Congress: Our Legislative Branch

1. Structure of Congress:
   1. Congress is bicameral (2 Chambers)
      i. House of Representatives
         1. 435 Members
            a. # representatives based off population
         2. 2 year terms
         3. Lower of the two chambers/ closer to the people
         4. Qualifications:
            a. Must be at least 25 years old
            b. Must be a citizen for 7 years
            c. Must live in the state you represent
      ii. Senate:
         1. 100 Members
            a. 2 from each state
         2. 6 year terms
         3. Upper of the two chambers
         4. Elections are staggered (1/3 every 2 years)
         5. Qualifications:
            a. Must be at least 30 years old
            b. Must be a citizen for 9 years
            c. Must live in the state you represent

2. Powers of Congress:
   1. Enumerated Powers/ Expressed Powers (Article I, Section 8)
      i. Powers specifically listed in the Constitution
         1. Tax
         2. Borrow Money
         3. Coin Money
         4. Declare War
         5. Raise and Support Armies/ Navy
         6. Regulate interstate commerce
         7. Establish lower federal courts
         8. Establish post offices
         9. Establish patents and copyrights
         10. Punish counterfeiters
2. Implied powers (Article I, Section 8, Clause 18)
   i. Strongly suggested but not directly stated in the Constitution
   ii. “Necessary and Proper” Clause or the “Elastic Clause”
       1. Congress additional powers absolutely necessary to perform its “enumerated” powers

3. Non-legislative Powers:
   i. Responsibilities of Congress (Checks on the other branches)
      1. Impeach any official accused of wrongdoing
      2. Confirm presidential appointments (majority vote)
      3. Ratify treaties (2/3 vote)
      4. Propose Constitutional Amendments
      5. Power to choose the President if no candidate wins the Electoral College (House of Representatives)

4. Limits on Congressional Power:
   i. Checks the other branches have on Congress
      1. President can veto legislation passed by Congress
   ii. Powers not given to Congress are reserved for the states and the people
      1. 9th and 10th Amendment
   iii. Judicial Review (Marbury v. Madison)
      1. Supreme Court can invalidate laws
   iv. Congress cannot pass the following:
      1. Ex post facto laws
      2. Bills of Attainder
      3. Suspending writs of Habeas Corpus

3. Leadership in Congress:
   1. House of Representatives
      i. Speaker of the House- leading member of majority party
   2. Senate
      i. Vice President
      ii. President pro tempore- for the time being
   3. Majority Party- Party with more than half of the seats in the chamber
   4. Minority Party- Party with less than half of the seats in the chamber
4. Congressional Committee System:
   1. Standing committee- permanent committee, happens every congressional term
   2. Special (Select/ Temporary) committee- called for special issues
   3. Joint (conference) committee- members from both houses are a part of

5. How a Bill Becomes a Law:
   1. Proposal or Introduction
      i. Member of Congress proposes a bill, it is numbered and submitted to appropriate standing committee
   2. Committee Stage
      i. Chairperson decides to take action or pigeonhole the bill
   3. Debate and Vote
      i. Bill with changes will be sent to the floor for debate and vote
   4. Bill sent to other house:
      i. If bill passes one house, it is sent to the other house
      ii. Process repeats itself
   5. Conference Committee Stage
      i. Bill passes both houses of Congress, joint committee called to iron out details
   6. Submitted to the President
      i. Bill is passed by 2/3 vote in both houses
      ii. Goes to The President to sign into effect or veto