whereby legislative committees have authorized expenditures from public debt receipts and thereby by-passed the House and Senate Appropriations Committees. Public debt transactions tend to perpetuate programs which might not stand the test of annual review by the Appropriations Committees.

There are 17 of these standing committees in the Senate and 21 in the House, having jurisdiction over such legislative fields as agriculture, taxation, international relations, public works, etc.

**The standing committees of the Senate are:**

Aeronautical and Space Sciences	Government Operations
Agriculture and Forestry	Interior and Insular Affairs
Appropriations	Judiciary
Armed Services	Labor and Public Welfare
Banking, Housing and Urban Affairs	Post Office and Civil Service
Commerce	Public Works
District of Columbia	Rules and Administration
Finance	Veterans Affairs
Foreign Relations	

**The standing committees of the House are:**

Agriculture	Interstate and Foreign Commerce
Appropriations	Judiciary
Armed Services	Merchant Marine and Fisheries
Banking and Currency	Post Office and Civil Service
District of Columbia	Public Works
Education and Labor	Rules
Foreign Affairs	Science and Astronautics
Government Operations	Standards of Official Conduct
House Administration	Veterans' Affairs
Interior and Insular Affairs	Ways and Means
Internal Security	

Legislation handled by the Merchant Marine and Fisheries Committee of the House is under the jurisdiction of the Commerce Committee of the Senate.

## REORGANIZATION ACTS

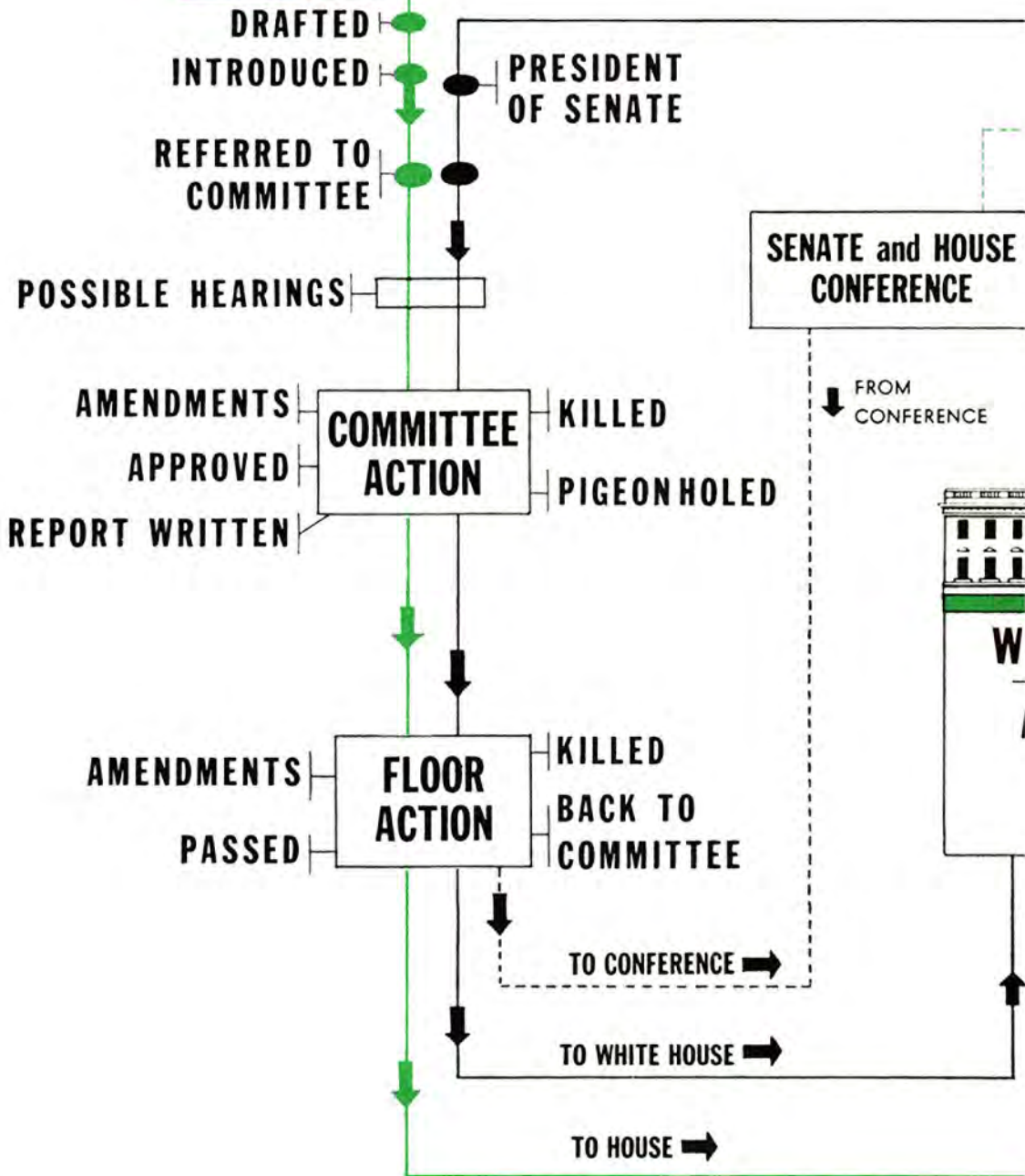
THE FIELDS OF JURISDICTION of the various legislative committees of the House and Senate are specified under the Legisla-

NOTE: The Joint Committee on Atomic Energy is the only joint committee having legislative authority.

There are eight other joint committees. They are the joint committees on: Printing, the Library (of Congress), Immigration and Nationality Policy, Defense Production, Economic, Internal Revenue Taxation, Disposition of Executive Papers, Reduction of Federal Expenditures.



# HOW WE GET



**NOTE:**

This chart is offered as a supplement to the text of this booklet.

All phases of lawmaking do not lend themselves to lucid charting. For example—

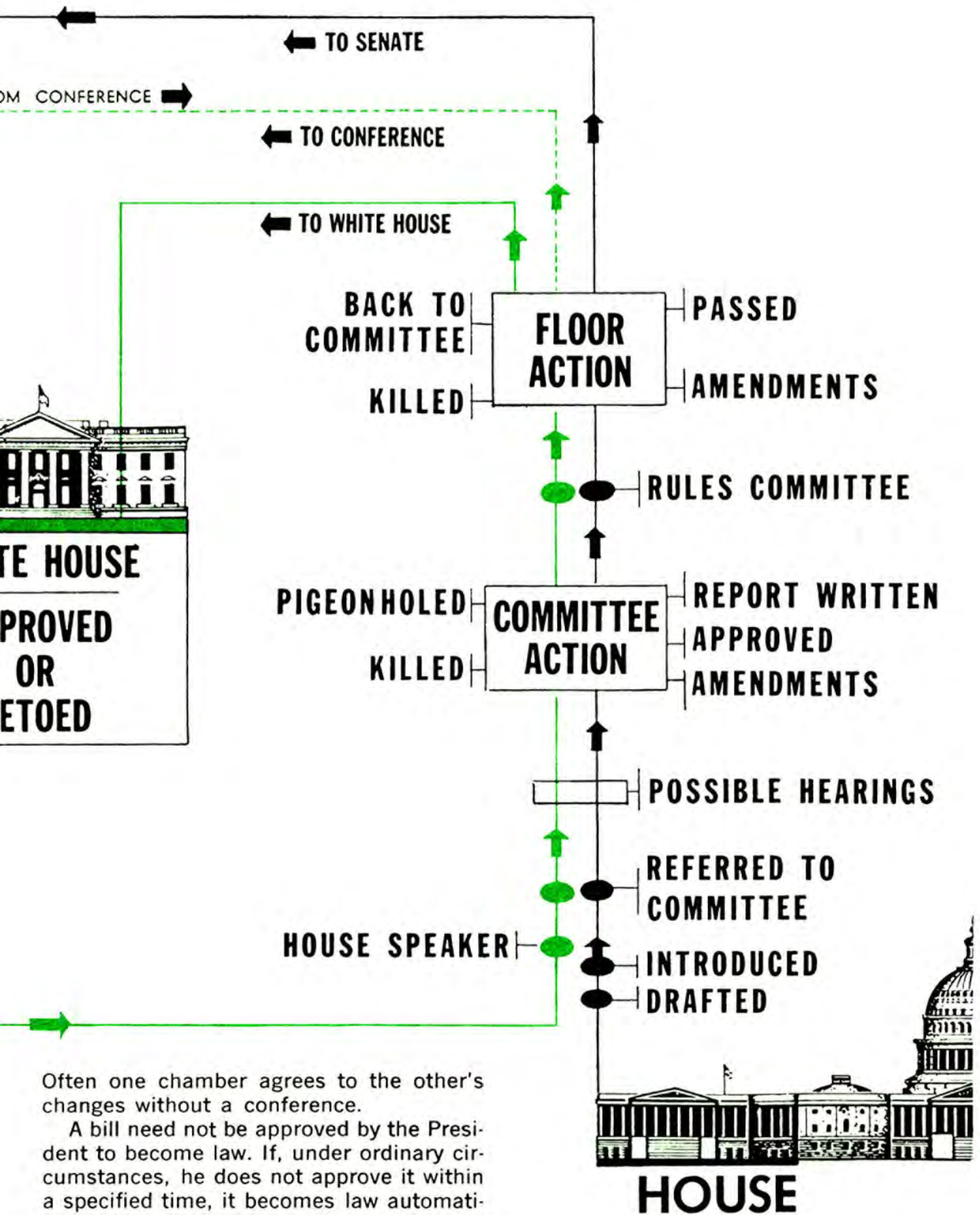
Bills are not always introduced by individual members of Congress; sometimes committees introduce them.

A bill approved by one chamber does not always go to a committee in the other. The

chamber receiving the bill may have a similar one of its own ready for floor action. If so, and it acts affirmatively, it approves its own version, substituting its language for that of the other—under the latter's initials and number.

There may or may not be a House-Senate conference (dotted lines) to try to compose the differences between the two versions

# OUR LAWS



Often one chamber agrees to the other's changes without a conference.

A bill need not be approved by the President to become law. If, under ordinary circumstances, he does not approve it within a specified time, it becomes law automatically. If he disapproves a bill, Congress can overrule him. The veto process is explained on Page 16.

tive Reorganization Acts of 1946 and 1970. Sometimes, however, a bill may affect more than one of those fields, raising a question as to the committee to which it should be referred. This must be answered by the presiding officer of the House or Senate, usually with the assistance of the Parliamentarian. If there is no real conflict, the bill usually will be referred to the committee requested by the sponsor or sponsors of the bill. Referral of a bill to a committee can be challenged and can be changed by vote of the chamber. Sometimes a sponsor will draft his bill in a manner designed to have it referred to a committee other than the one to which it normally would be sent, because he feels the latter will be less sympathetic with his legislative aims.

The Legislative Reorganization Acts also expanded the Legislative Reference Service. It is operated by the Library of Congress and is designed to give more factual information to members of Congress. The Acts also provided for larger committee staffs, which now include experts in the matters over which the committees have legislative jurisdiction. The committees may hire other specialists on a temporary basis as they are needed. In addition to the chief clerk of a committee, who is responsible to the entire committee, there sometimes is a minority clerk who assists the minority party members with the committee's functions.

In addition to the standing committees, there are a number of special committees especially authorized by House or Senate resolutions for investigations and studies. There are also several joint House-Senate committees established for specific purposes—such as the Joint Committee on Internal Revenue Taxation, which functions in cooperation with the Senate Finance and House Ways and Means committees.

## COMMITTEE FUNCTIONS

“CONGRESS IN SESSION is Congress on public exhibition, whilst Congress in its committee rooms is Congress at work.”

Thus was the operation of Congress described by Woodrow Wilson, a student of government long before he dreamed of becoming President. His statement helps to answer the question of visitors to Washington who sometimes are dismayed

to see many empty seats on the floors of Congress or to note that those present may not be paying particular attention to whichever member is speaking at the moment.

The real work of Congress is done in the committees. It consists mainly of either processing bills which have been introduced or of investigating the need for new legislation. Each legislative committee also is required to keep an eye on the administration of those laws enacted by Congress in the field of activity in which the committee has legislative jurisdiction.

The legislative committees are the backbone of Congress and it is as members of them that Senators and Representatives perform their most important function in the preparation and enactment of laws.

✓ A committee can approve a bill, with or without revision; or can let it die, with or without having considered it. Although his views are not controlling, the fate of the legislation may be affected by the will of the committee chairman. He holds his position by virtue of seniority and membership in whichever party has a numerical majority in the chamber.

THE STANDING legislative committees may or may not hold public hearings on proposed legislation. The opening of hearings is announced in advance, giving government agencies, business, agriculture, labor and various other interested parties an opportunity to apply for permission to prepare testimony and to testify. Those who do not appear in person before the committee may submit statements for inclusion in the permanent record of the hearings. Frequently a witness will appear, submit a prepared statement for the record and then answer questions.

## TESTIMONY

USUALLY THE FIRST WITNESSES called at a hearing on a bill are officials of the executive department or departments which would be affected by the legislation. If the legislation has been proposed by the President, it will have been prepared for him by the executive department chiefly concerned and the first witness is likely to be a Cabinet member or other high administration official. Then the committee room will glare with the

lights of news photographers, which subsequently will vary in brilliance according to the prominence of the witnesses. There will be more witnesses than otherwise if the hearing covers a number of bills on related subjects. Frequently members of Congress who are not members of the committee conducting the hearing will appear in support of or in opposition to the proposed legislation, with Senators sometimes appearing before a House committee and House members before a Senate committee.

Often the examination of a witness is led by a staff member of the committee who is a specialist on the subject. If it is a controversial issue, there usually will be lively cross-examination of the witness by members of the committee.

Frequently legislation on the same subject is introduced simultaneously in the House and Senate but one chamber moves faster on it than the other. Sometimes one decides to let the other take the lead. And sometimes they conduct separate hearings at the same time, with witnesses going from one to the other.

In some cases, joint hearings on the same general subject are held by two or more committees, or subcommittees, of the House and/or Senate.

The public hearing is followed by one or more closed sessions of the committee. During these sessions the record of the hearing is considered, frequently in the light of party policies and objectives. Compromise normally is the rule. If a highly involved piece of legislation is before the committee, the members may vote on various sections of it separately before voting on the bill in its entirety. A majority vote is required for approval of a bill or any part thereof. Sometimes the committee will consolidate several bills on the same subject into one, or it may choose the one which is the most mutually acceptable. Other times, the committee may write virtually a new bill to best fit the situation as members see it.

On the other hand, after the hearing has been conducted, the committee may decide that no legislation is necessary or advisable.

A committee may send a bill to the floor without recommendations as to its approval or disapproval.

## COMMITTEE REPORTS

WHENEVER A COMMITTEE takes a positive stand on new legislation which it has considered, it makes known its legislative intent in a report to the full membership of the chamber. The report digests the main arguments, pro and con, on the matters which the legislation involves and states the majority's reason for the position which it has taken on the proposal. If it is a controversial subject, there may be a separate minority members' statement declaring why the stand of the majority should not be supported. Where reports are concerned, the majority and minority will not necessarily be uniform in political affiliation.

A committee member may support a motion to report an important bill favorably, so as to have it considered by the entire chamber instead of just the committee, but at the same time reserve the right to offer amendments to the bill during debate or to oppose it in voting.

The more solid the support for a bill by the membership of the Committee reporting the bill, the better its chances will be for approval by the Senate or House.

## FLOOR PROCEDURE

AFTER A BILL HAS BEEN approved by a committee, or sent to the floor without recommendations, it is headed for debate on the floor of the chamber.

But in the House it normally must first clear the Rules Committee, which channels major bills to the floor for debate. The usual procedure is for the chairman of the committee that has approved the bill to ask the Rules Committee for legislative right-of-way for it. The Rules Committee can specify a "closed rule," which means that amendments to the bill can be offered on the House floor only by members of the committee that handled the bill.

The "closed rule" is used in the case of tax bills, because of the technical nature of that type of legislation. On the other hand, the Rules Committee can specify the amount of time for general debate on the bill and grant an "open rule," which leaves the bill open for amendments by any House member.

The Rules Committee, by a majority vote of its members, also can delay or kill a bill by refusing to grant any kind of

rule on it. One little used and seldom effective device for forcing a bill out of a reluctant Rules Committee is the "discharge petition," which requires the signatures of 218 members of the House.

A bill approved by the Rules Committee is given a place on the House schedule by the Majority floor leader.

In order to facilitate the handling of a large volume of legislation in the House, a number of bills, mostly minor ones, are passed by unanimous consent. The following procedures also are available for consideration of particular legislation on certain days: Unanimous Consent Calendar, Suspension of the Rules, Private Calendar, Calendar Wednesday, and District of Columbia Day. In addition, certain legislation from the Appropriations, Rules and Ways and Means Committees is considered as privileged and may be called up practically at any time.

In the Senate, the schedule of debate on major legislation is determined by the Majority Policy Committee. While debate in the House may be limited and confined to the subject at hand, there is no limitation on debate in the Senate, except where the Senate itself so decides, and no confinement to the particular legislative matter under discussion. Sometimes one or more Senators will employ the filibuster—prolonged, time-consuming talk—to delay or prevent a vote. Debate can be ended in the Senate only by a two-thirds vote of the Senators present and voting.

There is a great deal of oratory and debate on important measures in both the House and Senate. This talk points up the information presented during committee hearings on the pending measure and emphasizes the political, economic and social implications which the legislation may have. But, in the final analysis, this discussion seldom changes many votes—although there may be some vote-switching as various amendments are offered.

## VOTING

THE RULE IN THE House and Senate is that a quorum must be present before official business can be transacted. A quorum is presumed unless challenged. A quorum is a numerical ma-

majority of the total membership—thus, 51 Senators and 218 House members. Most votes in Congress are by a simple majority—that is, a majority of a quorum.

A two-thirds vote of the members present and voting in each chamber is required to adopt a resolution to amend the Constitution, to override the Presidential veto of a bill and to suspend the rules of the chamber.

The House uses four types of votes—the voice vote; the division vote, with members rising for or against the measure; the teller vote, in which members file down the aisles and are counted by tellers as being for or against the measure, and the roll call vote which publicly establishes the individual member's vote. A teller vote may also be a record vote. The Senate does not use the teller vote, and rarely the division vote.

In considering controversial bills, the House employs the parliamentary device of sitting as the Committee of the Whole House on the State of the Union. In such Committee, the required quorum to do business is reduced from the regular 218 to 100 and amendments to the measure under consideration are disposed of without roll call votes. When the Committee has completed consideration of the bill, the measure is “reported” back to the House. It then is ready for final passage—subject to a motion to send the bill back to the committee from which it came. The vote on the motion to send the bill back to the committee and on passage itself may be by roll call if one-fifth of those present so request. Amendments adopted in Committee may be voted on separately before final passage if a sufficient number of members so desire.

Either the House or Senate by a simple majority vote can return a bill to committee for further study.

When either the House or Senate passes a bill first, it immediately sends it to the presiding officer of the other chamber—the Speaker of the House or President of the Senate.

If the House, for example, receives a bill the Senate has passed and does not have a similar bill of its own ready for floor action, the Speaker refers the Senate bill to the appropriate committee. The House eventually may approve the Senate bill without change and send it to the White House.

If the House does have a similar bill ready for floor action, the Speaker holds the Senate bill on his desk. Then if the

House passes a similar but not identical bill, it substitutes the language of its bill for that of the Senate bill but retains the Senate bill's initials and number. The Senate bill as revised by the House then is returned to the Senate.

## CONFERENCES

THE SENATE MUST DECIDE whether to accept the changes made in its bill by the House or to demand a House-Senate conference to try to iron out the differences between the two versions. More often than not, a conference is not demanded—although there usually is a conference when there are important, and frequently controversial, differences between the House and Senate versions of major legislation.

The conferees, appointed by the Speaker of the House and presiding officer of the Senate, are members of whichever House and Senate committees originally handled the legislation. The conferees may or may not be instructed by their respective chambers as to what results to seek in the conference. The conferees, during their closed sessions, sometimes call in witnesses to obtain additional information.

In attempting to reach a compromise solution, the conferees on occasion may alter the bill from the form in which it was passed by either the House or Senate. They are not supposed to insert any provision which was not contained in one bill or the other. The report on the conference is written by the conferees and filed in each chamber. The chamber which requested the conference acts last on the bill as it emerges from conference. Either chamber may send the bill back to conference for further work if it is not satisfied with the results already obtained.

If the conferees cannot finally reach agreement, a new set is appointed and work on a compromise bill is begun anew.

## PRESIDENTIAL ACTION

WHEN A COMPROMISE BILL from conference has been approved by both chambers, it is sent to the President like any other for acceptance or rejection.

The President must act upon bills submitted to him within

signed the bill nor returned it to Congress by the end of ten days, it becomes law without his signature.

The President's rejection of a bill is known as a veto and each bill he vetoes is accompanied by a message. A vetoed bill is returned to the chamber in which it originated. A veto may be acted upon at once by Congress and a two-thirds vote of each chamber is required to override the veto. No debate is permitted to precede the vote on a veto and the Constitution requires that the vote itself be by formal, recorded roll call.

Where a bill reaches the President near the close of a Congressional session under conditions which do not permit the running of the full Constitutional ten-day period before final adjournment of the session, the President, if he decides not to sign the bill, need not return it to Congress. Thus, the bill dies. That is known as a pocket veto.

## OUR RESPONSIBILITY

SUCH IS OUR CONGRESS—its background, makeup and legislative processes.

Today, more than ever before, the actions of Congress reverberate through our complex society here at home and the sensitive world off our shores. It is, therefore, more imperative than ever that Americans understand their Congress.

Congress is a product of representative government. Implicit in such a form of government is a continuing relationship between the elector and his elected representatives—and Congress will function effectively only so long as such relationship is sustained. Representative government also involves responsibility on the part of the individual citizen as well as the elected representative—and the quality of Congress will be in direct ratio to acceptance of that responsibility.



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