

AMERICAN GOVERNMENT/CIVICS

SSCG8: Demonstrate knowledge of the legislative branch of government.

a. Cite the formal qualifications for representatives and senators listed in the Constitution.

*There are 435 members in the **House of Representatives**. There are three formal qualifications outlined in the United States’ Constitution, which says that a member of the House: 1) must be at least 25 years of age, 2) must have been a United States citizen for at least seven years, and 3) must be an inhabitant of the State from which he or she is elected.

*There are 100 members in the **Senate**. There are two members for each of the fifty states. A senator must meet a higher level of qualifications, as outlined in the Constitution: 1) a senator must be at least 30 years of age, 2) must have been a citizen of the United States for at least nine years, and 3) must be an inhabitant of the State from which he or she is elected.

Qualification	House of Representatives	Senate
Age:		
Citizenship:		
Residency:		

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b. Describe the election process for representatives and senators and how the 17th amendment impacted the election of senators.

*Congressional elections are held on the same day in every state. For the House of Representatives, elections are held on the Tuesday following the first Monday in November of each even-numbered year.

The congressional elections that are held in nonpresidential election years are referred to as **midterm elections**. ALL House of Representative members must run for election or re-election every two years.

*The senate is referred to as a **continuous body**, which means that all of the seats are never up for election at the same time. Only one-third of the senators run for election every two years. Since a senator has a six-year term, only 33 to 34 senators run for election or re-election every two years.

*Originally, senators were elected by the state legislatures; they were elected in this manner for the first 125 years following the passing of the U.S. Constitution. The **17th amendment** was passed in 1913. The ratification of the 17th amendment placed the election of senators in the hands of the American citizens.

After 1913, both senators and representatives were elected by the people.

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c. Compare the terms of office for each chamber of Congress and explain the Founder’s intent.

*The current size of the House of Representatives is 435 members. This number is not set in the Constitution, rather Congress decides on the number of members in the House. The Constitution does provide that the seats in the House of Representatives shall be **apportioned**, or distributed, among the states based on their populations. Each state is guaranteed at least one House member. The members are elected by registered voters in the district in which they represent. They have the advantage of having a smaller **constituency**, which includes the people and interests each House member represents. This provides an opportunity for representatives to be more involved and aware of issues that are important to the voters in their particular district.

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The seats in the House may be **reapportioned**, or redistributed, based on the results of the census, which is conducted every ten years. Some states may gain a representative(s), while some may lose; the number of the membership remains at 435. All of the 435 members in the House have a two-year term, and there are no term limits.

In a congressional office, the term *casework* refers to the response or services that Members of Congress provide to constituents who request assistance. Each year, thousands of constituents turn to Members of Congress with a wide range of requests, from the simple to the complex. Members and their staffs help constituents deal with administrative agencies by acting as facilitators, ombudsmen, and, in some cases, advocates. In addition to serving individual constituents, some congressional offices also consider as casework liaison activities between the federal government and local governments, businesses, communities, and nonprofit organizations.



The purpose of this political cartoon is to illustrate the importance of House of Representatives members taking the initiative to communicate with their constituents and work diligently for the interests of their constituents. If the citizens are dissatisfied with their representative, they can vote to replace their House member in the election cycle every two years.

*The current size of the Senate is 100 members. Each state is represented by two senators. Senators are elected state-wide and represent all of the constituents in their state. Senators serve a six-year term, and as in the House, there are no term limits. This six-year terms gives senators a greater degree of job security. Senators are supposed to be more focused on the bigger picture of the needs and interests of their state as a whole, versus need and interests of individual districts within the state.

Gerrymandering: a practice intended to establish a political advantage for a particular party or group by manipulating district boundaries. The tactic may be used to break up voters likely to vote for a certain party, or to concentrate many voters from one party into a single district.

Divide the grid below into 5 equal size Districts. Be fair to all the voters.

G	G	G	G	G	G	G	G	G	G
G	G	G	G	G	G	G	G	G	G
Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

Divide the grid below into 5 equal size Districts. As a member of the Green Party, try to ensure a party majority.

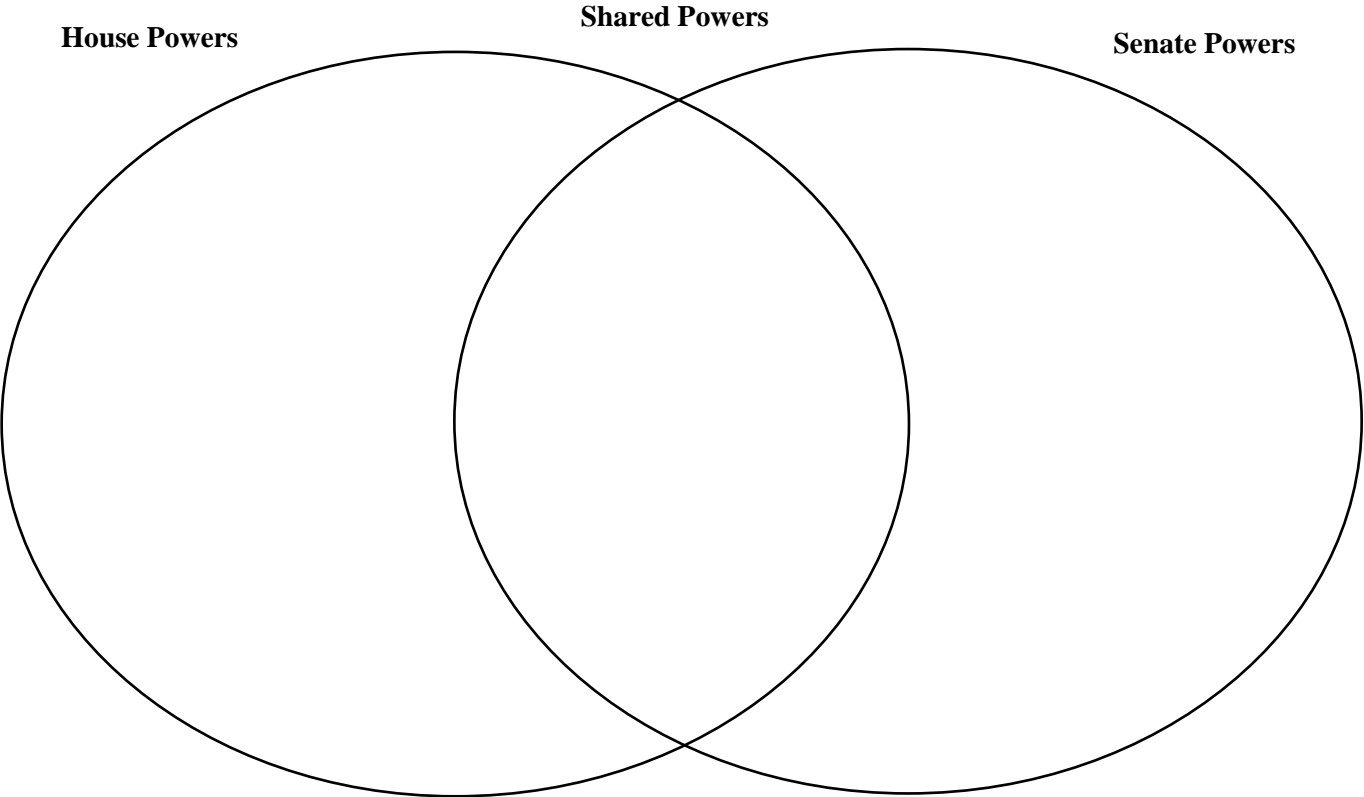
G	G	G	G	G	G	G	G	G	G
G	G	G	G	G	G	G	G	G	G
Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

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d. Compare and contrast the powers of each chamber of Congress (e.g., power of the purse, 16th amendment, treaties, etc).

*The House of Representatives has several powers assigned exclusively to it, including the power to initiate revenue bills, impeach federal officials, and elect the President in the event of an Electoral College tie. The **power of the purse** is another term for the initiation of revenue bills. ALL revenue bills must originate in the House. The majority of revenue is collected through **taxation**. A **tax** is a charge levied by the government on personal income, corporate income, or property. The **16th amendment** to the Constitution gives Congress the power to levy income taxes without apportioning it among the states or basing it on the U.S. census.

*The Senate has several powers assigned exclusively to it by the Constitution including the sole power to confirm Presidential appointments, ratify treaties, and try cases of the impeachment of federal officials.



The Amendments	
15th	
16th	
17th	
19th	
26th	

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e. Explain the steps in the legislative process.

*A **bill**, which is a proposed law, must originate in the House of Representatives or the Senate, except for revenue bills which **MUST** originate in the House.

**Steps in the legislative process: (If a bill originates in the Senate, the steps below are reversed for House and Senate).*

1. The bill is drafted (anyone can draft a bill – members of Congress, the President, outside groups)
2. Introduced in the House - a House of Representatives member introduces the bill (only members of the House or Senate can introduce bills).
3. The Speaker of the House sends the bill to a committee.
4. Committee Action – most bills die here, but if the bill is passed, it goes to the Rules Committee.
5. Rules Committee – the bill is assigned a time for debate in the House (only the House has a Rules Committee).
6. Floor Action – the bill is debated, and amended, if necessary. If a majority of House members approve the bill, it goes to the Senate.
7. Introduced in the Senate – a senator introduces the bill, and the bill is assigned to a committee.
8. Committee Action – if the committee majority votes for the bill, it goes for debate in the Senate as a whole.
9. Bill Called Up – the Senate Majority Floor Leader decides when the bill will go up for debate
10. Floor Action – the bill is debated, and amendments may be made. If the bill passes the Senate with a majority vote, it is sent back to the House.
11. Conference Committee – if the House rejects any changes made by the Senate, it goes to a conference committee, which is comprised of members from both the House and the Senate. They work out a compromise.
12. Vote on Compromise – both the House and the Senate must approve the bill as amended by the conference committee. If approved by a majority vote in both houses of Congress, the bill is sent to the President.
13. Presidential Action – the President may sign, or approve, the bill or **veto** (reject) the bill. If the President signs the bill, becomes law.
14. Vote to Override – if the President vetoes the bill, it can still be approved by a two-thirds majority in both houses to become law.

*Other terms that students should be familiar with regarding the legislative process include:

Rider – a provision not likely to pass on its own merit that is attached to a bill that is certain to pass.

Discharge petition – this petition enables members of either house to force a bill that has remained in committee for 30 days or longer onto the floor for consideration.

Quorum – a majority of the membership that must be present in chambers to conduct business.

Filibuster – essentially this is the attempt to ‘talk a bill to death’. It is a stalling tactic that is used by a minority of senators who seek to delay or prevent Senate action on a matter. A filibuster can **ONLY** be used in the Senate.

Cloture – a Senate rule used to limit debate. At least three-fifths of the senate, or 60 members, must vote to invoke cloture.

Veto – when the President refuses to sign a bill into law

Pocket veto – if Congress adjourns its’ session within ten days of submitting a bill to the President, and the President does not act, the bill dies.

How a Bill Becomes a Law

SENATE

HOUSE

Step 1

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Step 2

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Step 3

Step 4

Step 5

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Step 6

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Step 7

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Step 8

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f. Explain the functions of various leadership positions and committees within the legislature.

*The **Speaker of the House** is the most important position in Congress. The Speaker is the elected, presiding officer of the House of Representatives. The Speaker is chosen from the majority party in the House and is typically the longest serving House member. The Speaker’s powers revolve around two primary duties: 1) preside over the House, and 2) maintain order. The Speaker presides over most sessions of Congress. No member of the House may speak unless he or she is recognized by the Speaker and given permission to speak. Other duties include: interprets and applies the rules of the House, refers bills to committees, rules on points of order, puts motions to a vote, and names the members of all select and conference committees. The Speaker must sign all resolutions and bills passed by the House. The Speaker may vote, but typically only does so in the event of a tie.

*The **President of the Senate** is always the Vice President of the United States and is the Senate’s presiding officer. Unlike the Speaker of the House, the President of the Senate is not an elected member of Congress and may not even be a member of the majority party in the Senate. The President of the Senate does have the following powers: recognize members who want to speak, put measures to a vote, and vote **ONLY** in the event of a tie. In addition, the President of the Senate may **NOT** debate a bill.

*The **President Pro Tempore** is the presiding officer of the Senate in the Vice President’s absence. The President Pro Tempore is elected by the members of the Senate and is always a member of the majority party. Like the Speaker, the President Pro Tempore is typically the longest serving member of the Senate’s majority party.

*Both the House and the Senate have a **majority floor leader**. They are chosen by party members within their respective houses of Congress from the majority party. Their role is to carry out decisions of the party caucuses, steer floor action and votes to their party’s advantage, and serve as the chief spokesperson for his or her party. The **minority floor leaders** serve the same roles as the majority floor leaders, but they are chosen from the minority party in each house of Congress.

***Whips** are essentially assistant floor leaders, and both the majority party and the minority party of both the House and the Senate have whips who are appointed by their party colleagues. The whips are a liaison between the party’s leadership and the other members. The primary duty of the whip is to keep track of the number of votes on measures that are being debated and voted on in both the House and the Senate. The whips also make sure that all party members are present in chambers for votes.

Identify the person who currently holds each of these important leadership positions.

- Vice President _____
- Speaker of the House _____
- President Pro Tempore _____
- House Majority Leader _____
- House Minority Leader _____
- Senate Majority Leader _____
- Senate Minority Leader _____
- Senator from Georgia _____
- Senator from Georgia _____
- Representative from 11th District _____

Leadership in Congress

Match the position in Congress with the description of the tasks the job involves.

- | | |
|------------------------------|------------------------------------|
| A. Vice President | J. President Pro Tempore |
| B. Senate Majority Leader | K. Speaker of the House |
| C. House Minority Leader | L. Chair, House Ways and Means |
| D. Assistant Majority Leader | M. Chair, House Appropriations |
| E. Senate Minority Whip | N. Chair, Senate Commerce |
| F. House Majority Whip | O. Chair, Senate Foreign Relations |
| G. Senate Minority Leader | P. Chair, House Foreign Affairs |
| H. House Majority Leader | Q. Chair, House Judiciary |
| I. House Minority Whip | R. Chair, Senate Armed Services |

- ____ 1. I have the most powerful position in the lower house. I assign bills to committees and appoint committee members.
- ____ 2. I serve as president of the Senate. Although I cannot participate in debates, I can vote in case of a tie.
- ____ 3. I preside over the Senate in the absence of the vice president. The majority party chose me for this post. My position is mainly ceremonial.
- ____ 4. The seniority system allowed me to become chairman of this House committee which has power over federal spending.
- ____ 5. I am chairman of this House committee, which has power over taxation (and other methods of raising money for the federal budget).
- ____ 6. I am chairman of this committee in the upper house that specializes in transportation, communication and interstate commerce.
- ____ 7. As a member of the majority party in the lower house, I exert pressure on party members to vote with the party and report to my boss about how the voting is expected to turn out.
- ____ 8. I have the role of leadership in the upper house responsible for passing the program of the majority party. I inform and pressure party members to vote for programs. I also determine the order that bills are presented on the floor of my chamber.
- ____ 9. I am a member of the minority party in the lower house responsible for organizing resistance to the programs presented by the majority.
- ____ 10. I am the leader of the smaller party in the upper house responsible for resisting majority programs.
- ____ 11. I aid the majority leader in keeping party members informed and supportive of programs in the upper house.
- ____ 12. I am the member of the minority party in the upper house that informs members when important bills are scheduled for a vote and what the party's view is on those bills.
- ____ 13. I am in charge of the dominant party in the lower house, and I am responsible for getting my party's policies passed.
- ____ 14. I am the member in the lower house who informs members and assists the minority leader in resisting some of the majority party's programs.
- ____ 15. I am the chair of the most powerful committee in the upper house, which handles situations with other nations.
- ____ 16. I am chairman of the committee in the lower house that handles matters with other nations.
- ____ 17. I am chairman of the upper house committee that supervises expenditures of the government department that has the largest budget.
- ____ 18. I am chairman of this committee in the lower house that deals with impeachment charges.

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***Standing committees** are permanent committees in the both the House and the Senate. Similar bills are sent to various standing committees. The House and Senate have their own standing committees. The House of Representatives currently has 20 standing committees, and the Senate has 16 standing committees.

***Select committees** are sometimes referred to as special committees. They are set up for specific purpose and usually for a limited period of time. The Speaker and the President of the Senate assign the members to select committees. Select committees are formed to investigate a current matter.

***Joint committees** are composed of members of both the House and the Senate. Some joint committees are select committees and some are permanent.

*A **conference committee** is a temporary, joint committee that is organized to iron out differences in the versions of a bill from the House and the Senate. The final bills from both the House and Senate must be identical before they can be sent on to the President. Once a compromise is reached, the conference committee disbands.

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g. Analyze the positive and negative role lobbyists play in the legislative process.

***Lobbying** includes the activities by which group pressures are brought to bear on the legislative process and legislators. Lobbyists, those individuals who lobby, are usually connected to special interest groups. The lobbyists ‘campaign’ to have public policy approved that represents the special interests of the group they work for. For example, the NRA (National Rifle Association) employs lobbyists to persuade legislators to pass bills and enforce public policy that supports their interests in gun control. Companies who manufacture guns, ammunition, and related products obviously want laws that support the second amendment right to bear arms.

There are positive aspects of lobbying. Lobbyists are usually very knowledgeable on the issue they represent. They can educate members of both the House and the Senate on the issues at hand to better inform legislators. Lobbyists represent a much wider group of people who share similar interests and act as the spokesperson for those common interests. Lobbyists can assist legislators in drafting legislation and including accurate, up-to-date information on issues of public policy.

There is often a negative connotation associated with the word lobbyist. In earlier times, lobbying brought forth images of bribery and the use of unethical practices. Regulations have reduced the abuses lobbyists used in past legislative processes. One negative aspect of lobbying is that the special interest groups that have the most money are often the groups that have legislation drafted and passed in their favor. There may be important and valid issues that need addressed from a public policy perspective, but if it is grassroots effort with little money, their interests may go unnoticed at the national and state levels.



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SSCG9: Explain the impeachment and removal process and its use for federal officials as defined in the U.S. Constitution.

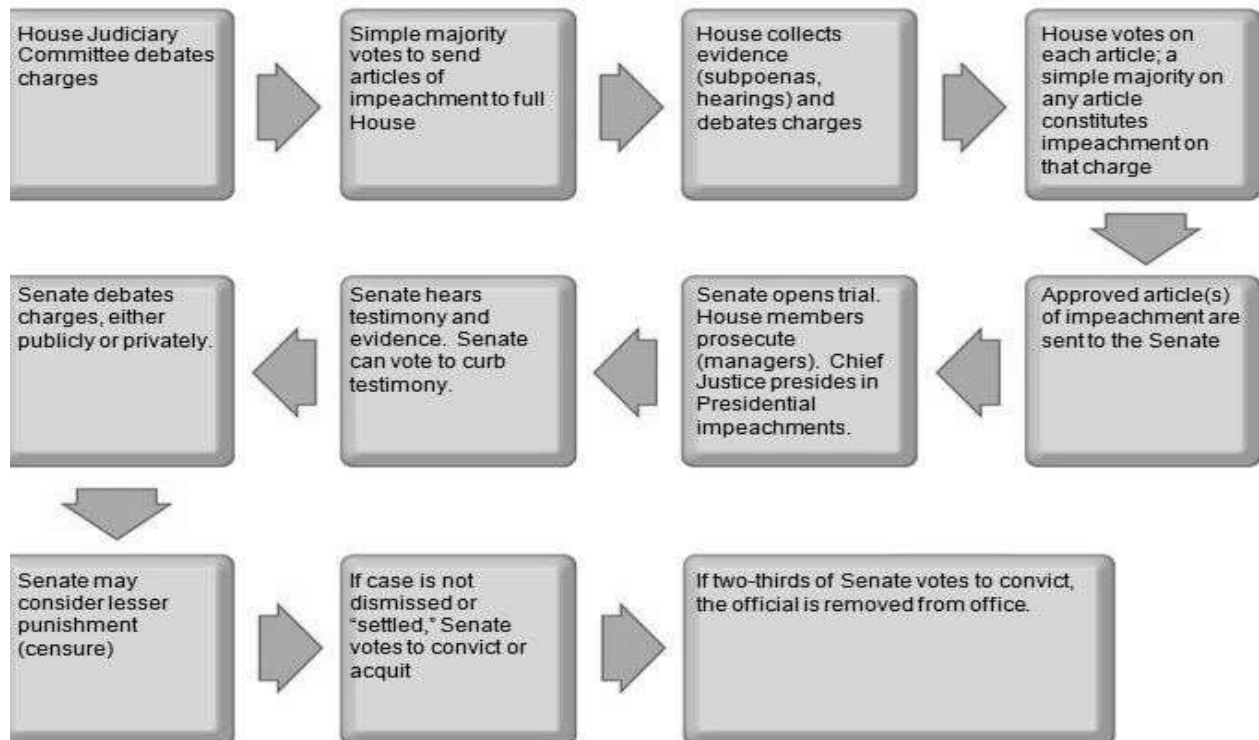
Overview: The intent of this standard explain the impeachment process for federal officials and explain the process of removing elected officials from office using the guidelines set forth in the United States Constitution.

***Impeachment** is the formal accusation of wrongdoing or misconduct by the President, Vice President, and all civil officers of the United States. The Constitution provides for the impeachment of officials at the federal level. Article II, Section 4 states “the President, Vice President, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors” (<https://www.loc.gov/law/find/impeachment.php>). To impeach an official means to bring charges against that official.

*The House of Representatives has the sole power to accuse and bring the charges in impeachment. Impeachment requires a majority vote in the House. It is the Senate’s job to try, or judge, impeachment cases. A conviction requires a two-thirds vote in the Senate. The penalty for conviction is removal from office. If a federal official is impeached and removed from office, he or she may still face criminal charges and may face a trial in the regular court system.

*Only two presidents have been impeached by the House of Representatives, and in both cases, the Senate voted to **acquitt**, or find not guilty. Andrew Johnson was impeached in 1868, and Bill Clinton was impeached in 1998. A third president, Richard Nixon, would have most certainly been impeached in 1974; however he resigned before the impeachment charges were brought against him by the House of Representatives.

The Impeachment Process



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Practice Test

- 1) Which of the following is generally true of the gerrymandering on congressional districts?
 - A) it results in more Democrats being elected in the House
 - B) it results in more Republicans being elected in the House
 - C) it guarantees that all minority parties will be equally represented
 - D) it creates districts that favor one political party over another
- 2) Which term refers to people who are represented by a particular member of Congress?
 - A) constituents
 - B) voters
 - C) interest groups
 - D) candidates
- 3) How many years is the term of a member of the House of Representatives?
 - A) four
 - B) three
 - C) two
 - D) one
- 4) Who is the most powerful member of the House of Representatives?
 - A) majority leader
 - B) Speaker of the House
 - C) majority whip
 - D) floor leader
- 5) Which term applies to the 20 permanent committees of the House?
 - A) standing committees
 - B) conference committees
 - C) select committees
 - D) joint committees
- 6) Which amendment was ratified in 1913 to make direct popular elections of senators part of the Constitution?
 - A) Twenty-Seventh
 - B) Twelfth
 - C) Fifth
 - D) Seventeenth
- 7) What job does the Constitution assign the vice president of the United States?
 - A) Senate majority leader
 - B) president of the Senate
 - C) Speaker of the House
 - D) president pro tempore
- 8) What can Congress try to do if its members disagree with the president's veto of a bill?
 - A) call for a pocket veto
 - B) override it
 - C) have a roll-call vote
 - D) sign a discharge petition
- 9) The _____ is the main communicator for the party and is responsible for letting members know how the party wants them to vote and for keeping a tally of votes for the party leader.
 - A) Minority leader
 - B) Speaker
 - C) Assistant
 - D) whip
- 10) Impeachment trials are held in the
 - A) House
 - B) Supreme Court
 - C) Senate
 - D) cabinet
- 11) This occurs after the census takes place?
 - A) Distribution
 - B) Cloture
 - C) Filibuster
 - D) Apportionment
- 12) Each state must have a minimum of how many people in Congress
 - A) depends on population
 - B) 1
 - C) 2
 - D) 3
- 13) To be a member of the house you must _____, but to be a member of the Senate you must _____.
 - A) be at least 30 years old and been a citizen 9 years; be at least 25 years old and been a citizen 7 years
 - B) be at least 25 years old and been a citizen 7 years; be at least 30 years old and been a citizen 9 years
 - C) be at least 25 years old and lived in state 9 years; be at least 30 years old and lived in state 7 years
 - D) be at least 30 years old and been born a citizen; be at least 35 years old and been born a citizen
- 14) What group of people tries to influence congress to pass laws in agreement with a special interest?
 - A) Party Leaders
 - B) Constituents
 - C) Lobbyist
 - D) Advocates
- 15) What is a committee that is called to reconcile bills passed in a different version in each chamber?
 - A) select committee
 - B) standing committee
 - C) conference committee
 - D) joint committee