

The Legislative Branch



Objective

In this lesson, you will

The Structure and Powers of Congress

The modern Congress possesses only the power to _____ laws, not to enforce them.

Nevertheless, Congress remains the single most _____ institution in American democracy.

The Capital of the United States

In 1790, Congress decided to create a _____ city as the nation's capital: the District of Columbia.

The District is governed by an elected mayor and city council, but Congress has the power to _____ its budget and legislation.

In 1961, the Twenty-third Amendment gave DC residents the right to _____ in presidential elections, and the District was given three electoral votes. Since _____, Washingtonians have been represented by a nonvoting member of the House of Representatives. Efforts persist to give that member an _____ vote.

The House of Representatives and the Senate

The modern Congress is _____, meaning it has two houses, or legislative chambers. The Senate is the _____ house of Congress; the _____ chamber is the House of Representatives.

- The Framers of the Constitution divided _____ in two because they wanted each house to serve a specific _____.
- In 1913, the Seventeenth Amendment changed the Constitution to elect senators by popular _____.

Congressional Terms and Sessions

The group of _____ and _____ who serve together in the two-year period between congressional elections is known as a Congress. A new Congress begins in _____ following the latest congressional election.

The Rule of Law

Congress governs the US according to the rule of law, an _____ passed down to the Founding Fathers. Rule of law means that the _____ must act in accordance with established laws.

- Several parts of the Constitution, particularly the Fifth Amendment, _____ the rule of law. The due process _____ states that "no person shall be deprived of life, liberty, or property . . . without the due process of the law."
- Article I of the Constitution deals with the authority to _____ laws. The article assigns the legislative (law making) _____ of the federal government to "a Congress of the United States, which shall consist of a Senate and a House of Representatives."



Checks and Balances

The Founding Fathers believed it was important to separate the functions of government so that no one or group of people could have _____ power. They divided the US government into three branches:

- The legislative branch, which is Congress, has the authority to _____ and _____ laws.
- The executive branch, headed by the _____, enforces the laws passed by Congress.
- The Supreme Court and all lower courts constitute the judicial branch, which _____ and applies laws and decides whether laws are _____.

The executive and judicial branches can check the actions of the _____.

The _____ has the power to veto legislation passed by Congress.

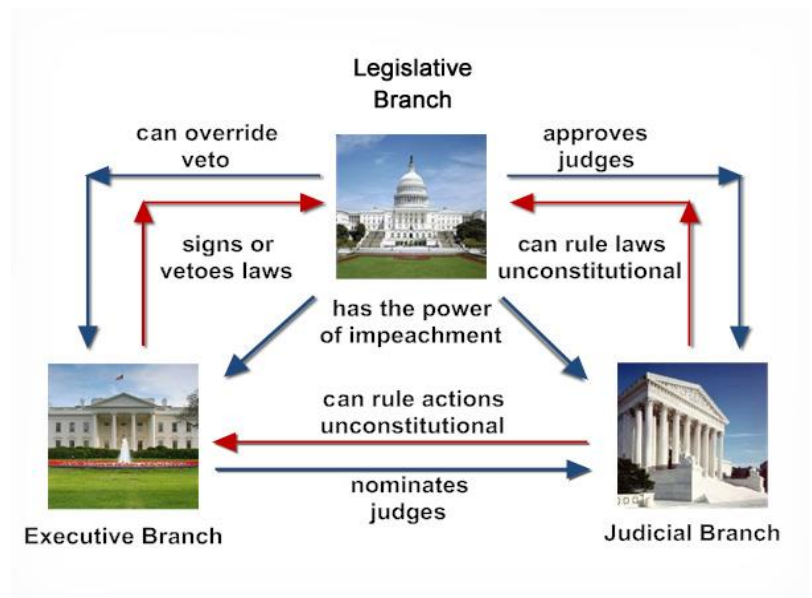
The Supreme Court also can _____ laws by declaring them unconstitutional.

Congress wields authority over the other _____ branches. _____ must be confirmed by Congress.

Congress must approve _____

the president makes with other nations.

Congress has the power, called impeachment, to remove members of the _____ and _____ branches who have broken the law.



Bicameral Structure and Relations

The Founding Fathers wanted Congress to _____ the structure of British Parliament with its upper and lower houses. They intended _____ house to have a _____ character and role.

The bicameral structure of Congress also solved the Founding Fathers' argument over the representation of the _____ in the legislature. Representation in the House was based on _____ with each state having _____ representation in the Senate.



The House of Representatives expanded as the country expanded, until the Reapportionment Act of 1929 _____ the number of representatives at _____.

The Senate has two seats for every _____, it now contains 100 senators.

Powers of Congress

Congressional powers are _____, meaning they are specifically named in Article I, Section 8, of the US Constitution. Or they are _____, which means they are reasonably _____ as necessary to carry out the enumerated powers.

- The enumerated powers of Congress include the power to _____ laws, set federal tax rates, and regulate interstate commerce. It can authorize the spending of public money and borrow _____.
- Congress _____ bankruptcy, oversees the postal system, controls the patent and copyright system, makes laws for the _____ of the US, establishes federal courts, _____ war, and shares with the president the conduct of _____ affairs.

Most of Congress's _____ powers are based on the Constitution's necessary and proper clause.

Non-Legislative Functions of Congress (House & Senate)

Congress possesses several powers that do not fall under its legislative authority. Many of these powers involve _____ of the other branches. For example, the president must obtain congressional approval for _____ to the Supreme Court and other courts, appointments to cabinet-level positions (for example, Secretaries of State and Education), and to independent regulatory agencies.

- Another part of Congress's oversight function involves _____ abuse of power or other behavior contrary to the public interest. Congress often employs investigations to provide a forum for educating the public about important issues.
- Congress plays a key role in formally amending the Constitution. Any proposed change must pass both houses by a _____ - _____ vote before being sent to the states for approval.

Impeachment

The Constitution also grants Congress the power of impeachment. _____ is the process of removing an official from office for "treason, bribery, or other high crimes and misdemeanors."

During the impeachment process, the House of Representatives must _____ vote by a two-thirds margin to impeach, or accuse, the official. Then the Senate must _____ the impeachment and decide whether to convict the official. If convicted, the official is _____ from his or her position.

Districts and Membership

Senators represent entire _____, and every state has two senators. The states are subdivided into congressional _____ of roughly equal population, with each district represented by a single member of the House of Representatives.

Apportionment

In contrast to the Senate, the 435 seats in the House are _____, or distributed, among the states according to _____. Members of the House who are chosen by the _____ population of a state are known as representatives-at-large.

Redistricting

All of the _____ districts in a state must contain roughly the same number of people, so after each census, the state legislatures meet to _____ district lines; known as redistricting.

Gerrymandering

State legislatures often redraw district lines in a way that _____ the party that controls the legislature. Extreme examples of _____ redistricting are referred to as gerrymandering.

Membership Requirements

- The requirements to be elected to a two-year term in the House of Representatives. A person must be at least _____ years old and have been a US citizen for a minimum of _____ years.
- The requirements for senators in Article I, Section 3. The candidate must be over _____ years old and have been a citizen for at least _____ years to be elected to a six-year term as a US senator.

Organization and Leadership

Speaker of the House

The Speaker has the parliamentary (procedural) power to recognize or ignore _____ who wish to speak on the floor; to interpret House _____, which allows the Speaker to determine which legislation

is assigned to each committee; to appoint members of special and conference _____; and to delay or speed up the legislative _____.

President of the Senate



The vice president of the US serves as president of the Senate. The vice president may not participate in Senate _____ and can vote only in the event of a _____.

Majority and Minority Leaders

The members of the majority and minority parties elect leaders in each chamber. They are _____ party leaders whose leadership abilities and powers of persuasion are recognized by their fellow lawmakers.

- The role of the leaders is to _____ the handling of legislative business.
- Majority and minority whips _____ the majority and minority leaders. The whips sound out the voting _____ of party members and attempt to _____ or pressure their party's members to vote according to the party position.



In the Senate, the majority leader controls the _____ and schedule because the Senate president's role is primarily ceremonial until a _____ vote needs to be broken.

The Party System

Both houses of Congress use the party system primarily to _____ their organization. The _____ behaves more hierarchically and rigidly than the smaller _____, where an individual senator can wield substantial _____.

The two-party system dominates US politics because it is so ingrained in congressional _____.

The Legislative Process

In its fundamental role, the legislative branch creates the _____ of the land.

The process of changing a proposed bill into a new law is complex and requires _____ and _____.



How a Bill becomes a Law

- An idea can come from outside of Congress. But a bill must be _____ introduced by a member of Congress, either by a member of the House of Representatives into the House, or by a member of the Senate into the Senate.
- Congressional leaders refer the proposed bill to a (standing/rules) committee for review. If approved, it goes to the _____ of where it originated to be considered by the entire chamber.

- A quorum or a majority of members must be present to vote. No quorum, no _____.
- A Senator can “filibuster” a bill by speaking non-stop until close of business day to stall the bill or block the _____.
- Amendments are revisions or changes to the bill; they must be _____ to the bill or they can not be added.
- Once a bill passes both the House and the Senate it goes to the president for a vote. If the President approves the bill, the bill becomes _____. If the president vetoes the law, the process starts over.

Summary

What are the main roles of the House of Representatives and the Senate?