

10
THINGS YOU
NEED TO
KNOW ABOUT

Washington

PART 1 OF 2

It isn't easy following the action—or lack of it—in the nation's capital. Here are the basics from David E. Sanger, chief Washington correspondent for *The New York Times*.



WATCH A VIDEO

Covering Congress
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1

How much power does the president really have?

Many Americans assume the leader of the world's most powerful nation can do just about anything: fix the economy, spend tax dollars as he pleases, and protect the nation from harm. In reality, the president's powers are more limited. The Constitution makes the president the commander-in-chief of the military and gives him the authority to appoint federal judges, the heads of federal agencies, and justices of the Supreme Court (all subject to Senate confirmation).

Beyond that, it's a lot trickier. In foreign affairs, the president has a good

deal of latitude, because in his role as commander-in-chief there's so much he can do without congressional approval. He can send troops to intervene in a conflict (though only Congress can officially declare war), order drone strikes against suspected terrorists, and sit down with foreign leaders to press for U.S. interests.

Domestically, the president must work with Congress to get anything done. President Obama took office with a big agenda, including closing the Guantánamo prison and reducing greenhouse gas emissions. But with

control of Congress divided—Democrats hold 52 of 100 seats in the Senate and Republicans 234 of 435 seats in the House of Representatives—he has been stymied. He can draw media attention to issues and pressure lawmakers, but only Congress can enact laws or pass budgets.

"Americans do expect the president to be their eyes, their ears, and their voice," says presidential scholar Stephen Hess. "But really, the president is just one player in a very complicated system." ▶

Additional reporting by Patricia Smith.



re-election campaigns in gear, and to raise money. Most are in Washington only from Tuesday through Thursday, and their families don't live there. That doesn't leave much time to negotiate compromises or get to know each other, much less the president.

Another key factor is the 24/7 news cycle. There's intense pressure to instantly respond to every video and tweet. That doesn't encourage much thoughtful discussion among colleagues.

Lastly, the parties themselves have changed.

Compromise has become a dirty word in Washington.

Lawmakers who try to find bipartisan solutions have to worry about challenges in the primaries from the more extreme wings of their parties.

The consequence is gridlock. Today, Dingell says, "I'm not sure we could pass the 10 Commandments in Congress."

But some lawmakers think it's still possible for the parties to work together. Senator Mark Warner of Virginia says his role is to "continue working hard every day to not simply blame the other side, but to actually try to find common ground so we can get stuff done."

2

Do Democrats and Republicans ever cooperate?

There are brief moments of cooperation, but they're getting rarer and rarer. The question is, why could Republicans and Democrats agree in the past to big, history-changing legislation like the Civil Rights Act of 1964, but today they can't even pass a budget?

John Dingell, a Michigan Democrat, is the longest-serving member of Congress and knows Washington inside and out. When he was elected to the House in 1955, most members of Congress moved their families to

Washington. They had dinner with each other and their kids went to school together. Sometimes, they went to the White House for a cookout or met for a round of golf, Dingell recalls. It's harder to personally attack people you know well and socialize with, even if you disagree with them.

That's gone today, Dingell says, because members of Congress think they constantly have to fly back home to avoid the perception that they've lost touch with their districts, to keep their

3

Why do some bills become law and others don't?

Textbooks often have neat diagrams on "How a Bill Becomes a Law," showing an easy flow from the House to the Senate to the president's desk. In real life, it's a lot more complicated. In the 112th Congress (2011-12), 12,298 bills were introduced; only 283—2 percent—became law.

Lots of bills are introduced just to make a political statement. Lawmakers want to be able to say they voted for (or against) something. Many in Congress have repeatedly voted against raising the "debt ceiling," which limits the amount of money the government can borrow. They want to be able to claim they tried to hold down government spending, but they're counting on the measure passing despite their no votes because they know it would be a disaster if the U.S. government

couldn't pay its debts. That's what Senator Barack Obama of Illinois did in 2006 when he voted against raising the debt ceiling; as president, he's repeatedly urged Congress to raise it.

Other bills—or presidential nominations that the Senate has to approve—never come to a vote because a powerful committee chairman never lets the issue come to the floor. (Any senator can place a "hold" on a nomination, and a

minority of senators can prevent a bill from coming up for a vote—something that's been happening more and more recently.) But every once in a while, an issue is regarded as so important that a deal comes together. That's what seems to be happening now with a bill to reform the nation's immigration system.

Lots of Laws

1,028

Number of bills passed in the 84th Congress (1955-56)

4 Does our system of checks and balances still work?

The Founding Fathers based the Constitution on the idea of separation of powers. Checks and balances means that the three branches of government all have limiting powers over each other so that no one branch becomes too powerful. For example, Congress passes laws, but the president can veto them. Congress can override the veto, and the Supreme Court can throw the law out if it finds it unconstitutional. (The press, protected by the First Amendment, is a “check” outside the government system. The press can expose corruption or other wrongdoing, and there’s little the government can do to stop it).

Presidential Vetoes by the Numbers

2,564

Number of bills presidents have vetoed since 1789.

2

Number of bills President Obama has vetoed.

0

Number of bills vetoed by Thomas Jefferson.

4.3%

Percentage of vetoes that Congress has overridden since 1789.

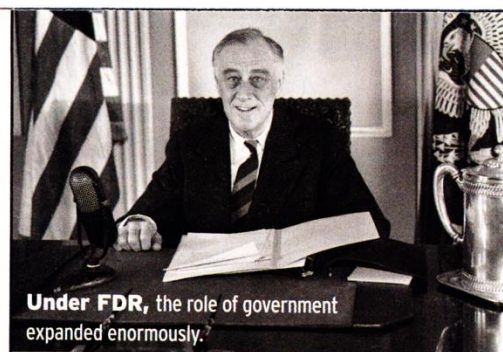
But in a highly politicized Washington, there’s been a lot more “checking” in the last few years. Take presidential appointments, for example. The president makes appointments, but the Senate has to confirm those appointments for them to take effect.

Critics say the system is being abused by whichever party isn’t in the White House: Republican senators don’t want Democratic judges taking important spots on the bench (and Democrats felt the same when George W. Bush, a Republican, was president). They’d rather the seats stay empty until a president from their own party can make the appointments. The vacancies have resulted in long delays in the federal courts. Meanwhile, Washington is full of “acting” heads of various agencies, because the Senate has failed to vote on Obama’s appointments. There’s a loophole: If the Senate is unavailable to confirm a nominee, the president can temporarily fill the position; it’s called a “recess appointment” since it’s supposed to happen when the Senate is in recess. President Obama has used this power a lot—too much, if you ask his critics.

When it comes to the power to go to war, checks and balances have largely been ignored. The Constitution says explicitly that only Congress can declare war, but the last time Congress formally did so was World War II, even though the U.S. has since fought wars in Korea, Vietnam, Iraq (twice), and Afghanistan.

In 1973, Congress passed the War Powers Resolution, requiring the president to get approval from Congress within 90 days of committing U.S. troops to any conflict. But presidents have mostly sidestepped the law.

“No president has ever accepted the statute’s constitutionality, Congress has never enforced it, and even the bill’s original sponsors were unhappy with the end product,” says former Congressman Lee H. Hamilton of Indiana.



Under FDR, the role of government expanded enormously.

5 Is the federal government too big?

In the White House residence is a little study out of which President Lincoln ran the government during the Civil War with a couple of aides. Today, thousands work for the White House, and the federal government is the nation’s biggest employer, with 4.4 million workers.

What led to this huge expansion? Basically, the idea that government is there to do more than send armies into war and deliver the mail. The Great Depression was a turning point: It caused so much upheaval that people wanted the government to take on a larger role in the economy and caring for citizens. The most influential of the programs created under Franklin D. Roosevelt was Social Security, a system of payments to support the elderly. The second large expansion came in the 1960s: President Lyndon B. Johnson’s Great Society programs, which provided, among other things, health care to the elderly and the poor.

Now even those who favor smaller government wouldn’t dare suggest eliminating Social Security. Once a program starts, it’s very hard to kill it because it creates jobs and taxpayers depend on it.

The debate over the size of the government is a fundamental difference between Republicans, who tend to favor less government, and Democrats, who support a larger role for government.

“I think underlying a lot of the conflict in Washington,” says Stephen Wayne of Georgetown University, “is this philosophical question of how big a role government should play in our lives.” •

LOOK FOR PART 2

in the Sept. 16 issue of *Upfront*: Where our tax dollars go, the impact of the Web, lobbying, and more.



Justice Sonia Sotomayor testifying at her Senate confirmation in 2009

10 THINGS YOU NEED TO KNOW ABOUT

More of the basics to help you understand how things really work in the nation's capital, from David E. Sanger, chief Washington correspondent for *The New York Times*

Washington

PART 2 OF 2

What happens in Congress and the White House may seem remote, but it actually has a big impact on our daily lives.

Part 1 of "10 Things You Need to Know About Washington" (*Upfront*, Sept. 2) covered:

1. How much power does the president really have?
2. Do Democrats and Republicans ever cooperate?
3. Why do some bills become law and others don't?
4. Does our system of checks and balances still work?
5. Is the federal government too big?

6

How much do Americans pay in taxes and how is it spent?

The federal government will take in about \$2.7 trillion this year, and about 56 percent of that will come from personal income taxes. The richest Americans, the so-called "top 1 percent," pay about a third of all income taxes, and the top quarter pay 87 percent. The half of the country making less than \$32,000 a year pays about 2 percent of income taxes.

About a third of the government's revenue comes from Social Security taxes (the FICA deductions on your paycheck). In theory, that money is meant for your retirement, but the government actually spends the money as it comes in with a promise to pay you in the future. (That promise has become more dubious with fewer workers now supporting a ballooning number of retirees.)

The government's biggest spending items are "entitlement programs": Social Security (paying off current retirees) and Medicare and Medicaid (healthcare programs for the elderly and poor), followed

by defense (*see chart*). Everything else—including education, airport security, even keeping the courts running—is small by comparison.

The fundamental budget problem is simple: For years we've "run a deficit"—spent a lot more than we've taken in—and had to borrow the difference, mostly from individual investors and foreign governments. That's led to a \$16.8 trillion national debt.

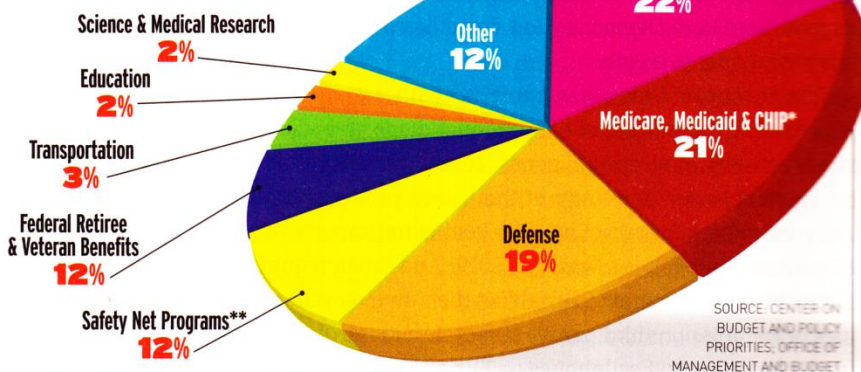
The solution is to cut spending or raise taxes, or both. Most economists agree a

combination is the way to go. But that involves political compromises between Democrats, who don't want to cut entitlement programs, and Republicans, who don't want to raise taxes. (The inability to make a deal is how we ended up with the "sequester"—across-the-board spending cuts that took effect March 1.)

Most voters want compromise. "A substantial majority of Americans—about 76 percent—think we need both spending cuts and tax increases," says Allan Murray of the Pew Research Center.

The Federal Budget

Total 2012 spending: \$3.5 trillion



WATCH A VIDEO

What's the Deal With the National Debt?

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Members of Congress
being sworn in, January 2013

7

How much time do lawmakers spend on getting re-elected rather than governing?

To get re-elected, members of Congress need to raise a lot of money—\$1.7 million was the average in 2012, though competitive races cost a lot more. That means they need to spend a good chunk of time back in their home districts, courting donors and staying in touch with voters.

This is a much bigger problem in the House, where members face re-election every two years. (Senators have six-year terms, so they're under less pressure.) House members really never stop running for office. You could argue this is a good thing because it keeps politicians in touch with the people they represent.

In fact, the Founding Fathers intended it that way, to make sure that the representatives were accountable to the people.

But today fundraising is constant. In 2012, the House was in session for 153 days; members were home for 213 days. Even when they're in Washington, the pressure is on. A week after new members of the House were sworn in last year, Democratic leaders told them to start raising money. It's the same for Republicans.

Congressman Rodney Davis, an Illinois Republican, says he's made fundraising calls from all kinds of places, even park benches. (Elected officials aren't allowed to ask for donations from their offices.)

"It's unfortunately part of our political process that you have to take time to do that," Davis tells the *Boston Globe*. "If you don't, it's at your own political peril."

All this leaves very little time for hearings, debate, and writing legislation. Is there a fix? Having the federal government assume the total cost of elections—rather than allowing individuals, businesses, and interest groups to donate to campaigns—would solve this problem.

But the Supreme Court has ruled that donating money to candidates is a form of free speech protected by the First Amendment, so the system is unlikely to change significantly. ▶

8

What are lobbyists and what do they really do?

Lobbyists are hired to pressure members of Congress or the White House to favor a particular industry, cause, piece of legislation, or project. The term traces its roots to the British Parliament: In the 17th century, a public room known as the lobby became a place where people could approach members of the House of Commons and plead for special favors.

Though lobbying has become something of a dirty word, there's nothing inherently bad about it. In fact, the First Amendment protects the right to petition the government.

"In absolute terms, lobbying is viewed by our Constitution as a basic right," says Fred Wertheimer, president of Democracy 21, an organization working to remove the influence of money from politics.

"The problem that arises stems from the use by lobbyists of campaign [donations] to influence government decisions."

Today, influencing political decision-making has become big business: Lobbying is a \$3.5 billion industry.

Lobbyists say the money isn't going for influence peddling, but for educating members of Congress. Tony Podesta, one of the most sought-after lobbyists in Washington, says his main role is making lawmakers think about the real-world effects of the laws they are considering.

"It improves decision-making for people to understand the consequences of what they're about to do," Podesta says.

Often, the most effective (and highly paid) lobbyists are former members of Congress, who have special access to their old colleagues. Forty years ago, only 3 percent of members of Congress became lobbyists, according to *This Town*, a book about Washington by journalist Mark Leibovich. Now, Leibovich says, 50 percent of senators and 42 percent of congressmen become lobbyists after they leave office. That's contributed to a perhaps too cozy relationship between lobbyists and lawmakers.

"You'll see ski weekends, tennis



Lobbying 2012 Top Spenders

1. **U.S. Chamber of Commerce**
\$136,300,000
2. **National Association of Realtors**
\$41,465,000
3. **Blue Cross/Blue Shield**
\$22,490,000
4. **General Electric**
\$21,200,000
5. **American Hospital Association**
\$19,230,000
6. **National Cable & Telecommunications Association**
\$18,890,000
7. **Pharmaceutical Research & Manufacturers of America**
\$18,530,000
8. **Google**
\$18,220,000
9. **Northrop Grumman**
(aerospace and defense company)
\$17,540,000
10. **AT&T**
\$17,460,000

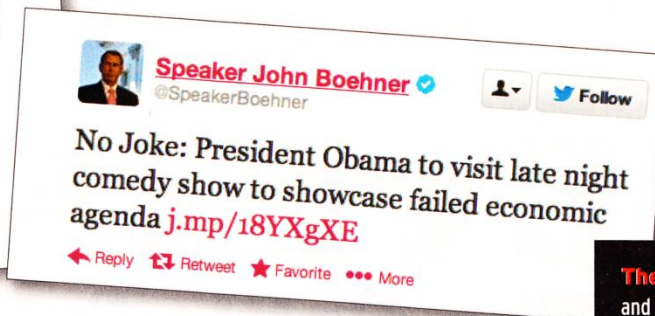
SOURCE: OPENSECRETS.ORG (CENTER FOR RESPONSIVE POLITICS); NUMBERS HAVE BEEN ROUNDED.

weekends, golfing weekends where the lobbyists donating money get to spend time with the member of Congress," says Wertheimer. In other words, the campaign donations buy access for lobbyists that ordinary folks don't have.

When it comes to the lobbying power of different groups, it's not just who can spend the most money (*see chart*), but also who can sway the most votes in elections, and that tends to be special-interest groups. For example, labor unions, which fight to raise wages and prevent cuts to social programs, can mobilize millions of members. This year, after a Connecticut school shooting, the 4 million-member National Rifle Association worked especially hard to defeat gun-control legislation. Silicon Valley firms lobby for tax breaks for research and development and for immigration reform that would allow them to hire the most talented foreign workers.

All this is legal. You can spend as much as you want cajoling members of Congress, and threatening to work to get them voted out of office. But it means the biggest voice in government goes to those who can afford to hire lobbyists.

"What we need to do," says Stephen Spaulding of the government watchdog group Common Cause, "is strengthen the ability of everyday Americans to be their own lobbyists."



The President and the Speaker of the House square off on Twitter.

9

How have the Web and cable TV changed Washington?

In the old days, when the nightly news was the only news program on the three major TV networks, the country got a limited but pretty balanced account of decision-making in Washington, and the shows were striking for their similarity.

Today, the opposite is true. We have a 24-hour news cycle with coverage of Washington on dozens of cable channels and constant commentary on the Web and Twitter. One reason partisanship has become so extreme is that people tune in to news shows

that reinforce their view of the world: Conservatives watch Fox News and hear Barack Obama denounced as a “socialist.” Liberals watch MSNBC, where Speaker of the House John Boehner is portrayed as a heartless zealot. Experts call this “confirmation bias,” meaning that people look to reaffirm their own beliefs rather than learning from people who disagree with them. (Ironically, this is similar to how things worked in America’s early days, when competing newspapers represented different

political parties and expressed clear points of view.)

One benefit is that people do hear a lot more details about how Washington works than they did a generation ago. But they hear them in an atmosphere that makes it tougher to solve problems.

“It hardens the debate,” says Gene Policinski of the Newseum Institute in Washington, “because the way you stand out when everyone is talking is to talk louder or take a more extreme position.”



10

Do ordinary people have a voice in Washington?

The United States is not a direct democracy; it’s a republic, which means we elect representatives who are supposed to speak for us in Congress. But casting ballots isn’t the only way we make our voices heard. Lawmakers pay attention to polls asking what voters think, and they monitor e-mails, letters, and calls from constituents.

If it’s an election year, they’re likely

to listen a lot more carefully. They also pay particular attention to issues like gun rights or civil liberties that arouse intense passions on all sides.

During big legislative debates—on topics like immigration reform or raising taxes—it’s not unusual for a member of Congress to get tens of thousands of e-mails, letters, and calls in a few weeks. That means the chances are slim that

your individual message will get read carefully. Still, every week President Obama, for example, reads 10 to 20 letters or e-mails

selected by his staff, and sometimes he quotes them in speeches.

It’s important to remember that political leaders were never supposed to simply react to everything their constituents say. As President John F. Kennedy used to remind his staff, the president’s hardest job is to shape the public debate and educate the voters. It’s a two-way process.

Remarkably, that process often works—eventually. Just consider what Winston Churchill, the British prime minister during World War II and a frequent visitor to the White House, once said about America’s democratic system: “We can always count on the Americans to do the right thing—after they have exhausted all the other possibilities.” •

Additional reporting by Patricia Smith.

59%
Voter turnout in the 2012 election, lower than all other industrialized nations.
SOURCE: BIPARTISAN POLICY CENTER