The Congress of the United States

The Structure of Congress:

- Bicameral – meaning that it is made up of two houses; The Senate and the House of Representatives
- Reasoning behind this was the Great Compromise/ Connecticut Compromise of 1787
- Virginia Plan was that popular vote ruled (Giving large states a huge advantage)
- New Jersey Plan was that each state was given an equal share in voting (Small states adv.)
- The agreement was that the Senate would function on the NJ plan whereas the House would run on the Virginia plan with more representatives depending on the number of people within the state
- California has 53 Representatives + 2 Senators; Wyoming has 1 Representative + 2 senators
- Presently, there are 435 members of the House, and 100 Senators – which will change after each census held every 10 years (1990, 2000, 2010, 2020) Some states will gain seats in the house, and conversely some will lose seats – 2000 California’s representation rose from 52 to 53; New York’s representation fell from 31 to 29

Membership of Congress:

- Women have always been under-represented in Congress – despite the 1992 ‘Year of the Woman’ Campaign by Clinton – which doubled the representation of women in one election 28 to 47 but still left them vastly under-represented – 2013, 78 (17.9%) Women’s representation currently – by this Congress does not reflect the appearance of the USA
- Examples of female Representatives include: Robin Kelly (D-IL) Ann Wagner (R-MI) Grace Meng (D-NY) Tammy Duckworth (D-IL)
  - Vast Majority of women in Congress are Democrats
  - Women are also under represented at local congresses; only in 10 states do women make up more than 30% of state legislators (Colorado highest at 39%) Whereas there are 14 states where women make up less than 20% (South Carolina 10%)
- Racial Groups are often better represented in the House than the Senate, since federal courts have allowed the congressional district boundaries to be placed in such a way that the result is likely to elect a candidate with the same ethnicity as the majority – called ‘Minority-Majority Districts’; often distorted geographically to encompass areas in which minorities live in and group them together
- In the Senate, from 2005-08 Obama was the only African-American senator to serve – Roland Burris (also African-American) finished Obama’s final two years when he resigned
- Tim Vine currently is the only black Senator
- Never has been a black, Republican Senator
- Still, black people are under-represented - only 16 states did blacks make up more than 10% of the legislature (highest include Georgia, Alabama + Mississippi)
- Hispanics are also under represented - but are seen as the sleeping giants of US politics
Presidential Action:

- The president has 3 options on what to do when a bill lands on his desk
- He can sign the bill into law – and by doing this he openly supports the bill – for example Bush and the Homeland Security Bill (2002), American Taxpayer Relief Act (2013) Obama, Patient Protection and Affordable Care Act (2010) Obama, Don’t Ask Don’t Tell Act (2010) – the Ceremony is normally at the White House and the pen is given to activists for the cause
- He can also sign bills into law to look presidential; such as the USA-South Korea relations Acts (2012-13) Obama or Campaign Finance Reform Bill (2002 Bush)
- President can also Leave the Bill on the Desk – and after 10 working days the bill automatically becomes law, the President may do this because he has no opinion on the bill or just allows it though because it has popular support and so if it were vetoed it would be overridden
- A president may also Veto a bill – also known as a regular veto; The President can use this as a bargaining tool with Congress. He may also hope that if the President vetoes the bill Congress will change sections of which the president does not approve (POTUS sends a message back with the veto explaining why, giving Congress the chance to act in 3 ways; Congress can override the veto with a 2/3rd majority in both houses OR amend the bill to the Presidents wishes OR do nothing and accept the rule of the President)
- Bill Clinton used the regular veto on 36 occasions – on 13 bills, Congress attempted to override the bill, failing in 11 and succeeding in 2 (Securities Bill 1995 + Military Construction Appropriations Bill 1998); Thus Clinton won on 34 out of 36 times when he vetoed legislation
- A president who is not in control of Congress is more likely to use the veto and more likely to have a veto overridden
- President Bush was the first president in US history since President van Buren (in 1837 and 1841) to go through an entire term without using a veto – Bush used his first in 2006, on day 2,006 of his presidency. Bush was overridden for the first time in 2007 on the Water Resources Development Bill and 3 more in 2008 making him the worst President on record for veto overrides with 64%
- A fourth option which is rare is the Pocket Veto – which is if a bill lands on the desk of the president with less than 10 days in the calendar of a sitting Congress then if the president does not sign it, the bill expires with the end of that Congress and the bill is effectively vetoed
- For a brief period of time in the 1990s, there was a Line Veto which only Clinton used – in which the President can pass sections of bills, not all of the bill and so remove riders from the process and reduce the veto – this came into force in 1997 after the Line Item Veto Bill was passed (1996). Clinton used the power 11 times to remove 82 sections from bills. In 1998, the US Supreme Court declared this power unconstitutional after the case of Clinton v. New York City

Assessment of the Legislative Process:

- Why is the Legislative Process so slow?
  - A vast number of bills are introduced – making the process overcrowded
  - The Process is complicated – a bastion of negotiation