

What It Looks Like When Congress Does Its Job

By Lee H. Hamilton

If you've ever wondered what members of Congress do to earn their keep, the current health-care debate on Capitol Hill should give you a good idea. This complex legislation, placed on the congressional agenda by President Obama but shaped by the intense give-and-take of the legislative process, is a perfect window into our democracy.

Its sheer ambition — to remake one of the key drivers of our economy and to make health care both more affordable and more accessible to Americans — means that it will leave hardly a person, business or organization untouched. The stakes are huge, from corporations' profitability, to how doctors practice, to the heart of families' pocketbooks. That is why so many ordinary Americans and so many lobbying groups — from the U.S. Chamber of Commerce to small businesses to health insurers to AARP and, of course, the American Medical Association — are intent on having their say in what is taking place on Capitol Hill.

It's impossible to avoid the debate. Advertisements crowd the airwaves. Demonstrators gather on the Hill or at lawmakers' town-hall meetings. A torrent of interviews, speeches, editorials and op-eds appears every day. Over coffee at their local diner, around the dinner table, at VFW and Lions Club meetings, Americans argue over the so-called "public option," mandatory health insurance, and other particulars. You can only imagine how intense things have gotten on Capitol Hill, the epicenter of it all.

In this super-heated atmosphere, 535 members of Congress have to sort out what to do. The answers might seem obvious when you're shooting the breeze with friends, but it's not so simple when you're in Congress. For no matter what you might believe is the right approach, many of your colleagues will think differently, and some number of them will be dead set against what you want to do.

Moreover, as a member you're listening daily to lobbyists and constituents — many of whom, such as doctors and insurance agents and small-business owners — have a direct interest in what Congress produces. Sorting through their various points of view, assessing the conflicting fiscal analyses, trying to cut through the heated rhetoric, gauging the substantive merits of different proposals as well as their political impact: it all amounts to a full-time job in an institution that doesn't allow the luxury of devoting full time to any single issue.

As a measure of this importance moves toward completion, power inevitably shifts toward a few members of the leadership and a relative handful of members and senators who — often by virtue of sitting on the fence until the end — press issues about which they care deeply.

That is why abortion and immigration, concerns that were not especially noticeable early in the process, have become important at the end: the anticipated closeness of the vote on the floor — remember, a shift of just three votes would have doomed the House version — magnifies the importance of legislators who feel so passionately about a particular point of view that they're willing to scuttle the entire bill unless they're accommodated.

The process is designed to sort through all these conflicts. In each chamber, the legislation falls under the jurisdiction of three or four committees, each of which needs a majority to pass the bill on to the next stage. Eventually the measure reaches the floor, which means yet more debate and amendments, and another opportunity to kill the measure outright. Once both houses have passed their bills, a conference committee will come up with a final version, which once again will have to go to a floor vote in each house. At every stage, proponents of health-care reform will have to find enough support to move the legislation on — and ultimately get the support of the President.

There are plenty of Americans who think this whole process is too complex, that President Obama should simply have submitted his own proposal and then let Congress react. Yet I would argue that the congressional debate has been healthy for this country. Every side has had a chance to be heard, all of us have learned a great deal about the strengths and weaknesses of our health-care system, every conceivable interest has been represented at the table, and members of Congress have had to look at the health-care system from multiple points of view.

I guarantee you that whatever the final measure looks like, no one will be entirely satisfied. Yet legislating is not the art of the perfect, it's the art of the possible. We have a Congress precisely in order to pursue this "dialogue of democracy," and to produce, in the end, an ambitious piece of legislation with the legitimacy to be accepted among a broad cross-section of Americans.

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