Chapter 5  **Go Dawgs!**

* The United States Congress is a bicameral legislature, meaning that it is made up of two houses (Senate and House of Representatives).
* Most delegates at the Constitutional Convention agreed on a bicameral legislature, modeling it after the English Parliament with its House of Commons and House of Lords.
* As established by the 20th amendment, each term of Congress begins on January 3 in years ending in an odd number and lasts for 2 years. Each Congressional term is two sessions or meetings. A session lasts one year and includes breaks for holidays and vacations.
* Congress remains in session until its members vote to adjourn. If Congress does adjourn, the president can call it into a special session if necessary.
* The House of Representatives has 435 members and is larger than the Senate. Seats in the House are divided among the states on the basis of population. A census is taken every 10 years to decide how many representatives each state will have for the next 10 years, a process called reapportionment. *The number of reps in the House was capped at 435 by Congress in 1929, so it’s these 435 seats that are divided among the states.* (Each state is entitled to at least one seat, no matter its population.)
* *The Constitution sets qualifications for election to the House of Representatives:*
  + Must be at least 25 years old
  + Must be a citizen of the U.S. for at least 7 years
  + Must be a legal resident of the state they represent
  + (Traditionally, representatives live in the congressional district that they represent)
* Members of the House are elected to 2-year terms. Elections are held in November of even-numbered years. This means, *every 2 years members of the House must run for reelection*. More than 90% of all representatives are reelected, so the House has great continuity.
* If a representative dies or resigns before the end of the term, the state must hold a special election to fill the vacancy.
* After reapportionment, each state legislature draws the boundaries for the congressional districts, one for each representatives. The process of setting up new district lines after reapportionment is called redistricting.
* *In a series of decisions in the 1960s, the Supreme Court ruled on reapportionment issues in three different cases:*
  + *Baker v. Carr*, 1962, the Court held that federal courts could decide conflicts over drawing district boundaries.
  + *Reynolds v. Sims*, 1964, the Court held that the equal protections clause of the 14th amendment required that seats in both houses of the AL legislature be apportioned based on population.
  + *Wesberry v. Sanders*, 1964, the Court ruled that the Constitution clearly intended that a vote in one congressional district was worth as much as a vote in another district. (“One person-one vote”)
* Historically, state legislatures have abused their power to divide the state into congressional districts by gerrymandering, which is drawing district boundaries to give one party an electoral advantage. This term has been traced back to Elbridge Gerry, an early Massachusetts governor who signed a redistricting plan that gave his party an advantage over the Federalists. “Packing” and “Cracking” are ways to gerrymander. “Packing” a district means drawing the lines so they include as many of the opposing party’s voters as possible. Crowding the opponent’s voters into one district makes the remaining districts safe for the majority party’s candidates. “Cracking” means dividing an opponent’s voters into other districts to weaken the opponent’s voter base.
* *The Constitution states that the Senate shall be composed of two senators from each state.* Today’s Senate includes 100 members-2 from each of the 50 states.
* *The Constitution sets qualifications for the election of Senators:*
  + Must be at least 30 years old
  + Must be citizens of the U.S. for at least 9 years before election
  + Must be legal residents of the state they represent
* Senators are elected state-wide and have no particular district.
* *Senators serve 6-year terms* and only 1/3 of the Senators run for reelection every 2 years. This gives the Senate continuity, like the House.
* *If a Senator dies or resigns before the end of the term, the state legislature can authorize the government to appoint a person to fill the vacancy until the next election OR the governor from that state can choose to call a special election to fill the seat.*
* The Senate and the House set their own salaries. Also, the 27th amendment (ratified in 1992) says that Congress cannot give itself a pay raise; any pay raise passed becomes effective only after the next election. The current salary for members of Congress is $174,000 a year.
* *Members of Congress enjoy a number of benefits including* stationary and postage (“franking privilege”); free medical care; income tax deductions to help keep up 2 residences; large allowances to pay staff, make trips home, print newsletters, etc. Upon retirement, members may be eligible to receive pensions of $150,000 or more per year for life.
* *The Constitution grants members of Congress certain protections so they can carry out their public duties:*
  + When they are attending Congress or on the way to or from Congress, they are free from arrest “in all cases except treason, felony, and breach of the peace.”
  + Members cannot be sued for anything they say on the House or Senate floor.
  + Members may judge the qualifications of new members and decide whether to seat them. Each house may refuse to seat an elected member by majority vote. This power of exclusion was defined by the Supreme Court case, *Powell v. McCormack*, 1969.
  + Each house may punish its own members for disorderly behavior by a majority vote and expel a legislator by a 2/3 vote. Only the most serious offenses, such as treason, accepting bribes, are grounds for expulsion. Members guilty of minor offenses may be censured, a formal vote of disapproval of a member’s actions.
* *In addition to the 535 members of Congress, there are 4 delegates in the House, 1 each from DC, Guam, American Samoa and the Virgin Islands. Also, 1 resident commissioner from Puerto Rico. None of these can vote, but they do attend sessions, introduce bills, speak in debates, and vote in committees.*
* Membership in Congress tends to change slowly because officeholders seldom lose reelection. 90% of all incumbents, member who were already in office, win reelection. Incumbents win reelection for several reasons:
  + They can raise campaign funds more easily through person contacts they made while representing their district.
  + Many districts have been gerrymandered in the incumbent party’s favor
  + Incumbents are better known to voters, who see them on TV and read about them regularly in news stories
  + Incumbents use their position to solve the problems of voters, who are then grateful and more likely to vote for them
  + Many times incumbents go unopposed because people know that 90% of the time they will be reelected

***Powell v. McCormack*, 1969 on page 131**

Section 2

* The main task of each house of Congress is to make laws. Article I, Section 51 of the Constitution states that each house may determine the rules of its proceedings. (In other words, each house needs rules to keep order and to keep things running smoothly so they can accomplish their main task of making laws.) These rules include things like limiting representatives to speaking for 5 minutes or less during a debate. These rules are designed to move legislation quickly once it reaches the floor.
* In Congress, it is committees that do most of the legislative work. Especially in the House, due to its large size members organize into committees where they can have more influence than on the House floor and they also have time to shape and study bills.
* Political parties are important in Congress. One physical way they are important is, in both the House and the Senate, the Republicans sit on the right side of the chamber and the Democrats sit on the left. Also, in each house the majority party gets to select the leaders of that body, control the flow of legislative work and to appoint the chairs of all the committees.
* *Leaders of the House work to meet 6 kinds of goals:*
  + Organizing and unifying party members
  + Scheduling work
  + Making certain that lawmakers are present for key floor votes
  + Distributing and collecting information
  + Keeping the House in touch with the president
  + Influencing lawmakers to support their party’s positions
* The Constitution provides for only one presiding officer in the House called the Speaker of the House. A caucus, or closed meeting, of the majority party chooses the House Speaker at the start of each session of Congress and the entire membership approves the choice of Speaker.
* As both the presiding officer of the House and the leader of the majority party, *the Speaker has great power, which includes:*
  + Presiding over the sessions of the House
  + Influencing proceedings by deciding which members to recognize first
  + Appointing members of some committees
  + Scheduling bills for action
  + Referring bills to the proper House committee
  + Follows the Vice President in the line of succession to the presidency

(Current Speaker is John Boehner, R-OH)

* The Speaker’s top assistant is the majority leader. The ML’s job is to help plan the party’s legislative program, steer the important bills through the House and make sure the chairpersons of the many committees finish work on bills that are important to the party. The majority leader is a party official, not a House official, serving as the floor leader for his or her political party and being elected by the majority party.
* The main helper to the majority leader is the whip and deputy whips. These whips serve as assistant floor leaders in the House. The majority whip’s job is to watch how majority-party members intend to vote on bills, to persuade them to vote as the party wishes and to see that party members are present to vote.
* All laws start as bills. A proposed law is called a bill until both houses of Congress pass it and the president signs it.
* To introduce a bill in the House, reps drop it into the hopper, a mahogany box that is accessible to all near the front of the chamber.
* After a bill is introduced, the Speaker of the House sends it to the appropriate committee for study, discussion and review.
* Bills that survive the committee process (about 10-20%) are put on one of the House calendars, which list bills that are up for consideration. The House has 5 calendars. Three are used to schedule different kinds of bills for consideration:
  + The Union Calendar lists bills that deal with money issues.
  + Most other public bills are on the House Calendar.
  + The Private Calendar lists bills that deal with individual people or places.
* The other 2 calendars are:
  + The Consent Calendar is where bills are listed if the House consents unanimously to debate them out of regular order.
  + The Discharge Calendar is used for petitions to discharge a bill from a committee.
* The Rules Committee is important because it serves as a traffic officer, helping to direct the flow of major legislation. It is one of the oldest and most powerful committees in the House. After a committee has considered and approved a major bill, it usually goes to the Rules Committee where it can be moved ahead quickly, held back or stopped completely.

Section 3

* The Senate is called a deliberative body because it deliberates, or formally discusses, public policies.
* Unlike the House, the Senate has no Speaker. The vice president presides but cannot vote except to break a tie. The Constitution names the VP as the Senate’s president, but he does not have the same role or power as the Speaker of the House. In the absence of the VP, the president pro tempore presides. (Pro tempore in Latin meaning “for the time being”) The Senate elects this leader from the majority party and it is usually that party’s longest-serving member.
* As in the House, any Senator can introduce a bill, but the procedures for moving a bill through the Senate are less formal than in the House because the Senate is smaller.
* Senate leaders control the flow of bills to committees and to the floor by consulting closely with one another.
* The Senate has 2 calendars:
  + Calendar of General Orders-lists all the bills the Senate will consider
  + Executive Calendar-schedules treaties and nominations
* Because Senate rules usually allow unlimited debate on any bill, one way for Senators to defeat a bill they oppose is to filibuster against it, meaning they extend debate to prevent a bill from coning to a vote. Filibuster could extend a debate for weeks or months. (During these debates, a Senator can recite Shakespeare as Huey Long did in the 1930s or read the phone book.) Today the rules have been changed to save time and drama. Today, if 60 senators vote for cloture, then the debate is limited to one hour of speaking on a bill.

Section 4

* *The committee system in Congress serves several important purposes:*
  + It allows members of Congress to divide their work among many smaller groups.
  + From the huge number of bills that are introduced in each house, committees select those few that are to receive further consideration. (This is where bills are more closely examined, supporters and opponents of bills are listened to and where compromises are worked out.)
  + By holding public hearings and investigations, committees help the public learn about key problems and issues facing the nation. (These types of committees have called public attention to things like organized crime, safety of prescription drugs, hunger in America, airline safety.)
* Congress has 4 basic kinds of committees:
  + Standing Committees-these are permanent groups that oversee bills that deal with certain kinds of issues.
  + Subcommittee-a group within a standing committee that specializes in a subcategory of its standing committee’s responsibility.
  + Joint Committees-a committee of the House or Senate that usually acts as a study group and reports its findings back to the rest of Congress.
  + Conference Committees-a temporary committee that is set up when the House and Senate have passed different versions of a bill.