

Time Needed: One class period

Materials Needed:

Student worksheets

Copy Instructions:

Reading (2 pages; class set)

Primary Document Activity (1 page; class set)

Review Worksheet (1 page; class set)

Learning Objectives. Students will be able to:

- Explain the structure and powers of the legislative branch of the U.S. federal government.
- Describe the legislative process in the U.S. Congress
- Identify the legislative branch's role in the system of checks and balances/separation of powers.
- Analyze a primary source (excerpts of Article I)

STEP BY STEP

- ☐ **ANTICIPATE** by asking students to think of at least two things they know about the United States Congress. Ask students to volunteer one thing each. (You can note these for the class to see, then return to them once the lesson is over to see if they covered the same ground.)
- ☐ **DISTRIBUTE** one "Congress in a FLASH" reading page to each student.
- ☐ **READ** through the first reading page with the class. Allow them a little time to read over the chart at the bottom of the page.
- ☐ **ASK** students what senators and representatives have in common (represent voters, work in DC, have age and citizenship restrictions, etc.) Then ask how they differ (length of term, age and length of citizenship required, special duties, etc.)
- ☐ **READ** the second reading page with the class. Pause to discuss why some powers, like punishing pirates, may seem out of date now but were very important in the 1700s. Also walk through the lawmaking process, explaining each step as needed.
- ☐ **DISTRIBUTE** one Primary Document Activity and Review Worksheet to each student.
- ☐ **REVIEW** the directions for the Primary Document Activity. Explain that this is the actual text of the Constitution, so the spelling and meaning of words have changed over time. The challenge is to use the clues in the text and what they have learned in the reading to answer the questions. You may want to go through this activity together or have students work independently.
- ☐ **REVIEW** the answers of the Primary Document Activity with the class.
- ☐ **ASK** students to complete the activities in the review worksheet.
- ☐ **REVIEW** the answers to the worksheet items.
- ☐ **CLOSE** by asking students to review the items they shared at the start of class. Were any items wrong, right, close?

What is Congress?

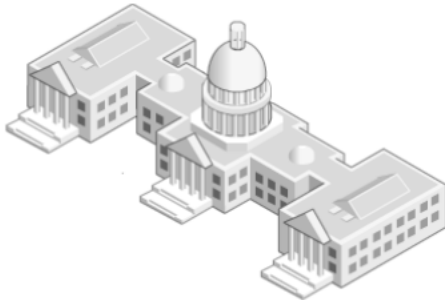
The United States Congress is the **legislative** (lawmaking) branch of our federal government. Congress meets in Washington, D.C. to make **federal laws**—laws that apply to the entire country. Congress is **bicameral**, which means it is made up of two chambers: the Senate and the House of Representatives. Each chamber includes elected officials from all fifty states. Congress was created by the Constitution, and that document describes how this branch of government works.

Legislate: a verb that means "to make laws"

Legislator: a person who makes laws

Legislative: an adjective that means "lawmaking" (the *legislative* branch is the lawmaking branch)

Legislation: a written document that is or may become a law



Why Congress?

When the Constitution was written, the goal was to create a government that represented the people. Congress works toward this goal by creating laws that reflect the needs and wants of United States citizens. The work Congress does serves the nation as a whole. Senators help by representing the needs of their entire state, while members of the House (also called Representatives) work for the people in a specific section of their state.

How does it work?

All of the instructions for Congress can be found in the first section of the Constitution, Article I. It is the longest section of the Constitution, and it covers a lot of ground. How old do you have to be to serve in Congress? How long do you get to serve? How does Congress relate to the other branches? All of this and more can be found in a close read of Article I, but this handy chart shows some of the basics!



	The Senate	The House of Representatives
Size	Two senators from each state = 100 total	The number of representatives from each state depends on the population = 435 total
Who qualifies?	Senators must be at least 30, a U.S. citizen for at least nine years, and live in the state they represent.	Representatives must be at least 25, a U.S. citizen for at least seven years, and live in the state they represent.
They represent...	... the interests of the citizens across their entire state for a term of six years.	... the interests of the citizens who live in their district (section of a state) for a term of two years.
Special Duties	The Senate approves presidential appointments, like ambassadors, judges, and cabinet members.	All bills that deal with raising money (like taxes) must start in the House.
Checks & Balances	Congress can call for the impeachment of the president, pass bills over a presidential veto with 2/3 vote, and create lower federal courts. The president can veto bills from Congress and the Supreme Court can strike down laws as unconstitutional.	
Role in Lawmaking	A bill can start in either chamber. A bill must be approved by BOTH chambers of Congress before it can go to the president to be signed into law.	

The Powers of Congress

The Constitution also lists the powers Congress has that the other branches and the individual states do not have. These are called **enumerated**, expressed, or listed powers. The Constitution doesn't go into much detail, though, which often creates controversy about what Congress is actually allowed to do. Depending on how you count them, there are between 17 and 35 powers on the list. Here are a few:

- Create rules on how to become a citizen
- Collect taxes, pay debts, and borrow money
- Regulate commerce (trade) between the states and with other countries
- Coin money and punish counterfeiters
- Punish pirates (!)
- Establish post offices
- Protect patents and copyrights
- Create lower federal courts
- Declare war, raise and support an Army and Navy
- Make any other laws that are "necessary and proper" to carry out the powers in this list



Paul Ryan (R—Wisconsin) is the current speaker of the House.

Who's In Charge?

In addition to listing the powers of Congress, the Constitution says who is in charge of each chamber. You may be surprised to learn that the vice president of the United States is also the president of the Senate! (The VP doesn't get a vote though, except when there's a tie.) But the VP can't always be there, so senators also elect a "**president pro tempore**" who leads when the VP isn't available. In the House of Representatives, the leader is called the **speaker of the House**. The representatives vote to decide who their speaker will be. It's an important job—the speaker is second in line to become president of the United States in an emergency, after the Vice President!

Making Laws

Congress makes a law by introducing an idea, discussing and changing it, voting on it, and sending it to the president for approval. The rough draft of a law is called a **bill**. Bills can start in either chamber of Congress, but the example below starts in the House of Representatives.

1. The Proposal

A representative writes a bill and gets support from others in the House.

2. The Introduction

The bill is assigned a number and is read aloud to the other Representatives. Then it is sent to a committee for a close review.

3. The Report

If the committee likes it, it will be sent to the whole House for debate.

4. The Floor Debate

All of the representatives get a chance to read the bill and debate whether it should be supported or opposed. The bill is read again and changes are suggested.

5. The Vote

If changes are made, the bill is read again, and the whole House is called to vote on the bill. They can vote yes, no, or present (if they don't want to vote on that particular bill).

6. The Delivery

The bill arrives at the Senate, where it goes through the same debate, changes are made, then another vote is held before it can move on.

7. To the President!

If both chambers of Congress approve, the bill lands on the president's desk. If it is signed, it becomes a law. If it is vetoed, it doesn't.*



**Congress can override a veto if there are enough votes (2/3 of Congress) to do so. The president can also ignore the bill. If a bill is ignored while Congress is in session, it automatically becomes a law after ten days. If Congress is not in session, it doesn't.*

Congress in a *FLASH*

Name: _____

Help the Historian. Someone has found an early copy of the Constitution, but it is in pretty bad shape, and lots of pieces are missing—especially in Article I. Now that you know about Congress, you can help fill in the gaps! Read each excerpt and decide what should go where the numbers are.

SECTION. 2.

(1) shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a (2) who shall not have attained to the Age of (3) Years, and been seven Years a (4) of the United States, and who shall not, when elected, *be an Inhabitant of that State in which he shall be chosen....* (5)

1. Which chamber of congress is Section 2 talking about?
2. What role is missing here?
3. How old must they be to serve?
4. Seven years of being a *what*?
5. What does that last part mean? Can you put it in simpler language?

SECTION. 3.

(1a) of the United States shall be composed of two (1b) from each State, chosen by the Legislature thereof, for six Years; and each ... shall have one Vote.

No Person shall be a ...who shall not have attained to the Age of (2) Years, and been (3) Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which *he* (4) shall be chosen.

1. Which chamber of congress is Section 3 talking about? What is this role called?
2. How old must they be to serve?
3. How long must they have been a citizen?
4. FYI– The first woman to be elected to this chamber was Hattie Caraway of Arkansas in 1932.

SECTION. 5.

...Each House may determine the Rules of its Proceedings (1), punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member ... (2)

1. Who makes the rules for how the House and Senate do their jobs?
2. CHALLENGE QUESTION: If the Senate wants to expel a member, how many other Senators have to agree?

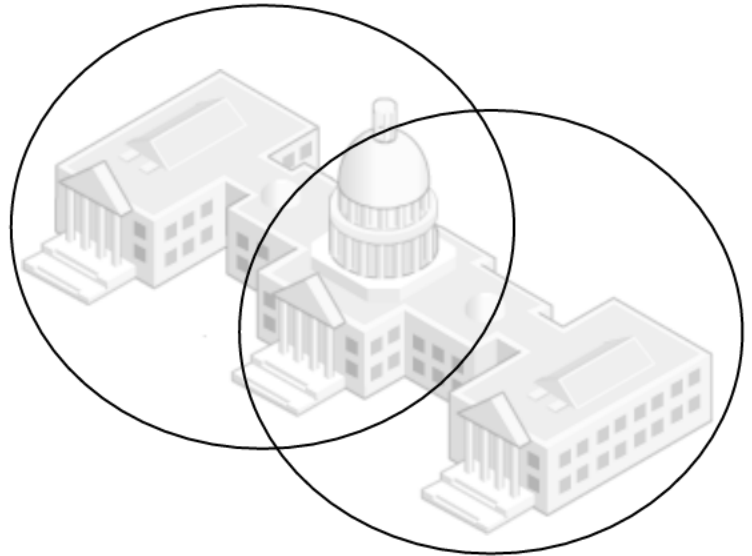
Congress in a *FLASH*

Name: _____

A. Who does what? Read each statement and decide if it is about the House of Representatives, the Senate, or both! Write the letter on the diagram.

- A. Members represent an entire state
- B. Bills about taxes and money must start here
- C. Approves presidential appointments
- D. Members represent citizens
- E. Serve two-year terms
- F. Passes bills to the president to become laws
- G. There are 100 members of this chamber
- H. Can override a presidential veto with a 2/3 vote of support
- I. Must be at least 25 to serve in this chamber
- J. Led by the vice president of the U.S.
- K. Leader is called the "speaker"

The House of Representatives



The Senate

B. Compromise! Just because Congress is made up of two different chambers, doesn't mean that they don't have to work together to get the job done. Read through each version of this imaginary bill to see where common ground might be found.

1. Read both bills. Circle the items that the versions of the bills have in common.

House Version of the Education Bill

- Increase funding for afterschool activities.
- Encourage teachers to fundraise for classroom materials.
- Extend the school year by 10 days.
- Lengthen the school day by one hour.
- Allow students to create their own classes.

Senate Version of the Education Bill

- Cut funding for afterschool activities.
- Encourage teachers to buy classroom materials with their own money.
- Extend the school year by 6 days.
- Require the school day to start earlier.
- Improve school lunches with more local produce.

2. Find a solution. Select two items that could go in the final section of the bill and write them below. (You may need to find middle ground.)

Item One: _____

Item Two: _____

3. Getting Support. You had to make some hard choices. Which chamber will support your compromise the most? Would they both agree? Explain your answer.

Congress in a *FLASH*

*****TEACHER GUIDE*****

Help the Historian. Someone has found an early copy of the Constitution, but it is in pretty bad shape, and lots of pieces are missing—especially in Article I. Now that you know about Congress, you can help fill in the gaps! Read each excerpt and decide what should go where the numbers are.

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No Person shall be a (2) who shall not have attained to the Age of (3) Years, and been seven Years a (4) of the United States, and who shall not, when elected, *be an Inhabitant of that State in which he shall be chosen....* (5)

1. Which chamber is Section 2 talking about?
The House of Representatives
2. What role is missing here?
representative
3. How old must they be to serve?
25
4. Seven years of being a *what*?
U.S. citizen
5. What does that last part mean? Can you put it in simpler language?
You must live in the state you represent

SECTION. 3.

(1a) of the United States shall be composed of two (1b) from each State, chosen by the Legislature thereof, for six Years; and each ... shall have one Vote.

No Person shall be a ...who shall not have attained to the Age of (2) Years, and been (3) Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which *he* (4) shall be chosen.

1. Which chamber of congress is Section 3 talking about? What is this role called?
The Senate, senator
2. How old must they be to serve?
30
3. How long must they have been a citizen?
9 years
4. FYI– The first woman to be elected to this chamber was Hattie Caraway of Arkansas in 1932!

SECTION. 5.

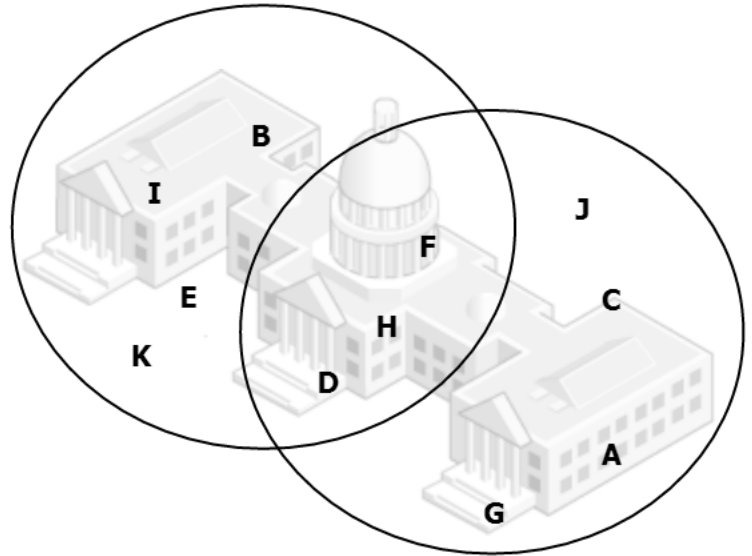
...Each House may determine the Rules of its Proceedings (1), punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member ... (2)

1. Who makes the rules for how the House and Senate do their jobs?
Both make their own rules
2. CHALLENGE QUESTION: If the Senate wants to expel a member, how many other Senators have to agree?
 $2/3 = x/100$ 67 senators

A. Who does what? Read each statement and decide if it is about the House of Representatives, the Senate, or both!

- A. Members represent an entire state
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- Encourage teachers to buy classroom materials with their own money.
- Extend the school year by 6 days.
- Require the school day to start earlier.
- Improve school lunches with more local produce.

2. Find a solution. Select two items that could go in the final section of the bill and write them below. (You may need to find middle ground.)

Item One:

Extend the school year by $[(10+6)/2]$ by 8 days.

Item Two:

Lengthen the school day by making it start one hour earlier.

3. Getting Support. You had to make some hard choices. Which chamber will support your compromise the most? Would they both agree? Explain your answer.

Answers will vary.