LEGISLATIVE BRANCH

CHAPTER 5

UNITED STATES CONGRESS- CAPITAL HILL

CAPITAL HILL IN BACKGROUND

THE LEGISLATIVE BRANCH: MEMBERS IN CONGRESS

Remember, in the Constitution:

The Legislative Branch is discussed in Article 1.

That means it's the first item the founders included after the Preamble.

Purpose of the Legislative Branch

The legislative branch is divided into two houses, the Senate and the House of Representatives.

The most important job of Congress is to make laws.

But laws do not simply state what you can and cannot do. Laws can also:

Establish a national policy (a plan of action designed to have a certain goal)

Spell out how the government raises and spends the people's money.

LEGISLATIVE BRANCH

Members of Congress have Responsibilities:

To their Constituents (the people they represent)

To the whole nation

To their political party (an organization of people who share certain ideas about what government should do)

LEGISLATIVE BRANCH

Other information:

Both Senators and Representatives write, discuss, and vote on bills which are proposed laws.

Members of Congress who want to run for reelection try to gain support from interest groups which are groups of people who work together for similar interests or goals.

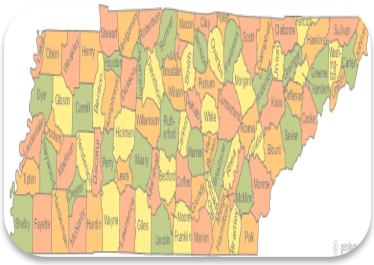
Interests groups supply candidates with both money and votes

Interest groups

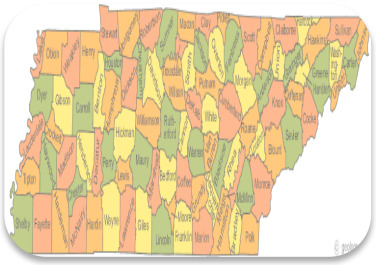
- use lobbyists to encourage votes on particular bills
- can encourage group members to vote for a particular Congressperson

SENATORS – TN TWO SENATORS PER STATE

Lamar Alexander



Bob Corker



SENATORS- TN

Lamar Alexander- Republican

Bob Corker- Republican

Remember: There are 100 total senators in the senate.

There are two Senators for each state.

Senators:

2 per state

Focus on the interests of the whole state

6 Year terms, with 1/3 of the Senate up for reelection every 2 years

Unlike the terms of Representatives, the terms overlap

Therefore, there are always experienced senators in the Senate.

LEGISLATIVE BRANCH- SENATE

Framers believed the Senate would:

be less sensitive to the changing moods of the people than representatives might be.

prevent quick, unwise changes to laws.

Requirements for Senators:

must be at least 30 years old

must have been a citizen of the United States for at least nine years

must reside in the state they represent.

TENNESSEE CONGRESSIONAL DISTRICTS (9)

House of Representatives (435 members) TN has 9 members

We live in District 8- Congressman- Stephen Fincher

HOUSE OF REPRESENTATIVES

Since representation in the House is based on a State's population, every 10 years the U.S. Bureau of the Census counts how many people live in each state of the United States. Each state is broken down into Congressional Districts and there is one representative for each district. Every state has at least one congressional district. With each new census, the number of districts (and representatives) in each state is then adjusted.

District 8 from TN is our representative. David Kustoff

REPRESENTATIVES

Census- every ten years

- There must be 435 Representatives total
- We know that representation in the House of Representatives is based on the relative population of each state.
- So every 10 years they adjust the number of representatives per state
- All Congressional Districts must have about the same number of people.
- 2014- average of 710,000 in each Congressional District
- TN has 9 congressional districts so that must mean that TN population must be about 6,390,000.
- TN actual population is 6,545,000.

Unites States population TODAY IS 322,762,018.

REPRESENTATIVES

REPRESENTATIVES:

SERVER 2 YEAR TERMS

NEED TO BE AWARE OF THE POSITIONS OF THEIR CONSTITUENTS

THERE IS NO LIMIT TO THE NUMBER OF TIMES A REPRESENTATIVE CAN BE RELECTED.

REQUIRMENTS:

MUST BE AT LEAST 25 YEARS OLD

MUST HAVE BEEN A CITIZEN OF THE UNITED STATES FOR AT LEAST SEVEN YEARS

MUST RESIDE IN THE STATE THEY REPRESENT.(AND CONGRESSIONAL DISTRICT)

THE LEGISLATIVE BRANCH

KEY IDEAS

1) SENATORS SERVE 6 YEAR TERMS BUT ARE NOT ALL UP FOR REELECTION IN THE SAME YEAR. 1/3 OF ALL SENATORS ARE ELECTED EVERY 2 YEARS WHY? THE HOUSE OF REPRESNETATIVES HAS ALL 435 REPS. UP FOR REELECTION ALL AT THE SAME TIME. THIS, PLUS A SHORT 2 YEAR TERM, CLOSELY TIES THEM TO THE PEOPLE. HENCE, THEY MAY PASS UNWISE LAWS. THE PURPOSE OF THE SENATE IS TO KEEP THE HOUSE IN CHECK AND PREVENT UNWISE LAWS FROM GETTING PASSED. THE SENATE NEEDS TO BE STABLE AND WISE, SO THEY CAN'T BE UP FOR REELECTION ALL AT ONCE. STAGGERING THEIR TERMS HELPTS TO MAKE SURE THAT 2/3 OF THE SENATE IS EXPERIENCED AT ALL TIMES.

2) SENATORS SERVE 6 YEAR TERMS WHILE REPRESENTATIVES SERVE 2 YEAR TERMS.

KEY IDEAS ABOUT SENATORS AND REPS

BRITISH GOVERNMENT- CONSTITUTIONAL MONARCHY

- HAS A BICAMERAL LEGISLTURE MADE UP OF THE HOUSE OF LORDS AND THE HOUSE OF COMMONS.
- STUCTURE AND DESIGN IS BASED ON CLASS.

AMERICAN GOVERNMENT- REPRESENTATIVE DEMOCRACY (DEMOCRATIC REPUBLICE)

- HAS A BICAMERAL LEGISLATIRE MADE UP OF THE SENATE AND THE HOUSE OF REPRESENTATIVES
- STURCTURE AND DESIGN IS BASED ON FUNCTION NOT CLASS.

THE TRHEE BRANCHES, ALL EQUAL IN POWER, WITH DIFFERENT JOBS TO DO

- LEGISLATIVE BRANCHE- MAKE LAWS
- EXECUTIVE BRANCH- EXECUTES THE LAWS (CARRIES OUT/ENFORCES)
- JUDICIAL BRACNH- INTERPRETS THE LAWS.

KEY IDEAS ABOUT SENATORS AND REPS

INTERESTING IRONIES AND FACTS ABOUT THE DESIGN OF OUR BICAMERAL LEGISLATURE:

SUPPOSED TO BE BASED ON THE PEOPLE AND THE CONSENT OF THE GOVERNED.

THE HOUSE OF REPRESENTATIVES BY DESIGN, IS CLOSELY TIED TO THE PEOPLE.

REPRESENTATIVES SERVE 2 YEAR TERMS WHICH FORCES THEM TO DO WHAT THE PEOPLE WANT OR NOT BE RELECTED.

BUT THE FOUNDING FATHERS DID NOT ENTIRELY TRUST THE PEOPLE, THE STATE LEGISLATURES, AND THE HOUSE OF REPRESENTATIVES TO MAKE THE KINDS OF LAWS THAT WERE BEST FOR THE PEOPLE AND THE COMMON GOOD.

SO THEY CREATED THE SENATE BY DESIGN, TO BE A CHECK UPON THE HOUSE (TO MAKE SURE THE HOUSE DIDN'T PASS LAWS THAT WERE NOT BEST FOR THE PEOPLE)

IRONIES AND FACTS ABOUT DESIGN OF LEG. BRANCH

BEFORE BILLS CAN BECOME LAWS, THEY MUST PASS BOTH THE HOUSE AND THE SENATE WITH A SIMPLE MAJORITY.

THE SENATE IS MORE DELIBERATIVE AND STABLE/INDEPENDENT BODY

SENATORS SEVE 6 YEAR TERMS, WHICH MAKES THEM LESS SENSEITIVE TO THE SHIFITNG MOODS OF THE PEOPLE THAN REPRESENTATIVES MIGHT BE. IN THIS WAY, SENATORS CAN PREVENT QUICK, UNWISE CHANGES IN THE LAW.

SENATORS DO MAKE LAWS BASED ON WHAT THE PEOPLE WANT, BUT THEY HAVE 5 YEARS ESSENTIALLY NOT TO WORRY ABOUT RUNNING FOR REELECTION.

ORIGINALLY, THE FOUNERS BELIEVED THE SENATORS SHOULD BE EDUCATED MEN WHO WOULD BE ABOVE SELF-INTEREST AND ABLE TO MAKE LAWS THAT WERE BEST FOR THE PUBLIC GOOD.

LEGISLATIVE BRANCH

IMPORTANT NOTES ABOUT CONSTITUENCIES

A SENATOR'S CONSTITUENCY IS EVERYONE IN THEIR ENTIRE STATE

SO, A SENATOR HAS TO BALANCE MANY DIFFERENT INTERESTS AND THEREFORE OFTEN TAKES MORE MODERATE POSITIONS IN THE MIDDLE.

A REPRESENTATIVE'S CONSTITUENCY INCLUDES ONLY THE PEOPLE IN THAT REPRESETNATIVES OWN CONGRESSIONAL DISTRICT.

IT IS MORE LIKELY THAT THE PEOPLE IN A SMALL CONGRESSIONAL DISTRICT WILL SHARE THE SAME VIEWS AND INTERESTS, SO A REPRESENTATIVE IS ABLE TO TAKE MORE SPECIFIC POSITON ON AN ISSUE.

NEVERTHELESS, BOTH SENATORS AND REPRESENTATIVES ARE "SERVANTS OF THE PEOPLE" AND THEREFORE MAKE LAWS THAT SERVE THE COMMON GOOD.

LEG. BRANCH HOW CONGRESS IS ORGANIZED

THE CONSTITUTION DOES NOT TELL CONGRESS HOW TO MAKE LAWS. OVER TIME, CONGRESS HAS DEVELOPED PROCEDURES TO CONSIDER BILLS. CONGRESS DIVIDES THE WORK OF PREPARING BILLS AMONG COMMITTEES AND CHOOSES LEADERS TO OVERSEE THE COMMITTEES.

ORGANIZATION OF CONGRESS:

THE PRESIDING OFFICERS OF THE HOUSE OF REPRESENTATIVES AND THE SENATE ARE BOTH CHOSEN BY THE MAJORITY PARTY.

PRESIDING OFFICER OF THE HOUSE OF REPRESENTATIVES: SPEAKER OF THE HOUSE

DECIDES THE ORDER OF BUSINESS, WHO MAY SPEAK, APPOINTS MEMBERS OF COMMITTEES AND REFERS BILLS TO COMMITTEES

ORGANIZATION OF CONGRESS

PRESIDING OFFICER OF THE SENATE IS THE VICE PRESIDENT BUT THE SENATE ALSO CHOOSES AN OFFICER CALLED THE PRESIDENT PRO TEMPORE TO PRESIDE OVER THE SENTATE WHEN THE VICE PRESIDENT IS ABSENT. THIS OFFICER IS OFTEN REFERRED TO AS THE PRESIDENT PRO TEM FOR SHORT.

MAJORITY PARTY: THE PARTY WITH MORE MEMBERS

MINORITY PARTY: THE PARTY WITH FEWER MEMBERS

FLOOR LEADERS GUIDE BILLS THROUGH CONGRESS

ASSISTANT FLOOR LEADERS CALLED "WHIPS " TRY TO PRESUADE MEMBERS TO SUPPORT THE PARTY'S POSITION ON KEY ISSUES.

COMMITTEES

NECESSARY DUE TO THE MORE THAN 10,000 BILLS INTRODUCED IN A 2 YEAR TERM OF CONGRESS.

1 YEAR IS CALLED A “SESSION”

1 “TERM” OF CONGRESS IS MADE UP OF 2 “SESSIONS”

HOW A BILL BECOMES A LAW

STEP 1: INTRODUCE BILL

CAN ONLY BE DONE BY A MEMBER OF CONGRESS

THEN BILL IS ASSIGNED TO A STANDING COMMITTEE (PERMAMENT)

STEP 2: STANDING COMMITTEES

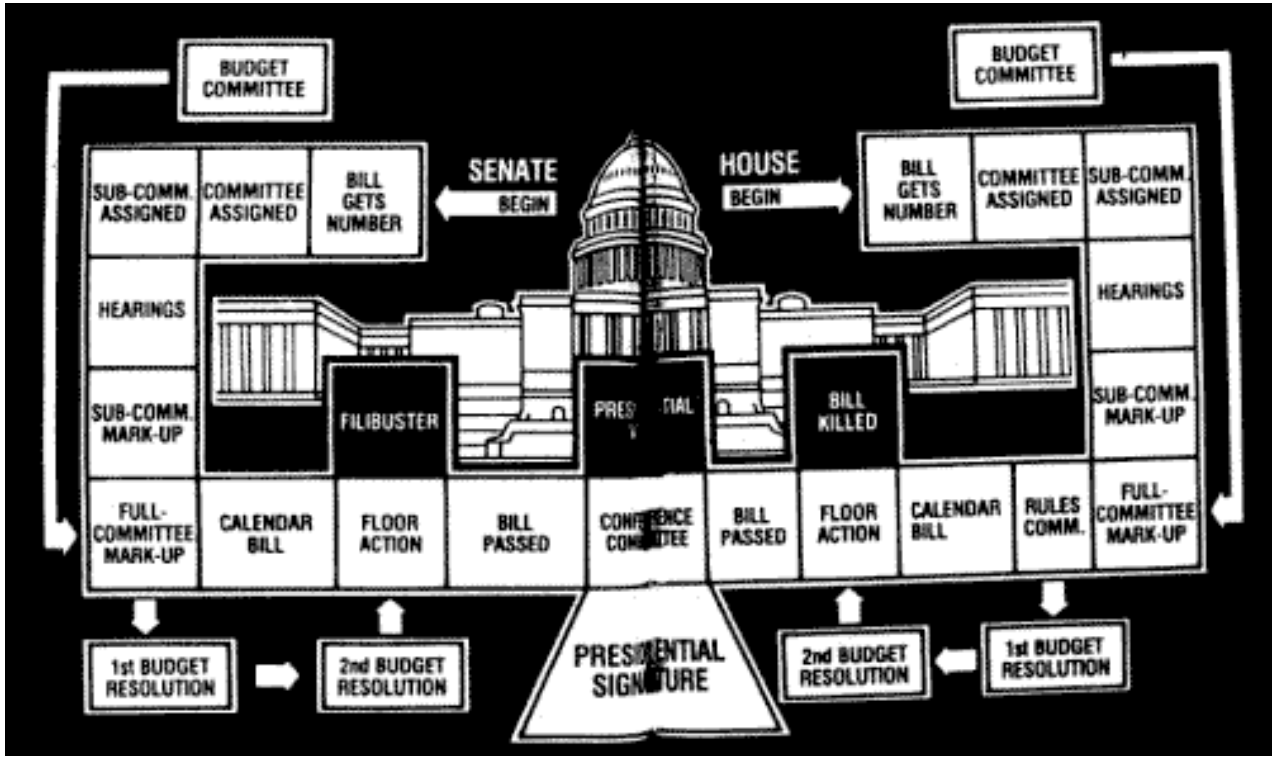
HOLDS HEARINGS, OR PUBLIC MEETINGS

MAY PROPOSE CHANGES IN THE BILL

THEN, TWO POSSIBILITES:

RECOMMEND THAT THE ENTIRE HOUSE OR SENATE VOTE ON THE BILL OR THE BILL DIES IN COMMITTEE.

CONGRESS


BUDGET COMMITTEE
SUB-COMM. ASSIGNED
COMMITTEE ASSIGNED
BILL GETS NUMBER
SENATE
BEGIN
HOUSE
BEGIN
BUDGET COMMITTEE
BILL GETS NUMBER
COMMITTEE ASSIGNED
SUB-COMM. ASSIGNED
HEARINGS
HEARINGS
SUB-COMM. MARK-UP
FILIBUSTER
BILL KILLED
SUB-COMM. MARK-UP
FULL-COMMITTEE MARK-UP
CALENDAR BILL
FLOOR ACTION
BILL PASSED
BILL PASSED
FLOOR ACTION
CALENDAR BILL
RULES COMM.
FULL-COMMITTEE MARK-UP
1st BUDGET RESOLUTION
2nd BUDGET RESOLUTION
2nd BUDGET RESOLUTION
1st BUDGET RESOLUTION

HOW A BILL BECOMES A LAW

STEP 2 CONTINUED:

CHAIR OF EVERY COMMITTEE IS FROM THEM MAJORITY PARTY

COMMITTEE CHAIRS HAVE GREAT POWERS BECAUSE THE DECIDE WHICH BILLS THEIR COMMITTEE WILL STUDY.

A SELECT COMMITTEE DEALS WITH A PROBLEM NOT COVERED BY ANY STANDING COMMITTEE.

A JOINT COMMITTEE IS MADE UP OF MEMBERS OF BOTH THE HOUSE AND THE SENATE. JOINT COMMITTEES ARE USUALLY SELECT COMMITTEES FORMED TO CONDUCT INVESTIGATIONS.

HOW A BILL BECOMES A LAW

STEP 3: VOE IN BOTH HOUSE AND SENATE

WILL PASS WITH SIMPLE MAJORITY VOTE

STEP 4: CONFERENCE COMMITTEES (ONLY IF ONE HOUSE DISAGREES OR CHANGES BILL BEFORE PASSING)

ARE JOINT COMMITTEES MADE UP OF BOTH SENATORS AND REPRESENTATIVES

RESOVLE DIFFERENCES BETWEEN THE HOUSE AND SENATE VERSIONS OF THE BILL

THE BILL MUST BE VOTED ON BY BOTH THE HOUSE AND SENATE BEFORE GOING TO THE PRESIDENT

HOW A BILL BECOMES A LAW

STEP 5: PRESIDENT

PRESENTED WITH A BILL

A) IF THE PRESIDENT SIGNS THE BILL

1. IT BECOMES LAW

B) IF THE PRESIDENT HOLDS THE BILL FOR TEN DAYS WITHOUT SIGNING OR VETOING IT

1. IT BECOMES LAW

C. IF THE PRESIDENT VEOTOES THE BILL AND SENDS THE BILL BACK TO CONGRESS UNSIGNED

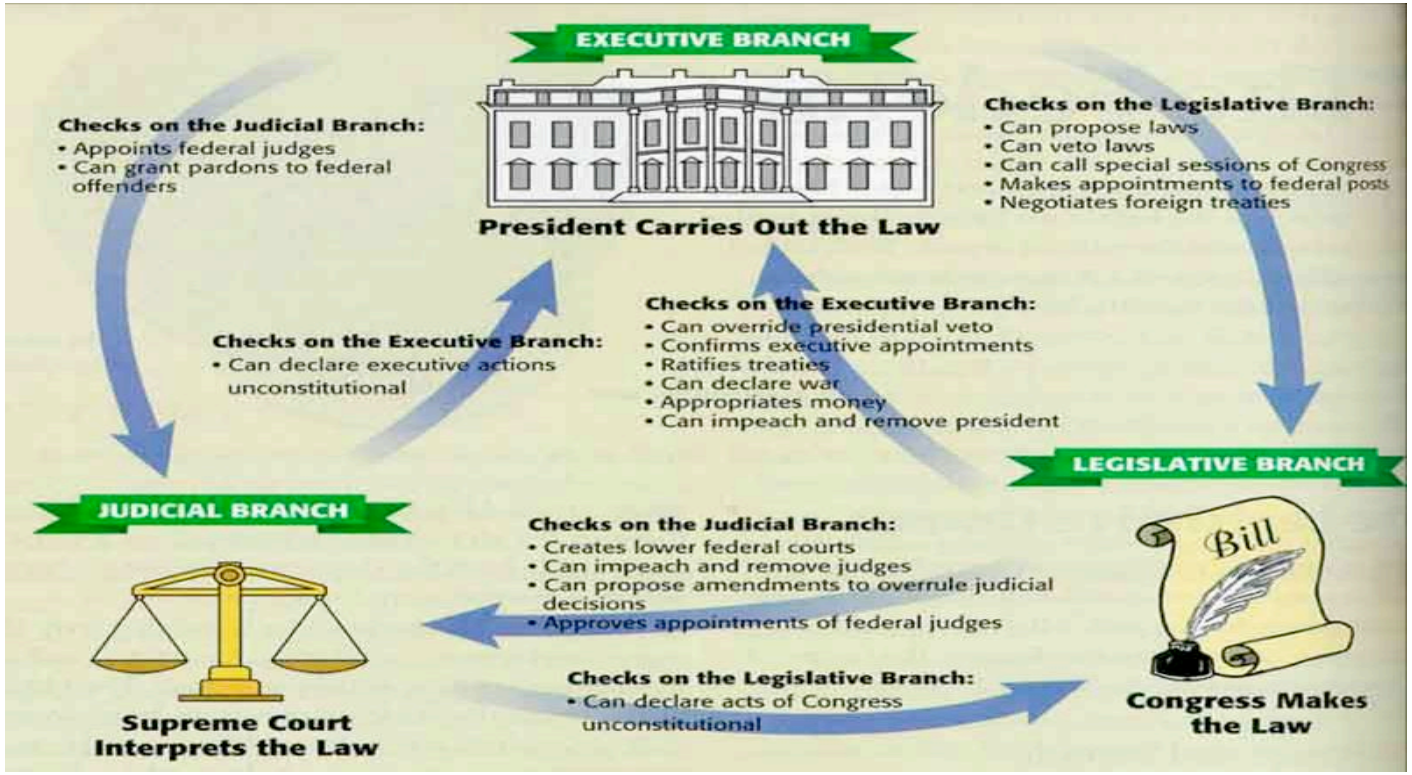
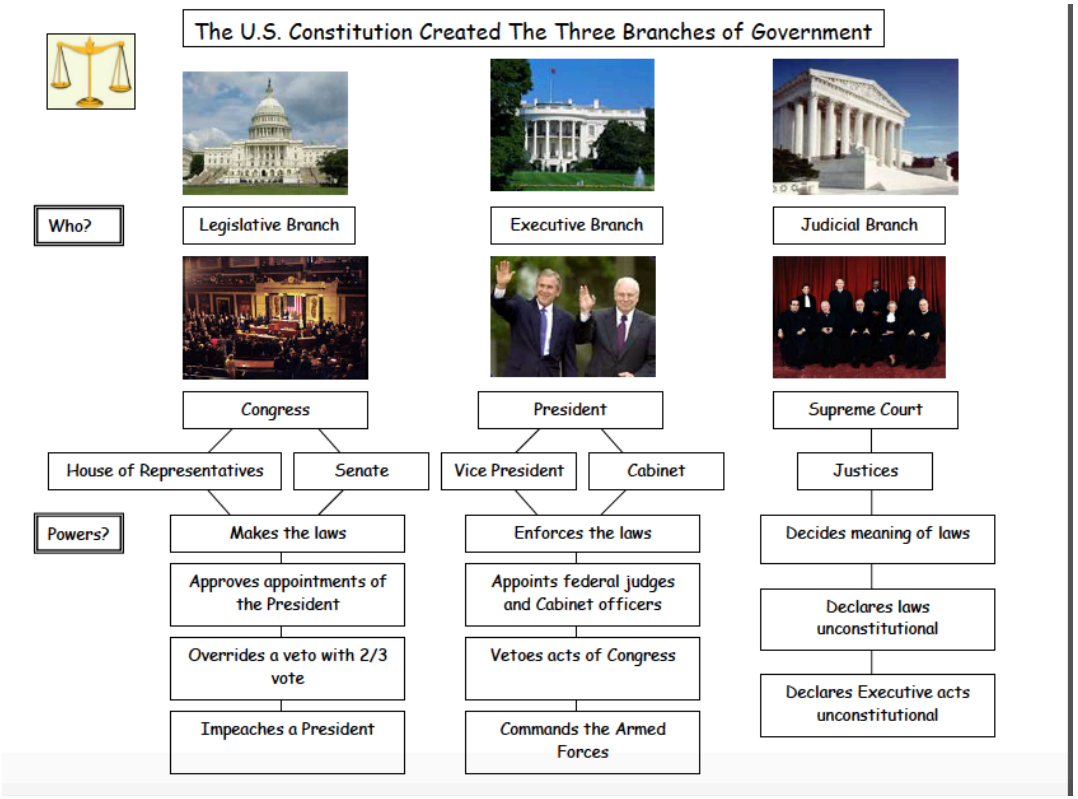
1. IF FAILS TO BECOME A LAW

2. CONGRESS CAN OVERRIDE THE PRESIDENT'S VETO BY PASSING THE BILL AGAIN WITH A 2/3 MAJORITY IN BOTH HOUSES.

D. POCKET VETO: PRESIDENT KEEPS THE BILL FOR 10 DAYS, DURING WHICH TIME THE CONGRESSIONAL SESSION ENDS.

1. IT FAILS TO BECOME A LAW.

CHECKS AND BALANCE SYSTEM



THREE BRANCHES OF GOVERNMENT