

Chapter

6

The Legislative Branch

Why It Matters

Our nation's Constitution gives the power to make laws to the legislative branch. Citizens participate in the lawmaking process by expressing their views to Congress. Find out what legislation is pending in Congress and your representatives' positions on the issues. **Do you agree with your representatives?**

BIG Ideas

Section 1: How Congress Is Organized

The Constitution gives the legislative branch—Congress—the power to make laws. In Congress, members of each party select their own leaders and work mainly in committees to carry out their duties.

Section 2: Powers of Congress

The Constitution gives the legislative branch—Congress—the power to make laws. While the Constitution limits the powers of Congress, it also gives Congress the powers it needs to conduct its business and to accomplish its goals.

Section 3: Representing the People

The Constitution gives the legislative branch—Congress—the power to make laws. Congress employs many staffers who help with the workload.

Section 4: How a Bill Becomes a Law

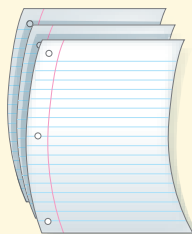
The Constitution gives the legislative branch—Congress—the power to make laws. Several complex steps are involved in taking an idea and turning it into a law.

◀ The U.S. Capitol, Washington, D.C.

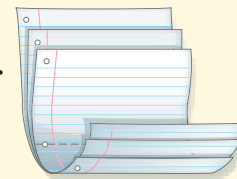
FOLDABLES™ Study Organizer

Summarizing Information Study Foldable Make the following Foldable to help you summarize information about the national government of the United States.

Step 1 Collect three sheets of paper and place them on top of each other about an inch apart.

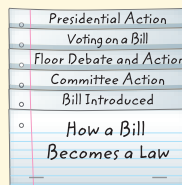


Step 2 Fold up the bottom edges of the paper to form six tabs.



This makes all tabs the same size.

Step 3 When all the tabs are the same size, crease the paper to hold the tabs in place and staple the sheets together. Label each tab as shown.



Reading and Writing

As you read the chapter, write the details of the different stages that a bill goes through to become a law as it passes through Congress.



Guide to Reading

Big Idea

The Constitution gives the legislative branch—Congress—the power to make laws.

Content Vocabulary

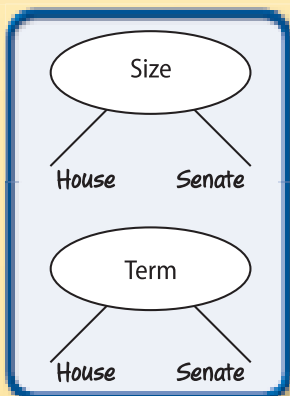
- bicameral (p. 177)
- census (p. 179)
- constituent (p. 179)
- gerrymander (p. 179)
- majority party (p. 180)
- minority party (p. 180)
- standing committee (p. 181)
- seniority (p. 182)

Academic Vocabulary

- occur (p. 178)
- adjust (p. 179)

Reading Strategy**Comparing and****Contrasting**

Create graphic organizers similar to the ones below. As you read, fill in the information about the House of Representatives and the Senate.



How Congress Is Organized

Real World Civics Politics in Illinois—the heartland of America—are the same as everywhere else in the country. Members of Congress speak to and listen to the people they represent so they can do their jobs in Washington. Here, as a senator, Barack Obama speaks to constituents at a town hall meeting in Carrollton, Illinois. Members of Congress meet with their constituents to find out how they feel about important issues.

▼ Former Illinois U.S. senator Barack Obama



A Bicameral Legislature

Main Idea Congress is the legislative, or lawmaking, branch of government.

Civics & You What type of person would you choose to represent you in government? Read to find out how congressional leadership is determined.

The Framers wanted to establish a Congressional voting body, but one of the conflicts at the Constitutional Convention in 1787 concerned state representation. While delegates from the smaller states wanted equal representation, delegates from the larger states wanted representation to be based on population, which would give them a greater voice in government. As you will recall

from Chapter 3, the Great Compromise established Congress as a two-part, or **bicameral**, body. In the Upper House, the Senate, each state would have an equal number of representatives—two. In the lower house, the House of Representatives, each state’s population would determine its representation.

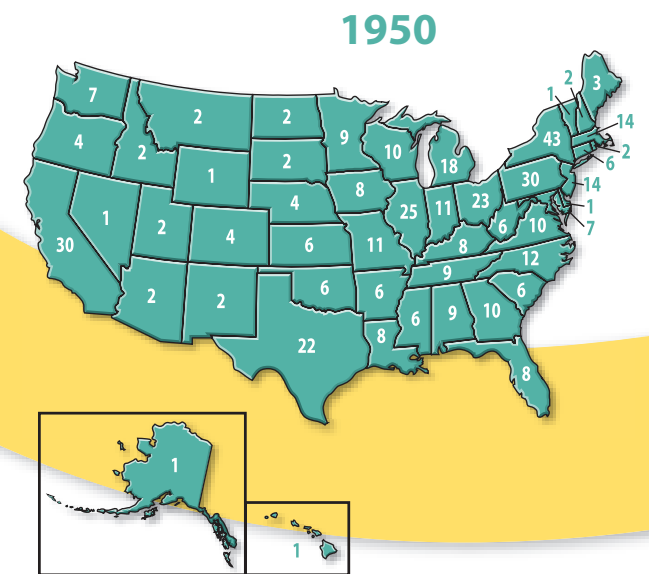
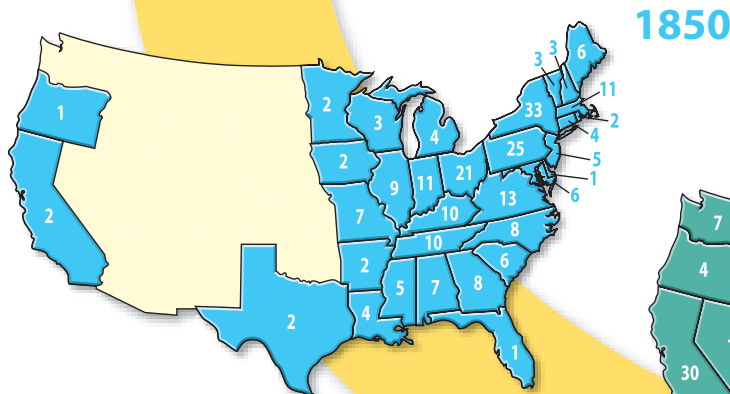
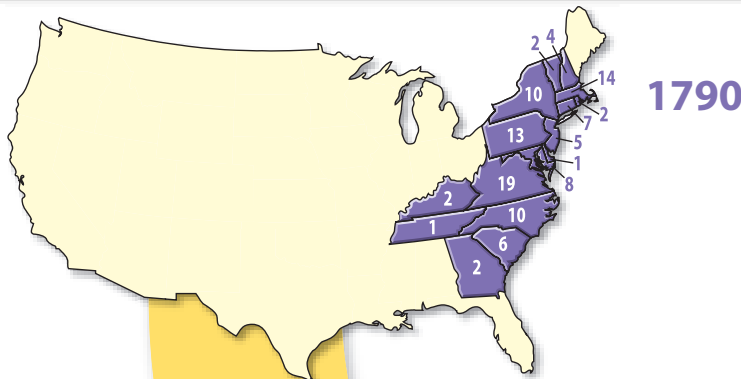
The Framers of the U.S. Constitution intended to make the legislative branch of government more powerful than any other branch. In fact, Congress is described in the first part of the Constitution, Article I. As James Madison said, Congress is “the First Branch of this Government.”

Every year, inside the U.S. Capitol in Washington, D.C., 535 of our fellow citizens gather to make new laws and address countless issues facing our country. These are our elected representatives, the members of Congress.

Joint Session A special session of Congress in New York City marks only the second time in 200 years that Congress has met outside the nation’s capital. **Explaining Why did the Framers establish a bicameral legislature?**



Congressional Apportionment, Selected Years



Analyzing Maps

- Identifying** Which state has the most electoral votes today?
- Analyzing** Which states gained representatives in 2000? Which states lost representatives? Did any particular region of the country gain or lose seats? Explain.

Terms of Congress

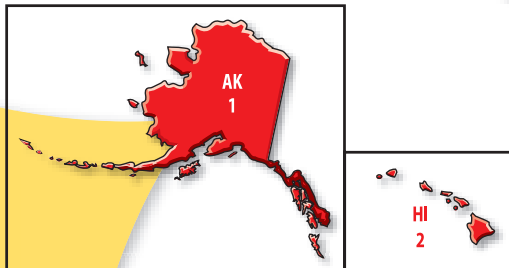
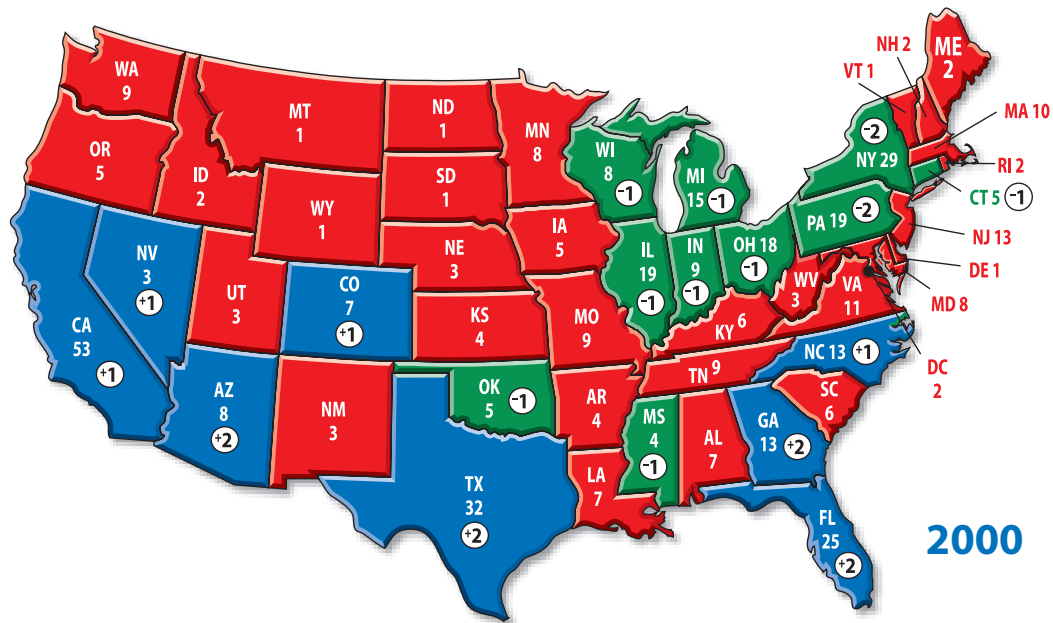
C The government calendar is set by law. Each Congress lasts for a meeting period, or a term, of two years. Each term of Congress starts on January 3rd of odd-numbered years (unless a different day is appointed) and lasts for two years.

Each “new” Congress is given a number to identify its two-year term. For example, the first Congress met in 1789, and the 111th Congress is in session from January 2009 to January 2011.

R **Congressional Sessions** Each term of Congress is divided into two sessions, or meetings. A typical session of Congress today lasts from January until November or December. Congress may also meet during special sessions or in times of crisis. A joint session **occurs**, or takes place, when the House and Senate meet together.



Student Web Activity Visit glencoe.com and complete the Chapter 6 Web Activity.



- Gained seats after last census
- Lost seats after last census
- No change
- 2** Number of representatives
- +1** Number of seats lost or gained

The House of Representatives

The House of Representatives, the larger body of Congress, has 435 voting members allotted to the states according to population. The Constitution guarantees each state at least one representative, no matter how small its population. After each 10-year **census**, or population count taken by the Census Bureau, Congress **adjusts**, or changes, the number of representatives given to each state. Representatives serve two-year terms and usually focus on concerns in their districts. **W**

Congressional Districts Each state is divided into one or more congressional districts, with one representative elected from each district. State legislatures must draw the boundaries so that the districts include roughly the same number of **constituents**, or people represented. Sometimes states abuse this process by gerrymandering. A **gerrymander** is an oddly shaped district designed to increase the voting strength of a particular group. Laws have reduced but not eliminated gerrymandering. **D** **S**



House and Senate Cooperation Senator Barbara Boxer (left) and former Representative Stephanie Tubbs Jones (right), both Democrats, collaborated often. *Speculating* Why do you think female members of Congress remain in the minority?

For example, if most of a state's representatives are Republican, they might draw the lines so that as many districts as possible have more Republican than Democratic voters.

The Senate

D The Senate has 100 members—2 from each of the 50 states. Each senator represents his or her entire state rather than a particular district. Senators serve six-year terms, but the elections are staggered so that no more than one-third of the senators are up for reelection at any one time. This ensures a certain amount of stability and continuity.

If a senator dies or resigns before the end of the term, the state legislature may authorize the governor to appoint someone to fill the vacancy until the next election.

Leaders in Congress

In both the House and the Senate, the political party to which more than half the members belong is known as the **majority**

party. The other party is called the **minority party.** At the beginning of each term, the party members in each house choose leaders to direct their activities.

In addition to these party leaders, each house of Congress has one overall leader. In the House of Representatives, this leader is the Speaker of the House. Members of the majority party choose the Speaker at a caucus, or closed meeting. The rest of the House then approves the choice of Speaker.

Role of the Speaker As presiding officer of the House and the leader of the majority party, the Speaker has great power. The Speaker steers legislation through the House and leads floor debates (in which all representatives may participate). If anything happens to the president and vice president, the Speaker is next in line to become president, provided he or she is legally qualified.

C Speakers rely on their powers of persuasion and the power of their positions to exercise influence. On a typical day, the Speaker may talk with dozens of members of Congress. Often the Speaker does this just to listen to requests for a favor. The Speaker, though, expects something in return—the representatives' support on important issues.

Congressional Leadership Leadership in the Senate closely parallels leadership in the House, but the Senate has no speaker. The vice president presides in the Senate but may only vote to break a tie. The president pro tempore—meaning “for the time being”—usually acts as chairperson of the Senate. He or she is from the majority party and is usually its most senior member.

Other powerful leaders are the floor leaders. The majority and minority floor leaders in each house speak for their parties on issues, push bills along, and try to sway votes. Party “whips” help the floor leaders. They make sure legislators are present for key votes.



Identifying Which article of the Constitution describes Congress?

Committee Work

Main Idea Much of the actual work of legislating is performed by committees and subcommittees within Congress.

Civics & You Have you served on a committee? What are their advantages and disadvantages? Read to find out about congressional committees.

Each house of Congress must consider thousands of bills, or proposed laws, in the course of a session. To make it possible to handle so many bills at one time, each house has developed a system of committees.

Congressional Committees

Congress has three types of committees: standing committees, select committees, and joint committees. **Standing committees** are permanent committees. For example, both the Senate and the House have standing committees to deal with agriculture, commerce, and veterans' affairs.

The House and Senate sometimes form temporary committees to deal with special issues. These select committees meet for a limited time until they complete their assigned task. Occasionally, the Senate and the House form joint committees, which include members of both houses. Joint committees meet to consider specific issues.

Standing Committees

HOUSE OF REPRESENTATIVES Standing Committees

- ★ Agriculture
- ★ Appropriations
- ★ Armed Services
- ★ Budget
- ★ Education and Labor
- ★ Energy and Commerce
- ★ Financial Services
- ★ Foreign Affairs
- ★ Homeland Security
- ★ House Administration
- ★ Judiciary
- ★ Natural Resources
- ★ Oversight and Government Reform
- ★ Rules
- ★ Science and Technology
- ★ Small Business
- ★ Standards of Official Conduct
- ★ Transportation and Infrastructure
- ★ Veterans Affairs
- ★ Ways and Means



Select and Special Committees

- ★ Intelligence
- ★ Energy Independence and Global Warming
- ★ Aging
- ★ Ethics
- ★ Indian Affairs



Joint Committees

- ★ Economic
- ★ Printing
- ★ Taxation
- ★ Library



- ★ House Committee
- ★ Senate Committee
- ★ Joint Committee

SENATE Standing Committees

- ★ Agriculture, Nutrition, and Forestry
- ★ Appropriations
- ★ Armed Services
- ★ Banking, Housing, and Urban Affairs
- ★ Budget
- ★ Commerce, Science, and Transportation
- ★ Energy and Natural Resources
- ★ Environmental and Public Works
- ★ Finance
- ★ Foreign Relations
- ★ Health, Education, Labor, and Pensions
- ★ Homeland Security and Governmental Affairs
- ★ Judiciary
- ★ Rules and Administration
- ★ Small Business and Entrepreneurship
- ★ Veterans Affairs



Analyzing Charts

1. **Identifying** Which Senate committee deals with appointing judges to the federal courts?
2. **Identifying** What House of Representatives standing committee deals with problems facing the airline industry?

Committee Assignments

When senators and representatives first come to Congress, they try to get assigned to important committees that affect the people who elected them. For example, members of Congress from farm areas might want to serve on agriculture committees. Those with many factories in their districts might be interested in serving on labor committees.

What Is The Seniority System? Party leaders make committee assignments. In doing so, they consider members' preferences, expertise, and loyalty to the party. Another key factor is **seniority**, or years of service. The senators and representatives who have been in Congress longest usually get the preferred committee spots. The longest-serving committee member from the majority party traditionally becomes

chairperson. Chairpersons decide when and if a committee will meet, what bills will be studied, and who will serve on which subcommittees.

Some people think the seniority system is a good idea. They say it prevents fights over committee jobs and ensures that chairpersons will have experience. Other people complain that talented people may be overlooked in favor of those who have simply been around for a while. There has been so much criticism of the seniority system over the years that both political parties have moved slightly away from it. The senior majority party member on a committee still usually wins the role of chairperson, but it is no longer guaranteed.

Explaining What is the difference between a standing committee and a select committee?

Section Review

Vocabulary

1. **Write** sentences or short paragraphs in which you use the following terms: *bicameral*, *census*, *constituent*, *gerrymander*, *majority party*, *minority party*, *standing committee*, and *seniority*.

Main Ideas

2. **Describing** Why are the two houses of Congress good places to discuss issues that might require new laws?
3. **Explaining** Why is so much of the business of Congress conducted in committees?

Critical Thinking

4. **BIG Idea** In what ways do the Senate and House of Representatives work together to pass bills into laws?
5. **Identifying** On a graphic organizer like the one below, identify the different types of committees established in Congress.



6. **Analyzing Visuals** Review the maps on pages 178–179. How many representatives did North Carolina have in 1790? In 1950? In 2000? What does this tell you about how North Carolina's population has changed?

CITIZENSHIP Activity

7. **Persuasive Writing** Do you think that government by committee makes the role of individual members of Congress less important? Express your opinion on this question in a one-page essay.



Study Central™ To review this section, go to glencoe.com.



What Is a Lemon Law? **R**

You save money for your first car, and you find a great deal. From the beginning, however, problems start. It stalls at traffic lights. You take it in for repair. In most cases, the manufacturer's warranty will provide the coverage you need to have your car repaired at no cost to you. However, what if your car spends more time in the repair shop than on the road? In some cases, the dealer may be unable to fix your car's problem. Did you get a "lemon"?

What Is a Lemon? A "lemon" is a vehicle that has a defect that the dealer has not fixed within a reasonable number of chances.

State Lemon Laws State lemon laws provide some protection. In most states, to qualify as a lemon, the problem has to be serious enough that it "substantially impairs the use, value, or safety" of the vehicle, and the vehicle has not been properly repaired within a "reasonable number of attempts."

In North Carolina, for example, this reasonable number is four attempts or if the car has been out of service awaiting repair for a total of 20 or more business days during any 12-month period of the warranty. Most state lemon laws stipulate that a manufacturer must provide a refund or replacement for a defective new vehicle when a substantial defect cannot be fixed.



Checklist for Buying a Vehicle

Your best protection against a lemon happens before you buy. These tips will help you:

- Have a reliable technician thoroughly inspect the vehicle—whether it is new or used.
- Check what is covered by the service warranty. A used car may still be covered under the original manufacturer's warranty. Also, some dealers offer their own limited warranties for used cars.
- Check various dealers for the reputation of their service departments. Your warranty usually allows you to take your car to any dealer selling that make of car.



Analyzing Economics

1. **Describing** What is the purpose of a lemon law?
2. **Specifying** Write three questions you should ask yourself before you buy a vehicle.

Section 2



Section Audio



Spotlight Video

Guide to Reading

Big Idea

The Constitution gives the legislative branch—Congress—the power to make laws.

Content Vocabulary

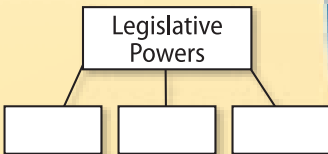
- expressed powers (p. 185)
- implied powers (p. 185)
- elastic clause (p. 185)
- impeach (p. 187)
- writ of habeas corpus (p. 188)
- bill of attainder (p. 188)
- ex post facto law (p. 188)

Academic Vocabulary

- regulate (p. 185)

Reading Strategy

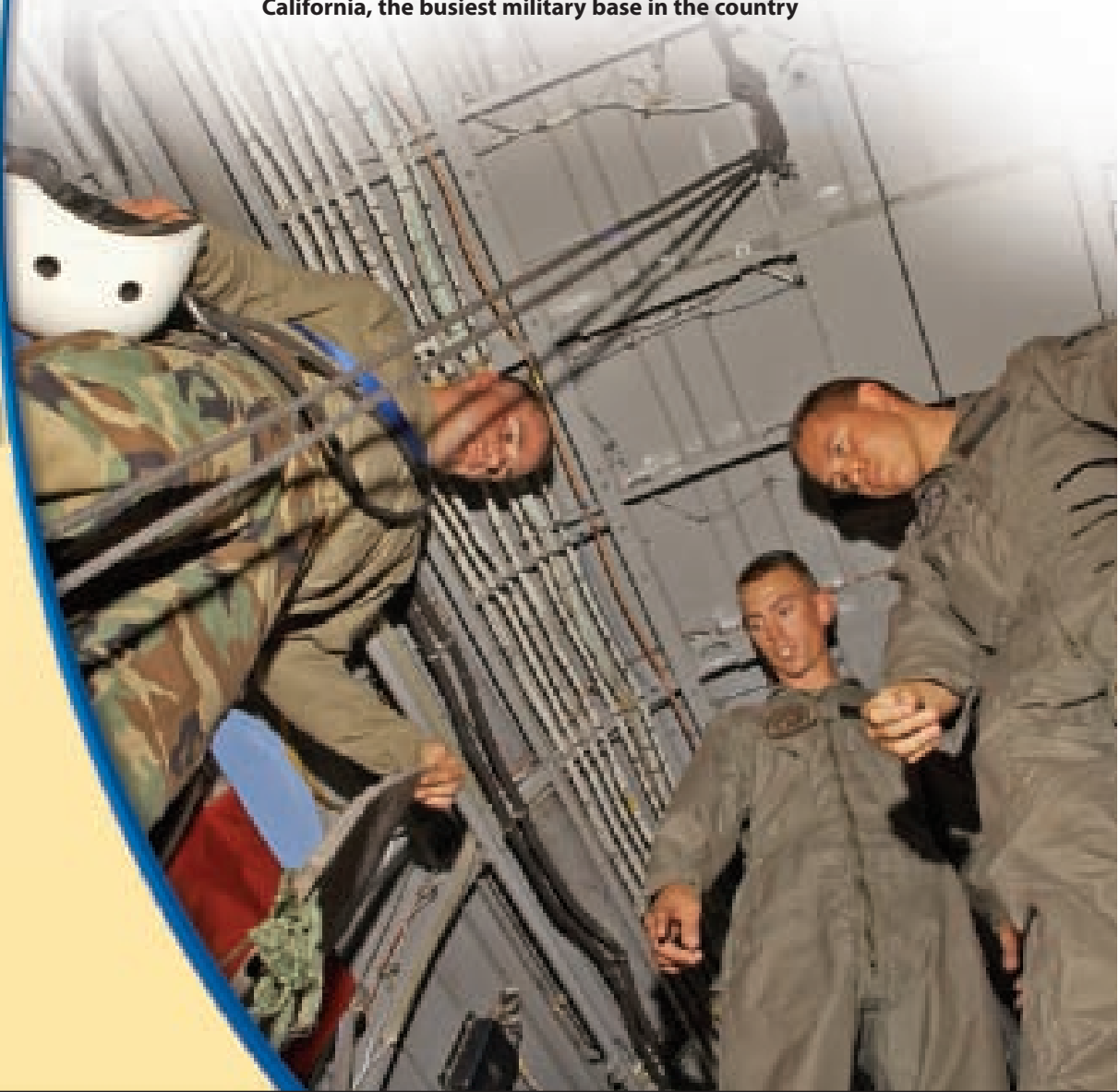
Explaining As you read, complete a graphic organizer like the one below to explain the main areas of Congressional legislative powers.



Powers of Congress

Real World Civics Who represents the people of America and protects their safety around the world? Congress. Powers granted to Congress by Article I, Section 8, of the Constitution include the ability to raise an army and a navy and to declare war. All men between the ages of 18 and 25 are required to register for military service, even though there is currently no active draft. Many young men and women choose to enlist voluntarily in the military, which makes the draft unnecessary.

▼ These young marines are training at Camp Pendleton in California, the busiest military base in the country



Legislative Powers

Main Idea The Constitution provides that all powers to make laws for the United States government shall be given to Congress.

Civics & You Did you know that no government agency can spend money without the approval of Congress? Read to find out about the legislative powers of Congress.

Most of the powers delegated to the Congress are enumerated, or clearly listed, in Article I, Section 8. These are called **expressed powers**. There are 18 separate clauses enumerating different powers specifically given to Congress. Clause 5, for example, says, “The Congress shall have the Power . . . To coin Money.”

Certain powers are given to the national government even though they are not expressly presented in the Constitution.

Their constitutional basis is found in Article I, Section 8, Clause 18, which states that Congress shall have the power to do whatever is “necessary and proper” to carry out the expressed powers. The powers that Congress has because of Clause 18 are called **implied powers** because they are not stated explicitly in the Constitution. Clause 18 is often called the **elastic clause** because it has allowed Congress to stretch its powers to meet new needs. For instance, you will not find the power to create an air force written in the Constitution. However, the elastic clause has allowed Congress to do so as part of its expressed powers to support armies.

Most of Congress’s powers are related to making laws. Some of the most important legislative powers involve raising and spending money, **regulating** (or managing) commerce, and dealing with foreign countries.

Explaining Why is the “necessary and proper” clause also called the elastic clause?

Congress Funds Defense Military weaponry stored on the deck of the USS *Harry S. Truman* is supplied by funds from Congress. **Specifying** How is maintaining an air force an example of an implied power of Congress?



SELECTED EXPRESSED POWERS

SELECTED IMPLIED POWERS

Money Powers

- ★ Lay and collect taxes to provide for the defense and general welfare of the United States (Clause 1)
- ★ Borrow money (Clause 2)
- ★ Establish bankruptcy laws (Clause 4)
- ★ Coin, print, and regulate money (Clause 5)
- ★ Punish counterfeiters of American currency (Clause 6)

- ★ Lay and collect taxes implies the power to support public schools, welfare programs, public housing, etc.
- ★ Borrow money implies the power to maintain the Federal Reserve Board

Commerce Powers

- ★ Regulate foreign and interstate commerce (Clause 3)

- ★ Regulate commerce implies the power to prohibit discrimination in restaurants, hotels, and other public accommodations

Military and Foreign Policy Powers

- ★ Declare war (Clause 11)
- ★ Raise, support, and regulate an army and navy (Clauses 12, 13, & 14)
- ★ Provide, regulate, and call into service a militia, known as the National Guard (Clauses 15 & 16)
- ★ Punish acts committed on international waters and against the laws of nations (Clause 10)

- ★ Raise and support an army implies the right to draft people into the armed services



Other Legislative Powers

- ★ Establish laws of naturalization (Clause 4)
- ★ Establish post offices and post roads (Clause 7)
- ★ Grant copyrights and patents (Clause 8)
- ★ Create lower federal courts (Clause 9)
- ★ Govern Washington, D.C. (Clause 17)
- ★ Provide for laws necessary and proper for carrying out of all other listed powers (Clause 18)

- ★ Establish laws of naturalization implies the power to limit the number of immigrants to the United States

W

D

Analyzing Charts

1. **Identifying** Which clause gives Congress the power to declare war?
2. **Contrasting** What is the difference between the expressed and implied powers of Congress?

Source: *Congress A to Z*, 4th ed. (Washington, D.C.: CQ Press 2003.).

Nonlegislative Powers

Main Idea The Constitution gives Congress a number of nonlegislative duties.

Civics & You Has a friend ever asked you to check over something after it was completed? Congress often checks over other departments of government as part of its nonlegislative powers.

As the legislative branch, the most important duty of Congress is to make laws. Congress also holds a number of duties besides lawmaking. Among Congress's most important nonlegislative powers are those it uses to check the other branches of government. Some of these are set forth in the Constitution; others have developed over time. One such power is to propose amendments to the Constitution.

The Senate has the power to approve or reject the president's nominees for various offices, including Supreme Court justices, federal judges, and ambassadors.

The Constitution also allows Congress to remove from office any federal official who has committed serious wrongdoing. The House has the sole authority to **impeach**, or accuse officials of misconduct in office. If a majority of the House votes to impeach a public official, the Senate then has the power to hold a trial and to act as a jury and decide the official's guilt or innocence. A two-thirds vote is necessary to convict and to remove a person from office.

The House uses its impeachment power sparingly, most often with federal judges. Only two presidents have been impeached: Andrew Johnson in 1868 and Bill Clinton in 1998. Both presidents were tried by the Senate and acquitted (they were not removed from office).

Senate Approval The Constitution gives the Senate the power to approve Supreme Court justices such as John G. Roberts, Jr., in an open hearing. **Hypothesizing Why do you think the Framers did not leave judicial appointments to the president alone?**



Power Limitations

Our Constitution explains not only what Congress may do but also what it may *not* do. Some limitations are imposed by the Bill of Rights. The purpose of the Bill of Rights was to limit or deny certain powers to the federal government. For example, Congress may not pass laws that restrict freedom of speech or ban freedom of religion.

According to Article I of the Constitution, Congress may not favor one state over another, tax interstate commerce, or tax exports. Article I also forbids Congress from enacting laws that would interfere with the legal rights of individuals. Congress cannot suspend the **writ of habeas corpus**. This is a court order that requires police to bring a prisoner to court to explain why they are holding the person. Congress is also banned from passing **bills of attainder**, or laws that punish a person without a jury trial.

R

Further, Congress may not pass **ex post facto laws**. These are laws that make an act a crime after the act has been committed.

The Constitution also reserves many powers for the states. Congress cannot interfere with these powers, such as the right to regulate public school systems. The Bill of Rights and other amendments also deny Congress certain powers.

Checks and Balances Other restrictions come from the Constitution's system of checks and balances. The Supreme Court can declare laws established by Congress as unconstitutional. The president can veto bills passed by Congress before they become laws. If both houses of Congress can muster a two-thirds vote, they can override the president's action.



Concluding How does the Bill of Rights limit Congress's powers?

Section 2 Review

Vocabulary

1. **Explain** how each of the following terms relates to Congress: *expressed powers, implied powers, elastic clause, impeach, writ of habeas corpus, bill of attainder, ex post facto law.*

Main Ideas

2. **Hypothesizing** Why do you think Congress, rather than the states, is given most law-making powers?
3. **Describe** three nonlegislative powers given to Congress.

Critical Thinking

4. **Comparing** What do writs of habeas corpus, bills of attainder, and ex post facto laws have in common?
5. **BIG Idea** In a graphic organizer like the one below, list the different offices for which Congress has the right to approve appointees.



6. **Analyzing Visuals** Reexamine the powers of Congress on page 186. Which clause gives Congress the power to borrow money?

CITIZENSHIP Activity

7. **Persuasive Writing** Should representatives always vote the way their constituents want, or should they vote according to their own best judgment? Write an essay in which you express your view. Give reasons for your answer.



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Issues to Debate

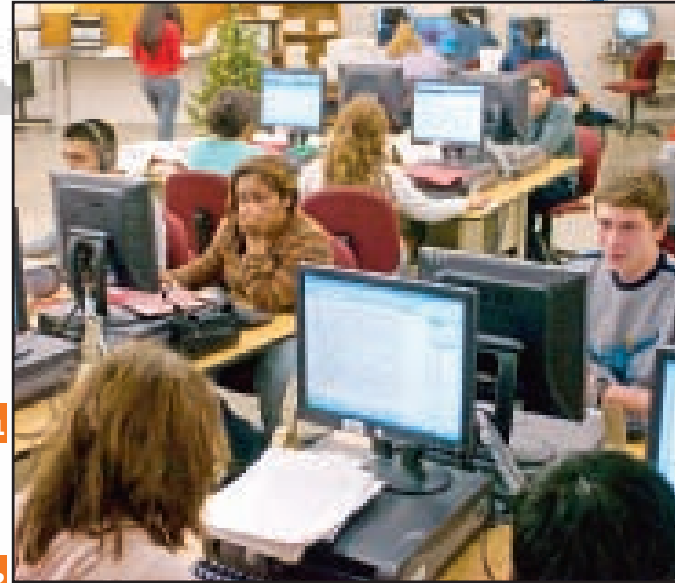


Does a public library have the right to censor Internet information?

In its early stages of development, the Internet raised a number of issues. Hackers can access private information. Many people are concerned about spyware, adware, and offensive sites. Congress first addressed the issue of offensive Internet sites in the Communications Decency Act of 1996. The Supreme Court ruled that law an unconstitutional violation of free speech. In December 2000, Congress passed the Children's Internet Protection Act (CIPA) to address concerns about access to offensive Internet content on school and library computers. Almost immediately, civil liberties groups challenged the law.

C1

C2



On the Internet Students in Brownsville, Texas, work together on a project with information they are obtaining from Internet research.

YES

In 2003 the Supreme Court ruled that the Children's Internet Protection Act was constitutional. The act allows the federal government to withhold funds from schools and public libraries that do not have a safety policy to "block or filter Internet access to pictures that: (a) are obscene, or (b) are harmful to minors, for computers are accessed by minors." Chief Justice Rehnquist wrote, "A library's need to exercise judgment in making collection decisions depends on its traditional role in identifying suitable and worthwhile material; it is no less entitled to play that role when it collects material from the Internet than when it collects material from any other source."

—William Rehnquist, October 2002

NO

One interest group that opposed the new law was the Online Policy Group, Inc. It filed a "friend of the court" brief with the Supreme Court during the CIPA case. The group said that blocking of information was similar to "prior restraint," because it allowed prepublication censorship and gave local officials the authority to make such judgments: "Indeed, commercial blocking software is even more troubling because it effectively delegates censorship decisions to private individuals, who . . . have no obligation to uphold the Constitution or narrowly tailor (fit) their censorship to comply with the First Amendment."

—*Brief of Amici Curiae Online Policy Group, Inc., 2002*

Debating the Issue

- Identifying** What are three important issues related to the use of the Internet?
- Naming** What was the first attempt by Congress to address the issue of offensive Internet sites?
- Explaining** How did Congress attempt to control the use of the Internet by schools and public libraries?
- Concluding** Is the censorship of some Internet sites similar to a library's decision to purchase certain books and exclude others?

Section
3



Section Audio



Spotlight Video

Guide to Reading

Big Idea

The Constitution gives the legislative branch—Congress—the power to make laws.

Content Vocabulary

- franking privilege (p. 192)
- lobbyist (p. 192)
- casework (p. 195)
- pork-barrel project (p. 196)

Academic Vocabulary

- draft (p. 193)
- complex (p. 193)
- estimate (p. 193)

Reading Strategy

Analyzing On a chart like the one below, write the basic requirements for running for Congress.

Requirements

Representing the People

Real World Civics Shake up in the halls of Congress! The results of the 2006 national election made it possible for the first woman Speaker of the House—Nancy Pelosi of California—to lead the 110th Congress in 2007. Also, after 12 years of Republican control, in 2007 the Democrats held majorities in both the House of Representatives and the Senate. This Democratic hold on Congress, however, was only by a narrow margin. The Democrats did not have enough votes to override President George W. Bush’s vetoes of their legislation, and the President did not have enough Republican votes to carry out his legislative plans. It was apparent that little would be accomplished until after the 2008 elections.

▼ Rep. Nancy Pelosi celebrates 2007 Democratic control of Congress



Qualifications and Privileges

Main Idea The Constitution sets forth the qualifications for election to the House and to the Senate.

Civics & You Have you applied for a job? What set of qualifications did you need for the job? Read to find out about the qualifications for Congress.

Each American is represented by a congressman and two senators. Many others help these elected representatives. Thousands of people work full-time for Congress, keeping the wheels of government turning.

Qualifications The legal qualifications for our congressional representatives are spelled out in the Constitution. To run for senator, you must be at least 30 years old, live in the state you plan to represent, and have been a U.S. citizen for at least nine years before being elected. Members of the House of Representatives must be at least 25 years old, live in the state they represent, and have been a U.S. citizen for at least seven years before being elected.

Makeup of Congress The members of Congress have more in common than legal qualifications. Nearly half are lawyers. Almost all have college degrees. They also tend to be “joiners.” Members of Congress are more likely than the average citizen to be active in community organizations.

Campaign Trail Many members of the House, such as Representative Harold Ford, Jr., of Tennessee, run for the Senate later in their careers. **Identifying** What qualities do you think representatives and senators have in common?





Representing Voters Senator Ted Kennedy from Massachusetts responds to students lobbying for funds for higher education. **Explaining** How do members of Congress keep voters informed about issues that the members are supporting?

Salary Members of Congress receive an annual salary, currently \$169,300 for both senators and representatives. Further, they receive free office space, parking, and trips to their home states. Senators and representatives can send job-related mail without paying postage. This is called the **franking privilege**. Members of Congress also have low-cost life insurance and the use of a gymnasium, special restaurants, and a medical clinic.

Other Privileges The Constitution also grants senators and representatives immunity, or legal protection, in certain situations. This allows them to say and do what they believe is right without fear of interference from outsiders. The guarantee of immunity does not mean that members of Congress are free to break the law.

Behind-the-Scene Helpers

Serving in Congress is a full-time job. To get help with their workload, members of Congress hire a staff of clerks, secretaries, and special assistants.

Personal Staff The personal staffs of members of Congress run offices in Washington, D.C., as well as one or more offices in the congressional member's home district. Why are personal staffs needed? These workers gather information on new bills and issues. They handle requests for help from voters. They deal with news reporters and **lobbyists**—people hired by private groups to influence government decision makers. They also work for the re-election of the congressional member, even though the law requires them to do this on their own time.

Sarah Seufer

Take a page from this teen's book! Sarah Beth Seufer, 18, of Newland, North Carolina, took part in the United States House of Representatives Page Program.



Here is what she had to say about her experiences living and working in Washington, D.C.

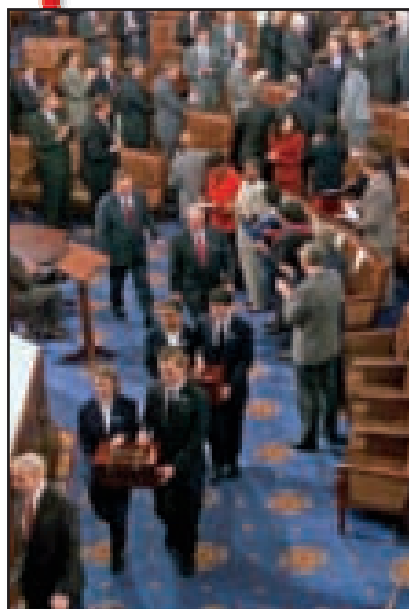
QUESTION: How did you become involved?

ANSWER: Last summer, after submitting an application, I was nominated by my congressional representative to the office of the Speaker of the House. I was chosen to be a Cloakroom Page. It was my responsibility to answer phone calls related to the activities on the House floor, and to relay messages to representatives.

Q: Did you have a good time?

A: I've always loved learning about American government—seeing it in action was incredible! The goal is that pages will return home from Washington, D.C., with a newfound sense of American history and politics.

ACTION FACT: Seufer wants to become a lawyer and eventually run for public office.



Pages and representatives leaving a House session

In addition to professional staffers, many members of Congress hire students from their home states or districts to serve as interns and pages. Interns typically help with research and office duties; pages deliver messages and run other errands. This experience gives young people a firsthand look at the political process. One former congressional intern commented, "I felt like I had a backstage pass to the greatest show in the world."

Committee Staff Congressional committees also need staffs. Committee staff members do many of the various day-to-day lawmaking chores of Congress. They **draft**, or outline, bills, gather information, organize committee hearings, and negotiate with lobbyists. In short, they keep the long and **complex**, or difficult, lawmaking process moving.

Support Services Congress has created several agencies to support its work. The Library of Congress is one of the largest libraries in the world. Did you know that one copy of every book published in the United States is kept there? The Library of Congress is an important source of information for members of Congress and their staffs.

Finance and Budget The General Accounting Office (GAO) is the investigative arm of Congress in financial issues. It reviews the spending activities of federal agencies, studies federal programs, and recommends ways to improve the financial performance of the government.

The Congressional Budget Office (CBO) provides Congress with information and analysis for making budgetary decisions. It makes no policy recommendations but rather **estimates**, or guesses, the costs and possible economic effects of programs. It also helps Congress come up with—and stick to—a budget plan.



Explaining Why are members of Congress granted some immunity?

Making a Difference

What steps did Sarah take to become a page?

American Biography

Ileana Ros-Lehtinen (1952–)

In 1822, Joseph Marion Hernandez of Florida became the first Latino to serve in Congress. In 1989, **Ileana Ros-Lehtinen** was the first Cuban American to be elected to the United States Congress. Born in 1952, Ileana and her family fled Cuba in 1959 after Fidel Castro's Communist revolution. After completing her studies, she began her career as an educator. She



founded a private school, Eastern Academy, where she served as a teacher and administrator.

Ros-Lehtinen entered politics in 1982, serving as a Republican member of the Florida House of Representatives and later in

the state senate. Since 1989 she has served in the United States House of Representatives, representing Florida's Eighteenth Congressional District.

Ros-Lehtinen has been one of the leaders in defending the U.S. embargo on Cuba. She also plays a leading role promoting the spread of human rights to countries like Lebanon, Syria, Iran, Saudi Arabia, and China. Ros-Lehtinen was part of a congressional delegation that visited Iraq to understand how the war has affected Iraqi women and their families and to encourage them to get "involved in all levels of their government."

Making a Difference

CITIZENSHIP

Ileana Ros-Lehtinen was an educator before she turned to politics. **Explaining Why do you think Ros-Lehtinen is such a strong supporter of the U.S. embargo on Cuba?**

Congress at Work

Main Idea The 535 members of Congress have several different but closely related roles.

Civics & You What do you think is the most important work for members of Congress? Read on to find out about the three major jobs of Congress.

The basic job of senators and representatives is to represent the people of their states and districts. They are responsible for reflecting and translating into action their constituents' interests and concerns. Congress does its work in regular time periods, or sessions, that begin each January 3 and continue through most of the year.

Lawmaking

In carrying out the responsibility of representing the people of their states and districts, members of Congress perform three major jobs. Making laws is perhaps the best known task of Congress.

Congress considers several different kinds of legislation each year. Most pieces of legislation are in the form of bills. Bills are drafts of laws presented to the House and Senate for enactment. Members of the Senate and the House of Representatives write and introduce bills, take part in committee work, listen to the input of people for and against a bill, and then vote on the floor of the House or Senate. You will learn more about this process in Section 4 of this chapter.

Casework

Members of Congress often act as troubleshooters for people from their home districts and states who request help in dealing with the federal government. This help is called **casework**. Over the course of a year, some congressional offices receive as many as 10,000 requests for information or services.

What drives representatives to help their constituents? Senator Olympia Snowe of Maine explains:

“Out of my experiences in life has grown a conviction that no pursuit is as valuable as, or worthier than, the simple idea of helping others—of enabling individuals to improve their lives, to soften the hardest days and brighten the darkest.”

—Olympia Snowe quoted in *Nine and Counting: The Women of the Senate*

Most requests for help are handled by the senator’s or representative’s office staff. If a staffer cannot get results, the senator or representative usually steps in. Senator Dianne Feinstein of California said,

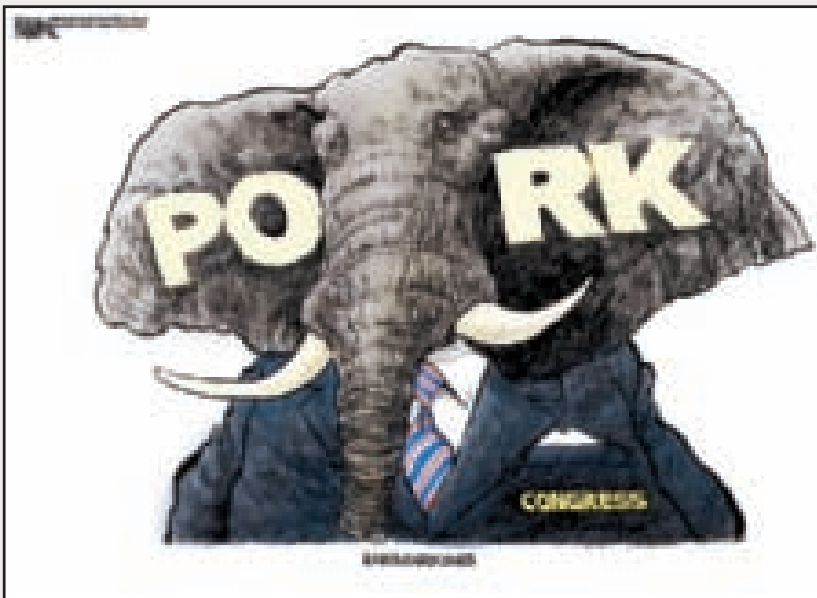
“It’s one of the most important things we do We respond to constituents. . . . I insist on responding promptly, because it’s a matter of accountability to our constituency.”

—Dianne Feinstein quoted in *Nine and Counting: The Women of the Senate*

Why do lawmakers spend so much of their time on casework? First, casework helps lawmakers to get reelected. Helping voters increases popular support. Second, casework helps lawmakers get a closer look at how well the executive branch is handling programs such as Social Security or veterans’ benefits. Third, casework provides a way to help average citizens deal with federal agencies.

TIME

Political Cartoons



Michael Ramirez/Copley News Service

With this 2006 cartoon, Michael Ramirez is making a point about earmarking—the Congressional practice of setting aside specific funds for a special project in a spending bill, often without public review.

1. How is Congress depicted in this cartoon?
2. Why do you think Ramirez chose this symbol?
3. How is earmarking represented?
4. Do you think Ramirez supports or opposes earmarking? Explain.

Every year, more than half of all Americans do volunteer work. One of the responsibilities of citizens is to help make their small. Reckless

Helping the District or State

Besides providing services for their constituents, members of Congress also try to bring federal government projects and money to their districts and states. Lawmakers do this in several ways.

Public Works Every year through public works bills, Congress appropriates billions of dollars for a variety of local projects. These projects might include things such as post offices, dams, military bases, veterans' hospitals, and mass transit system projects. Such government projects can bring jobs and money into a state or district.

Grants and Contracts Lawmakers also try to make sure their districts or states get their fair share of the available federal grants and contracts which are funded through the federal budget. Federal grants and contracts are very important to lawmakers and their districts or states. These contracts are a crucial source of money and jobs and can greatly affect the economy of a state.

All members of Congress work to give their constituents a share in the money the national government spends every year. A contract to make army uniforms, for example, might mean lots of money for a local business. Government projects and grants that primarily benefit the home district or state are known as **pork-barrel projects**. To understand this term, think of a member of Congress dipping into the "pork barrel" (the federal treasury) and pulling out a piece of "fat" (a federal project for his or her district).

Using Influence Lawmakers do not have direct control over grants and contracts. Instead, agencies of the executive branch, such as the Department of Labor, award federal grants and contracts.

Lawmakers, however, may try to influence agency decisions. They may pressure agency officials to give a favorable hearing to their state's requests. Lawmakers may also encourage their constituents to contact agency officials in order to make their needs known.



Describing What are the three major jobs of a congressperson?

Section Review 3

Vocabulary

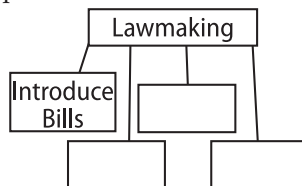
- Write** a true and a false statement for each term below. Beside each false statement, explain why it is false: *franking privilege, lobbyist, casework, pork-barrel project.*

Main Ideas

- Explaining** What are the qualifications for members of the House of Representatives and the Senate?
- Summarizing** What action does Congress take after a bill is introduced in Congress?

Critical Thinking

- Analyzing** Why do you think the Constitution did not include other qualifications for members of Congress?
- Big Idea** On a graphic organizer like the one below, write the major responsibilities Congress has in the lawmaking process.



CITIZENSHIP Activity

- Creative Writing** Describe the job of a member of the House or Senate by creating a want ad for a congressperson. In the ad, include qualifications, benefits and salary, and skills needed. Also include facts that demonstrate the typical responsibilities of members.



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Guide to Reading

Big Idea

The Constitution gives the legislative branch—Congress—the power to make laws.

Content Vocabulary

- joint resolution (p. 198)
- special-interest group (p. 199)
- filibuster (p. 200)
- cloture (p. 200)
- voice vote (p. 202)
- standing vote (p. 202)
- roll-call vote (p. 202)
- veto (p. 202)
- pocket veto (p. 202)

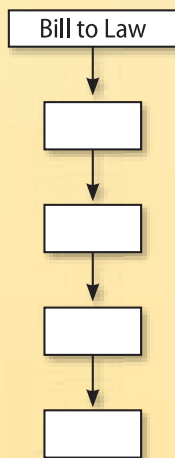
Academic Vocabulary

- element (p. 198)
- category (p. 198)

Reading Strategy

Sequencing Information

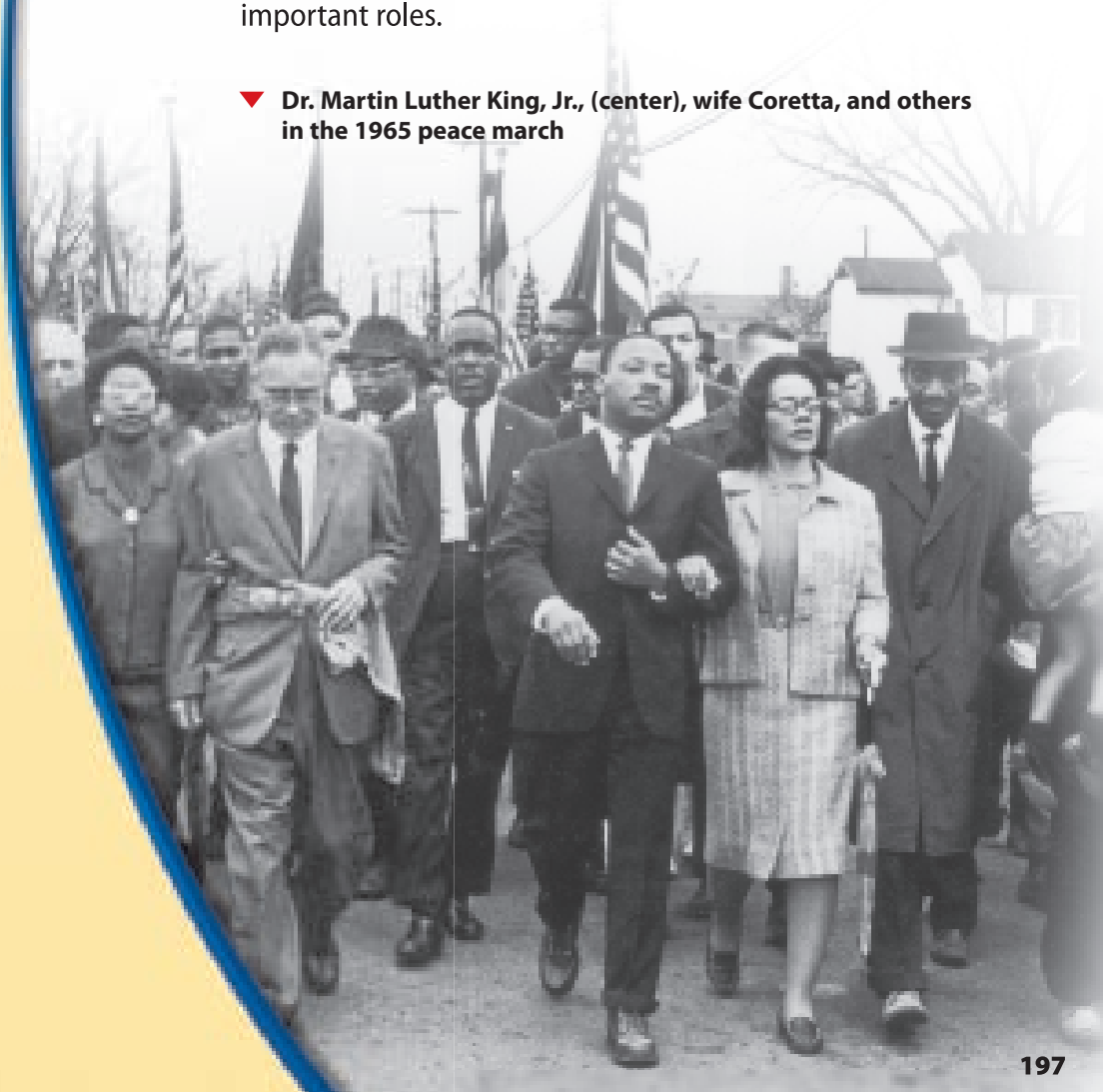
As you read, create a graphic organizer similar to the one below to track the major steps an idea takes to become a law.



How a Bill Becomes a Law

Real World Civics For most of our nation's history, African Americans throughout the South were prevented from voting by local officials. President Lyndon B. Johnson had assured Dr. Martin Luther King, Jr., that he would push for a Voting Rights Act in time. In March of 1965, Dr. King decided to change things himself by marching from Selma to Montgomery, Alabama, demanding the right to vote. When Dr. King's original 600 marchers reached Montgomery, they had become 25,000 strong. Less than five months later, President Johnson signed a law assuring every citizen the right to vote. Passing laws such as the Voting Rights Act is one of Congress's most important roles.

▼ Dr. Martin Luther King, Jr., (center), wife Coretta, and others in the 1965 peace march



Bills Congress Considers

Main Idea Congress considers several different kinds of legislation each year. Most pieces of legislation are in the form of bills.

Civics & You How do you think Congress should make decisions about bills? What factors should have the greatest influence on its decision making?

Have you heard people say there are two things you should never watch being made—sausages and laws? Strange **elements**, or factors, may go into the final product, and the process requires patience. More than 10,000 bills are often introduced during each term of Congress, yet only several hundred pass all the hurdles and become law.

Bills generally fall into two **categories**, or types. Private bills concern individual people or places. They usually deal with people's claims against the government. Public bills apply to the entire nation and involve general matters such as taxation.

R Along with bills, Congress considers different kinds of resolutions, or formal statements expressing lawmakers' opinions or decisions. Many resolutions do not have the force of law. **Joint resolutions**, however, which are passed by both houses of Congress, do become laws if signed by the president. Congress uses joint resolutions to propose constitutional amendments and to designate money for a special purpose.

Reading Check **Analyzing** Why might public bills take months to debate?

Protecting Parkland Part of the money Congress designates for the upkeep of federal parks goes to Yellowstone National Park, which is visited by thousands each year.

Analyzing Why do you think the power for funding of federal parkland is not given to the states?





Presidential Signing The majority of bills passed by Congress are signed into law by the president. In 1962, President John F. Kennedy signed a bill designating the home of abolitionist Frederick Douglass as a national monument as his descendants looked on. **Speculating** Why might a president refuse to sign a bill?

From Bill to Law

.....

Main Idea To become a law, a bill must be passed in identical form by both chambers of Congress.

Civics & You As a bill is considered, both houses of Congress keep a check on it. Read to find out why the houses must agree on each law.

.....

Every bill starts with an idea. The ideas for new bills come from private citizens, the White House, or from **special-interest groups**—organizations made up of people with common interests.

Whatever its source, a senator or representative must introduce a bill before Congress will consider it. Every bill is given a title and a number when it is submitted. For example, during the first session of Congress, the first bill introduced is called S.1 in the Senate and H.R.1 in the House.

Committee Action

After a bill is introduced, it is sent to the standing committee that is related to the subject of the bill. Standing committees have life-and-death power over bills. The committee can (1) pass the bill, (2) mark up a bill with changes and suggest that it be passed, (3) replace the original bill with a new bill, (4) ignore the bill and let it die (which is called "pigeonholing" the bill), or (5) kill the bill outright by majority vote.

Debating a Bill

Bills approved in committee are ready for consideration by the full House or Senate. When bills do reach the floor of the House or Senate, the members argue their pros and cons and discuss amendments. The House accepts only amendments relevant to the bill. The Senate, however, allows riders—completely unrelated amendments—to be tacked onto the bill.

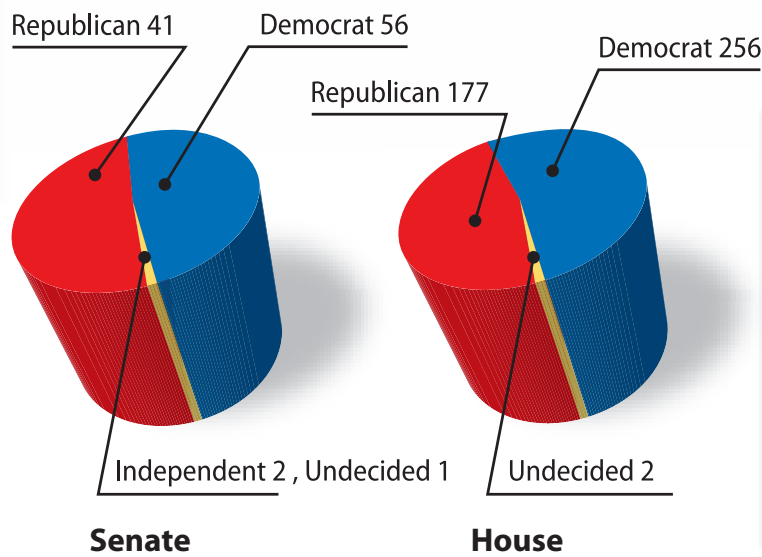
Rules of Debate In the House, the Rules Committee sets the terms for debate. It usually puts time limits on the discussion, for example, to speed up action. The Senate, because it is smaller, has fewer rules. Senators can speak as long as they wish. At times they take advantage of this custom to **filibuster**, or talk a bill to death. One member can speak—holding the floor for hour after hour, delaying a vote until the bill’s sponsor withdraws the measure.

R The Senate can end a filibuster if three-fifths of the members vote for **cloture**. Under this procedure, no one may speak for more than one hour. Senators rarely resort to cloture, though. In 1964, during debate on the Civil Rights Act, the Senate waited out a 74-day filibuster by senators opposed to the legislation.

Reading Check Speculating What is a rider to a bill? Why do you think Senators attach riders to bills?

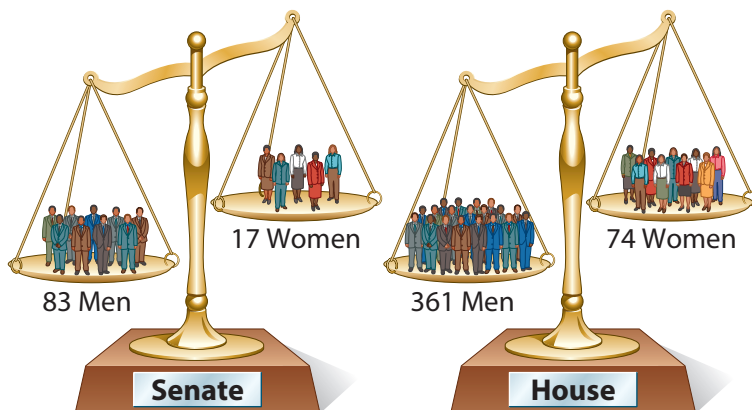
Profile of the 111th Congress*

Party Affiliation



RACIAL DIVERSITY IN CONGRESS		
Ethnicity	House	Senate
African American	42	0
Asian American	6	2
Hispanic American	28	3
AVERAGE AGE		
House	Senate	
56	62	

W

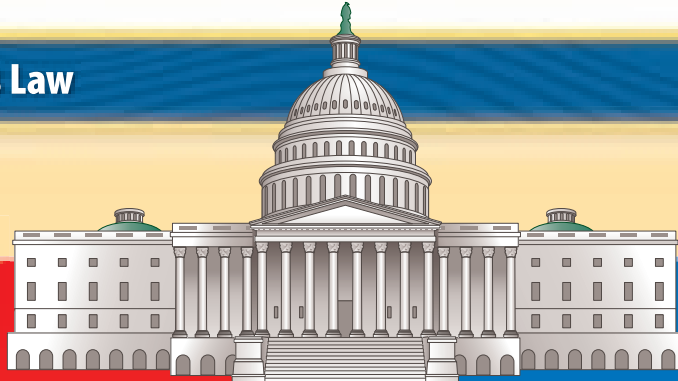


Source: www.opencrs.com, Membership of the 111th Congress: A Profile. *Totals may change due to undecided races as of November 30, 2008.

Analyzing Charts

- Explaining** Why is it important which political party has the most members in the House or Senate?
- Analyzing** Why do you think there are so many more men than women in Congress?

How a Bill Becomes Law



HOUSE

SENATE



- 1 Representative hands bill to clerk or drops it in hopper.
- 2 Bill given *HR* number.

- 1 Senator announces bill on the floor.
- 2 Bill given *S* number.

Committee Action

- 1 Referred to House standing committee.
- 2 Referred to House subcommittee.
- 3 Reported by standing committee.
- 4 Rules Committee sets rules for debate and amendments.

Bill is placed on committee calendar.

Bill sent to subcommittee for hearings and revisions.

Standing committee may recommend passage or kill the bill.

- 1 Referred to Senate standing committee.
- 2 Referred to Senate subcommittee.
- 3 Reported by standing committee.



Floor Action

- 1 House debates, votes on passage.
- 2 Bill passes; goes to Senate for approval.
OR
A different version passes; goes to conference committee.

- 1 Senate debates, votes on passage.
- 2 Bill passes; goes to House for approval.
OR
A different version passes; goes to conference committee.

Conference Action

- ★ Conference committee works out differences and sends identical compromise bill to both chambers for final approval.

C₁



VOTE

House votes on compromise bill.



VOTE

Senate votes on compromise bill.

Passage

- ★ President signs bill or allows bill to become law without signing.*

OR

- ★ President vetoes bill.**

* President can keep bill for 10 days and bill becomes law. If Congress adjourns before the 10 days (Sundays excluded), the bill does not become law.

**Congress can override a veto by a 2/3 majority in both chambers. If either fails to override, the bill dies.

C₂

LAW

Analyzing Charts

1. **Identifying** Who can introduce bills?
2. **Describing** What happens to a revised bill?

Source: *Congress A to Z, 4th ed., 2003.*

S

Voting on a Bill

After a bill is debated, it is brought to a vote. Voting in the House is done in one of three ways. The simplest is a **voice vote**, in which those in favor say “Yea” and those against say “No.” The Speaker determines which side has the most voice votes. In a **standing vote**, those in favor of a bill stand to be counted, and then those against it stand to be counted. The third method is a recorded vote, in which members’ votes are recorded electronically.

The Senate has three methods of voting: a voice vote, a standing vote, and a roll call. In a **roll-call vote**, senators respond “Aye” or “No” as their names are called. A simple majority of all members that are present is needed to pass a bill. If a bill passes in one house, it is sent to the other. If either the Senate or the House rejects a bill, it dies.

The Senate and House must pass a bill in identical form before it becomes law. When two versions of the same bill are passed, a conference committee with members from

both houses work out the differences and submit a revised bill. The House and Senate must either accept it without amendments or completely reject it.

Action by the President After a bill is approved, it goes to the president. One of four things may then happen. The president may sign the bill and declare it a new law. The president may **veto**, or refuse to sign, the bill. The president may also do nothing for 10 days. At that point, if Congress is in session, the bill becomes law without the president’s signature. If Congress has adjourned, the bill dies. Killing legislation in this way is called a **pocket veto**.

If the president vetoes a bill, Congress has one last chance to save it. As you read earlier, Congress can override the veto with a two-thirds vote of each house. This is not an easy task, though. From 1789 through May 2008, Congress overturned only 108 vetoes.



Explaining When is a conference committee formed and what is its purpose?

Section Review 4

Vocabulary

- Define** the following terms and use them in sentences that relate to the lawmaking process: *joint resolution, special-interest group, filibuster, cloture, voice vote, standing vote, roll-call vote, veto, pocket veto.*

Main Ideas

- Contrasting** What is the difference between public and private bills? What are resolutions?
- Hypothesizing** Why do you think a bill has to pass both houses of Congress to reach the president’s desk?

Critical Thinking

- Explaining** Why is the action of a standing committee so important to the passage of a bill?
- Big Idea** On a web diagram like the one below, write the different actions the president can take when deciding on the passage of a bill.



CITIZENSHIP Activity

- Persuasive Writing** Do you think it is necessary for a bill to go through so many steps to become a law? Write a one-page essay in which you express your view. Make sure you include reasons to defend your view.



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Visual Summary

Comparing the House and the Senate

The Congress of the United States was created by Article I, Section 1, of the Constitution, providing that "All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives."



HOUSE*	SENATE
Members chosen from local districts	Members chosen from an entire state
Two-year term	Six-year term
A representative must be at least 25 years of age and must have been a citizen of the United States for at least 7 years	A senator must be at least 30 years of age and must have been a citizen of the United States for at least 9 years
House members must be residents of the state from which they are chosen	Senate members must be residents of the state from which they are chosen
435 voting members; the number representing each state is determined by population	Composed of 100 members; 2 from each state
Originally elected by voters	Originally (until 1913) elected by state legislatures
May impeach federal officials	May convict federal officials of impeachable offenses
More formal rules	Fewer rules and restrictions
Debate limited	Debate extended
Floor action controlled	Unanimous consent rules
Less prestige and less individual notice	More prestige and media attention
Originates bills for raising revenues	Power of "advice and consent" on presidential appointments and treaties
Local or narrow leadership	National leadership
The Speaker of the House is the presiding officer	The vice president of the United States is the presiding officer

*Some of these differences, such as terms of office, are provided for in the Constitution, while others, such as debate rules, are not.



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TEST-TAKING TIP

Answer the questions you know first and go back to those for which you need more time.

Directions: Choose the word(s) that best completes the sentence.

- _____ choose the Speaker of the House.

A Lobbyists	C Standing committees
B Constituents	D Majority party members
- _____ requires police to bring a prisoner to court to explain why they are holding him or her.

A A bill of attainder	C An ex post facto law
B The franking privilege	D A writ of habeas corpus
- Members of Congress bring government funds to their state through _____.

A casework	C gerrymandering
B special-interest groups	D pork-barrel projects
- The simplest way to vote in the House and the Senate is a _____.

A voice vote	C roll-call vote
B standing vote	D computerized vote

Reviewing Main Ideas

Directions: Choose the best answer for each question.

Section 1 (pp. 176–182)

- The House and Senate meet as one body in _____.

A a standing committee
B odd-numbered years
C caucuses
D a joint session

- The _____ is the most powerful leader in the House of Representatives.

A Speaker of the House
B president pro tempore
C vice president
D minority leader

Section 2 (pp. 184–188)

- Which of the following legislative powers is implied by the elastic clause?

A coining money
B creating an air force
C regulating foreign trade
D establishing post offices
- What nonlegislative power resides in the House of Representatives?

A trying public officials
B impeaching federal judges
C establishing bankruptcy laws
D approving presidential nominees

Section 3 (pp. 190–196)

- Which of the following is a requirement for representatives in the House?

A be at least 30 years old
B live in the state they represent
C live in the district they represent
D be U.S. citizens for at least 9 years
- What is NOT a major responsibility of representatives?

A writing and introducing bills
B voting on the floor of the House
C troubleshooting for people in their district
D providing analysis for the IRS

Section 4 (pp. 197–202)

11. What is the term for ignoring a bill and letting it die?
- A earmarking
 - B cloture
 - C gerrymandering
 - D pigeonholing
12. What may happen to a bill in the House after the bill leaves committee?
- A Representatives add riders to the bill.
 - B The House clerk assigns a number to the bill.
 - C Representatives add amendments related to the bill.
 - D Representatives vote for cloture to limit debate on the bill.

Critical Thinking

Directions: Base your answers to questions 13 and 14 on the cartoon below and your knowledge of Chapter 6.



13. Determine the cartoonist's point of view. How would he describe politicians?
- A extremely ruthless
 - B easily manipulated
 - C scrupulously honest
 - D fiercely independent

14. Analyze the symbols in the cartoon. What does the wagon most likely represent?
- A casework
 - B legislation
 - C franking privileges
 - D campaign contributions

Document-Based Questions

Directions: Analyze the following document and answer the short-answer questions that follow.

Article 1, Section 7, U.S. Constitution

In this section of the Constitution the passing of a bill is discussed.

Every bill which shall have passed the House of Representatives and the Senate, . . . [and] Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President. . .

—U.S. Constitution

15. Why do you think the Framers decided that all three arms of the government—the House of Representatives, the Senate, and the president—must be made aware of all bills and issues discussed in Congress?
16. What issue is the exception to this plan of review?

Extended Response

17. Write a brief essay describing two ways a president might stop a bill from becoming law.



For additional test practice, use Self-Check Quizzes—Chapter 6 on glencoe.com.

Need Extra Help?

If you missed question. . .	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Go to page. . .	180	188	196	202	178	180	185	187	191	194	199	201	192	195	201	202	202