

Chapter 5: Congress:  
The Legislative Branch  
Section 1: Congress  
(pg.122-126)

# Congress and the People

- “We the People” means that the people are sovereign.
- However, the people do not take part in national government directly.
- We elect representatives, in regularly scheduled elections to make and carry out the laws.
- Article I of the Constitution gives law making power to Congress, therefore the U.S. Congress is the body through which the will of the people is made into law.



# Representing the People

- The representative represents the people who live within a geographic area and these people are called **constituents**.
- Constituents sometimes have conflicting interests which makes it difficult to represent them.
- In addition to representing their constituents, members of Congress also keep in mind the need of the country as a whole.
- Congress is **bicameral-** meaning two houses, the House of Representatives and the Senate



Rep. Al Green

# Members of Congress

- Members of Congress tend to be older than the average age-in their mid to late fifties.
- Most members of Congress are white men.
- The number who are women, African Americans, Hispanics, or members of other minority groups is low compared to these groups' percentage of the general population.



Sen. Ted Cruz

# The House of Representatives

- The seats in the House are apportioned by population to each of the states.
- **Apportionment** means that each member represents about the same amount of people, around 700,000
- In 1929 the number of house seats was locked at 435.
- They have added nonvoting delegates from DC, Guam, Virgin Islands, & American Samoa.
- The seats are all contested at the same time, every 2 years, which means that the House can swing from one party to another party after one election.

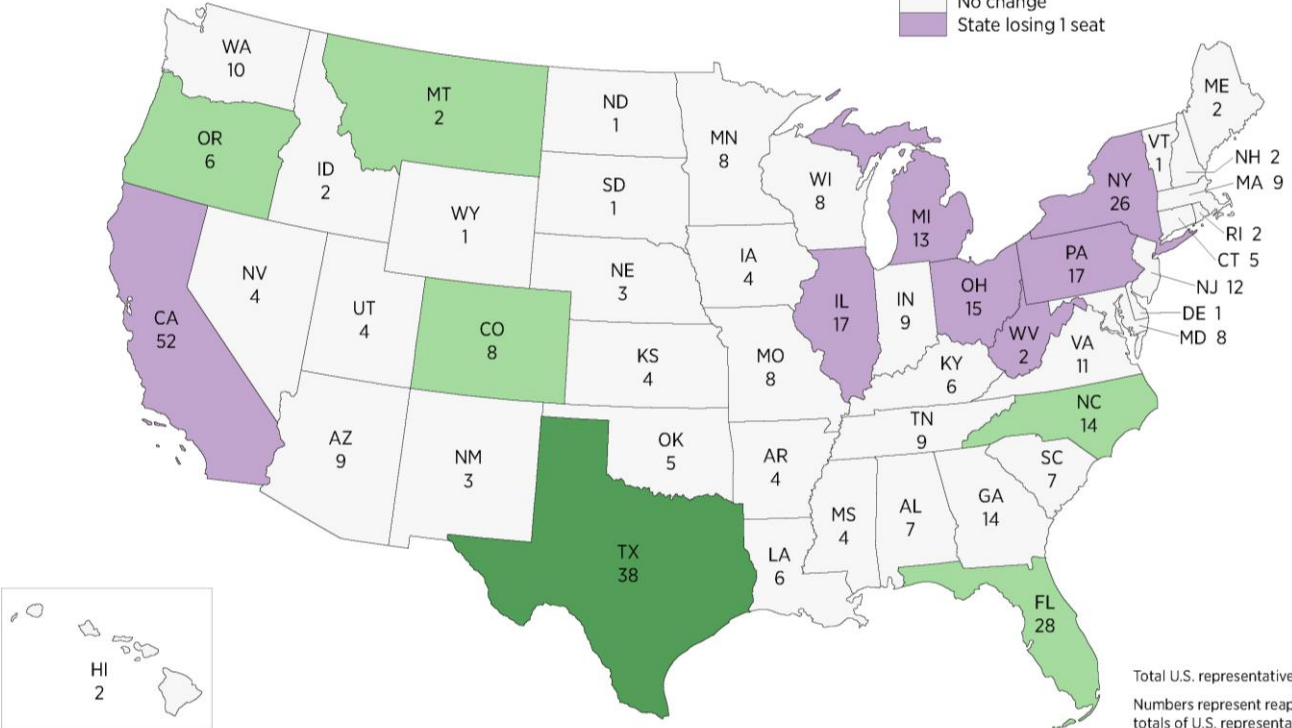


# Apportionment of the U.S. House of Representatives Based on the 2020 Census



**Change from 2010 to 2020**

- State gaining 2 seats
- State gaining 1 seat
- No change
- State losing 1 seat



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

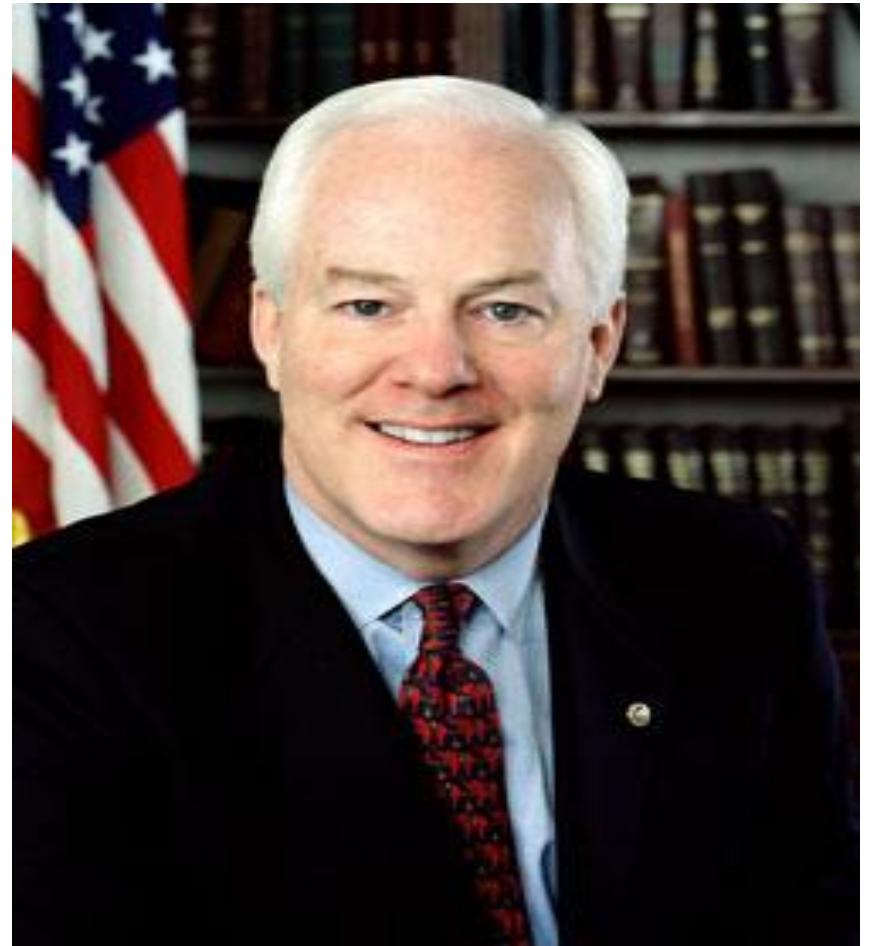
# The Senate

- The Constitution fixes membership in the Senate to 2 Senators from each state, t/f there are 50.
- Originally, the Constitution gave the power to choose senators to state legislatures, but in 1913 the 17<sup>th</sup> Amendment changed this to popular vote in each state.
- The terms are staggered so that a 3<sup>rd</sup> of the senators are up for election every 2 years.
- This prevents major changes in membership due to any one election.



# The Two-House Structure

- The bicameral legislature was influenced by the British Parliament, that has two houses.
- It was the Great Compromise. It combined the Virginia Plan that wanted to make both houses based on population and the New Jersey Plan that wanted one house with equal representation.
- Therefore, the house would be based on population and reflect people's will and every state would get 2 senators picked by state legislatures and serve longer terms
- The Senate, would be less subject to public passions

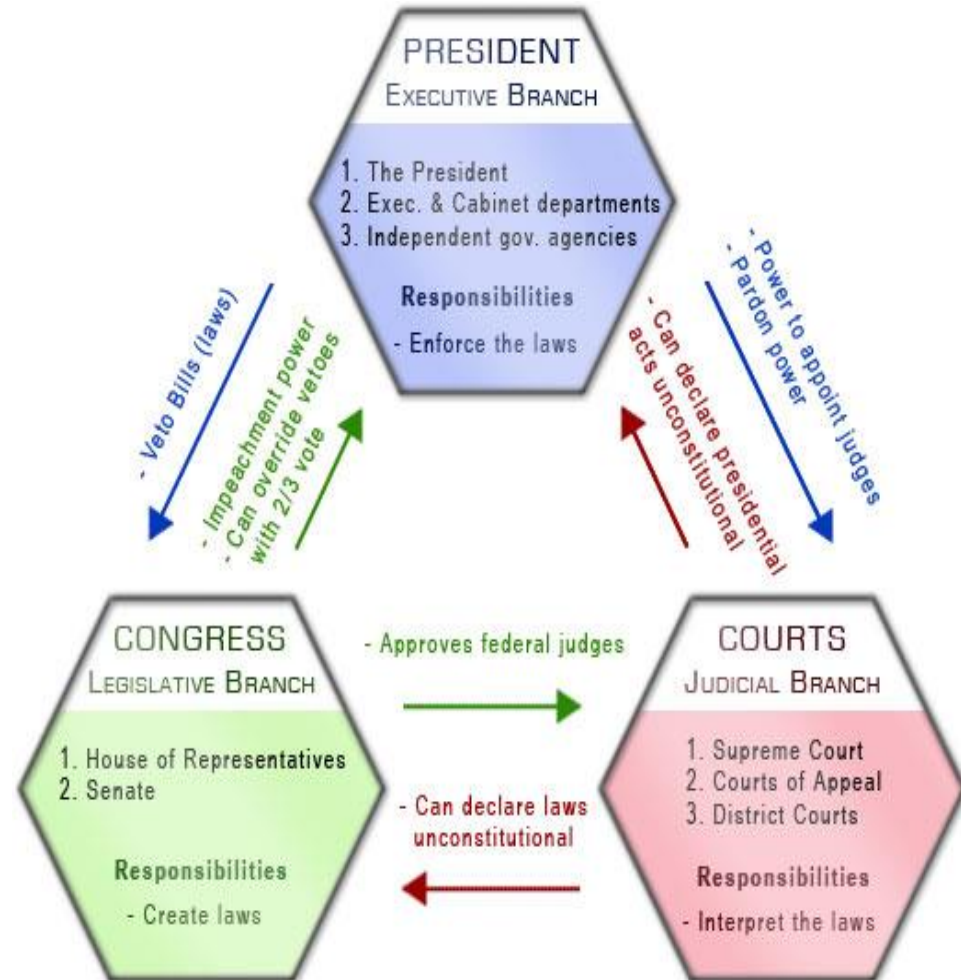


Sen. John Cornyn




# Congress & Checks and Balances

- The **Power of the Purse**, meaning that Congress alone has the power to approve spending.
- They do this by a special act called **appropriation**.
- This bill sets aside funds for specific purposes.
- Congress can stop the other branches of Gov. from spending money on programs it doesn't like.
- Congress can't lower the pay of the President or judges while they are in office.



# Congress & Checks and Balances

- **The Power of Advice and Consent**
- This means that Senate gets to approve treaties with foreign governments.
- The Senate also has to approve of key government officials, like ambassadors, federal judges and Supreme Court justices.
- The Senate has not approved treaties that the President has signed and they have also rejected top presidential appointees.



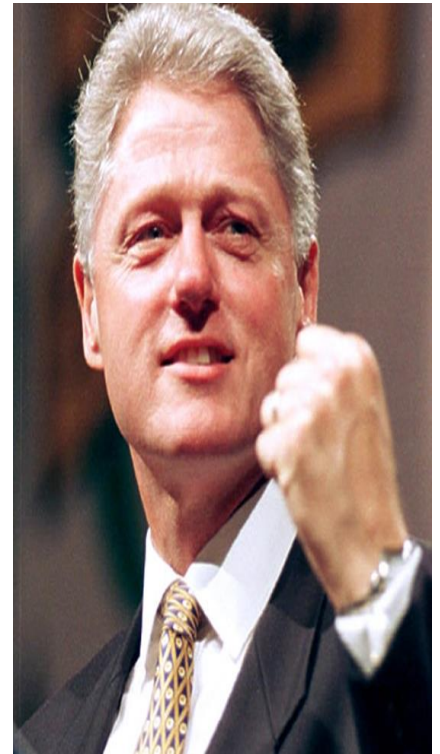
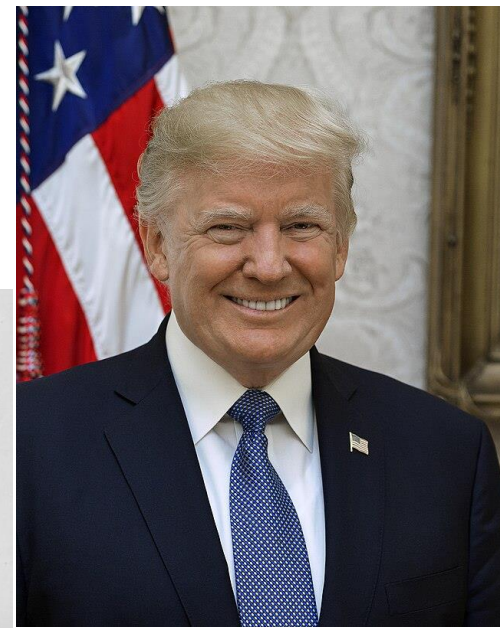
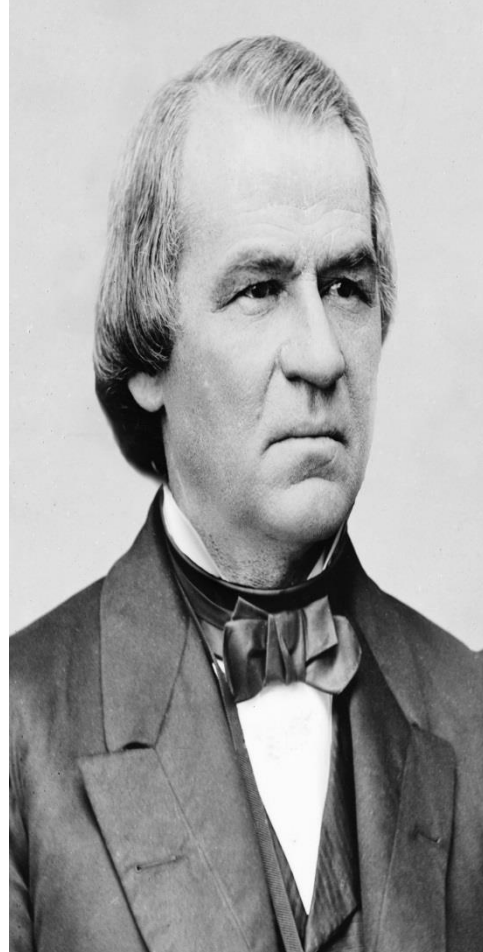
He [the President] shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States.

(Constitution of the United States)

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# Congress & Checks and Balances

- **The Impeachment Power-** this is when Congress charges officials in the executive and judicial branches with wrongdoing and bring them to trial.
- The process starts in the House where they charge the official with a high crime or misdemeanor, with a majority vote
- Then the process goes to the Senate, where they hold a trial. A two-thirds vote is required to remove the official from office.



# Other Checks & Balances

- The Congress can check the power of the judicial branch by starting the process of amending the Constitution.
- Congress also has the power to override a presidential veto with two-thirds vote of both houses. (100 times or 4%)
- Congress also can review how the executive branch is operating, making sure it is following the Constitution. This is called **oversight**.

