

# HOUSE OF REPRESENTATIVES: AN EDUCATIONAL SIMULATION\*

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*Materials pertinent to the problem before the House will be distributed separately, on the day that the simulation begins.*

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### *General Instructions*

1. *Introduction.* For approximately two and one-half days, you will participate in a simulation of certain aspects of the work of members of the House of Representatives. The principal purpose of the simulation is to help participants understand the complexity, subtlety, and, in particular, the human dimensions of the legislative process. Its further purpose is to give participants direct experience in the multi-party bargaining which is characteristic of a legislature, in an environment of much uncertainty and detailed, specific rules of procedure. In particular, the exercise simulates the processes of House Committee work and floor debate on legislation.

The simulation is designed for a group of about thirty participants, but if the exercise is used in connection with a large class, several groups may meet simultaneously. If more than one group is created, each group should remain constituted as an individual unit throughout the simulation, and the members of a particular group should wait until the evaluation that ends the exercise before discussing their experience with members of other groups.

2. *Schedule.* The schedule for the simulation will be as follows, unless modified by the instructor before the simulation begins:

#### *The First Day*

9:00 a.m. - 10:15 a.m.:	Preliminary briefing and selection of roles.
10:15 a.m. - 11:00 a.m.:	Opening briefing in plenary session. Case materials will be distributed at this time.
11:00 a.m. - 2:30 p.m.:	Luncheon recess. This time should be used to examine and digest case materials, as well as to reread rules and roles.
2:30 p.m.:	Reassemble for final briefing.

3:00 p.m.:

The simulation begins. The activities for the remainder of the first day are up to the participants. They may include, for example, meetings of Administration officials in order to prepare bills and testimony; caucusing among party members in order to prepare bills, establish positions, schedule hearings, or prepare questions for witnesses; coalition-building and lobbying by all participants; *ad hoc* conferencing among participants; and development of stories by journalists.

The following *caveats* should be noted regarding the schedule for the first day:

- A. The simulation may continue as late into the evening as the participants desire. Those who choose to participate through and after dinner should, however, *remain in role at all times*.
- B. The simulation includes a great deal of time during which no formal events are scheduled, particularly after 3:00 p.m. on the first day, but also after 5:00 p.m. on the second day. Although no formal meetings are mandated during this time, they are not forbidden; what happens is up to you, the participants. Despite the fact that the time is relatively unstructured, *it is extremely important*. The activities which you choose to engage in during this time may well determine the outcome of the formal events which follow.
- C. In order to maximize your freedom to organize, plan, write, or lobby, you will not be assigned to a particular physical space during these periods. In order to avoid unnecessary confusion, however, a list of available rooms will be distributed. This list will also specify official committee rooms. *The single exception in this regard is that members of the committee must begin the simulation in their assigned committee room*. This only applies to the beginning of the simulation; committee members may thereafter leave the room immediately, or split into various caucuses or other subgroups with some members staying and others leaving.

### *The Second Day*

8:30 a.m.: Committee hearing begins.

- 1:00 p.m.: Latest time for mark-up to begin, although it may begin earlier.
- 4:30 p.m.: Latest time for mark-up to end, although it may end earlier. Also, this is the latest time for advocates to report to constituents. Fifteen minute break.
- 4:45 p.m.: Plenary session. Those participants who had roles as witnesses up to this time select new, legislative roles for floor debate.
- 5:00 p.m.: Preparation for floor debate begins.
- 8:00 p.m.: Deadline for Committee Counsel to have prepared and distributed engrossed Committee bill(s).
- 9:30 p.m.: Deadline for filing any amendments that may be brought up on the floor, other than by acceptance by the floor manager or by unanimous consent.

### *The Third Day*

- 8:30 a.m.: House comes to order.
- 11:00 a.m.: Deadline for the end of the House session, although it may end earlier.
- 11:10 a.m.: Plenary session during which the exercise will be reviewed and analyzed with the instructor.
- 1:00 p.m.: End of the simulation.

3. *Selection of Case and Role.* During the preliminary briefing on the first day, you will randomly pick a number. Participants will then select roles for the simulation by signing up on a chart. Sign-ups will take place according to the numbers picked (lowest first). When you sign the chart, you will select your role, and if more than one group is being formed, your sign-up will also determine which group you will be in and which case you will work on. The role that you select will apply either for the entire simulation or, if you choose to be an advocate, for the first half of the simulation. Descriptions of the roles are printed in this booklet. If you elect to be a member of the House, or of a committee staff, or a journalist, you will keep this role for the entire simulation. If you elect to be an advocate, you will keep this role until the plenary session on the afternoon of the second day, at which time you will select a new, legislative role for the rest of the simulation. These additional roles are also described in a subsequent section of this booklet.

Immediately after you select your role, you will receive a packet

of materials containing substantive information about some of the issues with which you will be concerned.

4. *Role-Playing.* The success of the simulation as an educational instrument depends on your taking seriously the concept of role-playing. Once the simulation begins participants should stay in role *at all times*. The descriptions of roles in this booklet are, of course, not complete portraits of characters and do not spell out how a legislator in this role would necessarily react to a particular issue. Within the guidelines provided, each participant must use his or her own creativity to expand these sketches and flesh out the role. *Some additional information about one's own role may be contained in descriptions of other roles. It is therefore very important to read all of the role descriptions and to reread them after you select your own.*

Within the confines of the role descriptions provided, a participant is encouraged to embellish the role to suit the goals of the character being portrayed. For example, it is up to a participant playing a legislator to decide how that legislator is likely to respond to a particular bill, given the general setting described in the role materials. Similarly, unless the role specifies otherwise, it is up to the participant to decide whether he or she wants to become a leader within a committee or on the floor, or to become principally a spokesperson for constituents or other groups, or something in between. Legislators need not limit their contacts to their colleagues. They may, for example, seek to organize public support to influence the Administration. There is no right or wrong way to proceed, except that the partial portraits outlined in the descriptions in this booklet must be honored.

Those who elect roles as advocates need not be too concerned over their lack of familiarity with the subject about which they are lobbying, and about which they may testify. Certain "case materials" will be provided to all participants before the simulation begins, as soon as roles have been selected. Advocates should bring their particular role perspectives, as well as any prior knowledge of the subject matter, to these materials. The case materials are deliberately kept simple; library research is not part of the simulation. The point of the exercise is not to master volumes of substance, but to learn about the legislative process. Like those playing legislative roles, those participants who are advocates should take liberties in fleshing out their roles by drawing on their own personal experiences,

consulting with any others in the group who are willing to share information, and so forth. Advocates should keep in mind that the legislators who question them at hearings have been given no more factual information than they themselves have been given. *Advocates are not limited to formal presentations as witnesses; they may take any action that seems desirable in role to persuade others to accept their point of view. This could include, for example, drafting and lobbying.*

The journalists' roles are very important. Those playing journalists can be very resourceful and creative. Note that part of each journalist's role requires him or her to distribute an article about the legislation and its accompanying politics at the outset of the committee hearing. This is the first "event" during the formal proceedings and, as in real life, it may set the tone for the entire session.

Legislators and advocates should assume that journalists' stories have been widely read by colleagues, constituents, and others, and should respond realistically, in role, if a response seems called for.

5. *Roster and Identification.* A list of participants and their roles will be distributed to the group at the end of the first plenary briefing. Each participant will also be given an identification tag showing his or her name and role. These tags should be worn at all times so that someone looking for a particular character can find him or her. Committee members will also have desk cards showing their names, parties, and states.

6. *Time Frame of the Simulation.* The simulation takes place in the present. The President of the United States is the current President. None of the roles described in this booklet, however, is intended to describe any particular real-life legislator or advocate.

7. *Administrative Resources.* Participants will have available, on a first-come, first-served basis, copying equipment and some typewriters, except that typing and copying of the engrossed committee bill(s) has priority between 5:00 p.m. and 8:00 p.m. on the second day. Materials should be typed if possible, but neatly printed or written materials are acceptable for everything but the engrossed bill(s).

There will be plenty of paper on hand, so, with two exceptions, when you are copying *public documents* (bills, amendments, journalists' stories, advocates' newsletters, etc.), make enough copies for everyone

and distribute them to the members of your group. The exceptions are first, that copies of *testimony* should be made only for the Committee staff and the press, and second, that the instructor may impose further copying restrictions if supplies should run low. *Do not forget to give a copy of each document to the instructor, who will leave behind an envelope during periods of absence from the room.*

Drawing paper and marking pens will be made available to facilitate the use of charts or graphs.

Gavels will be provided to all chairpersons. All participants should bring to the simulation this booklet, the case materials, a pad of paper, and writing implements.

8. *Space.* The simulation will have certain rooms assigned to it. Each group will have available to it one main room, in which committee and floor meetings will take place. Additional space will also be available for caucuses, drafting sessions, and similar activities. Participants may also make appropriate use of the outdoors, nearby cafeterias and bars, etc.

The main meeting room for your group should be set up as shown in the diagrams at the end of these materials. The instructors will arrange for initial set-up on the first day. Set-up for the floor debate on the third day is the responsibility of the staff counsel of the Committee and should be completed at the end of the second day.

9. *Caveat on Drafting.* This simulation is *not* primarily a drafting exercise, although obviously some drafting is part of it. Real bills on the subjects that you will be addressing might be dozens or even hundreds of pages long. Obviously, it would be fruitless to attempt to write technically perfect, complete legislation in the time allotted. As drafters in this simulation, those participants who desire enactment of a law should attempt to draft legislation that is brief and resolves policy disputes in ways consistent with their interests.

10. *External Events.* Most of the advocate roles afford the player certain influence with respect to a particular segment of society. The advocate is free to create and use hypothetical external events that really might take place concerning this issue. Participants are encouraged to use realistic external events of this sort strategically and creatively, but may develop *only* those which they could substantially control as a result of their roles. The Executive Direc-

tor of the NAACP, for example, might report at a strategic moment that a local NAACP chapter had flooded a particular Congressional office with telegrams and telephone calls concerning a legislative issue. That advocate may not, however, invent a message to a Representative from, say, the President of the United States, or from a fictitious conservative organization in the Representative's district.

Similarly, legislators may not invent external events other than ones which they would have power to create in real life. For example, a legislator may not tell another member that the other member has heard from his or her constituents, but could try to persuade advocates to create an event that the advocates have the power to create. As noted below, the instructor will occasionally create external events; in this role, the instructor represents all those in society who are not characters in the simulation.

11. *The Role of the Instructor.* The instructor will be present at the plenary sessions. If more than one group is participating, the instructor will circulate among the groups to observe aspects of the simulation. At the end of the simulation, the instructor will lead a discussion analyzing what has taken place. This discussion will include consideration of what effects, if any, may have resulted from the fact that this is a simulation and not a real legislature.

In addition, the instructor may replicate an external event. The instructor might, for example, give a story to the press or send a staff memo to an individual legislator. Creation of a document falsely seeming to have come from the instructor is unethical and strictly forbidden.

During the plenary session on the afternoon of the second day, the instructor will announce the Rule governing floor debate which has been voted by the Committee on Rules. It will *not* be a closed Rule barring all amendments. Finally, the instructor will endeavor to make the simulation run smoothly; for example, by replacing used typewriter ribbons, or helping participants find rooms in which to meet.

These will be the only ways in which the instructor participates. In particular, the instructor will *not* interpret any ambiguities in the rules of procedure. Any such problems that arise must be resolved by the participants, in role, within the context of the simulation.

12. *Advocates' Reports to Constituents.* Sometime before 4:30 p.m.

on the second day, each advocate, other than Administration officials, must publish a newsletter to its supporters. This newsletter must be no longer than two pages. Since the newsletter is a type of public document, a copy should be given to every participant in the group. The newsletter should comment on most or all of the members of the Committee from the perspective of the advocate in question, and the interest that he or she represents. It may also, in the discretion of the advocate, include comparative rankings of the members, or columns identifying individual members for electoral support or voter punishment. Evaluations of individual Committee members should take into account that member's level of efforts on behalf of the advocate's constituents, and whether the member was actually able to deliver what the advocate sought.

13. *Members' Re-election Concerns.* Members of Congress generally keep a close watch on how the positions they take affect their chances of re-election. This requires simultaneous attention to two constituencies: one's district, and the professionals, such as the Administration and the non-Administration advocates, who follow Congress closely and can influence public opinion and the flow of campaign funds.

Members of Congress, therefore, should take care to behave consistently with their role descriptions, which include information about their constituents. *In addition*, members who either (1) see themselves as also representing wider, ideological constituencies, or (2) who are from swing districts, should pay considerable attention to the advocates, and should make an effort to get favorable ratings from natural or potential allies, and avoid negative ratings even from natural enemies. *Any member who is from the President's political party* should also keep in mind that the President enjoys considerable popularity, at least with voters of that party, and that a member of the President's party who disagrees with the Administration's position may have serious trouble in potential primary contests.

14. *A Note on the Rules of Procedure.* The rules of procedure have been adapted from the rules of the House of Representatives, but have been simplified for purposes of the simulation. It should be noted that *Robert's Rules of Order* do not apply in the U.S. Congress. The rules permit appealing procedural rulings of the Chair, both in Committee and on the floor. Members of Congress who challenge

rulings should keep in mind that winning such a “battle” may, in the long run, cause the member to lose a “war”, since the legislative body’s ability to function may be restricted by the newly created precedent. This should not, however, necessarily deter a member from making the challenge.

15. *Rereading of These Instructions.* Some of these instructions will be more meaningful after you know what role you will be playing. It is strongly suggested that you reread instructions 2, 4, 6, 7, 9, 10, 12, 13, and 14 after you have selected your role.

### ***Rules Applicable to the Committee***

1. *Open Sessions*. All Committee sessions shall at all times be open to the public, including electronic and print media, unless classified information or personnel matters will be considered, or unless the members elect to close a session at which legislation will be marked-up. A session may be closed only by recorded vote, and such vote must be taken in open session. Should the rights of witnesses be compromised by the media, the Committee may empower the Chair to exclude such media from the session.

2. *Filing of Bills*. Any member of a Committee may file a bill for consideration by the Committee. A bill is filed by delivering a signed copy of it to the Staff Counsel, who shall make an appropriate number of copies.

3. *Rulings of the Chair*. The Chair may render rulings consistent with these Rules. An aggrieved member may appeal a ruling of the Chair, and a ruling may be reversed by a majority of those present and voting. Committee counsel shall keep track of procedural rulings, which become precedents of the Committee. These precedents may then be cited by any member.

4. *Quorum*. A quorum shall be present, allowing the Committee to proceed, when 51 percent of the Committee, including at least one member of the minority party, is present. If a quorum is not present, the only types of action that may be taken are (1) establishment of a time to reconvene, and then (2) recess.

5. *Witnesses*. The Chair may decide which witnesses will be heard, and in what order. A tentative decision on this question will ordinarily be made during the evening before a hearing, and the witnesses shall be notified at that time. Each member is usually allotted no more than three minutes for questioning each witness or group. The ranking majority member begins the questioning and is followed by the ranking minority member. The order shall then alternate back and forth from the majority to the minority until the least senior member has had his or her turn. The Chair concludes the questioning and may then permit additional questioning if time permits. The Chair must determine how much time each member is allotted in order to keep the hearing within the constraints of the time allot-

ted. The Chair is the sole authority on the amount of time expended by each member, and cannot be questioned *officially* as to whether his or her count is accurate.

Within the rotation of interrogation, any member may seek to have the questioning colleague yield for a question at any point. It is solely up to the colleague who holds the floor and is questioning as to whether he or she will yield, and time consumed by the member seeking to ask the question will be charged to the yielding member. The Chair has discretion to grant additional time for the purpose of yielding.

6. *Points of Order and of Inquiry.* A member seeking recognition for a point of order or a parliamentary inquiry must be recognized. A member recognized for a point of order must state it succinctly and it must relate to a suspected violation of rules. The Chair must rule on the point of order. A member making a parliamentary inquiry must make a genuine inquiry as to the status of debate or with respect to rights or rules. The member may be ruled out of order by the Chair if the inquiry is not genuine.

7. *Treatment of Witnesses.* Witnesses will be treated with respect. There shall be no personal accusations or derogatory statements concerning witnesses. Violation of this rule will be met with appropriate response from the Chair. Witnesses will be accorded such time to present their testimony as the Chair deems appropriate given the schedule of the hearing. Some witnesses may be asked to present testimony as a panel, in order to conserve time. The Chair shall allow the full text of testimony to be inserted into the Record of the hearing as if read, even if time precludes a full reading. Witnesses may not question the members of the Committee, except by permission. Witnesses may use display charts or graphs, if they so desire, to make presentations to the Committee.

8. *Mark-Up.* Upon the conclusion of a hearing, the Committee will resolve itself into Mark-up Session. In Mark-up Session, the Committee's first task will be to decide which bill or bills, if any, it will use as the basis for mark-up. With respect to any bill which the Committee decides to mark-up, the majority Counsel shall read the bill, beginning with the first section. Any member may propose to amend the section, but all amendments must be germane, and all

proposals to amend require a second. An amendment that is not germane is subject to a point of order. In like manner, the Committee shall proceed through the entire bill or bills to be marked up. In the discretion of the Chair, with the advice of the members, the Committee may take tentative votes on proposed amendments and then return to each amendment for a final vote. In any event, a final vote shall be taken on whether to report the entire bill, as amended, to the House of Representatives with the recommendation that it be approved by the House.

9. *Amendments to the Second Power.* Amendments to amendments may be presented by any member after the original amendment is seconded. An amendment to the second power shall be voted upon before the original amendment. Amendments to the third power are out of order.

10. *Voting.* Voting shall be by a show of hands, unless a member requests a record vote. If a record vote is requested, the majority Counsel shall call the roll, beginning with the ranking majority member and the other majority members, then continuing with the ranking minority member and the other minority members, and ending with the Chair. The Chair shall announce the results of any record vote, and Counsel shall make the record of voting available to the public. Proxy voting is not permitted. All members present shall vote "aye" or "nay" on every vote; abstentions are not permitted.

11. *Discussion of Amendments.* After an amendment is proposed, its sponsor shall be allowed due time, subject to the discretion of the Chair, to explain and support it. At least one opponent shall be allowed to address the Committee.

12. *Call of the Question.* If it is recognized by the Chair, a call of the question (a call for a vote) takes precedence over further debate. It is not debatable, but after such a call has been made, a member may demand a vote on whether the question is to be called.

13. *Call for Adjournment.* A call for adjournment until a call by the Chair takes precedence over any other parliamentary request, and is not debatable. Should it be voted, the Session ends at that point. If it is defeated, the Session resumes where it left off.

14. *Recesses*. The Chair may declare a recess for a specified period of time at any time, taking into account the business before the Committee and the time available to it.

15. *Method of Address*. No member may speak personally in a derogatory manner with respect to another member. Each member must address colleagues with the respect due the office. Appropriate forms of address in the context of debate or colloquy within the Committee may be "My distinguished colleague," "I am happy to yield to my colleague from the State of \_\_\_\_\_," or "I do not wish to yield any of my time to the gentlewoman from \_\_\_\_\_," etc.

16. *Engrossed Bill*. After a bill has been reported by Committee, it shall be typed in clean form by the majority Counsel and then certified for accuracy by the Chair, or ranking majority member if so designated by the Chair, and by the ranking minority member before being transmitted to the Speaker of the House.

17. *Subcommittees*. The Rules applicable to the Committee shall also be applicable to any subcommittees that it establishes.

18. *Counsel*. Majority Counsel may delegate to minority Counsel any of the administrative tasks imposed by these Rules.

***Office of Management and Budget Circular A-19***

TO: All Executive Branch Agencies  
FROM: Director, Office of Management and Budget (OMB),  
Executive Office of the President

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1. An agency of the Executive Branch that desires to make a legislative proposal shall clear the proposal, in substance, by notifying the appropriate Assistant Director of OMB, either orally or in writing. If the Agency desires to propose a specific bill, the bill shall be submitted in writing to the Assistant Director.

2. OMB will endeavor to afford all interested agencies an opportunity to comment on the proposed bill or concept and to help resolve any differences of opinion among the agencies. It will also consider the bill or concept from the perspective of the President's legislative program.

3. OMB will notify affected agencies when it determines that a bill or concept is "part of the President's legislative program," "not inconsistent with the Administration's program," or "inconsistent with the Administration's program." Agencies may not sponsor or advocate programs determined by the OMB to be inconsistent with the Administration's program.

4. If an Agency is contacted by a Congressional Committee with respect to an issue not previously considered by OMB, the Agency should, wherever possible, defer immediate response and contact the Assistant Director of OMB, who will promptly attempt to ascertain reactions of other interested agencies.

5. An Agency testifying before a Committee always speaks for the Administration. All testimony, therefore, must be cleared in advance by OMB. If a witness is to testify extemporaneously, an outline must be cleared. Any portion to which OMB objects must be deleted.

6. As legislation develops in an area of interest to an Agency, Agency officials should keep abreast of it and should try to influence it in a manner consistent with Administration policy.

### ***Rules Applicable to Floor Debate***

1. *Agenda*. The following bills may be considered on the floor of the House of Representatives:

a. Bills that have been reported favorably by a Committee of the House; or,

b. If no bill on a particular subject has been reported favorably by a Committee, bills on that subject which were introduced but which were not reported favorably by a Committee, and which are discharged by petition signed by a majority of all of the members of the House.

2. *Filing of Amendments*. Amendments, to be considered by the House under an Open Rule or a Modified Closed Rule, must be filed with the Committee's majority or minority counsel by 9:30 p.m. on the day before House debate is scheduled. Counsel will cooperate to prepare for each member, and for the Parliamentarian, a file consisting of each bill to be considered and each amendment. The amendments shall appear in the file in the order of the sections of the bill to which they relate, which is the order in which they will be considered. After all amendments have been filed, the Chair of the Committee of the Whole and the majority and minority managers shall agree among themselves to the number of minutes (not exceeding four) that each member so desiring may address the House with respect to each amendment.

3. *Opening and Closing*. The Speaker shall open and close the session of the House of Representatives.

4. *Managers*. For consideration of proposed bills and amendments, the House will resolve itself into the Committee of the Whole House on the State of the Union. The Chair of the Committee of the Whole shall then assume the Chair and shall open the proceedings by recognizing the Chair of the relevant legislative Committee as the majority manager and the Ranking Minority Member of that Committee as the minority manager.

5. *General Debate*. The majority manager shall open a maximum of twenty minutes for general debate by describing the bill to the House. The minority manager shall be allotted time to do the same. The managers shall then yield such time as they may agree

upon to other members of their respective parties who wish to speak, alternating between the parties until all time for general debate has been consumed or no one else wishes to speak.

6. *Consideration of Amendments.* At the conclusion of the general debate, the Parliamentarian will read the bill, section by section, unless any member stands and is recognized for the purpose of requesting consideration of an amendment germane to the section which has just been read. Except by unanimous consent or acceptance of the amendment on behalf of the legislative Committee by the majority manager, only amendments that have been duly filed may be considered. However, an amendment to an amendment may be proposed orally, provided that it is germane, and shall be voted on before the amendment it amends. Amendments to amendments to amendments are not permitted.

7. *Debate on Amendments.* After an amendment is read aloud by the Parliamentarian, its author shall be recognized by the Chair to discuss it, after which other members may discuss it. Debate shall alternate between those favoring and those opposing the amendment. The number of speakers on each amendment and the time permitted for each speech may be limited by the Chair in the interest of facilitating the business of the House. The Chair shall keep a strict account of the time allotted to and used by each member.

8. *Yielding and Colloquys.* At any time during general debate or debate on amendments, any member may request that the member who has the floor yield time for a statement or a question. The member so requested has discretion as to whether he or she will honor the request. Colloquys may take place between the requesting and the yielding member.

9. *Voting on Amendments.* At the conclusion of debate on an amendment, the amendment shall be put to a vote pursuant to the rule on voting set forth below. However, an amendment which is accepted by the majority manager shall not be voted upon unless a member who is recognized requests a vote, and that member is supported in that request by twenty percent of the members present.

10. *Excessive Amendments.* If so many amendments have been filed that it appears that consideration of each of them individually

would preclude consideration of the bill or bills before the House adjourns, the Committee of the Whole may vote to consolidate amendments, dispose of several amendments collectively, or take other action necessary to prevent undue delay.

11. *Vote to Rise.* After all amendments have been considered, the Committee of the Whole shall vote to rise into the House of Representatives. No amendments may be considered after the Committee of the Whole has risen into the House.

12. *Report.* The Chair of the Committee of the Whole shall report to the Speaker of the House, who shall resume the Chair, by bowing at the waist and then stating, "Mr. [or Madam] Speaker, I wish to report to you on [title of bill] and the State of the Union."

13. *Motion to Recommit.* The Speaker shall then entertain a call from the floor, by any member known to be a legitimate opponent of the bill, for a motion to recommit the bill. Such a motion is not debatable. If such a motion is made, the Speaker shall require a voice vote unless a record vote is duly demanded.

14. *Final Passage.* If the motion is defeated, or if no motion is made, the Speaker shall entertain a motion for final passage and a vote shall be taken, after which the Speaker shall entertain a non-debatable motion to adjourn the House. By previous order, which may not be amended, the House shall adjourn at 11:00 a.m. on the final day of the simulation, unless it has adjourned earlier. Any bill which has not been enacted when the House adjourns shall die. Members are cautioned that the procedures that may be invoked after final approval in the Committee of the Whole (e.g., motion to recommit and final passage) will consume at least several minutes.

15. *Voting.* All votes shall be by voice unless a member, supported by twenty percent of the members present, demands a record vote. On record votes, the Parliamentarian shall call the roll and inform the Chair of the results. The Speaker may vote to make or break a tie in the House, and both the Speaker and the Chair may always vote in the Committee of the Whole.

16. *Recognition.* Before recognizing a member, the Chair or the Speaker may inquire for what purpose a member seeks recognition.

17. *Calling the Question*. A call for the question is not in order in the Committee of the Whole. However, on motion by a member who has been recognized, the Committee may vote to close debate on an amendment at all times.

18. *Decorum*. The rules on Decorum in Floor Debate, which follow, must be observed at all times.

19. *Rulings of the Chair*. The Speaker or the Chair of the Committee of the Whole may consult with the Parliamentarian at any time. The Chair may render rulings consistent with these Rules. An aggrieved member may appeal a ruling of the Chair, and any such ruling may be reversed by a majority of those present and voting. The Parliamentarian shall keep track of precedents of the House thus established.

20. *Privileges of the Floor*. During the debate on legislation reported by a Committee, one member of the majority staff and one member of the minority staff of that Committee may be on the floor of the House to assist the floor managers in their duties.

21. *Quorum Requirement*. A majority of the members shall constitute a quorum in the House and in the Committee of the Whole.

***Decorum in Floor Debate***

1. A member seeking recognition must stand and be recognized. A member may not speak until recognized, unless the person holding the floor yields to a member who so requests.
2. A member must stand to address the House.
3. A member addressing the House or the Committee of the Whole shall begin by addressing "Mr. [or Madam] Speaker," or "Mr. [or Madam] Chairman [or Chairwoman]."
4. A member shall respect the person of each colleague, shall do no bodily harm to a colleague, and shall maintain the dignity of the House. A member shall engage in respectful address at all times; e.g., "Will the distinguished gentleman from Iowa yield for a question?"; "I rise to state a point of order"; "Mr. Chairman [or Chairwoman], I rise in strong opposition to the amendment as opposed by my distinguished colleague, the gentleman [gentlewoman] from Ohio. . . ."

### ***PERMANENT ROLES***

The following role descriptions are applicable to either case that may be used, and they last for the entire simulation. They consist of the Representatives who are members of the Committee, the Committee's staff counsel, and the journalists. A second group of "Advocate Roles" describes roles specific to a particular case. These Advocate Roles, which begin on pages 79 and 91, *infra*, will be exchanged, on the afternoon of the second day, for legislative roles for floor debate. The floor debate roles begin on page 103, *infra*.

Initially, each participant should select *either* one of the permanent roles *or* one of the advocate roles.



*The Chair (D-III.)*

This member of Congress has served 18 consecutive terms in the House. His or her district consists of small towns and rural areas nestled along the Mississippi River in downstate Illinois. The largest town has a population of only 38,000. The district had once been solidly Republican, and still votes Republican for President and usually for Governor. In former years the Chair survived because he or she reflected the district's conservatism. More recently, registration has become more Democratic and Independent. Due to this shift in district politics and also to increased activism on the part of faculty and students in two college towns in the district, the Chair has had to become more liberal than in previous years, and finds himself or herself in a quandary when social issues come before the Committee.

In the past, the Committee was regarded as conservatively oriented. The Chair now provides leadership to swing votes in a more liberal direction. The new, younger members who have joined the Committee have encouraged these swings, but they have also unsettled the older Committee members. Those older members now talk of forming a conservative coalition, across party lines, to counter the Chair's influence.

The Chair is only 62 years old, having been elected to Congress at the age of 26. He or she is very interested in remaining in Congress for some years to come. This requires careful maneuvering as Chair, and equally careful voting with an eye on the changing nature of the district back in Illinois.

The Chair is strong in his or her leadership of the Committee. He or she is fair in implementing the rules, but tough when the time comes to make decisions.

*The Ranking Democrat (D-Md.)*

The Ranking Democrat, second in seniority to the Chair, is a well-liked moderate-conservative from the area north of Baltimore. He or she has been in Congress for 12 terms, and knows that accession to the Chair is possible if his or her comportment is exemplary. This is not assured, however, because chairing a Committee is no longer an automatic prerogative of seniority. He or she takes pains not to be overtly hostile to the present Chair.

This member's district has been becoming more urban because it is in the vanguard of the new semi-sunbelt. Increasing numbers of Northern factories have been relocating to this district. With the increased urbanization and industrialization of the district, the member has had to pay much greater attention to social issues than in previous years, and has had to show greater concern to members of minority groups who increasingly staff the factories. His or her votes on social issues have been shifting, increasing this member's appreciation of the Chair's political dilemma. This member's manner of voting is still more often conservative than liberal, but he or she is increasingly taking a drubbing in the Maryland press and from some colleagues, who needle the member mercilessly and vie for his or her support.

The district's new industries include light manufacturing such as plastics and electronics. One of the electronics firms is a major defense subcontractor.

The member cannot abide statutes which gloss over political differences and leave matters to the Administration or the courts to later work out. He or she chides other members, both publicly and privately, for ducking what the member believes to be Congressional responsibility for making hard decisions.

*The Massachusetts Democrat*

The third-ranking Democrat on the Committee has been in the House for 12 terms, having entered in the same year as the Ranking Democrat. Unfortunately, this member was placed on this Committee four years after the Ranking Democrat, and has never gotten over the quirk of fate which makes accession to the Chair a more remote possibility.

This political fate constantly affects the way this member behaves with respect to the Ranking Democrat from Maryland. It is as if they were engaged in a chess match or a fencing duel. Nearly every action by the Ranking Member produces an opposite reaction, whether or not warranted by political differences.

This member's district was once filled with thriving mills. Now most of them are closed. Unemployment is high, the district's population is decreasing, and services, such as the number of flights into the local airport and the frequency of commuter bus runs in the cities, are being reduced. This member is preoccupied with finding ways to crack open the raw power which he or she believes to exist in the district and region, so that it could flourish once again.

The loss of industrial employment and related jobs, such as teaching positions and other government work, to the sun belt, the midwest and the west is plaguing this member. The local press writes about it constantly. The pressure to find solutions that use the power of this member's Committee is enormous.

The member is a traditional, unbending, unapologetic liberal of the old school. He or she is a leader in building alliances with other colleagues whose districts are suffering similar economic fates. As a result of this leadership, this member's voice carries more weight on this Committee than would otherwise be possible. The Chair does not want to antagonize this member, given the Chair's own political position in his or her changing district.

When it comes to amendment or bill language, this member is tough and unyielding in his or her efforts to secure benefits for his or her district. He or she will fight to the end to squeeze out the last ounce of federal largesse to benefit the district.

This member, incidentally, is a close friend of the Speaker of the House, and has *promised* to campaign for the reelection of the Chair of this Committee.

*The New Mexico Democrat*

The fourth-ranking Democrat is only nominally a Democrat. The district is extremely conservative. It has been recently populated by migrants from cold climates who succeeded on their own, and are now living on their investments. Water politics are the lifeblood of every political mechanism of the district, state, and region. No other issue is more important than the water issue. Water is literally the lifeblood of the area as perceived by the leadership in business, politics, religion, and the media which, in this district, are inexorably intertwined.

A substantial number of the recent migrants to the district would like to stop all further migration. Continued migration threatens both the precious water supply and the life style that the recent migrants fled the north to attain.

The member is politically astute, having served in the State Senate and as Secretary of the State of New Mexico. His or her family settled the area more than one hundred years ago, having taken one of the first "passenger" trains westward from the Western Reserve area of the Great Lakes.

On the horizon loom the pressing, undeniable problems of the Mexican-American population which is growing in size and dimension yearly. Even this conservative member is acknowledging these problems. The growers of the region are becoming nervous as they perceive labor unrest on their ranches and farms. Religious and labor leaders are pressing this member for greater recognition of these problems and for assistance from the Congress. If solutions are not found, political problems will eventually threaten this member's reelection prospects. The member's own children are actively involved in social causes, which creates internal family dissention for the member, and occasionally produces non-traditional votes which the member does not explain publicly. As a result, political pressure groups and the member's colleagues lobby him or her continually. His or her vote is never taken for granted, unless the issue involves water for the region.

Above all, this member wants to be re-elected for a tenth term. He or she will not jeopardize the chances for returning to the Congress.

*The Georgia Democrat*

The fifth-ranking Democrat comes from a long line of old-line Southern Democrats. The member's father served for nearly 50 years from the same Western Georgia district, and his or her great grandfather had been a high official in the Confederate government after serving with distinction in the United States Senate. The member is only the seventh person to hold the seat in the history of the Republic. The district is primarily rural, though it has two small cities with populations of 70,000 each. Tradition is the keystone of public service from this district.

The racial composition of the district has been stable for some time. Forty percent of the district is black, but blacks account for only twenty-four percent of those who vote. The member is regarded by both blacks and whites as fair and honest, like his or her father.

The member switched committees for this "plum" assignment after having served on his or her previous committee for ten years. He or she has been in Congress for nearly 16 terms, and outranks everyone on the Committee with the exception of the Chair. Because of this, some of the members with greater seniority on the Committee find it somewhat awkward to deal with him or her. Members rarely become angry with this member, however, because he or she is always so courtly and gentle in personal conduct.

The Administration always treats this member deferentially, since the member is one of the acknowledged leaders of the conservative coalition in the Congress, including the Senate. As a result, the member is always capable of "bringing home the bacon" for the district, which is now bristling with defense installations, and has a very low rate of unemployment.

Some younger colleagues have no interest in perpetuating this member's tradition of "civility" and "history" and they continually snipe at the member.

The member's staff is now fully integrated. He or she is quiet on civil rights matters, having felt the shift in the courts and the nation at large with regard to racial and minority equality. On most social issues not directly affecting race, the member is more vocally conservative.

The member works hard to achieve sustained economic growth in the district and region and fights energetically to achieve this goal. He or she knows how to manipulate the system to do this. The mem-

ber supports the Committee leadership when it is useful, but also opposes the leadership when that is useful. The member is well aware of the Chair's political situation.

*The California Democrat*

The sixth-ranking member was first elected in 1970, as an anti-war candidate, from an area near San Francisco, one of the most liberal constituencies in the country. He or she had been a college professor with no political experience prior to service in Congress.

One of the liberal leaders in Congress, this member has been shaken by a steady decline in his or her electoral margin. Political soundings suggest that the anti-war constituency no longer exists. Although the district is still extremely liberal on most issues, doubts have been planted by the member's opponents who have regularly attacked the member for his or her unbroken record of votes against the defense budget. They have complained that the member is "more interested in the causes of the New Republic than the problems of the district." Those problems include higher inflation than the national average, increasing unemployment among minorities, especially teenagers, a crime rate about which the press has recently expressed much alarm, layoffs among public school teachers, and a perceived decline in the quality of life.

Until a few years ago, this member expected to run for the Senate. Now it is all he or she can do to hold on to the House seat, although Senatorial ambitions have not been totally abandoned. The member has been trying to cultivate an image as a thoughtful liberal who can work well with even the most conservative Republicans. Some of the conservatives regard the member's overtures as a dishonest ploy. They rebuff the Californian, but the member genuinely wants to work with conservatives, without compromising legislative positions in a way that would be unpopular with the member's political base.

Twice in recent years the member has faced Democratic primary challengers. In the last election, the member won the primary with a plurality, when candidates on the right and left split the opposition vote.

*The Michigan Democrat*

The seventh-ranking Democrat was originally elected in the post-Watergate class of 1974 and, to the surprise of many, has managed to hold on ever since. A labor lawyer, he or she came to Congress as an unbridled reformer from the suburbs of Detroit. He was backed by the United Auto Workers, many small civic organizations, and most area newspapers. Since then, every election opponent has tried to portray the member as too liberal for the district, but the district and its media have supported the member's outspokenness on liberal issues. His or her electoral margin has increased in most elections, although the member was almost defeated in the Reagan landslide of 1980.

One reason for the member's continued electoral success has been his or her willingness to mute the reform spirit when ideological passions clashed with district interests. When it comes to real decisions that could result in benefits for the member's own district, particularly decisions taken in marking up bills, he or she becomes one of the toughest fighters in the Congress. The member does not win all such battles, but fares much better than most.

He or she has a strong desire to help organized labor, particularly the Auto Workers, and to help minority groups achieve greater political visibility. He or she is a leader among the young members, and is beginning to gain national prominence. After the member's 1982 election victory, *Time Magazine* included this member in a feature entitled "Five Future Leaders of the House."

*The New Jersey Democrat*

This member, a freshman, was elected by a margin of only three percent. He or she expects difficult primary and general election challenges. The member, who ranks eighth on the Committee, feels constrained with respect to every action that he or she takes.

Yet the member believes that lying low will only enhance the chances for defeat. The heavily urban district in Northern New Jersey is rife with problems. It begs for solutions to social problems characteristic of the Northern cities.

The member, a reformer, won by knocking out the machine in a primary. This has created not only political problems in the district, where the machine is re-grouping to recover the seat, but also in the House. Many of his or her new colleagues were close friends of the member he or she defeated. As a result, he or she is very deferential to other members until it is time to become a tough advocate for the district or to respond to national needs.

The member holds a "freshman" seat which was created in the reform of 1974. Reservation of this seat for a first-term member still rankles some of the senior members, although they are getting used to it as the years go by.

The member seeks out the press and frequently offers quotations, though he or she knows that some of his or her colleagues resent this, particularly because of the member's freshman status. The member does this both because of a sincere belief in open government, and because of an assumption that greater press attention will be advantageous in the forthcoming election challenges.

The member would like to go into the next election with some particular bill or amendment that he or she can justly point to as "mine," to make the point that he or she was an effective legislator, even as a freshman.

*The Ranking Republican (R-N.Y.)*

This member, from upstate New York, has been handily re-elected for 12 terms, even though his or her once rural district now includes part of the city of Rochester, some of its suburbs, and about 20 small towns. He or she is a thoughtful, intellectually solid moderate who will not consider federal intervention unless its benefit is proved beyond a doubt. He or she inspires no rancor in any colleague.

The member's arguments are thoughtful and provocative, even to those who are fundamentally opposed to his or her philosophy. The member therefore inspires thoughtful debate where none might otherwise take place. If defeated as to principle, the member raises important questions about the methods of carrying out the ideas, to assure that the statutory scheme will be practicable. This almost always sharpens the debate. At the same time, the member takes pains to see that a fair share of any benefits go to upstate New York.

The member is among the most thoughtful on racial issues and foreign policy. The district has had virtually no racial trouble.

The member is considering the possibility of running for a House Republican leadership post at the next opportunity. In order to demonstrate his or her abilities, he or she takes an active role in building Republican unity on issues, often by arranging caucuses, both in Committee and on the floor. This unity increases the power of the Republicans if the Democrats fracture and some Democrats vote with the Republicans.

*The Wisconsin Republican*

The second-ranking Republican has been a maverick during his or her 20 years in the House.

The member is terribly troubled by the unsatisfied needs in his or her district and in the country, and has never accepted the argument that government cannot meet most such needs. He or she believes that government can respond to most social problems without excessive or wasteful spending if the programs are administered carefully.

The member's base is in a university complex. The member reflects his or her constituency and its generally left-of-center viewpoint on most issues, while vigorously supporting federal aid to higher education and fighting for other benefits for the district. The member has never ruled out a bid for the Governorship, and the problems of the state's cities, especially Milwaukee, are never far from his or her thoughts.

The member is a careful interrogator of witnesses. He or she does not accept interventions by colleagues kindly, and few will willfully trifle with this member for fear of being cut to ribbons.

This member can be a classic swing vote and is therefore cajoled all the more by the Chair and other Democrats, and by the Ranking Minority Member.

*The Florida Republican*

The third-ranking Republican was the first Republican elected from Florida since the Reconstruction. Now a number of others have followed, and he or she is something of a leader among "New South Republicans." He or she has been in the House for 14 years.

The member's district is affluent and contains a large number of "snow birds," *i.e.* migrants from affluent areas of the Northeast and the mid-Atlantic states. They have brought with them a view of the world that is solidly conservative, a view which the member also holds. The district needs few federal handouts, and the state has been experiencing an economic boom. The common feeling in the district is that its Representative should stop the federal government from intervening in people's lives.

The population of his or her district has almost doubled in the past decade due to the energy crisis in the North and the condominium boom in Florida. He or she is, as a result, a prime target for redistricting by the Democratic legislature. He or she has therefore nearly decided to run for governor, and is taking positions that are more state-oriented and not limited to the interests of the district. As a result, the member recently voted against cutting back social security benefits and supported aid to higher education, which was desired by the Cuban community in Miami. The member has not yet figured out what stand to take on issues involving the White-Black-Cuban conflict, as his or her district has been isolated from this conflict in the past.

Most of the member's colleagues suspect that he or she plans to run for statewide office, but few of them are sure the member will ultimately do so. The member knows that they might be right, and is keeping open the option to run again for the House. As a result, his or her votes, while usually very conservative, are not always predictable.

If the member runs for statewide office, an appearance in the state by the well-respected Ranking Minority Member could be helpful, particularly in Miami.

*The Colorado Republican*

The fourth-ranking Republican is an arch-conservative, and is supported by several important large industries in Denver. He or she is proud to be a member of the Congressional Conservative Union, and is the Union's spokesperson in the House and to the press. He or she is sought out by the press due to his or her reputation for giving not only good quotations, but also inside gossip about the political maneuvering on issues. Many of the member's colleagues are uncomfortable with his or her stances, but are afraid that disagreeing with this member in public will arouse organized opposition in their constituencies.

The member opposes all federal intervention in domestic life, supports a much larger defense budget, favors transferring federal power to the states, wants to cut taxes and domestic spending, and seeks a constitutional amendment prohibiting all abortion.

This member is one of the House's leading experts on its rules of procedure, which he or she uses with great effectiveness to prevent the passage of "liberal" legislation. Others spend a great deal of time trying to neutralize him or her, and have had some success.

The member feels so strongly about his or her own philosophy that he or she is willing to make colleagues feel uncomfortable, and will attempt to shout down the opposition. From time to time he or she has to be gaveled down. At times, the member is totally isolated and votes alone. At other times, he or she is able to persuade fellow Republicans to adhere to the principles of their very conservative national platform.

*The Virginia Republican*

The fifth-ranking Republican was narrowly elected from a Democratic district in Southeastern Virginia in the 1980 Reagan landslide. He or she was surprised to have won the election and subsequent re-election, but now would very much like to remain in the Congress.

The district has been enjoying a boom over the past decade. The member's predecessor was partially responsible for that by bringing numerous defense contracts to the many industrial, engineering, consulting, and shipbuilding firms in the area. This member is aware that the district expects him or her to do the same. This strategy requires, to start with, excellent relationships with the Administration and, if possible, Administration indebtedness to the member.

The district, aware that it has benefitted more than most from federal largesse, tends to be very conservative on social issues but moderate on fiscal issues. However, a large proportion of the member's campaign funds, both past and future, come from executives of large, out-of-state corporations who support, above all else, reductions in corporate and capital gains taxation and, as a necessary concomitant, reductions in federal spending.

The member's district includes several small cities which are increasingly suffering from the chronic problems that have afflicted Northern areas. His or her predecessor won favorable ratings from local business leaders for bringing in federal programs, including public works, to keep employment high. The member's dilemma is how to respond simultaneously to the district and the member's far more conservative national backers.

The member serves on the Board of Directors of the Virginia chapter of the Moral Minority, and considers himself or herself the watchdog of morality and ethics in the House of Representatives.

*The Utah Republican*

This member succeeded another Republican in 1980, and is the Committee's sixth-ranking Republican. He or she has been active in the Mormon Church during his or her entire adult life, and was a member of the Salt Lake City Council for six years before election to the House.

The member represents the Western half of the State, including Salt Lake City. The State has been enjoying years of uninterrupted growth and prosperity, but there is a sense in the air that today's success will bring tomorrow's disasters, particularly because of increasing demand on the fragile water table. Mining has been booming; this has brought an influx of labor. Although residents of the state would prefer boom over bust, they fear that the boom is taking place too quickly, and that every new industrial project threatens the water supply on which all life hangs. The state's politicians have tried to exercise leadership on these issues, but have not always been successful.

In the years during which Republicans hold the Presidency, this member is very susceptible to Administration pressure urging him or her to remain loyal to the President, although the member will not jeopardize his or her career for anyone. During Democratic administrations, the member feels freer to look after the interests of Utah, whatever the President thinks.

*The Missouri Republican*

Much to his or her own surprise, this seventh-ranking member was elected in the 1980 Reagan landslide from a solidly Democratic district. The member has enjoyed the change in life style that has accompanied the sudden move from minority party membership in the St. Louis City Council to member of Congress. Above all else, he or she wants to remain in the House. However, this will not be easy. The popular member he or she defeated in 1980 is preparing to run for the seat again, and will try to blame the incumbent for any economic ills that the country faces at the time of the election.

Due to the heavy Democratic registration back home, this member has been careful to play both sides to some degree. For example, the member was one of twelve Republicans who insisted, in exchange for their votes on the budget cuts in the Spring of 1981, that the legislation not set a ceiling on federal expenditures for Medicaid. The member would have preferred to have extracted some similar concession on the tax cut to show Democratic voters that he or she was not a mere puppet of the Administration. No liberal Republican coalition, however, formed on that occasion.

*The Majority Counsel*

The Majority Counsel has been on the Committee's staff for many years. The Committee trusts him or her fully, and the Chair may give Counsel the opportunity to question witnesses. If given that opportunity, Counsel never wastes time by throwing "soft balls," but gets immediately to a difficult and important point.

Counsel happens to be personally opposed to the very concept of the legislation that will be before the Committee. Yet he or she is generally a loyal employee and appears to serve the Chair. There is some lingering suspicion that Counsel is working behind the scenes, subtly, to aid the opposition. This suspicion may in fact be valid.

*The Minority Counsel*

The Minority Counsel is a very close associate of the Ranking Minority Member. He or she also makes an effort to become acquainted with and aid the Republican Committee members, as they might one day have a say in his or her continued employment by the Committee.

The Minority Counsel sees his or her task as helping, whenever possible, the Ranking Minority Member to cement the Republicans into a unified bloc. He or she also assists the Minority by drafting amendments when requested, by providing them with questions, and by devising legislative strategy. He or she also has excellent relations with the press.

*The Investigative Reporter*

The reporter for the *Washington Post* takes pride in going beyond the public aspects of a legislative story, and reveals the stark facts of behind-the-scenes political struggle to the readers. He or she is never content to report only what is on the public record, and has many contacts in the Congress and the Administration who reveal what is really happening, although often on a not-for-attribution basis. He or she has a devoted following because his or her stories tend to be crisply and dramatically written. In fact, they rarely exceed 200 words.

The *Post's* editors request this reporter to file several stories a day, so that each of the *Post's* editions has a fresh, late-breaking item. Stories by this reporter are often picked up by a syndicated wire service and appear in various members' districts.

The reporter's first story on this bill will appear in the morning papers on the day that hearings open. Members of the Committee will read it as they arrive to consider the bill, and its contents may very well influence the course of events.

*The Influential Columnist and TV Commentator*

This journalist publishes a daily syndicated column in 150 newspapers throughout the country. He or she is widely read and respected, and is considered by editors, as well as the general public, to be extremely sophisticated about legislation, legislative personalities, and Congressional procedure. He or she also has an arrangement with a television network. If anything breaks on Capitol Hill that is worthy of television coverage, this journalist may tape a two or three minute segment and submit it for use on the evening news. In the past, the journalist has produced some startling television stories by asking legislators or witnesses exactly the right question at precisely the right time.

The columnist's first 500-word column will appear on the morning of the Committee hearing. A second column will be printed as floor debate gets under way.

In addition, the columnist may at any time film a television spot, and circulate a transcript of it on Capitol Hill.

***ADVOCATE ROLES — MASS TRANSPORTATION CASE***

The following role descriptions are specific to the Mass Transportation case. The participants who select these roles will exchange them for legislative roles on the afternoon of the second day.



*The Assistant Director — Office of Management and Budget (OMB)*

The Assistant Director is an intensely loyal political appointee of the President and had previously worked as a partner in a leading law firm in Houston, Texas. His or her principal task is to make sure that the Executive Branch effectively advocates the enactment of the President's program. In this case, the President left it up to the Director of OMB (the Assistant Director's immediate superior) to determine the future of mass transportation programs. The Director decided that in order to reduce the federal deficit, operating subsidies should be phased out.

Details of the legislation are to be worked out by the Assistant Director and the Assistant Secretaries of Transportation and Housing and Urban Development.

OMB cannot trust any of the other relevant federal officials not to work quietly with their contacts on Capitol Hill and among pressure groups to promote an agency position rather than whatever Administration position is established. Yet OMB's responsibility includes enforcing Circular A-19, and detecting any sabotage by Administration officials of the Administration's legislative program. OMB works on officials and on members of Congress behind the scenes, and it does not testify on this legislation.

The President has authorized this official to agree, if necessary to win approval of his program, that one public works project, (e.g., a small dam or regional agency headquarters), will be constructed in the district of a member whose vote is sought. The public works budget is very tight, and the President would rather save this benefit for use on some other bill, if possible. In any event, this agreement can be made only with a single legislator, who would be given a major role in selecting the nature of the project. The magnitude of the project is such that it would employ about 600 construction workers for two or three years and would generate permanent employment for about 2,800 people in the district in which it was built.

*The Assistant Secretary of Transportation*

The Assistant Secretary was formerly an executive in a small Cleveland manufacturing company with a history of good labor relations. He or she has had no prior government experience, and is working diligently to become an effective official of the Department.

Since 1964, the Department (or its predecessor agencies) has been administering programs of grants to urban areas for mass transportation. The Department's Urban Mass Transportation Administration includes hundreds of civil servants who have devoted their entire working lives to building public transportation in the United States, and who deeply believe in federal subsidies to achieve this goal.

The Assistant Secretary knows that to have any chance of working with his or her employees in the future and to avoid being totally ignored or perhaps despised by his or her subordinates, he or she must become their champion on the question of this legislation, either openly or covertly. Indeed, the Assistant Secretary (many of whose employees in Cleveland had commuted by bus) had been rather surprised by the drastic nature of the Administration's phaseout proposal, and would not personally have recommended it.

Yet the Assistant Secretary understands that he or she is a political appointee and as such is duty-bound to testify for the Administration's program. Meanwhile, he or she may work behind the scenes to soften the blow as the details of the legislation are developed by the Executive Branch and by Congress.

*The Assistant Secretary of Housing and Urban Development (HUD)*

The Assistant Secretary was formerly a successful housing developer in Baltimore. Baltimore has been undertaking one of the nation's most successful urban redevelopment campaigns, and a key element in this effort has been the planning and ground-breaking for a new subway system. The Assistant Secretary had been one of its most vocal supporters, and also served on the Mayor's Advisory Council for the subway. A month after being sworn in as Assistant Secretary in the new Administration, he or she was stunned to learn that the Director of OMB had just called for an end to the mass transit operating subsidy program.

The Assistant Secretary will do whatever he or she can, behind the scenes, to assist the supporters of a continued operating subsidies program. He or she will not, however, attack the President's program, because in order to do so, he or she would have to resign.

*Chair of the National League of Mayors*

The Mayor of Richmond, Virginia, was chosen in a nonpartisan election and is currently Chair of the National League. He or she frequently represents the views of the nation's mayors in Washington. Richmond has no mass transit rail system, but it has an extensive system of commuter buses and receives \$12 million a year in federal operating subsidies.

The Mayor would regard it as something of a personal and political embarrassment if the member from Virginia opposed his or her position on this issue. Neither the Mayor nor the member from Virginia would like to be attacked by the other in the press, as each is popular in his or her own district. Sensing this, the investigative reporter would like to provoke a public confrontation between the two.

*President of the National Conservative Coalition*

The President heads a lobby that is financed by several major corporations and operates an immense computerized mailing list. It can pour thousands of letters into any member's district within 48 hours. It is drawing up its list of targets for the next Congressional election. The Representative from Colorado is on its Board of Directors.

The Coalition demands an immediate end to operating subsidies and a corresponding cut in corporate income taxes. Members of Congress fear this organization, and most moderates regard its goals as far to the right of what the country wants. Almost all of them take it seriously because of its large war chest and high degree of organization.

The Coalition is prepared to work vigorously to persuade the Administration and the Congress that a five-year phase out is an absurd waste of taxpayers' dollars, and that the best way to end the program is to go cold turkey.

*The Mayor of New York City*

The Mayor of New York thinks that the Administration's proposed termination of this program is "the dumbest thing I've heard of in years." He or she is outspoken and very active in opposing it, and is instead seeking an expanded program. If the Administration has its way, New York may have to double or even triple its already high fare within three years.

The Mayor loves to give strong quotations to the press, and the press loves the Mayor.

*Representative of the Conference of Republican Western Governors*

The Governor of Wyoming represents the Conference. It strongly supports the President's proposed phase out of operating subsidies, and wants the billion dollars that would be saved to be invested in new highways, rather than returned to the taxpayers. The Conference also favors repeal of the 55 mph speed limit.

The Conference believes that during the phase out period, or during any new operating subsidy program in the event the President's proposals are not adopted, a minimum of one percent of the operating subsidy budget should be guaranteed to each state, regardless of its population or quantity of mass transportation.

The member from Utah is a close personal friend, and the Governor personally knows all of the Republicans on the Committee. The Governor is taken very seriously by the Republican members, in part because he or she is thought to be someone who could one day be a candidate on a national ticket.

*The Executive Director of the Sierra Club*

The Sierra Club favors a vastly expanded urban mass transportation program.

It believes that the allocation formula should be changed to favor giving a larger proportion of funds to areas with the most serious air pollution problems, such as Los Angeles. The Board has left it to the Executive Director to develop a specific proposal.

The Club's membership tends to be concentrated in the Northeast and on the West Coast. It has particularly active chapters in the districts of the members from California and Washington. The Executive Director has known the member from Utah for many years, and while they do not always agree, they have long respected each other.

The Environmental Protection Political Action Committee, with which the Club is loosely affiliated, and with which it shares a floor of its headquarters building, was a substantial contributor to the campaigns of the Republicans from California and Wisconsin. It has announced an all-out effort to defeat the member from Colorado in the next election, though its chances of succeeding are slim, and this effort has served primarily to anger that member.

*The Executive Director of the NAACP*

The NAACP strongly favors a major expansion in the urban mass transportation subsidy program. It believes that the allocation formula should be changed so that urban areas with the poorest populations would receive a larger proportion of funds. The Board has left it to the Executive Director to devise and propose a formula for allocating the funds which most effectively achieves this goal.

The NAACP also advocates a federal requirement, to be imposed on all grantees under the program, that low-income users of mass transportation be permitted to ride at half fare. Other, similar suggestions may be made by the Executive Director. The organization has chapters throughout the country, but is strongest in Northern cities and the deep South.



***ADVOCATE ROLES - REVENUE SHARING CASE***

The following role descriptions are specific to the Revenue Sharing case. The participants who select these roles will exchange them for legislative roles on the afternoon of the second day.



*The Assistant Director, Office of Management and Budget (OMB)*

The Assistant Director is a political appointee of the President, and had previously worked as a vice-president of a major Cleveland bank. His or her principal task is to make sure that the Executive Branch effectively advocates the enactment of the President's program. In this case, the President wants the revenue sharing program renewed, but in order to keep the federal deficit down, he wants the program held to 3/5 of the current \$6.9 billion a year level. The Assistant Director has tried to get guidance from senior White House officials as to the preferred formula for allocating funds, but they are nearly impossible to get through to, and when contacted, their only comment has been, "You work it out with the various agencies. What do you think you're getting paid for?"

OMB cannot trust any of the relevant executive agencies not to work quietly with their contacts on Capitol Hill and among pressure groups to promote an agency position rather than whatever Administration position is established. Yet OMB's responsibility includes enforcing Circular A-19 and detecting any sabotage by Administration officials of the Administration's legislative program. OMB works behind the scenes and does not testify on this legislation.

The President has authorized this official to agree, if necessary to win approval of his program, that one public works project, (e.g., a small dam or regional agency headquarters), will be constructed in the district of a member whose vote is sought. The public works budget is very tight, and the President would rather save this benefit for use on some other bill, if possible. In any event, this agreement can be made only with a single legislator, who would be given a major role in selecting the nature of the project. The magnitude of the project is such that it would employ about 600 construction workers for two or three years and would generate permanent employment for about 2,800 people in the district in which it is built.

*The Assistant Secretary of the Treasury*

The Assistant Secretary has been administering the revenue sharing program for some time, and would like to have it renewed with no changes, including no cut in the budget. Any change whatsoever will cause enormous problems, as jurisdictions whose funds are cut will lobby furiously to restore their share, or to make up the funds through other programs. Treasury has smooth working relationships with all of the states and with most of the 39,000 smaller jurisdictions that receive revenue sharing funds. It does not want these relationships to be replaced by conflict.

The Assistant Secretary realizes that some of the jurisdictions to which the money has gone, particularly those in oil-drilling areas, have budget surpluses. He or she is also sensitive to the Administration's desire to cut spending and to minimize any increase in taxes.

*The Assistant Secretary of Labor*

The Assistant Secretary of Labor was formerly an executive in a small Los Angeles manufacturing company which has a history of good relations with its unions. He or she has had no prior government experience, but is working hard to become an effective official of the Department. The Department of Labor had traditionally been the advocate for labor unions within the Executive Branch, and career civil servants have pressed the Assistant Secretary to adhere to this orientation. The Assistant Secretary has surprised many by the extent to which he or she has become an effective and sincere advocate for labor's point of view. He or she will not overtly undermine the Administration's position, but has come to feel that in order to do a good job, he or she must take actions to earn the continued support of the Department's staff and organized labor.

The Department's view is that the revenue sharing program should be as large as possible, provided that jurisdictions do not have to give up other funds in order to receive revenue sharing money. The Department also feels that cities, which have the highest proportion of working people, should receive the largest possible share of the funds.

The Assistant Secretary has been working to develop good relationships with as many members of the Committee as possible.

*Chair of the Conference of Mayors*

The Conference of Mayors consists of the mayors of most American cities and towns. This elected Chair is the Republican mayor of a medium-sized midwest town of 245,000. The town is moderately prosperous. He or she is personally opposed to the legislation, believing that the federal government's first priority is a balanced budget. He or she must, however, represent the Conference, which, reflecting the needs of larger municipalities, strongly favors revenue sharing and wants all of the funds channelled to local jurisdictions rather than states.

*Professor of Political Science*

The Professor is from a major university and has published many scholarly and popular works on American demographic trends. He or she has also served on numerous national blue-ribbon study committees. He or she is serving this year as national Chair of the American Demographics Association, which gives added weight to his or her views, even though he or she does not speak for the Association. The Professor is highly respected by the Committee and always receives a serious reception.

The Professor's position is that revenue sharing should be used to accelerate the migration of population from the high-unemployment, high-energy consumption, declining cities of the North to the booming, cheap-energy, underpopulated areas of the Sunbelt. The Professor sees this migration as being both inevitable and desirable, and argues that the country should encourage it by, *inter alia*, favoring the Sunbelt regions in distributing general revenue sharing funds. More federal subsidies would allow the sunbelt states to build industries and services more rapidly, and to attract more migrants from the North.

*Executive Director of the NAACP*

The NAACP would prefer that revenue sharing money be eliminated, and that an equivalent amount of money be earmarked for minority programs such as jobs, housing, and better schools. Officers of the organization are furious that federal funds are, in some instances, turned over to wealthy states and communities which use them to build municipal golf courses and horse riding trails.

If there is to be a new program, the NAACP would want to point it in the direction of serving the needs of minorities.

The organization has chapters throughout the country but is strongest in Northern cities and the deep South.

*The Governor of Missouri*

The Democratic Governor of Missouri is serving as the current Chair of the Council of Governors and is speaking for that organization. The organization is on record as favoring an increase in the revenue sharing program and an increase in the proportion of funds allocated to the states as opposed to smaller units.

*Chair of the National Association of County Governments*

This Chair, the elected representative of county administrators, is the Republican County Executive of Nassau County on Long Island. The County Executives administer a major portion of those revenue-sharing funds that are earmarked for jurisdictions smaller than states.

The Association favors increasing the counties' share of the funds. It would certainly oppose any formula that weighted the funds toward low-income areas or inner cities. This Chair, however, has been close to the problems of New York City for many years, and believes that his or her organization is taking a somewhat parochial position.

He or she believes that of the funds channelled to states, much is wasted through poor administration. He or she would not, however, embarrass the Governor of New York by saying this in public.

*Chair of the Association of University Presidents*

The Association represents more than 80 percent of the colleges and universities in the United States. It has long had an effective lobbying presence in Washington, and has succeeded in obtaining a significant amount of federal funding for higher education under a variety of direct and indirect programs. The Association has no position on revenue sharing as such, but it strongly opposes any provisions that would require jurisdictions receiving the funds to return other, earmarked funds to the federal treasury. The Association is not well established in many states. It fears that some states will strongly prefer general revenue sharing funds, and will be willing to cash in some of the earmarked federal funds that the states now pass through to universities.

The Chair is President of the University of Wisconsin, which is located in the district of the Wisconsin Republican.

*President of the National Conservative Coalition*

The President heads a lobby that is financed by several major corporations and operates an immense computerized mailing list. The organization can pour thousands of letters into any member's district within the 48 hours. It is drawing up its list of targets for the next Congressional election. The Representative from Colorado is on its Board of Directors.

The Coalition demands an immediate end to revenue sharing and a corresponding cut in corporate income taxes.

Members of Congress fear this organization, and most moderates regard its goals as far to the right of what the country wants. Almost all of them take it seriously because of its large war chest and high degree of organization.

***ADDITIONAL ROLES FOR FLOOR DEBATE***

These legislative roles will be assumed on the afternoon of the second day by those participants who had been advocates up until this time.



*The Speaker of the House (D-Conn.)*

The Speaker is in his or her second term as Speaker. He or she is young, but has an "old pol" style, together with the greatest level of educational attainment of any modern-day Speaker. He or she is respected by all other members, although they are not yet accustomed to the new Speaker.

As Speaker and as persuader, he or she is very effective and knows how to twist arms elegantly. Once the gavel is turned over to the Chair of the Committee of the Whole, the Speaker roams the floor of the House cajoling members of the majority party to support or defeat amendments in accordance with the desires of the legislative committee.

The Speaker rarely rises on the floor to speak, but when he or she does, deference is shown, and the Speaker can make his or her point very effectively.

*The Parliamentarian*

The Parliamentarian interprets the Rules of the House and of the Committee of the Whole.

The Speaker or Chair generally consults with the Parliamentarian in cases in which the Rules of the House are ambiguous, or in cases which appear not to be covered by the Rules. Members may also obtain informal advice from the Parliamentarian, but official rulings can be obtained only by addressing the Chair during the proceedings. On such occasions, the Parliamentarian will advise the Chair of his or her views, and the Chair will address the inquiring member.

The Parliamentarian also performs certain duties, described in the Rules, with respect to reading bills and amendments on the floor, and calling the roll during record votes.

*Chair of the Committee of the Whole (D-Ill.)*

The Chair has been selected by the Speaker because he or she is a trusted member of the majority party. He or she is a senior member who has exhibited great distinction in legislative work, and has been selected on this occasion because the bill before the House is outside of the expertise of the Chair's own legislative committees.

He or she comes from Chicago, is tough, and does not tolerate nonsense on the floor. He or she knows the Rules of the House, knows how to use the Parliamentarian, and, importantly, knows how to use the gavel.

He or she is fair with all members, except those who abuse their position on the floor. Members trust this Chair. Both majority and minority leaders feel free to consult with the Chair during the debate to obtain reactions in advance of any parliamentary maneuvers they might wish to try. The Chair, however, does not necessarily advise them in advance as to his or her reactions; it depends on the situation as it develops.

*The Texas Democrat*

This member is a distinguished chair of a legislative committee other than the committee that handled the bill being considered by the House. In general, this member tries to be supportive of his or her fellow chairs when bills come to the floor. In this case, however, the member also has a particular objective with respect to the bill being considered, and is determined to achieve it.

He or she is a classic conservative from a ranching area, and believes in fairness for all individuals, but opposes most government intervention. The member supports a strong national defense, a balanced budget, and a tax reduction.

He or she carries weight among colleagues, and at times his or her careful speeches on the floor have a great impact.

*The New York Democrat*

This member is a four-term reform Democrat from Brooklyn whose life-long ambition has been to become Mayor of New York. His or her every action in the House is taken with this goal in mind. The member is constantly frustrated by the difficulty of attracting media attention in New York, where so many events compete for space and air time. Therefore, the member forever seeks new ways of obtaining headlines. For example, he or she once spent a week in jail at Rikers Island in order to report first-hand on overcrowding in that facility.

The member has a 100 percent rating from Americans for Democratic Action, and is a member of the Board of the American Civil Liberties Union. He or she always wins re-election easily.

For years this member has been trying to obtain a seat on the Committee that considered this bill, because he or she could obtain more publicity as a member of that Committee than as a member of his or her current committee. He or she has been told that there might be a chance to switch at the beginning of the next session, but the member must obtain the agreement of the desired Committee's chair, who might be influenced by the views of the Committee's Ranking Majority member.

*The Minnesota Democrat*

This member has been in the House for seven years. A party loyalist, he or she is nonetheless strongly tied to his or her district, suburban Minneapolis, and tries to make sure that no bill passed by the House has any adverse effect on the district.

He or she speaks frequently and scrutinizes each measure for possible amendments, despite the realization that colleagues often find these amendments tedious or obstructive.

*The Minority Leader of the House (R-Vt.)*

This member has been in the House for 30 years. He or she has always aspired to be Speaker, but the Republicans remain in the minority.

As usual, the Minority Leader supports the Ranking Minority member who manages the bill for the Republicans. He or she joins the debate, as needed, simultaneously watching out for his or her district, the entire State of Vermont. The largest city in the state is Burlington, with 38,000 inhabitants.

He or she has a long history of support for civil rights legislation. The member's grandmother was jailed in a civil rights demonstration in the South during the 1960s, and the member enjoyed her martyrdom proudly.

In recent years, the member has been concerned about the strident self-righteousness of some of the younger Republicans, and is alert for any threats to his or her authority or leadership position.

*The Pennsylvania Republican*

This member has been in the House for twelve years. He or she represents approximately 25 small cities and towns in the northern part of the state. The largest of them has a population of 30,000.

The member was a career Army officer before election to the House, and is regarded as something of a spokesperson for the military, particularly the Army and veterans.

The member's other particular interest is the District of Columbia. He or she is the Ranking Minority Member of the Committee on the District of Columbia, and is appalled by the continual need for the federal government to subsidize the District. For years, the member has been fighting for Congress to take action that would put the District on a sound financial footing once and for all, and eliminate the need for special subsidies.

*The North Carolina Republican*

This member is one of the most conservative members of the House. He or she is a leader in movements to pass constitutional amendments prohibiting abortion and requiring a balanced federal budget. The member votes against every spending program other than those which subsidize tobacco and other agricultural concerns, and national defense. The member believes that stricter criminal laws, including capital punishment, would go a long way in curing the current ills of the country.

The member is in his or her third term and wins with huge margins, requiring no out-of-state campaign funding. The Democrats in his or her district have a hard time finding a candidate for Congress.

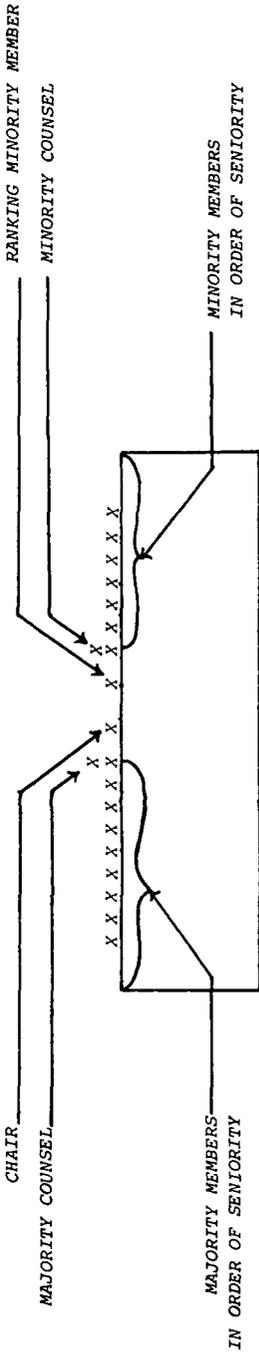
He or she thinks that the Minority Leader is too liberal for the current Republican membership of the House.

*The Indiana Republican*  
(Revenue Sharing Case Only)

This member is a moderate/conservative freshman. He or she represents a district that is primarily agricultural, but which also includes the University of Indiana and a major factory of a Japanese automobile manufacturer.

The member is concerned because young people in the state are increasingly tending to leave it for better opportunities elsewhere. Fewer and fewer graduates of the University remain in the State. The member's own sons live in California and New York.

Also, this member's district alternates from election to election more than any other district in the State.



TESTIFYING WITNESSES → X X X X

WITNESSES WAITING TO →  
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FLOOR CONFIGURATION FOR COMMITTEE MEETINGS

