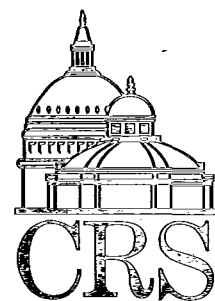


CRS Report for Congress

The Congressional Research Service And The American Legislative Process

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January 29, 1990



The Congressional Research Service works exclusively for the Congress, conducting research, analyzing legislation, and providing information at the request of committees, Members, and their staffs.

The Service makes such research available, without partisan bias, in many forms including studies, reports, compilations, digests, and background briefings. Upon request, CRS assists committees in analyzing legislative proposals and issues, and in assessing the possible effects of these proposals and their alternatives. The Service's senior specialists and subject analysts are also available for personal consultations in their respective fields of expertise.

THE CONGRESSIONAL RESEARCH SERVICE AND THE AMERICAN LEGISLATIVE PROCESS

SUMMARY

The Congressional Research Service (CRS) serves Congress in ways that reflect underlying characteristics of the American constitutional system and the national political process. The Constitution divides powers between the President and Congress, creating a competition for power. If Congress is to compete effectively, it requires independent access to policy-related information and analysis. The contemporary character of U.S. political parties and elections gives all Representatives and Senators considerable latitude in determining what legislation they will propose, support, and oppose. During each stage of the legislative process, therefore, CRS is available to assist all the members, leaders, and committees of Congress in fulfilling their institutional and constitutional responsibilities.

THE CONGRESSIONAL RESEARCH SERVICE AND THE AMERICAN LEGISLATIVE PROCESS

INTRODUCTION

The Library of Congress is not only an unexcelled national library; as its name indicates, it also is the library of the United States Congress. The Library was located in the Capitol Building with the House of Representatives and the Senate until 1897, and its collections always have been available for use by Congress and its members. In 1914, Representatives and Senators recognized the Library's special responsibility to Congress by directing the establishment of a special unit, later known as the Legislative Reference Service, within the Library that was charged with responding to congressional requests for information. For more than fifty years, this department assisted Congress primarily by providing facts and publications and by transmitting research and analysis done largely by other government agencies, private organizations, and individual scholars.

In 1970, Congress enacted a law transforming the *Legislative Reference Service* into the *Congressional Research Service (CRS)*, and directing CRS to devote more of its efforts and increased resources to doing research and analysis that assists Congress in direct support of the legislative process. Today, CRS is joined by three other congressional support agencies. The Congressional Budget Office provides Congress with budget-related information, reports on fiscal, budgetary, and programmatic issues, and analyses of budget policy options, costs, and effects. The General Accounting Office assists Congress in reviewing and monitoring the activities of government by conducting independent audits, investigations, and evaluations of Federal programs. And the Office of Technology Assessment prepares studies for Congress to illuminate the implications and possible consequences of policy choices relating to technology. Collectively, the four support agencies employ more than six thousand people, almost half of whom serve Congress directly, giving it access to information and analysis unequalled by any other national legislature.

The Congressional Research Service offers research and analysis to Congress on all current and emerging issues of national policy. Its staff of more than eight hundred men and women includes reference librarians, lawyers, economists, and social, natural, and physical scientists. Now operating with an annual budget of approximately \$45 million, CRS responds to more than 500,000 requests each year from the members, committees, and staff of Congress for information and other assistance. These responses take the form of reports, memoranda, compilations, bibliographies, briefings, seminars, audiotaped and videotaped presentations, information obtained from automated data bases, and consultations in person and by telephone.

In all its work, CRS analysts are governed by requirements for confidentiality, timeliness, accuracy, objectivity, balance, and non-partisanship. CRS makes no legislative or other policy recommendations to Congress; its responsibility is to make certain that the members of the House and Senate have available the best possible information and analysis on which to base the policy decisions the American people have elected *them* to make.

CRS attempts to anticipate Congress' research needs, especially by identifying the major issues that both houses are likely to address each year and by ensuring that CRS has compiled the information and written the reports that members are most likely to request. In this way, CRS can use its resources most efficiently, and meet the short deadlines that often accompany congressional requests for assistance. CRS's time and efforts are devoted to working exclusively for Congress. However, some of its research and reports do reach the American public. Representatives and Senators have a continuing responsibility to inform their constituents about the issues facing the United States and its government. To meet this need, members often distribute to interested citizens material on issues of public interest that CRS has prepared for congressional use. Legislators also include CRS reports and memoranda in committee hearings and reports and in the *Congressional Record*.

CRS is part of a much larger congressional staff community numbering approximately 24,000 people. In addition to the staff of the other support agencies, almost 12,000 men and women work directly for the 435 Representatives and 100 Senators who serve in Congress. Each Representative has as many as 18 full-time employees; Senators' staffs are larger and vary in size according to the populations of the States they represent. Roughly 33 percent of Senators' assistants and 40 percent of Representatives' assistants are located in their State and district offices; the rest have offices in the Capitol or one of eight House or Senate office buildings. In addition, there are a total of more than 3,000 professional and clerical employees who serve the twenty or more committees in each house and their more than two hundred subcommittees. Other staff members are employed by the congressional party leaders of the House and Senate, joint committees of the two houses, and the administrative officers of each house of Congress.

SUPPORTING A SYSTEM OF SHARED POWERS

This staff structure is much larger than in any other national legislature, and is a consequence of the underlying nature of the American political system. In parliamentary systems, the "government," in the form of the Prime Minister and the Cabinet, and the legislature (or at least its "lower house") typically are controlled by the same party or coalition of parties. The lower house, such as the House of Commons in Canada or Great Britain, selects the

Prime Minister who also is a member of the parliament and the leader of his or her party. The Prime Minister's legislative program dominates the parliament's agenda, and new legislative elections may be necessary if it rejects one of his or her major proposals for legislation. Normally, therefore, there is a collaborative relationship between the majority party or coalition in the parliament and the political leaders of the government ministries. When there is conflict between them, it is not because of the organization of government, but despite it.

Under the Constitution of the United States, by contrast, the powers of the Federal Government are distributed in a way that is intended and almost guaranteed to create competition and conflict between the Legislative and Executive Branches. It has been said that ours is a system of government characterized by a separation of powers; in fact, however, it is a system of separate institutions sharing powers. This arrangement has led to a shifting balance of power between the two branches, as well as occasional conflicts with the Supreme Court, during our two hundred years of experience under the Constitution. During some periods, Congress exerted more influence over national policy than the President; at other times, the situation was reversed. But at no time has either branch been so dominant that it has been able to make a permanent change in the constitutional and political balance of power between them.

The Executive and Legislative Branches are distinctly separate institutions. In contrast to parliamentary systems, for example, members of Congress may not hold positions of authority in the Executive Branch. Congress normally plays no part in selecting the President or Vice President, nor may it remove either of them from office only because of disagreements about policy. The Vice President does serve as President of the Senate, but the formal power of that position is very limited and rarely significant. Also, the President may not remove members of Congress nor may he dissolve either house and call for new elections at a time he chooses.

Representatives, Senators, and the President all serve for fixed terms and for different periods of time. Even when a President wins an overwhelming election victory, therefore, he still finds that two-thirds of the Senators had been elected two or four years earlier, and that all Representatives will run for re-election two years later when the President is not also a candidate. One possible result is that a President of one political party may confront one or both houses of Congress controlled by the other party. In fact, this situation has prevailed in most years since the end of World War II. In this circumstance, the competition between separated institutions is made even more intense by the added dimension of competition between the different political parties controlling them.

Yet these separated institutions are linked by their shared powers. For example, Congress has the primary legislative power under the Constitution.

The President may recommend any legislation he thinks desirable, but Congress is under no obligation to act on, much less approve, his proposals, though they usually do receive respectful and careful study. On the other hand, the President does have the constitutional power to disapprove (or veto) any bill approved by Congress, in which case it takes effect only if approved again by two-thirds votes in both houses. So the legislative power is shared, and the threat of a presidential veto usually gives him great influence over Congress' legislative decisions.

Presidential powers also are shared. For instance, the President has the constitutional authority to nominate senior officers of the Executive Branch and to negotiate treaties with other nations. But the Senate must agree by majority vote to each of his nominations, and no treaty can take effect unless the Senate approves it by a two-thirds vote. The President also is commander-in-chief of the armed forces, but Congress enacts legislation controlling the size, composition, and budget of the military. In short, if either branch of government is to fulfill its constitutional responsibilities effectively, it needs the cooperation or at least the acquiescence of the other.

The reason for this system of shared powers lies in an historic mistrust of government power. The authors of the Constitution had experience with excessive power in the hands of executive officials (the British king and his ministers), but they also feared that an uncontrolled legislative majority also might be liable to abuse *its* power. The best way to protect against abuses of power, they concluded, was to divide it among officials of different institutions, giving these officials an incentive to restrain each other in their own self-interest.

In this way, a system of "checks and balances" prevents any single institution of government from becoming too powerful. Although sharing powers between different institutions can create obstacles and cause delays for the government in making decisions, having a government that its citizens can control and hold accountable was preferred in 1787, when the Constitution was written, to having one effectively controlled by either the Executive or the Legislative Branch. And although circumstances have changed dramatically since then, the fundamental framework of government under the Constitution remains unchanged today.

In order for the *sharing* of power to protect against the *abuse* of power, more is required than the words of the Constitution. Each branch of government must be able to protect its independence and assert its powers effectively. In its continuing effort to preserve its constitutional authority and independence, Congress can suffer from an important competitive disadvantage: it often possesses less information and knowledge than the Executive Branch with its three million employees. If the Executive Branch could control what Congress knows, it might largely nullify Congress' independent exercise of its powers and its ability to control the exercise of

Executive powers. While Congress would remain independent of the Executive Branch in theory, it could become its captive in practice. This is an important reason why Congress has created permanent committees of the House and Senate with responsibility for studying and recommending legislation on the subjects assigned to them. In this way Congress develops policy experts among its own members and the staffs of its committees.

For the same reason, Congress created its four support agencies, including CRS, which are not subject to Executive Branch direction and which assure Congress of its own expert and independent assessments of national and international events and conditions, its own studies of existing laws and programs, and its own analyses of the options for change. Equally important, the purpose of CRS typically is to inform, not to persuade. If CRS made policy recommendations to Congress, legislators might fear that CRS evaluations of alternative policies would be distorted by its preferences. Furthermore, Congress always has recognized that legislative decisions depend on more than an acute understanding of the facts and a careful assessment of the policy options. Wise decisions also involve judgments based on personal and social values which, in a representative system of government, should only be made by elected officials.

NON-PARTISAN SUPPORT FOR A PARTISAN INSTITUTION

There is another respect in which the mandate of CRS reflects the nature of U.S. political institutions: although the House and Senate are organized by the Democratic and Republican parties and all members of Congress are affiliated with one party or the other, CRS is a non-partisan institution.

In many other national legislatures, research and analysis functions are performed primarily by organizations associated with the political parties. In Congress, each party does maintain a research organization for its members. But to rely exclusively on these organizations would not be a suitable arrangement in the United States because our political parties are not nearly as unified and programmatic as are most Western European parties, for example. Members' party affiliations remain the single best basis for predicting how they will vote, and congressional party leaders have a profound effect on how the House and Senate conduct their legislative business. But Congress has not often experienced highly cohesive party voting during the 20th Century, particularly in comparison with voting in the parliaments in which members are elected from party lists under a system of proportional representation.

When legislative party organizations undertake policy research, the results may well reflect the sponsoring party's values, biases, and program goals, perhaps reaching conclusions that support positions the party already has decided to take or would naturally be inclined to take. However thoughtful

the policy analysis may be, it bears the stamp of partisanship and so will be most persuasive to the party's members who already are prepared to endorse the party position. For party organizations to be the most suitable sponsor of legislative policy analysis, therefore, the parties must be characterized by reasonably consistent and persistent positions that the overwhelming majority of its members will support. Sometimes this situation prevails in Congress; at other times, however, congressional party policy can be indistinct, or it can be the cause of disagreements within the parties as well as between them.

The Democratic and Republican parties encompass diverse interests. According to some observers, they exist primarily to win elections rather than to promote coherent political philosophies. There are several possible reasons for this situation. Some point to our national history, and especially to the availability of land and opportunity, as a reason for the absence of an explicitly class-based party system which has been important for Western European political competition. Others place more emphasis on the rules of the U.S. electoral system.

There cannot be a governing coalition of parties in the United States. The existence of a single, powerful, elective Presidency encourages disparate factions and interests to coalesce into two parties at the national level. Historically, third parties have had great difficulty attracting and then maintaining widespread support in Federal elections because they usually have had a narrow ideological focus and geographical base, and so have had no real hope of winning the single most visible and valuable prize of American political competition, the Presidency. The result has been two parties with different centers of political gravity but with overlapping national constituencies in presidential elections.

In congressional elections, candidates run for the Senate in 50 different States and for the House of Representatives in 435 separate districts in which the candidates reside and which are geographically, economically, and socially diverse. This electoral system, in which each House constituency elects only one legislator and in which only one candidate can win each election, also encourages two-party competition at the State and local level, in contrast to systems in which legislators are elected by proportional representation from party lists. And the diversity among constituencies encourages the parties to be inclusive in the positions their candidates espouse.

An unequivocal party position that has strong appeal in some States and districts would be rejected decisively in many others. But party positions rarely are unequivocal, and they are not defined by national party organizations, except for the platform each party adopts every four years at its presidential nominating convention to promote a measure of unity within the party and the election of its candidate. The national party organizations normally have been skeletal, and their chairmen usually have been managers more than policy spokesmen or political leaders in their own right. The

President is the acknowledged leader of his party, but there is no officially designated leader of the "opposition," nor are there any well-developed mechanisms for defining official national party positions on new issues as they arise. Between presidential elections, the contest between Democratic and Republican positions usually is really a contest between the position of the President and whatever position a majority of the opposing party's members in Congress are willing to support.

Without strong national party organizations and mechanisms for setting and promoting party positions, party unity in congressional voting is imperfect and inconsistent. The majority party in each house controls decisions concerning its organization and administration, and, more often than not, its legislative procedures as well; and it is on organizational and procedural votes that Representatives and Senators are most expected and most likely to support their congressional party leaders. Because there are no authoritative national party positions on policy, however, the same degree of party unity usually is neither expected nor achieved when members vote on bills, resolutions, and amendments. And for much the same reasons, the proposed legislation on which members do vote usually is written not in party offices but in the specialized committees of the House and Senate which draw their members from both parties.

The President and other Executive Branch officials often suggest proposals for bills which congressional committees then evaluate, and the party leaders of the House and Senate sometimes try to influence what decisions their committees will make and when they will act. But both houses also delegate great authority to these committees to decide which legislative proposals deserve the attention of the House or Senate and the support of its members. The majority party in each house also enjoys a majority on each committee. In most instances, however, the decisions that committees make do not divide their members completely along party lines. Committee recommendations often are supported by most members of both parties. And even when most of the Democrats on a committee oppose most of the Republicans, there often are a few members who vote against the position of their fellow party members for reasons of personal philosophy or the interests of their own districts or States.

Under these circumstances, it is not as contradictory or inconsistent as it might appear at first for CRS to be a non-partisan organization serving Congress. Political parties are an important influence on the legislative process, but by no means the only one and sometimes not even the most important one. The contemporary party leaders in Congress have not attempted to control the development and distribution of policy information and analysis to their members. Instead, they have consistently supported CRS as a primary source of non-partisan assistance to what often is a bipartisan process of policy development.

SERVING ALL THE MEMBERS OF CONGRESS

In addition to serving the committees and party leaders of the House and Senate, CRS responds to requests for assistance from all members of both houses, regardless of their party, their length of service, or their political philosophy. Individual members and their staffs request help from CRS, for example, in learning about issues, developing ideas for legislation, and evaluating legislative proposals made by the President, their committees or colleagues, or private organizations. There would be much less need for CRS to serve members individually if they consistently supported the positions advocated by their party leaders or committees, or if they always supported or opposed the President's position. In fact, though, another consequence of the American system of political parties and elections is that each member of the House and Senate is an independent political decision-maker who makes his or her own judgments about what legislation to sponsor or support.

Just as Representatives and Senators do not automatically base their voting decisions on the positions of the President, their congressional party leader, or their national party, neither are they the dependable instruments of State and local party organizations. Like the national parties in the United States, State and local parties generally are organized more to win elections than to promote specific policies. Historically, they have been better organized than the national parties, but sub-national party organizations are not as strong today as they once were. They also tend to be more interested in electing State, county, and city officials than members of Congress, especially because congressional districts often do not coincide with local political boundaries. As a result, many State and local party organizations provide only limited help to congressional candidates of their party.

The system of making congressional nominations through primary elections also severely limits the influence of party organizations on the selection of House and Senate candidates. Each party's candidates for election to Congress usually are chosen in a preliminary or "primary" election. In most States, any person can be listed on his party's primary election ballot if he or she can demonstrate some support from its members. The person who wins the primary election then becomes the party's candidate even if the State or local party leaders would have preferred someone else. Furthermore, most States permit anyone to vote in a party's primary election who says that he or she is a member of the party. American political parties have no formal membership procedures or requirements. Any voter becomes a "member" of the Democratic or Republican party simply by stating his or her choice. In some States, voters even have the choice of voting in either party's primary election.

Once they have been nominated, most candidates for the House and Senate do not depend on the parties for most of the assistance they need in

their campaigns. The costs of congressional campaigns have become so great that, in most States and districts, the political parties can provide only a small fraction of the funds that an effective campaign requires. Therefore, each candidate must raise most of the money necessary to pay for his or her campaign, and especially to pay for the high costs of television advertising. Television has become such an important part of many congressional campaigns, especially for the Senate, that the personality and public appeal of the candidates themselves have become increasingly important. There are relatively few States or districts that will consistently elect Democrats or Republicans to Congress without regard to the candidates' personal qualities.

Thus, candidates for election to the House and Senate are political entrepreneurs. They usually decide at their own initiative that they want to seek election and they obtain the nomination of their party by winning a primary election, not by winning the support of a formal party organization. After being nominated, the candidates then are largely responsible for creating their own campaign organizations, deciding what issues to emphasize and what positions to take, devising their own campaign strategies, and attracting their own supporters and financial contributors. They associate themselves with their party and its other candidates as it serves their own interests. The contributions of local, State, and national party organizations to successful campaigns are welcome and helpful, but often marginal.

As a result, there is a direct and personal tie between each Representative and Senator and the voters in his or her district or State. The support members enjoy in their constituencies rests partly on their party affiliations. Yet their election and re-election do not necessarily depend on party support, and it is even less a result of the efforts of formal party organizations. When members of either house are elected for the first time and arrive in Congress, they almost certainly feel an allegiance to their party and they wish to support its leaders whenever possible. But most new members also understand that they were not elected merely because of their party; they owe their success largely to their own efforts.

Furthermore, they realize that their ability to be re-elected depends on maintaining and strengthening their personal reputation and popularity among their constituents. Each house gives its members resources that assist them in this effort. Staff support, free mailing privileges, offices in their constituencies, and travel allowances are among the services and allowances that all members receive so that they can keep their constituents informed and assist them in receiving the benefits and services from the Federal government for which they qualify. Inevitably, however, the activities of members that help them meet their responsibilities as legislators and representatives also promote their re-election by helping them remain well-known and popular among their constituents.

These advantages that incumbents enjoy, as well as their ability to raise funds for their campaigns, contribute to the high rates at which members, especially Representatives, now are successful in winning re-election. Members of both houses realize, however, that the security of their positions in Congress depends ultimately on taking legislative actions that satisfy their constituents' needs and interests. So whenever members confront a decision in which the wishes of their party leaders (and perhaps their President as well) conflict with the preferences of most of their constituents, the influence of constituency often is more powerful. Moreover, congressional party leaders understand that their members must pay close attention to their constituents' interests. A party leader rarely encourages his or her members to cast a vote that would seriously damage their chances of being re-elected because the leader usually is more concerned with the long-term advantages of having his or her party colleagues re-elected than with the short-term advantage of receiving their votes on any one amendment or bill.

In this situation, Representatives and Senators can be independent political decision-makers. They develop their own bills and amendments to promote the policies that are important to them and their constituencies. As they prepare for each legislative decision, members pay attention to the recommendations of committees and the positions of the President, the congressional party leaders, and others. Ultimately, though, they reach their own decisions based on their own judgments, taking into consideration the advice of their personal staff and their assessments of what is good public policy and what is in the best interests of their State or district. So each member needs direct access to a source of information and analysis to help him or her make these judgments--a source of accurate information and expert analysis that is independent and dependable and that has no interest in affecting the member's decisions. To serve this need, the resources of CRS are available equally to each Representative and Senator without regard to party, position, or philosophy.

IN SUPPORT OF THE LEGISLATIVE PROCESS

CRS supports the members, committees, and leaders of the House and Senate at all stages of the legislative process, from helping them as they evaluate the need for new legislation before it is introduced to giving them technical assistance as they reach final agreement on bills before they are presented to the President for his approval or disapproval.

The ideas for legislation come from many sources, but every bill must be introduced by a Representative or Senator before Congress can formally consider it. The President and other Executive Branch officials frequently submit drafts of proposed bills to Congress which Representatives and Senators introduce on their behalf. Legislative proposals also come from interest groups and other private organizations, and even from individual

citizens who have become particularly interested in an issue. And, of course, members and their staffs frequently develop their own legislative ideas.

CRS can contribute at this preliminary stage in several ways. Members frequently ask CRS to provide background information on issues and events so they can better understand the existing situation and then assess whether there is a problem requiring a legislative remedy. This background information may be a collection of newspaper and journal articles discussing an issue from different perspectives, for example, or it may be a summary and explanation of the scientific evidence on a technically complex matter, or a comparative analysis of several explanations that have been offered to account for a generally recognized problem. CRS also identifies national and international experts with whom members and staff may consult about whatever issues concern them, and sponsors programs at which members meet with experts to discuss issues of broad interest to Congress.

If a member decides to introduce a bill, CRS analysts can assist the legislator (or his or her staff) in clarifying the purposes of the bill, identifying issues it may address, defining alternative ways for dealing with them, evaluating the possible advantages and disadvantages of each alternative, consulting with the professional legislative draftsmen of the House and Senate as they translate the member's policy decisions into formal legislative language, developing information and arguments to support the bill, and anticipating possible criticisms of the bill and responses to them. Throughout this process, CRS staff never advise members about what they should do; CRS's objective is to assist members in deciding what *they* want to do and in understanding the potential implications and consequences of *their* decisions.

Members and committees also can request CRS to help them assess and compare legislative proposals presented by Executive Branch officials or by private citizens and organizations. What are the conditions the proposed bill intends to affect? What would it do? How would it change existing law? Are there reasons to think it would not achieve its purpose? What unanticipated costs and consequences might it have? Are there alternative ways of achieving the same purpose? These are among the questions on which CRS experts may be asked to offer assistance. There are many other knowledgeable people who are eager to help Congress evaluate bills, but almost all of them have an interest in affecting the outcome. What makes CRS unique is the combination of the expertise of its staff and the objectivity and balance of its analyses.

Much of the information that Congress receives during the legislative process is accurate, but it often is incomplete, and deliberately so. Because the people or organizations presenting the information usually are interested in persuading Congress to support their position, they naturally emphasize facts and arguments that advance their cause. CRS can help members evaluate the merits of what they have been told and also help them develop

a more balanced perspective that reflects a wider range of opinions and arguments.

When each bill is introduced in the House or Senate, it is assigned to a permanent legislative committee with responsibility for that subject, and then usually to a subcommittee of the committee. If the bill is broad in scope, it may be referred to two or more committees. There is no requirement for any subcommittee or committee to act on any bill, and the overwhelming majority of bills die because the committees choose not to act on them. When a subcommittee selects a bill (or several bills on the same subject) for serious attention, it usually begins by conducting public hearings on one or more days at which Executive Branch officials, other members of Congress, representatives of private organizations, and even individual citizens present their views on the bill's merits. CRS analysts can assist in this process by providing background information and reports, presenting a preliminary briefing to members or staff, identifying potential witnesses, and suggesting questions that members may ask the witnesses.

After the hearings on a bill, the subcommittee or committee meets to debate and vote on amendments to it. If requested, CRS staff may attend these meetings to serve as a neutral source of expert information available to all members. If the subcommittee and then the full committee conclude that new legislation is needed, they report a bill to the House or Senate for all its members to consider. The committee also submits a written report that explains the background for its decision, analyzes the purposes and effects of each major provision of the bill, and includes other information, such as predictions about the cost of implementing it, that help other members decide whether they should support the bill. CRS specialists may assist the committee's staff in preparing some sections of this report; cost estimates usually are developed by the Congressional Budget Office.

The House and Senate each has a complex set of rules for determining if, when, and how all its members will act on the bills its committees have approved. These procedures control, among other things, how long members can debate the bill and if members are free to offer amendments on the House or Senate "floor" to change its provisions.

The legislative procedures of the House generally impose limits on deliberation. When the House acts on bills that provoke relatively little disagreement, it usually follows procedures that restrict all debate on each bill to forty minutes and prohibit members from attempting to amend it; but a bill considered in this way passes only if approved by a two-thirds vote. The House debates and amends more important and controversial bills under different procedures and passes them by simple majority votes; these procedures usually permit at least several hours for members to debate each bill, and allow members to propose amendments that are relevant to it. Procedures for acting on major bills are proposed by the Committee on Rules.

First the House votes on approving the procedures this committee recommends; then it follows those procedures as it debates, amends, and votes on the bill itself. The procedures even may include restrictions on what amendments to a bill members can offer. With few exceptions, the House requires no more than several days to complete the process of floor action on even the most important bills.

The legislative procedures on the Senate floor are quite different. In part because the Senate always has been much smaller than the House, it has placed more importance on engaging in extended debate and less emphasis on reaching prompt decisions. The Senate never requires more than a simple majority vote to pass a bill, but a minority of its members may be able to prolong the debate on a bill they oppose for so long that the Senate cannot afford to devote to the bill all the time that would be needed to pass it. There is another major difference between the Senate and the House: Senators usually can propose amendments to a bill on subjects that are totally unrelated to the subject of the bill itself. Both of these differences can make legislative action on the Senate floor more unpredictable than in the House, and Senate debates on major bills can continue for a week or more. Frequently, the Senate expedites its floor action on a bill by agreeing unanimously to limit debate on it and prohibit unrelated amendments.

During this stage of the legislative process, CRS can assist Representatives and Senators in several different ways, in addition to providing background information to assist members in understanding the issues a bill addresses. CRS attorneys can help clarify the legal effects the bill may have. CRS policy analysts can work with members in deciding whether to propose amendments and then in making certain that their amendments are designed and phrased to achieve the desired results. CRS also can help members prepare for the debate by providing data and other information that they can use to support the positions they have decided to take. And finally, CRS staff can clarify the legislative procedures of the House and Senate, assisting members and staff in understanding the effects of these procedures and how members can use the procedures to promote their own legislative goals.

When the House and Senate first pass a bill, they usually have some disagreements over precisely what it should say and do. All these disagreements must be resolved before the legislative process is completed and the bill can be presented to the President. For the most important bills, the two houses usually agree to create a temporary conference committee composed of both Representatives and Senators, most of whom had been involved in developing the bill initially in the committees of the House and Senate. There is a different conference committee for each major bill; the purpose of the committee is to reach compromises that settle all the disagreements between the houses concerning that bill.

The discussions of a conference committee sometimes are very informal; in other cases, they are as formal as bilateral treaty negotiations. CRS

analysts can contribute to this last stage of the legislative process by helping identify the issues to be resolved, by clarifying and comparing the positions of the two houses on each issue, and by identifying different ways in which the legislative disagreements could be resolved. Once the conferees reach agreement, as they usually do, they present their report to the House and Senate. If the two houses accept the report, the bill is ready to be sent to the President for his approval or veto.

Throughout this process, CRS offers timely and confidential assistance to all members and committees that request it, limited only by CRS's resources and the requirements for balance, neutrality, and accuracy. Further, CRS services are not limited to those that relate directly to enacting new laws. For example, Congress has a responsibility to assess emerging issues and developing problems so that it will be prepared to take legislative action if and when it becomes necessary. Congress also has a continuing "oversight" responsibility: to review and, if necessary, investigate the implementation and effects of existing laws. It has been accepted throughout Congress' history that it cannot fulfill its legislative responsibilities if it is unable to gather information about national and international conditions, including the activities of departments and agencies of the Federal government. CRS rarely conducts field research, but it assists committees in all other aspects of studying national and international conditions and conducting congressional oversight.

CONCLUSION

The Congressional Research Service serves the American people and their constitutional system by serving Congress in ways that reflect underlying characteristics of the national political process. Because CRS, like other successful institutions of government, is well-adapted to its constitutional and political context, it might not prosper if reproduced without change in a wholly different socioeconomic, historical, and constitutional setting. Yet there are requisites for accountability and effectiveness that every democratic government must meet in one way or another.

One such requisite is public participation in the law-making process through representative bodies such as the United States Congress and other national parliaments. Another is the need for the legislature and its members to be informed sufficiently well so that they can make reasoned choices in responding to social needs, and thereby also reinforce popular support for democratic institutions. By helping to satisfy the information requirements of Congress and its members, CRS makes its unique contribution to preserving and strengthening democratic government in the United States.