

near anarchy in the House's functioning, such that congressmen spend the day dashing from subcommittee to subcommittee to roll call vote to quorum call, and never have time to deliberate or become competent in major areas. Twenty years ago there were 3,059 committee and subcommittee meetings. Four years ago there were more than twice as many—6,975. The average member works 11 hours per day when the House is in session, and spends none, or little, of that time by himself, studying issues.

Another erosion point occurred in 1974 with the passage of the Congressional Budget Act. Where committee chairmen could substantially determine federal budgets in the past, the Budget Act created the House and Senate Budget Committees to circumscribe that power. One former House Armed Services Committee staffer told of the first budget clashes in 1975 when the Senate Budget Committee, then headed by Senator Edmund Muskie (D-Maine) sent the military construction authorization bill back to the conference committee because it had exceeded the Budget Committee's ceiling. Senate Armed Services Committee chairman John Stennis (D-Miss.) solved the problem by cutting all the funding for shipbuilding in Maine, the home state of the Budget Committee chairman. Stennis did not have the same trouble again, but other committee chairmen have not been able to wield such power.

In a larger sense, the destruction of the strong role of two dozen committee chairmen and House leaders has led to the unbalancing of the separation of powers concept of "checks and balances." Increasingly, the executive branch, especially under Carter, dominated by environmentalists, consumerists, public interest groups, or budget cutters, has been able to run roughshod over the weakened Congress. A veteran administrative assistant who described the 1974 massacre said, "70 percent of the time and manpower in a congressional office now goes to casework—straightening out our constituents' problems with the federal government. We carry 700 to 1,500 cases per year. We don't initiate, we don't legislate, we are reactors. We have become the ombudsmen of the executive branch."

The result? Forty-three congressmen and senators following over 100 of their colleagues in the past four years and simply getting the hell out. A case in point is Texas Democrat Ray Roberts, chairman of the Water Resources subcommittee of the House Public Works Committee. Public Works Committee chairman Bizz Johnson is in serious danger of losing his reelection bid, which would put Roberts in a good position to become committee chairman. Despite that possibility, Roberts is retiring.

When he assumed chairmanship of the Water Resources Subcommittee in 1976, he did so with the intent to use his chairmanship to develop a water policy for the nation to last through the year 2020, in the time-honored tradition of the old Rivers and Harbors Committees that

gave the United States its system of internal waterways. With environmentalists dominating the executive branch, Roberts found that the administration could do nothing except oppose existing projects. On the other hand, erosion of the seniority system left the congressman unable to initiate anything comprehensive at the congressional level. Not one new water project has been started in the past four years, let alone a comprehensive strategy. In short, Congress no longer works. What happened to it?

The rise of the Democratic caucus

The history of Congressional reform in the 1970s is the history of the rebirth of the Democratic Party caucus.

The caucus is the fundamental tool of parliamentary functioning. Ultimately, constituency influences from below, mediated through powerful committee chairmen, are to be wholly replaced by party discipline from above, dictated by the caucus. The United States is at an inflection point: the caucus procedure has broken the power of committee chairmen and fragmented and immobilized the House, but parliamentary advocates have yet to succeed in imposing effective policy control by caucus.

Following the demise of the short-lived "King Caucus" at the turn of this century, where caucus decisions were binding on Democratic members of Congress, the Democratic caucus was largely symbolic up to the 1970s. Speaker Sam Rayburn used the caucus only at the outset of each session to ratify leadership positions for the House. During the early 1960s, the vastly outnumbered liberals in the House, guided by the Institute for Policy Studies, formed the Democratic Study Group (DSG). By 1968, the DSG came out with a series of specific proposals to revive the caucus and reform the House. The removal of Lyndon Johnson from the Presidency, in tandem with the crippling of the traditional machine base of the Democratic Party at the 1968 Chicago convention, obviously gave the "reformers" the green light they needed to accelerate the assault on the House.

The first concrete reform came in 1969, with the seemingly small step of establishing monthly meetings of the Democratic caucus in the House, and allowing any member to bring up a point of discussion. Using this forum, the reformers succeeded by 1970 in establishing a Committee on Study, Organization and Review which proposed changes in the seniority system that December. In January 1971, it was decided that seniority would no longer be the automatic determinant in committee

succession, and that any 10 Democrats could obtain a vote call on a committee chairmanship. Those new rules had little effect at the time. One other reform did, however—the provision limiting members to only one chairmanship of a major legislative subcommittee. This opened 16 subcommittee chairs to new chairmen in 1971.

The DSG proposed another series of caucus reforms in January 1973, which were promptly adopted. One-fifth of the members of the Democratic caucus could now mandate a secret ballot for votes on committee chairmen. A subcommittee “bill of rights” was established that allowed the caucus to decide subcommittee jurisdictions, to allocate subcommittee budgets, to give subcommittee chairmen the right to hire their own staffs for the first time. The caucus further mandated written rules for committee procedure, which prevented chairmen from pocketing legislation and refusing to refer it to subcommittee.

Continuing procedural successes in the caucus led the reformers to attempt a major escalation. In 1973, one of the original reformers, Richard Bolling, a close ally of then Majority Leader Tip O’Neill, became head of a select committee to reform the House committee structure. The Bolling Committee proposed sweeping jurisdictional changes in three powerful committees: Ways and Means, headed by Wilbur Mills; House Administration, headed by Wayne Hays; and House Education and Labor, a stronghold of organized labor-supported congressmen. The Ways and Means Committee chairman in particular was virtually part of the House leadership; before the reforms eroded its power, Ways and Means set legislative priorities for Democrats, made committee assignments for them, and exercised immense power. During Mills’s tenure, the committee had no subcommittees, and Mills maintained total control.

Mills, Hays, and Phil Burton, representing the Labor Committee, effectively roadblocked the major jurisdictional reforms by the Bolling group. But the reform effort was back on track in 1974 following two major political dislocations: the post-Watergate sweep into the House by young, liberal Democrats, and the Tidal Basin affair, which destroyed Wilbur Mills. The election of 70-odd new Democrats gave the reformers the numbers they needed to depose sitting committee chairmen. This resulted in the toppling of Banking’s Patman by Henry Reuss, Armed Services’ Hebert by Mel Price, and Agriculture’s Poage by Tom Foley. Wilbur Mills resigned as chairman of Ways and Means, and four other standing committee chairmanships changed hands due to retirement.

In addition, further reforms were pushed through. The vote for all committee chairmen was made automatic. The powerful Appropriations Committee chairmanship was made subject to caucus approval. (In 1976, this resulted in the deposing of Florida’s Bob Sikes from the

Military Construction Subcommittee.) The Ways and Means Committee was stripped of its power to make committee assignments. A new provision forcing any committee having more than 20 members to establish at least four subcommittees diffused the power of the new Ways and Means chairman, Al Ullman.

The first phase was over. The committee chairman’s power had been broken, and effective committee chairmen had been ousted. Congress was in a weakened state. Phase Two was “ethics.” Wayne Hays, who had survived the December 1974-January 1975 massacre by beating back Frank Thompson’s challenge to his House Administration chairmanship, was felled by the Elizabeth Ray scandal.

In 1975, a Brookings Institution study by Edmund Beard and Stephen Horn called “Congressional Ethics, the View From the House,” made the following point:

How then can the reforms [of ethical standards] be achieved that low public confidence in government seems to call for? Ironically, the very climate that has accelerated the erosion of public trust may bring forth the answer. The atmosphere surrounding a heavily publicized scandal is conducive to the reordering of old standards; indeed, it appears to be vital for such a change to take place.

The Hays scandal prompted the creation of the Commission on Administration Review, an ethics panel headed by David Obey of Wisconsin. Hays chose to step down in November 1976, and in March 1977, the House adopted the Obey Commission reforms, which demand strict financial disclosure statements and a limit on outside earnings for congressmen. Those “ethical” reforms have prompted a substantial percentage of the voluntary retirements from Congress of members who cannot afford to maintain two residences (one in Washington and one in their home districts) on approximately \$64,000 a year and also send their children to college. The ethics reforms heralded a new wave of departures as the Korea-gate scandal took its toll. Another set of scandals took out key members of the Pennsylvania delegation, such as Daniel Flood and Joshua Eilberg.

Further subcommittee reforms have occurred in the past two years, while another House attempt at wholesale committee jurisdictional juggling failed once again. But the main instrument of “reform” is currently lodged in the Abscam/Brilab operations by the Carter administration. Democrat Austin Murphy’s impassioned argument before the House during the Michael Myers Abscam expulsion cuts to the heart of the last 10 years of “reforming.” What, asked Austin, is to prevent the executive branch from entrapping 100 members of the Congress, and then dissolving the House of Representatives?

We are more than a little way along the road to parliamentary government.

The erosion of leadership

Throughout most of the 20th century, the job of congressman was considered a lifetime profession. Members of Congress either died in office, after long and apparently faithful representation of their constituents, or they were voted out. That has changed, and with it Congress has changed.

Forty-three congressmen and senators are voluntarily leaving Congress this year. Two years ago, 50 retired and in 1976, 57 left. This means that over a period of four years, 159 congressmen—over one-third—have voluntarily left Congress, exclusive of departures forced by electoral defeats. During the previous two decades, the average departure rate was barely above 30.

As a result of those resignations, and of the liberal Democratic sweep in the post-Watergate 1974 election, when the 96th Congress opened in January 1979, 220 members of the House of Representatives had served in the House for *four years or less*—over half the entire membership. After the 1980 election, the figure will probably be over 60 percent. In 1971, 20 percent of the House had served at least 10 terms in the House.

The average age of members of Congress has dropped to below 50-years-old for the first time since World War II. In 1951, the average age of a member of the House was 52 years old; the average age of a senator was 58.5 years old.

Not only are the congressmen younger and less senior, but they have less precongressional political experience.

How this demographic upheaval has affected the Congress becomes clearest when one looks at the House of Representatives in 1970 compared with today, and at the enormous changes in the power structure of the House.

There is only one major House committee chairman serving today in the 96th Congress who was a committee chairman in 1970: Harley Staggers (D-W.Va.), chairman of the House Interstate and Commerce Committee. Staggers is retiring this November, meaning that the 1980 session will be without a major single point of continuity.

Even more remarkable is what has happened to the line of succession in the major committees. One

could assume that many former second- and third-ranking members of the committee would serve as committee chairmen today. Yet only *one* second-ranking member of a 1970 committee, Foreign Affairs Committee chairman Clement Zablocki (D-Wis.) has actually made the succession. Not one of the rest of those number-two men on the 1970 committees is even in Congress today (see box, page 45).

Of the number-three men on those 1970 committees, only three have become committee chairmen—Jamie Whitten of Appropriations, Frank Thompson of House Administration (over Watergated Wayne Hays), and Peter Rodino of Judiciary, replacing Emmanuel Celler, who lost a close and suspicious primary fight to Elizabeth Holtzman in 1974. Ironically, both Thompson and, less directly, Rodino are currently under the shadow of Abscam, as their accumulated power and constituency clout make them fair prey.

The House leadership itself reflects similar dislocations, as the line of succession was disrupted twice this decade—once by the death of Majority Whip Hale Boggs in a mysterious plane crash in 1971, and again by the Koreagating of then Majority Whip John McFall in 1978. Had he lived, Boggs would be Speaker of the House today, and McFall its Majority Leader.

Synonymous with the power of committee chairmen 10 years ago was the power of key regional voting blocs, most notably Texas and the Deep South, and labor-based northern urban machines. In 1970, Texas representatives held the chairmanships of the powerful Agriculture, Appropriations, and Banking Committees. Today, only Government Affairs chairman Jack Brooks remains as a reminder of former Texas clout. The South's power, with Rivers of South Carolina at Armed Services, Colmer of Mississippi at Rules, and Mills of Arkansas at Ways and Means was legendary.

Between 1958 and 1968, the South never controlled fewer than half of the House standing committees. In 1968, nine of the Senate's 16 standing committees, including all the major ones, were headed by Southerners. Old-line Democratic machines in Maryland, New York, and Pennsylvania produced the 1970 chairmen of the House Administration, Judiciary, Merchant Marine, Public Works, and Foreign Affairs Committees. Today, Abscammed John Murphy of New York is all that is left of those states' hold on major committees.