CHAPTER THREE

i. Committee System of the US Congress

ii. Committee System of The Indian Parliament

Introduction

Any modern legislature, and that too in democracies like India and the United States, has a very heavy workload. Legislatures are there to debate, legislate, supervise, investigate and provide resources to the executive by approving budgets. In this era of liberal, welfare states, when policy making has become highly complicated, governments seek the assistance of experts in various ways.

Legislative institutions in India as well as the United States have devised committee systems to tackle their heavy workload and increase their expertise.

Advocates of the committee system stress the fact that discussion in a committee of a limited number is more business like and effective than discussion on the floor of the legislative chamber.\(^1\) Moreover, members of a particular committee are more likely to be keenly interested in the subjects under the committee’s jurisdiction.

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The committee system also enhances the opportunities for members to participate in the deliberative functions of the legislature. The smaller legislative committee as compared to that of the whole legislature prevents any committee from being unwieldy.

Besides these apparent similarities in the committee system of Parliament and Congress in India and the US an in-depth study shows that the two systems differ a lot. In fact Kenneth Bradshaw and David Pring remark that, "...in no way is the difference between Parliament and Congress more marked than in the use each makes of committees..."3

They explain this difference as follows: While Congress has chosen to operate through a number of "autonomous committees", and has shown how these can be successfully used to carry out its constitutional functions, Parliament is yet to agree to allow its committees that much scope or power. Parliamentary committees very often are required to operate "in the shadow of the House"5 that creates them. While Congress looks like a great number of self-contained machines operating independently of each other, Parliament is itself one machine, of which its committees form a component part-a

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2 fn.1
4 Ibid. pp. 207.
vital part, but one which has little utility except when fitted into place.⁶

**Congressional Committee System**

Woodrow Wilson’s aphorism that “Congress in its Committee-rooms is Congress at work”⁷ is famous. By now it has become almost an accepted fact that Congressional committees are “at the heart of all Congressional activities,” in particular offering “Congress its principal opportunity to shape the national policy in detail”⁸

Committees form the infrastructure of Congress. They are where the bulk of legislative work is done—where expertise resides, where policies incubate, where most legislative proposals are written or defined, where many necessary compromises are made, where the public can make its views known, where members of Congress build influence and reputations.⁹

Committees have enormous power. They hold hearings, conduct investigations, and oversee government programs. They initiate bills, approve and report legislation to the floor. They can kill measures through inaction or defeat.

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⁶ Ibid. pp. 207.
Any committee that subjects a bill to expert scrutiny normally expects its decisions to be upheld on the floor. Committees "are not infallible, but they have had long familiarity with the subject under discussion, and have made an intimate study of the particular bill before the House and after mature deliberation have made formal recommendations and, other considerations being equal, are entitled to support on the floor."¹⁰

Any observer of American government and politics can say that it is difficult, at times almost impossible, to circumvent a committee that is determined not to act. A bill that has been approved by a committee may be amended when it reaches the House or Senate floor, but extensive revisions generally are more difficult to achieve at that late stage. The actions of the committees more often than not give Congress its record of legislative achievement and failure.

**Evolution of the Congressional Committee System**

Congressional committees became a major factor in the legislative process by evolution, not by any constitutional design as such. The committee concept was borrowed from the British Parliament. But the committee system as it developed

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in Congress was modified and influenced by characteristics peculiar to “American life.”\textsuperscript{11}

In the early days of the Republic, when the nation’s population was small and the duties of the federal government were not too many, Congress had little need for the division of labour that the present committee system provides. In the early Congresses, legislative proposals were considered first in the Senate or House, and thereafter referred to a special or select committee exclusively appointed for the purpose of working out the details of the legislation. As soon as the committee submitted its report, it was dissolved. Congress had its committees in its formative period as well. Approximately 350 committees were created during the third Congress alone.\textsuperscript{12}

As legislation increased in volume and complexity, permanent (standing) committees gradually replaced select committees. And legislation was referred directly to the committees without first being considered by the parent body. This procedure gave the committees initial authority over legislation, each in its specialized jurisdiction, subject to subsequent review by the full chamber.

\textsuperscript{12} George B. Galloway, \textit{Congress at the Crossroads}, (New York: Thomas Y. Crowell, 1946), pp.88
The House took the initiative in the creation of standing committees. It had set up its first committee in 1789 and the number had risen to ten by 1810. The dramatic growth of the House and its workload in the nineteenth century contributed to the institutionalization of committees.13

The Senate was slower in establishing standing committees. In the first twenty-five years of its existence, only four standing committees were created. And all of them were basically administrative in nature, not legislative as such. Most of the committee work fell to select committees, usually of three members. Those committees were appointed when needed, and disbanded when their task was completed. During 1815-1816 itself about one hundred such committees were appointed.

Eventually the Senate, finding it inconvenient to appoint so many ad hoc committees during each session, added 11 standing committees to the existing four in 1816. By 1863 the number had grown to 19.14 But prior to the Civil War committees played a relatively small role in the Senate.

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Proliferation of Subcommittees

The standing committee system that was firmly established in the first-half of the nineteenth century expanded rapidly in the second half. Several factors influenced the role of committees. Smith and Deering have observed that, "...first dramatic, economic, geographic and population growth placed new and greater demands on Congress, which responded with more legislation and new committees. Second, further development of American political parties and the increasing strength of Congressional party leaders, especially in the late nineteenth century, led to an ever greater integration of Congressional parties and the committee system. Third, members of Congress first in the Senate and then in the House, came to view service in Congress as a desirable long-term career, which in turn gave more personal significance to Congressional organization, particularly the committee system." 15

In 1913, there were sixty-one committees in the House and seventy-four in the Senate. In 1909, about six, and two years later another six minor and superfluous House committees were dropped. In 1921, the Senate had reduced the number of its committees from seventy-four to thirty-four. It was done by abandoning several long-defunct bodies. The

House in 1927 reduced the number of committees by merging eleven expenditure committees.\textsuperscript{16}

The next major overhaul of the committee structure took place in 1946 with enactment of the Legislative Reorganization Act. By dropping minor committees and merging those with related functions, the act achieved a net reduction of eighteen in the number of Senate committees from thirty-three at that time to fifteen, and twenty-nine in the number of House committees, from forty-eight at that time to nineteen. The Act also defined in detail the jurisdiction of each committee and attempted to set ground rules for their operations.

The period between 1946 and 1977 witnessed an explosion in the number of subcommittees. The House had about one hundred subcommittees while the Senate had more than eighty subcommittees by 1964.

According to Smith and Deering, the growth in the number of subcommittees was rooted in the practical problems involved in managing larger and more complex workloads. Besides this, several senior members had a desire for a piece of legislation and there were also isolated efforts on

individual committees to loosen the grip of the chairmen on activity of committees.\textsuperscript{17}

But the creation of a larger network of subcommittees in the years following the 1946 act did not mean that power automatically gravitated there. Until the early 1970s, most House and Senate committees were run by their chairmen who were the most senior members of the majority party. Therefore, they were able to retain much of the authority for themselves and a few trusted senior members, while giving little power to junior members or subcommittees.

**The Seniority System**

As the committee system grew, so too did a system that awarded power on committees to the member with longest service on the committee. Seniority, status based on length of service, to which are attached certain rights and privileges, pervades nearly all social institutions. But in no other political group had it been so deeply embedded as in the United States Congress.

Despite frequent references to a "seniority rule" and a "seniority system", observance of seniority in Congress was never dictated by law or formal ruling. It developed as a

tradition. The formal rules simply stated that the House or Senate should determine committee membership and chairmen.\textsuperscript{18}

Seniority on Capitol Hill had its basis in the length of service in Congress, known as Congressional seniority or the length of consecutive service on a committee, called committee seniority. As the system developed in both houses, it affected the assignment of office space, access to Congressional patronage, and deference shown to members on the floor.

But seniority was most apparent and important in the selection of committee chairmen and in filling vacancies on committees, although state and regional considerations, party loyalty, legislative experience and a member's influence with his colleagues were also significant factors in making committee assignments.\textsuperscript{19}

By 1846, seniority had become a major consideration in committee assignments as well as advancement within a committee. The Senate was the major victim of this seniority tradition.

As committees developed into powerful, autonomous institutions, committee chairmen assumed ever greater powers over legislation. Their influence was so great that Woodrow


\textsuperscript{19} Ibid.
Wilson in 1885 had to write: "I know not how better to describe our form of government in a single phrase than by calling it a government by the chairmen of the standing committees of Congress."\textsuperscript{20}

With the long tenure of senior members, a generation gap developed. Roger H. Davidson observed that, by 1973 the average House committee chairman was 66 years old and had almost 30 years of Congressional service behind him; the average Senate chairman was 64 years old and had 21 years of experience. This situation neglected talent in the mid-seniority ranks, that eventually generated a lot of frustration and resentment there.\textsuperscript{21} The regional imbalance in top committee posts was even more irritating to Democratic liberals. In 1973 the six chairmen of the most powerful committees in Congress – those dealing with taxes, appropriations, and the armed services – came from just four states in the south central part of the country: Louisiana, Arkansas, Mississippi, and Texas.

**1970s Reform Movement**

Frustration with the existing system gave rise to demands for reform by the late 1960s. These demands were especially strong among junior members and some liberal


Democrats who had found their efforts to shape public policy thwarted by their more conservative senior colleagues. Most of the committee chairmen were out of step and even out of touch with their party programs.\textsuperscript{22}

The reform movement that took off in the 1970s radically restructured the committee system within a decade. The era of autocratic committee chairman responsible to nobody ended. Junior and minority party members of Congress now had positions, privileges, and resources earlier members had been denied. Committee operations and votes were opened to the public.

The trauma of the Vietnam War and then the Watergate scandal heightened dissatisfaction with the old order and ways of doing things. A generation of younger, less reverent members with new agendas, such as the environmental and human rights had entered Congress.\textsuperscript{23}

\textbf{“Sunshine” Reforms Dim in the 1980s.}

The reforms of the 1970s known as ‘sunshine’ rules opened up previously secret committee proceedings. These were meant to improve the image of Congress. But gradually key panels voted to close their doors to consider major


\textsuperscript{23} fn. 22.
legislation. Defenders of closed sessions argued that committee members were more open, markups more expeditious, and better laws written away from the glare of lobbyists and media. There were very few objections raised by adoption of this practice that went against the reforms. But the most visible impact of the 1970s reforms was in the proliferation of subcommittees. Much of the power and prestige that had been held by full committees was transferred to subcommittees. Subcommittees took on the institutional characteristics and vested interests of their parent committees. People began to talk about “subcommittee government” instead of “committee government” on Capitol Hill.24

The empowerment of subcommittees led to a decentralization of power and to heavier legislative workloads for members of both houses. But critics pointed out that the legislative process had been slowed down. It was because rival centres of power had emerged. The invincibility of committees and their leaders had ended. And lawmakers no longer deferred to committees on the details of legislation. And also there emerged more floor challenges to more committees, because members had gained the expertise and staff needed to

make independent judgments. Another significant impact of the 1970s reforms was to dilute the control of traditional committees. For example, the Appropriations and Budget Committees of Congress struggled till the early 1990s to control immense federal budget deficits, without success.

The 1990s saw a resurgence of the Republican Party in Congress. Since the November 1994 Congressional elections, Congress was dominated by Republicans. The conservative agenda of the Republican leadership, like that set by House Speaker Newt Gingrich, eloquently stated in Contract with America, at the time of 1994 Congressional elections provides one with his vision of the changes that are to come about—and some of them have already been made in the political landscape of the US. Capitol Hill has experienced a wave of centralization, especially in Congressional leadership and also committees.

**The Committee Structure**

There are three principal classes of committees in Congress: standing committees, select or special committees, and joint committees. Standing committees have permanently authorized staff and broad legislative mandates. Select or

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special committees which are temporary in nature are authorized to operate for a specific period of time or until the project for which they are created has been completed. These committees are very often investigative, not legislative. And joint committees have membership from House and Senate. Conference committees, a special variety of joint committee, serve on an ad hoc basis to resolve differences in Senate and House versions of the same legislation.27

Below the committee level there are a host of subcommittees, which are functional subdivisions of the committee. Like the full committees, they are composed of members of the majority and minority parties roughly in the same proportion as the party ratios on the full committees.28

Congressional Committees on Foreign Affairs:

US Congress has two committees and about twelve subcommittees which formally look after US foreign affairs. Both the Senate and the House of Representatives have separate committees on foreign policy. They are known as Senate Foreign Relations Committee and House of Representatives International Relations Committee.

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28 In. 27, pp.87.
Senate Foreign Relations Committee:

Senate Foreign Relations Committee was established on 10 December, 1816. It soon rose into prominence due to its jurisdiction over treaties signed by the US. The Senate committee has crucial Advise and Consent power on the matters of treaties. All the diplomatic nominations of President need ratification by the Senate. The committee acquired jurisdiction of Committee on Relations with Canada (which was created in 1892), and Committee on Relations with Cuba (that was set up 1899) in 1921.

At present, there are seven subcommittees of the Senate Foreign Relations Committee which are as follows:

1. African Affairs.
2. East Asian and Pacific Affairs.
3. European Affairs.
5. International Operations.
7. Western Hemisphere, Peace Corps, Narcotics and Terrorism. 29

House of Representatives International Relations Committee:

The House Foreign Affairs Committee was initially launched on 13 March, 1822. It was renamed Committee on International Relations in 1975, Committee on Foreign Affairs in 1979, and back to Committee on International Relations in 1995. The committee has responsibility for relations of the US with other countries. Until the end of the World War-II period, the House Foreign Affairs Committee by and large remained non-attractive for members as it lacked authority over treaties' and diplomatic nominations. But membership of the committee became a matter of prestige when the rapid expansion of US involvement overseas after the World War II demanded more attention of the committee and the House. The most important power of the House is financial power.

There are five subcommittees of the House Committee on International Relations. They are as follows:

1. Africa

2. Asia and the Pacific

3. International Economic Policy and Trade

4. International Operation and Human Rights

5. Western Hemisphere.30

**Other Committees:**

There are few other committees of Congress which share jurisdiction over foreign policy matters. Appropriations Committees enjoy a powerful lever in matters of foreign aid and military assistance. The Armed Service Committees influence arms control policies as well as defence-related decision. Intelligence Committees monitor the activities of the Central Intelligence Agency and other intelligence agencies. While the Judiciary Committees review immigration policies, the House Ways and Means and the Senate Committees review trade bills. The Banking Committees have a say in international monetary matters. House Banking Committee considers the budget requests for multilateral aid.

**Committee System in the Indian Parliament**

The parliamentary committee system is not as well developed in the Indian Parliament as the one in the United States Congress. The basic purpose of committees in the

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parliamentary system is to investigate and report to Parliament, and not to interfere in administration and policy matters. These committees have purely advisory and consultative status.

Lok Sabha Committees are relatively more powerful and more organized than Rajya Sabha ones. External affairs, bills, or policy matters are discussed in the financial and administrative committees or in the ad hoc committee constituted to inquire into a specific aspect. These committees are of two types: Standing committees and Consultative committees.

As far as foreign affairs are concerned, until 1993 only two committees were relevant. The Estimates Committee and the Public Accounts Committee.31 The Estimates Committee examines the technical aspects of money bills presented by the government to the Houses. It scrutinizes government estimates, reports on the financial condition, and offers suggestions for improvement. Suggestions include organizational and administrative reforms, methods for producing more efficiency and economy, and the form in which estimates should be presented to Parliament. The committee

31 Krishan D. Mathur and P.M. Kamath, Conduct of India's Foreign Policy (New Delhi: South Asian Publishers, 1996), pp. 75-76.
does not examine all yearly estimates but selects a few topics from some of the ministries every year.\textsuperscript{32}

The Public Accounts Committee also indirectly controls the conduct of foreign affairs through its scrutiny of the reports of the Comptroller and Auditor General of India. The report showing expenditure incurred by the Ministry of External Affairs is an authoritative document for the Public Accounts Committee.

Since 1993, separate Standing Committees have been set up according to various subjects, including the ones on External Affairs and Defence. The standing committees have proportionate representation from both Houses of Parliament. And on each committee all political parties have proportionate representation on the basis of their total representation in Parliament.

The most important work done by standing committees is to examine budget proposals during the budget session and make their reports available to the House.

**Consultative Committees**

The roots of a consultative committee system can be traced back to the Montague – Chelmsford Report which suggested that the elected members should be familiarized

\textsuperscript{32} fn.29, pp.76.
with the “process of administration”. The Parliamentary Standing Committees associated with government departments were established in 1922, and functioned after independence as well. But those committees were disbanded in 1952 on grounds that government being responsible to the legislature standing committees had lost their relevance.

Jawaharlal Nehru, the first prime minister of India, re-established these committees in 1954 in order to facilitate informal consultations with parliamentarians.

In 1969, the Informal Consultative Committees attached to various ministries were renamed by dropping the word ‘informal’. Since then, the committee on External Affairs is known as Consultative Committee of Parliament on External Affairs. These committees continue to exist even after the establishment of Standing Committees of Parliament.

The Consultative Committee has about 32 members from both Houses. It is chaired by the Minister of External Affairs. It meets once during every parliament session and once during the intersession period. That is, roughly six meetings are held a year. Though members are free to discuss any dimension of foreign policy, the discussions are considered informal and no reference can be made to these meetings on the floor of

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Parliament. The Committee cannot demand examination of records and files, or obtain testimony from individuals. The recommendations of the consultative committee, even unanimous, are not binding upon the government of the day.

A.G. Noorani, a renowned commentator on constitutional affairs in India, has likened the Consultative Committees of Parliament to the criticism by James Bryce of the Holy Roman Empire that it was neither holy, nor Roman, nor an empire. Noorani says that these committees are not creatures of Parliament, they are surely not consultative, indeed they are not even committees, as the term is commonly understood.36

**Parliamentary Committees on Foreign Affairs:**

At present there is one Standing Committee of Parliament on External Affairs. It is a joint committee of Lok Sabha and Rajya Sabha. It consists of about 40 members. They are from Lok Sabha and Rajya Sabha. Membership of the Standing Committee consists of members from all political parties in Parliament, in proportion to their overall parliamentary strength. Standing Committee meets six times a year, once during each of the three sessions of Parliament, and once during each of the three intersession periods in a year. Composition of the committee shows that at times seats

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on the committee remain vacant. Those members who join the
commitee they are not necessarily interested in the subject
and work of the committee. There were just a handful of
names of parliamentarians who were prominent for their keen
interest in matters. They were I.K. Gujral, A.B. Vajpayee, and
K. Natwar Singh.

There is another committee called Consultative
Committee of Parliament attached to the Ministry of External
Affairs. It is a highly informal and recommendatory body. It is
also joint committee of Lok Sabha and Rajya Sabha. It also
consists of about 40 and odd members belonging to different
political parities in Parliament. Like Standing Committee,
Consultative Committee also meets six times in a year. Like
the Standing Committee, it also has very few genuinely
interested members, like I.K. Gujral, A.B. Vajpayee, and K.
Natwar Singh.

**Congressional and Parliamentary Committees and India-US
Relations in the 1990s**

Chapters Five, Six, and Seven in this study focus on
three different issues is India-US ties during the 1990s that
figured in Parliament and Congress respectively. Chapter five
concentrates on domestic politics in India over India's decision
to grant refuelling facilities to the US military planes during
Operation Desert Storm in January-February 1991. Study of Parliamentary Debates on this topic reveals that the then minority Chandra Shekhar government's decision to allow refuelling to American Air Force planes enroute to Iraq was made without prior sanction of Parliament or any parliamentary committee in this matter. In fact, the Indian Parliament till 1993 did not have its own committees except for the Public Accounts Committee, Estimates Committee and Committee on Public Sector Undertakings.

Prior to March 1993, when the Indian Parliament began its experiment with a Standing Committee system, there used to be Consultative Committees of Parliament attached to various ministries and departments of the Indian government. These committees survive even after eight years of formation of standing committees in 1993. These committees are basically government committees used by the executive mainly to inform and rarely to consult with the members of Parliament on policy matters related to a specific ministry or department. But proceedings of Consultative Committee meetings are not published. Even the meetings are held in-camera. Therefore, one cannot say with any degree of certainty and confidence, whether the Congress (I) supported minority Chandra Shekhar government took the Consultative Committee of Parliament on
External Affairs into confidence. So, it is a case of the committee system being far from effective in making the executive accountable to it.

It was on 31 March, 1993 that the 17 subject-based departmentally-related standing committees were established. They are Agriculture; Commerce; Communications; Defence; Energy; External Affairs; Finance; Food, Civil Supplies, and Public Distribution; Home Affairs; Human Resource Development; Industry, Labour and Welfare; Petroleum and Chemicals; Railways; Science and Technology, Environment and Forests; Transport and Tourism; Urban and Rural Development. But even after the setting up of these standing committees, one is yet to see any significant changes in the committees being able to make the government of the day accountable. For instance, as Chapter Seven shows, during debates in Parliament on Intellectual Property Rights, especially Patents, Copyright, Trade Mark and Geographical Indications bills, members repeatedly criticized the government for not taking reports of standing committees seriously. Members asked the executive from time to time why does the government ignore recommendations made by parliamentary standing committees. They appreciated the fact that in a few cases, at least a few recommendations were

37 Departmentally Related Standing Committees, Rules (New Delhi: Lok Sabha Secretariat, 1993).
accepted. But they wanted the government to explain it to them why all recommendations could not be accepted. While respecting the right of the executive to accept or reject what it thought fit, parliamentarians just asked for minimum courtesy from the government. Members just wanted the government to tell them why certain recommendations could not be accepted.\textsuperscript{38}

Since this work is a comparative study of the Indian Parliament and the US Congress on foreign affairs, it is also necessary to know the attitudes of the executives in the two countries towards legislative committees. There is a clear-cut difference between these attitudes. For example, when Indian Prime Minister Atal Bihari Vajpayee visited the United States during September 2000, he met members of the Senate Foreign Relations Committee and House International Relations Committee. These meetings took place without any objection from Americans.

But when the US President Bill Clinton visited India during March, 2000, the Congressional delegation

accompanying the president found it difficult to meet members of the Standing Committee of Parliament on External Affairs. At that time, it was reported in newspapers that officials in the Ministry of External Affairs were opposed to any such meeting. But there was no explanation for this objection made by the ministry officials to parliament or the public.\textsuperscript{39} So, by and large the executive in India did not and does not give enough consideration to the views and recommendations of the parliamentary standing committees during the 1990s. Sometimes it accepted a few of the recommendations made in the standing reports. But it does not explain to the committee or to Houses of Parliament, why it could not accept the other recommendations. And neither Parliament nor its committees could force the government to do so.

There is concrete evidence to prove the charge that the executive in India neglected standing committee reports. One of the latest reports of the Standing Committee on External Affairs expressed its regret over the fact that even after recommending construction of an Indian Cultural Centre in Washington, D.C., for seven years, the government has done very little. The report says that the Ministry of External Affairs has failed even to identify a property in Washington, D.C. to

\textsuperscript{39} The Indian Express (New Delhi), 23 March 2000.
house its premises. And the committee report blamed the ministry for following outdated and cumbersome procedures. And as usual, the committee members hope that the proposed Cultural Centre in Washington, D.C., would be set up soon so that further time and cost overruns could be avoided.40

This delay perhaps shows the widespread ignorance among the concerned authorities about the role of cultural diplomacy in international affairs. Everywhere, such information and cultural centres serve the purpose of bridging the information and knowledge gaps that exist between citizens of different countries of the world. Cultural centres can help people understand other countries in a better way. But the Ministry of External Affairs neglected all such considerations.

Congressional committees in the US on the other hand, are very powerful. They are assertive as well. In fact it is the committees first, and then the Congress, that decide the fate of any legislation. And determination on the part of the congressional committees very often forces the executive to do what the bipartisan bills passed by Congress want the President to do.

Chapter Seven deals with the legislative entrepreneurship that began in 1985 and ended in 1988 in the form of one of the most comprehensive legislations, namely the Omnibus Trade and Competitiveness Act of 1988. The prime motive behind this bill was to check the US trade deficit with its trading partners all over the world, and to open foreign markets for US exports. Omnibus Trade and Competitiveness Act was a product of three-years long hard work of about two dozen congressional committees. The committees of both House and Senate were involved in drafting the tough bill.

The Following committees of the Congress were participants in drafting the Omnibus Act of 1988:

**House**

1. Ways and Means Committee
2. Energy and Commerce Committee
3. Foreign Affairs Committee
4. Banking Committee
5. Education and Labour Committee
6. Agriculture Committee
7. Small Business Committee
8. Merchant, Marine, and Fisheries Committee
9. Public Works and Transportation Committee

10. Judiciary Committee

11. Rules Committee

**Senate**

1. Finance Committee

2. Labour and Human Resources Committee

3. Judiciary Committee

4. Agriculture Committee

5. Commerce, Science, and Transportation Committee

6. Foreign Relations Committee

7. Governmental Affairs Committee

8. Small Business Committee

9. Banking, Housing, and Urban Affairs Committee.\(^41\)

Super 301, that very often provokes Indians to question the basis of American unilateralism in a world where WTO, and such other multilateral institutions exist, comes from the Omnibus Trade and Competitiveness Act of 1988 itself. Super 301 is an amendment to Section 301 of the Trade Act of 1974. And it continues to make the two countries argue and dispute over their trade relations.

\(^41\) *Congressional Record, 1985-1988* (Washington, D.C.)
Chapter Six deals with the US sanctions policy and its review in the late 1990s with special reference to India. It also notes the fact that Congressional committees played a vital role in decision making. They did so by initiating the legislative process itself. So, whether it was the case of passing Nuclear Proliferation Prevention Act (NPPA) of 1994 and thereby forcing the President to impose sanctions against India in May, 1998, or waiving certain economic sanctions within a year or so, the Congressional committees initiated the legislative process and decisively influenced foreign policy.

The House Committee on International Relations and the Senate Committee on Foreign Relations are the main committees dealing with US foreign policy. And each committee of the US Congress has on an average four to five subcommittees. The House subcommittee that deals with India is the Subcommittee on Asia and the Pacific. The Senate Subcommittee where India is considered is the Subcommittee on Near Eastern and South Asian Affairs.

During the 1990s the Congressional committees published various reports dealing with South Asia. These reports time and again called the US administration, especially that of the then President Bill Clinton, to review US policy of neglect towards South Asia in general, and India in
particular. And a gradual improvement in India-US relations proves that the executive in the US acted upon these Congressional committee reports.

**Conclusion:**

While the Indian Parliament and the US Congress both have legislative committees, Congressional committees in the US are much more powerful because of their constitutional source of authority. And also the overall development of the legislative and committee system in the US is much older, and thereby better developed, than the one in India. Besides, Congressional committees have several subcommittees to do justice to the subjects coming under the purview of the committees. Parliamentary standing committee system in India is hardly eight-years old and democracy in India itself is barely half a century old. While the committee system in the Indian Parliament continues to evolve, one thinks that there is ample scope for its improvement. So the Indian Parliament may adopt or modify some of the features of the Congressional committee system relevant to it.