



## The 2014 Congressional Calendar\*

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For those whose lives, property and fortunes are dependent upon the activities of the U.S. Congress, it is useful to be occasionally reminded of the Congressional calendar. It is not unusual to forget that the senators and representatives represent constituencies that are remote for their offices on Capitol Hill. Washington D.C. is a part-time residence for these members. Those who vote for them require face to face, boots on the ground, contact. While it may come that a member can get elected through virtual appearances, that time is not yet here.

Therefore, particularly in even numbered years, Congress must take into account in creating its calendar sufficient time for the members to shake some hands and kiss some babies back home.

Therefore, to build a calendar, the beginning and ending dates of the session are outlined. In an election year, the election date is then set as a primary ending benchmark. In 2014, the sessions began on January 6 in the Senate and January 7 in the House, and Election Day is November 4. That would include 303 days.

Traditionally, Congress is not in session on the weekends, so subtract from the 303 days 86 weekend days, leaving 217 days. To provide better education of both the Congressperson and his or her constituents, some periods of concentrated district visits are required, and so district or state work periods are scheduled when members can remain in the district or state and meet with more voters without the rush of quickly heading back to Washington. Counting becomes more incalculable at this point and there is some separation between the House and the Senate: Work periods do not always overlap. Roughly speaking, however, 75 days are absorbed by state and district work periods.

Then, federal holidays not falling on the weekends will be excluded. Then, major Jewish and Christian religious holidays that are not federal holidays will be excluded. The House alternates working on Fridays or Mondays, but not both. The Senate calendar shows that it will work both Monday and Friday each week it is in session, but custom dictates that many of these days there are no votes.

Traditionally, there are no votes after a designated time on Fridays that are work days (e.g., no later than 3:00 p.m.), and on the first day back after weekends or work periods, there are no votes before a designated time (generally 6:00 p.m.). And in even numbered years, the calendar is affected by primary races, more and more of which have become heavily contested in recent years.

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While some states utilize caucuses or conventions, most use an open primary system, and the vote is on a specific date. This year, it appears that there will be voting on 17 different dates during the session, some of which are on Saturday but many of which are on other days of the week. Not only will members feel they must be in their home states on primary day, but many of them with hotly contested elections will be obliged to be there as often as possible before that date. Leadership will be conscious of this in scheduling votes. Measuring its impact on the actual legislation process is difficult, but it does restrict the number of days for floor votes.

The net of all of this is to reduce the number of days when either the House or the Senate is scheduled to be in session. Between the opening of the Congress in early January and Election Day on November 4, both houses will be in session at the same time for only 92 days.<sup>1</sup> During seven of those days there will be primaries in one or more states, leaving only 85 days in which both houses will be in session and unencumbered by primaries. Of course, some of those dates are Mondays or Fridays and voting time is constrained during those days.<sup>2</sup>

During these days, Members of Congress must not only vote on the floor (in fact, that generally takes up only a modest amount of their time), but they must participate in committees engaged in a myriad of contentious issues. They must prepare for hearings, and even more so for committee markups of legislation. They must participate in other organized congressional activities, including party caucuses and lunches, organized congressional lobby meetings, rump group meetings on a particular subject, etc.

For many members, none of those are the key to their representation of their constituents. That key is constituent meetings, both back home and in the D.C. offices. To those meetings, many members commit a major part of each day to meetings, phone calls, meals, and other casual in-the-hallway encounters. And surrounding all of this is the need to harvest the mother's milk of politics — money.

All Members of Congress would love to mimic former Senator William Proxmire, Democrat from Wisconsin, who did not accept any campaign contributions and spent less than \$200 on his last two Senatorial reelection contests. How nice that would be. Of course, he had the practice of issuing a press release every day of every term, was methodical in appearing to vote on the floor (over 10,000 consecutive votes on the floor), was an expert at crafting a persona that fit his constituency, and was very bright and well educated.

For those not so fortunate, the average cost for election to the House in the last election cycle, 2012, was \$1.6 million. To win a Senate seat, it cost an average of \$10.3 million. To lose a House seat cost \$587,000, and to lose a Senate seat cost around \$7 million. To raise those sums requires hours of telephone calls and hours of hand shaking. That must be squeezed in among the other duties required of a member. And with the growth of Super PACs, and the Citizens United decision, what members spend can be dwarfed by amounts flooding into their campaigns (often the primary campaigns). Many members dread the sudden onslaught of vast sums of money dropped on TV advertising in their district two weeks before primary day.

Finally, many members try to have a family life. It is not unusual for members to have children still living in their homes with them, and the cost of maintaining two homes, one in the district and one in the D.C. area, can be staggering for those members who are not wealthy. As with any family's, but perhaps more so because of the lifestyle required of the members, stresses occur in their families, and that has to be part of the equation with which they deal.

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<sup>1</sup> As of the end of the second week in February, 19 of those days will have already passed, leaving only 73 such days remaining.

<sup>2</sup> Of course, each house can conduct business when the other house is engaged in a district or state work period. The Senate has scheduled a number of days in session in which the House will be in work periods; the House, on the other hand, has scheduled only three days it will be in session and the Senate will be out.

Part of the effort of Leadership in both houses is to assist members in having a better family life. That is why the standard work week for House members is four days rather than five, and why both houses have extended work periods.

None of this takes into account what can be accomplished after Election Day. Realistically, however, very few important pieces of legislation can be passed in Lame Duck sessions, in part because party responsibility is difficult to maintain with defeated members, and in part because the parties are calculating whether it is better to wait until the new members are seated to address major issues. Sometimes the electorate complicates the issues by sending messages in their votes that are unexpected.

### Summary

It is sometimes difficult to understand why Leadership of the chambers will say that they have run out of time to deal with major issues facing the country when the calendar still shows months of time left before adjournment. The above explains why that is so. None of the above takes into account the difficulty in moving bills through the Senate when it is so closely divided between Republicans and Democrats. Disagreements in the body over programs, personalities and policies can quickly drag out proceedings in committees and on the floor, and slight delays soon become delays of two or three days, way too many for the few active days left on the calendar. Sometimes, black swans settle on the pond, the totally unpredictable major events that toss all the reasonable plans into the air.

Net, net, do not be deceived by the ordinary calendar when considering legislative activity in the Congress. It can be misleading.

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