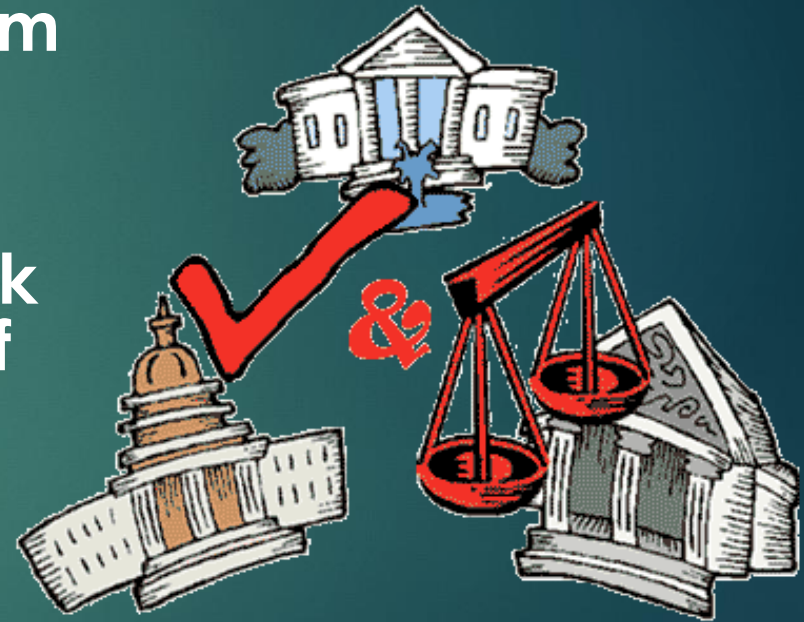


How Congress is Organized



“Checks & Balances”

- ▶ “Checks & Balances” helps keep any one branch from becoming too powerful.
- ▶ Each “branch” can check (or restrain) the powers of the others.
- ▶ Checks & Balances limits the power of the government.



“The First Branch of this Government”



Article I of the US Constitution explains the roles and responsibilities of the Legislative Branch, also known as **Congress**.



The U.S. Congress

- ▶ The “**Legislative Branch**” of the U.S. Government is made up of the “**House of Representatives**” and “**Senate**”.
- ▶ Congress consists of **535 voting members** in a two house (“bicameral”) system. (Hr=435 and S=100)
- ▶ Their main duty is to **make laws** for the nation.



<http://www.centeroncongress.org/representative-numbers>

The U.S. Congress

- ▶ Each Congress has special meetings over the course of two years – this is called a **Congressional Term**.
- ▶ Each year of meetings during a term is called a **session**.
- ▶ Each session begins on January 3rd (a new “Congress” begins every two years)
- ▶ Currently, we are in the **“115th Congress, 1st Session”**. 115th, 2nd Session begins on January 3, 2018.



The U.S. Congress

- ▶ Each Congress adjourns (suspends) each session as it seems fit. Recent Congress sessions remain in session much longer than they used to.
- ▶ **Special Sessions** are called *only* by the President, and are to deal with emergencies. This power has not been used post-WWII, as Congress stays in session through most of the year.



“U.S. House of Representatives”

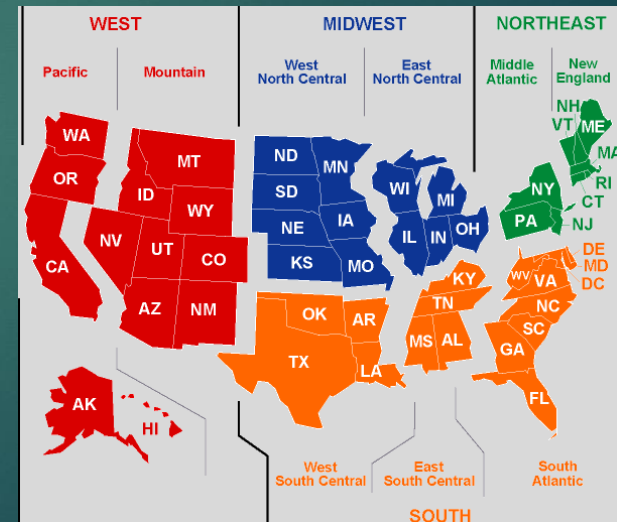
- ▶ Has been nicknamed the “lower house” because it's closer to the people.
- ▶ Consists of 435 total members
- ▶ The number of representatives for each state is based on population (each state gets at least one)
- ▶ 2 Year Terms
- ▶ Focused on the concerns of their local “constituents” (people they represent)



“U.S. House of Representatives”

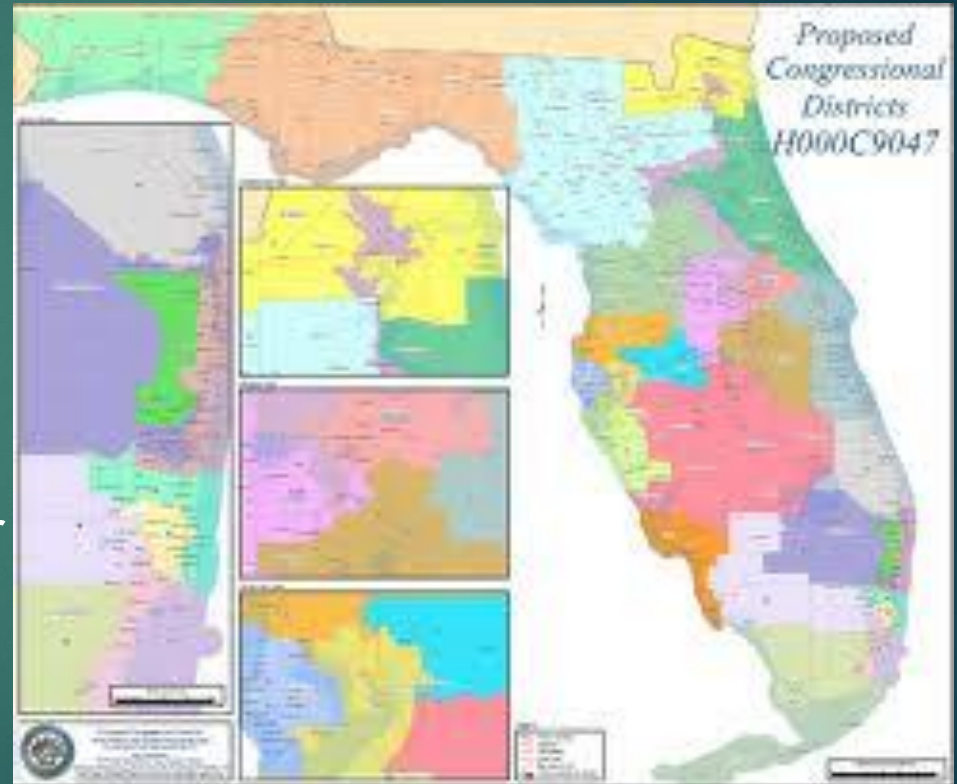
- ▶ State populations are taken in the “census” (population count) given by the **U.S. Census Bureau** every 10 years.
- ▶ States may gain or lose representatives in the House of Rep. based on the **“census”**. This is called Reapportionment.

United States™
Census
2010



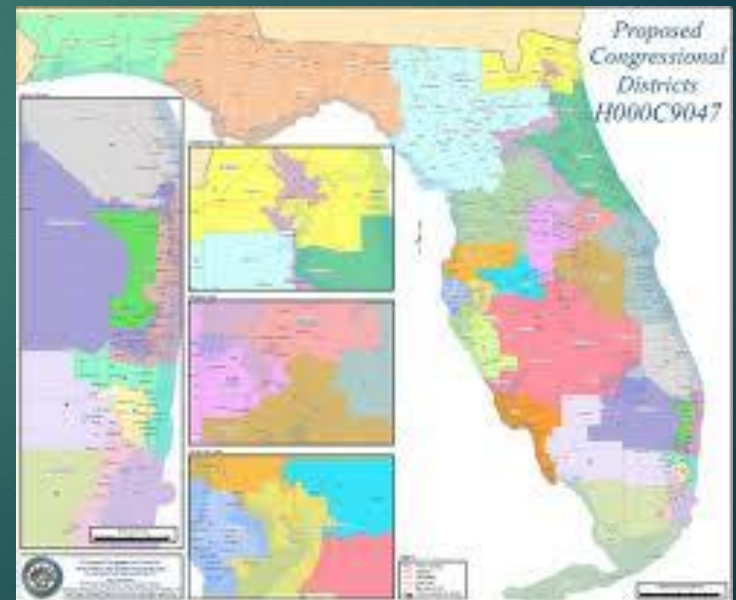
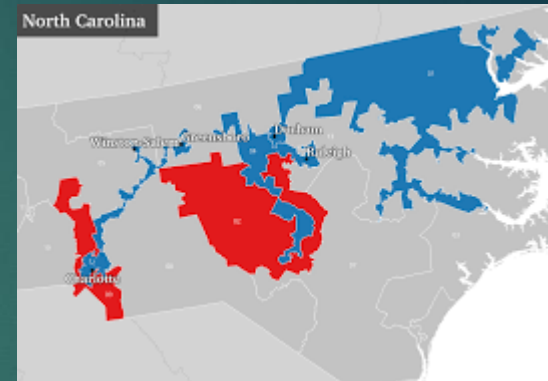
“U.S. House of Representatives”

- ▶ Each state is divided into Congressional Districts to create boundaries that are relatively equal in terms of the number of constituents (people) that are represented there.



“U.S. House of Representatives”

- ▶ **“Gerrymandering”** is the process of creating oddly shaped districts to **increase the voting strength** of a particular group.
- ▶ This takes place either by
 - 1) Concentrating the opposition in one district.
 - 2) Thinly spreading the opposition among many districts.
- ▶ Florida (especially in the northeast) has been accused of this in the past.



“Getting elected to the U.S. House of Representatives”

Formally qualifying for election entails:

1. Must be at least 25 years old
2. Must have been a citizen of the United States for at least 7 years
3. Must be an inhabitant of the state from which he or she is elected

(Article I Section II Clause II)

Informally qualifying for election relies on vote-getting abilities, i.e. having the correct party identification or experience for your district.



2nd District

Chris Stewart

Republican

Since Jan 3, 2013

“U.S. Senate”

- ▶ Has been nicknamed the “upper house” because they are fewer in number and serve longer terms they generally have more national prominence
- ▶ Consists of 100 total members
- ▶ The number of Senators is based on equal representation – there are 2 per state.
- ▶ 6 Year Terms (only 1/3 of the Senate can be up for re-election at one time)
- ▶ Focused on the concerns of their state “constituents” (people they represent)



“U.S. Senate”

- ▶ **Utah** is currently represented in the U.S. Senate by **Sen Mike Lee (R)**, he is in his 2nd term.



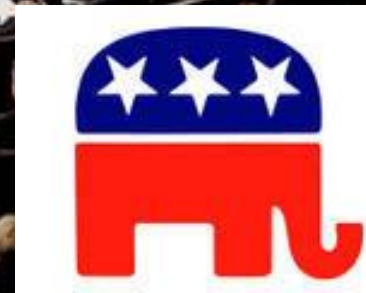
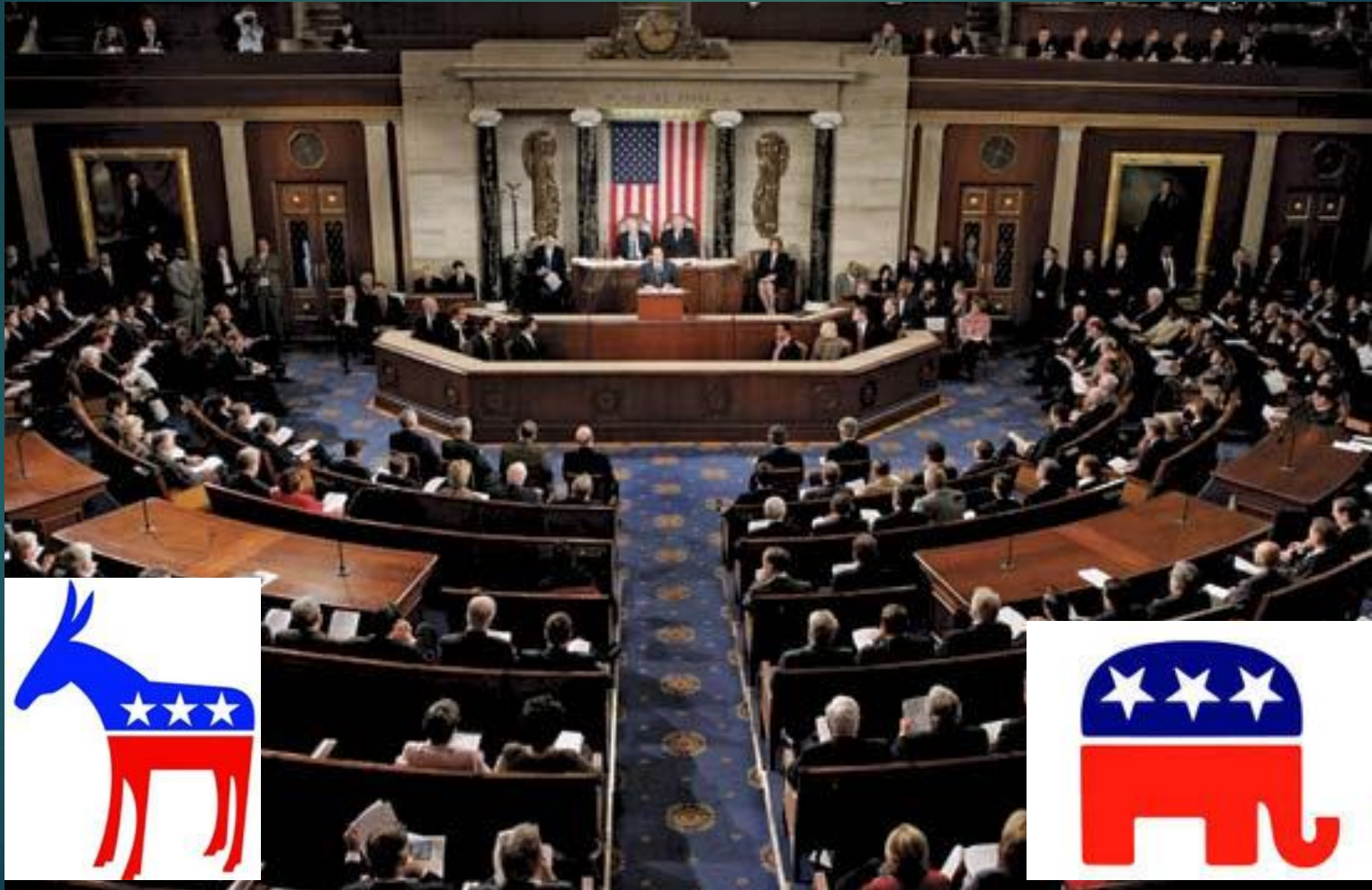
Since Jan 5, 2011
Next Election in 2022

- ▶ **Utah** is currently represented in the U.S. Senate by **Sen. Mitt Romney (R)**, he is in his 1st term



Since Jan 3, 2019
Next Election in 2024

Congressional Leadership



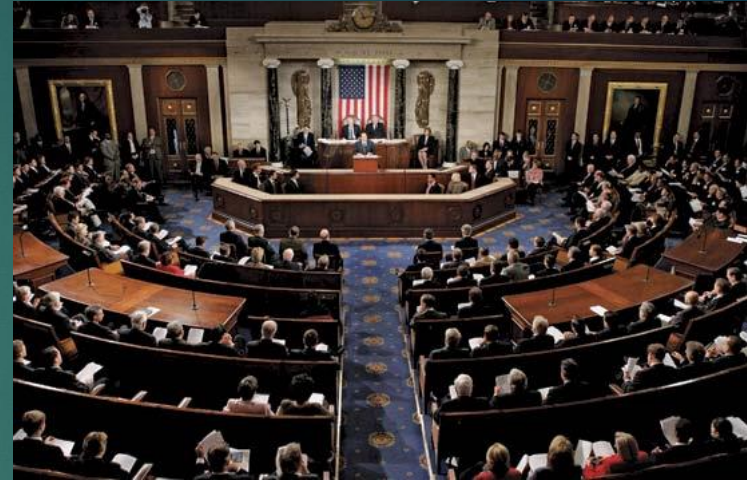
Controlling Congress

- ▶ In Congress, political parties control each house. The party with the most representatives (more than $\frac{1}{2}$) is called the majority party. And the party with the fewer number of representatives is called the minority party.



Controlling Congress

- ▶ Each “**majority party**” has a **majority leader**, who has the task of pushing party issues on the floor of each house.
- ▶ Assisted by the “**majority whip**” – these people help to enforce rules, preparing for a vote and following procedures by “whipping” members into shape!
- ▶ The minority party has less representation and they have a leader called the minority leader.



Democrats Lost Complete Power

- ▶ During the midterm election in 2010, the Democratic Party lost the House of Representatives, but kept the Senate.
- ▶ In 2012, the Republicans also took control of the Senate so they now have the majority in both houses of Congress.
- ▶ The Democrats currently control the White House.



House Leadership



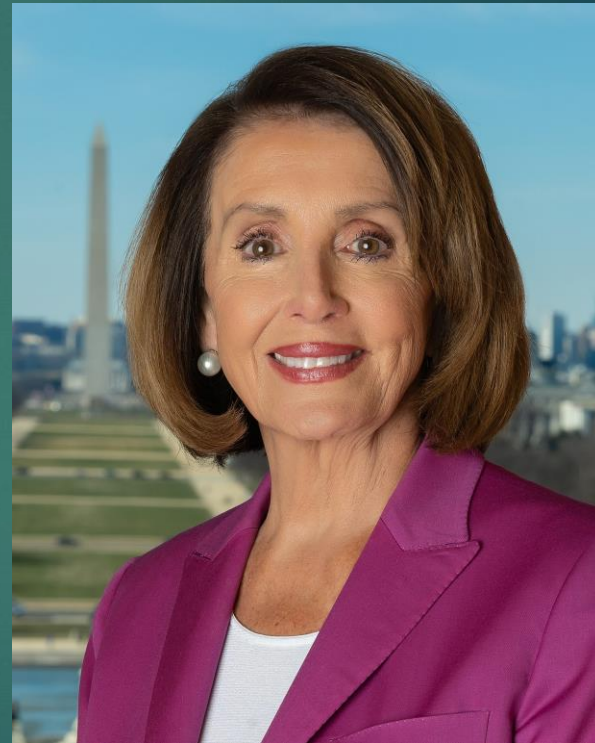
“Speaker of the House”

- ▶ The Speaker of the House is the most powerful position in the House (2nd in line for presidency after the Vice President)
- ▶ Main task is to **steer legislation** and **keep control of any debates** on the House floor.
- ▶ Also pushes the agenda of the **majority party**.



“Speaker of the House”

- ▶ The current speaker is **Rep. Nancy Pelosi (D)** from California



Senate Leadership



Role of the Vice President

- ▶ The **Vice President** is technically the *presiding officer* of the **Senate**.
- ▶ They rarely attend debates and only vote in the event of a tie.



Role of the Vice President

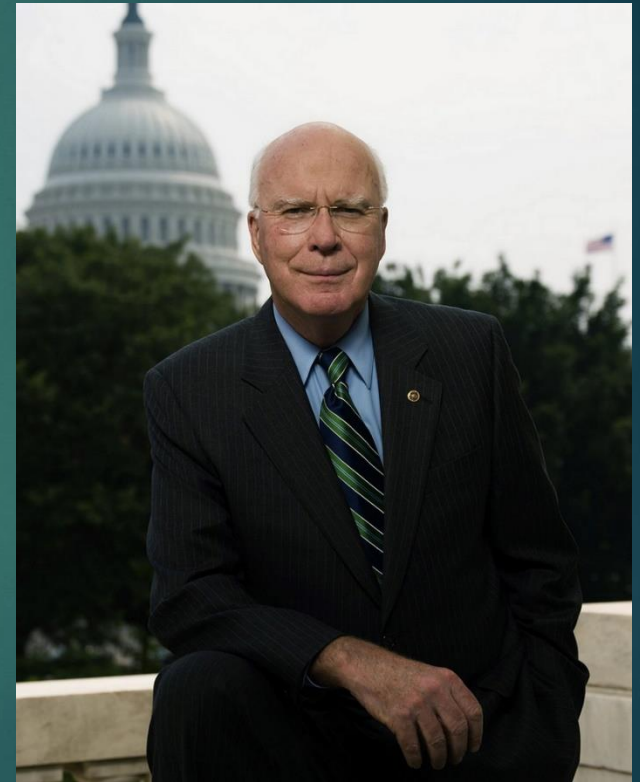
- ▶ The **Senate** is technically presided over by **Vice-President Michael “Kamala Harris (D)**



Senate Leadership



- ▶ The “chairperson” of the Senate is the “**President Pro Tempore**” (or “Senate Pro Tem”)
- ▶ “***Pro Tempore***” Latin meaning “for the time being”
- ▶ This job is more ceremonial than influential (but is **3rd in line** for presidency after the Vice President and the Speaker)
- ▶ The current “pro tem” of the Senate is **Sen. Patrick Leahy of Vermont**



Congressional Committees

HOUSE OF REPRESENTATIVES Standing Committees

- | | |
|-------------------------------|-------------------------------------|
| ★ Agriculture | ★ Judiciary |
| ★ Appropriations | ★ Resources |
| ★ Armed Services | ★ Rules |
| ★ Budget | ★ Science |
| ★ Education and the Workforce | ★ Small Business |
| ★ Energy and Commerce | ★ Standards of Official Conduct |
| ★ Financial Services | ★ Transportation and Infrastructure |
| ★ Government Reform | ★ Veterans Affairs |
| ★ House Administration | ★ Ways and Means |
| ★ International Relations | |

SENATE Standing Committees

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

Select and Special Committees

- ★ Intelligence
- ★ Homeland Security
- ★ Aging
- ★ Ethics
- ★ Indian Affairs
- ★ Intelligence

Joint Committees

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

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

Congressional Committees

► “**Congressional committees**” are like mini-legislatures to divide up the work.



Congressional Committees

- ▶ Placement on a committee is determined by the **majority leadership**.
- ▶ “Seniority” (years of service) often dictates who gets on these committees, as well as the leadership positions themselves.



“Standing Committees”

- ▶ “Standing committees” are permanent committees that continue to work from session to session.
- ▶ The Senate has **16** and the House has **19** “standing committees”
- ▶ Agriculture, Energy, Small Business, etc.



“Select/Special Committees”

- ▶ “Select committees” also known as special **are committees created to do a special job for a limited period of time.**
- ▶ Homeland security, ethics, Indian affairs, etc.



“Joint Committees”

- ▶ “Joint committees” include members from both houses who work together on issues.
- ▶ The four “joint committees” are **Economic, Printing, Taxation, and Library.**
- ▶ “**Conference committee**” is a type of joint committee that helps the House and Senate agree on the details of a proposed law.



The Powers of Congress



Legislative Powers

- ▶ Enumerated/Delegated (Expressed) powers are specifically given to Congress in the Constitution.
- ▶ **Article 1, Section 8** of the Constitution spells out the major powers of the Congress.
- ▶ The first **17 clauses** list **specific** powers granted to Congress.






► <https://www.youtube.com/watch?v=pfaOUdQjCfl>

“Enumerated/Delegated/ Expressed” Powers

- ▶ Examples of Enumerated/Delegated Powers are:
 - ▶ Raising & supporting an army and a navy
 - ▶ Establish uniform rules of naturalization (also called “naturalization laws”)
 - ▶ Print & coin money
 - ▶ Establish post offices
 - ▶ Declare War



- 
- ▶ <https://www.youtube.com/watch?v=WJOKU9ql85c>
 - ▶ Until 2:28

Legislative Powers

- ▶ Implied powers are not specifically listed for Congress but are understood according to Article 1, Section 8, Clause 18. (look at page 60)
- ▶ This is often called the “elastic clause” because it gives Congress authority to stretch its power and do whatever is “necessary and proper” to do their job & carry out their listed powers



“Implied” Powers

- ▶ Examples of Implied Powers (from the Necessary and Proper Clause) are:
 - ▶ To raise and support an army implies Congress can implement a draft
 - ▶ Collecting taxes implies that Congress could use the money to support programs
 - ▶ Establishing naturalization rules implies that Congress can limit the number of immigrants.



Congressional Powers

- ▶ Most congressional power is related to making laws for the nation.
- ▶ However, Congress has many other powers as well:
 - ▶ Regulating interstate (between states) commerce (business)
 - ▶ Raising and spending money
 - ▶ Creating federal courts
 - ▶ Dealing with foreign countries
 - ▶ Governing all federal property (military bases, national parks)



Congress & Funding

- ▶ To fund the U.S. Government, Congress has the power to levy taxes.
- ▶ All tax bills are **proposed** or start in the House of Representatives and must be approved by the Senate. Why do you think they start in the House?

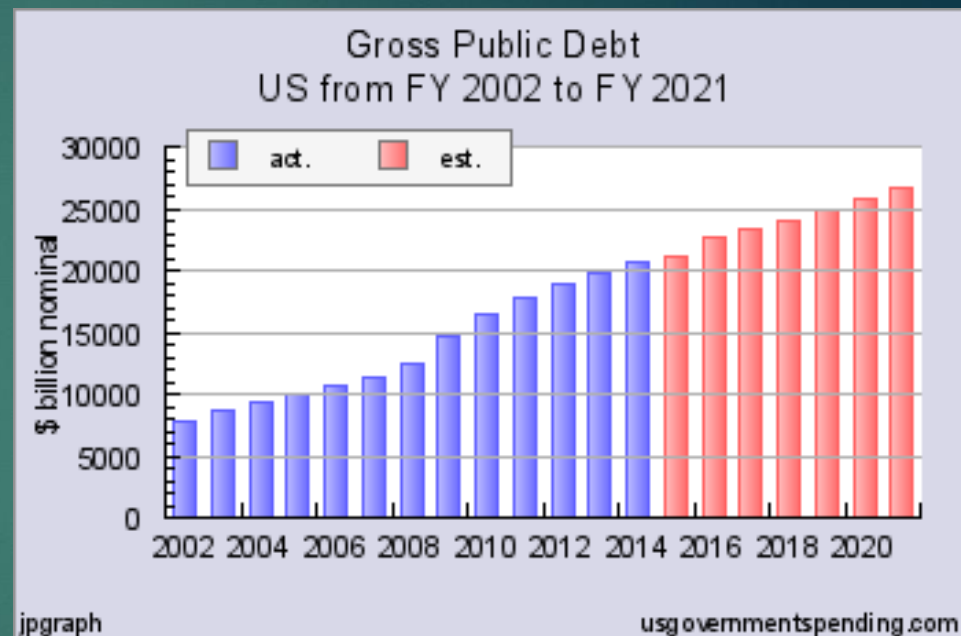


Congress & Taxing

- ▶ Congress will add taxes to raise money for public needs or to protect the people, i.e. health and safety or domestic industry.
- ▶ Congress is Limited on its taxing powers:
 - ▶ Can not tax for private benefit
 - ▶ May not tax exports, only imports from other countries
 - ▶ Direct taxes, outside of income, are to be levied by the states, as they depend on population.
 - ▶ All indirect taxes (like sales taxes) must be levied at the same rate in every part of the country.
 - ▶ From Article I, Section 8 Clause 1, Section 9 Clause 4 + 5, and the 16th Amendment

Congress & Borrowing Power

- ▶ Article I, Section 8, Clause 2 gave congress the power “to borrow Money on the credit of the United States”
- ▶ For decades, the Federal Gov’t has practiced **deficit financing**, regularly spending more than it has and borrowing the difference.
- ▶ Today’s Federal Debt is **\$28,111,695,250,000**. Federal Debt per person is about **\$85,110**. Debt per taxpayer is **\$224,455**



Congress & Trade

- ▶ Article 1, Section 8, Clause 3, also called the “**Commerce Clause**” is the basis for many of Congress’ most important powers – this allows Congress the power to **regulate foreign and domestic trade.**

- ▶ Domestic - interstate



Congress & Trade

► Examples of powers from this clause:

- Air Traffic
- Railroads
- Trucking
- Radio / TV
- Pollution
- Stock Market



Congress and Currency

- ▶ Article I, Section 8, Clause 5 gives Congress the power to “Coin Money and regulate the Value thereof” this power is denied to the States.
- ▶ Wanted to get rid of each state issuing its own currency
- ▶ Legal tender would not come into existence until 1861
- ▶ Congress also has the power to establish the legal proceeding **of bankruptcy**, most cases are heard in federal district courts and not with the states.



Congress & Foreign Relations

- ▶ While the President has the authority to negotiate treaties and deal with other nations, **all treaties must be approved by the Senate.**
- ▶ This is an example of a _____ and _____?



Congress & Foreign Relations

- ▶ While the President has the authority send troops into combat for up to 60 days, only Congress has the power to declare war or create an army.



- ▶ **World War II** was the last “declared war” in the U.S. (1941-1945)



Non-Legislative Powers

- ▶ **“Non-Legislative” Powers**
are powers that Congress has that does not relate to passing laws.
- ▶ **Examples:**
 1. **Proposing Amendments**
 2. **Approvals of Nominations (Senate)**
 3. **Removal from Office and Impeachments**
 4. **Investigations**



Non-Legislative Powers

- ▶ Check and Balance --
 - The Senate can approve or reject presidential nominees or appointments for various offices.
- ▶ Check and Balance - Congress can also remove any elected officials from office in cases of wrong-doing.



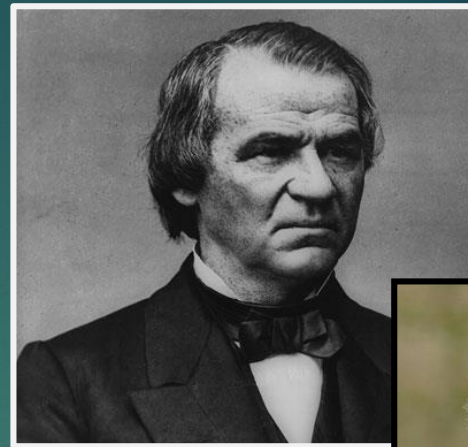
“Impeachment”

- ▶ “Impeach” means to formally accusing officials of misconduct or wrong-doing.
- ▶ Impeachments are usually handled by a trial.
- ▶ The House always begin impeachment procedures.
 - ▶ If the **majority** of the House votes for impeachment, it moves to the **Senate**.
- ▶ The Senate acts as **jury**, while the Chief Justice of the Supreme Court acts as **judge**.
 - ▶ **2/3** needed for guilt to be found in the impeachment (67 Senators)

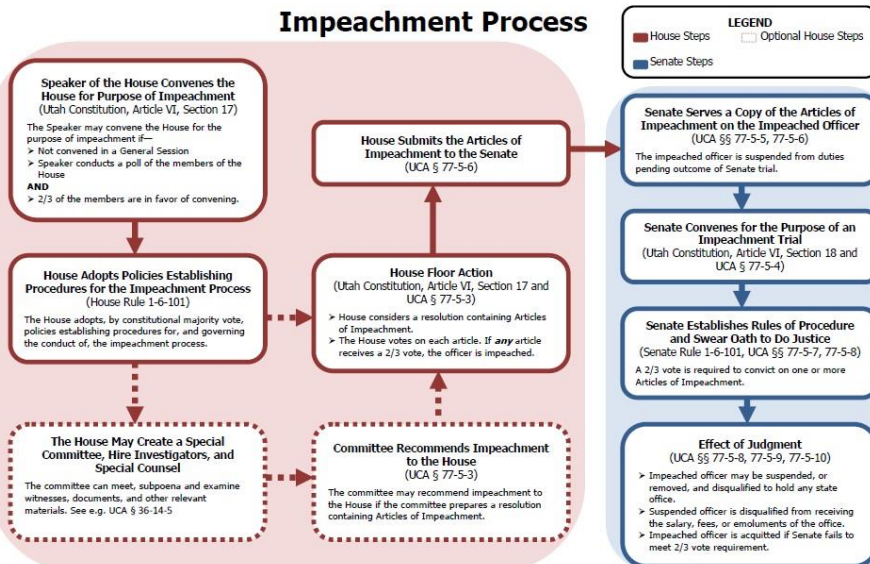


“Impeachment”

- ▶ Only **3 presidents** have ever been impeached (neither removed from office).
- ▶ **Andrew Johnson** (1868)
- ▶ **Bill Clinton** (1998)
- ▶ **Donald Trump** (2019)(2021)



Impeachment Process



Non-Legislative Powers

- ▶ Congress also conduct investigations into serious issues.
- ▶ Organized crime, fund raising, Watergate, Iran-Contra, etc.



Limits to Congressional Power

- ▶ The Constitution **limits the power** of Congress, placing restrictions on their power.
- ▶ Congress may not **favor one state over another, tax exports, tax interstate trade.**



Ways that Congressional Power *is* Limited

- ▶ The Constitution also reserves many powers to the states and other branches (10th Amendment)
- ▶ Congress can not interfere with these Reserved powers.
- ▶ The Supreme Court can declare laws unconstitutional and the President can veto laws.



Limits to Congressional Power

- ▶ Congress can not pass “**bills of attainder**” (laws that punish a person without a jury trial)



Limits to Congressional Power

- ▶ Congress can not suspend the “**writ of habeas corpus**” (**court order requiring police to bring a prisoner to court to explain why they are holding that person**).



Limits to Congressional Power

- ▶ Congress can not pass “**ex post facto laws**” (or **laws that make an act a crime AFTER it has been committed**)



“Representing the People”



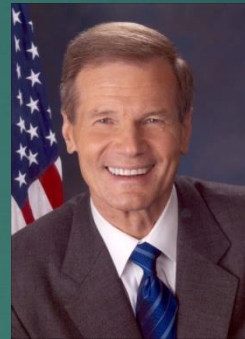
The U.S. Congress



Want to be a U.S. Senator?

► Requirements to be a Senator:

1. Must be at least 30 years old
2. Must live in state you represent
3. Must be a citizen of the U.S. for at least 9 years

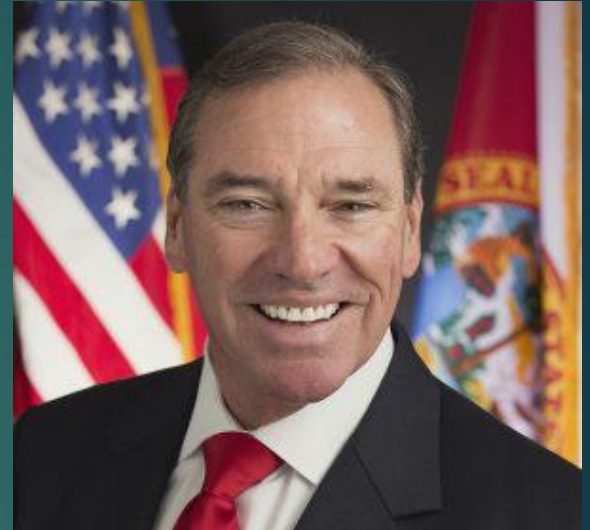


Want to be a U.S. Representative?

- **Constitutional Requirements to be a Representative:**

1. Must be at least 25 years old
2. Must live in state and district you represent
3. Must be a citizen of the U.S. for at least 7 years

There are NO TERM LIMITS in The House of Representatives or The Senate!!



Career Backgrounds

- ▶ Nearly half of all Senators and Representatives are lawyers
- ▶ They are also “joiners” (people who are actively involved in community organizations)



Benefits of being in Congress

- ▶ The salary for a member of the U.S. Congress is \$174,000 a year (for both houses).
- ▶ Certain positions receive more compensation, i.e. Speaker of the House or being a Leader in either house.



Table 2. Members, Officers, and Officials of the Senate: Selected Salaries

President pro tempore	\$193,400 per annum ³⁹
Majority and Minority Leaders	\$193,400 per annum
All other Senators	\$174,000 per annum
Secretary of the Senate	\$172,500 per annum
Sergeant at Arms and Doorkeeper	\$172,500 per annum
Legislative Counsel	\$172,500 per annum
Legal Counsel	\$172,500 per annum
Parliamentarian	\$171,315 per annum

Table 1. Members, Officers, and Officials of the House: Selected Salaries

Speaker of the House	\$223,500 per annum
Majority and Minority Leaders	\$193,400 per annum
All other Representatives (including Delegates and Resident Commissioner From Puerto Rico)	\$174,000 per annum
Chief Administrative Officer	\$172,500 per annum
Clerk of the House	\$172,500 per annum
Sergeant at Arms	\$172,500 per annum
Chaplain	\$172,500 per annum
Legislative Counsel	\$172,500 per annum
Law Revision Counsel	\$172,500 per annum
Parliamentarian	\$172,500 per annum
Inspector General	\$172,500 per annum
Director, Interparliamentary Affairs	\$172,500 per annum
General Counsel to the House	\$172,500 per annum

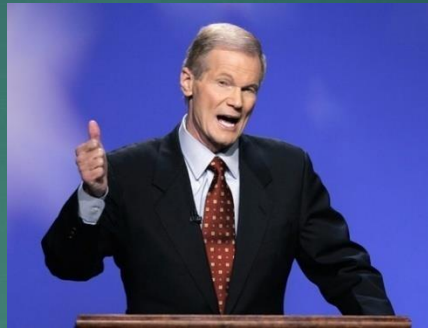
Added Benefits of being in Congress

- ▶ Members also get an office space, free parking, and transportation to their home state.
- ▶ Members are left with a generous retirement plan and pay relatively small amounts for health and life insurance.
- ▶ Allowances allow for members to maintain offices and staff at home and in Washington
- ▶ Members get free “franking privileges” (sending job-related mail without paying postage)



Benefits of being in Congress

- ▶ Members get “immunity” (legal protection) in some cases so they may speak or act freely.
- ▶ Representatives and Senators **limited immunity from arrest** for **some** offenses while Congress is in session. It does **not grant them immunity from indictment and subsequent prosecution**, however.
- ▶ This does NOT allow them to break the law.

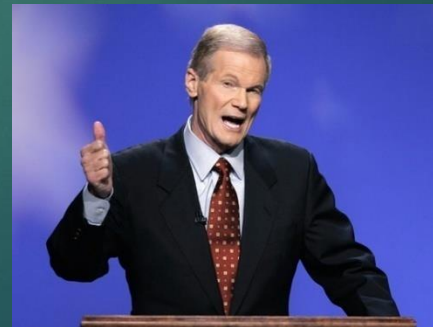


Congressional Staff



Personal Staff

- ▶ The “**personal staff**” of a member of Congress run their Washington and state offices.
- ▶ They handle the day to day business for the member.



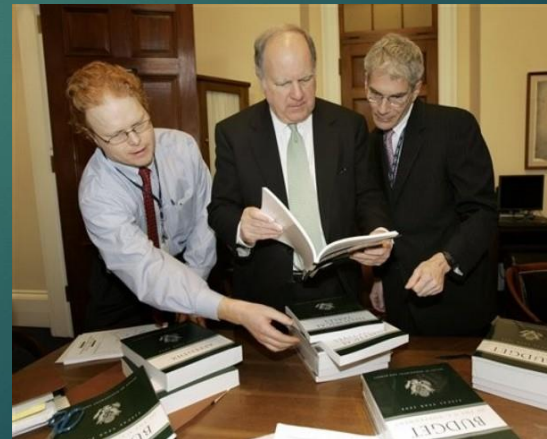
Personal Staff

- ▶ The “**personal staff**” also helps the members deal with different “**lobbyist**” groups (**people hired by private groups to influence government decision makers**)
- ▶ The “**personal staff**” is sometimes supported by **interns** and **pages** (students who volunteer their time to learn more about the political process)



Committee Staff

- ▶ The “committee staff” are people who work directly for a specific Congressional committee.
- ▶ These people usually have **expert knowledge** of the issue or topic and keep the process moving.



Support Services

- ▶ The “**support services**” are different agencies that are created to help members of Congress with their work.
- ▶ These services include the Library of Congress and the Congressional Budget Office.



Congress At Work



Congress At Work

- ▶ Congress works in “**sessions**” or regular time periods.
- ▶ These sessions begin on **January 3rd** each year and continue throughout most of the year.
- ▶ Congress has **3 main jobs** to accomplish



1. *Lawmaking*

- ▶ Making laws for the nation is the most important job the Congress accomplishes each session.



- ▶ Hearing from the people, writing bills, etc.



2. Casework

- ▶ “Casework” (helping constituents work out problems) is also very important to **keep the member “in touch” with it’s constituents.**
- ▶ Some members of Congress get **over 10,000 requests** for help each year.



3. *Helping the District or State*

- ▶ Looking out for or helping a member's **home district or state** is also very important.
- ▶ Pushing issues that help their own constituents is a priority, but they also look out for the **interests of the U.S.**



3. *Helping the District or State*

- ▶ Members of Congress try to work to get ***their constituents*** their share of the **federal budget** each year.
- ▶ “Pork barrel projects” are government projects or grants that benefit the home state or district of a member of Congress.
- ▶ The term comes from members of Congress dipping into the “pork barrel” (***federal treasury***) to pull out a **piece of “fat”** (***federal \$\$ for projects for their state or district***).



“Pork Barrel Projects”



Interpret this Political Cartoon

Congressional Elections Crash Course

<https://www.youtube.com/watch?v=qxiD9AEX4Hc>