



# The Legislative Branch

Powers, Responsibilities, and Qualifications



# The Two House System

- Legislative branch established by Article I of the Constitution
- Bicameral
- Senate
  - 100 members
  - Six years
  - More prestigious
- House
  - 435
  - 2 years
  - Reapportioned after each census





# The US Senate

- Qualifications
  - 30 Years Old
  - American citizen for 9 years
  - Resident of state elected
  - Method of Selection – Election by the people
- Term of office – 6 years
- Members per state – 2
- Powers reserved for Senate only
  - Confirm Presidential appointments
  - Approve/reject treaties
  - Jury for impeachment trial





# The House of Representatives

- Qualifications
  - 25 years old
  - U.S. Citizen for 7 years
  - Resident of state elected
- Method of Selection – Election by the people
- Term of Office – 2 years
- Members per State – Based on population – 435 total
- Powers reserved for the House only
  - Originates money bills (taxes)
  - Begins impeachment process
  - Elects President if Electoral College fails to do so



# Functions and Powers

- Function:  
Make the Laws
- Congressional Joint Powers
  - Levy and collect taxes
  - Raise and maintain military
  - Grant statehood
  - Control national lands
  - Regulate interstate trade
  - Naturalize citizens
  - Declare war
  - Control making of currency



*The powers of Congress, found in Article I, section 8, of the Constitution, include the powers to:*

- Lay and collect taxes and duties.
- Borrow money.
- Regulate commerce with foreign nations and among the states.
- Establish rules for naturalization (the process of becoming a citizen) and bankruptcy.
- Coin money, set its value, and fix the standard of weights and measures.
- Punish counterfeiting.
- Establish a post office and post roads.
- Issue patents and copyrights.
- Define and punish piracies, felonies on the high seas, and crimes against the law of nations.
- Create courts inferior to (below) the U.S. Supreme Court.
- Declare war.
- Raise and support an army and navy and make rules for their governance.
- Provide for a militia (reserving to the states the right to appoint militia officers and to train militias under congressional rules).
- Exercise legislative powers over the seat of government (the District of Columbia) and over places purchased to be federal facilities (forts, arsenals, dockyards, and "other needful buildings").
- "Make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the government of the United States." (Note: This "necessary and proper," or "elastic," clause has been interpreted expansively by the Supreme Court, as explained in chapter 2 and in the Annotated Constitution.)



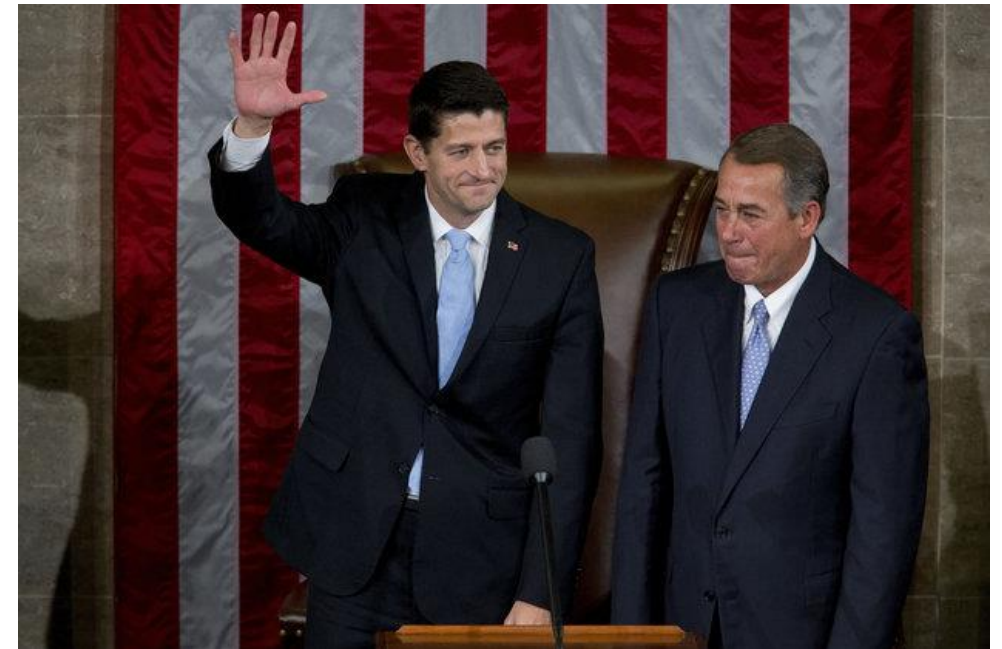
# The Elastic Clause

- Article I, Section 8
- 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



# Officers of the Legislative Branch

- Speaker of the House
  - Currently: Paul Ryan of Wisconsin
  - Presiding officer of the House
  - Job: acknowledges speakers, signs bills, appoints committees, calls a vote.







# Officers of the Legislative Branch

- President of the Senate-
  - V.P.
  - Presiding officer but may not speak or debate
- President pro tempore
  - Resides in V.P.'s absence
  - Elected by the Senate
  - Majority Party
  - Currently: Orrin Hatch





# Committees in Congress

- Standing committee: permanent groups which all similar bills could be sent. (Ex. Budget committee)
- Select committee- a special group set up for a specific purpose for a limited time. (ex. Senate Watergate Committee)
- Joint Committees- members from both houses.
- Oversight Committees - Job is to oversee the executive agencies that are involved in regulation to insure that they are carrying out the intent of the law that created them.
- Congressional Review - Allows congress to nullify an agency regulation within 60 days of its becoming effective.




---

## Standing Committees

---

House	Senate
Agriculture Appropriations Armed Services Budget Education & Labor Energy & Commerce Financial Services Foreign Affairs Homeland Security House Administration Judiciary <i>Commercial &amp; Administrative Law</i> <i>The Constitution, Civil Rights, &amp; Civil Liberties</i> <i>Courts &amp; Competition Policy</i> <i>Crime, Terrorism, &amp; Homeland Security</i> <i>Immigration, Citizenship, Refugees, Border</i> <i>Security, &amp; International Law</i> <i>Task Force on Antitrust</i> Natural Resources Oversight & Government Reform Rules Science & Technology Small Business Standards of Official Conduct Transportation & Infrastructure Veterans Affairs Ways & Means	Agriculture, Nutrition, & Forestry Appropriations Armed Services Banking, Housing, & Urban Affairs Budget Commerce, Science, & Transportation Energy & Natural Resources Environment & Public Works Finance Foreign Relations Health, Education, Labor, & Pensions Homeland Security & Governmental Affairs Indian Affairs Judiciary <i>Administrative Oversight &amp; the Courts</i> <i>Antitrust, Competition Policy, &amp; Consumer</i> <i>Rights</i> <i>The Constitution</i> <i>Crime &amp; Drugs</i> <i>Human Rights &amp; the Law</i> <i>Immigration, Refugees, &amp; Border Security</i> <i>Terrorism, Technology, &amp; Homeland Security</i> Rules & Administration Small Business & Entrepreneurship Veterans Affairs

---

## Select, Special, and Other Committees

---

House	Senate	Joint Committees
Permanent Select Intelligence Select Committee on Energy Independence & Global Warming	Select Ethics Select Intelligence Special Aging	Economics Taxation Library of Congress Printing

---

*Note: The subcommittees of the House and Senate Judiciary Committees during the 111th Congress are listed in italics.*

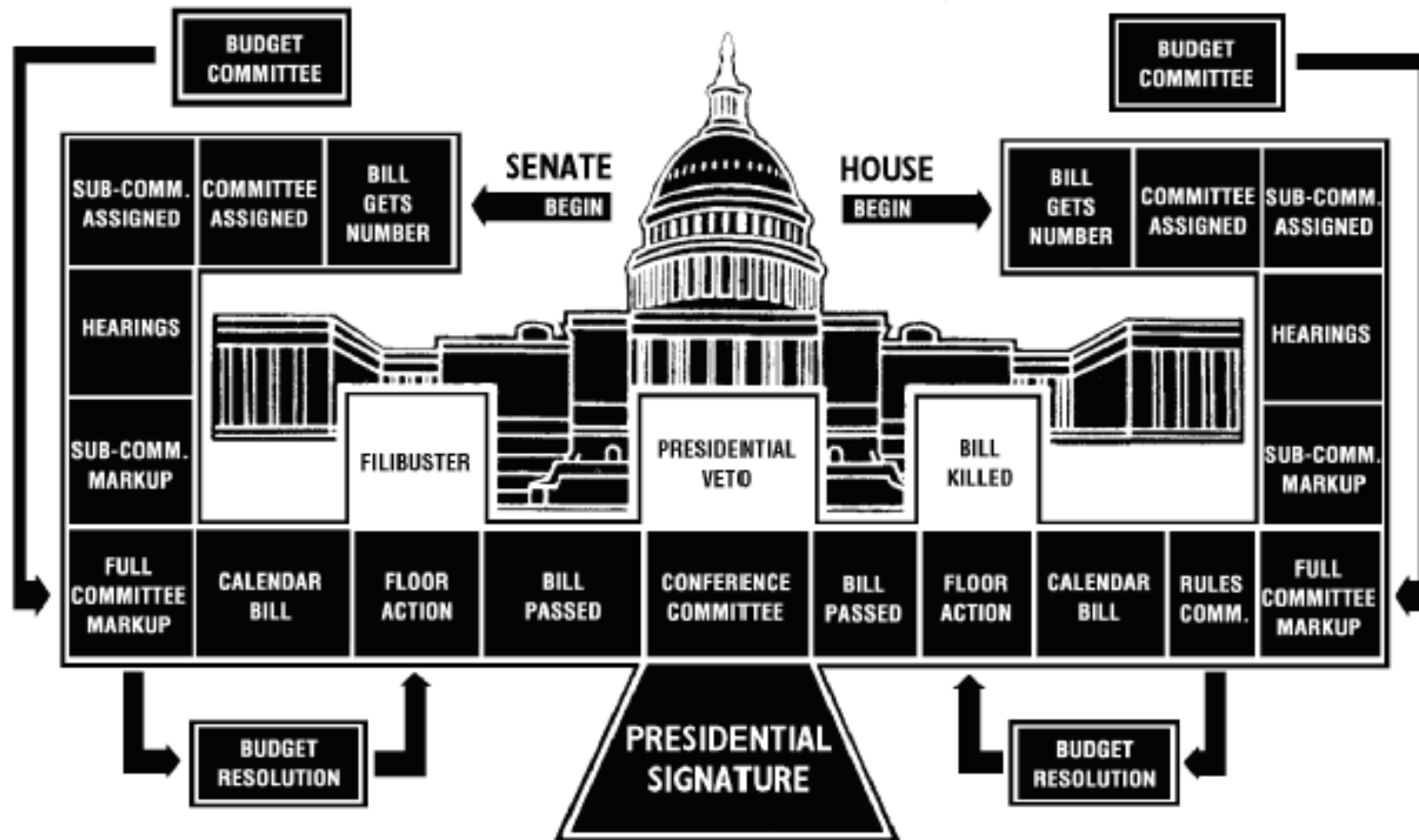


# How does a Bill become a law?

- Bills- proposed laws, or drafts of laws presented to the House or Senate for enactment.
- Two types:
  - Public- measure applying to the nation as a whole- (tax bills)
  - Private-only apply to certain persons or places rather than to the nation generally.

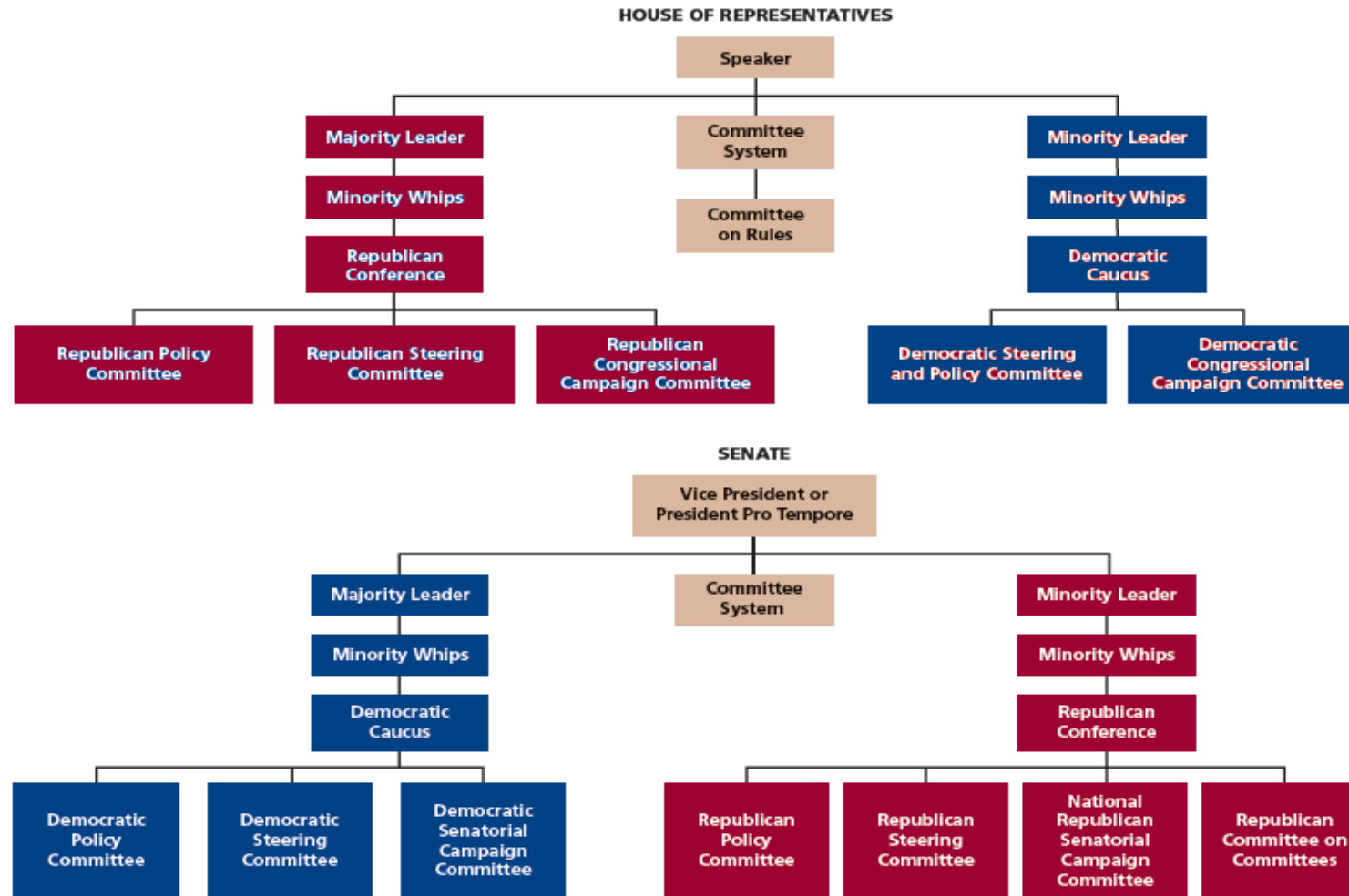


# Bill into Law





# Organization of the Houses





# Congress Technicalities

- Pork (bill creating jobs or money for district)
- Logrolling (rep. votes in favor of colleague bill in exchange for return favor)
- Serving two distinct groups:
  - Party leaders, colleagues and lobbyists
  - Constituents (voters back home)
    - Trustee: rep who votes best judgment
    - Delegate: votes the way constituents want
    - Politico: votes a combination of 1 and 2