

Chapter 5: The Legislative Branch

Question: From your own knowledge and perspective, what is the job of Congress?

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Lesson 1: Structure of Congress

Legislate: to create laws/rules for society

2 chambers are in session separately

Joint session: when both chambers meet @ same time

Senate:

- 2 representatives from each state (100 total)
- All citizens from state are **constituents**
- 6 year terms
- 1/3 of seats up for election every 2 years...WHY?
- "Upper Chamber"

Our Senators:

Bob Casey (DEM)

2016



Pat Toomey (REP)

2018



2020

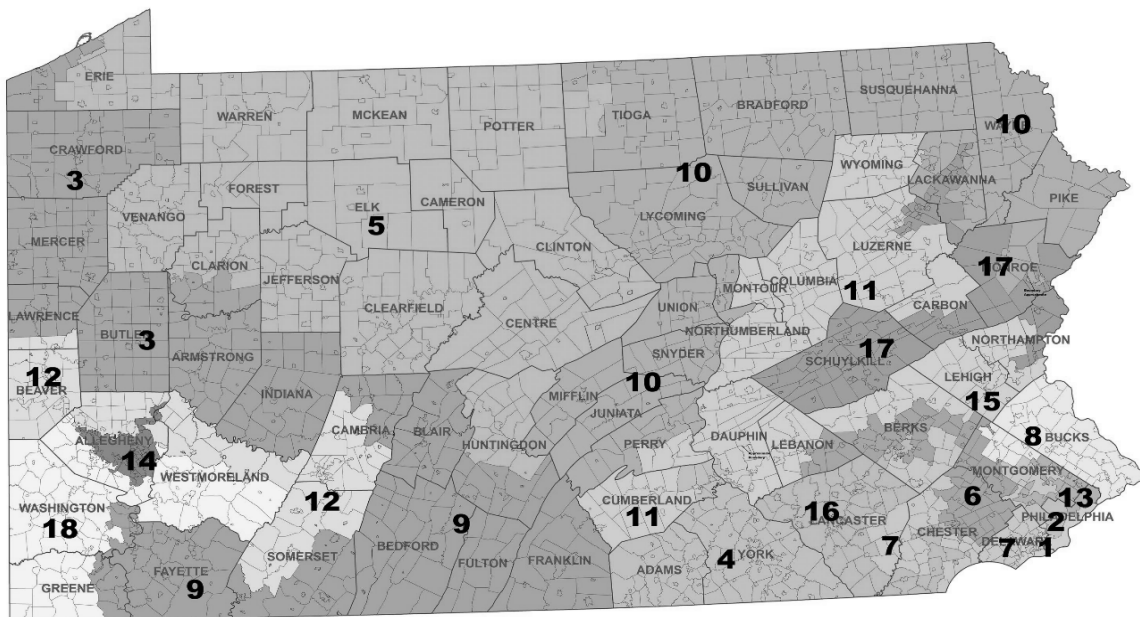
House of Representatives

- Total of 435
- Each state given # based off of census count
- Numbers/districts are **gerrymandered** every 10 years
- States broken into districts
- Pennsylvania has 18 districts
- "Lower House"
- 2 year terms
- All 435 seats up for election every 2 years
 - Gerrymandered seats often make non-competitive races

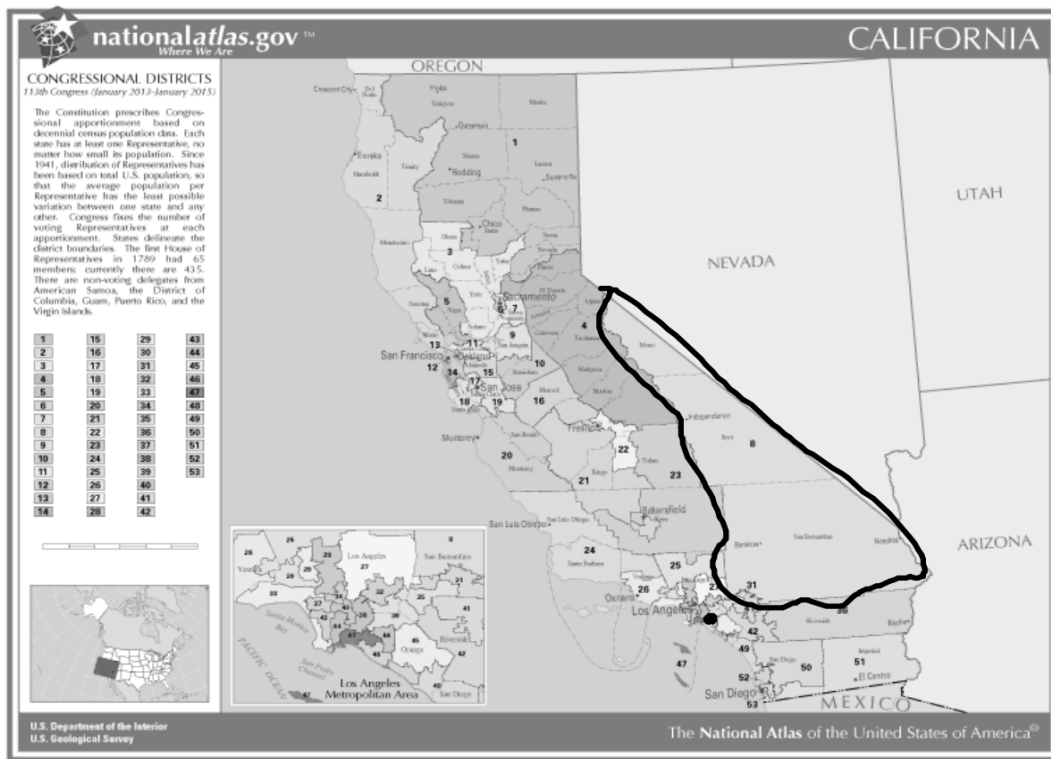
PENNSYLTUCKEY "T"

US Congressional Districts PA

Based on SB 1249 & approved 12/14/11 by Senate



CALIFORNIA

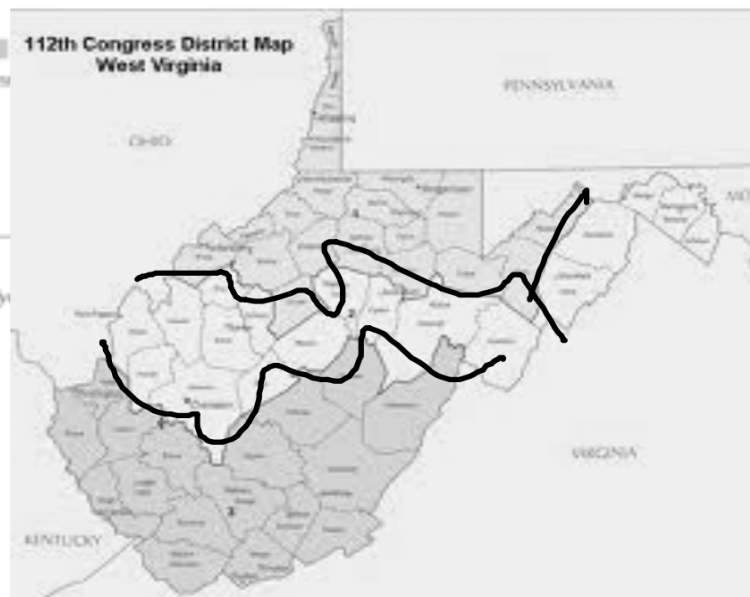


WYOMING & WEST VIRGINIA

Congressional District: At large



nationalatlas.gov



OUR REPRESENTATIVE

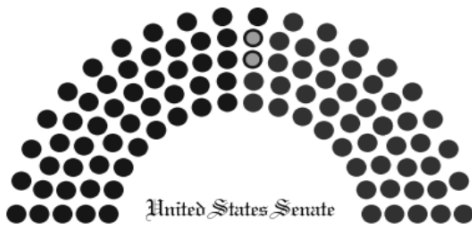
Glenn "GT" Thompson (REP, 5th DISTRICT)



Congressional Leadership

Senate:

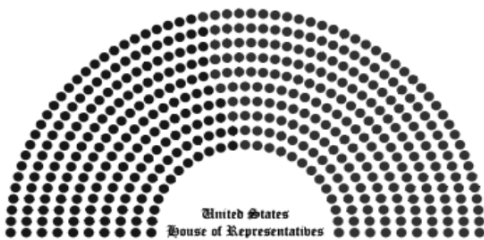
- Majority Party: Republicans
- President of Senate: Joe Biden (VP/DE)
- President Pro Temp: Orrin Hatch (UT)
- Minority Leader: Harry Reid (NV)
- Majority Leader: Mitch McConnell (KY)



#mcconnelling

House: Republican majority

Speaker of the House: Paul Ryan (WI)
Majority Leader: Kevin McCarthy (CA)
Minority Leader: Nancy Pelosi (CA)



State & Local Legislative Bodies


- PA General Assembly: Senate & House of Representatives
 - Senate: 50 members--Republican Majority--Joe Scarnati (R-25th, Brockway)
 - House of Representatives: 203 members--Republican Majority--Martin Causer (R-67th, Turtlepoint)
- Port Allegany Legislative Body: 7 members:
 - Andrew Johnson (President), Sam Dynda (VP), Judy Taylor, Eric Button, Dave Fair, Neil Binder, Kate Kysor
- Township Supervisors: 3-5 members
- County Commissioners: 3-5 members



The Committee System

Committee: smaller group of Congressmen w/ task of specific function

Chairman: head of committee; most senior members of majority party

- Committee assignment based on seniority, expertise, interests, and constituents' interests
 - 20 in House (Agriculture, Budget, S&T, Homeland Security)
 - 16 in Senate
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Lessons 2 & 3: Powers of Congress & How Congress Works

Legislative Powers:

a. Expressed Powers

- Art. I, Sec. 8
- Total of 18 enumerated powers listed
- Coin \$, borrow \$, collect taxes, regulate trade, declare war, open post offices, grant patents, etc.

b. Implied Powers

- Elastic Clause
- Congress can stretch authority into situations that are "necessary & proper"
- Powers are not stated but are understood to be commonsense powers
- Ability to raise army=power to draft
- Regulate trade=ability to limit discrimination in businesses

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Other Powers & Limits

Nonlegislative Powers



- Do **casework**: help constituents w/ problems...varies
- Push pork-barrel projects (EARMARKS or RIDERS)
- Develop Federal Budget (POTUS approves)
- Suggest Amendments to the Constitution
- Senate can accept or reject President's nominations to various offices (SCOTUS, Cabinet, Ambassadors, etc.)
- Impeachment process
 - Step 1: Majority vote in House to IMPEACH
 - Step 2: Trial in Senate; 2/3 majority needed to remove someone from office



Limits on Congressional Powers

- Art. I, Sec. 9

- Cannot suspend "writ of habeas corpus"

- Cannot file bills of attainder *arrest warrants*

- Cannot pass ex post facto laws

- **Cannot grant "titles of nobility"**

- 10th Amendment: any power not mentioned in Constitution cannot be taken by Congress (marriage, drinking laws, speed limits, marijuana, etc.)

- POTUS can veto laws

- SCOTUS can find laws unconstitutional

Legal rights in BOR

Qualifications & Staffing

Senate:

- 30 years old
- Live in the state in which you serve
- Live in US last 9 years

House

- 25 years old
- Live in state in which you serve
- Live in US last 7 years

Benefits:

- a. \$174,000/year salary
 - b. Free office space and parking
 - c. Costs to pay for trips to home state/district
 - d. Franking privilege: free mail
 - e. Life/health insurance
 - f. Legal immunity
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Congressional Staffs

- Each member of Congress has a staff to assist them
- Offices in DC and spread across their district/state
- Staffs handle requests/questions/demands from constituents and **lobbyists**
- Help to write legislation
- Interns or pages: students that assist in basic tasks (delivering messages)

Agencies of Congress

- Library of Congress: largest library in world; holds important documents and one copy of EVERY American book
- Government Accountability Office (GAO): reviews gov't spending
- Congressional Budget Office (CBO): helps Congress develop the budget



Lesson 4: "How a Bill Becomes a Law"

"Laws are like sausages. It's better not to see them being made."--Otto von Bismarck



Types of Bills

- Joint Resolution: bill passed by both chambers
- 10,000 bills introduced; several hundred will pass

From Bill to Law:

Step 1: Idea is formed..."eureka moment"

- May come from politicians themselves, interest groups, or constituents
- Every bill is given a title (S.1 or H.R.1)

H.R. 98

Step 2: Bill idea is sent to the appropriate committee to be debated, investigated, and written

- Committee decides whether to kill or pass the bill

Step 3: Bill is debated

- Full House or Senate discuss and debate bill
- Riders are considered; late additions to a bill; often spend \$ (PORK)
- Senators can **filibuster**; House cannot
- **Cloture**: "super majority"; 60 votes will kill filibuster

Step 4: Roll-call vote

Step 5: Send bill to the other chamber

Step 6: POTUS gets the bill

- Options: sign it, veto it, ignore it for 10 days, or pocket veto

Quorum: min #
of reps needed
to vote (51%)

Step 7 (in case of veto): both chambers can override veto w/ 2/3 vote