

## Unit: The Legislative Branch

### Part One: How Congress is Organized

- \_\_\_\_\_ - two houses.
- Gerrymandering- to \_\_\_\_\_ a state into an odd-shaped district for \_\_\_\_\_ reasons.
- \_\_\_\_\_ - people in a representative's district.
- Franking privilege- the right to send \_\_\_\_\_ mail without paying postage.
- Immunity- \_\_\_\_\_ protection –in certain situations- for example: members of Congress CANNOT be \_\_\_\_\_ while doing their job, or while traveling between home and work –unless they have committed a \_\_\_\_\_ crime.
- \_\_\_\_\_ - forced to leave Congress.
- Censure- formal \_\_\_\_\_
- \_\_\_\_\_ - regular time period of work for Congress –normally for a year.

#### Other Key Terms

- Special session
- Apportion
- Reapportion
- Single-member district
- At large
- Gerrymander
- Continuous body

**Make sure you are familiar with these terms to the left. These will mostly be in the textbook or notes.**



#### The National Legislature

- A term of Congress lasts for \_\_\_\_\_.
- Each term has two sessions, a session lasts for \_\_\_\_\_.
- Congress can meet in a “special session” which is called to meet for a particular reason. Only the \_\_\_\_\_ may call a ‘special session.’

#### The House of Representatives

- A \_\_\_\_\_ is elected for a \_\_\_\_\_ term of office.

- The \_\_\_\_\_ House of Representatives is elected every 2 years.
- The Constitution guarantees that each state will have at least \_\_\_\_\_ representative. \_\_\_\_\_ states today have only one representative: \_\_\_\_\_, Delaware, Montana, \_\_\_\_\_, S. Dakota, Wyoming, and Vermont.
- There are \_\_\_\_\_ Representatives and therefore 435 separate Congressional districts.
- The number of Representatives is determined by the \_\_\_\_\_ of the state.
- The Constitution specifies that the total number of seats shall be \_\_\_\_\_ (distributed) among the states based upon population.

### **Qualifications for House Members**

- The minimum age of a Representative is \_\_\_\_\_
- And, he/she must be a U.S. citizen for at least \_\_\_\_\_
- And, live in the \_\_\_\_\_ they represent.
- Finally, live in the district they represent. (This is a \_\_\_\_\_, not in the Constitution.)

### **The Senate**

- A Senator is elected for a \_\_\_\_\_ term of office.
- Every \_\_\_\_\_, 1/3<sup>rd</sup> of the Senate is elected.
- There are a total of \_\_\_\_\_ Senators.
- Each state has \_\_\_\_\_, regardless of population size.
- Senators are elected \_\_\_\_\_ among all voters in the state.

### **Qualifications for the Senate**

- The minimum age of a Senator is \_\_\_\_\_ old;
- and he/she must be a U.S. citizen for at least \_\_\_\_\_ years;
- and live in the \_\_\_\_\_ he/she represents.

### **Members of Congress**

- Most members are \_\_\_\_\_. On average, they have two children. Most members are Protestants. One third of the House and more than half of the Senate are \_\_\_\_\_.

### **Duties of the Job**

- Legislators
- Committee members (pg. 250)
- Representatives of their constituents

- Servants of their constituents
  - politicians.
- ❖ As part of their duties in committee work, they also exercise the \_\_\_\_\_ function –to make sure that various agencies in the executive branch are working effectively and are acting in line with policies that Congress has set by law.

### **Congressional Voting Options**

- **Trustees**: each issue must be decided on its \_\_\_\_\_. Conscience and independent judgment are their guides. They call issues as they see them.
- **Delegates**: they are agents of those who elected them. They vote the way they think the folks back home \_\_\_\_\_.
- **Partisans**: First allegiance is to their \_\_\_\_\_ –they vote in line with their party platform and wishes of the party leaders. This is the leading factor influencing their votes on most important measures.
- \_\_\_\_\_: They attempt to combine the basic elements of the trustee, delegate, and partisan roles.

### **Compensation: In Both the House and the Senate**

- Regular members earn \_\_\_\_\_.
- Members are free to turn down \_\_\_\_\_ and some choose to do so.
- Members have \_\_\_\_\_ protection from being sued for words spoken and actions performed while carrying out their duties.

### **Non Salary Compensation**

- They are allowed a \_\_\_\_\_ to maintain two homes: one in the home district and the other in Washington.
- Members pay small amounts for \_\_\_\_\_ insurance.
- Each member has an \_\_\_\_\_ in either the Senate or House buildings.
- They are provided \_\_\_\_\_ to have a \_\_\_\_\_ and to run their offices.
- They do not pay for postage to send job related material. Free \_\_\_\_\_ services of newsletters, speeches, etc.
- They also have a first rate \_\_\_\_\_ to go to with \_\_\_\_\_ and \_\_\_\_\_.

- \_\_\_\_\_

## Part Two: Congressional Powers

- **Expressed powers**- the powers of Congress \_\_\_\_\_ in Article I of the Constitution –also known as delegated powers.
- **Impeach**- accuse an official of \_\_\_\_\_ -like Nixon or Clinton.
- **Appropriations**- \_\_\_\_\_ for specific uses.

### The Scope of Congressional Powers

- There are powers that are \_\_\_\_\_ (they are given in words)
- There are powers that are \_\_\_\_\_ (by reasonable deduction from the expressed powers)
- The powers that are \_\_\_\_\_ by creating a national government for the United States.

### Strict Versus Liberal Construction

- The conflict between the \_\_\_\_\_ and the Anti-Federalists continued into the early years of the Republic. Much of the conflict centered on the powers of Congress.
- **Strict Constructionists**: Led by \_\_\_\_\_, continued to argue the Anti-Federalists position: Congress should only be able to exercise its expressed powers and those implied powers absolutely necessary to carry out the expressed powers.
- Liberal Constructionists: led by \_\_\_\_\_ favored a liberal interpretation of the Constitution. The liberal constructionists won that conflict.

### Expressed Powers

- Key Terms associated with Expressed Powers:
  - \_\_\_\_\_
  - Indirect tax
  - \_\_\_\_\_ power
  - Legal tender
  - \_\_\_\_\_
  - Copyright
  - Patent
  - \_\_\_\_\_
- Most of the expressed powers are found in \_\_\_\_\_ of the Constitution.
- \_\_\_\_\_ are explicitly given to Congress.

- Many of the powers given are \_\_\_\_\_ and have been refined by the actions of Congress and the Courts.
- The Power to \_\_\_\_\_: A tax is a charge levied by the government on persons or property to meet public needs. Direct Tax must be paid by the person on whom it is imposed; an example would be income taxes.
- \_\_\_\_\_ are like the ones on cigarettes and booze that are paid by the tobacco company but then passed onto the person who buys the smokes.
- The Power to \_\_\_\_\_: Congress can borrow money on the credit of the USA. There is no limit to the amount that Congress can borrow.
- The Commerce Power: Congress can regulate interstate and foreign trade. The Commerce Clause made it possible for a \_\_\_\_\_ to be built out of a weak confederation of the States. However, the Commerce power is not \_\_\_\_\_.
- The Currency Power: The Constitution gives Congress the power to \_\_\_\_\_ and regulate the value... The states do not have this power.
- Legal tender is any kind of \_\_\_\_\_ that a creditor must by law, accept as payment for debts. Congress did not create a national paper currency until 1862.
- \_\_\_\_\_: Congress has the power to establish uniform laws on the subject of bankruptcies. Bankruptcy is the legal proceedings in which the bankrupt's assets are distributed among those to whom debt is owed.
- Foreign Relations and War: Congress gets to \_\_\_\_\_; however, the President is the Commander-in-Chief of the armed forces of the United States. Congress controls the financial aspect of the military.
- Other Expressed Powers: the Postal Power, Copyright and patent; Weights and Measures
- Eminent Domain: the inherent power to take \_\_\_\_\_ for public use.

### **Implied Powers**

- The Necessary and Proper Clause is a very important part of the Constitution. It has been called the \_\_\_\_\_.
- Implied Powers are powers that are \_\_\_\_\_ explicitly in the Constitution. The implied powers come from the necessary and proper clause of the Constitution.

### **Expressed and Implied Powers**

- Examples of expressed powers: the power to collect \_\_\_\_\_, borrow money, regulate foreign and interstate commerce, to set up a postal system, to maintain \_\_\_\_\_ services, to declare war, and to regulate \_\_\_\_\_ and naturalization.
- Implied Powers are powers that are not stated explicitly in the Constitution. The implied powers comes from the necessary and proper clause of the Constitution.
- \_\_\_\_\_ must be introduced only by the House of Representatives.

### **Expressed and Implied Powers Part 2**

- The power of Congress to maintain the \_\_\_\_\_ comes from the necessary and proper clause.

### **Non legislative Powers of Congress**

- Propose \_\_\_\_\_ to the U.S. Constitution.
- Electoral Duties: sometimes called upon to \_\_\_\_\_ the President, if the election gets thrown into the House of Reps. If no candidate wins a majority in the presidential election, the president is chosen by the House of Representatives. This has happened \_\_\_\_\_ after the elections of 1800 and 1824.
- Impeach: \_\_\_\_\_. Andrew Johnson and Bill Clinton were two presidents 'impeached.' pg. 276
- Investigation & Hold Hearings: \_\_\_\_\_, focus public attention on a subject, etc. Pg. 277
- Executive Powers: pg. 276-277 These powers deal with \_\_\_\_\_ appointments made by the President and the \_\_\_\_\_ of treaties made by the President.
- Nonlegislative powers of Congress include the following: propose amendments, gather information for making laws, and investigate activities of other branches of government. They could not tax interstate commerce, for example.
- A Nonlegislative power of the Senate include the power to \_\_\_\_\_ treaties.
- The \_\_\_\_\_ decides whether an official accused of misconduct should be removed from office.
- The House of Representatives has \_\_\_\_\_ than the Senate over the nation's money because only House members can introduce appropriations bills –bills that involve money.
- The Senate can approve or reject the President's \_\_\_\_\_ of certain high government officials.

### **Limits to Congressional Powers**

- Congress cannot favor \_\_\_\_\_ over another, tax interstate commerce, or tax exports.
- Congress cannot interfere with powers reserved for the \_\_\_\_\_. Some examples are, the right to make \_\_\_\_\_ and divorce laws.
- Congress \_\_\_\_\_ pass every single law because every law requires a certain amount of money. The money supply is not \_\_\_\_\_.

### **Part Three: How Congress Works**

- **Majority leader** - the \_\_\_\_\_ party's *floor leader*.
- **Minority leader** - the \_\_\_\_\_ party's floor leader.
- **Party whip** - assists the floor leader in keeping track of how party members vote and to persuade all members of his/her party to \_\_\_\_\_ on issues.
- **Speaker of the House** - the overall leader of the House of Representatives. He/she has the \_\_\_\_\_ power in Congress. Presides over House meetings. \_\_\_\_\_ is the current Speaker of the House.

### **More Key Terms for Part Three**

- **Subcommittee** - smaller groups within a committee that deal with more \_\_\_\_\_ problems.
- **President of the Senate:** \_\_\_\_\_ meetings, he/she is the Vice President of the United States.
- **President Pro Tempore** -handles the \_\_\_\_\_ of the Senate –because the Vice-President is rarely present while the Senate is in session.
- **Seniority rule** - the members of Congress who have \_\_\_\_\_ will get the best committee assignments.

### **Congressional Leaders**

- The main responsibility of the **floor leader** is to make sure that the laws being passed are in the \_\_\_\_\_ of the party.
- The whips also make sure that party members are \_\_\_\_\_ for important votes.
- The Vice-President is responsible for voting in the \_\_\_\_\_ in a vote in the Senate and is the official (leader) President of the Senate. This officer does not get to take the floor to speak or debate.

### **Committees in Congress**

- **Standing committee** - a \_\_\_\_\_ committee that specializes in a particular topic and deal with bills on that topic.
- There are \_\_\_\_\_ Standing Committees in the House and \_\_\_\_\_ in the Senate.
- Each House committee has from \_\_\_\_\_ members. The Senate Committee has from 12 to 28 members. House rules limit members to \_\_\_\_\_ committee membership.
- **Select committee** - a \_\_\_\_\_ committee that deals with issues that need special attention. Members are \_\_\_\_\_ by the Speaker of the House or the president of the Senate with the advice of the majority and minority leaders. Most are formed to investigate a current matter. Sometimes a \_\_\_\_\_ becomes a spectacularly important body as happened with the Watergate hearings
- **Joint committee** - includes members of both the \_\_\_\_\_ and the \_\_\_\_\_. Most joint committees have house-keeping duties (pg. 294).
- **Conference committee** - helps the Senate and House \_\_\_\_\_ on details of a proposed \_\_\_\_\_.

### **Congressional Committees**

- The purpose of a committee in Congress is to ensure that Congress can handle the \_\_\_\_\_ of bills introduced each year. They research and revise bills.
- The committee a representative belong to is determined by the party \_\_\_\_\_ based on seniority.
- Committees are led by \_\_\_\_\_. These are members of the \_\_\_\_\_ party. They decide when committees meet, which bills will be discussed, and what witnesses will be heard.

### **Committee Membership**

- The majority party is the party to which \_\_\_\_\_ the members of a house belong.
- Minority party is the party to which \_\_\_\_\_ the members of a house belong.
- The chairperson of a committee is almost always the member who has the most \_\_\_\_\_ and from the \_\_\_\_\_ party.

## **Part Four: How a Bill Becomes A Law pp. 296-307**

- \_\_\_\_\_ - to set aside a bill without even considering it.
- A \_\_\_\_\_ is an effective way to kill a bill in the Senate. A filibuster is when one or more senators talk until the bill's sponsor withdraws it.



- **Cloture Rule** limits a senator to \_\_\_\_\_ of debate. Invoking this rule is not an easy thing to do.
- \_\_\_\_\_ if you are in favor of a bill, you would say 'yea' and if you were against it you would say 'nay.' Voice votes are used most often when a bill has wide support or disapproval.
- **Standing vote** is a vote where members who support a bill are asked to \_\_\_\_\_ and then those who are against the bill stand up and are counted.
- \_\_\_\_\_ **Vote** is when each member's name is called and he/she votes yea for yes and nay for no. Finally, they could vote 'present' which means that they have no opinion. It makes a member's vote \_\_\_\_\_.
- **Pocket Veto** is when Congress is NOT in session and the \_\_\_\_\_ does not sign a bill within 10 days.

### Creating & Introducing a Bill

- To be considered by Congress, a bill must be *first* \_\_\_\_\_ by either a senator or a representative.
- In the \_\_\_\_\_, a member introduces a bill by dropping it into the '\_\_\_\_\_.'
- In the \_\_\_\_\_, a member introduces a bill by making a \_\_\_\_\_.
- After a bill is introduced, it is sent to a \_\_\_\_\_ –which will be determined by the subject matter of the bill.

### Types of Bills and Resolutions

- A bill is a \_\_\_\_\_ or a draft of a law.
- Joint Resolutions: when passed, \_\_\_\_\_.
- Concurrent Resolutions: deal with matters that \_\_\_\_\_ must both deal with.
- \_\_\_\_\_: deal with matters concerning either house alone and are taken up only by that house.

### The Bill in Committee

- Once a bill has been drafted, its *next* step is to be considered by a \_\_\_\_\_.
- Most bills brought before a committee are set aside without being considered, they \_\_\_\_\_ in committee. The bill can be sprung from committee by a \_\_\_\_\_. It is not often tried and seldom successful.
- When the House and Senate \_\_\_\_\_ of a bill, a conference committee meets to help members of the House and Senate agree on the details of the proposed law.

- Most committees are divided into \_\_\_\_\_ and do most of their work in these subcommittees. A subcommittee is a \_\_\_\_\_ that addresses specific issues. There are roughly 140 subcommittees in the House and nearly 90 in the Senate.
- When a subcommittee has completed its work on a bill, the measure goes to \_\_\_\_\_.
- When the bill makes it to the full committee, it may:
  - Report on the bill \_\_\_\_\_ with a “do pass” recommendation.
  - \_\_\_\_\_ to report the bill, that is \_\_\_\_\_ the bill.
  - Report the bill in \_\_\_\_\_ form (Changed from original). Many bills get changed in committee and sometimes several bills get combined into a single bill.
  - Report the bill \_\_\_\_\_. This usually does not happen unless the committee wants to give the whole house the chance to consider the bill or does not want to take responsibility for killing the bill.

### **The Bill on the Floor / Debating a Bill**

- The \_\_\_\_\_ decides how long a bill will be debated.
- Debate rules in a committee are \_\_\_\_\_ –so the debates can proceed more quickly and easily.
- Debate in Senate is \_\_\_\_\_. There is no \_\_\_\_\_ for Senators.
- When an important bill is debated on the floor, it is debate by the Committee of the Whole –which allows \_\_\_\_\_ to be used. When that happens, the Speaker of the House steps down, because the House is not officially in session and another member presides over the committee of the whole.
- No member can talk for more than an \_\_\_\_\_, without unanimous consent from the House.
- The Speaker of the House can force any member who \_\_\_\_\_ at hand to give up the floor.
- \_\_\_\_\_ decide in advance how to split the debate time.
- Any member may “move the previous question” which \_\_\_\_\_ in 40 minutes and forces a vote on the issue. This is the only motion used to end debate.

### **Voting on a Bill**

- There are \_\_\_\_\_ methods of voting on a bill.
- \_\_\_\_\_ Vote (ayes and nays)
- \_\_\_\_\_ Vote (stand up/ aka “Division of the House”)

- \_\_\_\_\_ Votes (rare today)
- \_\_\_\_\_ vote
- After a bill has been \_\_\_\_\_, it is brought to a vote.
- A member of Congress would want a roll-call vote if the bill is \_\_\_\_\_ by the member and by the constituents.
- A \_\_\_\_\_ meets when the House and Senate pass a different version of the same bill in order to compromise and write a revised bill –unless both houses pass the same version of a bill, it \_\_\_\_\_.

### **Signing or Vetoing a Bill**

- If the President wants to reject a bill while Congress is in session, he/she uses a \_\_\_\_\_.
- When the President vetoes a bill, it can be passed if \_\_\_\_\_ of the members of each house vote to \_\_\_\_\_ the veto.

Reminder: Study each 'Part' of the notes every night. We will MOST LIKELY have a quiz the day after we finish each 'Part.'

This is likely the last test we will have for this quarter, so be sure to study hard, it could be the difference between an F and a passing grade.