

# The Legislative Branch

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Article I  
Congress



# Terms and Sessions of Congress

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- A **term** is the length of time between elections in Congress (two years).
  - Each Congressional term consists of two **sessions**, one during each year of a term.
  - January 3, 2019, was the first session of the **116<sup>th</sup> Congress**.
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# Bicameralism

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- Congress consists of two houses:
    - House of Representatives
    - Senate
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# House of Representatives

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- Term: **2** years
  - No term limits
  
- Qualifications
  - 25 years old
  - 7 years as a U.S. citizen
  - Resident of represented state
  
- Minimum of 1 member per state



# House of Representatives

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- Number of representatives: **435**
  - Representation based on population
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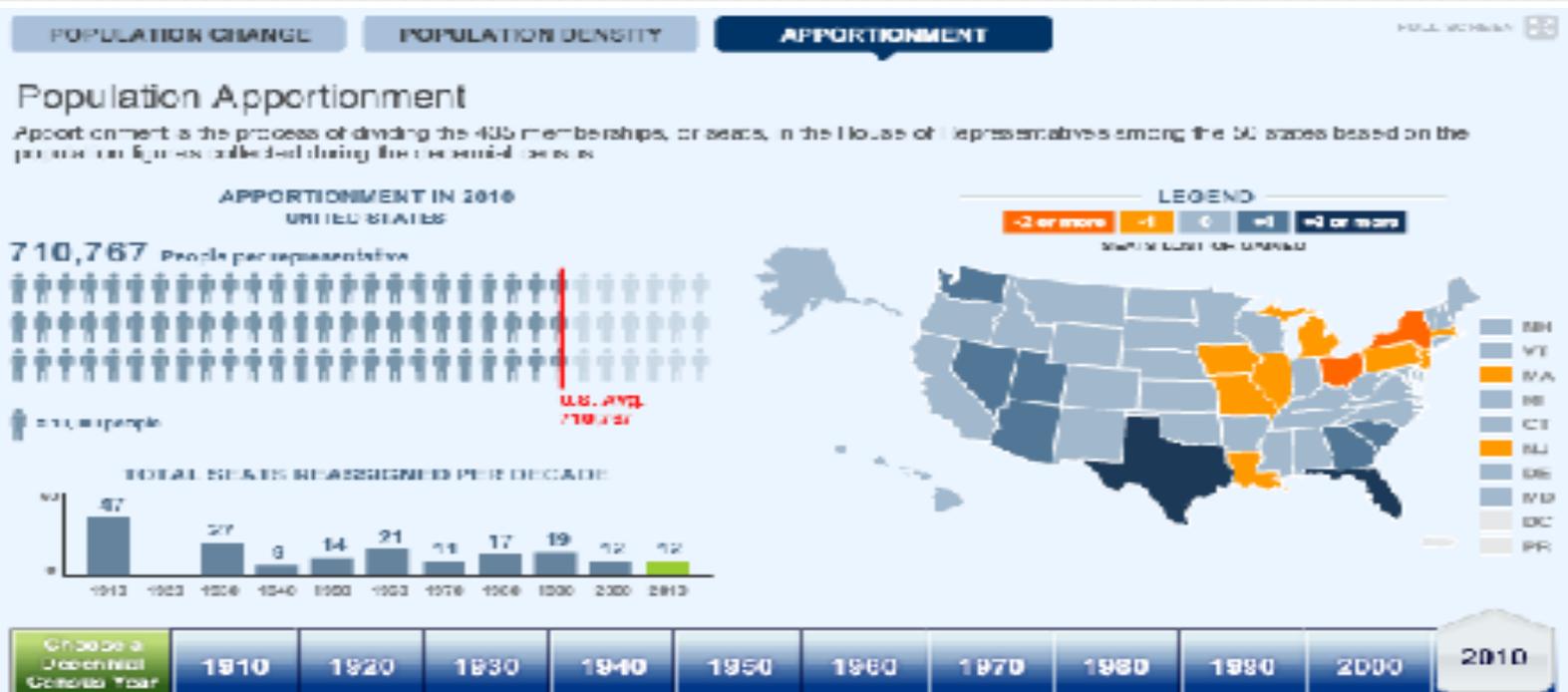
# Reapportionment

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- Process of re-dividing the 435 seats
  - Use the **census** to determine this (done every 10 years)
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# Wesberry vs. Sanders 1964

- “One person, One vote” rule: each vote in a congressional district should be worth about the same
- Today each district has around **710,000** people



# Seats added or lost in Congressional reapportionment after 2010 census

## CONGRESSIONAL SEATS

2010  
OFFICIAL RESULTS



# Redistricting

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- Process of redrawing legislative district boundaries based upon changes in population.
  - Drawing boundaries of legislative districts to benefit one party or group and handicap another is called “gerrymandering.”
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# Redistricting Videos

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- <http://www.youtube.com/watch?v=8r7qJvprHXw>
  - <http://www.youtube.com/watch?v=a1UeiHsK6ns>  
Congressional District Lines: Civics in a Minute
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# House of Representatives

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- Emphasizes fiscal (money) policy
    - What we spend, taxes (revenue), and our debt
  - Special Powers of House of Rep.
    - All money (appropriations) bills start here
    - Select the President if no majority in Electoral College
    - Write the articles of impeachment against high ranking officials
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# Speaker of the House: Nancy Pelosi

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- Head of House of Representatives
  - Presides over the full House.
  - Decides on which committees each member of his/her party will serve.
  - Assigns bills to committees
  - Decides the order in which bills will be heard and time limits for debate on House Floor.



# Senate

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- Term of office: **6** years
  - No term limits
  - 2 per state
- Qualifications:
  - 30 years old
  - 9 years a citizen of the U.S.
  - Resident of the represented state



- <http://www.youtube.com/watch?v=Xj4aMGI6bA>
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# Senate

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- Number of Senators: **100**
  - Representation equal (2 per State)
  - **Filibuster** (unlimited debate) unless cloture is invoked.  
<http://www.youtube.com/watch?v=OQIG-kfT9bI>
  - President of the Senate: U.S. Vice President (Mike Pence; breaks ties with his vote)
  - Day-to-day head of Senate: President Pro Tempore (Chuck Grassley from Iowa)
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# Senate

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- Emphasizes foreign policy
  
  - Special Powers
    - Approves all treaties
    - Approves all presidential appointments
    - Chooses the Vice President in an Electoral College tie
    - Acts as the jury in all trials of impeachment
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# Congress

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## Both houses:

- Must keep a Journal:
    - *The Congressional Record*
  - Must hold sessions at the same time:
    - Sessions begin January 3<sup>rd</sup> each year
  - Must have a **quorum** to do business:
    - 51% of members present on the floor
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# Congress

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- Both houses make their own rules for behavior and punishments
    - **Censure**: formally reprimand, written in the record
    - Fines and penalties may be set for some offenses
    - **Expulsion**: members with gross misconduct may be thrown out of office (requires 2/3 vote)
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# Privileges and Compensation of Congress members:

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- Salary \$174,000 per year
  - President Pro-Tempore \$193,400
  - Senate Majority/Minority Leader \$193,400
  - Speaker of the House \$223,500
  - Medical and dental benefits
  - Free office, parking, and trips to home state
  - Staff budget
  - Tax break on second home
  - Franking privilege**- free postage on all mail to constituents
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## Privileges and Compensation of Congress members:

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### Immunity or legal protection:

- Cannot be sued of anything they say or write while carrying out their duties
  - Cannot be arrested for minor offenses while Congress is in session
  - May not hold in other political office at the same time
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# What does Congress Do?

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- <http://www.youtube.com/watch?v=fdgU08k-CTQ>

# Powers of Congress

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- Raise and collect taxes
  - Borrow money
  - Regulate commerce
  - Set laws for Naturalization and Bankruptcy
  - Coin Money
  - Punish counterfeiting
  - Post office
  - Copyrights and patents
  - Set up courts
  - Declare war
  - Establish the military and National guard
  - Make rules and allot funds for the military and National guard
  - Punish pirates
  - Run Washington D.C. and all federal property
  - Elastic clause- implied power
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# ELASTIC CLAUSE

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- The necessary and proper clause gives Congress the power to make laws “necessary and proper” to carry out the delegated duties
  - Also known as the ‘elastic clause’ it stretches the power given Congress
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# Powers denied Congress

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- ❑ Congress cannot make laws concerning slave trade until 1808
  - ❑ Cannot suspend the writ of Habeas Corpus- must show cause for holding a suspect *except* in wartime
  - ❑ No ex post facto laws- cannot punish a person for an act committed before there was a law against it.
  - ❑ No bills of attainder-laws that punish people without a trial
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# Powers denied Congress

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- ❑ No direct tax- the 16<sup>th</sup> amendment allows income tax
  - ❑ No tax on exports
  - ❑ All states must be treated the same
  - ❑ Congress must approve all expenditures of the President through laws
  - ❑ No titles of nobility
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# Powers denied State Legislatures

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- ❑ Cannot coin money
  - ❑ Cannot have a state militia, troops, or navy
  - ❑ No import or export taxes
  - ❑ Cannot pass any law that the Federal government is not allowed to pass
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# Congressional Elections

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- Elections are held in November of even numbered years.
  - Off-Year (mid-term) elections occur during non-presidential years.
  - All of the House and 1/3 of the Senate are up for re-election every 2 years
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# Members and Reelection

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- Incumbents—members who are already in office
- Incumbents Win over 90% of elections



# Essential Question

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- Why is it easier for incumbents to win reelection than it is for someone new to beat them?



# Reasons for Incumbent Reelection

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1. Easier to raise campaign funds
  2. Many districts have been gerrymandered in the incumbent's favored
  3. Have better name recognition than their opponents
  4. Use position to help solve voters' problems
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