

Congress

Magruder Chapter 10

Branches of Government

- Legislative

 - ◆ United States Congress

- Executive

 - ◆ President of the United States

- Judicial

 - ◆ United States Courts System

Legislative

- Bicameral = Two Houses
 - ◆ House of Representatives
 - ◆ United States Senate

Legislative

- The bicameral legislature is a reflection of federalism and was a compromise between the Virginia and New Jersey Plans of 1787
- The two houses of Congress act to check and balance each other

Terms and Sessions

- A TERM is the length of time between elections in Congress
 - ◆ lasts Two Years
 - ◆ Numbered consecutively
 - ◆ Begins at noon on January 3rd of every odd numbered year

Terms and Sessions

- Two SESSIONS for every term
- President may call SPECIAL SESSIONS whenever he wants
 - ◆ To deal with a pressing issue
 - ◆ Congress has been called 26 times
 - ◆ Senate has been called 46 times

House of Representatives

Size and Terms

- Today there are 435 members of the House
- The total number of seats are apportioned among the States on the basis of their population
- Each State is guaranteed at least One seat in the House
- Serve for a Two-Year Term
- No limit on the number of terms a member may serve

Reapportionment Act of 1929

- Seats in Congress apportioned on the basis of population
- House is reapportioned (redistributed) after each census (every 10 years)
- Originally 65 seats in the House
- As population grew so did the size of the House

Reapportionment Act of 1929

- By 1912 there were 435 seats in the House
- In the Census of 1920 - Congress did nothing about the size of the House
- Congress was forced to act before the Census of 1930
- Passed the Reapportionment Act of 1929 to correct the problem

Reapportionment Act of 1929

- Permanent size of the House is 435
- Following each census, the Census Bureau is to determine the number of seats each State should have
- President will submit the plan to Congress
- If neither House rejects the plan within 60 days, it will become law

Reapportionment Act of 1929

- Congress has the legal, Constitutional responsibility for reapportionment
- The Census Bureau has the mechanical chores and political heat of reapportionment
- Today, each seat represents an average of 690,000 people

Reapportionment Act of 1929

- California has the largest number of seats a total of 53
- Seven States have ONE each - Alaska, Delaware, Montana, North Dakota, South Dakota, Vermont, & Wyoming

Congressional Elections

- Date – Congressional elections are held on the Tuesday following the first Monday in November of every even-numbered year
- Off-Year Elections – Congressional elections occurring in non-presidential election years are called off-year elections, in which the party holding the presidency often loses seats

Congressional Elections

■ Districts

- ◆ Members of the House are chosen by the voters in geographical districts in their States; districts drawn by State legislatures

Congressional Elections

- ◆ All seats in the House are filled from single-member districts, in which the voters in each district are able to elect one of the State's representatives from among a field of candidates running in that district

Gerrymandering

- Gerrymandering – Congressional districts often have been gerrymandered, or drawn to the advantage of the faction that controls the State legislature
- Two Forms:
 - ◆ Concentrate the opposition votes in a few districts
 - ◆ spread the opposition votes as thinly as possible among several districts

Gerrymandering

- Idea created by Elbridge Gerry
- A number of States regularly drew districts strictly on a partisan basis

Gerrymandering

- *Wesberry v. Sanders* (1964)

- ◆ Districts in Georgia unconstitutional
- ◆ gave one man - one vote policy
- ◆ States may not be over or under represented in Congress
- ◆ cities and urban areas have since grown in importance

Qualifications - House

- As per the US Constitution:
 - ◆ 25 years of age
 - ◆ Citizen for at least seven years
 - ◆ Live in the State that you want to represent
- By convention:
 - ◆ Must live in the district that you represent

Qualifications - House

- House is the judge of its own elections
- May refuse to seat a member by majority vote
- The Supreme court, in *Powell v. McCormack* (1969), ruled that the House may not exclude any member-elect who meets the Constitution's requirement

Qualifications - House

- May expel a member by 2/3 vote
 - ◆ 3 in 1861 for rebellion
 - ◆ Michael Myers in 1981
 - ◆ Daniel J. Traficant in 2004

United States Senate

United States Senate

- The size of the Senate is fixed by the US Constitution
- Size today - 100 members
- Each State has Two members
- Since 1914, members of the Senate have been chosen by the people at the regular November elections

US Senate

- Each member serves a Six-Year term
- No limit on the number of times one can be re-elected
- Because Senators serve longer terms than House members and because they represent the views of their entire State, senators are expected to focus less on the interests of small localities and more on the interests of their entire States and the nation

Qualifications for Senators

- Senators must be at least 30 years of age
- Must have been a citizen for at least 9 years
- Must have been an inhabitant of the State he or she represents
- The Senate judges the qualifications of its own members
- May exclude a member-elect by a majority vote

Members of Congress

Personal/Political Backgrounds

- Congress is not a representative cross section of the American people
- The average member of Congress is a white male in his mid-50s
- Most members are lawyers, though many have backgrounds in business, education, agriculture, journalism, or professional politics

Duties of the Job

- Members of Congress must act as legislators, committee members, representatives of their constituents, servants of their constituents, and politicians

Duties of the Job

■ Trustees

- ◆ Many members see themselves as holders of the public trust who must decide issues based on merit alone, and not based on the opinions of constituents or any other groups

Duties of the Job

■ Delegates

- ◆ Many members see themselves as agents of those who elected them and believe they should suppress their own views in favor of those of the electorate

Duties of the Job

■ Partisans

- ◆ Many members see themselves as bound to vote on issues according to the party platform and the wishes of party leaders

Duties of the Job

■ Politicos

- ◆ Many members attempt to balance the roles of trustee, delegate, and partisan

Duties of the Job

■ Other roles

- ◆ All members of Congress also must act as servants of their constituents, providing the people back home with a wide range of services, from making appointments to military academies to helping companies in their districts obtain government contracts

Compensation

- Senators and Representatives receive salaries of \$162,100 per year
- Majority and Minority Floor Leaders receive \$180,100 per year
- The Speaker of the House receives \$208,100 per year (the same as the Vice President)

Compensation

- Non-salary compensation – members of Congress receive a wide range of fringe benefits, from low-cost medical care to free printing and distribution of speeches, newsletters, and other materials

Compensation

- The politics of pay
 - ◆ Congress sets its own pay and benefits
 - ◆ The President's veto and voter backlash act to limit salaries

Membership Privileges

- Members may not be arrested for misdemeanors while Congress is in session
- Members are immune from court action because of any speech they may make in Congress