

Policy Resolution Background Paper

Resolved: The United States Federal Government should significantly reform Congress.

Background

Congress, defined in [Article 1](#) of the Constitution, is also known as the “first branch” of the federal government ([source](#)). Understanding how Congress works and why it works that way is critical to being an informed citizen.

The work of congressional representatives can seem remote and disconnected to us, but the reality is that you can be more effectively involved in the political process if you understand how Congress works. For example, you can better tailor communication with a congressional representative if you understand legislative milestones, committee structure and process, key times to make your voice heard, and what form of communication would make maximum impact.

While most domestic resolutions focus on passing legislation to reform a particular area of government, this resolution will focus on reforming the legislative bodies and processes themselves. This resolution pairs well with a high-school government course and is accessible either as an introduction to policy debate or a capstone activity for advanced students.

Resolitional Definitions

United States Federal Government: “The Constitution of the United States divides the federal government into three branches: legislative, executive, and judicial. This ensures that no individual or group will have too much power.” ([source](#))

Congress: “Congress is a bicameral legislature divided into two equal institutions: the House of Representatives and the Senate. Each state sends elected representatives and senators to Congress. Although the House and the Senate are structured differently and have their own roles and responsibilities, they work together to pass legislation. No bill can become a law without passing both houses of Congress.” ([source](#))

Resolutional Analysis

Limiters

Although the resolution is worded simply, and much in team policy is debatable, some natural limiters seem to apply:

- Since Congress is defined as the House of Representatives and the Senate, Congress is generally *not* considered to extend to the broader term “legislative branch,” which would also include supporting agencies such as the Congressional Budget Office ([source](#)).
- Since the U.S. Federal Government is the actor, actions under the jurisdiction of the states would be excluded. Examples include redistricting congressional seats or ratifying constitutional amendments.

Initial Study

Prior to the season, debaters would benefit from digging into the following:

- The details of [Article 1](#), which establishes Congress and describes its powers and limitations ([source](#)). In addition to the text, study the linked explanations.
- The “separation of powers,” both among the branches of the federal government and between the federal government and the states ([source](#)).
- Relevant Constitutional amendments and linked explanations, such as the following:
 - [14th Amendment](#)
 - [16th Amendment](#)
 - [17th Amendment](#)
 - [27th Amendment](#)
- Founders’ insights, such as in [Federalist #10](#) and [Federalist #51](#).

Policy Complexity

Three factors contribute to the complexity of proposing congressional reforms and defending the status quo: conflicting views, House and Senate distinctions, and Congress being a self-reforming body.

First, opinions about Congress can be paradoxical and can shift depending on what political party currently holds the majority. [Pew Research](#) reports that 72% of people view Congress negatively, yet in 2024, 95% of incumbents were elected ([source](#)). A congressional

representative's view, or a thinktank's view, or an individual's view of the effectiveness of Congress can vary widely depending on stances on issues, majority/minority status of the political party at that time, and other factors. For example, the majority party may perceive gridlock as an obstacle, but the minority party may consider gridlock as the only way to fight back.

Second, the U.S. House of Representatives and the U.S. Senate have many similarities but are also distinct bodies. [Article 1](#) of the Constitution grants each body certain responsibilities and allows each to “determine the rules of its proceedings” ([Article 1, Section 5, Clause 2](#)). The [U.S. Capitol Visitor Center](#) expresses their distinctions well: “The terms of office and number of members directly affects each institution. With four times the membership, the House follows procedures closely and limits debate. Debate is nearly unlimited in the Senate and all members have an opportunity to influence legislation. Senators feel less pressure to move quickly on issues.” Such distinctions must be taken into account when proposing cross-cutting reforms.

Third, Congress has no choice but to reform itself. Affirmative teams are used to proposing that Congress pass a bill to take an action. This familiar process takes a twist when Congress itself is the recipient of their action. As the [Congressional Research Service](#) states: “Congress is an institution that reforms itself, and therefore special conditions must obtain before the membership will be moved to upset familiar ways of doing business.” House and Senate rules can also be reformed, but again, the body itself has to vote on the change.

Reform Goals

Many ways to reform Congress are possible, but thinking about reform might feel more manageable if one groups reform ideas based on their goals. The Congressional Research Service lists [six common goals](#) of congressional reform:

- Improve efficiency
- Redistribute power
- Promote transparency
- Enhance public standing
- Achieve policy results
- Strengthen congressional prerogatives

Affirmative Topics

- Filibuster
 - Restore the talking filibuster
 - Lower the threshold for cloture
- Expand the Size of the House of Representatives
- Lobbying
 - Increase transparency of lobbying activities
 - Limit campaign contributions from lobbyists to legislators
- Campaign Finance Reform
 - Impose stricter limits on individual and corporate contributions for current legislators
 - Strengthen rules around Super PAC coordination with incumbents
- Increase Accountability in Congressional Attendance
 - Establish stricter attendance requirements, holding members accountable for consistently showing up to votes and discussions
 - Link attendance to benefits, such as eligibility for certain committee positions
- Stricter Budgetary Procedures
 - Enforce limits on deficit spending
 - Restore the ban on legislative earmarks
 - Introduce mandatory reviews of major programs and expenditures
 - Adopt stricter enforcement mechanisms of the “pay-as-you-go” (PAYGO) rule
- Strengthen Accountability and Anti-Corruption Measures:
 - Tighten financial disclosure requirements
 - Ban stock trading for sitting members of Congress

Negative Topics

- For affirmative plans seeking to promote efficiency in passing legislation:
 - Deliberation is key to building consensus and bipartisanship.
 - The Founders intentionally built gridlock into the congressional system.
 - Most barriers to efficiency are a matter of political will and incentive, not congressional policy.
 - Efficiency can undermine transparency and allow for rushed/bad law-making (e.g., omnibus bills).
 - Top-down control of the legislative process by party leaders undermines representative government.
 - Congressional efficiency has not declined significantly in recent decades.
 - The costs of congressional gridlock are insignificant.
- For affirmative plans seeking stricter budgetary procedures:
 - Most budgetary gridlock arises from a failure to meet deadlines, not a significant policy issue.
 - Current attempts to balance the budget such as PAYGO are based upon faulty economic assumptions or would require reforms outside of fiat power.
 - Government shutdowns can allow for much-needed reflection and negotiation.
 - Reforms to circumvent government shutdowns, such as automatic continuing resolutions, are fiscally irresponsible, perpetuate government growth, and hinder Congress's power over the purse-strings.
- For affirmative plans increasing accountability/anti-corruption measures:
 - Lobbyists are an important and legitimate source of information, representation, and fund-raising for Congress.
 - The Supreme Court has circumscribed limits on outside spending and corporate influence in Congress.
 - Previous anti-corruption measures, including bans on insider trading and the establishment of the House Committee on Ethics, have a precedent of failure, making the success of future reforms doubtful.
 - The most effective reforms would require barring congressmen from aspects of ordinary American life (e.g., banning the ownership/trading of stocks), contrary to American ideals of equality under the law, free speech, and free participation in society.



Resources

[Artl.1 Overview of Article I, Legislative Branch](#)

[Artl.S1.2.3 The Great Compromise of the Constitutional Convention](#)

[Intro.7.3 Federalism and the Constitution](#)

[About Congress | U.S. Capitol - Visitor Center](#)

[Constitutional Authority Statements and the Powers of Congress: An Overview](#)

[The Declare War Clause, Part 1: Overview and Introduction | Congress.gov](#)

[Supreme Court Overrules Chevron Framework | Congress.gov](#)

[The Legislative Process on the House Floor: An Introduction | Congress.gov](#)

[Congress's Authority to Regulate Interstate Commerce](#)

[Congress's Power Over Appropriations: A Primer](#)

[The Federal Role in Apportionment and Congressional Redistricting: CRS Resources | Congress.gov](#)

[An Effective Congress | Brennan Center for Justice](#)

[What's Wrong With Congress \(And How to Fix It\) - The Atlantic](#)

[Why Congress needs to be revitalized, with Philip Wallach - Niskanen Center](#)

[Vital Statistics on Congress](#)

[US Congress is getting less productive](#)

[Public Trust in Government: 1958-2024 | Pew Research Center](#)

[Reform Money in Politics | Brennan Center for Justice](#)

[DataPoint: Congressional Office Organizational Chart | Blog | POLITICO Pro](#)

[Campaign Guide for Congressional Candidates](#)

[U.S. Senate: About Filibusters and Cloture](#)

[Eliminating the Filibuster | Indivisible](#)

[Congressional Stock Trading Continues to Raise Conflicts of Interest Concerns | Campaign Legal Center](#)