

# **THE LEGISLATIVE BRANCH**

from

**The Almost Painless Guide to the Branches of Government**

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# THE LEGISLATIVE BRANCH

## Teacher's Guide Table of Contents

### UNIT OF STUDY GUIDE

Introduction .....	1
Materials in the Unit of Study.....	1
Unit Goals .....	2
Blackline Masters .....	2
Unit Answer Key .....	3

### LEGISLATIVE BRANCH GUIDE

General Description of the Program .....	7
Instructional Notes .....	8
<u>Suggested Instructional Procedures</u>	
Teacher Preparation.....	8
Student Preparation.....	8
Student Objectives .....	9
<u>Follow-Up Activities</u>	
Blackline Masters .....	9
Extended Learning Activity .....	10
Internet Resources .....	11
Answer Key .....	12
Script of Video Narration .....	17



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**THE ALMOST PAINLESS GUIDE TO THE  
BRANCHES OF GOVERNMENT**  
**Unit of Study**  
**Grades 5-UP**

**INTRODUCTION**

This three-part Unit of Study examines the three branches of the American federal government. The three programs (“The Executive Branch,” “The Legislative Branch,” and “The Judicial Branch”) may be used independently, or as a Unit of Study, intended to present a comprehensive approach to all three branches, their independent functions, and their extensive interactions, especially the system of “checks and balances” between the branches.

The Unit of Study includes Unit Goals, which govern the entire three-part package; Unit Assessment Tools, intended to be used prior to and after the presentation of all three lessons; and Unit Culminating Activities, intended to provide closure for the Unit. The Unit of Study materials and goals are delineated at the beginning of this Teacher’s Guide, and the individual lessons are presented thereafter.

The individual programs include lesson assessment tools, intended to be used prior to and after the presentation of each lesson. Each program has its own Teacher’s Guide, which follows the Unit of Study information. The Guide presents the contents of the program, Student Objectives for the lesson, and ensuing activities for each lesson.

**MATERIALS IN THE UNIT OF STUDY**

- Three videos;
- Three Teacher’s Guides, including lesson plans, Student Objectives, follow-up activities, and scripts;
- Unit Pre- and Post-Tests, Unit Goals, and Unit Culminating Activities.

### **Unit Goals**

Unit goals for student comprehension govern the entire three-part Unit of Study. Unit assessment tools and culminating activities reflect these goals.

After participating in all three lessons included in this Unit of Study, students should be able to:

- Identify and explain the basic function of the three branches of federal government.
- Explain how the powers of the national government are distributed, shared, and limited.
- Explain how the three opening words of the Preamble to the Constitution, “We the People...,” embody the principle of the people as sovereign - the ultimate source of authority.
- Explain how legislative, executive, and judicial powers are distributed and shared among the three branches of the national government.
- Explain how each branch of government can check the powers of the other branches.

### **Blackline Masters**

The following blackline masters present the Unit Assessment Tools and Culminating Activities. An Answer Key may be found on pages 3-6 of this Guide.

(1.) **Unit Blackline Masters #1a-1b: Unit of Study Pre-Test** is a Unit Assessment Tool to be used before you present any of the materials in the Unit Study. This tool should clarify student knowledge and misconceptions prior to the commencement of the Unit, and may be contrasted with **Blackline Masters #6a-6h: Unit of Study Post-Test** to gauge student comprehension of the Unit Goals, stated above, after the Unit has been completed.

(2.) **Unit Blackline Master #2: Political Cartoon** asks students to interpret a political cartoon based on the division of power between the branches of government.

(3.) **Blackline Masters #3, 4, and 5: Checks and Balances, More Checks and Balances, and Still More Checks**

**and Balances** asks students to delineate between the powers and responsibilities of the three branches of government. (4.) **Unit Blackline Masters #6a-6h: Unit of Study Post-Test** provides a Unit Assessment Tool based on the Unit Goals, and should be administered after the completion of all three components of the Unit of Study and its Culminating Activities.

### **Answer Key**

#### **Unit Blackline Masters #1a-1b: Pre-Test**

1. A
2. B
3. B
4. A
5. A
6. C
7. A
8. D
9. A
10. D

#### **Unit Blackline Master #3: Checks and Balances**

1. A. legislative  
B. executive  
C. judicial
2. A. executive  
B. legislative  
C. judicial
3. A. judicial  
B. executive  
C. legislative
4. The different powers guarantee that no one branch of the government can become too powerful. While the legislative branch and executive branch are both elected the source of their constituency is different. The executive branch must gain support nationally while the legislative branch need only gain the support of the members of the states they represent. This helps to guarantee that issues

will be viewed from both a national and state point of view. In addition, Supreme Court justices are appointed by the executive branch and confirmed by the legislative branch. Also, the term of office for the legislative branch and executive branch are limited so that the people may control how powerful these officials become. This is especially true of the legislative branch which does not have term limits. Lastly, the term for a member of the judicial branch is for life so as to prevent them from being influenced by political elections or reappointment.

#### **Unit Blackline Master #4: More Checks and Balances**

1. executive
2. legislative
3. judicial
4. legislative
5. executive
6. legislative
7. judicial
8. legislative
9. executive
10. judicial
11. legislative
12. executive
13. legislative
14. legislative
15. executive

#### **Unit Blackline Master #5: Still More Checks and Balances**

1. Possible actions taken by the executive branch: The President would have two basic options; (1) sign the bill into law, or (2) veto the bill.
2. Possible actions taken by the legislative branch: If the President vetoed the bill, the legislative branch could override the veto with a two-thirds majority vote. Because the bill passed with so much support in both the House and Senate, this probably would occur.



3. Possible actions taken by the judicial branch: If a court case made its way through the lower courts to the Supreme Court, the Supreme Court could decide to hear the case. If the Supreme Court decided to hear the case, it could rule the law as either constitutional or unconstitutional because it violates the Second Amendment of the Constitution.

**Unit Blackline Masters #6a-6h: Post-Test**

- |       |                              |
|-------|------------------------------|
| 1. A  | 31. B                        |
| 2. B  | 32. B                        |
| 3. A  | 33. D                        |
| 4. B  | 34. A                        |
| 5. A  | 35. B                        |
| 6. B  | 36. D                        |
| 7. B  | 37. D                        |
| 8. B  | 38. B                        |
| 9. A  | 39. A                        |
| 10. B | 40. D                        |
| 11. A | 41. Bicameral                |
| 12. B | 42. Electoral College        |
| 13. B | 43. Speaker of the House     |
| 14. B | 44. House of Representatives |
| 15. A | 45. Judicial review          |
| 16. A | 46. Appellate jurisdiction   |
| 17. B | 47. Impeach                  |
| 18. A | 48. Congress                 |
| 19. A | 49. Original jurisdiction    |
| 20. A | 50. Veto                     |
| 21. C | 51. E                        |
| 22. D | 52. L                        |
| 23. D | 53. J                        |
| 24. C | 54. L                        |
| 25. A | 55. E                        |
| 26. D | 56. L                        |
| 27. B | 57. J                        |
| 28. C | 58. L                        |
| 29. D | 59. E                        |
| 30. C | 60. J                        |

61.     legislative branch - make laws  
          executive branch - enforce laws  
          judicial branch - interpret laws
62. The President appoints a candidate to fill a vacancy. This candidate is then confirmed by the Senate (legislative branch). The term of the justice is for life; therefore, he is immune from any influences by the other two branches.
63. The executive branch (President) can either sign the bill or veto the bill. If so, the legislative branch can override this veto with a 2/3 majority vote. In this case, the bill will be signed into law. If the law is challenged, it will go to the federal judicial system, which is the judicial branch. The case can eventually be appealed until it reaches the Supreme Court. In which case they can declare it constitutional or unconstitutional.
64. Answers will vary.

**THE ALMOST PAINLESS GUIDE TO THE  
BRANCHES OF GOVERNMENT  
The Legislative Branch  
Running Time: 21 minutes**

**GENERAL DESCRIPTION OF THE PROGRAM**

The Almost Painless Guide to the Branches of the Government: The Legislative Branch uses contemporary footage, archival footage and photographs, original graphics, and dialog narration to provide students in grades five and up with information on the legislative branch of the federal government.

Although the program focuses on the legislative branch, it is considered in context with the executive branch and the judicial branch to examine how each branch checks the others to create a balance of power.

The program looks at the United States Constitution as the foundation of federal government and the concept of “We the People” as the ultimate authority. The system of checks and balances is examined in detail with various graphic and video examples provided. Additionally, we see how power is divided between state and federal governments.

The creation of the legislative branch and the offices of Senator and Representative are examined, along with the powers and responsibilities that their offices entail. We also look at the requirements of their positions, how they are elected, the concept of a bicameral legislature, and the “great compromise.” The law-making process is also considered in a step-by-step analysis.

The program concludes with “The Almost Painless Review,” which offers an excellent synopsis of the entire program. Also, a Video Quiz is provided after the closing credits.

## **INSTRUCTIONAL NOTES**

It is suggested that you preview the video and read the related Suggested Instructional Procedures before involving your students in the lesson activities. In this way, you will become familiar with the materials and be better prepared to adapt the program to the needs of your class.

You will probably find it helpful to follow the video and lesson activities in the order in which they are presented in this Teacher's Guide, but this is not necessary.

It is also suggested that the video presentation take place before the entire class and under your direction. The lesson activities focus on the content of the video; therefore, the presentations should be a common experience for all students.

As you review the instructional program outlined in the Teacher's Guide, you may find it necessary to make some changes, deletions, or additions to fit the specific needs of your students. We encourage you to do so, for only by tailoring this program to your students will they obtain the instructional benefits afforded by the materials.

## **SUGGESTED INSTRUCTIONAL PROCEDURES**

### **Teacher Preparation**

- Preview the video The Legislative Branch.
- Duplicate any blackline masters you intend to use.
- Read the descriptions of the blackline masters.

### **Student Preparation**

The students should be supplied with the necessary copies of blackline masters required to complete the activities supplied. Teachers can extend any of the lessons on legislative powers by analyzing current events articles.

## STUDENT OBJECTIVES

After viewing the videotape, The Legislative Branch, and participating in follow up activities, students should be able to:

Define the powers of the legislative branch as the power to:

- establish committees to oversee activities of the executive branch;
- impeach the President, other members of the executive branch, and federal judges;
- pass laws over the President's veto by a two-thirds majority vote of both Houses;
- disapprove appointments made by the President;
- propose amendments to the United States Constitution.

Describe and define the following:

- the creation and function of the legislative branch;
- requirements for becoming a member of Congress;
- the process by which a bill becomes law;
- the structure of the House of Representatives and the Senate;
- the role of committees;
- the role of the Speaker of the House;
- the role of the Vice-President;
- the powers of Congress.

## FOLLOW-UP ACTIVITIES

### BLACKLINE MASTERS

The following duplicable blackline masters are included with this guide. An Answer Key appears on pages 12-16.

(1.) **Blackline Master #1: Pre-Test** is an assessment tool intended to gauge student comprehension of the Objectives prior to the launching of the legislative branch lesson, which

includes the video and the ensuing activities. The results of the Pre-Test may be contrasted with the results of the Post-Test (**Blackline Masters #8a-8b**) to assess the efficacy of the lesson in achieving the Student Objectives.

(2.) **Blackline Master #2: Video Quiz** is a printed copy of the questions which appear at the end of the video presentation. The Video Quiz is intended to reinforce the salient points of the video immediately following its completion and may be used for assessment or as a catalyst for discussion.

(3.) **Blackline Master #3: Vocabulary** is a list of pertinent terms and definitions.

(4.) **Blackline Master #4: Discussion Questions** offers a series of questions to spur discussion and help identify student misconceptions and comprehension.

(5.) **Blackline Master #5: State Student School Board Proposal** asks students to propose an election process for a student-run state school board.

(6.) **Blackline Masters #6a-6b: Powers of Congress** helps students identify actions allied with expressed powers of Congress.

(7.) **Blackline Masters #7a-7b: Congress Comparison** contrasts the House of Representatives and the Senate.

(8.) **Blackline Masters #8a-8b: Post-Test** is an assessment tool to be administered after the lesson (Pre-Test, video, and follow-up activities) have been completed.

### EXTENDED LEARNING ACTIVITY

The following activity may be assigned to more advanced students:

**Congressional Simulation** is a game in which students assume the position of legislators. Students are divided into committees which develop and try to enact legislation. At the end of the game, the results of the attempts to pass specific legislation are tallied, based on a point system. The game is designed to take place over several days, or “terms.”

Instructions and materials for the game are included with the blackline master sheets for this program and may be duplicated and distributed as needed. They are labelled “Extended Learning Activity” and numbered 1 through 18.

A Teacher’s Instruction Sheet accompanies the game. You may wish to review this information before commencing the game.

### INTERNET RESOURCES

- (1.) Government Servers:

**<http://www.eff.org/govt.html>**

This server contains a host of links to both foreign and domestic governments. In addition, there are several links that will give detailed information about the legislative branch and related offices.

- (2.) The Democratic Party On-Line:

**<http://www.democrats.org>**

This server contains detailed information about the Democratic Party and its candidates.

- (3.) The Republican Main Street:

**<http://www.rnc.org>**

This server contains detailed information about the Republican Party and its candidates.

- (4.) Welcome to the White House:

**<http://www.whitehouse.gov>**

This server contains links to other offices and departments for which the executive branch is responsible. In addition, it contains detailed historical information about the office of the President.

- (5.) National Archives and Records Administration:

**<http://www.nara.gov/nara/president/address.html>**

This server will allow viewers to select a President and visit the website of his presidential library.

## **ANSWER KEY**

### **Blackline Master #1: Pre-Test**

1. B
2. B
3. A
4. B
5. A
6. A
7. B
8. B
9. B
10. B

### **Blackline Master #2: Video Quiz**

1. A
2. B
3. A
4. A
5. A
6. B
7. B
8. D
9. C
10. C

### **Blackline Master #4: Discussion Questions**

1. Two groups make up the legislative branch: the House of Representatives and the Senate. Bicameral means that the legislature (law-making body) is made up of two houses.
2. Amendments are “new rules,” or modifications, that are made to the Constitution.
3. The citizens of our country grant the government and its leaders the privilege of governing us for the common good. “We the People” are the ultimate authority. The framers of the Constitution made sure there were checks and balances built in, so that no one branch of government could become too powerful.



4. Congress can make an effort to remove the President; this process is called “impeachment.” The Senate (one-half of Congress) also has the ability to approve or disapprove of an appointment made by the President.

5. Congress, or both the Senate and the House of Representatives.

6. The “great compromise” was the combination of both the Virginia and New Jersey Plans, which resulted in a bicameral legislature. The Virginia Plan was the concept of having a law-making body whose composition was based upon state population. The New Jersey plan was the concept of having all states represented equally in the legislature. Thus, the Senate was created as a result of the New Jersey plan, and the House of Representatives was created as a result of the Virginia Plan.

7. A Senator: at least 30 years of age, a citizen of the United States, and a resident of the state from which s/he was elected. The term of office is six years, with unlimited possibilities for re-election. New elections are held every two years.

A Representative: at least 25 years of age, a citizen of the United States for at least seven years, and a resident of the state s/he is representing. The term is for two years, with unlimited possibilities for re-election.

8. Most of the work of Congress is done in committees. There are 16 standing committees in the Senate and 22 in the House.

9. Congress has the power to propose and pass new laws and to assess and collect taxes. However, only the House of Representatives has the power to originate bills to raise money. Both houses can decide how the money is spent.

10. Once Congress has passed a law, the President can veto it, which is to say that s/he refuses to allow that bill to become law. However, Congress can override a Presidential veto by a 2/3 majority vote. If a law is contested through the court system, it can eventually reach the Supreme Court, in which case the Supreme Court can either uphold the law or identify it as unconstitutional.

11. Veto - refusal by the President to approve a law.  
Pocket Veto - means by which the President may kill a bill passed during the last ten days Congress is in session by simply refusing to act upon it.  
Line Item Veto - the ability of the President to veto individual items on a bill.

**Blackline Masters #6a-6b: Powers of Congress**

1. E
2. F
3. C
4. A
5. B
6. D
7. G
8. H
9. L
10. K
11. I
12. J

**Blackline Masters #7a-7b: Congress Comparison**

How does the House of Representatives differ from the Senate?

1. The House has more committees: 23; the Senate has 20.
2. There are more Representatives than Senators.
3. The House's leader is directly elected by the members of the House, but the leader of the Senate is the Vice-President. He is indirectly elected with the President in a national election.
4. The House has the power to call to start the proceedings of impeachment. While the Senate hold the hearings for the impeachment process.
5. House members can be as young as 25 to be elected to office, whereas Senators must be at least 30.
6. House members must be a citizen for at least seven years and Senators must be citizens for at least nine years.

7. A House member serves a two year term, but a Senator serves a six year term.

How is the House of Representatives similar to the Senate?

1. They must both be a resident of the state from which they are elected.
2. They both represent the people who elected them, their constituents.
3. Both houses have the same legislative powers, neither has power over one another.
4. They both have individuals which are selected from their membership to lead both of the political parties.
5. Both are elected by a direct popular vote.

**Blackline Masters #8a-8b: Post-Test**

1. B
2. A
3. A
4. B
5. A
6. B
7. D
8. B
9. C
10. C
11. E
12. D
13. A
14. B
15. C

**Essay**

Answers will vary, but all should have supporting details to prove their arguments:

The election of the members of the legislative branch is done through a popular vote. All actions that are taken by the legislature are done by either a majority or a 2/3 majority vote. Due to the fact that the legislature is voted on by the people, the actions by Congress are an extension of the

**people. This includes the passing of laws, impeachment, and confirmation of judges and other officials. If a member of Congress does not act in a fashion which reflects the will of the people, s/he may not be re-elected.**

**THE ALMOST PAINLESS GUIDE TO THE BRANCHES OF**  
**GOVERNMENT**  
**THE LEGISLATIVE BRANCH**  
**SCRIPT OF NARRATION**

**Harlan:**

Hang on! Hang on! We have to stop right there.

**Marie:**

What are you doing? We just got started, Harlan.

**Harlan:**

Look at that title art, Marie!

**Marie:**

Oh, I see what you mean. It is a little extravagant?

**Harlan:**

No, no, no, no.

**Marie:**

Overly impressive?

**Harlan:**

No.

**Marie:**

Patriotic?

**Harlan:**

Well, yeah, all those things perhaps, but that never stopped us before.

**Marie:**

Obviously.

**Harlan:**

This title is simply untrue!

**Marie:**

Chill, Harlan! There. Does that help?

Harlan:

Well, at least it's a little more honest.

Marie:

It's totally true! The fact is I find the branches of government fascinating, especially the legislative branch. It's the most complex,

Harlan:

Torture.

Marie:

The most challenging,

Harlan:

Torture.

Marie:

And, in many ways, the most fun branch to learn about!

Harlan:

Torture, torture, torture. Worse! Required torture!

Marie:

Learning about the branches of government and, in particular, the legislative branch, may be required, Harlan, but it's certainly not torture!

Harlan:

To you.

Marie:

What?

Harlan:

I said, "I'm sure that'll be true!"

Marie:

Really?

Harlan:

Thanks to you!

Marie:

Oh, well, I'm flattered.

Harlan:

It's just that I get confused, especially between all those "houses" and the Congress and...

Marie:

The Senators.

Harlan:

That I understand.

Marie:

You do?

Harlan:

Yeah, great team, good outfield, great potential. Oooh, look at that hit!

Marie:

Not those Senators! But, since all life revolves around sports for you, let me put this in terms even you can understand.

Harlan:

Now, I'm flattered.

Marie:

Think of the branches of the U.S. government as one big game plan, only for our country.

Harlan:

Makes sense, at least to me. So then the "teams" would be the executive branch, the judicial branch, and the legislative branch. And the "players" would be the President, the Supreme Court Justices, and the members of the House of Representatives and the Senators. Great team.

Marie:

Right. And the game “rule book” would be our Constitution!

Harlan:

Got it! Unchangeable, unbendable rules!

Marie:

Close. Though actually, as times change, the rules can change, through “amendments,” or modifications to our Constitution.

Harlan:

I knew that.

Marie:

Today, we’ll concentrate on the legislative branch and the role of the Congressmen and women who make up the Senate and the House of Representatives. But first, we have to mention the most important players in our system of government.

Harlan:

Who are they?

Marie:

Us.

Harlan:

Us?

Marie:

We, the people.

Harlan:

“We, the people.” Pretty fancy-schmancy. I would have just said “us,” but, and correct me if I’m wrong...

Marie:

Count on it.



Harlan:

Haven't I heard that phrase before somewhere?

Marie:

Well, I certainly hope so! Those three words are vitally important to understanding our entire system of government, Harlan. They're the first three words of our Constitution. Unlike other countries, we, the citizens of The United States, granted our government and its leaders the privilege of governing us for our common good. But, this is very important, "we the people" are the ultimate authority

Harlan:

No kings, queens, or dictators for us!

Marie:

Got it! And the framers of our Constitution made sure there were checks and balances built in, so that no one branch of the government that we established could become too powerful.

Harlan:

So the branches operate sort of like "referees" for each other.

Marie:

You could say that.

Harlan:

Just did.

Marie:

Back in 1788, our Constitution went into effect, creating a federal government. In April of the following year, the first Congress met, with 20 Senators and 59 Representatives.

Harlan:

And popular, good-looking Senator Fred W. Federal was voted "most likely Congressman to have a major movie career" and ever since then it's been known as a "federal government."

Marie:

I'm not going to dignify that nonsense with a comment. It's called a "federal system of government" because it shares its power and responsibilities with the individual states.

Harlan:

I get it, so that's why a state like say, Nebraska, doesn't coin its own money, or decide to declare war on Tonga.

Marie:

Right, you won't see any "Corn Husker currency" or even a "Nebraska Navy," but, at the same time, the states reserve many powers for themselves, like operating schools, setting local laws, collecting taxes.

Harlan:

They're real good at that.

Marie:

No comment. Now, at the Constitutional Convention...

Harlan:

Held in Fred Federal's oh-so-cozy ski chalet.

Marie:

Held in Philadelphia!

Harlan:

Bad skiing choice.

Marie:

Stop it already. Now, remember that the individual colonies that later became states were understandably very concerned about creating too strong a central government.

Harlan:

Well, naturally, they'd just finished a war over the tyrannical rule of England. Does England even have any ski slopes?

Marie:

I can't hear you. So, to protect and preserve the states' rights, but at the same time establish an effective national government, a federal system was designed in which the three main functions of government would be held by three separate branches: the legislative branch, or Congress, was empowered to make laws; the President, through the offices of the executive branch, was charged with assuring the laws were faithfully executed; and the judicial branch, or the Supreme Court, was established to interpret the laws as they apply to the Constitution. Their powers were clearly defined, and limited, at the Constitutional Convention.

Harlan:

And that provides a system of checks and balances!

Marie:

That's right. For example, while the President is our Commander-In-Chief of the armed forces, only Congress can declare war.

Harlan:

When we say Congress, we mean the legislative branch, right?

Marie:

Correct. And while the President can veto any law passed by Congress, Congress, made up of the Senate and the House of Representatives, can override an executive branch veto with a two-thirds majority vote; and Congress can impeach federal judges, or even the President.

Harlan:

Impeach?

Marie:

With a majority vote, the House of Representatives can bring legal action against a President to try to remove him from office. And the Senate could remove a President by that same two-thirds majority vote, if he were convicted.

Harlan:  
Bummer!

Marie:  
The legislative branch can also approve or reject appointments made by the executive branch.

Harlan:  
That's the President.

Marie:  
Right. For example, the Senate can approve or reject the appointment of a Supreme Court Justice, or a treaty made by the President.

Harlan:  
So this checks and balances system really seems to work. You were right, those convention farmers did real good!

Marie:  
Well. They did well. But not all of them were farmers.

Harlan:  
Okay fine, but you called them, and I quote, "the farmers of the Constitution."

Marie:  
Framers of the Constitution, Harlan, framers.

Harlan:  
Whatever. The important thing is that Article one, section one, of the Constitution says, "All legislative powers shall be vested in a Congress Of The United States,"

Marie:  
"Which shall consist of a Senate"

Harlan:  
"And a House of Representatives." One Congress with two houses. That's known as "bi-cameral."

Marie:

Right. The Senate consists of two Senators from each state.

Harlan:

Hold on. Every state gets two Senators?

Marie:

Right.

Harlan:

Texas and Rhode Island?

Marie:

Two each.

Harlan:

California and Wyoming?

Marie:

Two each.

Harlan:

Is that fair?

Marie:

Very. Fair representation in Congress was a major stumbling block during the Constitutional Convention.

Harlan:

Held in scenic...

Marie:

Philadelphia! See, the larger states, such as Virginia, naturally wanted representation to be in proportion to population. That was known as the "Virginia Plan," but that would have allowed the big states to dominate legislation. The smaller states wanted equal representation regardless of size. This was called the "New Jersey Plan."

Harlan:

Hold on, I get it! That's why it was called "the great compromise," and why the legislative branch has two parts! The Senate, with only two representatives from each state regardless of size,

Marie:

And the House of Representatives, with each state being represented according to its population. I'm proud of you, Harlan.

Harlan:

All right, I'm on a roll here. Actually this is pretty painless. Now, 'splain to me how I get to be a Senator or a Representative.

Marie:

"'Splain?"

Harlan:

It's an expression.

Marie:

Next year: "Marie's Painless Guide To Vocabulary."

Harlan:

Let's say I want to be a Senator.

Marie:

Frightening thought, but you're certainly old enough, because you must be at least 30 years old, a citizen of the United States for nine years, and a resident of the state from which you were elected.

Harlan:

Oh, you mean I have to be elected to the Senate? Shoot.

Marie:

Actually, up until 1913, Senators were appointed by state legislatures.

Harlan:

Born too late.

Marie:  
Yeah, right. The 17th amendment,

Harlan:  
Rule change!

Marie:  
Requires Senators to be chosen by popular election.

Harlan:  
Well, that lets me out. You have to be elected and popular!

Marie:  
Your term, and I use the term “your” loosely, would be for six years. New elections are held every two years, when one third of the Senate’s terms expire.

Harlan:  
I don’t suppose it’s any easier to get in to the House of Representatives, is it?

Marie:  
Well, the age requirement drops to 25, which doesn’t help you any.

Harlan:  
Thanks for pointing that out.

Marie:  
You must be a citizen of the United States for at least seven years, and a resident of the state you are representing. There are, however, a lot more members of the House.

Harlan:  
More members, better chance!

Marie:  
More like, no chance. Anyway, the number of representatives from each state is in proportion to the state’s population. More population, more representatives. But, each state gets at least one member.

Harlan:

What if a state's population goes up or down?

Marie:

Actually that's a good question. I'm amazed. After each national census, the House is "reapportioned" to reflect the population of the states accurately.

Harlan:

That seems fair.

Marie:

I agree. All the members of the House are elected as direct representatives of the public every two years.

Harlan:

So let's just say I'm elected a Senator. I zip on over to the White House, crack a few jokes with the Supreme Court, then all the Representatives and the Senators jam ourselves into the conference room and pass a bunch of new laws!

Marie:

As usual, you have managed to capture the spirit of the subject with none of the facts. The House and Senate do meet jointly for the President's annual State of the Union address at which the President...

Harlan:

The executive branch.

Marie:

Usually propose his agenda for the both houses to consider in their lawmaking sessions. The House and the Senate also meet jointly every four years to count electoral votes during presidential elections, and when the President or foreign dignitaries address both houses. But normally each house of Congress meets separately in the Capitol building.

Harlan:

So our Congressmen and women...



Marie:  
Thank you.

Harlan:  
You're welcome. ...spend all day passing laws, huh?

Marie:  
Hardly, the fact is most of the work is done in committees. There are 16 standing committees in the Senate and 22 in the house. And before you even get a chance to make any dumb jokes about it, "standing" just means they are permanent committees.

Harlan:  
Marie? A joke that bad? It's beneath me.

Marie:  
So, I stand corrected then.

Harlan:  
(Groan) So then it's the committees who spend the most time considering new legislation.

Marie:  
Right, and don't forget that the Constitution gives Congress powers other than just proposing and approving new legislation, Harlan. Congress also has the power to assess and collect taxes. However, only the House of Representatives has the power to originate bills to raise money, although both houses decide how to spend the money collected.

Harlan:  
And only the House of Representatives can begin those messy impeachment proceedings. In that case, the Senate would act as the court in which an impeachment trial would be held.

Marie:  
Congress, as well as individual states, can also recommend amendments to the Constitution, which the states would then have to approve. But now, lets get to the real nitty-gritty: How a resolution, a proposed law, or "bill," becomes a law.

Harlan:

“Nitty-Gritty.” Marie, you’re starting to sound like me. Scary!

Marie:

Here we go: Bills introduced in either house are first sent to the committee having jurisdiction over them.

Harlan:

And they give it two thumbs up or down and then go to lunch!

Marie:

No, the committee can kill a bill.

Harlan:

Ouch.

Marie:

Bury it.

Harlan:

Almost as bad.

Marie:

Or amend, and change it.

Harlan:

Congress sure seems to love to amend.

Marie:

Sometimes it sure seems that way.

Harlan:

So, our bill has been altered, but it’s still alive and kicking! What then?

Marie:

It goes to the floor of the house of Congress that originated it, for debate and passage, and, of course, it may be amended.

**Harlan:**  
Changed again, but still...

**Harlan and Marie:**  
Alive and kicking.

**Marie:**  
A bill passed in one house is sent to the other for debate, it may be passed as is, amended and passed, or defeated.

**Harlan:**  
What happens if one house doesn't accept the version of a bill passed by the other house, Marie?

**Marie:**  
It gets sent to a conference committee made up of members of both houses to try to reach a compromise.

**Harlan:**  
And if the bill was approved by both houses?

**Marie:**  
In that case, the bill is signed by the Speaker of the House, who presides over the House of Representatives, and the Vice-President of the United States, who presides over the Senate.

**Harlan:**  
I could be a Speaker. Heck, I'm one right now! How is he chosen?

**Marie:**  
Traditionally, the Speaker of the House is the choice of the political party in the House of Representatives with the most members - the majority.

**Harlan:**  
Got it. Okay, then what happens?

**Marie:**  
Then, the bill goes to the President for his approval.

Harlan:

Do I see that “balance of power” concept creeping right about here?

Marie:

Yep, the system of “checks and balances” at its finest, between the Legislative and executive branches before a bill become a new law. And, after the bill becomes a law, the judicial branch provides a further check and balance by making sure the proposed legislation doesn’t violate the Constitution.

Harlan:

What if the President doesn’t sign the bill?

Marie:

It’s called a veto, Harlan. But the Congress can override the President’s veto by a two-thirds vote by both houses in favor of the new law.

Harlan:

More checks and balances.

Marie:

Correct-a-mundo! If the bill doesn’t get a two-thirds vote in both houses, it’s dead.

Harlan:

So close, and yet so far. What would happen if a President simply didn’t sign or veto a bill?

Marie:

Well, if a bill is not signed or returned to the houses by the President within ten days, it become law. That’s assuming Congress is meeting at the time, of course. If Congress has adjourned, the bill wouldn’t automatically become law.

Harlan:

Naturally.

Marie:

By the way, that's called a "pocket veto."

Harlan:

Kind of an indirect way to kill the bill, huh?

Marie:

Exactly.

Harlan:

You know, I don't think I'm going to run for the House or the Senate.

Marie:

Wise move. Too much work, huh?

Harlan:

Yeah, way more than I imagined.

Marie:

And you know, Harlan, Congress has a lot of other responsibilities I haven't even mentioned yet.

Harlan:

Really?

Marie:

Yeah. For example, it has legal control over the employment of government personnel, and oversees government printing, the Congressional budget, the Botanic Garden, the Copyright Royalty Tribunal, the Library of Congress, and many more.

Harlan:

Enough already! I'm convinced I should put my considerable talent to work elsewhere.

Marie:

I'd love to see the day where you work anywhere!

Harlan:

Very cute. You know, all this talk about Congressmen and the Capitol building and Washington, D.C., I'm starting to get that strange urge I...

Harlan and Marie:

...always seem to get about now.

Harlan:

FIELD TRIP!!!

Harlan:

Wow! It looks just like I imagined it! I wonder if my library card would work in the Library of Congress?

Marie:

Wow, did you know that dome is 288 feet high?

Harlan:

No I didn't, although I don't remember asking.

Marie:

You know, Harlan, our first President, George Washington, helped choose this site for the seat of our government.

Harlan:

Gee, can't we just have a fun-filled field trip like everybody else, does it have to be so educational? Shoot, we're almost out of time.

Harlan:

Home!

Marie:

That was fun. Capitol Hill is so beautiful, but I'm glad to be back. And I'm ready for one of our soon-to-be-famous painless reviews.

Harlan:

I'll try to stay awake.

Marie:

What?

Harlan:

I said, "I can hardly wait."

Marie:

Ready? I promise this won't hurt a bit:

Marie:

The Congress of the United States, is the legislative branch of the federal government, established in Article One of the Constitution.

Harlan:

Congress consists of two houses, the Senate and the House of Representatives.

Marie:

The Senate has two Senators from each state, who serve six-year terms and are chosen by popular election. Every two years, one-third of the Senate is elected.

Harlan:

The House of Representatives consists of members apportioned among the states according to their population in the federal census.

Marie:

Representatives are elected from Congressional districts drawn up by the state legislatures and serve two-year terms.

Harlan:

The House's elected presiding officer, the Speaker, is traditionally the consensus choice of the majority party. The Vice-President of the United States is the presiding officer of the Senate, but the agenda is set by the majority leader.

Marie:

Most of the work in both houses is transacted by standing committees in which both majority and minority members are represented.

**Harlan:**

Each chamber has an equal voice in legislation, although revenue bills must originate in the House.

**Marie:**

The Senate must ratify all treaties by a two-thirds vote. It also confirms important presidential appointees.

**Harlan:**

A presidential veto of Congressional legislation can be overridden by a two-thirds vote in each house.

**Marie:**

Whenever an item of legislation is approved in varying forms by the two houses, the differences are reconciled by a joint, or conference, committee that includes members of both chambers

**Harlan:**

Wow! Painless and fast!

**Marie:**

Thank you and I think pretty interesting as well.

**Harlan:**

Yeah, particularly the field trip. I love Washington, D.C.

**Marie:**

Oh, and the Capitol Building is too cool. Did you know the British burned down the first one in 1814?

**Harlan:**

Do they never learn? We always whip 'em...