

Name:

## Legislative Branch

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### Background

The United States Constitution has three parts: the preamble, the articles, and the amendments. The preamble is the introduction to the Constitution and the amendments are changes made to the Constitution and the rights that all citizens have. The articles are the bulk of the Constitution and, essentially, describe how the government will work. There are seven articles, each one talking about a different aspect of the government, with the first three focusing on the three branches of government.

The first article is the longest and it describes how the legislative branch of the government, also known as Congress, will be run and organized. In short, the job of the legislative branch is to make the laws, but the powers that the Constitution gives this branch are much more extensive than just that. Congress has three types of powers:

- Expressed powers: Those powers directly written in the Constitution
- Implied powers: Powers not written in the Constitution but needed to perform the expressed powers
- Inherent powers: Powers that belong to all governments

Some of the main powers that Congress has, across all three categories, are the power to:

- To make, pass, or change laws
- To declare war
- To levy taxes (decide how much people have to pay the federal government in taxes)
- Organize all federal courts under the Supreme Court
- To borrow money
- Set a national minimum wage
- Acquire new territories (add new lands to the country or gain control of new areas)
- Control the national borders

Congress is divided up into two branches or "houses": the upper house, also known as the Senate, and the lower house, also known as the House of Representatives. These two houses have to work together to carry out the powers assigned to Congress. Each house is different and has different requirements to be a member, a different number of representatives, different leaders, etc. Below is an outline of the basic facts for the Senate and the House of Representatives.

House of Representatives	Senate
<ul style="list-style-type: none"><li>• Is known as the lower house</li><li>• Called a representative</li><li>• Led by the Speaker of the House</li><li>• Serve a 2 year term</li><li>• 435 total members</li><li>• Representatives per state are based on population</li><li>• Elected by voters from their congressional district (area they serve)</li><li>• Must be 25 years old</li><li>• Must be a U.S. citizen for 7 years</li><li>• Must live in the state they are elected to represent</li></ul>	<ul style="list-style-type: none"><li>• Is known as the upper house</li><li>• Call a senator</li><li>• Led by the Vice-President</li><li>• Serve a 6 year term</li><li>• 1/3 of the senate is elected every 2 years</li><li>• 100 total members</li><li>• 2 senators are elected per state</li><li>• Elected by voters in the state they represent</li><li>• Must be 30 years old</li><li>• Must be a U.S. citizen for 9 years</li><li>• Must live in the state they are elected to represent</li></ul>

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**Legislative Branch Power Scenarios**

Below are different scenarios describing situations that could occur in Congress. Read each scenario and write down which power(s) Congress is using. Also, write one quote from the scenario that supports your belief that a specific power was being used.

1) The President is angry at another country's dictator (ruler) for executing 40 U.S. citizens, while they were on a group vacation, for a crime they will not be specific about. They did not provide the U.S. citizens with a trial, and the country's leader will only say that they were breaking the law and that he would do it again. The U.S. Congress voted to send soldiers to this country to get rid of this dictator. Congress says that this dictator has hurt his own citizens and now is attacking American citizens, which cannot be tolerated.

What power(s) is Congress using? \_\_\_\_\_

What line from the scenario supports your opinion? \_\_\_\_\_  
\_\_\_\_\_

2) Congress comes to together and decides to close the borders to the United States from both Canada and Mexico. They say that no one is allowed in the United States from either of these countries and no citizen of the United States is permitted to enter into either of these countries unless there are extreme circumstances. The U.S. Congress is tired of illegal immigration and thinks that this will send these countries a message. They also dislike Canada's political beliefs and believe their citizens are influencing U.S. citizens negatively.

What power(s) is Congress using? \_\_\_\_\_

What line from the scenario supports your opinion? \_\_\_\_\_  
\_\_\_\_\_

3) The citizens of the United States are angry about the amount of violence that has been occurring over the past year, especially in big cities. These citizens have banded together to protest for stronger punishments against people who commit violent crimes. They are demanding new laws be put in place that consequence these criminals in a way that will prevent them from ever hurting anyone again. Members of Congress propose a law that says if someone is convicted of using a weapon to inflict damage on another person that their minimum sentence must be 20 years. This has not passed into law, but it has been proposed to the other members of Congress.

What power(s) is Congress using? \_\_\_\_\_

What line from the scenario supports your opinion? \_\_\_\_\_  
\_\_\_\_\_

4) Too many citizens in the United States live in poverty (are poor). Citizens have been complaining about the difference between the amount of rich people and poor people and finally the state representatives and senators are starting to listen. In order to fix this problem, some members of

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Congress have raised the minimum wage in the state they represent, but people are still complaining. Congress comes together and decides to pass a new law. It that says the minimum amount of money a worker can make is increased to \$15 an hour.

What power(s) is Congress using? \_\_\_\_\_

What line from the scenario supports your opinion? \_\_\_\_\_

5) The country is in debt. They are so far in debt that the numbers no longer matter; they just keep going farther into debt. A new president comes into the White House and says that he will not approve any new spending by the government, even though Congress really needs more money to pay for a war that the United States has recently gotten involved in. In order to solve this money issue, Congress asks another country for some money and promises to pay them back. The other country agrees and Congress is able to use it to help pay for the war.

What power(s) is Congress using? \_\_\_\_\_

What line from the scenario supports your opinion? \_\_\_\_\_

6) With the country being so far in debt, Congress is looking for ways to fix the problem. After constant debating and arguing, the members of Congress decide to raise the amount of taxes citizens pay by 5%. Although this is a lot, they argue that it is the only way for the country to get rid of the debt problem they have. Congress promises that once the country is doing better, finically, then they will reduce the taxes to their previous levels.

What power(s) is Congress using? \_\_\_\_\_

What line from the scenario supports your opinion? \_\_\_\_\_

7) Recently, there has been a lot of complaining about the length of time it takes for a court case to be heard. Citizens are yelling about the length of time it takes to have criminals put away, giving loved ones closure on their case. Some are also saying that the amount of time someone has to sit in jail before their case is hear can be considered cruel and unusual punishment, which is against the 8<sup>th</sup> amendment. Congress decides to add more federal court houses and judges. They hope that this will speed up the legal process and get people who are accused of a crime a trial quicker.

What power(s) is Congress using? \_\_\_\_\_

What line from the scenario supports your opinion? \_\_\_\_\_

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Legislative Branch Matching

First, cut out the information cards about the two houses of Congress. Then, in the t-chart below, place the facts in the appropriate column.

House of Representatives	Senate

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Is known as the lower house	435 total members
Serve a 6 year term	Call a senator
2 senators are elected per state	Led by the Vice-President
Must be a U.S. citizen for 9 years	Called a representative
Is known as the upper house	Must be 25 years old
1/3 of the senate is elected every 2 years	Must live in the state they are elected to represent
Elected by voters from their congressional district (area they serve)	2 senators are elected per state Led by the Speaker of the House
Representatives per state are based on population	Elected by voters in the state they represent
Must live in the state they are elected to represent	Must be a U.S. citizen for 7 years
Must be 30 years old	Serve a 2 year term
	100 total members

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### Name that house

Below are 21 statements about either the House of Representatives or the Senate. Next to each statement you need to write either an "H" for the House of Representatives or an "S" for Senate.

- 1) \_\_\_\_\_ Is made up of 100 members.
- 2) \_\_\_\_\_ Must be 25 years or older to be a member.
- 3) \_\_\_\_\_ Must be a citizen for 7 or more years before becoming a member.
- 4) \_\_\_\_\_ Are elected by voters from the congressional district.
- 5) \_\_\_\_\_ The leader or presiding officer is the Vice-President.
- 6) \_\_\_\_\_ Members are called Senators
- 7) \_\_\_\_\_ Is made up of 435 members.
- 8) \_\_\_\_\_ The amount of members per state is based on that state's population.
- 9) \_\_\_\_\_ Must be 30 years or older in order to be a member.
- 10) \_\_\_\_\_ The leader is called the Speaker of the House.
- 11) \_\_\_\_\_ Are elected by voters from the state which is being represented.
- 12) \_\_\_\_\_ Is known as the lower house
- 13) \_\_\_\_\_ Serves a 6 year term
- 14) \_\_\_\_\_ Must be a citizen for 9 or more years before becoming a member.
- 15) \_\_\_\_\_ Must be 30 years or older to be a member.
- 16) \_\_\_\_\_ Is known as the upper house.
- 17) \_\_\_\_\_ Members are called Representatives.
- 18) \_\_\_\_\_ Serves a 2 year term.
- 19) \_\_\_\_\_ 1/3 is elected every 2 years.
- 20) \_\_\_\_\_ Must live in the state they represent.
- 21) \_\_\_\_\_ Must live in the state they represent.