



THE LEGISLATIVE BRANCH

INTERESTING FACTS

- The Senate is sometimes referred to as the upper house, because the Senate chamber was located above the House in the building where Congress first met in New York City. The House is referred to as the lower house
- All revenue bills must begin in the House
- Only senators can filibuster – Continuous talking to prevent a vote on a bill (cloture can end a filibuster with a 3/5 vote)
- The record for the longest individual speech goes to South Carolina's Strom Thurmond who filibustered for 24 hours and 18 minutes against the Civil Rights Act of 1957.
- Ted Cruz's Filibuster during a Senate vote on Obamacare in 2013 - <https://www.youtube.com/watch?v=0-4FQAov2xl>

CONGRESSIONAL SESSION

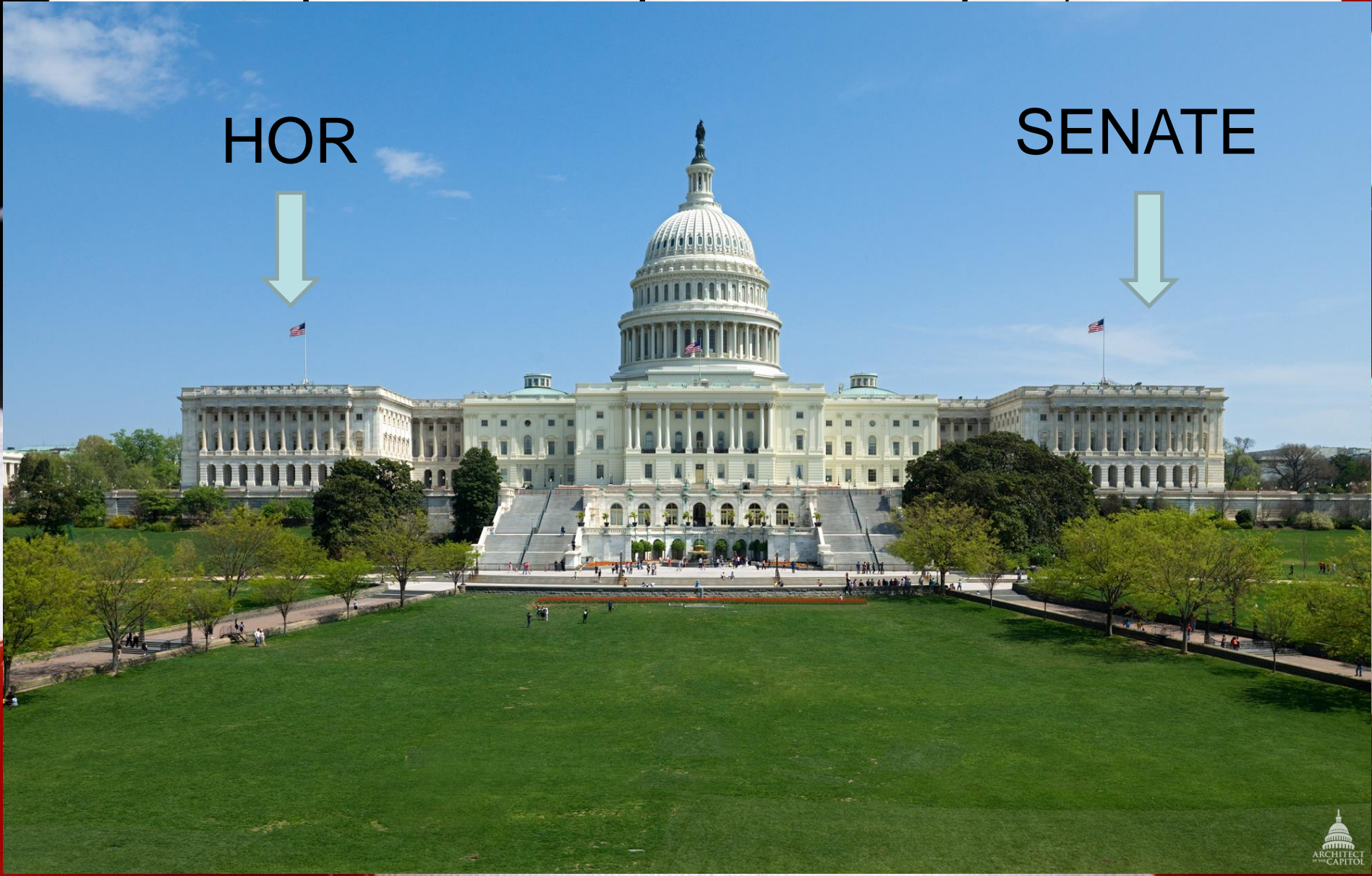
- Congressional sessions begin in January
- Currently, the 116th Congress is in session. They will meet from Jan. 3, 2019 to Jan 3, 2021.
- 535 members of Congress come together to determine such things as the safety of your workplace, the amount of taxes you pay (tax law), and how much money the government will spend (Budget)

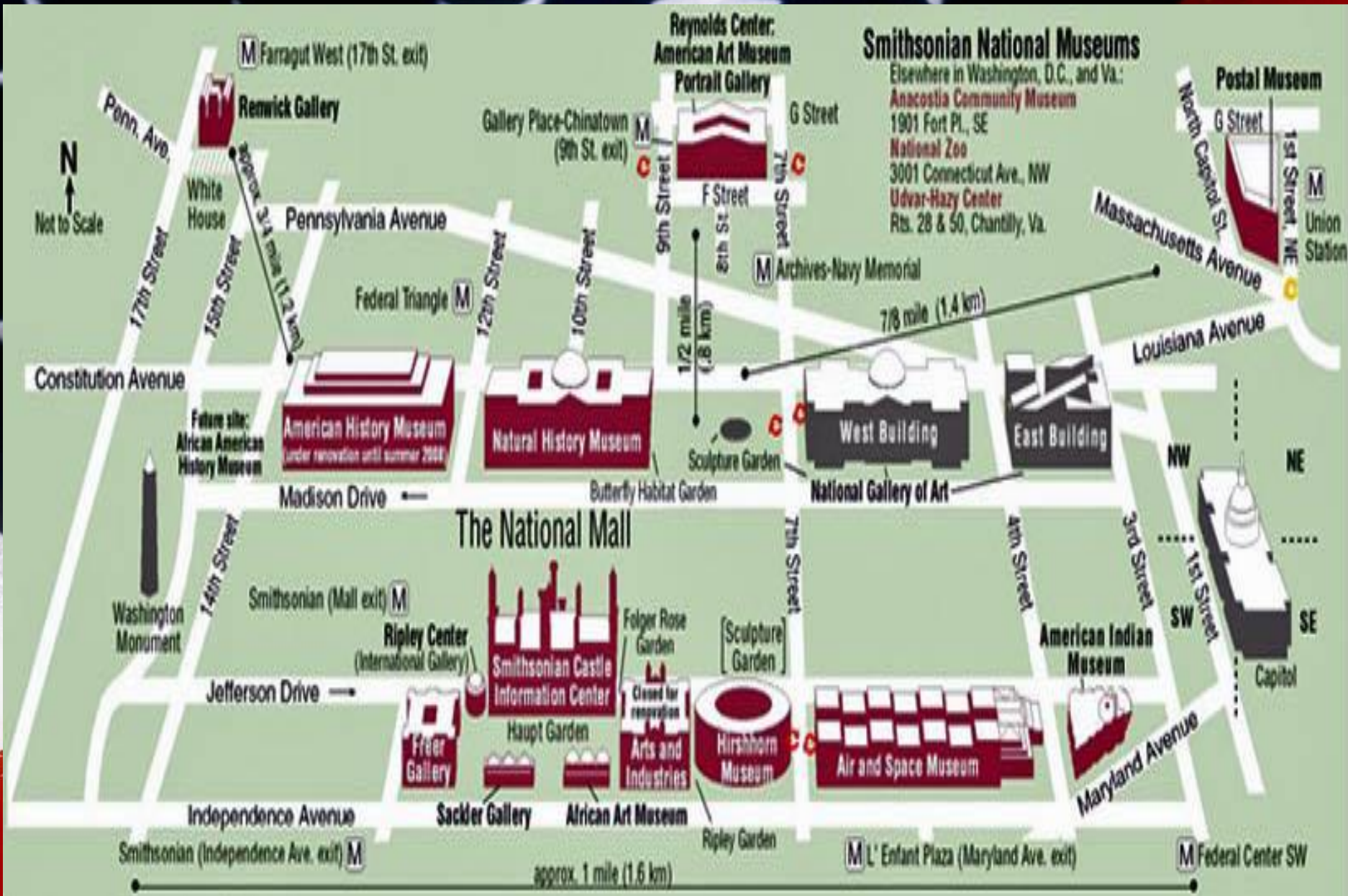
The Capital Building in Washington, D.C.

HOR

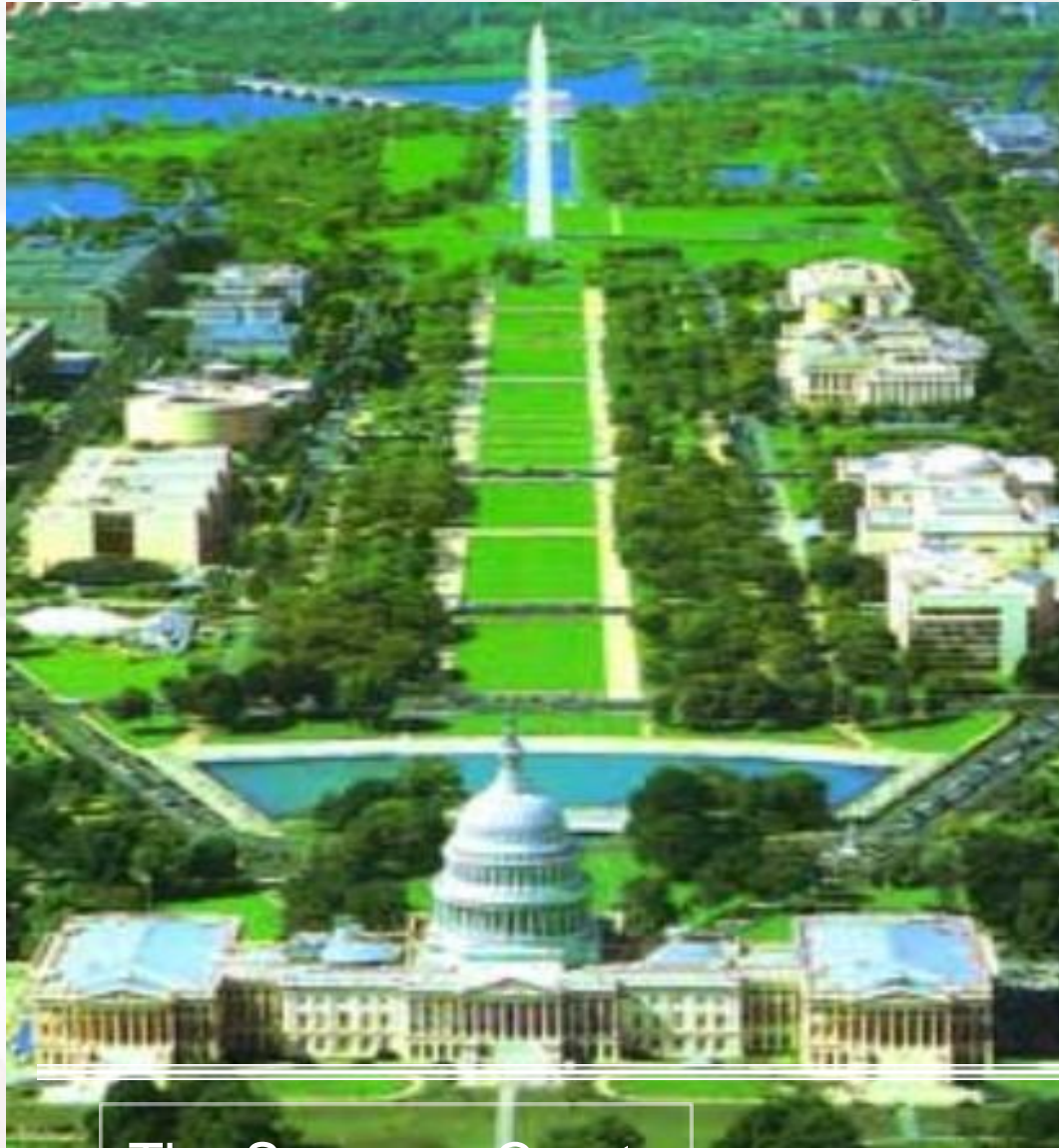


SENATE





The Mall in Washington D.C.



The White
House

The Supreme Court

I. CONGRESSIONAL POWERS



CONGRESSIONAL POWERS

- The Constitution describes the legislative powers of Congress in Article I, Section 8, Clauses 1-18.
- The expressed powers of Congress are also called the enumerated powers.
- The last clause (18) gives Congress the power to do whatever is “necessary and proper” to carry out its other powers. This clause, also called the elastic clause, implies that Congress has powers beyond those expressed in the first 17 clauses.

CONGRESSIONAL POWERS

Enumerated economic powers –

- Levy and collect taxes,
- Borrow money,
- Establish bankruptcy laws,
- Coin money,
- Punish counterfeiters,
- and to regulate foreign and interstate trade.

Enumerated powers of defense –

- Declare war,
- Raise, support, and regulate an army and navy,
- Provide and regulate a militia (the national guard)

CONGRESSIONAL POWERS

Other legislative powers

- Establish laws of naturalization
- Establish post office
- Securing patents and copyrights
- Establishing lower courts
- Governing the District of Columbia.

Non-legislative powers

- Choose a President – If a majority of electoral votes aren't reached
- Remove a member of the executive and judicial branch (impeachment – House brings charges & the Senate conducts the trial)
- Approve presidential appointments
- Propose amendments
- Investigate and legislative oversight.

II. ORGANIZATION OF CONGRESS



MEMBERSHIP OF THE HOR

- There are 435 members with seats divided between the states based on population.

Qualifications:

- Must be at least 25 yrs old
- Citizen for at least 7 yrs
- Residents of their states

Term:

- 2 years



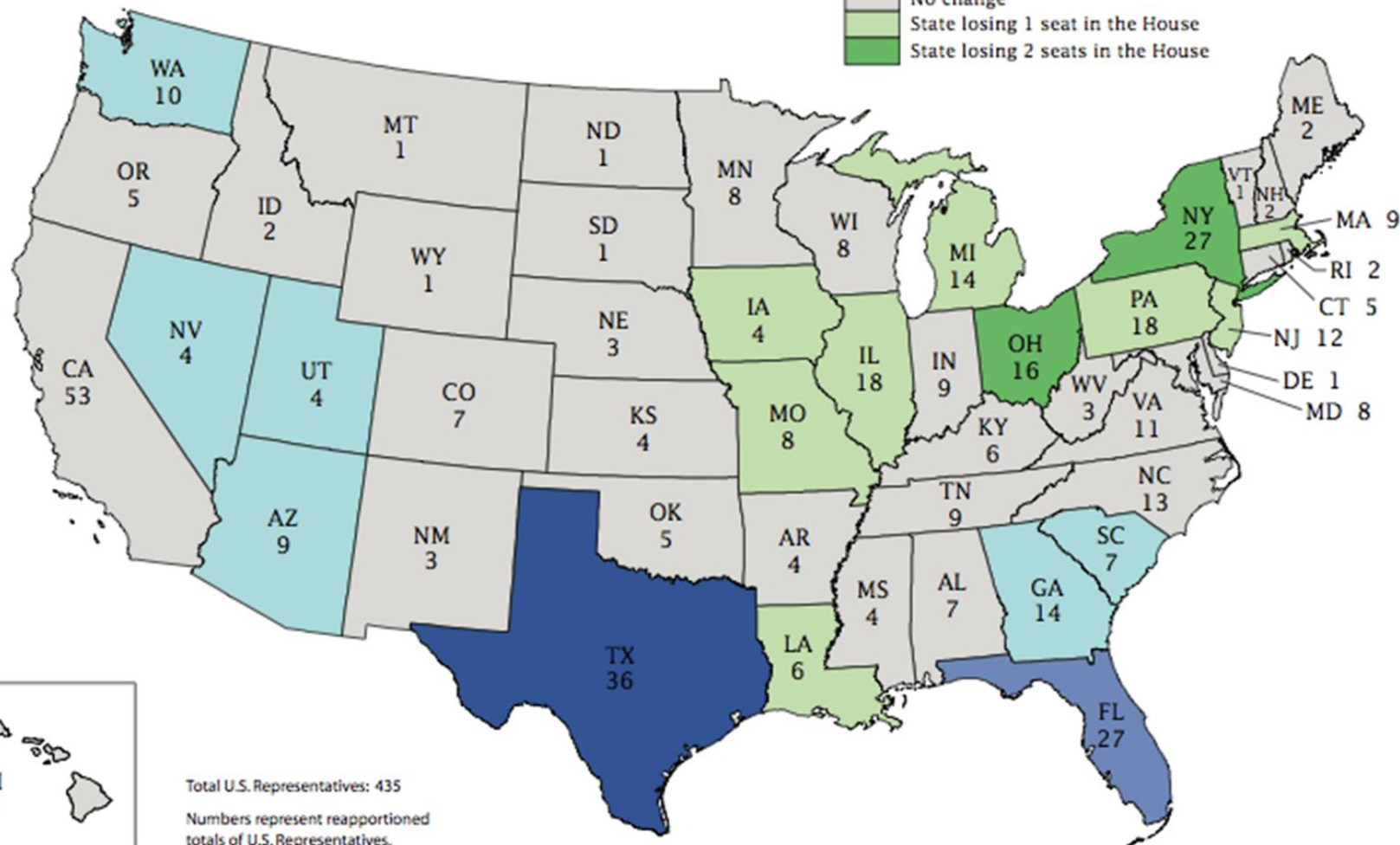
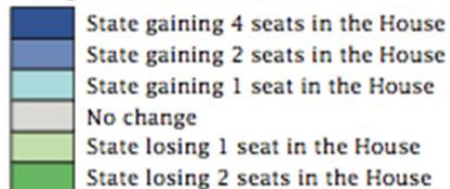
MEMBERSHIP OF THE HOR

REPRESENTATION

- Every 10 years the U.S. takes a national census, or population count. The last census was in 2010.
- The census determines the new number of representatives each state is entitled to – a process called reapportionment

Apportionment of the U.S. House of Representatives Based on the 2010 Census

Change from 2000 to 2010



Total U.S. Representatives: 435
Numbers represent reapportioned totals of U.S. Representatives.

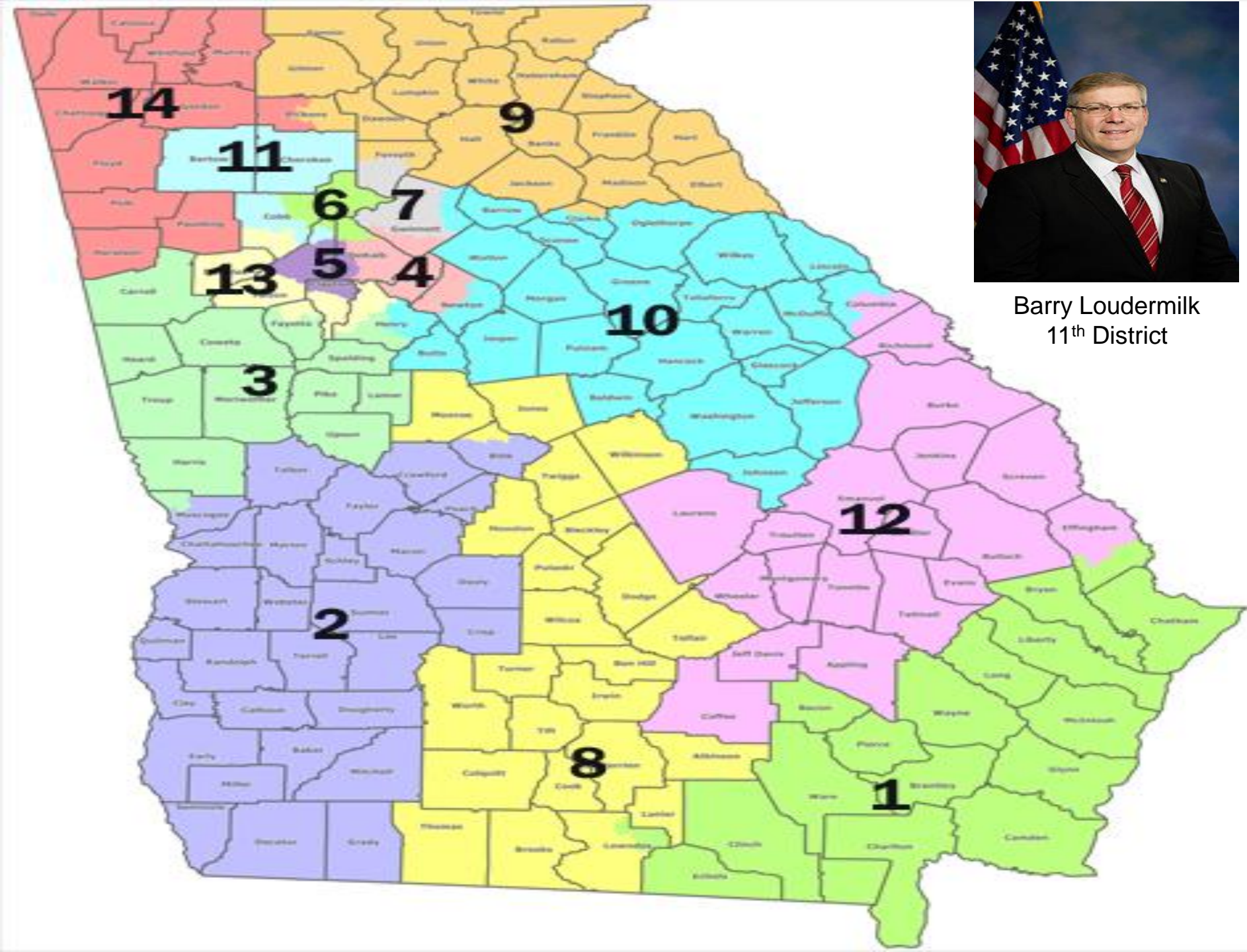
MEMBERSHIP OF THE HOR

Congressional Redistricting:

- After states find out reapportionment, each legislature sets up congressional districts – one for each representative. Reps are elected from these districts.
- Redistricting – the process of setting up new district lines after reapportionment.
- <http://www.census.gov/mycd/>

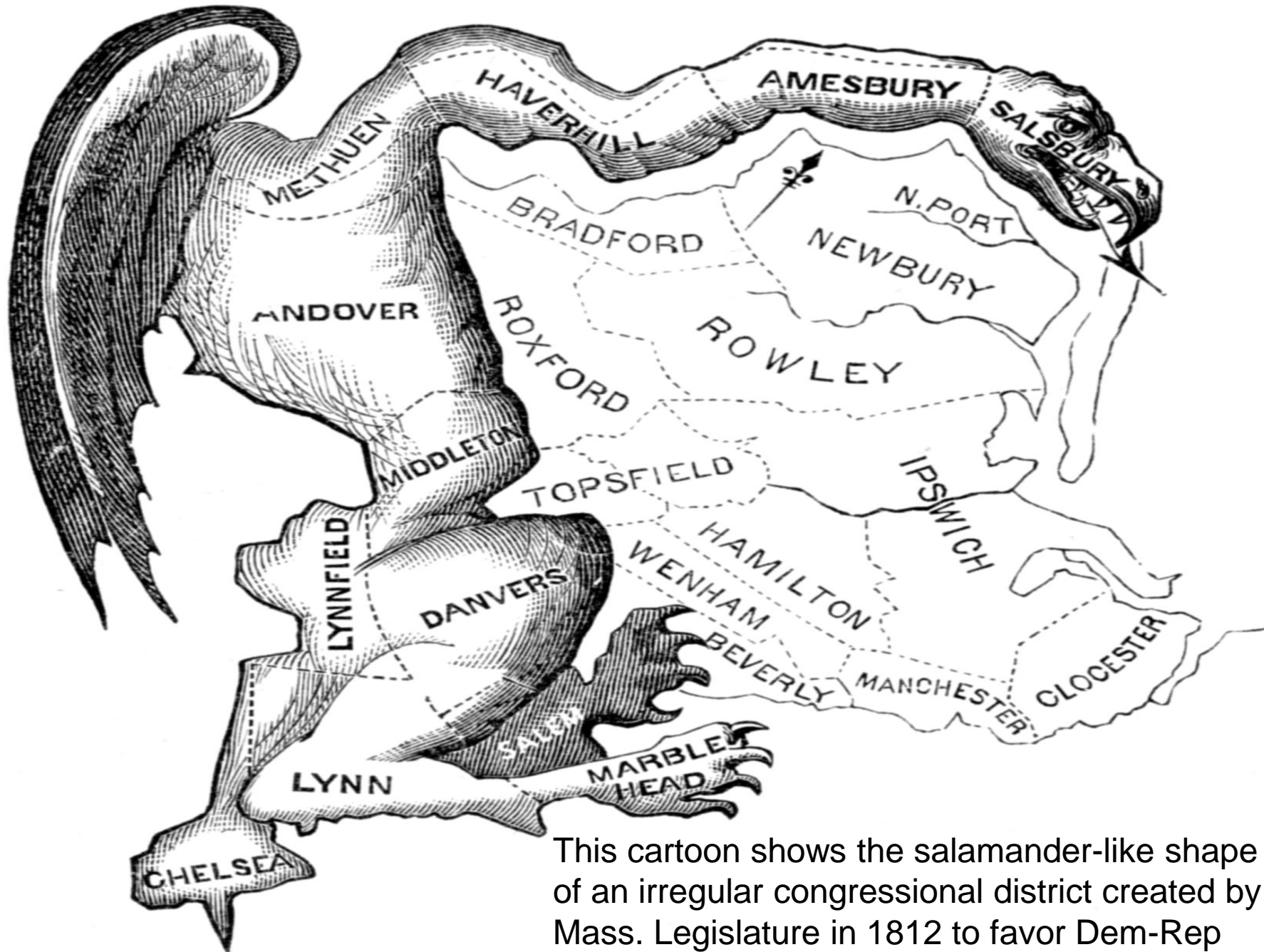


Barry Loudermilk
11th District



MEMBERSHIP OF THE HOR

- Legislatures have abused their power of redistricting by gerrymandering – when the party in power draws lines to gain an advantage in the elections. These have irregular shapes.
 - Packing – Lines include as many of opposing party's voters as possible.
 - Cracking – Lines divide opposing party's voters to weaken their vote.



This cartoon shows the salamander-like shape of an irregular congressional district created by Mass. Legislature in 1812 to favor Dem-Rep Gov. Elbridge Gerry over his Federalist rival

District: Texas (02)

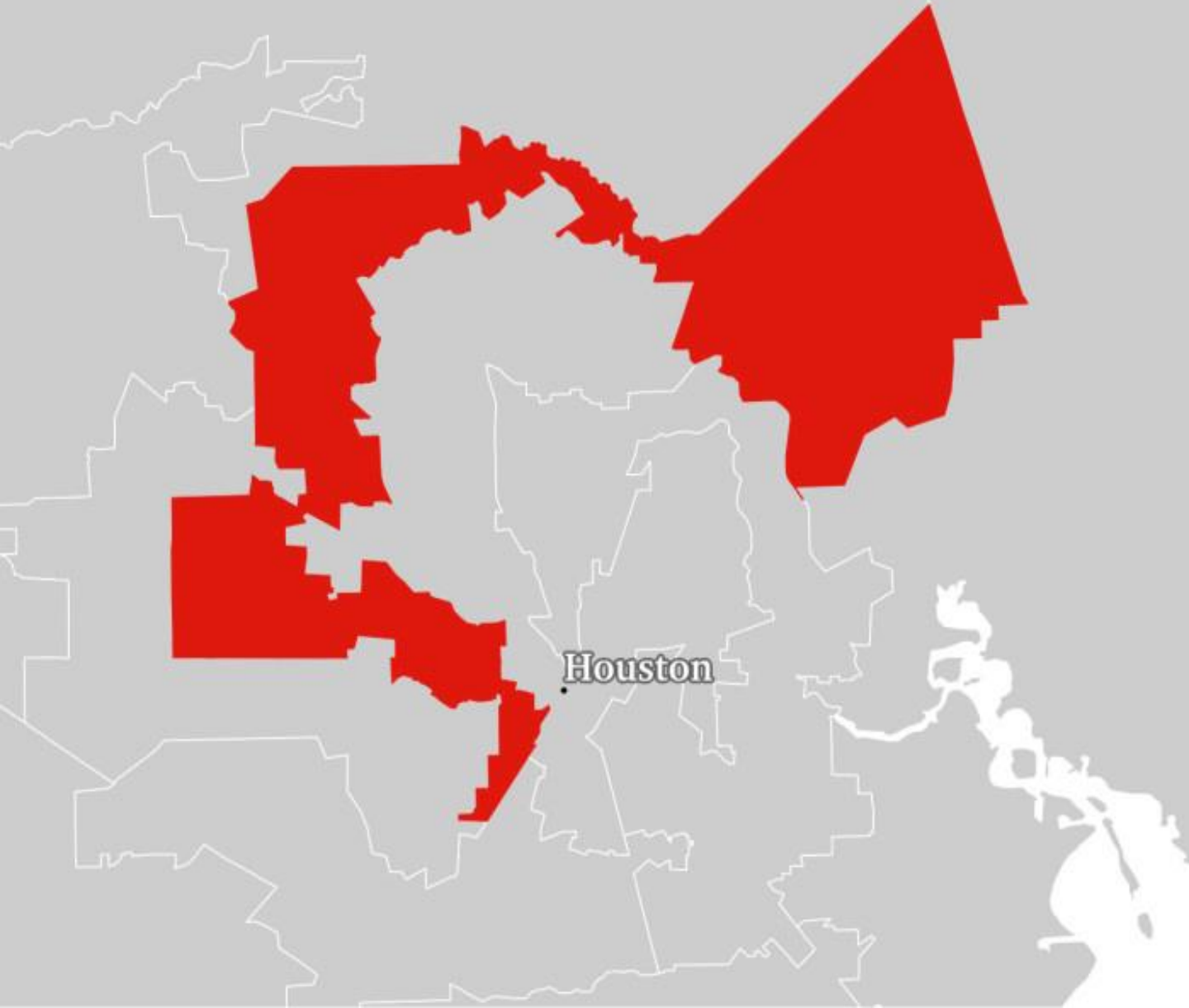


Location

114th Congress

Rep: Ted Poe

Party: Republican



Houston

Data source: USGS
http://nationalmap.gov/small_scale/mkd/cgd114p.html

Mapping: Alasdair Rae, University of Sheffield

MEMBERSHIP IN THE SENATE

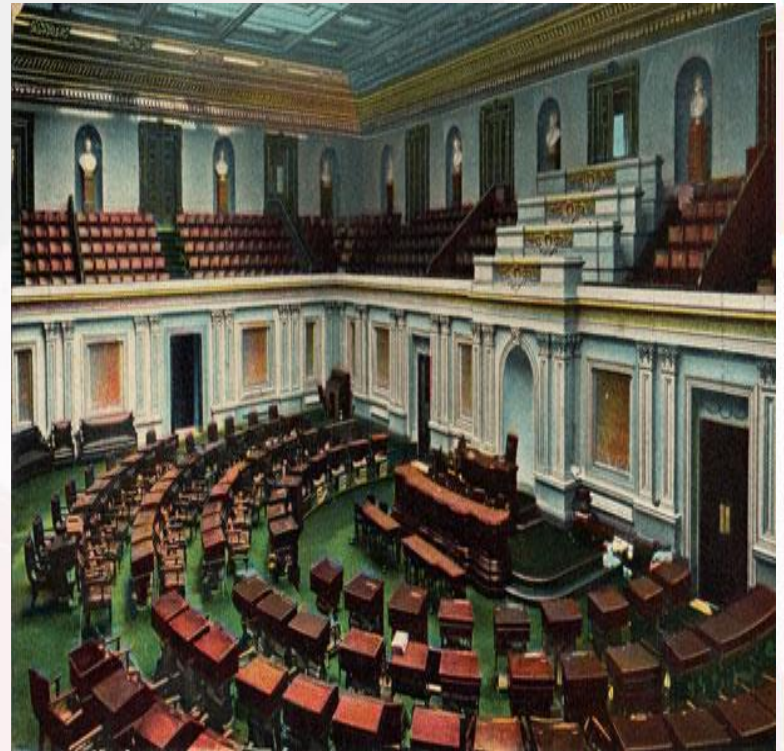
- There are 100 Senators - 2 for each state.

Qualifications:

- Must be at least 30 yrs old
- Citizen for the last 9 yrs
- Resident of their states

Term:

- 6 years
- One-third are elected every two yrs



III. CONGRESSIONAL LEADERSHIP

Who are the leaders that hold the
power in Congress?

HOR

Speaker of the House – The **most powerful leader in the House.**

- Chosen by the majority party
- Decides which members speak first
- Appoints members to committees
- Schedules bills for action



Nancy Pelosi (Dem)

HOR

Majority Leader –
Speaker's top
assistant

- Plan the party's legislative program



Steny Hoyer (Dem)

HOR

Minority Leader – Top leader of the minority party

- Plan the party's legislative program



Kevin McCarthy (Rep)

HOR

Whips – assistant floor leaders (“Watchdogs”)

- Watch how the party members intend to vote, and persuade them to vote as the party wishes.
- The term whip is derived from the British term "whipper in", who was the person responsible for keeping the foxhounds from leaving the pack.
- Majority Whip: Jim Clyburn (Dem)
- Minority Whip: Steve Scalise (Rep)

SENATE

President of the Senate
– Vice President

- May not take part in Senate debates
- Cast vote only in the event of a tie



Mike Pence

SENATE

President Pro Tempore

– presides in the absence of the VP.

- Elected leader
- Steers party's bills



Chuck Grassley (Rep)

SENATE

Majority Leader –
Leader of the majority
party

- Plan the party's legislative program



Mitch McConnell (Rep)

SENATE

Minority Leader –
Leader of the minority
party

- Plan the party's legislative program



Chuck Schumer (Dem)

SENATE

- Whips – assistant floor leaders (“Watchdogs”)
- Watch how the party members intend to vote, and persuade them to vote as the party wishes.
- Majority Whip: John Thune (Rep)
- Minority Whip: Dick Durbin (Dem)
- [Crash Course: Congressional Leadership \(8:11\)](#)

116th Senate Demographics

| 116th Congress Member Demographics - U.S. Senate | | | | | | |
|--|-----------|-----|-------------|-----|-------|-----|
| Category | Democrats | | Republicans | | Total | |
| Party | 47 | 47% | 53 | 53% | 100 | |
| New Member | 2 | 4% | 6 | 11% | 8 | 8% |
| Took Office Since 2014 | 10 | 21% | 21 | 40% | 31 | 31% |
| Split-Ticket State | 9 | 19% | 2 | 4% | 11 | 11% |
| Women | 17 | 36% | 7 | 13% | 24 | 24% |
| Black | 2 | 4% | 1 | 2% | 3 | 3% |
| Hispanic or Latino | 2 | 4% | 2 | 4% | 4 | 4% |
| Asian or Pacific Islander | 3 | 6% | 0 | 0% | 3 | 3% |
| White (Non-Hispanic) | 41 | 87% | 50 | 94% | 91 | 91% |
| LGBTQ | 2 | 4% | 0 | 0% | 2 | 2% |
| Women/Minorities/LGBTQ | 21 | 45% | 10 | 19% | 31 | 31% |
| Median Age | 62 | | 64 | | 64 | |

116th HOR Demographics

| 116th Congress Member Demographics - U.S. House | | | | | | |
|---|-----------|-----|-------------|-----|-------|-----|
| Category | Democrats | | Republicans | | Total | |
| Party | 235 | 54% | 200 | 46% | 435 | |
| Newly Elected Member | 62 | 26% | 31 | 16% | 93 | 21% |
| Took Office Since 2014 | 101 | 43% | 88 | 44% | 189 | 43% |
| Split-Ticket District | 31 | 13% | 3 | 2% | 34 | 8% |
| Women | 89 | 38% | 13 | 7% | 102 | 23% |
| Black | 51 | 22% | 1 | 1% | 52 | 12% |
| Hispanic or Latino | 33 | 14% | 6 | 3% | 39 | 9% |
| Asian or Pacific Islander | 14 | 6% | 0 | 0% | 14 | 3% |
| Native American | 2 | 1% | 2 | 1% | 4 | 1% |
| White (Non-Hispanic) | 136 | 58% | 190 | 95% | 326 | 75% |
| LGBTQ | 8 | 3% | 0 | 0% | 8 | 2% |
| Women/Minorities/LGBTQ | 150 | 64% | 22 | 11% | 172 | 40% |
| Median Age | 59 | | 57 | | 58 | |

IV. CONGRESSIONAL COMMITTEES

Committees are the key power centers in Congress



COMMITTEES

COMMITTEES

Purpose:

- Help ease the workload. Members divide their work among smaller groups.
- Lawmakers listen to supporters and opponents of a bill. Here they work out compromises.
- Public hearings that help the public learn about key issues.
- Most bills never get beyond the committee stage.

TYPES OF COMMITTEES

- Standing committees – permanent groups that oversee specific issues. (Examples: Agriculture, Banking & Finance)
- Subcommittees – specializes in a subcategory of its standing committee (Specialty Crops & Foreign Agriculture programs)
- Select Committees – temporary committees to study one specific issue. (Examples: Organized crime, hunger)
- Joint Committees – made up of members from both houses.

[Congressional
Committees \(8:27\)](#)

| HOUSE COMMITTEES | SENATE COMMITTEES |
|-----------------------------------|---------------------------------------|
| Agriculture | Agriculture, Nutrition, and Forestry |
| Appropriations | Appropriations |
| Armed Services | Armed Services |
| Budget | Banking, Housing, and Urban Affairs |
| Education and the Workforce | Budget |
| Energy and Commerce | Commerce, Science and Transportation |
| Financial Services | Energy and Natural Resources |
| Government reform | Environment and Public Works |
| Homeland Security | Finance |
| House Administration | Foreign Relations |
| International Relations | Governmental Affairs |
| Judiciary | Health, Education, Labor and Pensions |
| Resources | Judiciary |
| Rules | Rules and Administration |
| Science | Small Business and Entrepreneurship |
| Small Business | Veterans Affairs |
| Standards of Official Conduct | |
| Transportation and Infrastructure | |
| Veterans Affairs | |
| Ways and Means | |

V. PERKS & PRIVILAGES

- The current salary for all Senators & Representatives is \$174,000. The salary for the speaker is \$223,500 and the salary for the majority and minority leaders is \$193,400.
- Ability to hire an unlimited amount of unpaid interns
- Privilege from arrest - Can't be arrested while congress is in session (except for treason, felony, and/or breach of the peace)
- Franking Privileges – Ability to send mail for free (great campaign tool)
- Hospitalization Privileges - Congress members are given the privilege to use all military hospitals for medical care and emergency dental procedures for free.