

How Congress Actually Works

And Why It Usually Doesn't

Congress is the most powerful branch of the federal government. It controls the money, declares war, makes the laws, and can remove the president. It is also, in its current form, dysfunctional in ways that are sometimes intentional. Here is how it actually works — and why it usually doesn't.

The Committee System — Where Bills Go to Die

- Every bill introduced in Congress is assigned to a committee. The committee chair decides whether the bill gets a hearing. Most bills never get a hearing. They die in committee without a vote.
- In the 117th Congress, approximately 14,000 bills were introduced. About 365 became law. That is a 2.6% passage rate.
- Committee chairmanships are assigned by party leadership. If leadership doesn't want a bill to pass, it assigns the bill to an unfriendly committee or a chair who buries it.

The Privileged Resolution — The Tool That Bypasses Leadership

- A privileged resolution is one that goes directly to the floor for a vote — bypassing the committee process entirely.
- Any member of the House can introduce a privileged resolution. The Speaker must bring it to the floor within two days.
- The War Powers resolutions introduced by Rep. Thomas Massie (R-KY) and Rep. Ro Khanna (D-CA) regarding the Iran war are privileged resolutions. Speaker Johnson cannot simply ignore them — he must bring them to a vote.
- This is one of the few tools rank-and-file members have to force leadership's hand. It is rarely used because members who use it often face consequences from their own party.

The War Powers Act — What It Says and Why Presidents Ignore It

- Passed in 1973 in the wake of Vietnam, the War Powers Resolution requires the president to notify Congress within 48 hours of committing military forces to hostilities.
- Military action must end within 60 days unless Congress authorizes it. Congress can pass a concurrent resolution requiring withdrawal at any time.
- In practice, presidents of both parties have argued the Act is unconstitutional and ignored it. Congress has never successfully invoked it to end a military action.

- The Iran strikes present the most direct test of the Act in years. Whether Congress uses the tools available to it — including the Massie-Khanna privileged resolution — is a live question.

The Discharge Petition — How Members Can Force a Bill to the Floor

- If a bill has been sitting in committee for 30 days, members can sign a discharge petition to bring it directly to the floor.
- If 218 members (a House majority) sign the petition, the bill comes to the floor regardless of leadership's wishes.
- Discharge petitions rarely succeed because members who sign them risk punishment from their own leadership — committee assignments, campaign funding, and primary challenges can all be affected.
- When a discharge petition comes close to 218 signatures, it creates enormous pressure on leadership to address the underlying issue.

The Filibuster — What It Actually Is

- The filibuster is a Senate-only procedural rule. It does not exist in the House.
- Under current Senate rules, most legislation requires 60 votes to end debate (cloture) and proceed to a final vote. With 100 senators, that means 41 senators can block any bill indefinitely.
- The 'talking filibuster' of Hollywood films — where a senator speaks for hours — no longer exists in practice. Senators simply declare their intent to filibuster and the bill dies.
- Exceptions: Budget reconciliation bills can pass with 51 votes. Presidential nominations require only 51 votes (the 'nuclear option' was invoked by both parties).

What Your Call Actually Does

- Congressional offices tally constituent contacts by position.
- A spike in calls opposing a bill gets reported to the member. A consistent call volume is treated differently than a one-day burst.
- The most effective calls are from constituents in the district, not national callers. National call campaigns are discounted.
- The most effective calls are to the district office, not DC. District staff have direct relationships with the member.
- Ask the staff member's name. Call back in two weeks. Relationships with district staff matter over time.

Congress has the tools to constrain executive power. Whether it uses them depends entirely on whether enough members feel enough pressure from their constituents to accept the personal cost of doing so.

