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Roles and Duties of a Member of Congress: Brief Overview

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SUMMARY

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Roles and Duties of a Member of Congress: Brief Overview

The duties carried out by a Member of Congress are understood to include representation, legislation, and constituent service and communication, as well as electoral activities. The expectations and duties of a Member of Congress are extensive, encompassing several roles that could be full-time jobs by themselves. Despite the acceptance of these roles and other activities as facets of the Member's job, there is no formal set of expectations or official explanation of what roles or duties are required, or what different Members might emphasize as they carry out their work. In the absence of such formal authorities, many of the responsibilities that Members of Congress have assumed over the years have evolved from the expectations or preferences of Members and of their constituencies.

Upon election to Congress, Members typically begin to develop approaches to their jobs that serve a wide range of roles and responsibilities. Given the dynamic nature of the congressional experience, priorities placed on various Member roles tend to shift in response to changes in tenure, committee assignment, policy focus, district or state priorities, institutional leadership, and electoral pressures. In response, the roles and specific duties of a Member may be highlighted or de-emphasized accordingly.

Although elements of all the roles described can be found among the duties performed by any Senator or Representative, the degree to which each is carried out differs among Members. Each Member may also emphasize different duties during different stages of his or her career. With no written requirements, each Member is free to define his or her own job and set his or her own priorities.

This report is one of several CRS products that focus on activities and concerns in the office of a Member of Congress. Others include CRS In Focus IF10503, *Constituent Services: Overview and Resources*; CRS Report RL33209, *Casework in a Congressional Office: Background, Rules, Laws, and Resources*; CRS Report R44696, *Casework in Congressional Offices: Frequently Asked Questions*; CRS Report RL34035, *Grants Work in a Congressional Office*; CRS Report RL33213, *Congressional Nominations to U.S. Service Academies: An Overview and Resources for Outreach and Management*; and CRS Report R44688, *Congressional Staff: CRS Products on Size, Pay, Job Tenure, and Duties*.

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Introduction

The job of a Member of Congress has been characterized by one observer as "a license to persuade, connive, hatch ideas, propagandize, assail enemies, vote, build coalitions, shepherd legislation, and in general cut a figure in public affairs,"[1] but official, authoritative guidance on the roles and duties of Members is limited. The U.S. Constitution establishes qualifications for Representatives and Senators, but it is silent about the roles and duties of an individual Member of Congress.[2] House and Senate rules require that Members be present[3] and vote on each question placed before their chamber.[4] Beyond voting requirements, there is no formal set of expectations or official explanation of what roles or duties are required, or what different Members might emphasize as they carry out their work. In the absence of such formal authorities, many of the responsibilities that Members of Congress have assumed over the years have evolved from the preferences of Members and the expectations of their constituencies.[5]

Given that no precise definition exists for the role of a Member, upon election to Congress, each new Member is arguably responsible for developing an approach to his or her job that serves a wide range of roles and responsibilities. One observer of Congress notes that the first job of a Member is to come

> to grips with the dimensions of [their] role and develop a personal approach to [their] tasks. Given the many challenges, the overall conclusion is readily apparent: the key to effectiveness in Congress is the ability to organize well within a framework of carefully selected priorities. It is not possible, however, to construct a grand master plan such that priorities and the time devoted to each will neatly mesh, for legislative life is subject to sudden and numerous complications.[6]

In current practice, the roles and duties carried out by a Member of Congress are understood to include representation, legislation, and constituent service and communication, as well as electoral activities. In a typical week, Members may meet in their states or districts with constituents, local officials, business leaders, and other stakeholders; oversee constituent services; travel from their states or districts to Washington, DC, to participate in committee, legislative, oversight, or investigative activities; greet local delegations from their home states; meet with other groups and advocates; supervise office staff; speak on the floor; and interact with the news

[1] David R. Mayhew, *America's Congress: Actions in the Public Sphere, James Madison Through Newt Gingrich* (New Haven, CT: Yale University Press, 2000), p. 9.

[2] Article I, Section 2 of the Constitution requires that a Member of the House of Representatives be at least 25 years old, a citizen of the United States for at least seven years, and a resident of the state from which they are elected at the time they are elected. Article I, Section 3 requires that a Senator be at least 30 years old, a citizen of the United States for at least nine years, and a resident of the state from which they are elected at the time they are elected.

[3] In the second session of the 116th Congress (2019-2021), H.Res. 965 amended long-standing House rules requiring Members to be physically present in the House to vote, by authorizing Members to designate proxies to cast their vote or record their presence when a public health emergency due to a novel coronavirus is in effect. H.Res. 8 continued this change during the 117th Congress (2021-2022).

[4] House Rule III, §(1); Senate Rule VI (2) and Rule XII (1).

[5] For general treatments of the work of Members of Congress, see U.S. House of Representatives, "The House Explained," https://www.house.gov/the-house-explained; Lee H. Hamilton, *How Congress Works and Why You Should Care* (Bloomington, IN: Indiana University Press, 2004); and Donald Tacheron and Morris K. Udall, *The Job of the Congressman: An Introduction to Service in the U.S. House of Representatives* (New York: The Bobbs-Merrill Company, Inc., 1966).

[6] Gerald D. Sturges, "The Freshman Faces Congress," in Sven Groennings and Jonathon P. Hawley, eds., *To Be a Congressman: The Promise and the Power* (Washington, DC: Acropolis Books, Ltd, 1973), p. 35.

media. Members may also attend to various electoral duties, including fundraising; planning; or campaigning for election in Washington, DC, their states or districts, or elsewhere.

Observers note that after identifying and organizing priorities, a Member typically carries out some of the resulting duties personally, and delegates others to staff who act on his or her behalf. Congressional staff may work in the Member's individual office, on committees to which the Member is assigned, or in offices connected to leadership posts the Member may hold. In this understanding, the Member sets broad policies to fulfill his or her duties, and staff act to carry them out.[7] The distribution of responsibility will vary according to the preferences and priorities of the Member at the center of the effort.[8]

Many observers of Congress see Member choices and delegation arrangements as dependent in part on their goals. Generally, these observers suggest that Members pursue three primary goals: gaining reelection, securing influence within Congress, and making good public policy. The relative priority a Member may assign to these goals can affect a wide range of choices regarding a congressional career, including (1) the emphasis given to different roles and duties; (2) activities in Washington, DC, and the district or state; (3) staffing choices; and (4) preference for committee assignments. It can also affect a Member's approaches to legislative work, constituent engagement, media relations, party issues, and electoral activities.[9] Given the dynamics of the congressional environment, the priorities that Members place on various roles may change as their tenure in Congress increases, or in response to changes in committee assignments, policy focus, district or state priorities, institutional leadership, or electoral pressures.

Roles of Members of Congress

The roles and duties of a Member of Congress can be identified in part as an outgrowth of Member priorities based on the expectations of constituents and broader publics, and congressional institutional expectations.[10] These congressional roles may be described by focusing on some of the underlying tasks typically required to carry them out. Because some of the duties are complex, and some of the underlying tasks often overlap, some of the roles may overlap. Roles include representation, legislation, constituency service, oversight and investigation, advice and consent (Senators only), congressional leadership, personal office management, and electoral activity.

Representation

Broadly, a system of representative government assumes that the will of the people is consulted and accommodated when making public policies that affect them. Representational activity arguably is present in all of the roles of a Member of Congress, and may be seen in the

[7] For a discussion of staff roles and duties, see CRS Report R46262, *Congressional Staff: Duties, Qualifications, and Skills Identified by Members of Congress for Selected Positions*.

[8] See Robert H. Salisbury and Kenneth A. Shepsle, "U.S. Congressman as Enterprise," *Legislative Studies Quarterly*, vol. 6 (November 1981), pp. 559-576.

[9] See Gregory J. Wawro, *Legislative Entrepreneurship in the U.S. House of Representatives* (Ann Arbor, MI: University of Michigan Press, 2000); George Serra and David Moon, "Casework, Issue Positions, and Voting in Congressional Elections: A District Analysis," *The Journal of Politics*, vol. 56 (February 1994), pp. 200-213; Richard F. Fenno, *Home Style: House Members in Their Districts* (New York: Harper Collins, 1978); and David R. Mayhew, *Congress: The Electoral Connection* (New Haven, CT: Yale University Press, 1974).

[10] For discussion of public expectations of Members of Congress, see John R. Hibbing and Elizabeth Theiss-Morse, "What the Public Dislikes About Congress," in Lawrence C. Dodd, and Bruce Oppenheimer, *Congress Reconsidered* 8th ed. (Washington: CQ Press, 2005), pp. 55-76.

constituent service, legislative, oversight, and investigation duties that Members carry out in various congressional environments. In the nation's capital, Members serve as advocates for the views and needs of their constituents as well as stewards of national interests. Representational work may involve legislative activity, such as analyzing the provisions of proposed legislation for their potential impact on the area represented, or constituent service activity, such as assisting individuals, local governments, and organizations in obtaining federal grants and benefits. In addition, Members might represent regional and national interests in matters which might come before Congress.

When considering new legislation or the effects of implementing existing law, the opinion of their constituency often may be uppermost in a Member's mind. Constituent views, however, may vary in intensity from issue to issue, or fall on several sides of an issue, and the Member might take into account opinions from other sources as well. In response, most Members typically balance or reconcile competing viewpoints with their own judgment when providing constituent service, casting their votes, or participating in oversight.[11]

Another facet of representation involves presenting a view of government activity to constituents and the broader American public. Members of Congress regularly draw attention to policy issues and federal government activities in order to communicate to constituents and other citizens.

Legislation

In developing and debating legislative proposals, Members may take different approaches to learn how best to represent and advance the interests of their district or state, and the nation. This may require identifying local, national, and international issues or problems that might need legislative action, and proposing or supporting legislation that addresses them.

A venue for congressional activities is the committee, through which some of Congress's legislative work is organized. With some exceptions, Members of Congress are usually assigned to a number of committees and subcommittees simultaneously, and may be expected to develop issue awareness in the policy areas that come before these panels. Committee members might participate in hearings to question witnesses; engage in markup sessions to draft and amend the text of legislation; and vote on whether to send specific measures to the floor of their chamber. In addition to these duties, Senate committee membership involves review of executive and judicial nominations and may include consideration of treaties.

Members generally participate in floor debate most fully when measures of importance to their home districts or states are involved, or when matters reported from their legislative committees are under consideration.

Constituency Service

The constituency service role is closely related to the representative role. Members might act as representatives, ombudsmen, or facilitators, and sometimes as advocates, on behalf of constituents, local government, or other organizations. The constituency service role may be highly varied and involve several activities provided to individual constituents, including outreach, in which Members introduce themselves and inform constituents of services they typically provide; gathering information on federal programs; casework, in which congressional

[11] See Lee Hamilton, "What I Wish Political Scientists Would Teach about Congress," *PS: Political Science & Politics*, vol. 33 (December 2000), pp. 757-759.

staff members provide assistance in solving constituents' problems with agencies;[12] providing nominations to United States service academies;[13] and arranging visits or tours to the Capitol or other Washington, DC, venues.

The constituency service role also allows a Member the opportunity to see how government programs are working, and what problems may need to be addressed through formal oversight or legislation.

Oversight and Investigation

Congress is responsible for seeing that laws, once enacted, are administered according to congressional intent. While some Members receive feedback on the success of public policies through constituency service and the experiences of constituents who seek casework assistance, much of Members' oversight and investigative duties are carried out through committees. At various points in the oversight and investigative processes, individual Members can participate in the proceedings, for example, by questioning executive branch leaders or staff in hearings, or reporting constituents' experiences with particular programs or agencies.[14]

Advice and Consent (Senators Only)

The Constitution places upon the Senate, but not the House, the responsibility for confirming presidential nominations of individuals for appointive federal office and federal judicial nominations, as well as ratifying treaties negotiated by the executive branch with foreign nations. Individual Senators typically participate in committee hearings to determine the suitability of candidates nominated for executive office and the adequacy of treaties' provisions.[15] Senators may also participate in the floor debate on these matters.

Congressional Leadership

Some Members of Congress hold leadership positions within their chamber.[16] Representatives and Senators may also hold the position of chair or ranking minority member on a committee or subcommittee, and have responsibility for, or participate in the process of, scheduling that committee's business and selecting the issues that will compose the committee's or subcommittee's agenda. Some Representatives and Senators also participate in a leadership capacity in their respective party caucus or conference.

Personal Office Management

Members of Congress are supported by a personal office in which staff perform legislative research, prepare materials for the Member to study, provide constituency service, manage constituency correspondence, handle media relations, and perform administrative and clerical

[12] See CRS Report RL33209, *Casework in a Congressional Office: Background, Rules, Laws, and Resources*.

[13] See CRS Report RL33213, *Congressional Nominations to U.S. Service Academies: An Overview and Resources for Outreach and Management*.

[14] See CRS Report RL30240, *Congressional Oversight Manual*.

[15] In addition, Senators on the appropriate committees are sometimes asked to "advise" on the terms of a treaty as it is being negotiated.

[16] Discussion of various leadership roles is available in CRS Report RL30567, *Party Leaders in the United States Congress, 1789-2019*.

functions. Staff and office facilities are provided through funds appropriated annually, and allocated to Members according to the procedures of each chamber.[17] The precise duties and tasks carried out in a Member office will vary with the Member's personal preferences, which are typically informed by tenure in office, committee assignment, policy focus, district or state priorities, institutional leadership, and electoral considerations.

Electoral Activity

A significant part of the work of some Members of Congress includes their electoral plans, which might include reelection or election to another office. Under House or Senate rules and law, electoral activity is separate from official congressional duties.[18] For those Members of Congress running for reelection or election to another office, activities may include organizing and maintaining a personal campaign staff, campaigning, and raising funds.

Conclusion

With no formal or definitive requirements, each Member of Congress is free to define his or her own job and set his or her own priorities. Although elements of each of the roles described can be found among the duties performed by any Senator or Representative, the degree to which each is carried out differs among Members as they pursue the common goals of seeking reelection, building influence in Congress, and making good public policy. Each Member may also emphasize different duties during different stages of his or her career as other conditions of the Member's situation change. For example, some may focus on outreach, constituent service, and other state or district activity. Others may focus on developing influence in their chamber by developing policy expertise or advancing specific legislation. No Member, however, is likely to focus on any one role or duty at the exclusion of another, because the extent to which a Member successfully manages all of those roles is the basis on which his or her constituents may judge the Member's success.

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[17] See CRS Report RL30064, *Congressional Salaries and Allowances: In Brief*; CRS Report R40962, *Members' Representational Allowance: History and Usage*; and CRS Report R44399, *Senators' Official Personnel and Office Expense Account (SOPOEA): History and Usage*.

[18] U.S. House Committee on Ethics, "Campaign Activity," at http://ethics.house.gov/campaign-activity; U.S. Senate, Select Committee on Ethics, "Campaign Activity," at https://www.ethics.senate.gov/public/index.cfm/campaign-activity; and Federal Election Commission, *Federal Election Commission Campaign Guide: Congressional Candidates and Committees*, October 2021, http://www.fec.gov/pdf/candgui.pdf.

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