

Bells, Legislative

Business on Capitol Hill is often interrupted by the jarring noise of bells that signal a floor vote in the House or Senate. Committee hearings and bill-drafting sessions stop while representatives and senators listen to the signal.

Each chamber has its own legislative call system consisting of bells (House) or buzzers (Senate), as well as lights. New members quickly learn that two rings have a different meaning from three or five. The sound of five bells means members have only a few minutes to get to the floor to vote. Fast walkers may ignore the first warning and wait until the last minute to leave their office building for a vote, but others respond immediately. Slow-moving legislators need every minute to reach the Capitol, even with special subways to speed their trip. When five bells ring, members race for the floor. Every police officer, door attendant, and elevator operator helps clear the way for senators and representatives on their way to vote.

The system of legislative bells has been operating in Congress for decades; wiring for buzzers was installed as early as 1912. The House administrative officer has now supplemented the buzzers with wireless email pagers. Lawmakers also use beepers and portable telephones.

The longest signal is twelve rings rung at two-second intervals. It is the same in both chambers and signifies a civil defense warning.

See also Voting in Congress

BIDEN, JOE

Joseph R. Biden (1942–) became the 46th president in 2021 after having served as President Barack Obama's vice president from 2009 to 2017 and after thirty-five years in the Senate as a Democrat representing Delaware. He used his knowledge

of the chamber and close relationships with former colleagues to become an influential adviser to Obama on a variety of issues. Before his election in 2020, his penchant for loquacity brought verbal slips that made it hard for him to gain political traction on a broader playing field. But his affability and message of uniting the nation after Donald Trump's presidency helped him gain a foothold with many Democrats as well as independents who had become put off by Trump's record and behavior.

Biden is the son of a Scranton, Pennsylvania automobile dealer and regularly used his upbringing there as a touchstone in connecting with voters. He also became known for taking Amtrak trains nightly between Washington and his home in Wilmington, Delaware and joked that the long commute would be what he was best remembered for. Biden narrowly won a major upset in 1972 over popular incumbent Senator J. Caleb Boggs. He campaigned aggressively by driving around Delaware to overcome his lack of name recognition and money. In December 1972, his wife and daughter died in a car accident, and his sons were hospitalized. He very nearly gave up on serving, but Majority leader Mike Mansfield persuaded him to do so, and he was sworn in at the bedside of one his sons. Biden easily won reelection in 1978 and began to think about the White House. He announced his candidacy in June 1987, branding himself as part of a new generation that could succeed President Ronald Reagan. But a plagiarism scandal led him to drop out.

Biden chaired the Senate Judiciary Committee from 1987 to 1995. He compiled a substantial legislative record, including a comprehensive anticrime law in 1994 and an antiterrorism law in 1996. He pushed several pieces of legislation that lengthened criminal sentences, particularly for drugs favored by nonwhite users. His stewardship at the Judiciary probably is best remembered for his handling of the 1991 nomination of Clarence Thomas for the Supreme Court. The nationally televised committee hearings at which Professor Anita F. Hill accused Thomas of sexual harassment were an embarrassment to Biden, whose committee had not conducted more than a brief examination of Hill's charges until after they were leaked to the media.

Biden worked on international issues in the Senate but not always successfully. In 1999, he was unable to persuade many of his Republican colleagues to vote for a treaty at the center of global efforts to ban nuclear weapons; senators rejected the Comprehensive Test Ban Treaty 51–48, with only four Republicans joining Biden and other Democrats. Two years later, Biden became chair of the Senate Foreign Relations Committee. He brought his Judiciary experience to issues relating to terrorism. He steered a course between giving President George W. Bush's administration sufficient authority to prosecute terrorists and surrendering congressional oversight over foreign policy. But he had mixed

results in attempting to slow Bush's rush to war with Iraq. Biden insisted that the action required both congressional and United Nations approval and took credit when the president chose to ask Congress to sanction military action. Biden was for the resolution, a vote he said he later regretted. But in 2002, Bush rebuffed Biden's effort to pass legislation requiring a go-slow approach, bypassing his panel to cut a deal with House Democratic leader Richard A. Gephardt of Missouri.

Biden ran for president a second time in 2008 but dropped out after a dismal fifth-place finish in the crucial Iowa caucuses. But he forged a close relationship with Obama, his colleague on the Foreign Relations Committee. At his swearing-in, Biden referred to his Senate service: "Every good thing I have seen happen here, every bold step taken in the 36-plus years I have been here, came not from the application of pressure by interest groups, but through the maturation of personal relationships." One of the friends he made in the Senate was South Carolina Republican Lindsey Graham, a conservative who had served as one of the managers for President Bill Clinton's impeachment trial. "If you can't admire Joe Biden as a person, then you got a problem," Graham told a reporter in 2015.

As vice president, Biden became known for his jocular demeanor and occasional speaking gaffes. He came out strongly in favor of same-sex marriage in 2012 before Obama did so, putting increased pressure on the president to subsequently affirm his support. But he became a key negotiator on budget issues with Senate Minority leader Mitch McConnell and led Obama's efforts to oversee economic stimulus spending and curb gun violence. He worked with Obama on expanding steps initiated by Bush to rescue the ailing U.S. automobile industry during the 2009 recession.

Biden contemplated running to succeed Obama in 2016 but deferred to former first lady and secretary of state Hillary R. Clinton, who ended up winning the popular vote but lost in the Electoral College to Donald Trump. Biden cited his anguish over the death in 2015 of his son Beau, who died of a brain tumor at age 46. But Trump's response to the 2017 self-proclaimed white nationalist demonstrations in Charlottesville, Virginia, prompted Biden to announce his candidacy in 2020. Trump said the racist demonstrators included some "very fine people," a characterization that Biden found abhorrent. "With those words, the president of the United States assigned a moral equivalence between those spreading hate and those with the courage to stand against it," Biden said.

Biden struggled in the early months of his candidacy, with Senators Bernie Sanders of Vermont and Kamala Harris of California among those drawing more interest from voters. Biden apologized in January for portions of his anticrime legislation that targeted minorities, and his supporters said his evolution was to be

admired. One of his most ardent supporters, Representative James Clyburn (D-S.C.), provided him with a critical endorsement that helped the former vice president win that state's primary, and he also benefitted from a succession of other candidates dropping out to become the eventual frontrunner and nominee. Choosing Harris as his running mate, Biden focused his attention on, among other things, winning back states that Hillary Clinton had lost in 2016, including Michigan, Wisconsin, and Pennsylvania. He ended up winning those states as he amassed 306 electoral votes and 51.3 percent of the popular vote to Trump's 46.8 percent, the second-largest margin of victory since 2000.

In the weeks after election, Trump refused to concede and alleged widespread voter fraud, but the dozens of lawsuits that his campaign filed were struck in down in court. Many congressional Republicans spent weeks withholding their acknowledgment that Biden had won in deference to Trump, but in mid-December—more than a month after the polls closed—Kentucky's McConnell endorsed the formal result issued by the Electoral College and congratulated his former colleague.

Biden turned to Congress for several of his cabinet selections, including Representative Deb Haaland (D-N.M.) for secretary of Interior and Representative Marcia Fudge (D-Ohio) for Housing and Urban Development. Other officials, such as Chief of Staff Ron Klain, had worked with Biden when he was vice president and had served on Capitol Hill. Biden also named former California representative Xavier Becerra, who subsequently became California's attorney general, as his secretary of Health and Human Services and former Massachusetts senator John Kerry, a onetime secretary of State, as his international envoy for climate change. On policy, Biden pledged to immediately tackle the coronavirus pandemic that had killed hundreds of thousands of Americans and upbraided members of Congress who refused to wear masks. He proposed a \$1.9 trillion spending package—which became law under the reconciliation process—to combat the virus and boost the economic recovery.

Biden subsequently announced several other ambitious proposals. He unveiled an economic agenda that covered a range of areas, from improving roads and bridges to expanding childcare. The proposals thrilled many Democrats, who said it was necessary to make more frequent use of the power of government to improve Americans' lives. But the price tags for the proposals—the infrastructure package's cost alone was \$2.3 trillion—alarmed many Republicans. Some of them also bristled because they said Biden had not adequately fulfilled his promise to work closely with them. "We should all want the Biden administration to succeed in putting in place bipartisan policies that help our constituents and help our country, but that can only happen if they agree to reverse course and engage with Republicans in a genuine way," Senator Rob Portman (R-Ohio) said in April 2021.

See also Energy Policy; Former Members of Congress; Harris, Kamala; Labor, Policy; Obama, Barack; Presidents Who Served in Congress; Reconciliation; Trump, Donald; Vice President

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BILL

This is the term used for the primary method, or vehicle, that Congress uses to enact laws. Bills that start their lives in the House are labeled H.R. and those from the Senate use the letter S, followed by a number assigned in the order in which they are introduced. The numbers proceed sequentially over the two-year life of a Congress. A bill becomes a law if passed in identical form by each house and signed by the president or passed over a president's veto.

House and Senate rules require that all bills be read three times before passage, in accordance with traditional parliamentary procedure. The original purpose was to make sure legislators knew what they were voting on, but in modern practice, usually only the title of the bill is actually read.

Senate rules require bills and resolutions to be read twice, on different legislative days, before they are referred to committee. The third and final reading follows floor debate and voting on amendments. In the House, the first reading occurs when the bill is introduced and printed by number and title in the *Congressional Record*. The second reading takes place when floor consideration begins; often the bill is read section by section for amendment. The third reading comes just before the vote on final passage.

Bills vary greatly in importance. H.R. 1 is the bill number typically reserved for the House majority party's most important policy. It is the first piece of legislation introduced when a new Congress opens and, as such, receives far more attention than most other bills. In both 2019 and 2021, House Democrats used H.R. 1 to introduce the For the People Act, which was aimed at bolstering public confidence in ethics and elections. The bill would, among many other things, require states to put in place same-day registration for federal elections and allow fifteen days early voting for federal elections; make states pay for postage on ballots and other election materials; and require states to adopt independent redistricting commissions to redraw congressional districts. On ethics, it gave new requirements for both Congress and the executive branch, such as mandating the public disclosure of tax returns by candidates for president and vice president and barring members of Congress from sitting on the boards of for-profit entities. The bill was also introduced as S. 1 in the Senate. Generally, the first Senate bill does not attract the same attention as the initial House bill, partly because the first legislation often deals with revenues and such measures must originate in the House.

Bills are classified in different ways. An engrossed bill is the official copy of a measure as passed by either the Senate or House of Representatives, including changes made during floor action. It must be certified in its final form by the secretary of the Senate or the clerk of the House. The final official copy of a bill that has been passed in identical form by both the Senate and House of Representatives is known as an enrolled bill. It is certified as correct by either the secretary of the Senate or the clerk of the House, depending on where the bill originated, and is then sent on for the signatures of first the House Speaker, next the Senate president pro tempore, and finally the president of the United States.

Bills also are described in more informal ways. Bills that are introduced simultaneously in both chambers with identical language are known as "companion bills." Highly partisan "messaging bills" generally have little chance of becoming law but are political tools that lawmakers can tout on the campaign trail. One example is the House Republicans' repeated bills to repeal the Patient Protection and Affordable Care Act health care overhaul when Barack Obama was president.

A "must-pass bill" is the common term applied to critically important legislation that must be passed. It often involves authorization or funding to continue the operations of the federal government, pay the government's obligations, or protect its credit. As a result, such legislation often becomes a flypaper for completely unrelated attachments, usually offered in the Senate, that sponsors have found no other way to get passed. Presidents usually are reluctant to veto mustpass legislation. Often, however, a president will threaten to do so if the must-pass bill becomes laden with amendments that the president likely would veto separately. Sometimes a veto does occur. This happened in the 1990s when a Republican majority under the leadership of House Speaker Newt Gingrich of Georgia sought to impose its views of government spending on President Bill Clinton. Clinton vetoed the GOP efforts on several bills, leading to an embarrassing shutdown of federal offices; most of the blame for the debacle was laid on the Republicans.

The last major must-pass bill of a session, sometimes called the "last train out of the station," invariably attracts many riders. As a result, such bills are sometimes called "Christmas tree bills," with riders as ornaments.

See also Authorization Bills; Continuing Resolution; Floor Manager; House Committees; Joint Resolution; Legislation; Readings of Bills; Rider; Senate Committees

BLACK LIVES MATTER

Black Lives Matter has become one of the dominant social movements of recent years, generating particular attention after the May 2020 death of George Floyd at the hands of Minneapolis police. That has begun to translate into the election of movement activists to Congress, as well as increased pressure for passage of legislation specifically aimed at reducing racial profiling, police brutality, and racial inequality in the U.S. criminal justice system.

The movement began with the use of the social-media hashtag #BlackLives-Matter after the acquittal of George Zimmerman of Florida in the shooting death of Black teen Trayvon Martin. It became nationally recognized for street demonstrations following the 2014 deaths of two Black Americans—resulting in protests and unrest in Ferguson, Missouri, a city near St. Louis—and Eric Garner in New York City. In the year after the Ferguson protests, activist Cori Bush wrote in *Elle*, "I could count on one hand the number of elected officials who showed up and demonstrated they cared about us. Most simply took a photo or two and were gone again within minutes."

Floyd's killing marked a watershed for the movement. Minneapolis police officers arrested Floyd, a 46-year-old Black man, after a convenience store employee called 911 and told police that Floyd had bought cigarettes with a counterfeit \$20 bill. One of the white officers, Derek Chauvin, kept his knee on Floyd's neck for at least eight minutes and fifteen seconds, not removing his knee even after Floyd lost consciousness after paramedics arrived at the scene. The Police Department

fired all four of the officers involved in the episode, while prosecutors announced third-degree murder and second-degree manslaughter charges against Chauvin.

Members of Congress joined civil rights leaders in expressing outrage over the incident and President Donald Trump's handling of the ensuing protests, including one in which Trump walked through a park that authorities had cleared of protestors to stand for a photo op at a church holding a Bible. "Black lives do not matter as much as white lives. Why? Because we tolerate hatred, bigotry, and invidious discrimination. We tolerate it. And because we tolerate it, we allow it to be perpetuated," Representative Al Green (D-Tex.), who is Black, said in a speech on the House floor. "We in this country have the power to do something about the racism that exists as it relates to Black people. We have tolerated it since 1619 and the arrival of Black people in the Americas. But it is time for us to do something about it."

Police Overhaul Bill

Public sentiment shifted dramatically toward the Black Lives Matter movement: A Pew Research Center poll in June 2020 found support reached 67 percent, including 60 percent of white respondents. (Black support was at 87 percent.) That prompted the Democratic-controlled House in June to pass a sweeping police-overhaul bill named for Floyd. It called for banning chokeholds, establishing a national database to track police misconduct, and prohibiting certain "no-knock" warrants. It also included several provisions that would make it easier to hold officers accountable for misconduct in civil and criminal courts. It would change "qualified immunity," the legal doctrine that shields officers from lawsuits, by lowering the bar for plaintiffs to sue officers for alleged civil rights violations. "We have a national problem of police brutality. . . . It requires a national solution," said Representative Hakeem Jeffries (D-N.Y.), a Black member of House Speaker Nancy Pelosi's Democratic leadership team.

But the bill failed to win much bipartisan support, drawing votes from just three Republican House members. Many other Republicans said it went too far—including Trump, who accused Democrats of wanting to "weaken our police" and "take away immunity." The bill did not move in the Republican-controlled Senate, and within a few months, public support among whites for Black Lives Matter dropped by 15 percentage points, according to Pew Research, though it remained high among Blacks.

Even so, Black Lives Matter and overhauling criminal justice policies consumed plenty of attention on the presidential campaign trail. Public pressure arose on social media and among some political pundits for the Democratic nominee, Joe Biden, to select a Black running mate. He did so with his choice of California Senator Kamala Harris. As a senator and presidential candidate, Harris won

praise from movement members for introducing the "Justice in Policing Act," which sought to decrease racial discrimination and increase accountability in policing. Her presidential policy platform endorsed the elimination of private prisons, ending mandatory minimum sentences, reducing the use of cash bail, and legalizing marijuana.

Harris's pre-Senate record as a prosecutor led some activists to question whether her beliefs, in fact, closely aligned with those of the Black Lives Matter movement. "Time after time, when progressives urged her to embrace criminal justice reforms as a district attorney and then the state's attorney general, Ms. Harris opposed them or stayed silent," wrote Lara Bazelon, a law professor and the former director of the Loyola Law School Project for the Innocent in Los Angeles, in a 2019 *New York Times* op-ed. But as Biden's running mate, Harris praised the "brilliance" and "impact" of Black Lives Matter. "I actually believe that 'Black Lives Matter' has been the most significant agent for change within the criminal justice system," she said in September.

Congressional Races

Black Lives Matter and police brutality became front-and-center issues in some 2020 congressional races. In New York, former public school principal, Jamaal Bowman, spoke openly about his experiences as a Black man with racism. He ended up defeating Representative Eliot Engel, a white sixteen-term incumbent representing the Bronx along with New York City's wealthy suburbs, in a surprising primary victory before going on to win the seat in November. Another Democratic veteran of the House, Representative William Lacy Clay, also lost his 2020 primary to an opponent even more closely aligned with Black Lives Matter: Cori Bush. She beat the ten-term incumbent by running a campaign that put the movement's ideals front and center. "We need activists in Congress—not just one, or two, or ten, but an entire generation of activists," she wrote in Elle. "We have been through so much. We can't quit. We can't slow down. Now is not the time for incremental change. Incremental change means more people will die." She drew attention for a fiery House floor speech in February 2021 in which she called the previous month's invasion of the Capitol by pro-Trump voters a "blatant, heinous, vile white supremacist attack."

But other Democratic campaigns did not fare as well in 2020. In Virginia's 5th District, Cameron Webb, a Black doctor and lawyer, lost to Republican Bob Good in a race in which Good attacked Webb on the issue. "My opponent's marched with, knelt with the radical Black Lives Matter movement," Good said in one speech. And in Kentucky, former Marine fighter pilot Amy McGrath was considered a safe bet in the Democratic primary to take on powerful incumbent Senate

majority leader Mitch McConnell. But the racial justice movement elevated the candidacy of her primary rival, Charles Booker, a Black state representative who was tear-gassed during a police protest. McGrath ultimately prevailed, but the blows she suffered in the primary did not help her in a matchup against McConnell.

Nationally, after House Democrats ended up losing seats despite Biden's win over Trump, some members of the party sought to pin the blame on Black Lives Matter and its calls to "defund the police." Even former president Barack Obama dismissed it as a "snappy slogan" that could make those calling for justice lose "a big audience the minute you say it." Black Lives Matter cofounder Alicia Garza, however, pushed back on those criticism, saying the movement was used as "a political football." She endorsed the BREATHE Act, a four-part legislative proposal drafted by Black Lives Matter activists, which calls for divestment from law enforcement agencies and investment in communities of color. "There are not enough of us looking at how we legislate—how we make the rules, how we shape the rules, how we change the rules of not just policy but of our society and our culture," Garza told *Politico*. "And how we do so in a way that doesn't just rely on symbols but relies on substance."

See also Blacks in Congress; District of Columbia; Environmental Justice Policy; Progressives in Congress

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BLACKS IN CONGRESS

Black Americans were excluded from Congress for long periods of its history. But since the civil rights movement of the 1960s, they have made important gains in congressional elections. As of December 2020, 154 Black Americans had served in Congress, nine in the Senate and 144 in the House. One lawmaker—Republican Tim Scott of South Carolina—served in both chambers.

The 117th Congress (2021–2022) saw a record sixty-one Black members. Fifty-eight served in the House, and three served in the Senate. Despite their electoral gains, Blacks remained numerically underrepresented in Congress. In 2019, Blacks made up more than 13 percent of the population according to Census Bureau projections, but they constituted 11 percent of the House and 1 percent of the Senate.

The first Black member of Congress, Mississippi Republican Hiram R. Revels, entered the Senate in 1870. Another Black, Republican John W. Menard, had been elected in 1868, but his election in Louisiana was disputed, and the House had denied him a seat.

The key to election of Blacks after the Civil War was that southern states were not allowed to reenter the Union until they had enfranchised Black voters. The Fifteenth Amendment to the Constitution, adopted in 1870, barred states from denying voting rights on the basis of race. Sixteen of the twenty-two Blacks who served in Congress during the nineteenth century were elected in the 1870s—all from the South, where most Black Americans lived.

As federal troops were withdrawn, southern states began to erode the voting rights of Black citizens. By the end of the century, literacy tests, poll taxes, and other devices designed primarily to prevent Blacks from voting had been established. Between 1901 and 1929, no Blacks sat in Congress.

The long period without a Black American in Congress ended when Chicago's south side sent Republican Oscar De Priest to the House in 1929. That same Chicago area continued to provide Congress with its sole Black legislator—De Priest and two successors—until 1945, when the Black representative from Chicago was joined by Democrat Adam Clayton Powell, Jr. of Harlem in New York City.

Another watershed came in 1965, when Congress approved the Voting Rights Act, an aggressive move to end literacy tests and other requirements that kept Blacks off voter registration lists in the South. The year before, the Supreme Court had boosted Black influence by endorsing the principle of "one person, one vote." That decision eventually put an end to the practice in southern states of diluting Black voting power by drawing district lines to break up Black communities. Another step toward increased Black voting was ratification in 1964 of the Twenty-fourth Amendment, which outlawed payment of any poll tax or other tax as a voter qualification in federal elections. As Black voter turnouts increased, so did Black representation in Congress.

Along with that increased representation came a number of milestones. In 1968, Shirley Chisholm, a New York Democrat, became the first Black woman to be elected to the House. Southern voters, who had last elected a Black American in 1899, broke the long dry spell in 1972. In that year, Democrats Barbara Jordan of Texas and Andrew Young of Georgia won seats in the House. Both Georgia and

Texas later sent other Black representatives, who were joined by Black House members from Tennessee, Mississippi, and Louisiana. One of the civil rights movement's most iconic figures represented the House in Georgia: John Lewis, who served from 1987 until his death in 2020. Among his signature legislative achievements was a bill creating the National Museum of African American History and Culture, which President George W. Bush signed in 2003 after years of effort.

The 1992 elections included several firsts for Black Americans. Carol Moseley-Braun of Illinois became the first Black woman ever elected to the Senate and the first Black American to serve in the Senate since Edward W. Brooke, a Massachusetts Republican, left in 1979. For the first time since the Reconstruction era, the House delegations from Alabama, Florida, North Carolina, South Carolina, and Virginia included Black members.

The dramatic gains for Blacks in 1992 were largely a result of judicial interpretations of the Voting Rights Act requiring that minorities be given maximum opportunity to send members of their own racial or ethnic group to Congress. After the 1990 census, maps in thirteen states were redrawn to increase the number of so-called majority-minority districts, where minorities made up the majority of voters. However, this device came under increasing attack in the courts as the decade wore on.

As the number of Black Americans continued to increase in the House, those elected earlier gained seniority and, in some instances, committee chairmanships or ranking positions on committees. At the end of the 116th Congress, five Black Democrats chaired House committees: Bobby Scott of Virginia held the gavel at Education and Labor; Maxine Waters of California led Financial Services; Elijah Cummings of Maryland led Oversight and Reform; Eddie Bernice Johnson of Texas led the Science, Space, and Technology panel; and Bennie Thompson of Mississippi chaired Homeland Security. At the outset of the 117th Congress (2021–2023), David Scott of Georgia also took over the reins of the Agriculture Committee, becoming its first Black leader.

Blacks also won positions in the House leadership. In 1989, Democrat William H. Gray III of Pennsylvania became the highest-ranking Black leader in the history of the House when he was elected to the Number 3 job, majority whip. He held the post until he left Congress in 1991. The next Black American to be elected to a high-ranking position was Republican J. C. Watts, Jr. of Oklahoma. Watts served as chair of the House Republican Conference from 1999 until he retired from Congress in 2003. In 2007, James E. Clyburn (D-S.C.) was the majority whip for Democrats, and John Lewis (D-Ga.) was the senior chief deputy whip. After Democrats lost their majority in 2010, Clyburn continued to serve in the leadership as assistant Democratic leader. He became majority whip after Democrats

regained control of the House, and his endorsement of Joe Biden prior to the 2020 Democratic primary in South Carolina was seen as pivotal in reviving Biden's sagging political fortunes and eventually propelling him to the presidency.

The new generation of Blacks elected to Congress since 1992 reflected the changes begun during the civil rights era. Many came to Congress with considerable experience in state legislatures and other local government positions. California Democratic representative Karen Bass previously served in the California State Assembly, where she was the first Black woman in U.S. history to serve as Speaker of any state legislature.

Black Caucus

The formal organization of Black members of Congress is the Congressional Black Caucus, founded in the early 1970s when only a handful of Black Americans had been elected. The caucus worked for passage of legislation endorsed by its members and took positions that sometimes were at odds with those of the majority of Democrats. It regularly proposes a yearly alternative budget, which has virtually no chance of being adopted, yet often receives unanimous support from the caucus membership. Although it was sometimes confrontational, the caucus also sought a role in the House power structure, lobbying to win seats for Blacks on key committees. It also has recommended its members to presidents to nominate for cabinet positions.

When the Republicans took control of the House in 1995, they eliminated funding for the House's twenty-eight legislative service organizations, including the Black Caucus. Members of the caucus kept it going by contributing staff and resources. By 2021, the Black Caucus had an all-time high of fifty-five members. At times, the caucus drew support from across the aisle, although the only Black Republican in the House in the late 1990s and early 2000s, J. C. Watts of Oklahoma, refused to participate. He retired from Congress in 2003. After his election in 2010, Representative Allen West (R-Fla.) joined the caucus as the lone Republican member, but he clashed with other members. Representative Tim Scott (R-S.C.) who later became a senator, refused to join.

In the 1980s, the caucus successfully pressured the Democratic leadership to have Black members appointed to powerful House committees. Among the House's most liberal lawmakers, members of the Black Caucus denounced Republican cuts to poverty programs in the 1990s and emerged as some of President Bill Clinton's most passionate defenders during the impeachment proceedings in 1998 to 1999. The Black Caucus's agenda gained increased prominence after Senator Trent Lott of Mississippi resigned as the Republican majority leader before the

start of the 108th Congress after making remarks that appeared to tacitly endorse segregation. Lott and other Republicans reached out to Black colleagues, in part to avoid the perception among swing voters that the GOP was against civil rights. Some Black Caucus members also were highly critical of President Barack Obama for what they saw as Obama's willingness to negotiate with Republicans at the expense of the Democratic Party's commitment to the poor.

They were even more critical of President Donald Trump. Its members initially declined to meet with him after he took office in 2017, saying his policies would devastate Black communities, though they eventually sent the group's leaders to the White House. They presented Trump with a detailed proposal outlining the caucus's vision for Black America, and they said the president initially was receptive. But Trump's subsequent statements—including his assertion that the 2017 white-supremacist demonstrations in Charlottesville, Virginia included "fine people on both sides"—caused a permanent rift.

After Democrat Joe Biden was elected along with caucus member Kamala Harris, a California senator, Black Caucus members pushed for the president to name Blacks to his cabinet, including former caucus leader Marcia Fudge (D-Ohio), whom group members sought to be nominated as secretary of Agriculture. Caucus members noted that much of the agency's work dealt with nonfarming issues such as food assistance and nutrition. Biden, however, eventually named Fudge as his secretary of Housing and Urban Development. The new president also picked Cedric Richmond, a Democratic representative from Louisiana, as White House director of the Office of Public Engagement.

The 2020 killing of George Floyd in Minneapolis at the hands of white police officers elevated the stature of the Black Lives Matter movement and, in turn, the role of the Black Caucus. But even Scott, the South Carolina GOP senator, took on a bigger role in response. Scott worked with caucus members to draft a policing bill. With the earlier deaths of Michael Brown in Missouri in 2014 and Walter Scott in South Carolina in 2015, the senator wrote in his biography, "It was becoming harder and harder not to speak out."

See also Asian Americans in Congress; Black Lives Matter; Caucuses, Special; Characteristics of Members of Congress; Civil Rights and Congress; Harris, Kamala; House of Representatives; Income Inequality; Latinos in Congress; LGBTQ Members in Congress; Native Americans in Congress; Obama, Barack; Reapportionment and Redistricting; Senate; Women in Congress

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BLUE DOG DEMOCRATS

Blue Dog Democrats, who formally call themselves the Blue Dog Coalition, are a group of House members who consider themselves moderate or conservative members of the party. The organization was formed in the 104th Congress (1995–1997) and takes its name from the longtime description of a southern "Yellow Dog" Democrat, meaning any person who would vote for a yellow dog so long as it was a Democrat. The organization claims it took Blue Dog as a name because it felt moderate to conservative views had been "choked blue" by party leaders leading up to the 1994 elections, when Democrats lost control of the House for the first time in forty years.

In the following years, Blue Dog Democrats became a force to contend with in House battles, particularly over taxing and spending legislation. In 2007, they numbered forty-three members, a bloc large enough to be courted by others who sought their support on closely divided issues. But in subsequent years, many of them lost their seats to Republicans, and by 2021, there were just eighteen members.

The organization, which had original roots primarily among southern Democrats, included members from most parts of the nation. Most of the members come from moderate to conservative districts and states that are competitive in many elections. At the start of the 117th Congress (2021–2022), the group had three co-chairs: Stephanie Murphy of Florida for administration; Ed Case of Hawaii for policy and legislative strategy; and Tom O'Halleran of Arizona for communications and outreach. With a slimmer Democratic majority, the Blue Dogs sought to establish themselves as a political force. Its members successfully lobbied for pay-as-you-go (PAYGO) principles as part of House rules and said they hoped exemptions to those principles would be limited.

See also Caucuses, Special

BLUE SLIP

The "blue slip" has been a Senate custom—not a requirement—for almost a century. A blue slip is a piece of paper that the Judiciary Committee uses to solicit views of home state senators after a person is nominated to be a federal judge in their state. It gives meaning to the "advice" aspect of the Senate's constitutional role. The blue slip's return usually signifies to the committee that the president received the advice of the home-state senator before the nomination was made. A returned blue slip does not necessarily mean that the home-state senators will vote to confirm the nominee, but it indicates that the senators were consulted prior to nomination and that the nominee is likely to be confirmed.

The practice fell out of favor after President Donald Trump took office, with Republican leaders intent on stocking the federal bench with conservatives at the expense of consulting with Democrats from those judges' states. "During the past 100 years, before this presidency, the Senate confirmed only five judges with only one blue slip, and the last one was in 1989—and in 100 years the Senate had never confirmed a judge without two blue slips," Senator Dianne Feinstein (D-Calif.) lamented in a 2019 speech urging a return to the practice.

BUDGET PROCESS

Since the mid-1970s, Congress has used a budget process to determine government spending requirements, decide how to pay for them, and examine the relationship between spending and revenues. The process requires legislators to set overall goals for government spending and revenues—and then to tailor their actions to meet those goals. Congress makes many of its most difficult policy decisions during this exercise.

The budget process is a cyclical activity that starts early each year when the president sends budget proposals to Capitol Hill. The president's budget lays out priorities for the fiscal year that will begin October 1. Before Congress adjourns for the year, the Senate and House of Representatives will have created their own budget and provided the money needed to carry it out. Negotiations with the White House may narrow the differences between the two plans, but the congressional budget is likely to differ in important respects from that proposed by the president.

Lawmakers set their own priorities, deciding how much the government should spend and on what, whom to tax and by how much, and what gap should be allowed between spending and revenues. These decisions often bring Congress into sharp conflict with the president.

Beginnings

Through most of its history, Congress acted piecemeal on tax bills and spending bills; it had no way of assessing their impact on the federal budget as a whole. Although the Constitution entrusted Congress with the power of the purse, primary control over budget policy passed to the executive branch.

Congress first conferred budget-making authority on the president in passing the Budget And Accounting Act of 1921. That law required the president to submit to Congress each year a budget detailing actual spending and revenues in the previous fiscal year, estimates for the year in progress, and the administration's proposals for the year ahead. The law also created a Bureau of the Budget (renamed the Office of Management and Budget in 1970) to assist the president.

Congress was not bound by the president's recommendations. It could provide more or less money for particular programs than the president requested, and it could change tax laws to draw in more or less revenue. But half a century went by before lawmakers began drawing up their own comprehensive budget plans.

Budget Act of 1974

The congressional budget process grew out of fights over spending control in the 1970s. Angered by President Richard Nixon's refusal to spend money it had appropriated—a practice known as impoundment of funds—Congress decided to set up its own budget system. The Congressional Budget and Impoundment Control Act of 1974 established a budget committee in each chamber to analyze the president's budget proposals and to recommend a congressional budget policy. The Congressional Budget Office was created to provide data and analyses to help Congress make its budget decisions.

The law required Congress each year to adopt a budget resolution setting overall targets for spending and revenues and establishing congressional spending priorities. (Originally, two budget resolutions were required, but the requirement for the second was eventually dropped.) Budget resolutions did not require the president's approval—but the president retained veto power over legislation to carry out the congressional plans.

Once a budget resolution was in place, Congress was required to pass legislation making any changes in law needed to ensure that spending and taxing

guidelines were met. These changes were made through the appropriations process and through reconciliation, a procedure under which individual committees were required to adjust revenues or cut the cost of entitlement programs within their jurisdictions to meet assigned spending limits. Appropriation bills were required to conform to limits established in the budget resolution. The 1974 act set a timetable for action to be completed before the start of the fiscal year on October 1.

Changes in Law

The process seldom worked as intended. Deadlines were rarely met, Congress's budgetary restraint was weak, and federal deficits ballooned to more than \$200 billion annually. In 1985, reformers pushed through a drastic change in the procedure. The Balanced Budget and Emergency Deficit Control Act of 1985—known as the Gramm-Rudman-Hollings Act for its congressional sponsors—established annual deficit-reduction requirements that were designed to lead to a balanced budget by fiscal 1991. The law invented a new weapon, called sequestration, to make automatic the tough decisions on spending reduction that members were unwilling to face. It accelerated the budget timetable and strengthened procedures to make Congress meet its schedule.

Like the 1974 act, the Gramm-Rudman-Hollings Act did not work as intended, and Congress voted a further revision in 1987. The new measure promised a balanced budget by fiscal 1993, two years later than required in Gramm-Rudman-Hollings. It also revised the procedures for automatic spending cuts to meet objections the Supreme Court had raised the previous year.

Congress overhauled its budget procedures once again in 1990. The revised law allowed Congress to pay less attention to the deficit. Any increases in the budget deficit that were the result of either economic conditions or spending required for new people eligible for entitlement programs would not be subject to the automatic spending cuts. Congress had only to abide by new discretionary spending limits and pay-as-you-go rules requiring revenue increases to cover any changes in the law that resulted in mandatory spending on new or expanded entitlement programs or tax cuts. The measure abandoned the idea of a balanced budget deadline.

The idea of amending the Constitution to require a balanced budget had been raised frequently since the early 1980s. Support built gradually as frustration mounted over the seemingly permanent budget deficit and the ever-growing national debt—the accumulation of those annual deficits. Over the years, the text of the constitutional amendment was crafted and massaged by members of both chambers and both parties. But supporters were not able to muster the two-thirds vote required in both houses to adopt it and send it to the states to be ratified.

CLOSER LOOK

The budget timetable can be summarized as follows:

First Monday in February: President submits budget request and the executive branch's economic forecast to Congress for the fiscal year beginning October 1.

February 15: Congressional Budget Office (CBO) submits its budget and economic outlook for the next ten years to Congress (usually occurs in January).

Six weeks after president submits budget: All legislative committees submit their "views and estimates" of spending under their jurisdiction for the coming fiscal year to the Budget committees.

April 1: Senate Budget Committee reports its budget resolution to the Senate floor (no comparable deadline for the House Budget Committee).

April 15: Congress completes action on its budget resolution.

May 15: Annual appropriations may be considered on the House floor, even if there is no adopted budget resolution.

June 10: House Appropriations Committee reports the last annual appropriations bill to the floor.

June 15: Congress completes action on reconciliation bill, if it is required by the budget resolution (unless the budget resolution sets a different deadline).

June 30: House completes action on last annual appropriations bill.

July 15: President submits executive branch's midsession review of the budget to Congress.

Mid-August: CBO submits an updated version of its budget and economic outlook to Congress.

October 1: Fiscal year begins.

When the Republican Party took control of Congress in 1995, the centerpiece of the House Republicans' ambitious agenda was adoption of a balanced budget amendment. The House passed a balanced budget measure in 1995, but the Senate failed in 1995 and 1996. In the next Congress, the Senate again rejected a constitutional amendment to balance the budget. The House declined to push for a floor vote, expecting certain defeat.

Another proposal to change the budget-writing process captured the attention of Congress for two years in the late 1990s, but it was rejected by the House in 2000. The proposal was born from complaints that the existing system forced Congress to spend too much time and energy on budgeting and appropriations but too little effort on program oversight and authorization. Critics also had complained about the growth of emergency and supplemental spending measures. The bill sparked a territorial war between its sponsors and the appropriators, who saw it as an assault on their power.

The bill would have created an annual reserve fund for emergencies, designed to limit nonbudgeted supplemental spending. The annual budget resolution would have been changed from a concurrent resolution, which does not require the president's signature, to a joint resolution, which has the force of law upon enactment. It would have eased pay-as-you-go budget rules to allow surpluses not generated by Social Security to be used for tax cuts or new entitlement spending and weakened the Senate rule that required sixty votes to amend budget-reconciliation bills with nongermane provisions.

The White House was relieved when the House rejected the measure. The Clinton administration had objected to the bill. Its alternative, which also was defeated, would have created a two-year budget cycle, with passage of a budget resolution and appropriations bills during the first year of each session. The following election year would have been reserved for program authorization and oversight.

The statutory spending caps on appropriations and pay-as-you-go rules that had been first enacted in 1990 and subsequently extended expired in 2002, when Congress was unable to agree on a vehicle to extend them. Congress had routinely evaded spending caps by ignoring them in session-ending budget deals and had averted cuts by simply adopting language each year wiping the pay-as-you-go scorecard clean. Still, budget hawks said the rules had had a restraining effect on Congress, and they vowed to revisit the issue in the next Congress. When the Democrats regained control of Congress in 2007 following the 2006 elections, they resurrected the pay-go rules in both the Senate and House. After Republicans won back control of the House in 2011, they pushed budget resolutions with steep spending reductions that were starkly at odds with what Democrats wanted, and the result was gridlock.

Competition for Dollars

In the early years of the process, congressional budget making was largely a process of accommodation. House and Senate leaders, anxious to keep the process going, proposed budget resolutions that left room for new programs and additional spending. As long as Congress remained in an expansive mood, the House and Senate were able to construct budgets that satisfied the particular interests of various committees and groups.

Budget battles with the White House consumed Congress during the administration of President Ronald Reagan. Upon taking office in 1981, Reagan used the congressional budget machinery to carry out sweeping cuts in spending and taxes, as he had promised in his election campaign. In later years, Congress routinely dismissed Reagan's budgets, but it had trouble developing plans of its

own that also were acceptable to the president. Each year witnessed the two branches battling over the federal deficit, which more than doubled during Reagan's first term.

The stalemate between Congress and the president led to a new form of budget negotiations in the late 1980s, called summits. An October 1987 crash in the stock market propelled a reluctant President Reagan into a budget summit with congressional leaders of both parties. Congress approved their work—a deficit-reduction package of \$76 billion over two years—but the experience did not make the summits popular. Many senators and representatives felt they had been excluded from the most important decisions of the session.

Despite the anger over the 1987 budget summit, in 1990, President George H. W. Bush and Congress attempted to use a budget summit to negotiate a massive deficit-reduction package. Again, the summit alienated many members of Congress who were excluded from the negotiations. As a last resort, a "hyper-summit" of only eight White House and congressional leaders drafted a deficit reduction plan. But the alienated members had their say, soundly defeating the plan and embarrassing the president. Congress finally passed a compromise \$500 billion plan that was drafted by the Senate Finance Committee and House Ways and Means Committee.

The 1990 agreement limited Congress's ability to change spending priorities for a five-year period. The bill set spending limits for discretionary spending in three categories—domestic, defense, and international spending—for 1991 to 1993. For 1994 and 1995, the legislation set overall limits for discretionary spending. The agreement also included the pay-as-you-go rules to offset legislation that resulted in decreased revenues or increased spending for entitlement programs.

Building on a strong economy and two earlier rounds of deficit reduction, President Bill Clinton and the Republican majority in Congress struck a historic agreement in 1997 to balance the federal budget in five years while cutting taxes and increasing spending in selected administration priorities in areas such as children's health care. It was almost immediately translated into a congressional budget resolution that formally set Congress's budget guidelines.

Congress in 1998 failed to agree on a budget resolution for the coming fiscal year. The House and Senate passed dramatically different versions and never even began formal negotiations to work out the differences, which principally involved the size of a proposed tax cut and the consequent spending cuts needed to offset the revenue loss. An upward surge in projections for a budget surplus only served to deepen the differences. It was a harbinger of things to come: three times in five years—2002, 2004, and 2006—Congress did not produce a budget. In 2007, Democrats—newly back in power in both chambers—passed a budget resolution early in the year.

The era of budget surpluses was brief. A recession, a decline in the stock market, and President George W. Bush's \$1.4 trillion tax cut in 2001 forced a decline in revenues that had been soaring. At the same time, spending increased after the September 11, 2001 terrorist attacks and the Afghanistan military campaign.

During that time, the appropriations process was divisive and difficult as the White House sought to limit domestic spending while proposing additional tax cuts and defense spending. The result was an appropriations logjam and a series of continuing resolutions to fund the government. This same pattern continued in the following years. Rather than deal with all the issues in the unpassed appropriations bills, the Democrats funded all the rest of the government for fiscal 2007 with a single massive continuing resolution—a practice that has continued in subsequent years. Congress continued to rely on the omnibus appropriations process to get spending bills into law.

See also Appropriations Bills; Committee System; Congressional Budget Office; Continuing Resolution; Debt Limit; Executive Branch; House Committees; Impoundment of Funds; Omnibus Bills; Purse, Power of the; Reconciliation; Reform, Congressional; Senate Committees; Vetoes

BUDGET TERMS

Few issues have as arcane and as extensive a language as that of the budget process. Many terms are spoken on Capitol Hill and frequently mentioned in the news media but generally with little clarification. Nevertheless, these terms are among the first things that anyone needing to understand Congress should learn.

Appropriations

Acts of Congress that provide actual funding for programs within limits established by authorizations. Appropriations usually cover one fiscal year, but they may run for a definite or indefinite number of years. More than half of all federal spending—for programs such as Social Security and interest payments on the federal debt—has permanent appropriations, which do not have to go through the annual appropriations process.

Authorizations

Acts of Congress that establish discretionary government programs or entitlements, or that continue or change such programs. Authorizations specify program

goals and, for a discretionary program, set the maximum amount that may be spent. For entitlement programs, an authorization sets or changes eligibility standards and benefits that must be provided by the program.

Baseline

An estimate of spending, revenue, the deficit or surplus, and the public debt expected during a fiscal year under current laws and current policy. The baseline is a benchmark for measuring the budgetary effects of proposed changes in revenues and spending.

Budget

A financial plan for the U.S. government prepared annually by the executive branch. The budget sets out in fine print how government funds have been raised and spent and what the president plans for the country in the fiscal year ahead. It is sent to Congress each year in early February. The budget provides for both discretionary and mandatory expenditures. Discretionary funds are appropriated by Congress each year. Congressional appropriations bills are not required to follow the guidelines specified in the president's budget. Mandatory spending is for entitlement programs such as Medicare and veterans' pensions. An entitlement can be changed only by a separate authorizing bill.

Budget Authority

Legal authority to enter into obligations that will result in immediate or future government spending, called outlays. Budget authority is provided by Congress through appropriations bills.

Budget Resolution

A congressional spending plan that does not require the president's signature. A budget resolution sets binding totals for broad categories of spending—expressed in budget authority and outlays—and for revenues. Authorization and appropriations bills must then observe these totals. The resolution assumes that certain changes will be made in existing law, primarily to achieve savings assumed in the spending totals. These savings are legislated in appropriations bills and sometimes in reconciliation bills. Each year, Congress is supposed to complete action by April 15 on a budget resolution for the fiscal year that will begin October 1. Between 1975 and 2020, this deadline has only been met six times. The House has only

passed its budget resolution sixteen times by then, and the Senate has only passed a budget resolution by then twenty times. In 2018, for the first time, neither the House nor the Senate approved a budget resolution. That failure was repeated in 2019 and 2020.

Congressional Budget and Impoundment Control Act

The 1974 law that established the congressional budget process and created the Congressional Budget Office.

Deficit

The excess of spending over revenues. A surplus exists if revenues are greater than spending. From fiscal 1969, when a small surplus occurred, through fiscal 1997, the budget was always in deficit. Surpluses were recorded the following four fiscal years and then plunged back into deficit from fiscal 2002 onward.

Discretionary Spending

Government spending implemented through an appropriations bill. This spending is an optional part of fiscal policy, in contrast to social programs in which funding is mandatory and determined by the number of eligible recipients. Discretionary spending covers such areas as national defense, foreign aid, education, and transportation.

Entitlement

A program that must provide specified benefits to all eligible persons who seek them. Social Security, Medicare, and Medicaid are examples of entitlements. Generally, these programs are permanently authorized and are not subject to annual appropriations.

Fiscal Year

The federal government's accounting period. The fiscal year begins on October 1 and ends on September 30 of the following year. A fiscal year (FY) is designated by the calendar year in which it ends; for example, FY 2008 began on October 1, 2007 and ended on September 30, 2008.

Outlays

Actual cash expenditures made by the government. In passing appropriations bills, Congress does not directly vote on the level of outlays. Each year's outlays derive

in part from budget authority provided in previous years. Outlays also include net lending—the difference between what the government lends and what borrowers repay—such as payments on student loans.

PAY-GO

A term that stands for pay-as-you-go. It was, for a period, an important part of the effort to control ballooning federal spending and deficits. The PAY-GO law, enacted in 1990, theoretically triggered across-the-board spending reductions if tax cuts or new entitlement spending were not offset by revenue increases or entitlement cuts. The PAY-GO rules were often avoided by various budget tricks commonly used in Congress. But budget hawks said the rules were a restraining effect on Congress. They warned that without the rules, it would be easier for members to approve spending that worsened the deficit. The rules expired in 2002, and the hawks were proven correct as tax cuts combined with significant new spending sent the deficit soaring. In 2007, Democrats, newly in control of both houses, reinstated the rules. The House approved PAY-GO rules in January, and the Senate followed suit in May in the fiscal 2008 budget resolution.

Receipts (Revenues)

Government income from taxes and other sources, such as import duties, user fees, and sales of federal assets.

Reconciliation

Legislation that revises program authorizations to achieve levels of spending required by the budget resolution. Reconciliation bills usually also include revenue increases. The bills are based on instructions in the budget resolution that require authorizing committees to draft legislation specifying revenue adjustments or cost-cutting changes in programs under their jurisdiction. The "Byrd rule" is frequently raised during Senate debates on reconciliation. Named for the late West Virginia Democratic senator Robert Byrd, it allows a senator to strike extraneous material in, or proposed to be in, reconciliation legislation or the related conference report. The rule defines six provisions that are "extraneous," including a provision that does not produce a change in outlays or revenues.

Sequestration

An automatic procedure for making spending cuts required by the Gramm-Rud-man-Hollings law if Congress and the president fail to make them legislatively.

Under the Gramm-Rudman-Hollings law, as revised by subsequent laws, the president's Office of Management and Budget (OMB) determines whether spending will fall within the range set by law. If the legal limit is exceeded, OMB determines how much needs to be cut, or sequestered, from the budget. The Congressional Budget Office plays an advisory role. About two-thirds of federal spending is exempt in some way from the automatic cuts. If cuts are needed, they are imposed fifteen days after Congress adjourns. This procedure had expired but was brought back in a modified form in 2011 as part of the agreement to raise the federal debt ceiling.

See also Appropriation Bills; Authorization Bills; Congressional Budget Office; Entitlements; Impoundment of Funds; Reconciliation