

4.3

What is the Legislative Branch?



As a Young Political Scientist, I will be able to...

The Role of Congress in Democracy

**Colonists put great stock in representative
assemblies when they began to form
government**

**The legislative branch would be placed in Checks &
Balances to watch the Federal Government &
give power to the States**

The background of the entire slide is a close-up, slightly blurred image of the American flag, showing the stars and stripes in warm, golden tones.

Congress: The Job

Members of both houses (House & Senate) fulfill 5 major roles

1. Legislators

2. Representatives of their Constituents

3. Committee Members

4. Servants of their Constituents

5. Politicians

Representatives of the People

The background of the entire slide is a close-up, slightly blurred image of the American flag, showing the stars and stripes in warm, muted tones.

Senators & Representatives are to “represent” & speak for their people.

Delegates- These are agents of the people who elected them.

Most experts will say that a growing number of legislators adhere to the delegate model. Due to accurate polling data

Committees

Bills- Proposed laws, are proposed by committees

To decide measures, they go to **floor consideration-** be acted upon by the full House or Senate

Oversight Function- The Process by which Congress checks to see that the executive branch are following policies.

Terms & Sessions

Term- Number of years a person can serve in office.

The Senate & the House serve for 2 years unless re-elected.

A **Session** of Congress is the period of time during a year that Congress assembles & conducts business.

Convenes- To begin a new session of Congress

The background of the entire slide is a close-up, slightly blurred image of the American flag, showing the stars and stripes in warm, golden tones.

More About Terms

Congress will **adjourn**, suspend until its next session, usually for short breaks

They will also do **recess**, taking short suspensions during a session. Neither can leave without the others say so.

Prorogue- The President can adjourn a session.

Special Session- An emergency meeting to decide important factors, a year long Congress has limited the need for these



THE HOUSE OF REPRESENTATIVES

The background of the entire slide is a close-up, slightly blurred image of the American flag, showing the stars and stripes in warm, golden tones.

The House of Representatives

The House is **apportioned** seats, number given,
on the basis of their population

Representatives are chosen every 2 years for two
year terms.

The house goes through **reapportion**, reevaluation of
the seats, every 10 years with a Census

There are currently 435 seats in the House of
Representatives

The background of the slide is a close-up, slightly blurred image of the American flag, showing the stars and stripes in warm, golden tones.

Reapportionment Act of 1929

How big is Congress?

- 1. The number is 435 unless Congress votes to change the number in the future.**
- 2. After every Census, the Census Bureau determines the number of seats each State should have**

3. When the plan is ready, the President sends it to Congress

4. Within 60 days, if not rejected, it becomes effective.

Districting

States can elect a representative by single-member district basis, voters in each district vote among a field of candidates from that district.

If a State uses general elections seats are filled *at-large*, elected from the State as a whole, rather than districts

Congress will draw district lines based around population

The background of the entire slide is a close-up, slightly blurred image of the American flag, showing the stars and stripes in warm, golden tones.

Gerrymandering

Gerrymandering- When a controlling political party draws lines to be advantage to their party.

To concentrate the oppositions votes into few districts so the dominate party can win

This is the reason why only a few seats of congresses are at risk during an election

Gerrymandering based on race is illegal.

House Elections & Qualifications

Elections are the Tuesday following the first Monday every November.

To be a member you must be at least 25, a citizen for 7 years, & live in the state you are elected

Incumbent- The person who currently holds an office
DEFINE & SKETCH!



THE SENATE

The background of the entire slide is a close-up, slightly blurred image of the American flag, showing the stars and stripes in warm, golden tones.

The Senate

There are 100 Senators in Congress, 2 for every state & is decided via a popular vote

Senators serve for 6-year terms & terms are staggered every 2 years.

This makes the Senate a **continuous body, meaning that all of its seats are never up for election at the same time**

They serve large **constituencies- people & their interests- in the entire state**

Qualifications for the Senate

Must be at least 30 years old, a citizen for 9 years, & live in the state elected

The Senate can also challenge & exclude membership by majority vote & punish members

Delegated Powers

Delegated Powers- Powers granted & given by the Constitution

These are split up in 3 ways!

Expressed Powers- Explicitly in its specific wording

Implied Powers- Reasonable deduction from the expressed powers

Inherent Powers- National Government for the United States

Necessary & Proper

Necessary & Proper Clause- This is the clause that allows Congress expressed powers

The **consensus**, general agreement, is that Americans agree with broader power rather than a narrow reading of the constitution

So lets talk powers!

The background of the slide is a close-up, slightly blurred image of the American flag, showing the stars and stripes. The stars are in the upper left, and the stripes flow across the rest of the image.

Expressed Powers

Commerce Power- The power of Congress to regulate interstate & foreign trade.

Money Powers- This gives Congress the power to tax, borrow, establish laws on bankruptcy, & coin money

Tax- A charge levied by government on person or property to raise money to meet public needs
These are investments in the country!

Eminent Domain- The inherent power to take private power for public use.
DEFINE & SKETCH

Government can take land for public use, with proper notice to owner, & for a fair price

Expressed Powers

Naturalization, the process of citizens of another country becoming a U.S. citizen.

Congress can create all of the federal courts below the Supreme Court & can oversee the admittance of Supreme Court nominees

Only Congress can declare war & raise & support armies.

War Powers Resolution- Executive Branch can commit military forces abroad if Congress has declared war, has authorized a military action, or an attack on the U.S. has occurred.

The background of the slide is a close-up, slightly blurred image of the American flag. The stars are visible in the upper left, and the stripes flow across the bottom. The colors are somewhat muted, with a soft, painterly quality.

Foreign Policy & War

**President has primary responsibility for foreign policy,
but it does control funding & admittance for War**

The background of the entire slide is a close-up, slightly blurred image of the American flag, showing the stars and stripes in warm, golden tones.

Borrowing Power

Public Debt- This is the money borrowed by the Federal Government & the interest on it.

Deficit Spending- The Government regularly spends more than it takes in each year so it borrows

Bankruptcy- The legal proceeding in which assets are distributed among those to whom a debt is owed

Domestic Powers

Copyright- This is the exclusive right of an author to reproduce, publish, & sell his or her creative work.

These are good for the life of the author plus 70 years

Patent- Grants a person the sole right to manufacture, use, or sell a machine or composition.

These are good for up to twenty years & only extended by a special act of Congress

More Implied Powers!

Congress has the power to investigate on any matter that falls in the scope of lawmaking

Congress has 2 executive powers 1) appointments made to office & 2) treaties made by the President

Impeachment

Impeach-Accuse or bring charges. House brings it to the table & the Senate sits as court

If you are found not guilty then you are **acquitted**.

Perjury- Lying under oath.
DEFINE & SKETCH!

Censure- A formal condemnation of a behavior

Subpoena- A court order for someone to appear before court & produce evidence & documents

The background of the entire slide is a close-up, slightly blurred image of the American flag, showing the stars and stripes in warm, golden tones.

Presiding Officers

Speaker of the House- The presiding officer of the House & acknowledged leader of the majority party

President of the Senate- Senates presiding officer, this is the Vice President of the United States

Vice President cannot vote on an issue, ONLY break a tie.

President Pro Tempore- The presiding officer who serves in the Vice President's absence

Party Officers

**Congress is the central policy making body &
Congress is partisan**

Party Caucus- Closed meeting of the members of
each party in each house

**The Policy Committee of the party's top leaders
organizes & runs the caucus**

The background of the entire slide is a close-up, slightly blurred image of the American flag, showing the stars and stripes in warm, golden tones.

Floor Leadership

Floor leaders- Leaders that are officers to help oversee the parties & act as strategists

Majority leader- Representative of the majority party in Congress

Minority Leaders- Representative of the minority party in Congress

Whips- Assistant floor leaders that serve as a liaison between the leadership & members

The background of the slide is a close-up, slightly blurred image of the American flag, showing the stars and stripes in warm, golden tones.

Standing Committees

Standing Committees are permanent panels to which all similar bills are sent

Most bills are created through these organizations

Subcommittees- divisions of standing committees that do most of the work.

House Committee on Rules controls the flow of bills to the floor & sets up conditions for consideration

Other Committees

The background of the slide is a close-up, slightly blurred image of the American flag, showing the stars and stripes in warm, golden tones.

Select Committees (special committees) are special panels set up for a limited time. Often for investigations

Joint Committee- A committee composed of members of both houses.

Conference Committee- A temporary joint body used to produce compromises for a bill that both houses will accept.