The Legislative Context: Factors that Influence Members of Congress and the Laws that Are Made

There are as many factors that influence Members of Congress as there are Members, but the most common influences include political parties, staff, colleagues, the President, organized interest groups, and constituents.

From caucuses to legislative agendas, Congress is organized along party lines. This is because a congressperson’s position of power is determined by his or her party’s leadership, and that position of power usually reflects the support and votes each member has given or promises to give to support his or her party. Political parties determine who gets what in Congress, ultimately deciding, for example, which individuals receive which office and committee assignments and how budgets and earmarks are made. Congressional offices can range greatly in size (and desirability); some are single rooms divided into cubicles overlooking air conditioning units, while others are six-room suites overlooking the Washington Mall. Budgets for staff, home district offices, and travel all vary according to party leadership decision-making. Party-directed committee assignments can send a congressperson to important committees that are highly relevant to that individual’s home district and re-election prospects, but can also leave a congressperson isolated (as may be the case with an assignment to an Ethics Committee or the Foreign Relations Committee). And when it comes time for a Member to add an earmark, or even introduce legislation, party support will depend on whether that member has been supportive of his or her party in the past. For this reason, when voting, Members of Congress must keep a variety of legislative concerns in mind.

Staff and colleagues are invaluable sources of information and influence. Members of Congress typically sit on three to five committees, and—although they tend to be great multi-taskers—they often do not have the time to attend all meetings, read all bills, sit in on all testimony, and absorb all relevant background information on all issues so as to make knowledgeable decisions on all issues. Therefore, many Congress Members must rely on their staff and colleagues. A Member of Congress will often first look to other members of his or her state’s delegation, regardless of party affiliation, to assess how an issue might affect his or her home state. Then he or she might look to either a member of the committee in which the issue is being debated or a member of his or her own staff that has been assigned to cover the issue to determine a position. Some people call this process “logrolling” or “trading votes.” Despite this negative connotation, it is a practical way of making decisions on the over 10,000 bills that are introduced into Congress each year.

The President can wield strong influence over a Member of Congress. If the President is from the same political party, a Member of Congress will want to vote with the President; as head of the party, the President has a lot to say about who gets financial help at the next election. However, if the President is a member of the opposite party, the Member of Congress will want to oppose him, if for no other reason than to weaken the President and make him vulnerable to a challenge. The President, however, has a lot to negotiate with: even Members of Congress have a hard time
saying no to the President when he offers huge financial rewards or powerful positions within the Administration.

Organized interest groups are the most highly-discussed influence in Washington, and their interactions with Members of Congress are usually perceived in a negative light. However, interest groups serve very useful functions for Members of Congress. First of all, they are one of the most reliable sources of information. They testify at committee hearings and even conduct specific research that Members request. Their reputations are based on the reliability of their information. If they are less than truthful, their information will no longer be requested or relied upon. Secondly, interest groups represent their members. In our pluralistic society, there is an organized interest group for almost every interest you can think of, and in theory, they balance each other out. Those who have more members, like the American Association of Retired Persons (AARP), enjoy more power. The balance comes into question when a particular membership finds favor because it is wealthier, or has a more popular spokesperson, or is just better organized. (There are also those interest groups that have more power just because they are louder!) Finally, interest groups provide campaign funding; it is all but impossible to win an election to Congress without the help of interest groups. Much of the criticism surrounding interest groups focuses on financial contributions (implying interest groups are buying votes), but in reality, the problem is the message, not the money.

Last but not least, members of Congress are influenced by their constituents. Members of Congress listen attentively to the activists and voters in their districts: town hall meetings and local functions keep Members in the news back home and prevents them from appearing “out of touch.” Because most of us have no idea what our Members of Congress are doing in Washington, constituent services in home district offices make up a large part of a Member’s reputation. For every social security issue resolved and for every IRS dispute cleared up, votes are secured. Beyond that, so few people actually communicate with their Members of Congress that when they do, the Members listen!