

# Unit V - The Congress



## Why Two Houses of Congress?

**Historical:** The British Parliament consisted of two houses since the 1300s, and many colonial assemblies were similar in form.

**Practical:** A bicameral legislature was necessary to compromise the Virginia and New Jersey plans of representation.

**Theoretical:** The Framers favored a bicameral Congress in order that one house might act as a check on the other.

## Terms

A **term** is the length of time that officials serve after an election, as in a two- or six-year term.

### Size and Terms

- The exact size of the House of Representatives, currently at 435 members, is determined by Congress.
- The Constitution provides that the total number of seats in the House shall be **apportioned** (distributed) among the States on the basis of their respective populations.

# Reapportionment

Article I of the Constitution directs Congress to **reapportion**—redistribute the seats in the House after each decennial census.

- As the United States grew in population, the number of representatives in the House also grew.
- The Reapportionment Act of 1929 set the “permanent” size of the House at 435 members, and provided for “automatic reapportionment.”

# Congressional Elections

- Congressional elections are held on the Tuesday following the first Monday in November of each even-numbered year.
- **Off-year elections** are those congressional elections held between presidential elections.

## Districts and Gerrymandering

- Under the **single-member district** arrangement, the voter's in each district elect one of the State's representatives.
- The general-ticket system, no longer in use, provided that all of a State's seats were filled **at-large**.
- Districts that have unusual shapes or even defy description have sometimes been **gerrymandered**.
- Gerrymandering refers to the act of drawing congressional districts to the advantage of the political party that controls the State legislature.

# Qualifications for House Members

- The Constitution says that a member of the House
  - (1) must be at least 25 years of age,
  - (2) must have been a citizen of the United States for at least seven years, and
  - (3) must have been an inhabitant of the State from which he or she is elected.
- The realities of politics also require some informal qualifications, such as party identification, name familiarity, gender, ethnic characteristics, and political experience.

# The Senate

- How does the size of the Senate differ from the size of the House?
- How have States elected Senators in the past and present?
- How and why does a Senator's term differ from a Representative's term?
  - What are the qualifications for serving in the Senate?

## Size, Election, and Terms

- The Constitution says that the Senate “shall be composed of two Senators from each State.” Today's Senate consists of 100 Senators.
- Originally, the Constitution provided that Senators were chosen by the State legislatures.
- In 1912 the Seventeenth Amendment was passed and called for the popular election of Senators.
- Senators serve for six-year terms.
- The Senate is a **continuous body**, meaning that all of its seats are never up for election at the same time.

## Compensation

- Today, Senators and Representatives are paid a salary of \$141,300 a year. Certain members, such as the Speaker of the House and the Senate's President *pro tem*, are paid more.
- The **franking privilege** allows members of Congress to mail letters and other materials postage-free by substituting their facsimile signature (frank) for the postage.
- The Constitution says that Congress fixes its own "compensation." Therefore, the only real limits to congressional pay are the President's veto and fear of voter backlash against a pay increase.



# Congressional Power

(1) The **expressed powers** are granted to Congress explicitly in the Constitution.

(2) The **implied powers** are granted by reasonable deduction from the expressed powers.

(3) The **inherent powers** are granted through the Constitution's creation of a National Government for the United States.

# Strict Versus Liberal Construction

## Strict Constructionists

- **Strict constructionists**, led by Thomas Jefferson, argued that Congress should only be able to exercise (1) its expressed powers and (2) those implied powers absolutely necessary to carry out those expressed powers.

## Liberal Constructionists

- **Liberal constructionists**, led by Alexander Hamilton, favored a liberal interpretation of the Constitution, a broad interpretation of the powers given to Congress.

## Congress Convenes

- Congress convenes every two years—on January 3 of every odd-numbered year.
- The House has formal organizational meetings at the beginning of each term to determine committee membership and standing officers.
- The Senate, because it is a continuous body, has fewer organizational issues to address at the start of each term.

When Congress is organized, the President presents a State of the Union message to a joint session of Congress. This message, in which the President reports on the state of the Nation as he sees it, is given annually.

# The Presiding Officers

## The Speaker of the House

- The **Speaker of the House** is the presiding officer of the House of Representatives and the acknowledged leader of the majority party.
- The Speaker's main duties revolve around presiding over and keeping order in the House.
- The Speaker names the members of all select and conference committees, and signs all bills and resolutions passed by the House.

## The President of the Senate

- The job of **President of the Senate** is assigned by the Constitution to the Vice President.
- The president of the Senate has many of the same duties as the Speaker of the House, but cannot cast votes on legislation.
- The **President Pro Tempore**, the leader of the majority party, is elected from the Senate and serves in the Vice President's absence.

# Party Officers

## The Party Caucus

- The **party caucus** is a closed meeting of the members of each party in each house which deals with matters of party organization.

## The Floor Leaders

- The **floor leaders** are party officers picked for their posts by their party colleagues.
- The party **whips** assist the floor leaders and serve as a liaison between the party's leadership and its rank-and-file members.