

CHAPTER 12

Congress in Action

Essential Question

Can and should the lawmaking process be improved?

Section 1:
Congress Organizes

Section 2:
Committees in Congress

Section 3:
Making Law: The House

Section 4:
Making Law: The Senate



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- Political Dictionary
- Audio Review
- Downloadable Interactivities

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Lesson Goals

SECTION 1

Students will . . .

- complete a flowchart of opening-day events in the House.
- describe the leadership roles in Congress by taking part in a press conference simulation.

SECTION 2

Students will . . .

- examine the need for committees to divide work by creating an organization for an event.
- identify jurisdictions of House committees by matching committee names to descriptions.
- trace the path of the 2007 Farm Bill through the House.

SECTION 3

Students will . . .

- recognize the need for committees by examining a transparency showing the volume of bills flowing through Congress.
- write a bill using guidelines and following a sample.
- simulate how a bill passes through the House, using a bill created by students.

SECTION 4

Students will . . .

- use a dramatization to learn about filibusters.
- examine the work of conference committees by simulating negotiations to iron out differences between versions of a bill.
- identify a bill's final steps toward becoming law by completing a flowchart.

“Congress **in session** is Congress on **public exhibition**, whilst Congress in its **committee-rooms** is Congress **at work**.”

—Woodrow Wilson, *Congressional Government: A Study in American Politics*, 1885

Photo: Members of the press take photographs at a Senate Select Committee on Intelligence session.

Pressed for Time

To cover this chapter quickly, direct students to the “Leadership in the 111th Congress” chart in the text or the online update to review the current congressional leaders. Briefly explain the role of each congressional leader and the seniority system in Congress. Then use “The 2007 Farm Bill in the House” to explain how a bill moves through the House. Complete the Chapter 12 Section 2 Core Worksheet and Extend Worksheet to explain the role of committees and committee chairmen, the division of labor, and jurisdiction. Then review “How a Bill Becomes a Law” in detail.

DIFFERENTIATED INSTRUCTION KEY

Look for these symbols to help you adjust steps in each lesson to meet your students' needs.

L1 Special Needs

L2 Basic

ELL English Language Learners

LPR Less Proficient Readers

L3 All Students

L4 Advanced Students

GUIDING QUESTION

How do constitutional and party officers keep Congress organized?

Congressional Leaders and Their Duties	
House	Senate
<p>Speaker of the House</p> <ul style="list-style-type: none"> • presides and keeps order • chairs sessions • allows members to speak by recognizing them • interprets and applies the rules • refers bills to committee • rules on points of order • puts motions to a vote and decides outcome • names members of select and conference committees • signs all bills and resolutions passed by House <p>Majority Leader</p> <ul style="list-style-type: none"> • controls order of business on floor • carries out decisions of party's caucus <p>Minority Leader</p> <ul style="list-style-type: none"> • carries out decisions of party's caucus <p>Majority and Minority Whips</p> <ul style="list-style-type: none"> • same as in Senate <p>Committee Chairmen</p> <ul style="list-style-type: none"> • same as in Senate 	<p>President of the Senate</p> <ul style="list-style-type: none"> • presides • Vice President • cannot speak or debate on Senate floor • may vote only to break tie <p>President pro tempore</p> <ul style="list-style-type: none"> • presides in Vice President's absence <p>Majority Leader</p> <ul style="list-style-type: none"> • controls order of business on floor • carries out decisions of party's caucus <p>Minority Leader</p> <ul style="list-style-type: none"> • carries out decisions of party's caucus <p>Majority and Minority Whips</p> <ul style="list-style-type: none"> • liaison between party leaders and members • make sure party members are present for important votes • influence party members to vote with leaders <p>Committee Chairmen</p> <ul style="list-style-type: none"> • head standing committees • have major say in which bills the committee will consider, in what order, and at what length, and what witnesses the committee will call • manage debate and steer passage on floor

SKILLS DEVELOPMENT

COMPARE VIEWPOINTS

Before students begin the role-playing activity in this section, you may want to review tips on comparing viewpoints in the Skills Handbook, p. S15.

SECTION 1

Congress Organizes



Guiding Question

How do constitutional and party officers keep Congress organized?

Use a table like the one below to keep track of the officers in each house.

Congressional Leaders and Their Duties	
House	Senate
<p>Speaker of the House</p> <ul style="list-style-type: none"> • presides and keeps order 	

Political Dictionary

- Speaker of the House
- President of the Senate
- President pro tempore
- party caucus
- floor leader
- majority leader
- minority leader
- whip
- committee chairman
- seniority rule

Objectives

1. Describe how and when Congress convenes.
2. Compare the roles of the presiding officers in the Senate and the House.
3. Identify the duties of the party officers in each house.
4. Describe how committee chairmen are chosen and explain their role in the legislative process.

Image Above: John Boehner (R., Ohio), hands the Speaker's gavel to Nancy Pelosi (D., California).

What comes to mind when you hear the word *Congress*? The Capitol? Your members of Congress? Some particular bill? Those senators and representatives you often see on the evening news? Of course, you know that the nation's lawmaking body is much more than that. It is in fact a very complex enterprise, and much larger than most people realize. Some 30,000 men and women work for the legislative branch today; and Congress appropriates some \$4 billion every year to finance its own many-sided operations.¹

Congress Convenes

Congress convenes—begins a new term—every two years, on January 3 of every odd-numbered year. Each new term follows the general elections in November.

Opening Day in the House Every other January, the 435 men and women who have been elected to the House come together at the Capitol to begin a new term. At that point, they are, in effect, just so many representatives-elect. Because all 435 of its seats are up for election every two years, the House technically has no sworn members, no rules, and no organization until its opening-day ceremonies are held.

Senator Sherrod Brown (D., Ohio) sat in the House of Representatives for seven terms before he won election to the Senate in 2006. He remembers his first opening day, in 1993, this way:

PRIMARY SOURCE

Walking around the chamber the first day, I was awed and nervous. . . . [Q]uestions gnawed at me when I walked into that august [grand] room, when I met several members about whom I had read and whom I had seen on television. And then I thought about the President of the United States coming to address us— 'Do I deserve to be here with all these people? How did I get here? Will I measure up? How was I chosen for this privilege?'

—Sherrod Brown, *Congress From the Inside*

Focus on the Basics

FACTS: • Congress begins each new term in early January of every odd-numbered year. • The Speaker of the House controls the agenda in the House of Representatives. • The Vice President is the President of the Senate but votes only to break a tie. • The majority and minority leaders of each house carry out the decisions of their party's caucus. • Party whips act as liaisons between members and leadership. • Committee chairmen are usually chosen by seniority.

CONCEPTS: continuous body, seniority rule

ENDURING UNDERSTANDINGS: • The Speaker of the House and the majority leaders and committee chairmen in both houses are members of the majority party, and wield the most power in Congress.

The clerk of the House in the preceding term presides at the beginning of the first day's session.² The clerk calls the chamber to order and checks the roll of representatives-elect. Those members-to-be then choose a Speaker, who will be their permanent presiding officer. By custom, the Speaker is a long-standing member of the majority party, and election on the floor is only a formality. The majority party's members in the House have settled the matter beforehand.

The Speaker then takes the oath of office. By tradition, the oath is administered by the Dean of the House, the member-elect with the longest record of service in the House.³ With that accomplished, the Speaker swears in the rest of the members, as a body. The Democrats take their seats to the right of the center aisle; the Republicans, to the left.

Next, the House elects its clerk, parliamentarian, sergeant at arms, chief administrative officer, and chaplain. None of these people are members of the House, and their elections are also a formality. The majority party has already decided the matter.

Then, the House adopts the rules that will govern its proceedings through the term. The rules of the House have been developing for over 200 years, and they are contained in a volume of about 400 pages. They are readopted, most often with little or no change, at the beginning of each term, though they are occasionally and sometimes extensively amended during a term. For example, the 110th Congress strengthened ethics rules governing relationships with lobbyists. Among other things, these rules limit gifts to members, ban the use of privately owned airplanes, and require members to attend annual ethics training.

Finally, members of the 20 permanent committees of the House are appointed by a floor vote. With that, the House is organized.

Opening Day in the Senate The Senate is a continuous body. It has been organized without interruption since its first session in 1789. Recall that only one third of the seats are up for election every two years. Two thirds of the Senate's membership is carried over from one term to the next. As a result, the Senate does not face large organizational problems at the beginning of a term. Its first-day session is nearly always fairly short and routine, even when the elections have brought a change in the majority party. Newly elected and reelected members must be sworn in, vacancies in Senate organization and on committees must be filled, and a few other details attended to.

State of the Union Message When the Senate is notified that the House of Representatives is organized, a joint committee of the two chambers is appointed and instructed "to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make."

Within a few weeks—in late January or early February—the President delivers the

preside
v. to act in the role of chairperson

quorum
n. a minimum number of members required to do business

Opening day in the House of Representatives, February 8, 1906



- 1 More than 15,000 of those who work in the legislative branch have jobs in the House or Senate—in members' offices, as committee staff, or in some part of the congressional administrative organization. The other 15,000 or so work in the various support agencies Congress has, over time, established within the legislative branch—including the Library of Congress, the Government Printing Office, the Congressional Budget Office, and the Government Accountability Office.
- 2 The clerk, a nonmember officer of the House, is picked by the majority party and usually keeps the post until that party loses control of the chamber.
- 3 Today, John D. Dingell (D., Michigan), who first became a member of the House on December 13, 1955.

Get Started

LESSON GOALS

Students will . . .

- complete a flowchart of opening-day events in the House.
- describe the leadership roles in Congress by taking part in a press conference simulation.

BEFORE CLASS

Assign the section, the graphic organizer in the text, and the Reading Comprehension Worksheet (Unit 3 All-in-One, p. 125) before class.

L2 Differentiate Reading Comprehension Worksheet (Unit 3 All-in-One, p. 127)

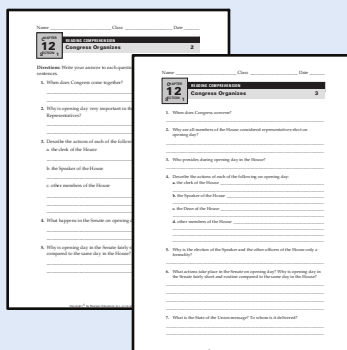
BELLRINGER

Display Transparency 12A, Opening Day in the House of Representatives. Ask students to copy and complete the flowchart in their notebook.

Differentiated Resources

The following resources are located in the All-in-One, Unit 3, Chapter 12, Section 1:

- L2** Prereading and Vocabulary Worksheet (p. 121)
- L3** Reading Comprehension Worksheet (p. 125)
- L2** Reading Comprehension Worksheet (p. 127)
- L3** Core Worksheet A (p. 129)
- L3 L2** Core Worksheet B (p. 130)
- L3** Quiz A (p. 131)
- L2** Quiz B (p. 132)



Teach

To present this topic using online resources, use the lesson presentations at PearsonSuccessNet.com.

DISCUSS OPENING-DAY ACTIVITIES

Tell students that today's lesson will introduce them to the organization of Congress and the details of how that organization helps it get its work done. Display Transparency 12B, Opening Day in the House of Representatives, which contains the solutions to the Bellringer transparency. Discuss each step in the process of organizing the House on opening day. Ask: **What happens in the Senate on opening day?** (*New and reelected members are sworn in. Organizational and committee vacancies are filled.*) **Why is opening day in the Senate so different from opening day in the House?** (*In the House, all seats are up for election each term. Therefore, the House needs to be organized each term. In the Senate, only a third of the seats are up for election, so only one third of the Senate needs to be sworn in and few positions need to be filled, making opening-day activities shorter and more routine than in the House.*)

PRESENT THE TOPIC

Direct students to the "Leadership in the 111th Congress" chart in this section (or to the updated version at PearsonSuccessNet.com). Walk through these positions, pointing out the differences between the constitutional officers (Speaker, President of the Senate, and President *pro tempore*) and the party officers (*the remainder*). Ask: **Why does Congress have party officers in addition to constitutional officers?** (*Constitutional officers facilitate the work of the entire chamber as well as their own party's agenda. Party officers focus on party business. They organize members to prepare and pass measures on the party's legislative agenda.*)

L4 Differentiate In a classroom with a number of advanced students, you may wish to extend the discussion to cover the reasons that parties and party officers evolved. (*Parties are not part of the Constitution, but have existed since it was signed. The size of Congress has grown tremendously and requires more organization than is specified in the Constitution. Congress also has the power to organize itself.*)

Answers

Checkpoint The State of the Union address reports on the status of the nation, as the President sees it, in terms of domestic and foreign policy. The address also lays out the broad policies the administration expects to follow and includes specific legislative recommendations.

✓ Checkpoint
What is the purpose of the State of the Union address?

annual State of the Union message to a joint session of Congress. The speech is a major political event and is based on this constitutional command:

FROM THE CONSTITUTION

He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient . . .

—Article II, Section 3

From Woodrow Wilson's first message in 1913, the President has almost always presented his annual assessment in person. Members of Congress, together with the members of the Cabinet, the justices of the Supreme Court, the foreign diplomatic corps, and other dignitaries, assemble in the House chamber to hear him.

In the address, the President reports on the state of the nation as he or she sees it, in both domestic and foreign policy terms. The message is widely covered by the news media, and it is very closely followed, both here and abroad. In fact, the chief executive's speech is as much a message to the American people, and to the world, as it is an address to Congress. In it, the President lays out the broad shape of the policies the administration expects to follow and the course the chief executive has charted for the nation. The message regularly includes a number of specific legislative recommendations, along with a plea that Congress will enact them. Its presentation is soon followed by scores of bills drawn up in the executive branch and introduced in the House and Senate by various members of the President's party.

With the conclusion of the speech, the joint session is adjourned. Each house then separately turns to the legislative business that will come before it.

The Presiding Officers

The Constitution provides for the presiding officers of each house of Congress—the Speaker of the House and the President of

the Senate. Article I, Section 2, Clause 5 directs that "The House of Representatives shall choose their Speaker and other Officers. . . ." And Article I, Section 3, Clause 4 declares: "The Vice President of the United States shall be President of the Senate. . . ."

The Speaker of the House Of the two positions, the **Speaker of the House** is by far the more important and more powerful within the halls of Congress. This is particularly so because the Speaker is both the elected presiding officer of the House and the acknowledged leader of its majority party.

Although neither the Constitution nor its own rules require it, the House has always chosen the Speaker from among its own members. Today, the post is held by Nancy Pelosi (D., California). The first woman to serve as Speaker, she was originally elected to the House in 1987 and became Speaker in 2007.⁴

The Speaker is expected to preside in a fair and judicious manner, and she regularly does. The Speaker is also expected to aid the fortunes of the majority party and its legislative goals, and regularly does that, too.

Nearly all of the Speaker's powers revolve around two duties: to preside and to keep order. The Speaker chairs most sessions of the House, but often appoints another member as temporary presiding officer. No member may speak until he or she is recognized by the Speaker. The presiding officer also interprets and applies the rules, refers bills to committee, rules on points of order (questions of procedure raised by members), puts motions to a vote, and decides the outcome of most votes taken on the floor of the House. (The Speaker can be overridden by a vote of the House, but that almost never happens.) The Speaker also names the members of all select and conference committees and must sign all bills and resolutions passed by the House.

As an elected member of the House, the Speaker may debate and vote on any matter

⁴ Speaker Pelosi is the 52nd person to hold the post. The first Speaker, elected by the House in 1789, was Frederick A. C. Muhlenberg, a Federalist from Pennsylvania. Sam Rayburn (D., Texas) held the office for a record of nearly ten terms in the period from 1940 to 1961. Ms. Pelosi succeeded Dennis Hastert (R., Illinois). Only two Republicans—Newt Gingrich of Georgia (1995–1999) and Mr. Hastert (1999–2007)—have held the Speakership over the past 50 years.

judicious
adj. reasonable

Political Cartoon Mini-Lesson

After discussing opening-day activities, display Transparency 12C, State of the Union Message, to begin a discussion of the President's annual address to Congress. Point out that the man in the cartoon is President George W. Bush. Ask: **Why is the dog snarling?** (*The dog has identified President Bush's energy proposals as a bomb.*) **How do you think members of Congress will react to the President's proposals?** (*The cartoon suggests that members of Congress will react negatively, like the dog.*) **Based on this cartoon, do you think the President's party controls Congress?** **How do you know?** (*No. Members of the President's party usually agree with his proposals, so he would get a warmer reception if his party were the majority.*)

Leadership in the 111th Congress



► **Interpreting Charts** Party and constitutional leadership roles are very important in both houses of Congress. **How can you tell which party holds power in the House? The Senate?**

before that body. That seldom happens, but when it does, the Speaker appoints another member as the temporary presiding officer and he or she then occupies the Speaker's chair. The Speaker does not often vote, and the House rules say only that the Speaker *must* vote to break a tie. Notice then, that because a tie vote defeats a question, the Speaker occasionally votes to cause a tie and so defeat a proposal.

The Speaker of the House follows the Vice President in the line of succession to the presidency. That fact is a considerable testimony to the power and importance of both the office and the person who holds it.

The President of the Senate The Constitution makes the Vice President the **President of the Senate**, the Senate's presiding officer. This means that (1) unlike the House, the Senate does not choose its own presiding

officer and (2) unlike the Speaker of the House, the Senate's presiding officer is not in fact a member of that body. Indeed, the Vice President might not even be a member of the party that controls the Senate.

All of this adds up to the major reason why the Vice President plays a much less powerful role in the Senate than that played by the Speaker in the House. Also note this important point: the Vice President's career path, the route traveled to the post, is a much different path than the one the Speaker has followed. The Vice President has not become the Senate's presiding officer out of long service in that body. He has, instead, come to the post out of a much different process—as you will see when we take a more detailed look at the vice presidency in Chapter 13.

The president of the Senate does have the usual powers of a presiding officer: to recognize members, put questions to a vote, and so

Checkpoint
When must the Speaker vote?

INTRODUCE THE ACTIVITY

Tell students that today they will learn about the organization of Congress by playing the role of a congressional leader or a member of the media during a press conference.

L2 ELL Differentiate Explain what a press conference is, who attends, and what happens there. If possible, play a video clip of a national press conference.

ASSIGN ROLES FOR PRESS CONFERENCE

Assign each student a role to play for a simulated press conference. Tell students that the press conference is for foreign journalists unfamiliar with the U.S. legislative system. The media's goal is to ask questions that would help them write a story for a foreign newspaper, describing the roles of congressional leaders.

Assign students to these roles:

- Speaker of the House
- Majority floor leader (House)
- Majority whip (House)
- Minority floor leader (House)
- Minority whip (House)
- President of the Senate
- President *Pro Tempore*
- Majority floor leader (Senate)
- Majority whip (Senate)
- Minority floor leader (Senate)
- Minority whip (Senate)
- Members of the media

L1 L2 Differentiate Assign students to be members of the media.

L2 ELL Differentiate Assign ELLs a native-speaking partner to help address errors in grammar and to practice questions before asking them in front of the full class.

Tell students to go to the Online Update to find out who the congressional leaders are today.

Leadership Mini-Lesson

LEADERS OF CONGRESS Use the chart on this page or the online update at PearsonSuccessNet.com as a starting point for students to research the current congressional leaders. In groups or individually, ask students to research the backgrounds of these leaders, which can be found on their personal websites at www.house.gov or www.senate.gov. Then have students present a brief summary of each member's background and discuss what these leaders have in common.

Answers

Interpreting Charts The Speaker of the House and the President *pro tempore* of the Senate will be members of the majority party in that chamber.

Checkpoint to break a tie

DISTRIBUTE CORE WORKSHEET

To congressional leaders, distribute the Chapter 12 Section 1 Core Worksheet A (Unit 3 All-in-One, p. 129), which guides students in preparing for their role.

Name _____ Class _____ Date _____

CHAPTER 12
CORE WORKSHEET A

Section 1
Congress Organizes 3

Congressional Leaders

You are a member of Congress preparing for a press conference with members of the media from foreign countries. The journalists want to write stories about the roles of congressional leaders in the U.S. legislative system. To prepare, find information about your job in the text and record it here. Though your character is fictional, details about your experience, background, and day-to-day activities must be appropriate to your position. When the press conference begins, introduce yourself by your title, followed by your last name. Then answer the questions the journalists ask you.

Your Job Title: _____

Your Background and Experience: _____

Responsibilities of Your Job: _____

Interactions with Other Members: _____

Importance of Your Job: _____

Common Activities: _____

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To members of the media, distribute the Chapter 12 Section 1 Core Worksheet B (Unit 3 All-in-One, p. 130), which guides students in preparing questions for the congressional leaders.

Give students adequate time to prepare their roles.

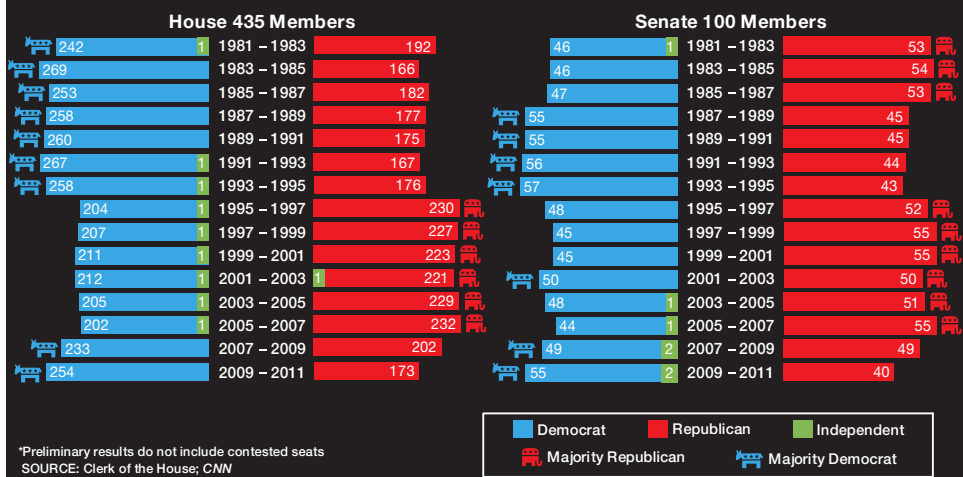
Tell students to go to the Online Update to learn about today's party strength.

Answers

Analyzing Charts Democrats: 269 members in the House (1983–1985) and 57 members in the Senate (1993–1995); Republicans: 232 members in the House (2005–2007) and 55 members in the Senate (1997–1999, 1999–2001, 2005–2007)

Checkpoint the President *pro tempore*

Party Strength of House and Senate*



▶ **Analyzing Charts** This chart shows the strength of each party at the start of the past fifteen terms of Congress. Independents are placed with their caucus party. **What is the largest majority that each party has held in each house?**

Checkpoint
Who presides over the Senate if the Vice President is absent?

on. However, the Vice President cannot take the floor to speak or debate and may vote only to break a tie.

Any influence a Vice President may have in the Senate is largely the result of personal abilities and relationships. Several of the more recent Vice Presidents came to that office from the Senate: Harry Truman, Alben Barkley, Richard Nixon, Lyndon Johnson, Hubert Humphrey, Walter Mondale, Dan Quayle, Al Gore, and Joseph Biden. Each of them was able to build at least some power into the position out of that earlier experience.

The Senate does have another presiding officer, the **President pro tempore**, who serves in the Vice President's absence. The President *pro tempore*, or President *pro tem* for short, is elected by the Senate itself and is always a leading member of the majority party—usually its longest serving member. Today, the post is occupied by Senator Robert C. Byrd (D., West Virginia). Senator Byrd, who was elected to his first term in the upper

house in 1958, became President *pro tempore* in 2007.

The President *pro tem* follows the Speaker in the line of presidential succession. Other senators often preside over the Senate, on a temporary basis if the Vice President is absent; newly elected members regularly do so early in their terms.

Party Officers

Congress is a political body. This is so for two leading reasons: (1) Congress is the nation's central policy-making body, and (2) Congress is partisan. Reflecting its political character, both houses of Congress are organized along party lines.

The Party Caucus The **party caucus** is a closed meeting of the members of each party in each house. These meetings are regularly held just before Congress convenes in January and occasionally during a session. In recent years

Background

PORTRAIT OF A SPEAKER Physically, Sam Rayburn was not a big man. But as Speaker of the House for a record 17 years, "Mr. Sam" cast a long shadow. Becoming Speaker in 1940, Rayburn, a staunch Democrat, presided at a time when most formal power in the House resided with the committee chairs, not the Speaker. According to Mr. Sam, "You cannot lead people by trying to drive them. Persuasion and reason are the only ways to lead them." Rayburn put his considerable persuasive skills to work in his famous "Board of Education," a room tucked away beneath the House chamber. There he regularly summoned influential Democrats to discuss issues and twist arms. Today, as Congress organizes each new term, members vie for newly vacated offices. But one room is not up for grabs. By tradition, the new Speaker inherits Rayburn's legendary hideaway.

the Republicans have called their caucus in each house the party conference, and the Democrats now use this term in the Senate, too.

A caucus deals mostly with matters related to party organization, such as the selection of the party's floor leaders and questions of

⁵ A number of informal groupings of members of Congress meet to discuss matters of mutual interest. Some are partisan, others are bipartisan, and several use the word *caucus* in their titles. Some of these groups include, for example, the Congressional Black Caucus, the House Republican Study Committee, the Pro-Life Caucus, and the Congressional Hispanic Caucus.

committee membership. It sometimes takes stands on particular bills, but neither party tries to force its members to follow its caucus decisions, nor can it.⁵

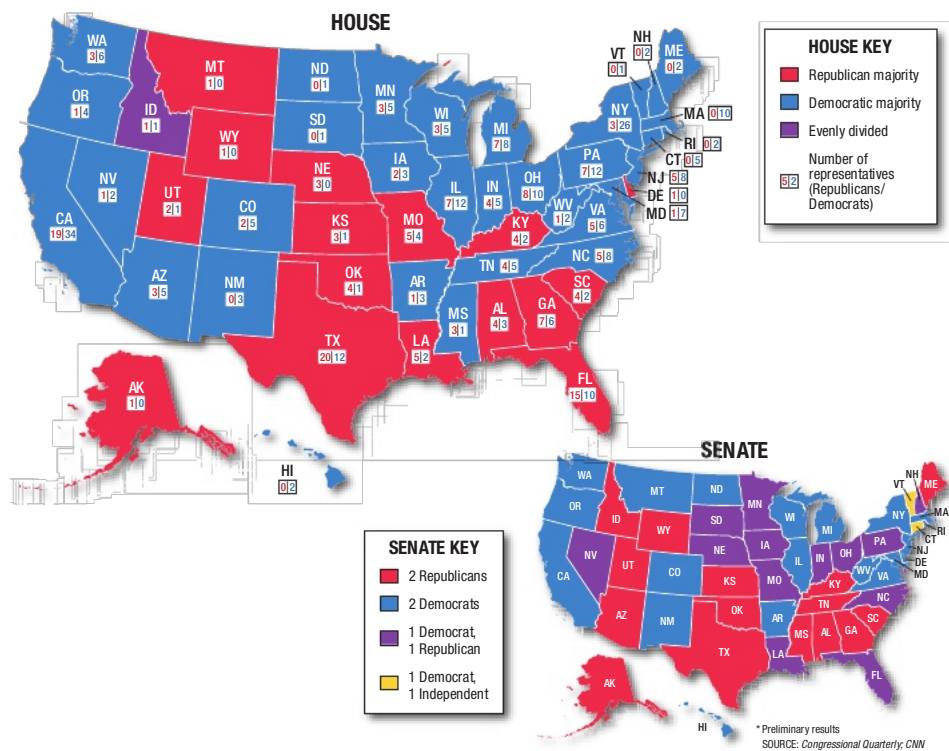
The policy committee is composed of the party's top leadership. It acts as an executive committee for the party caucus. That body is known as the policy committee in each party's structure in the Senate and in the Republicans' organization in the House. However, it is called the steering and policy committee by the Democrats in the lower chamber.



Representation by State, 111th Congress*

The colors on these maps show the composition of congressional delegations. Today, these color designations are commonly used to indicate the typical partisan voting patterns among the States. **Which States are the same color on both maps?**

GOVERNMENT ONLINE
Update
 Check out updated representation by State at
PearsonSuccessNet.com



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CONDUCT A PRESS CONFERENCE

Organize the congressional leaders in front of the members of the media. Have the leaders introduce themselves, using their title followed by their last name. Allow each member of the media to ask a question, being sure that all leaders have a chance to answer at least one. Instruct the journalists to address each leader in the following proper form:

- Mr./Madam Speaker
- Mr./Madam Vice President

All others:

- Representative (last name)
- Senator (last name)

Remind all students to take notes on important information or questions they have for the follow-up discussion.

L2 ELL Differentiate Write important key terms and phrases from answers on the board. Remind students to ask clarifying questions.

FOLLOW UP

Conclude the lesson with a recap of the leadership roles in Congress. Include a brief discussion of the seniority system, committees, and the role of the majority party in setting the agenda for a Congress. Emphasize that since the leaders of the houses assign bills to committee, they have significant control over what will be discussed.

L2 ELL Differentiate Clarify the terms *majority* and *minority* for students, confirming that they understand that the party in control is the majority.

CONNECT TO THE ESSENTIAL QUESTION

Make connections to the unit's Essential Question: **What makes a successful Congress?** Ask students if the constitutional officers, party officers, and seniority system contribute to a more or less successful Congress. Students may discuss the criteria for success, which you may want to keep in mind for lessons later in the chapter.

Tell students to go to the Online Update to check out updated representation by State.

Background

RED STATES, BLUE STATES As election results roll in, television viewers see States on a map turn red for a Republican win and blue for a Democratic win. News outlets also regularly refer to "red States" and "blue States." This has not always been the case. Earliest red-blue references date back to 1900, when the *Chicago Tribune* followed the traditional European practice of associating red with liberal parties and blue with conservative parties. In the aftermath of the disputed 2000 election, news sources began to reach consensus on the current color scheme. However, stereotyping a State as "red" or "blue" ignores the diversity within each State. For example, California has gone Democratic in all recent presidential elections, yet it has a Republican governor. In using these polarizing designations, we must keep in mind that no State is all red or all blue.

Answers

Checkpoint a closed meeting of the members of each party in each house

Representation by State Washington, Oregon, California, Wyoming, Colorado, Utah, New Mexico, North Dakota, Kansas, Oklahoma, Texas, Arkansas, Wisconsin, Michigan, Illinois, Kentucky, Alabama, Georgia, South Carolina, Virginia, West Virginia, Maryland, New Jersey, New York, Massachusetts, Rhode Island, Alaska, Hawaii

EXTEND THE LESSON

L3 Differentiate Display Transparency 12D, Representation by State, 111th Congress. Use this map and the information in the Background Note to lead a discussion about the “red state” and “blue state” labels used by the media.

L4 Differentiate Have students go to www.house.gov to research each party’s position on a specific issue. For example, how does each party stand on the issue of the rising cost of healthcare? Students will be able to gather information by following links to the office of the Speaker, majority and minority leaders and whips, and the caucuses for each party. Have students present a summary of the issue and the parties’ positions to the class.

L2 Differentiate Display Transparency 12E, which is the graph “Party Strength of House and Senate” in the student text. Help students read the graph. Point out that there are actually two graphs—one representing the House and the other, the Senate. Ask: **Which party was the majority in the House between 2007 and 2009? (Democrats) How do you know? Name three ways.** (blue bar is longer than red bar; number on blue bar is larger than number on red bar; the blue donkey symbol means majority Democrat)

L4 Differentiate Have students conduct research on the changing role of the Speaker of the House. Ask them to summarize their research in brief reports.



► **Interpreting Cartoons** Congressional committees hold hearings about a wide variety of matters. **What does the cartoon say about the feelings of those who are asked to give testimony?**

✓ **Checkpoint**
What do floor leaders do?

The Floor Leaders Next to the Speaker, the **floor leaders** in the House and Senate are the most important officers in Congress. They do not hold official positions in either chamber. Rather, they are party officers, picked for their posts by their party colleagues.

The floor leaders are legislative strategists. Assisted by paid staff, they try to carry out the decisions of their parties’ caucuses and steer floor action to their parties’ benefit. Each of them is also the chief spokesman for his party in his chamber. All of that calls for political skills of a high order. Senator Howard Baker (R., Tennessee), one of the Senate’s most effective floor leaders, often likened his job to that of “herding cats.”

The floor leader of the party that holds the majority of seats in each house of Congress is known as the **majority leader**. The floor leader of the party that holds the minority of seats in each house is the **minority leader**. The majority leader is the more powerful in each house—for the obvious reason that the majority party has more seats (more votes) than the other party has. And, the majority leader very largely controls the order of business on the floor in his or her chamber.

The two floor leaders in each house are assisted by party **whips**. The majority whip and the minority whip are, in effect, assistant floor leaders. Each of them is chosen at the party caucus, almost always at the floor leader’s recommendation. A number of assistant whips serve in the House.

Whips serve as a liaison—a two-way link—between the party’s leadership and its rank-and-file members.⁶ The whips check with party members and tell the floor leader which members, and how many votes, can be counted on in any particular matter. The whips also see that all members of the party are present for important votes and that they must be absent for some reason, a whip sees that that member is paired with a member of the other party who will also be absent that day or who agrees not to vote on certain measures at that day’s session—so one nonvote cancels out another.

Committee Chairmen

The bulk of the work of Congress, especially in the House, is really done in committee. Thus, **committee chairmen**—those members who head the standing committees in each chamber—hold very strategic posts. The chairman of each of these permanent committees is chosen from the majority party by the majority party caucus.⁷ These men and women are always ranking members of the majority party.

Although committee chairmen are less powerful now than in years past, they still have a major say in such matters as which bills a committee will consider and in what order and at what length, whether public hearings are to be held, and what witnesses the committee will call. When a committee’s bill has been

⁶ The term *whip* was borrowed from British politics. There, it came from the “whipper-in” in a fox hunt, the rider who is supposed to keep the hounds bunched in a pack.

⁷ The title *chairman* is used here because this is the form used in both houses of Congress today, both officially and informally. Only 21 women (six in the Senate, fifteen in the House) have chaired a standing committee. Five standing committees (two in the Senate, three in the House) are chaired by women today, as you can see in the tables in Section 3, where the current chairmen of the standing committees are identified.

Answers

Analyzing Cartoons Congress often asks difficult questions, making those who are called to testify uncomfortable.

Checkpoint Floor leaders carry out decisions of their parties’ leadership and steer floor action to their parties’ benefit.

Debate

BEHIND THE SCENES At age 85, Representative Ralph Hall (R., Texas) was the oldest member of the House in 2008—but not the oldest to have ever been elected to Congress (he was elected at age 57). That honor goes to Representative Isaac Bloom of New York, who was elected in 1803 at the age of 87. Second in line is Representative James Bowler, a Chicago Democrat, who won a special election for a seat left vacant by Representative Al Sabath’s death. Long before that event, Bowler and Sabath had served together on the city council. The council reached a deadlock over which of the two men should run for a congressional seat. Finally, the two men tossed a coin. Sabath won, with Bowler agreeing to fill the seat when Sabath left. Forty-six years later, he did. Bowler was sworn into Congress for his first term in the early 1950s, at the age of 78.

reported—approved for consideration—to the floor, the chairman usually manages the debate and tries to steer it to final passage.

We shall take a closer look at committees and their chairs in a moment. But, first, consider the seniority rule.

The Seniority Rule The **seniority rule** is, in fact, an unwritten custom. It dates from the late 1800s, and is still more or less closely followed in both houses today. The seniority rule provides that the most important posts in Congress, in both the formal and the party organizations, will be held by those party members with the longest records of service. (Notice that seniority rule does not apply to the presiding officers or to the floor leaders in either chamber. As you've seen, their selection is otherwise provided for.)

The rule is applied most strictly to the choice of committee chairmen. The head of each committee is almost always the longest-serving majority party member of that committee. The rule is also followed quite closely in the selection of those members who chair the several subcommittees into which nearly all the standing committees are divided.

Criticism of the Seniority Rule Critics of the seniority rule are many, and they do make a strong case. They insist that the seniority system ignores ability, rewards mere

length of service, and works to discourage younger members. Its opponents also note that the rule means that a committee head often comes from a "safe" constituency—a State or district in which one party regularly wins the seat. With no play of fresh and conflicting forces in those places, critics claim, the chairman of a committee is often out of touch with current public opinion.

Defenders of the seniority rule argue that it ensures that a powerful and experienced member will head each committee. They also say that the rule encourages members to stay on a particular committee and so, over time, gain a wide-ranging knowledge of matters that fall within that committee's **jurisdiction**. In addition, they note that the rule is fairly easy to apply and that it very nearly eliminates the possibility of fights within the party.

The rule's opponents have gained some ground in recent years. Thus, the House Republican Conference (caucus) now picks several GOP members of House committees by secret ballot. House Democrats use secret ballots to choose a committee chairman whenever 20 percent of their caucus requests that procedure.

Whatever the arguments against the seniority rule, it is unlikely to be eliminated. Those members with the real power to abolish the rule are also the ones who reap the largest benefits from it.

jurisdiction
n. the range of matters under the committee's control

SECTION 1 ASSESSMENT

1. Guiding Question Use your completed table to answer this question: How do constitutional and party officers keep Congress organized?

Key Terms and Comprehension

- Describe opening day in the House.
- Summarize the duties of the **floor leaders** in each house.
- (a) What is the **seniority rule**?
(b) What are the arguments for and against it?

Critical Thinking

- Understand Point of View** (a) Senator Howard Baker likened his job as majority leader to that of "herding cats." What does that mean? (b) What problems do majority leaders face?
- Make Comparisons** Compare and contrast the positions of Speaker of the House and President of the Senate. Which is more powerful, and why?
- Draw Conclusions** How important are committee chairmen in Congress? Explain.

Essential Questions Journal

To continue to build a response to the chapter Essential Question, go to your **Essential Questions Journal**.

Quick Write

Persuasive Essay: Gather Details The structure of Congress has evolved over time. As you read the chapter, take notes on the organizational structure and how it affects the lawmaking process.

Assess and Remediate

L3 Distribute the Rubric for Assessing a News Article (Unit 3 All-in-One, p. 169). Have students write an article explaining the U.S. legislative system.

L2 ELL L1 Distribute the rubric noted above. Have students write an article about one leadership position in either the House or Senate.

L3 Ask students to construct an organizational chart that shows the hierarchy of power in Congress.

L3 Assign the Section 1 Assessment questions.

L3 Section Quiz A (Unit 3 All-in-One, p. 131)

L2 Section Quiz B (Unit 3 All-in-One, p. 132)

Have students complete the review activities in the digital lesson presentation and continue their work in the **Essential Questions Journal**.

REMEDIATION

If Your Students Have Trouble With	Strategies For Remediation
The organization of Congress (Question 1)	Make a chart showing the leadership roles.
The duties of floor leaders (Questions 3, 5, 6)	Have students make posters comparing leadership in the House with leadership in the Senate.
The seniority rule and committee chairmen (Questions 4, 7)	Make a T chart showing the arguments for and against the seniority rule.
Opening day in the House (Question 2)	Lead students in an exercise in which they portray opening day in the House. Divide students into two groups: Democrats and Republicans.

Assessment Answers

- Constitutional officers preside and keep formal order over the proceedings. Party officers keep legislative order by explaining party positions and educating party members on bills coming before each chamber.
- The members choose a Speaker, who administers the oath to the rest of the House. Then they elect officers, adopt the rules, and select members of standing committees.
- Floor leaders are legislative who carry out the

decisions of their party's caucus. Majority leaders control the order of business on the floor.

- (a) custom in which most important posts go to party members with the longest service (b) Arguments for: ensures a powerful, experienced member will head each committee; prevents fights within party. Arguments against: discourages younger members; rewards longevity instead of merit; chairmen often come from "safe" seats and are thus out of touch with public opinion
- (a) and (b) It is often hard to get Congress members to go along with the party position.

6. The President of the Senate is the Vice President, who is not a member and holds little power there. He or she cannot speak in floor debate and may vote only to break a tie. The Speaker is the most powerful member of Congress, because he or she is the elected presiding officer and leader of the majority party.

7. Committee chairs have great influence over what bills Congress will pass in their committee's jurisdiction.

QUICK WRITE Students should note organizational structures and their effects on lawmaking.

GUIDING QUESTION

How do committees help Congress do its work?

Standing Committee	Select Committee	Joint Committee	Conference Committee
<ul style="list-style-type: none"> • permanent; considers all bills of similar subject matter • 20 in House; 16 in Senate • decides fate of most bills • divided into subcommittees • House Rules Committee controls flow of bills to floor and sets conditions for their consideration there 	<ul style="list-style-type: none"> • set up for special purpose, often for limited time • Speaker or President of Senate appoints members • investigate current issue 	<ul style="list-style-type: none"> • composed of members of both houses • some are temporary select committees • some are permanent • some investigate and issue periodic reports 	<ul style="list-style-type: none"> • temporary joint committee • resolves differences in House and Senate versions of a bill • produces compromise bill that both houses will accept

Get Started

LESSON GOALS

Students will . . .

- examine the need for committees to divide work by creating an organization for an event.
- identify jurisdictions of House committees by matching committee names to descriptions.
- trace the path of the 2007 Farm Bill through the House.

SKILLS DEVELOPMENT

DECISION MAKING

Before students begin the Bellringer activity, you may want to review the information on decision making in the Skills Handbook, p. S18.

SECTION 2

Committees in Congress



Guiding Question

How do committees help Congress do its work? Use a table to keep track of the purpose and characteristics of each type of congressional committee.

Standing Committee	Select Committee	Joint Committee	Conference Committee
•	• usually temporary	•	•
•	•	•	•
•	•	•	•

Political Dictionary

- standing committee
- subcommittee
- select committee
- joint committee
- conference committee

Objectives

1. Explain how standing committees function.
2. Describe the responsibilities and duties of the House Rules Committee.
3. Describe the role of select committees.
4. Compare the functions of joint and conference committees.

Image Above: Former Secretary of Defense Donald Rumsfeld testifying at a defense appropriations hearing

Do you know the phrase “a division of labor”? It means dividing the work to be done, assigning the several parts of the overall task to various members of the group. The House and the Senate are both so large, and their agendas are so crowded with so many different matters, that both chambers must rely on a division of labor. That is to say, much of the work that Congress does is in fact done by committees. Indeed, Representative Clem Miller (D., Calif.) once described Congress as “a collection of committees that come together in a chamber periodically to approve of one another’s actions.”

Standing Committees

In 1789, the House and Senate each adopted the practice of naming a special committee to consider each bill as it was introduced. By 1794, there were more than 300 committees in each chamber. Each house then began to set up permanent panels, **standing committees**, to which all similar bills can be sent. The number of these committees has varied over the years. There are 20 standing committees in the House and 16 in the Senate today. Each House committee has from 10 to as many as 75 members, and each Senate committee has from 14 to 28. Representatives are normally assigned to one or two standing committees and senators to three or four.

The pivotal role these committees play in the lawmaking process cannot be overstated. Most bills receive their most thorough consideration in these bodies. Members of both houses regularly respect the decisions and follow the recommendations they make. Thus, the fate of most bills is decided in the various standing committees, not on the floor of either house. More than a century ago, Woodrow Wilson described “Congress in its committee rooms” as “Congress at work,” and that remains true today.

Some panels are more prominent and more influential than others. As you would expect, most members try to win assignments to one of these major panels. The leading committees in the House are the Rules, Ways and Means, Appropriations, Armed Services, Judiciary, Foreign Affairs, and Agriculture committees. In the Senate, senators usually compete for places on the Foreign Relations, Appropriations, Finance, Judiciary, Armed Services, and Banking, Housing, and Urban Affairs committees.

Focus on the Basics

FACTS: • Standing committees decide the fate of most bills. • The powerful House Rules Committee can speed, delay, or even prevent House action on a bill. • Both houses create temporary select committees to investigate current issues. • Joint committees are composed of members of both houses. • The majority party holds the majority in each committee. • Conference committees resolve differences in House and Senate versions of a bill to produce a single compromise bill.

CONCEPTS: separation of powers, role of government in public policy

ENDURING UNDERSTANDINGS: • Most work in Congress is divided among committees that focus on particular policy areas. • Most bills never make it out of committee. • Bills must pass both houses in identical form to go to the President.

A Bill in the House

In the past, bills were usually referred, or sent, to one committee for review. Recently, however, bills have been more frequently referred to two or more committees. Here is the path of the Food and Energy Security Act through the House in 2007.



Introduced in the House

Speaker Referred Bill

- The Speaker of the House referred the bill to two committees.

Committee on Agriculture Subcommittees

- Conservation, Credit, Energy, and Research
- Department Operations, Oversight, Nutrition, and Forestry
- General Farm Commodities and Risk Management
- Horticulture and Organic Agriculture
- Livestock, Dairy, and Poultry
- Specialty Crops, Rural Development and Foreign Agriculture

Committee on Foreign Affairs

- Quickly discharged; not referred to subcommittees

Bill Was Reported

- The bill was discharged from the committees on Foreign Affairs and reported by the committee on Agriculture. Then it went to the Rules Committee.
- The Rules Committee set aside one hour for general debate, plus time to consider amendments. It also instructed the House to consider a bill in the Committee of the Whole (see Section 3).

Bill Was Sent to Full House

- The bill was considered in the Committee of the Whole—that is, the full House sitting as a committee rather than under typical floor rules.

Of course, some of the other committees are particularly attractive to some members. Thus, a representative whose district lies wholly within a major city might want to sit on the House Committee on Education and the Workforce. A senator from one of the western States might angle for assignment to the Senate's Committee on Energy and Natural Resources.

Most of the standing committees review bills dealing with particular policy matters—say, public lands, taxes, or veterans' affairs. However, there are four standing committees that are not organized as subject-matter bodies: in the House, the Rules Committee, the Committee on House Administration, and the Committee on Standards of Official Conduct, and in the Senate, the Committee on Rules and Administration.

When a bill is introduced in either house, the Speaker or the President of the Senate refers the measure to the appropriate standing committee. Thus, the Speaker sends all tax measures to the House Ways and Means Committee; in the Senate, tax measures go to the Finance Committee. A bill dealing with the creation of additional federal district judgeships will be sent to the Judiciary Committee in both chambers, and so on.

Recall that the chairman of each of the standing committees is chosen according to the seniority rule. As a consequence, most committee chairmen have served in Congress for at least 12 years and some much longer. The seniority rule is also closely applied in each house when it elects the other members of each of its committees.

The members of each standing committee are formally elected by a floor vote at the beginning of each term of Congress. In fact, each party has already drawn up its own committee roster before that vote, and the floor vote merely ratifies those party choices.

The majority party always holds a majority of the seats on each standing committee.⁸ The other party is well represented, however.

⁸ The only exception is the House Committee on Standards of Official Conduct, with five Democrats and five Republicans. Often called the House Ethics Committee, it investigates allegations of misconduct by House members. In the Senate, a six-member bipartisan Select Committee on Ethics plays a similar role.

BEFORE CLASS

Assign the section, the graphic organizer in the text, and the Reading Comprehension Worksheet (Unit 3 All-in-One, p. 133) before class.

L2 Differentiate Reading Comprehension Worksheet (Unit 3 All-in-One, p. 134)

BELLRINGER

Write on the board: **Think of a big event that you might like to plan, such as homecoming, a fundraiser, a science fair, or a sports tournament. Suppose you are the chairperson of the planning committee. Make a list of tasks required to plan and carry out the event. Then develop a system of committees and divide up the tasks among them. You may use paragraph or chart form.**

Teach

To present this topic using online resources, use the lesson presentations at PearsonSuccessNet.com.

REVIEW BELLRINGER

Review students' organizational plans for their event. Ask them what committees they would form and the duties they would assign to each committee. Tell students that, similarly, Congress is broken down into committees to divide up the huge volume of work into manageable portions. Tell students that in Congress, committees do the bulk of the work. Ask: **Why does Congress use committees, rather than the full House or Senate, to shape bills?** (*With so many people, it would be difficult to get anything done. In addition, committees allow more work to be done because different committees address different issues.*)

REVIEW COMMITTEES

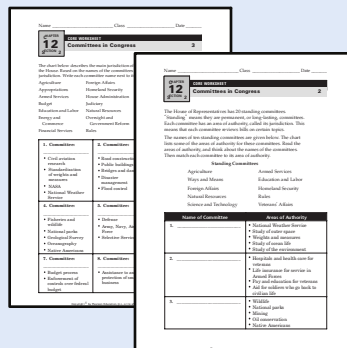
Write the following terms and definitions on the board, or ask students to provide definitions: **standing committees: permanent groups set up to consider bills on similar topics; select committees: temporary groups established for a specific purpose, usually for a limited time; joint committees: committees with members from both houses; conference committees: temporary joint committees that work out differences in bills passed in each house**

Spend a few minutes discussing why each type of committee is needed.

Differentiated Resources

The following resources are located in the All-in-One, Unit 3, Chapter 12, Section 2:

- L3** Reading Comprehension Worksheet (p. 133)
- L2** Reading Comprehension Worksheet (p. 134)
- L3** Core Worksheet (p. 135)
- L2** Core Worksheet (p. 137)
- L3 L4** Extend Worksheet (p. 139)
- L3** Quiz A (p. 141)
- L2** Quiz B (p. 142)



DISTRIBUTE CORE WORKSHEET

Distribute the Chapter 12 Section 2 Core Worksheet (Unit 3 All-in-One, p. 135), which asks students to match committees to their jurisdictions. Explain that *jurisdiction* means “area of authority.” Point out that a committee’s name gives clues to its jurisdiction.

L1 L2 Differentiate Distribute the adapted Chapter 12 Section 2 Core Worksheet (Unit 3 All-in-One, p. 137), which asks students to identify fewer committees and employs simpler vocabulary to describe the committees.

Name _____ Class _____ Date _____

CHAPTER 12 CORE WORKSHEET
Section 2 Committees in Congress 3

The chart below describes the main jurisdiction of each standing committee of the House. Based on the names of the committees in the list below, predict their jurisdiction. Write each committee name next to its description.

Agriculture	Foreign Affairs	Science and Technology
Appropriations	Homeland Security	Small Business
Armed Services	House Administration	Standards of Official Conduct
Budget	Judiciary	Transportation and Infrastructure
Education and Labor	Natural Resources	Veterans' Affairs
Energy and Commerce	Oversight and Government Reform	Ways and Means
Financial Services	Rules	

1. Committee:	2. Committee:	3. Committee:
<ul style="list-style-type: none"> Civil aviation research Standardization of weights and measures NASA National Weather Service 	<ul style="list-style-type: none"> Road construction Public buildings Bridges and dams Disaster management Flood control 	<ul style="list-style-type: none"> Education of veterans Military cemeteries Life insurance for military service Veterans' medical care
4. Committee:	5. Committee:	6. Committee:
<ul style="list-style-type: none"> Fisheries and wildlife National parks Geological Survey Oceanography Native Americans 	<ul style="list-style-type: none"> Defense Army, Navy, Air Force Selective Service 	<ul style="list-style-type: none"> Consumer affairs Interstate commerce Energy resources Regulation of nuclear energy Travel and tourism
7. Committee:	8. Committee:	9. Committee:
<ul style="list-style-type: none"> Budget process Enforcement of controls over federal budget 	<ul style="list-style-type: none"> Assistance to and protection of small business 	<ul style="list-style-type: none"> The Code of Official Conduct

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L2 ELL Differentiate Explain the meanings of difficult words in committee names, such as *agriculture* (farming), *appropriations* (spending), *armed services* (military), *commerce* (business), *judiciary* (having to do with the courts, or judicial branch), and *infrastructure* (basic public facilities and services, such as transportation and communications systems, water lines, and power plants).

Tell students to go to the Online Update to check out House standing committee chairs today.

Answers

Analyzing Charts Example predictions: The Appropriations Committee authorizes the use of money. The Natural Resources Committee reviews bills dealing with the management and conservation of the nation’s forests, oil and coal reserves, and other natural resources.

House Standing Committee Chairs

Committee	Name, Party, State, Year Elected
Agriculture	Collin C. Peterson (D., Minn.), 1990
Appropriations	David Obey (D., Wis.), 1969
Armed Services	Ike Skelton (D., Mo.), 1976
Budget	John M. Spratt, Jr. (D., S.C.), 1982
Education and Labor	George Miller (D., Calif.), 1974
Energy and Commerce	John D. Dingell (D., Mich.), 1955
Financial Services	Barney Frank (D., Mass.), 1980
Foreign Affairs	Howard Berman (D., Calif.), 1982
Homeland Security	Bennie G. Thompson (D., Miss.), 1993
House Administration	Robert A. Brady (D., Penn.), 1998
Judiciary	John Conyers, Jr. (D., Mich.), 1964
Natural Resources	Nick J. Rahall II (D., W. Va.), 1976
Oversight and Government Reform	Henry A. Waxman (D., Calif.), 1974
Rules	Louise M. Slaughter (D., N.Y.), 1986
Science and Technology	Bart Gordon (D., Tenn.), 1984
Small Business	Nydia M. Velazquez (D., N.Y.), 1992
Standards of Official Conduct	Vacant
Transportation and Infrastructure	James L. Oberstar (D., Minn.), 1974
Veterans' Affairs	Bob Filner (D., Calif.), 1992
Ways and Means	Charles B. Rangel (D., N.Y.), 1970

SOURCE: Congressional Directory and Clerk of the House

GOVERNMENT ONLINE Update

To check out who holds these positions today, go to PearsonSuccessNet.com

Analyzing Charts These are the House standing committees and their chairs. **What predictions can you make about the committees' jurisdiction based on their titles?**

Subcommittees Most standing committees are divided into **subcommittees**—divisions of standing committees which do most of the committees' work. Each subcommittee is responsible for a portion of the committee's workload. There are now some 150 subcommittees in the two houses—nearly 70 in the Senate and 99 in the House.

Take the Senate's 19-member Judiciary Committee (currently composed of 10 Democrats and 9 Republicans). It does most of its work in its seven subcommittees. Each member serves on at least two of these, and their titles describe their focuses: Administrative Oversight and the Courts; Antitrust, Competition Policy and Consumer Rights; The Constitution; Crime and Drugs; Human Rights and the Law; Immigration, Refugees and Border Security; and Terrorism, Technology and Homeland Security.

gauge
v. to measure; judge

The House Rules Committee The House Committee on Rules is the Speaker's “right arm.” It controls the flow of bills to the floor and sets the conditions for their consideration there. The panel is often described as the “traffic cop” in the lower house. So many measures are introduced in the House each term that some sort of screening device is absolutely necessary.

Most bills die in the committees to which they are referred. Still, several hundred are reported out every year. So, before most of these bills can reach the floor of the House, they must also clear the Rules Committee.

Normally, a bill gets to the floor only if it has been granted a rule—been scheduled for floor consideration—by the Rules Committee. The committee decides whether and under what conditions the full House will consider a measure. As you will see, this means that the powerful 13-member Rules Committee can speed, delay, or even prevent House action on a measure. In the smaller Senate, where the process is not so closely regulated, the majority leader controls the appearance of bills on the floor.

Select Committees

At times, each house finds a need for a **select committee**, sometimes called special committees. They are panels set up for some specific purpose and, most often, for a limited time. The Speaker of the House or the President of the Senate appoints the members of these special committees, with the advice of the majority and minority leaders.

The congressional power to investigate is an essential part of the lawmaking function. Congress must decide on the need for new laws and **gauge** the adequacy of those already on the books. It also must exercise its vital oversight function, to ensure that federal agencies are following the laws it has already passed. At times, too, a committee may conduct an investigation of an issue—for example, the threat of domestic terrorism—in order to focus public attention on that matter. Most investigations are conducted by standing committees, or by their subcommittees.

However, select committees are sometimes formed to investigate a current issue,

How Government Works

FARM BILL In addition to continuing current farm subsidies, the 2007 Farm Bill specified billions of dollars of new spending for anti-hunger and conservation programs, fruit and vegetable growers, dairy farmers, and the biofuel industry. The bill passed both houses of Congress. When it reached President Bush's desk, he vetoed it. He objected to what he saw as the bill's wasteful spending: “Americans sent us to Washington to achieve results and be good stewards of their hard-earned taxpayer dollars. This bill violates that fundamental commitment.” Breaking with the President, House Republican Conference Chairman Adam Putnam (Florida) supported the bill, explaining: “The principal purpose of agriculture policy in the United States is to guarantee we're not as dependent on other countries for our food as we are for our fuel.” Both the House and Senate overrode the veto, and the bill is now law.

as the Senate's Select Committee on Indian Affairs recently did. That 15-member panel spent nearly three years investigating the behavior of a number of well-connected lobbyists who represented several Native American tribes as they sought to establish gambling casinos. The committee's extensive probe uncovered massive instances of fraud, bribery, tax evasion, and other illegal activities for which several offenders began to serve long prison sentences in 2006 and 2007. The most prominent of those **miscreants** were Washington-based lobbyist Jack Abramoff and a member of Congress, Representative Robert Ney (R., Ohio), who had been chairman of the House Committee on Administration.

At times, select committees have been spectacularly important. This happened, for example, with the Senate's Select Committee on Presidential Campaign Activities, popularly known as the Senate Watergate Committee. As the Watergate scandal began to unfold in 1973, the Senate created that committee. Chaired by Senator Sam Ervin (D., North Carolina), its job was to investigate "the extent, if any, to which illegal, improper, or unethical activities were engaged in by any persons . . . in the presidential election of 1972." Its sensational hearings riveted the nation for months. Eventually, they formed a key link in the chain of events that led to President Richard Nixon's resignation from office in mid-1974.

Another notable instance came in 1987, with the work of two panels: the Senate's Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition, and the House Select Committee to Investigate Covert Arms Transactions with Iran. These twin committees, often referred to jointly as the Iran-Contra Committee, probed the Reagan administration's conduct of two highly secret projects abroad: the sale of arms to Iran and efforts to give military aid to the Contra rebels in Nicaragua. The operation in Iran was intended, at least in part, as an arms-for-hostages deal, and it failed. The aid to the Contras was funded in part with money from the Iranian arms sales, despite an act of Congress that expressly prohibited such aid by the United States.

Most congressional investigations are not nearly so visible, nor so historic. Their more usual shape can be seen when, for example, the House Committee on Agriculture probes the spruce budworm problem (an infestation affecting trees in the Pacific Northwest) or the Senate's Armed Services Committee looks at the Army's recruiting programs.

Joint and Conference Committees

A **joint committee** is one composed of members of both houses. Some of these are select committees set up to serve some temporary purpose. Most are permanent groups that serve on a regular basis. Because the standing committees of the two houses often duplicate one another's work, many have long urged that Congress make much greater use of the joint committee device.

Some joint committees are investigative in nature and issue periodic reports to the

Checkpoint
What is a select committee?

miscreants
n. criminals

Senate Standing Committee Chairs

Committee	Name, Party, State, Year Elected
Agriculture, Nutrition, and Forestry	Tom Harkin (D., Iowa), 1984
Appropriations	Robert C. Byrd (D., W. Va.), 1958
Armed Services	Carl Levin (D., Mich.), 1978
Banking, Housing, and Urban Affairs	Christopher C. Dodd (D., Conn.), 1980
Budget	Kent Conrad (D., N.D.), 1986
Commerce, Science, and Transportation	Daniel K. Inouye (D., Hawaii), 1962
Energy and Natural Resources	Jeff Bingaman (D., N.M.), 1982
Environment and Public Works	Barbara Boxer (D., Calif.), 1992
Finance	Max Baucus (D., Mont.), 1978
Foreign Relations	Joseph R. Biden, Jr. (D., Del.), 1972
Health, Education, Labor, and Pensions	Edward M. Kennedy (D., Mass.), 1962
Homeland Security and Governmental Affairs	Joseph L. Lieberman (I., Conn.), 1988
Indian Affairs	Byron L. Dorgan (D., N.D.), 1992
Judiciary	Patrick T. Leahy (D., Vt.), 1974
Rules and Administration	Dianne Feinstein (D., Calif.), 1992
Small Business and Entrepreneurship	John F. Kerry (D., Mass.), 1984
Veterans' Affairs	Daniel K. Akaka (D., Hawaii), 1990

SOURCE: Congressional Directory and Secretary of the Senate

GOVERNMENT ONLINE Update

► **Analyzing Charts** The chart above lists the Senate committees and their chairs. **Why do you think the Senate has fewer committees than the House?**

To check out who holds these positions today, go to PearsonSuccessNet.com

FOLLOW A BILL THROUGH THE HOUSE

Direct students to the chart in the text showing the path of the 2007 Farm Bill in the House. Point out that while most of the work of Congress happens in committees, most of the work of committees happens in subcommittees. Follow the path of the Farm Bill through the House. Students may be interested to learn that the bill included provisions for foreign food aid, which led to the referral to the Committee on Foreign Affairs. During this portion of the lesson, be sure to point out that bills are *referred*, or sent, to committees by the Speaker or President of the Senate.

L2 ELL Differentiate Teach the prefix *sub-*, which means "under" or "subordinate."

L4 Differentiate If you have classroom Internet access, you may have students access current legislation through GPOaccess.gov and trace its path through committees and subcommittees. Students should then make a flowchart showing the path of one of those bills.

EXTEND THE LESSON

L3 L4 Differentiate Distribute the Chapter 12 Section 2 Extend Worksheet (Unit 3 All-in-One, p. 139), which summarizes bills referred to House committees. Have students use the descriptions of committee jurisdictions in the Core Worksheet to predict which committees worked on each bill.

L3 Differentiate Assign student groups one committee of Congress. Have them create a poster that explains the jurisdiction of each committee, its history, its chairman, and its ranking member.

L2 Differentiate Have students research and identify the committees on which their representative and senators serve, and in what capacity.

Tell students to go to the Online Update to check out Senate standing committee chairs today.

Government
online

All print resources are available on the Teacher's Resource Library CD-ROM and online at PearsonSuccessNet.com.

Background

WAYS AND MEANS COMMITTEE Ways and Means is the oldest standing committee in Congress. Yet the idea of a committee to handle public finances is even older. Britain established a ways and means committee in 1641. America's colonial and early State legislatures adopted the British practice. Congress created a Ways and Means Committee in its first session in 1789. As a select committee, it was disbanded and reinstated each session. Congress redefined it as a standing committee in 1802. Its jurisdiction has changed many times through its history. At first its duties included appropriations as well as revenues. In 1865, Congress created new committees on banking and appropriations to relieve Ways and Means of some of its huge workload. Today, Ways and Means remains one of the most powerful committees in Congress, with responsibilities for government revenues, borrowing, and Social Security.

Answers

Checkpoint A select committee is a committee appointed for a specific purpose, often for a limited time.

Analyzing Charts The Senate is smaller.

Assess and Remediate

L3 Collect the Core Worksheet and assess students' work.

L3 Assign the Section 2 Assessment questions.

L3 Section Quiz A (Unit 3 All-in-One, p. 141)

L2 Section Quiz B (Unit 3 All-in-One, p. 142)

Have students complete the review activities in the digital lesson presentation and continue their work in the **Essential Questions Journal**.

REMEDIATION

If Your Students Have Trouble With	Strategies For Remediation
The role of committees (Questions 1, 2, 3, 5, 6)	Review the Chapter 12 Section 2 Core Worksheet, which lists committee jurisdictions. Refer students to the graphic in Section 3 showing how many bills become laws. Ask students to propose ways that Congress could review all these bills on a vast range of topics without committees.
The power to investigate (Question 4)	Draw a triangle with each of the branches of government on the board. Point out that Congress can investigate the other branches, which is part of the system of checks and balances.

Answers

Checkpoint A joint committee is any committee that is made up of members from both houses. A conference committee is a particular type of joint committee that has the job of reconciling House and Senate versions of a bill.

Analyzing Charts to avoid duplication of efforts between standing committees in each house

Assessment Answers

- Committees help by dividing up the labor. Each committee and its subcommittees specialize in evaluating bills in a specific area. Each house forms temporary select committees to investigate current issues. Conference committees reconcile differences between House and Senate versions of a bill before it is sent to the President.
- (a) permanent panels to which all bills within their subject area are referred (b) seniority
- (a) Select committees are temporary committees set up for a specific purpose. (b) Joint

committees are composed of members of both houses; most are permanent and perform routine duties. (c) Conference committees reconcile differences between House and Senate versions of a bill.

- Congress investigates to gauge the adequacy of existing laws, decide whether new ones are needed, determine whether the executive branch is carrying out the existing laws, and focus public attention on important problems.
- Members of Congress would be overwhelmed. It is not possible for each member

to have expertise in every policy area or time to investigate every proposed bill.

6. Benefits: committee members gain expertise by specializing; cuts down workload; provides flexibility; allows members of both houses to work together. Drawbacks: most bills never receive a floor vote; majority party controls agenda of every committee.

QUICK WRITE Students will make a pro-con graphic organizer to evaluate congressional organization.

Checkpoint
What is the difference between a joint committee and a conference committee?

Joint Committees of Congress

The Joint Economic Committee addresses matters related to the U.S. economy.
Chair: Sen. Charles Schumer (D., N.Y.)

The Joint Committee on the Library addresses matters related to the Library of Congress.
Chair: Sen. Dianne Feinstein (D., Calif.)

The Joint Committee on Printing oversees the Government Printing Office and other printing by the Federal Government.
Chair: Rep. Robert A. Brady (D., Penn.)

The Joint Committee on Taxation is involved in legislation about taxes. The chair position rotates between the chair of the House Ways and Means Committee and the Senate Finance Committee.

▶ **Analyzing Charts** The Joint Committees of Congress include members from both houses. *Why do you think these matters are dealt with by joint committees?*

House and Senate—for example, the Joint Committee on Taxation. It conducts in-depth studies of the federal tax system and presents its findings to the House Ways and Means Committee and the Senate's Finance Committee. Most often, those committees

perform more routine duties—for example, the Joint Committee on the Library oversees the administration of that remarkable institution, the Library of Congress.

Before a bill may be sent to the President, each house must pass it in identical form. Sometimes, the two houses pass differing versions, and the first house will not agree to the changes the other has made. When this happens, a **conference committee**—a temporary, joint body—is created to iron out the differences in the bill. Its job is to produce a compromise bill that both houses will accept—as you will see shortly.

Senator Charles Schumer (D., N.Y.) testifies during a hearing on food prices. ▼



Essential Questions Journal To continue to build a response to the chapter Essential Question, go to your **Essential Questions Journal**.

SECTION 2 ASSESSMENT

- Guiding Question** Use your completed table to answer this question: How do committees help Congress do its work?
- Key Terms and Comprehension**
 - What are **standing committees**?
 - What rule determines which members of Congress will serve as chairs and which as members of each committee?
- Describe the role of (a) **select committees**, (b) **joint committees**, and (c) **conference committees**.
- Why is the power of Congress to investigate a vital part of its legislative functions?
- Critical Thinking**
 - Predict Consequences** What might happen if all proposed bills were sent directly to the full House for a vote?
 - Express Problems Clearly** What are the benefits and drawbacks of the committee and subcommittee system used by Congress?

Quick Write

Persuasive Essay: Establish a Point of View Make a graphic organizer to keep track of the pros and cons of each aspect of congressional organization. Start thinking about whether you would change any aspect of how Congress is organized to make it more efficient or effective.

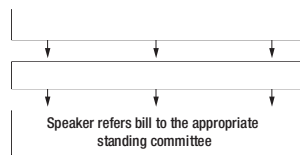
SECTION 3

Making Law: The House



Guiding Question

What steps does a successful bill follow as it moves through the House? Use a flowchart to keep track of the progress of a bill through the House.



Political Dictionary

- bill
- joint resolution
- concurrent resolution
- resolution
- rider
- pigeonhole
- discharge petition
- quorum
- engrossed

Objectives

1. Identify the first steps in the introduction of a bill to the House.
2. Describe what happens to a bill once it is referred to a committee.
3. Explain how House leaders schedule debate on a bill.
4. Explain what happens to a bill on the House floor, and identify the final step in the passage of a bill in the House.

Image Above: Rep. Greg Walden (R., Ore.) waves a bill during a committee markup.

These numbers may surprise you: From 6,000 to 9,000 bills and resolutions are introduced in the House and Senate during each session of Congress. Fewer than 10 percent become law. Where do all those measures come from? Why are so few of them passed? How, by what process, does Congress make law?

The First Steps

A **bill** is a proposed law presented to the House or Senate for consideration. Most bills introduced in either house do not originate with members themselves. Instead, however, many of the most important bills are born somewhere in the executive branch. Business, labor, agriculture, and other special interest groups often draft measures, as well. And some bills, or at least the ideas for them, come from private citizens who think “there ought to be a law. . . .” Many others are born in the standing committees of Congress.

According to Article I, Section 7, Clause 1 of the Constitution, “bills for raising Revenue shall originate in the House.” In other words, tax bills must first be acted upon by the House. Measures dealing with any other matter may be introduced in either chamber. Only members can introduce bills in the House, and they do so by dropping them into the hopper, a box hanging on the edge of the clerk’s desk.⁹

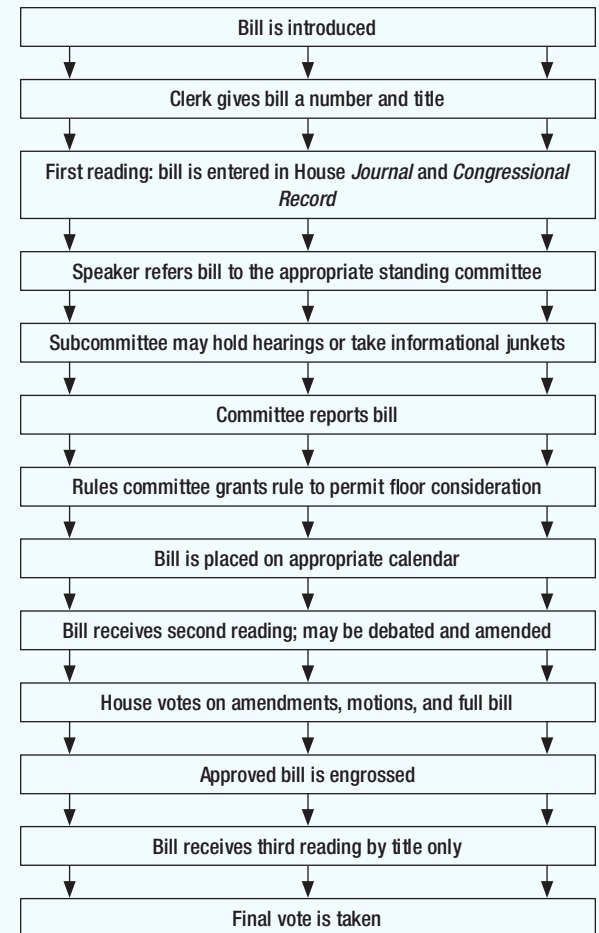
Often, before a member introduces a bill, he or she will circulate a letter informing other members about the measure and why its sponsor thinks it should become law. That is, he or she hopes to persuade several other members to become cosponsors, thereby increasing the chances that the bill will be passed. By the time many measures are introduced, in either house, a number of members are listed on them as cosponsors.

Types of Bills and Resolutions The thousands of measures—bills and resolutions—Congress considers take several forms. To begin with, there are two types of bills: public bills and private bills.

⁹ Puerto Rico’s resident commissioner and the delegates from the District of Columbia, Guam, the Virgin Islands, American Samoa, and the Northern Mariana Islands also may introduce measures in the House. Only a senator may introduce a measure in the upper house. He or she does so by addressing the chair.

GUIDING QUESTION

What steps does a successful bill follow as it moves through the House?



SKILLS DEVELOPMENT

INNOVATE AND THINK CREATIVELY

Since the activities in this section require students to brainstorm and debate issues, you may want to have students review the information on innovating and thinking creatively in the Skills Handbook, p. S23.

Focus on the Basics

FACTS: • Only a member can introduce a bill in either house. • Bills approved by the appropriate committee and the Rules Committee are given floor consideration. • Measures that win House approval are sent to the Senate. • All bills are scheduled on the appropriate calendar.

CONCEPTS: checks and balances, public policy

ENDURING UNDERSTANDINGS: • Only a small fraction of the bills introduced become laws. • Bills are referred to standing committees and most to subcommittees. • Important bills are referred to the Committee of the Whole to speed business on the floor with rules that are less strict than those of the House itself.

Get Started

LESSON GOALS

Students will . . .

- recognize the need for committees by examining a transparency showing the volume of bills flowing through Congress.
- write a bill using guidelines and following a sample.
- simulate how a bill passes through the House, using a bill created by students.

BEFORE CLASS

Assign the section, the graphic organizer in the text, and the Reading Comprehension Worksheet (Unit 3 All-in-One, p. 143) before class.

L2 Differentiate Reading Comprehension Worksheet (Unit 3 All-in-One, p. 145)

BELLRINGER

Display Transparency 12F, Number of Bills that Become Laws, which shows the number of bills at different stages of the legislative process. Write on the board: **What do these numbers say about the lawmaking process?** Instruct students to answer the transparency questions in their notebooks. Then tell them to write an answer to the question on the board.

Teach

To present this topic using online resources, use the lesson presentation at PearsonSuccessNet.com.

REVIEW BELLRINGER

Have a volunteer answer the first two Bellringer questions. (*bills introduced: 7,558; number that became law: 465*) Then have several students read their answer to the third question. (*Possible responses: Congress does a good job weeding out frivolous bills. Members of Congress have a huge workload. Work must be divided up because the volume is too great for all members to be able to work on all bills.*)

Remind students of the unit Essential Question: **Can and should the lawmaking process be improved?** Tell them to think about this question as they study the last two sections of the chapter.

Answers

Caption Possible response: to gain public support for the bill to put pressure on other members of Congress to vote to pass it

Checkpoint by the addition of multiple riders



The Democratic House leadership held a rally before an all-night debate on a bill that would withdraw U.S. troops from Iraq. *Why might members of Congress hold a public rally before holding a debate on a bill?*

Checkpoint
How does an appropriations bill become a “Christmas tree”?

Public bills are measures applying to the nation as a whole—for example, a tax measure. Private bills are measures that apply to certain persons or places rather than to the entire nation. As an example, Congress once passed an act to give a sheep rancher \$85,000 for his losses resulting from attacks by grizzly bears. The bears had been moved to public lands on which the rancher grazed his flock.

Joint resolutions are measures which are similar to bills, and, when passed, have the force of law. Joint resolutions most often deal with unusual or temporary matters. For example, they may be used to appropriate money for the presidential inauguration ceremonies. Joint resolutions are used, too, to propose constitutional amendments, and they have also been used to annex territories.

Concurrent resolutions deal with matters in which the House and Senate must act jointly. However, they do not have the force of law and do not require the President’s signature. Concurrent resolutions are used most often by Congress to state a position on some matter—for example, in foreign affairs.

Resolutions, often called “simple resolutions,” deal with matters concerning either house alone and are taken up only by that house. They are regularly used for such matters as the adoption of a new rule of procedure or the amendment of some existing rule.

voluminous
adj. massive; lengthy

Like concurrent resolutions, a resolution does not have the force of law and is not sent to the President for approval.

A bill or resolution usually deals with a single subject, but sometimes a rider dealing with an unrelated matter is included. A **rider** is a provision not likely to pass on its own merit that is attached to an important measure certain to pass. Its sponsors hope that it will “ride” through the legislative process on the strength of the main measure.

Most riders are tacked onto appropriations measures, which provide money to pay for something. In fact, some money bills have so many riders attached that they are called “Christmas trees.” The opponents of those “decorations” and the President are almost always forced to accept them if they want the bill’s major provisions to become law.

Introduction and First Reading The clerk of the House numbers each bill as it is introduced. Thus, H.R. 3410 would be the 3,410th measure introduced in the House during the congressional term. Bills originating in the Senate receive the prefix S.—such as S. 210. Resolutions are similarly identified in each house in the order of their introduction.¹⁰

The clerk also gives each bill a short title—a brief summary of its principal contents. Having received its number and title, the bill is then entered in the House *Journal* and in the *Congressional Record* for the day.

The *Journal* contains the minutes, the official record, of the daily proceedings in the House or Senate. The *Congressional Record* is a **voluminous** account of the daily proceedings (speeches, debates, other comments, votes, motions, etc.) in each house. The *Record* is not quite a word-for-word account, however. Members have five days in which to make changes in each temporary edition. They often insert speeches that were in fact never made, reconstruct “debates,” and revise thoughtless or inaccurate remarks.

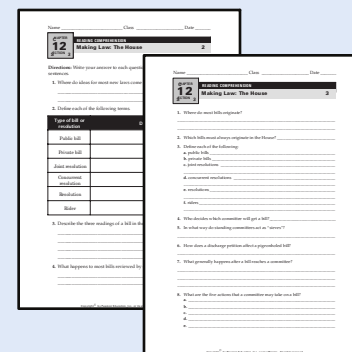
With these actions the bill has received its first reading. All bills are printed immediately after introduction and distributed to all members of the House.

Each bill that is finally passed in either house is given three readings along the legislative route. In the House, second reading

Differentiated Resources

The following resources are located in the All-in-One, Unit 3, Chapter 12, Section 3:

- L3** Reading Comprehension Worksheet (p. 143)
- L2** Reading Comprehension Worksheet (p. 145)
- L3** Core Worksheet A (p. 147)
- L3** Core Worksheet B (p. 149)
- L3** Quiz A (p. 150)
- L2** Quiz B (p. 151)



comes during floor consideration, if the measure gets that far. Third reading takes place just before the final vote on the measure. Each reading is usually by number and title only: "H.R. 3410, A bill to provide. . ." However, the more important or controversial bills are read in full and taken up line by line, section by section, at second reading.

The three readings, an ancient parliamentary practice, are intended to ensure careful consideration of bills. Today, the readings are little more than way stations along the legislative route. They were quite important in the early history of Congress, however, when some members could not read.

After first reading, the Speaker refers the bill to the appropriate standing committee. A bill's content largely determines where it will go. The Speaker does have some discretion, however, particularly over complex measures with provisions covering a number of subjects. Which committee gets a bill can matter. For example, a controversial provision in the bill might receive a more favorable welcome in one committee than it might in another.

The Bill in Committee

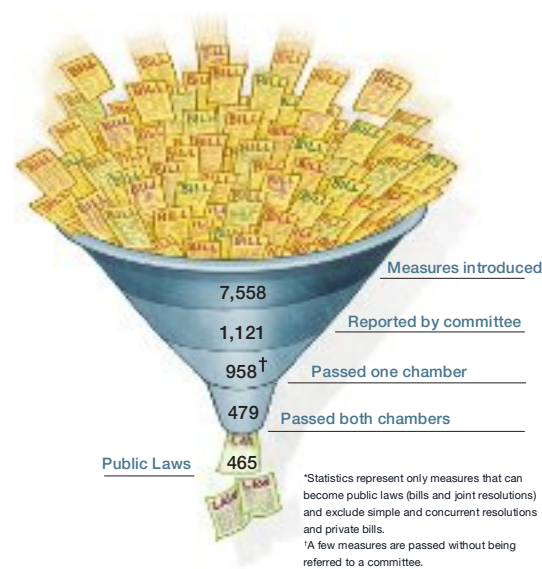
The Constitution makes no mention of standing committees. These bodies do play an absolutely essential role in the lawmaking process, however—and in both houses of Congress. Indeed, their place is so pivotal that they are sometimes called "little legislatures."

The standing committees act as sieves. They sift through all of the many bills referred to them—rejecting most, considering and reporting only those they find to be worthy of floor consideration. In short, the fate of most bills is decided in these committees rather than on the floor of either house.

¹⁰ Thus, H.J. Res. 12 would be the 12th joint resolution introduced in the House during the term, and similarly in the Senate, S.J. Res. 19. Concurrent resolutions are identified as H. or S. Con. Res., and simple resolutions as H. or S. Res.

¹¹ The term comes from the old-fashioned roltop desks with pigeonholes—slots into which papers were put and often soon forgotten. Most "by request" bills are routinely pigeonholed; they are the measures that members introduce but only because some constituent or some interest group has asked them to do so.

The Number of Bills That Become Laws



SOURCE: Library of Congress. Figures are for the 109th Congress.

▶ **Interpreting Charts** A bill must pass through many steps before it becomes law. **After which step do most bills die?**

Most of the thousands of bills introduced in each session of Congress are **pigeonholed**.¹¹ That is, they are buried; they die in committee. They are simply put away, never to be acted upon.

Most pigeonholed bills deserve their fate. On occasion, however, a committee buries a measure that a majority of the members of the House want to consider. When that happens, the bill can be blasted out of the committee with a discharge petition.

A **discharge petition** enables members to force a bill that has remained in committee 30 days (7 in the Rules Committee) onto the floor for consideration. Any member may file a discharge motion. If that motion is signed by a majority (218) of House members, the committee has seven days to report the bill. If it does not, any member who signed the motion may, on the second and fourth Mondays of each month, move that the bill be

Checkpoint
 What happens to the majority of bills that are introduced?

sieve
n. gatekeeper

INTRODUCE THE ACTIVITY

As a class, brainstorm a list of issues and laws that affect students from the federal level. Examples include: drinking age, age to serve in the military, voting age, smoking age, mandatory physical education, minimum wage laws, juvenile offenders/sentencing, environmental issues, testing in schools. Explain that many of these issues are addressed at the State and local level. Based on the Constitution, the Federal Government has no power to dictate many of its own policies. However, Congress ties funding for roads, disaster management, and other important functions to States' meeting specific requirements. Then direct students' attention to the list of issues and tell them that they will now write a bill about one of these topics or another of their choosing.

DISTRIBUTE THE CORE WORKSHEET

Distribute the Chapter 12 Section 3 Core Worksheet A (Unit 3 All-in-One, p. 147), which helps students write a bill. The worksheet explains each part of a typical bill and provides a sample. Advise students to look at the sample as they read the descriptions. Divide the class into groups of 4 or 5 students to write bills. Distribute Core Worksheet B to each group, which will guide them in writing their bill. Remind students that groups should choose a national rather than local issue.

L3 Differentiate Alternatively, you may wish to walk through the lesson as a class rather than dividing students into groups.

Name _____ Class _____ Date _____

CHAPTER 12 **CORE WORKSHEET A**
SECTION 3 **Making Law: The House** **3**

How to Write a Bill

Your group will write a bill that you would like to introduce into the House of Representatives. Design your bill to solve a problem on a national issue of interest to you. First, select an issue. What change would you like the Federal Government to make? For example: Do you think people who talk on cell phones while driving should be required to use headsets? Do you think vending machines dispensing junk food should be banned from schools? Brainstorm ideas with your group. The parts of a bill are explained below and a sample bill appears on the next page. Follow along on the sample bill as you read the explanations of each part. Then work with your group to write a bill on the form in Core Worksheet B.

PARTS OF A BILL

Sponsors: Write the names of your group here.

Cosponsors, Bill Number, and Committees: Leave these blank for now. These will be filled in after your bill is introduced.

Title of Bill: This title should be just a few words that capture the essence of your bill. This short title should make it easy for people to refer to the bill.

Preamble: This is the only place in the bill where you should give the reasons why your bill is needed. This section should begin with "Whereas."

Sections of Body: In each section, state one thing that your bill will do if passed. Add subsections with clarifying details, as needed. Use additional paper if you need more sections or more room for subsections.

Define concepts as needed. In the sample bill, "economically depressed areas" can mean many things. This concept is defined to specify what school districts will be eligible for the program.

Bills that require funding should use at least one section to specify the source of the funds.

Last Section: The last section of every bill should specify when the bill would go into effect if passed. Bills typically take effect more than 90 days from passage. Only emergency legislation is enacted in less time.

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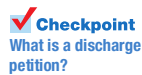
Political Cartoon Mini-Lesson

Display Transparency 12G, Spending Bill, when you discuss riders. Explain that riders are commonly called "pork." Ask: **Who is the man driving the sled?** (*President George W. Bush*). **Whom does the elf represent?** (*Congress*) **What has Congress done?** (*attached a lot of pork, or riders, to the President's spending bill*) **Why do you think Congress chose to attach the riders to this particular bill?** (*Riders are typically attached to appropriations bills because such bills are important and likely to pass. The fact that the President is steering this bill means that it is important to him.*) **Why do you think the cartoonist shows the riders pulling the sled?** (*The President will have to accept the riders if he wants his spending bill to move forward toward passage.*)

Answers

Interpreting Charts after introduction, when they've been referred to committee

Checkpoint Most are pigeonholed.



MAKE IT VISUAL

After students have finished writing their bills, choose one bill to use as an example. The least controversial would be the easiest for the activity. Tell students that you will walk this bill through the legislative process in the House of Representatives. Write the summary title of the group's bill on a large piece of paper. Holding the bill, tell students that you hold a bill that has been written to address a current issue. Ask what you should do with it. (*They should tell you that a member of the House needs to submit it.*)

Then tell students to suppose that they are all members of the House. Ask members who support the bill to come sign their names as cosponsors. Then ask if any students oppose the bill. If so, ask what it would take to make them support it, including adding unrelated provisions. Write these provisions on sticky notes and stick them to the paper. Explain that these provisions are riders, which may not pass on their own. If these riders will persuade students to support the bill, have them add their names to the list of cosponsors. Point out that the bill's sponsors just gained support for their bill.

WALK THROUGH THE STEPS

Tell students that you will walk their bill through the steps of the first reading. Assign the bill a number, H.R.1, for example, and write the number on the bill. Then ask a sponsor to read the title. Ask students what happens next. (*The entire bill is entered into the House Journal and Congressional Record. Then the Speaker refers it to a committee.*) Point out that bills are no longer "read" in their entirety upon introduction. Entering the text of the bill into the *Congressional Record* serves a similar purpose.

Explain that the bill gets a second and third reading. Ask: **Why were these readings important in the early days of Congress?** (*At that time, not all members could read.*)

Post the bill, including riders, on the board for the whole class to see.

discharged from the committee—that is, sent to the floor. If the motion carries, the rules require the House to consider the bill at once. This maneuver is not often tried, and it seldom succeeds.

The process was most recently successful in 2002, however. What went on to become the Bipartisan Campaign Reform Act of 2002 was blasted out of the Committee on House Administration—where the House leadership had managed to bury it for several years. That measure marked the first major change in federal campaign finance law in 23 years.

The Committee at Work Once a bill reaches a committee, the chairman almost always refers it to one of several subcommittees. For an important or controversial measure, a committee, or most often one of its subcommittees, holds public hearings. Interested parties, including the representatives of interest groups, public officials, and others, are invited to testify at these information-gathering sessions. If necessary, a committee can issue a subpoena, forcing a witness to testify.¹²

Occasionally, a subcommittee will make a trip to locations affected by a measure. Thus, several members of the House Foreign Affairs Committee's Subcommittee on the Western Hemisphere may visit Rio de Janeiro for a first-hand look at Brazil's successful efforts to reduce that country's dependence on foreign oil.

These trips are made at public expense, and members of Congress are sometimes criticized for taking them. Some of these junkets deserve criticism. But an on-the-spot investigation often proves to be among the best ways a committee can inform itself.

Committee Actions When a subcommittee has completed its work on a bill, the measure goes to the full committee. At the chairman's direction, that body may do one of several things. It may:

1. Report the bill favorably, with a "do pass" recommendation. It is then the chairman's job to steer the bill through debate on the floor.

¹² A subpoena is an order compelling one to testify and/or produce evidence. Failure to obey a subpoena may lead the House or Senate to cite the offender for contempt of Congress—a federal crime punishable by fine and/or imprisonment.

2. Refuse to report the bill—that is, pigeonhole it. Again, this is the fate suffered by most measures in both houses.

3. Report the bill in amended form. Many bills are changed in committee, and several bills on the same subject may be combined into a single measure.

4. Report the bill with an unfavorable recommendation. This does not often happen. Occasionally, however, a committee feels that the full House should have a chance to consider a bill or does not want to take the responsibility for killing it.

5. Report a committee bill. This is a new bill, a measure that the committee has substituted for one or several bills referred to it.

Scheduling Floor Debate

Before it goes to the floor for consideration, a bill reported by a standing committee is placed on one of several calendars in the House. A calendar is a schedule of the order in which bills will be taken up on the floor.

Calendars There are five calendars in the lower house. The *Calendar of the Committee of the Whole House on the State of the Union*, commonly known as the *Union Calendar*, is for all bills having to do with revenues, appropriations, or government property. The *House Calendar* is for all other public bills. The *Private Calendar* is for all private bills. The *Corrections Calendar*, for all bills from the Union or House Calendar taken out of order by unanimous consent of the House of Representatives. These are most often minor bills to which there is no opposition. The *Discharge Calendar* is for petitions to discharge bills from committee.

Under the rules of the House, bills are taken from each of these calendars for consideration on a regularly scheduled basis. For example, bills from the Corrections Calendar are supposed to be considered on the second and fourth Tuesdays of each month. Measures relating to the District of Columbia can be taken up on the second and fourth Mondays, and private bills on the first and third Tuesdays. On "Calendar Wednesdays," the various committee chairmen may each call

Background

BATTLE FOR POWER Following Democratic victories in the 2008 election, the House Energy and Commerce Committee witnessed a fight for control that tested the seniority system. The chair of the committee was expected to shape important environmental legislation by working with Democrats in the Senate and President Obama. The incoming chair, Rep. John Dingell (D., Michigan), had served more than 50 years in the House and often represented the interests of the auto industry and its workers against stricter environmental laws. Rep. Henry Waxman (D., California), who supported strong moves toward energy efficiency and lower CO2 emissions, challenged Dingell for control of the committee. Waxman defeated Dingell in a vote of all Democratic representatives, 137-122, unexpectedly unseating the veteran legislator. In exchange, Waxman named Dingell to lead the committee's efforts on health care reform.

Answers

Checkpoint a motion to force a bill out of committee for floor consideration

Congressional Committee Staffers

What Are Their Duties?

More than 2500 men and women serve on congressional committees. These staffers must be experts not only in the subject matter their committees cover, but in political maneuvering. Their hard work enables members of Congress to do their jobs more effectively and to keep their eyes on the bigger picture. *How might staffers contribute to the effectiveness of congressional committees?*



▶ Committee staffers deliver press copies of a Special Committee report on China's theft of U.S. nuclear weapons secrets.



▶ A committee staffer presents information about the possible impact of oil exploration on Alaska's polar bears.

up one bill from the House or Union calendars that has cleared their committees.

Rules None of these arrangements is followed too closely, however. What most often happens is even more complicated. Remember that the Rules Committee plays a critical role in the legislative process in the House. It must grant a rule before most bills can in fact reach the floor. That is, before most measures can be taken from a calendar, the Rules Committee must approve that step and set a time for its appearance on the floor.

By not granting a rule for a bill, the Rules Committee can effectively kill it. Or, when the Rules Committee does grant a rule, it may be a special rule—one setting conditions under which the members of the House will consider the measure. A special rule often sets a time limit on floor debate. It may even prohibit amendments to certain, or even to any, of the bill's provisions.

Then, too, certain bills are privileged. That is, they may be called up at almost any

time, ahead of any other business before the House. The most privileged measures include major appropriations (spending) and general revenue (tax) bills, conference committee reports, and special rules granted by the Rules Committee.

On certain days, the House may suspend its rules. A motion to that effect must be approved by a two-thirds vote of the members present. When that happens, as it sometimes does, the House moves so far away from its established operating procedures that a measure can go through all the many steps necessary to enactment in a single day.

All of these—the calendars, the role of the Rules Committee, and the other complex procedures—have developed over time to help members of the House manage their heavy workload. Because of the large size of the House and the sheer number and variety of bills its members introduce, no one member could possibly know the contents, let alone the merits, of every bill on which he or she has to vote.

Checkpoint
What power makes the Rules Committee so important?

FORM COMMITTEES

Have students identify the committee(s) to which their bill should be sent. Write the name(s) of the committees on the bill and on the board.

Divide the class into three committees. Each committee will debate the bill. They can change the bill according to their discussions or leave the bill the same. Throughout their debate, the following could happen:

1. The bill could die in committee. If most committee members dislike the bill and disagree with the ideas behind it, they can vote to kill it.
2. The bill could pass as is. If most committee members agree with the bill as it stands, they can vote to move it on to the whole class for a vote.
3. The bill could change and the committee will have to defend that change. Committee members should propose their changes during debate, and the full committee should vote on whether to make the change.

The three actions above are the most likely to happen with this simulation, but you could remind the students of the other routes a bill might take.

VOTE ON THE BILLS

When the class comes back together, set rules for debate as the Committee of the Whole. Then spend a short time debating the bill. Have students vote on each version, or allow students to add amendments from one version to another version.

Tell students to go to the Audio Tour for a guided audio tour of the "Congressional Committee Staffers" feature.

Debate

Explain that virtually all bills introduced in the House go to committee, and most of them die there. Have students consider whether this demonstrates a fundamental problem in the House. Organize the class into two teams: one will argue that the pigeonholing of so many bills reveals a failure of the legislative process, and the other will argue that it contributes to its success. Ask: **Does the fact that most bills fail to become law represent a basic flaw in the legislative process?**

Answers

What Are Their Duties? Possible response: Staffers can do the research and political arm-twisting for the members of Congress. Also, by specializing, the staffers can contribute expert knowledge to the committee's decision making.

Checkpoint the power to allow or prevent a bill from reaching the House floor

EXTEND THE LESSON

L4 Differentiate Have students research current legislation and its progress through the House and write a news article summarizing the key points of the bill and its current status.

L3 Differentiate Ask students to watch a floor debate on cable television or the Internet and summarize the proceedings.

L2 Differentiate Have students make a flowchart that shows the steps of a bill through the House.

The Bill on the Floor

If a bill finally reaches the floor, it receives its second reading in the House. Many bills the House passes are minor ones, with little or no opposition. Most of these less important measures are called from the Corrections Calendar, get their second reading by title only, and are quickly disposed of.

Nearly all of the more important measures are dealt with in a much different manner. They are considered in the Committee of the Whole, an old parliamentary device for speeding business on the floor.

The Committee of the Whole includes all the members of the House, sitting as one large committee of the House, not as the House itself. The rules of the Committee of the Whole are much less strict than the rules of the House, and floor action moves along at a faster pace. For example, a **quorum**, which is a majority of the full membership (218), must be present in order for the House to do business. Only 100 members need be present in the Committee of the Whole.

When the House resolves itself into the Committee of the Whole, the Speaker steps down because the full House of Representatives

is no longer in session. Another member presides. General debate begins, and the bill receives its second reading, section by section. As each section is read, amendments may be offered. Under the five-minute rule, supporters and opponents of each amendment have just that many minutes to make their cases. Votes are taken on each section and its amendment as the reading proceeds.

When the bill has been gone through—and many run to dozens and sometimes hundreds of pages—the Committee of the Whole has completed its work. It then rises, that is, dissolves itself. Presto! The House is now back in session. The Speaker resumes the chair, and the House formally adopts the committee's work.

Debate Its large size has long since forced the House to impose severe limits on floor debate. A rule first adopted in 1842 forbids any member from holding the floor for more than one hour without unanimous consent to speak for a longer time. Since 1880, the Speaker has had the power to force any member who strays from the subject at hand to give up the floor.

The majority and minority floor leaders generally decide in advance how they will split the time to be spent on a bill. But at any time, any member may "move the previous question." That is, any member can demand a vote on the issue before the House. If that motion is adopted, debate ends. An up-or-down vote must be taken. This device is the only motion that can be used in the House to close (end) debate, but it can be a very effective one.

Voting A bill may be the subject of several votes on the floor. If amendments are offered, as they frequently are, members must vote on each of them. Then, too, a number of procedural motions may be offered, for example, one to table the bill (lay it aside), another for the previous question, and so on. The members must vote on each of these motions. These several other votes are very often a better guide to a bill's friends and foes than is the final vote itself. Sometimes, a member votes for a bill that is now certain to pass, even though he or she had supported amendments to it that, had they been adopted, would have in fact defeated the measure.



▶ **Analyzing Political Cartoons** This cartoon mocks the lawmaking process. *Is the cartoon a reference to how Congress actually works or how people think it works? Explain.*

Answers

Analyzing Political Cartoons The cartoon probably refers to the way people think Congress works. Hearings may seem like a lengthy diversion to many people, but they are an important way for Congress to gather information to find a solution.

Background

CONGRESSIONAL STAFF Because of the volume and complexity of their work, members of Congress rely on congressional staff. Each member has a personal staff. An administrative assistant or chief of staff runs the office. Legislative assistants analyze bills under consideration and present the pros and cons to their boss. Legislative assistants often specialize in specific areas, such as taxes or energy issues. The press secretary promotes the member's views in communications with the media and the public. The appointment secretary allocates the member's time and may arrange travel or speaking engagements. Caseworkers solve problems and fulfill requests from constituents. In addition to personal staff, more than 2,500 staff members serve specific congressional committees or subcommittees. These staffers assist in writing, analyzing, and amending legislation within committee jurisdiction.

The House uses four different methods for taking floor votes:

1. Voice votes are the most common. The Speaker calls for the “ayes” and then the “noes,” the members answer in chorus, and the Speaker announces the result.

2. If any member thinks the Speaker has erred in judging a voice vote, he or she may demand a standing vote, also known as a division of the House. All in favor, and then all opposed, stand and are counted by the clerk.

3. One fifth of a quorum (44 members in the House or 20 in the Committee of the Whole) can demand a teller vote. When this happens, the Speaker names one teller from each party. The members pass between the tellers and are counted, for and against. Teller votes are rare today. The practice has been replaced by electronic voting.

4. A roll-call vote, also known as a record vote, may be demanded by one fifth of the members present.¹³

In 1973, the House installed a computerized voting system for all quorum calls and record votes to replace the roll call by the clerk. Members now vote at any of the 48 stations on the floor by inserting a personalized plastic card in a box and then pushing one of three buttons: “Yea,” “Nay,” or “Present.” The “Present” button is most often used for a quorum call—a check to make sure that a quorum of the members is in fact present.

¹³ The Constitution (Article I, Section 7, Clause 2) requires a record vote on the question of overriding a presidential veto. No record votes are taken in the Committee of the Whole.

Otherwise, it is used when a member does not wish to vote on a question but still wants to be recorded as present.¹⁴

A large master board above the Speaker’s chair shows instantly how each member has voted. The House rules allow the members 15 minutes to answer quorum calls or cast record votes. Voting ends when the Speaker pushes a button to lock the electronic system, producing a permanent record of the vote at the same time. Under the former roll-call process, it took the clerk up to 45 minutes to call each member’s name and record his or her vote. Before 1973, roll calls took up about three months of House floor time each session.

Voting procedures are much the same in the Senate. The upper house uses voice, standing, and roll-call votes, but does not take teller votes or use an electronic voting process. Only six or seven minutes are needed for a roll-call vote in the smaller upper chamber.

Final Steps in the House Once a bill has been approved at second reading, it is **engrossed**, or printed in its final form. Then it is read a third time, by title, and a final vote is taken. Invariably, a bill is approved at third reading, and then the Speaker signs it. A page—a legislative aide—then carries it to the Senate side of the Capitol and places it on the Senate president’s desk.

¹⁴ A “present” vote is not allowed on some questions—for example, a vote to override a veto.

Checkpoint
What are the four types of votes that the House can take?

Assess and Remediate

L3 Collect Core Worksheet B and assess students’ work.

L3 Assign the Section 3 Assessment questions.

L3 Section Quiz A (Unit 3 All-in-One, p. 150)

L2 Section Quiz B (Unit 3 All-in-One, p. 151)

Have students complete the review activities in the digital lesson presentation and continue their work in the **Essential Questions Journal**.

REMIEDIATION

If Your Students Have Trouble With	Strategies For Remediation
Identifying the steps of a bill as it moves through the House (Questions 1, 3)	Make a flowchart showing the steps
Identifying types of resolutions (Question 2)	Review the text under the heading, “Types of Bills and Resolutions”
Understanding the work of committees (Question 4)	Make a list of pros and cons of the committee system
Understanding the role of the calendar system (Question 5)	Make a real calendar with sample days

SECTION 3 ASSESSMENT

Essential Questions Journal To continue to build a response to the chapter Essential Question, go to your **Essential Questions Journal**.

1. Guiding Question Use your completed flowchart to answer this question: What steps does a successful bill follow as it moves through the House?

Key Terms and Comprehension

2. Compare and contrast a **simple resolution**, a **joint resolution**, and a **concurrent resolution**.

3. What happens to most bills in committee? Why?

Critical Thinking

4. Make Decisions Congressional committees are sometimes called “little legislatures.” Explain this expression. Is it an accurate one? Why or why not?

5. Draw Inferences Why does the House use such a complicated calendar system?

Quick Write

Persuasive Essay: Make an Outline Using your graphic organizer from Section 2, choose one aspect of congressional organization that you think is very effective or one aspect that you think should be changed. Describe that point in a thesis statement and write an outline that includes at least three supporting points.

Assessment Answers

1. A bill is introduced. The clerk numbers and titles it. The first reading consists of entering the bill into the *Journal* and *Congressional Record*. The Speaker refers the bill to committee. The committee reports the bill favorably, unfavorably, or in amended or new form. The Rules Committee grants it a rule. It is placed on a calendar. On the floor, it receives its second reading. It is debated by the whole House. A vote is taken on each amendment offered. The approved bill is engrossed. It is read a third

time by title. A final vote is taken. The Speaker signs it. It is delivered to the president of the Senate.

2. A simple resolution deals with a matter concerning only one house, is dealt with by that house, and does not have the force of law. A joint resolution has the force of law, but usually deals with a temporary or unusual matter. A concurrent resolution is usually used to declare a position on a policy matter; it involves both houses but does not have the force of law or require the President’s signature.

3. Most bills die in committee, because com-

mittees report only those bills they think are worthy of floor consideration.

4. Possible response: The expression is accurate because committees do most of the work and decide the fate of most bills. Congress takes committee recommendations seriously because committee members are experts.

5. The calendars help House members manage their workload. Bills are grouped by type on different calendars, helping Congress prioritize.

QUICK WRITE Students should write a thesis statement and outline with supporting points.

LESSON GOAL

- Students will formulate and defend an opinion on whether the filibuster protects minority rights or gives the minority too much power.

Teach

INTRODUCE THE TOPIC

Ask a volunteer to define *filibuster*. (*It is a tool used by senators to hold up legislation they oppose by “talking a bill to death” and holding up floor action by following certain rules.*) Then ask students how a filibuster can be forced to end. (*The Senate can invoke cloture, in which 60 senators vote to end debate.*)

SUMMARIZE THE ISSUE

Have students read the feature and summarize the situation in 2005. (*After filibusters held up judicial appointments, the majority threatened to rule out the use of the filibuster for judicial appointments.*) Ask: **How does the filibuster protect the rights of the minority?** (Possible response: *A filibuster forces the majority to consider the minority’s point of view. Under cloture rules, a filibuster can be stopped by a three-fifths vote. If the majority does not have that many votes, they will have to compromise with the minority. This prevents domination by a slim majority and assures stronger bipartisan support.*)

OPINION LINE

Use the Opinion Line strategy (p. T26) to have students declare an opinion on this question: **Does the filibuster protect minority rights, or does it allow a tyranny of the minority?** Label the sides of the line “protects minority rights” and “tyranny of the minority.” Ask students to defend their positions.

Assess and Remediate

Have students support their view on this issue in a letter addressed to one of the quoted senators.

Answers

1. (a) He threatened to ask the Senate’s presiding officer to rule judicial filibusters unconstitutional. (b) because it would destroy a critical tool of the minority to pressure the majority to compromise
2. (a) The minority would have no leverage to effect compromise, and individual senators would have no bargaining power. (b) Possible response: I agree. Compromise results in a more lasting solution than does brute force.



ISSUES OF OUR TIME

Minority Rights: The Filibuster

▶ Track the Issue

A **minority in the Senate** has used strategies such as the filibuster to ensure its voice will be heard.

1790

Southern senators used the first filibuster to oppose the move of the First Congress to Philadelphia.

Early 1800s

Congress admitted new States in pairs of one slave State and one free State to ensure a balance in the Senate.

1917

The cloture rule, requiring a two-thirds vote of the Senate to end debate, arose from a filibuster against arming American merchant ships.

1960s

A newly introduced two-track option allowed the Senate to continue its work during a filibuster.

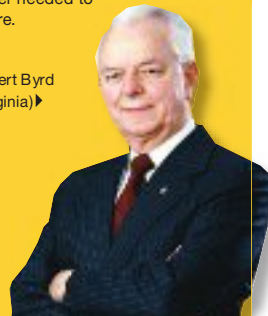
1975

The number of votes needed for cloture was reduced to three fifths.

Today

Today’s Senate is often referred to as the 60-vote Senate, a reference to the number needed to invoke cloture.

Senator Robert Byrd
(D., West Virginia) ▶



350

▶ Perspectives

The term *filibuster* was first used in 1851 to describe the tactic of talking a bill to death. By 2005, Democratic filibusters had prevented confirmation of a number of President Bush’s judicial appointments. The Republican Majority Leader threatened to ask the Senate’s presiding officer to rule judicial filibusters unconstitutional. Democrats countered by threatening to bring the Senate to a halt. A group of moderate Senate Democrats and Republicans arrived at a compromise that ended the crisis.

“[The filibuster] presents a serious challenge to...the principle so essential to our general liberty—the separation of powers....[T]he Framers concluded that the President should have the power to appoint.... But the Minority’s filibuster prevents the Senate from giving “advice and consent.” They deny the Senate the right to carry out its Constitutional duty.... This filibuster is...a formula for tyranny by the minority.”
—Majority Leader Bill Frist
(R., Tennessee)

“If senators are denied their right to free speech on judicial nominations, an attack on extended debate on all other matters cannot be far behind. This would mean no leverage for the minority to effect compromise, and no bargaining power for individual senators as they strive to represent the people of their states.... Let the Senate continue to be the one in which a minority can have the freedom to protect a majority from its own folly.”
—Senator Robert Byrd
(D., West Virginia)

▶ Connect to Your World

1. **Understand (a)** What tactic did the majority leader threaten to use to end the crisis? **(b)** Why do you think the term “nuclear option” was used to describe this tactic?
2. **Draw Inferences (a)** What does Senator Byrd say would happen if the majority used the “nuclear option”? **(b)** Do you agree or disagree with their view that this was a crisis that called for compromise?

GOVERNMENT ONLINE

In the News

For updates about minority rights visit PearsonSuccessNet.com

Political Cartoon Mini-Lesson

Display Transparency 12H, Changing the Rules, when you discuss Senator Frist’s viewpoint on the filibuster. Ask: **What does the machinery represent?** (*the Senate’s advise-and-consent procedure that Senator Frist refers to in his quote*) **What has the filibuster done?** (*It has broken the machine, so that advise-and-consent does not work.*) **What do the Republicans want to do?** As a hint, direct students’ attention to the last entry in the Track the Issue column of the feature. (*Cloture requires 60 votes. In the cartoon, the Republicans want to change the rules so that only 51 votes are needed to end a filibuster.*) **What is the Democrats’ objection?** (*Changing the rules will damage the system.*) **What opinion about the filibuster does the cartoon express?** (*The cartoon suggests that the filibuster has broken the system, and the rule change will fix it.*)

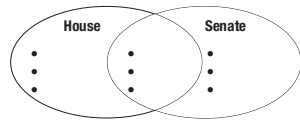
SECTION 4

Making Law: The Senate



Guiding Question

What are the major differences in the lawmaking process in the House and the Senate? Use a Venn diagram to keep track of ways the House and Senate procedures compare.



Political Dictionary

- filibuster
- cloture
- veto
- pocket veto

Objectives

1. Describe how a bill is introduced in the Senate.
2. Compare the Senate's rules for debate with those in the House.
3. Describe the role of conference committees in the legislative process.
4. Evaluate the actions the President can take after both houses have passed a bill.

Image Above: Senate pages carry copies of a bill to the Senate floor.

The House and the Senate really are two quite different places. Overall, however, the basic steps in the lawmaking process are much the same in the two chambers. Still, there are a few critical differences in their processes.

The Senate Floor

The chief differences in House and Senate procedures involve the consideration of measures on the floor. With introduction by a senator formally recognized for the purpose, a measure is given a number, read twice, and then referred to a standing committee, where it is dealt with much as are bills in the House. The Senate's proceedings are less formal and its rules less strict than those in the much larger lower house. For example, the Senate has only one calendar for all bills reported out of its committees. (Recall, there are five of these schedules in the House.) Bills are called to the Senate floor by the majority leader, usually, but not always, in consultation with the minority leader.¹⁵

Rules for Debate

Where debate in the House is strictly limited, it is almost unrestrained in the Senate. Indeed, most members of the Senate are intensely proud of belonging to what has often been called "the greatest deliberative body in the world."

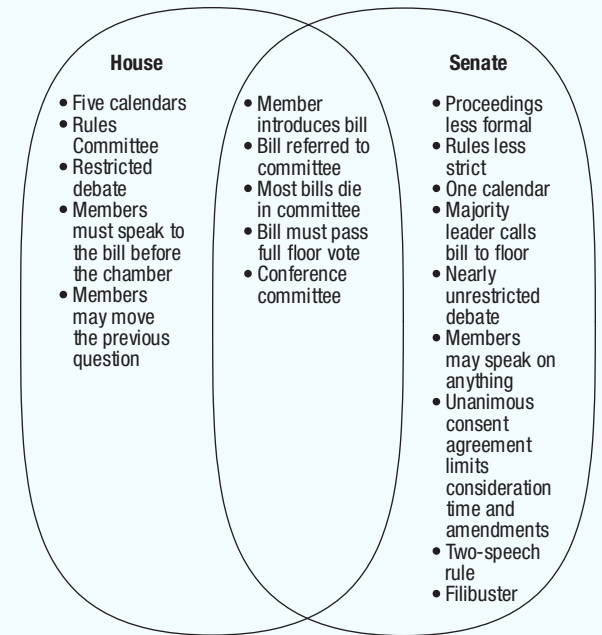
As a general matter, a senator may speak on the floor for as long as he or she pleases. Unlike the House, the Senate has no rule that requires a member to speak only to the measure before the chamber. In short, a senator can talk about anything he or she wants to. And the Senate's rules do not allow any member to move the previous question.

Many bills, and particularly the most important pieces of legislation, come to the Senate floor under a unanimous consent agreement. The majority leader regularly negotiates these agreements with the minority leader, and they become effective only if no senator objects. Unanimous consent agreements usually limit the amount of floor time to be devoted to a particular measure

¹⁵ The Senate does have one other calendar, the Executive Calendar, for treaties and appointments made by the President. The majority leader controls that schedule, too.

GUIDING QUESTION

What are the major differences in the lawmaking process in the House and the Senate?



SKILLS DEVELOPMENT

GIVE AN EFFECTIVE PRESENTATION

To practice giving an effective presentation in this section, use the Chapter 12 Skills Worksheet (Unit 3 All-in-One, p. 156). You may want to teach the skill before the Core Worksheet activity. For L2 and L1 students, assign the adapted Skill Activity (Unit 3 All-in-One, p. 157).

Focus on the Basics

FACTS: • Debate in the Senate is largely unrestricted. • After both houses approve a bill, it is sent to the President. • The President can sign the bill, allow it to become law without signing, veto it, or apply a pocket veto. • The House of Representatives and the Senate must pass a bill in the same form for it to become law.

CONCEPTS: checks and balances

ENDURING UNDERSTANDINGS: • Senate procedures are less formal and its rules less restrictive than in the House. • The lawmaking process is intentionally cumbersome in order to ensure that each law has been thoroughly considered.

Get Started

LESSON GOALS

Students will . . .

- use a dramatization to learn about filibusters.
- examine the work of conference committees by simulating negotiations to iron out differences between versions of a bill.
- identify a bill's final steps toward becoming law by completing a flowchart.

BEFORE CLASS

Assign the section, the graphic organizer in the text, and the Reading Comprehension Worksheet (Unit 3 All-in-One, p. 152) before class.

L2 Differentiate Reading Comprehension Worksheet (Unit 3 All-in-One, p. 153)

BELLRINGER

Show the filibuster scene from the famous movie *Mr. Smith Goes to Washington* or distribute the Chapter 12 Section 4 Bellringer Worksheet (Unit 3 All-in-One, p. X), which is a Senate historical minute essay about the film. Ask students to answer the questions on the worksheet. If you show the scene from the movie, write the worksheet questions on the board for students to answer in their notebooks.



► Strom Thurmond held up the Civil Rights Act of 1957 with the longest filibuster in history.

and the number and content of amendments that may be offered to it.

The Senate does have a “two-speech rule.” It provides that no senator may speak more than twice on a given question on the same legislative day. By recessing—temporarily interrupting—rather than adjourning a day’s session, the Senate can prolong a “legislative day” indefinitely. Thus, the two-speech rule can successfully limit the amount of time the Senate spends on some matters.

The Senate’s dedication to freedom of debate is almost unique among modern legislative bodies. That freedom is intended to encourage the fullest possible discussion of matters on the floor. But, notice, the great **latitude** it allows also gives rise to the filibuster.

The Filibuster Essentially, a **filibuster** is an attempt to “talk a bill to death.” It is a stalling tactic by which a minority of senators seeks to delay or prevent Senate action on a measure. The filibusterers try to so monopolize the Senate floor and its time that the Senate must either drop the bill or change it in some manner acceptable to the minority.

Talk—and more talk—is the filibusterers’ major weapon. In addition, senators may use

time-killing motions, quorum calls, and other parliamentary maneuvers. Indeed, anything to delay or obstruct is grist for the minority’s mill as it works to block a bill that would very likely pass if brought to a vote.

Among the many better-known filibusterers, Senator Huey Long (D., Louisiana) spoke for more than 15 hours in 1935. He stilled by reading from the Washington telephone directory and giving his colleagues his recipes for “pot-likker,” corn bread, and turnip greens. Senator Strom Thurmond (R., South Carolina) set the current filibuster record. He held the floor for 24 hours and 18 minutes in an unsuccessful, one-person effort against what, despite his arguments, became the Civil Rights Act of 1957.

No later efforts have come close to matching Senator Thurmond’s record. In fact, both in the past and today, nearly all filibusters are team efforts, with a number of senators taking turns on the floor, relieving one another as they monopolize the Senate’s time. Well over 300 measures have been killed by filibusters. Just the *threat* of a filibuster has resulted in the Senate’s failure to consider a number of bills and the amending of many others.

The Senate often tries to beat off a filibuster with lengthy, even day-and-night, sessions to wear down the participants. At times, some little-observed rules are strictly enforced. Among them are the requirements that senators stand—not sit, lean on their desks, or walk about—as they speak and that they not use “unparliamentary language” on the floor. These countermeasures seldom work.

The Cloture Rule The Senate’s real check on the filibuster is its Cloture Rule, Rule XXII in the Standing Rules of the Senate. It was first adopted in 1917, after one of the most notable of all filibusters in Senate history. That filibuster, which lasted for three weeks, took place less than two months before the United States entered World War I.

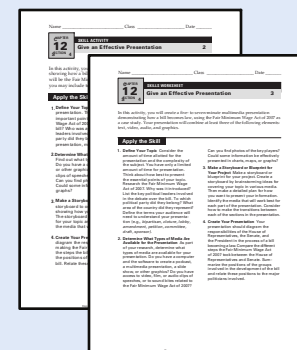
German submarines had renewed their attacks on shipping in the North Atlantic, so President Wilson asked Congress to permit the arming of American merchant vessels. The bill, widely supported in the country, quickly passed the House, by a vote of 403–13. The measure died in the Senate, however, because

latitude
n. freedom of action

Differentiated Resources

The following resources are located in the All-in-One, Unit 3, Chapter 12, Section 4:

- L3** Reading Comprehension Worksheet (p. 152)
- L2** Reading Comprehension Worksheet (p. 153)
- L3** Bellringer Worksheet (p. 154)
- L3** Core Worksheet (p. 155)
- L3** Skills Worksheet (p. 156)
- L2** Skill Activity (p. 157)
- L3** Quiz A (p. 158) **L2** Quiz B (p. 159)
- L3** Chapter Test A (p. 160) **L2** Chapter Test B (p. 163)



twelve senators filibustered it until the end of the congressional term on March 4th.

The public was outraged. President Wilson declared: "A little group of willful men, representing no opinion but their own, has rendered the great Government of the United States helpless and contemptible." The Senate passed the Cloture Rule at its next session.

Rule XXII provides for **cloture**—limiting debate. The rule is not in regular, continuing force; it can be brought into play only by a special procedure. A vote to invoke the rule must be taken two days after a petition calling for that action has been submitted by at least 16 members of the Senate. If at least 60 senators—three fifths of the full Senate—vote for the motion, the rule becomes effective. From that point, no more than another 30 hours of floor time may be spent on the measure. Then it *must* be brought to a final vote.

Invoking the rule is no easy matter. More than 600 attempts have been made to invoke the rule, and only about a third have succeeded. Many senators hesitate to support cloture motions for two reasons: (1) their dedication to the tradition of free debate, and (2) their practical worry that the frequent use of cloture will undercut the value of the filibuster that they may someday want to use.

The Situation Today Filibusters have become much more common in recent years because, for more than a decade now, party control of the upper house has been a very narrow thing. In the 110th Congress (2007–2009), there were 49 Democrats and 49 Republicans in the Senate. The Democrats were able to control the chamber only because its two independent members, Joe Lieberman of Connecticut and Bernie Sanders of Vermont, chose to support them, not the Republicans, for organizational purposes.

Over the past several years, the minority party, at times the Democrats, currently the Republicans, has made frequent use of the filibuster to block legislation backed by the majority party. And their filibusters have been regularly successful. They have because, given the Cloture Rule, the minimum number of votes necessary to pass an important bill in the Senate today is not 51 or a simple majority of the members present and

voting. It is, instead, 60, the minimum number of votes necessary to invoke cloture (end debate). It is true that filibusters can protect the minority and prevent hasty and ill-considered legislation. It is also true that they can promote gridlock, and public ridicule.

Conference Committees

As you have seen, a bill must survive any number of challenges in order to become a law. Most don't. A measure can be killed, or simply buried, in a subcommittee, in the full committee, in the House Rules Committee, or in any of the parallel committees in the Senate. The remainder must make it through votes on the floor in both houses.

Any measure that does survive the legislative process *must* have been passed by both houses in identical form. Most often, a bill approved by one house and then passed by the other is left unchanged by the second. When the House and Senate do pass different versions of the same bill, the first house usually concurs in the other's amendments, and congressional action is completed.

There are, of course, times when the House or the Senate will not accept the other's version of a bill. When that happens, the measure is turned over to a conference committee, a temporary joint committee of the two houses. It seeks to iron out the differences and come up with a compromise bill.

The conferees—managers—are named by the respective presiding officers. Mostly, they are leading members of the standing committee that first handled the measure in each house.

Both the House and Senate rules restrict a conference committee to the consideration of those points in a bill on which the two houses disagree. The committee cannot include any new material in its compromise version. In practice, however, the conferees often make changes that were never considered in either house.

Once the conferees agree, their report, the compromise bill, is submitted to both houses. It must be accepted or rejected without amendment. Only rarely does either house turn down a conference committee's work. This is not surprising, for two major

 **Checkpoint**
What caused the Senate to pass the Cloture Rule in 1917?

Teach

To present this topic using online resources, use the lesson presentation at **PearsonSuccessNet.com**.

DISCUSS THE FILIBUSTER

Ask students to identify the tool that Mr. Smith used on the floor of the Senate. (*the filibuster*) Ask: **What is a filibuster?** (*an attempt by a minority of senators to delay or defeat a bill, especially by making extended speeches*) Have students share their answers to the Bellringer questions. Make sure they understand that the objection of a single senator will defeat a unanimous consent agreement.

COMPARE THE HOUSE AND SENATE

Explain that filibusters and unanimous consent agreements are two differences between the House and Senate. Direct students to open their books to "How a Bill Becomes a Law." Ask volunteers to read each step aloud and then describe each step in more detail, based on their reading and previous classes. At step 7, discuss the differences between the House and Senate and reasons for them. Specifically, discuss the less formal rules and the role of the filibuster. Ask: **Does the filibuster improve the lawmaking process?**

INTRODUCE THE ACTIVITY

When students reach step 8 on the chart, distribute the Chapter 12 Section 4 Core Worksheet (Unit 3 All-in-One, p. X), which provides a different version of the sample bill from the Section 3 Core Worksheet A. Briefly describe a conference committee. (*a committee made up of powerful members of both houses, formed when each house passes a different version of the same bill; the committee must write a compromise bill*)

Divide students into groups of four or five. Explain that each group is a conference committee. The bill on the Core Worksheet has been passed by the Senate. However, the version that passed in the House is the one shown in Section 3 Core Worksheet A. Each conference committee should compare the two versions to identify the differences. Then they should negotiate to come up with a compromise bill.

Before they begin, divide each committee in half. Designate one half as members of Party Y and the other half as members of Party Z. Party Y is dedicated to reducing government spending. Party Z is dedicated to improving science and math education.

Answers

Checkpoint The Cloture Rule was passed after a filibuster prevented Congress from passing a popular bill that would have allowed the arming of American merchant ships in 1917.

Political Cartoon Mini-Lesson

Display Transparency 12I, Bipartisan Filibuster Compromise, when you discuss the effects of a filibuster. Explain that this cartoon was published at the end of a Democratic filibuster that delayed a confirmation vote on the Republican President's judicial nominees. Ask: **What do the paint colors represent?** (*The conflicting viewpoints—blue for Democratic and red for Republican.*) **In the process of their fight, what are the adversaries creating?** (*compromise—As they fling paint at each other, they are painting the word "compromise."*) **What can you infer about Republican strength in the Senate at this time, based on the cartoon? How do you know?** (*The Republicans must have held either a minority of seats or only a slim majority at this time, because they could not gather 60 votes for cloture and had to compromise.*)

How a Bill Becomes a Law

BEGIN NEGOTIATIONS

Have the conference committees begin by identifying the differences in the bills. Then have them begin negotiations. Remind them that they must produce one compromise bill that is acceptable to all. Have students record their group's compromises at the bottom of the worksheet.

L2 ELL Differentiate Have students place the two versions side by side and compare each sentence individually. Whenever they find a difference, have them circle it on both bills.

L4 Differentiate In addition to negotiating compromises, have students propose new amendments from their party's viewpoint and negotiate passage of the amendments in committee.

DISCUSS THE PROCESS

After the committees finish their negotiations, have them share their compromises with the class. Ask: **Which original bill was most restrictive: the House version or Senate version?** (*the Senate version—it would have paid out much less in benefits than would the House bill*) Ask students how the conflicting goals of the two parties affected the negotiations.

Tell students to go to the Interactivity for an interactive of "How a Bill Becomes a Law."

A bill may be introduced in either chamber. The path to the right is that of a bill that begins in the House. If a bill were to start in the Senate, steps 5, 6, and 7 would precede steps 1, 2, 3, and 4. *In what ways does the lawmaking process in the House differ from the Senate?*

1 H.R. 1 INTRODUCED IN HOUSE.

2 COMMITTEE ACTION
H.R. 1 referred to standing committee for study, hearings, revisions, and approval.

3 RULES COMMITTEE
The Rules Committee sets conditions for debate and amendment on the floor.

4 FLOOR ACTION
H.R. 1 debated, then passed or defeated. If passed, it goes to the Senate.

5 S. 1 INTRODUCED IN SENATE.

6 COMMITTEE ACTION
S. 1 referred to standing committee for study, hearings, revisions, and approval.

7 FLOOR ACTION
S. 1 debated, then passed or defeated.

8 CONFERENCE COMMITTEE
Conference Committee resolves differences between House and Senate versions of bill.

9 CONGRESSIONAL APPROVAL
House and Senate vote on final passage. Approved bill is sent to the President.

10 PRESIDENTIAL ACTION
The President signs or vetoes the bill or allows it to become law without signing. A vetoed bill returns to Congress; the veto may be overridden.

President Eisenhower signs a bill into law. ▼



Answers

How a Bill Becomes a Law In the House, the Rules Committee sets conditions for debate and amendment on the floor. Senate debate is less restricted.

Teacher-to-Teacher Network

ALTERNATE LESSON PLAN Divide the class into groups to make a timeline showing a "typical" day for a student. Compile a list of daily activities on the board. Then have students write down the events in the stories that would be affected by laws—for example, FDA regulations on the foods they eat or the products they use, laws affecting education, etc. Help students identify the laws and decide which are federal, State, or local. Should any of the federal laws be changed? Should there be more federal laws, or fewer? How do federal laws get added or changed?

To see this lesson plan, go to





A House-Senate conference committee ▲

Lawmaking Behind the Scenes

The simplified path at the left it does not fully reveal the complexity of the lawmaking process or the subtle changes to the process over the past several decades. As partisanship has increased in Congress, the majority party leaders in both houses have taken a much more important role, and lawmakers have introduced several unofficial, informal steps to the process. *How does the majority leadership influence legislation?*



The Hopper ▲

▶▶ Before a Bill Is Submitted

Building Support Much work happens before a member of Congress submits a bill. Members may work with their own staff, experts in the field, interest groups, or the executive branch to draft the bill. They revise and edit to ensure broad support and ask other members to announce their support by cosponsoring the bill. This talking and dealing with allies behind the scenes is vital to the success of a proposed bill.

Getting It Right The exact wording of the bill determines its future in more ways than one. If a bill deals with matters that fall within the jurisdiction of more than one committee, the author of the measure may tweak its wording to ensure that the primary responsibility for the bill will fall to the committee most likely to report it favorably.

Howard McKeon, (R., Calif.) and Roscoe G. Bartlett (R., Md.) talk during a House Armed Services Committee markup. ▼

▶▶ Committee Action

Multiple Committees The most important measures are now often referred to more than one committee. This reduces the clout of members of each committee by adding more voices to the committee debate.

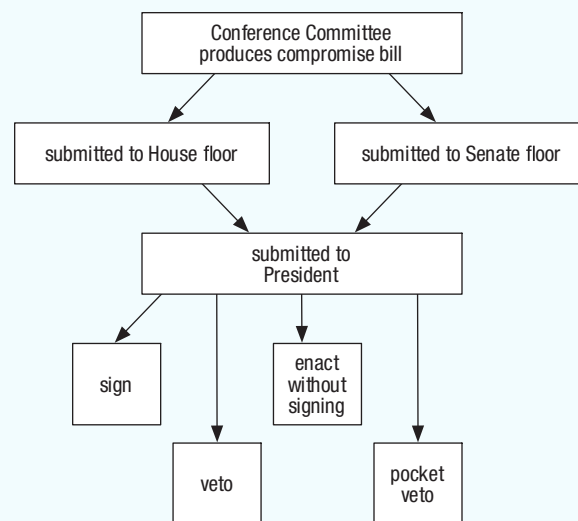
Majority Rules The majority leadership in the House regularly uses the Rules Committee to advance its party's agenda. For example, the Rules Committee may restrict debate about a bill when it reaches the floor. In an emergency situation, the leadership may even bypass committees and bring a bill directly to the floor for a vote. This seldom happens, but it illustrates the increased power of party leaders over committees.



Chapter 12 • Section 4 355

TRACK THE BILL'S FINAL STEPS

Display Transparency 12J, which shows the start of a flowchart. Complete the flowchart as you review the bill's remaining steps with the class. The completed flowchart is shown below. Begin by telling students that the conference committee has produced a compromise bill. Ask: **What happens next?** (*The compromise bill goes to the floor of both houses for a vote.*) **The bill passes both houses. What's next?** (*It goes to the President.*) **What options does the President have?** (*sign, veto, allow the bill to become law without signing, pocket veto.*)



DISCUSS THE ESSENTIAL QUESTION

Discuss the unit's Essential Question with students: **Can and should the lawmaking process be improved?**

EXTEND THE LESSON

L3 Differentiate Have students take the role of the President, who vetoed the compromise bill passed by the House and Senate. Have them write a veto message, explaining to Congress why they rejected the bill.

L2 Differentiate Prepare flash cards on which various stages that a bill goes through in the Senate are written. For stages that have several possible outcomes, write each outcome on a separate card and stack them. Have students take turns choosing necessary cards to enact the path of a bill.

L4 Differentiate Have students research the Civil Rights Act of 1964 and the filibuster surrounding that passage. Then have a follow-up discussion in class.

Answers

Lawmaking Behind the Scenes Majority leadership in the House uses the Rules Committee to advance their party's agenda. They may even bypass committees and bring a bill directly to the floor.

How Government Works

BUILDING SUPPORT BEHIND THE SCENES Each party's leaders work behind the scenes to rally members to support measures that advance the party's agenda. This is not an easy task. Members of Congress have responsibilities to their constituents as well as to their party, and these responsibilities sometimes conflict. Much of the leader's influence is based on exchange. The leader is in a position to help individual party members achieve their political goals. For example, in exchange for a senator's cooperation, the party's floor leader might help the senator gain a seat on a desirable committee or might support legislation that benefits the senator's constituents. Party leaders must persuade rather than command, because they are elected and reelected by the same people they lead.

Assess and Remediate

L3 Collect the compromise bills and ask students to write a paragraph explaining how their party compromised.

L3 Assign the Section 4 Assessment questions.

L3 Section Quiz A (Unit 3 All-in-One, p. 158)

L2 Section Quiz B (Unit 3 All-in-One, p. 159)

Have students complete the review activities in the digital lesson presentation and continue their work in the **Essential Questions Journal**.

REMEDIATION

If Your Students Have Trouble With	Strategies For Remediation
Differences between the House and Senate (Question 1)	Make a T-chart comparing the two houses.
The filibuster (Questions 2, 4)	Make a chart of the positive and negative effects of a filibuster.
The President's options for a bill (Questions 3, 5)	Review the text under the heading "The President Acts."

Answers

Checkpoint A conference committee composed of members of both houses iron out the differences and presents a compromise bill for a floor vote in both houses.

Assessment Answers

1. The Senate's proceedings are less formal and its rules less strict than those of the larger House. The Senate has one calendar; the House has five. During floor debate, House members must speak to the bill at hand and follow certain conditions. Senators may speak on any topic in nearly unlimited debate. House members can move the previous question. Senators cannot; they must use cloture to end a filibuster.

2. (a) A filibuster is the use of long speeches by senators to delay or prevent a floor vote on

a bill likely to pass. It is intended to kill the bill or force changes acceptable to the minority. **(b)** It can be ended by cloture, which requires a three-fifths Senate vote.

3. sign the bill into law; veto the bill; allow the bill to become law without signing it by not taking action on it within ten days of receiving it; kill the bill with a "pocket veto" if Congress adjourns within ten days of submitting it

4. The filibuster protects the rights of the minority by pressuring the majority to compromise. A filibuster prevents passage of ill-considered

legislation or legislation supported by only a narrow majority. Also, senators are proud of their strong tradition of free debate.

5. Possible response: A President whose party holds a majority in Congress will have less reason to use a veto than a President whose party is in the minority.

QUICK WRITE Students will state their argument, add supporting details to their outlines, and address opposing views.

✓ Checkpoint
What usually happens when House and Senate versions of a bill are not identical?

reasons: (1) the powerful membership of the typical conference committee, and (2) the fact that its report usually comes in the midst of the rush to adjournment at the end of a congressional session.

The conference committee stage is a most strategic step. A number of major legislative decisions and compromises are often made at that point. Indeed, the late Senator George Norris (R., Nebraska) once quite aptly described conference committees as "the third house of Congress."

The President Acts

The Constitution requires that bills and resolutions be sent to the President after they have passed both houses of Congress. The President has four options at this point:

1. The President may sign the bill, and it then becomes law.

President George W. Bush signs the Voting Rights Act of 2006 during a ceremony on the South Lawn of the White House. ▼



2. The President may **veto**—refuse to sign—the bill. The measure must then be returned to the house in which it originated, together with the President's objections (a veto message). Although it seldom does, Congress may then pass the bill over the President's veto, by a two-thirds vote of the full membership of each house.

3. The President may allow the bill to become law without signing it—by not acting on it within 10 days, not counting Sundays, of receiving it.

4. The fourth option is a variation of the third, called the **pocket veto**. If Congress adjourns its session within 10 days of submitting a bill to the President, and the President does not act, the measure dies. (Sundays are not counted.)

Congress added another element to the President's veto power with the passage of the Line Item Veto Act of 1996. That law gave the chief executive the power to reject individual items in appropriations bills. The Supreme Court held the law unconstitutional, however, in *Clinton v. City of New York*, 1998.

Because Congress can seldom muster the votes necessary to override a veto, the power can play an extremely effective part in the President's dealings with Congress. The weight of power in the executive-legislative relationship is underscored by this fact: The mere threat of a veto is often enough to defeat a bill or to prompt changes in its provisions as it moves through the legislative process.

Essential Questions Journal

To continue to build a response to the chapter Essential Question, go to your Essential Questions Journal.

SECTION 4 ASSESSMENT

1. Guiding Question Use your completed Venn diagram to answer this question: What are the major differences in the lawmaking process in the House and the Senate?

Key Terms and Comprehension

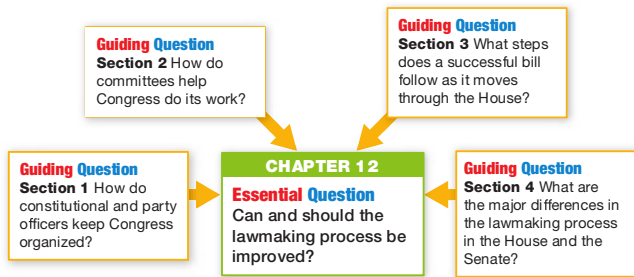
- (a)** What is a **filibuster**? **(b)** How can it be ended?
- What are the four options a President has when a bill reaches his desk?

Critical Thinking

- 4. Draw Inferences** Consider what you have read about the filibuster. Identify two reasons why it has become a valued Senate tradition.
- 5. Understand Point of View** Why might some Presidents have used the veto power frequently, while others have used it very little?

Quick Write

Persuasive Essay: Consider Your Audience Look at your outline from Section 3. Suppose that the audience for your essay is members of Congress. Add details to your outline that will help you present your view in the most persuasive way. Begin with a clear statement of your argument. Be sure to address the opposing point of view.



Comparing the House and the Senate

House of Representatives	Senate
<ul style="list-style-type: none"> Smaller personal staffs Fewer committee assignments More formal, less flexible rules Committee work usually more important than floor debate in shaping outcome of legislation Floor debate strictly limited 	<ul style="list-style-type: none"> Larger personal staffs More committee assignments Fewer, more flexible rules Floor debate often more important than committee work in shaping outcome of legislation Floor debate largely unlimited, but subject to cloture vote by 60 senators to end debate

Types of Bills and Resolutions	
Bill	A proposed law: a public bill applies to the entire nation; a private bill applies only to certain people or places
Joint Resolution	A proposal for some action that has the force of law when passed; usually deals with special circumstances or temporary matters
Concurrent Resolution	A statement of position on an issue, adopted by the House and Senate in identical form
Resolution	A measure dealing with some matter in one house; does not have the force of law and does not require the President's signature

Political Dictionary

Speaker of the House p. 332
President of the Senate p. 333
President pro tempore p. 334
party caucus p. 334
floor leader p. 336
majority leader p. 336
minority leader p. 336
whip p. 336
committee chairman p. 336
seniority rule p. 337
standing committee p. 338
subcommittee p. 340
select committee p. 340
joint committee p. 341
conference committee p. 342
bill p. 343
joint resolution p. 344
concurrent resolution p. 344
resolution p. 344
 rider p. 344
pigeonhole p. 345
discharge petition p. 345
quorum p. 348
engrossed p. 349
filibuster p. 352
cloture p. 353
veto p. 356
pocket veto p. 356

Have students download the digital resources available at Government on the Go for review and remediation.

STUDY TIPS

Taking Notes Perhaps the most important point for students to remember when taking notes in class is that they should *not* attempt to write down everything the teacher is saying. Rather than writing in sentences, students should use phrases or even a single word when that will suffice. Abbreviations and symbols should be used whenever possible. Caution students, however, that they *should* copy anything the teacher writes on the board, anything the teacher repeats, and all terms and definitions. It is a good idea to leave space between ideas so that students can go back and add information later. As they write, students should highlight important ideas by underlining, circling, or starring them. If the teacher is talking too fast, suggest that students jot down nouns and verbs only and fill in the rest after class.

ASSESSMENT AT A GLANCE

Tests and Quizzes

Section Assessments
 Section Quizzes A and B, Unit 3 **All-in-One**
 Chapter Assessment
 Chapter Tests A and B, Unit 3 **All-in-One**
 Document-Based Assessment
 Progress Monitoring Online
 ExamView Test Bank

Performance Assessment

Essential Questions Journal
 Debates, pp. 336, 347
 Assessment Rubrics, **All-in-One**

For More Information

To learn more about the lawmaking process, refer to these sources or assign them to students:

L1 Donovan, Sandra. *Making Laws: A Look at How a Bill Becomes a Law.* Lerner Publishing Group, 2004.

L2 Fish, Bruce and Becky Durost Fish. *The Speaker of the House of Representatives.* Chelsea House Publications, 2001.

L3 Anderson, Janet. *The Senate.* Chelsea House Publishers, 2007.

L4 Sinclair, Barbara. *Unorthodox Lawmaking: New Legislative Processes in the U. S. Congress.* Congressional Quarterly, Inc., 2000.

Chapter Assessment

COMPREHENSION AND CRITICAL THINKING

SECTION 1

1. (a) every two years (b) The House must be reorganized each opening day because all seats are up for election each term. All members must be sworn in. All officers must be selected and committee seats filled. Opening day activities in the Senate are shorter and more routine than in the House, because the Senate is a continuous body. Only a third of the seats are up for election each term. Only new and reelected members must be sworn in and only a few committee vacancies must be filled.
2. (a) Chairmen are chosen by the majority party caucus, based on seniority. (b) Constitutional officers serve the chamber as a whole. Party officers focus on advancing their party's agenda.

SECTION 2

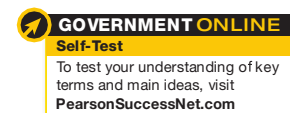
3. (a) Standing committees are permanent panels that address bills pertaining to matters within a specific jurisdiction. (b) the party that holds the majority of seats in that chamber (c) Most committees review bills dealing with particular policy matters. When a bill is introduced, the Speaker or President of the Senate refers it to the appropriate committee.
4. (a) The parties choose committee members, and a floor vote ratifies their choices. (b) Some committees are more prestigious or powerful than others. Also, members of Congress whose constituents are heavily influenced by the actions of a particular committee may seek a seat on that committee.

SECTION 3

5. (a) resolution (b) joint resolution (c) private bill
6. (a) report the bill favorably, report it unfavorably, refuse to report it, report it in amended form, or report a committee bill—a new bill substituted for one or more bills referred to the committee (b) when the committee feels that the full House should have a chance to consider the bill or when the committee does not want to take responsibility for killing it (c) Possible response: Killing a bill that is popular with constituents can have political consequences. By reporting the bill unfavorably rather than killing it, committee members can share the blame with the other members of Congress.

CHAPTER 12

Chapter Assessment



Comprehension and Critical Thinking

Section 1

1. (a) How often does a new term of Congress begin? (b) Compare opening day in the House and the Senate.
2. (a) How are House and Senate committee chairmen chosen? (b) Why are there both constitutional and party officers in Congress?

Section 2

3. (a) What are the standing committees in the House and Senate? (b) Which party holds the majority of seats on each committee? (c) What factors determine which committee will deal with a bill?
4. (a) Who determines who will serve on each congressional committee? (b) Why are some committee assignments more desirable than others?

Section 3

5. What type of measure would the House or Senate use if it wanted to (a) amend one of its rules? (b) express an opinion that would have the force of law on some temporary matter? (c) make a law affecting only one person?
6. (a) What are the five options a committee has when it has finished work on a bill? (b) Describe a situation in which a committee might decide to report a bill with an unfavorable recommendation rather than pigeonhole it. (c) Evaluate the usefulness of this practice.
7. Why might a member of Congress vote in favor of a bill once it is certain to pass even though he or she had supported previous attempts to scuttle it?

Section 4



8. (a) **Analyzing Political Cartoons** Study the cartoon above. (a) What point is the cartoon making? (b) Do you agree or disagree with its point of view?
9. (a) Why are conference committees rarely necessary? (b) Why are their recommendations usually accepted?
10. Compare and contrast the rules for debate in the House and Senate.

Writing About Government

11. Use your Quick Write exercises from this chapter to write a persuasive essay about the organization of Congress. Make sure that your thesis is stated clearly and that it is illustrated with specific examples and supported by your arguments. When you are finished, ask a friend to read the essay and give you feedback about its clarity and persuasiveness. Use this feedback to fine tune your writing. See pp. S9–S10 of the Skills Handbook.

Apply What You've Learned

12. **Essential Question Activity** Go online to find information about bills recently introduced in Congress. Find a bill that became law and another that died in committee. Make a flowchart to show the progression of each bill through Congress and explain how that process compares to the chart "How a Bill Becomes a Law" in Section 4.

13. **Essential Question Assessment** Look at your flowchart from Question 12. Using these two bills as examples, write an essay in which you evaluate the success of the current lawmaking process. This will help you answer the chapter Essential Question: **Can and should the lawmaking process be improved?**

Essential Questions Journal To respond to the chapter Essential Question, go to your **Essential Questions Journal**.

7. Possible response: Attempts to kill a bill often occur behind the scenes, but the record of final votes is highly visible. If a member's constituents favor the bill, the member might want to go on record as supporting it when his less-visible attempts to kill it fail. Also, there may be political advantages to voting with the winning side.

SECTION 4

8. (a) The cartoon suggests that Congress is broken because of the filibuster. (b) Possible response: I disagree. Although the filibuster allows a minority to stall legislation, it also

ensures broad support and sufficient consideration for bills that reach the Senate floor.

9. (a) Most bills passed in one house are then passed in the other unchanged. When different versions do pass, the first house usually concurs with the other's amendments, so no conference committee is needed to resolve differences. (b) because the members of conference committees are usually powerful
10. The House has more restrictive rules to control the flow of business and limit debate. The Senate's rules are less formal and more flexible and debate is almost unlimited.

Document-Based Assessment

CHAPTER 12

Divided Government

Over recent decades, the majority party in Congress has not been the President's party. Some critics say that divided government produces deadlock, as in Document 1. Many see divided government as a useful mechanism to force compromise and ensure that laws have wide popular support, as in Document 4.

Document 1

One fallacious viewpoint too often expressed this election season is that a Democrat takeover of one or both houses of Congress would be desirable, since we then would have "divided government," with each party holding a share of power. Given the problems our nation faces today, this would be disastrous for America. . . . [T]he fundamental problems our nation faces today require a full commitment to coherent solutions, not a little of the left and a little of the right jumbled together.

—Peter Ferrara, *National Review Online*, November 1, 2006

Document 2

The voters gave the country divided government last week, [in the 2006 congressional elections] and Americans tend to believe divided government is a good thing, although the belief is not overwhelming. 42% say it's better for the country when one party controls the Presidency and the other the Congress, while 33% (and even more Republicans) favor one party government. Independents [51%] are particularly happy with divided control.

—CBS News Poll, November 14, 2006

Document 3

[D]ivided government is the main reason voters should be mistrustful of the decisions and nondecisions made in Washington. Division produces deadlock. Deadlock produces a mélange [mix] of actions and nonactions that no elected official can or will defend, and for which every elected official in each party blames the elected officials in the other.

—Lloyd Cutler, Counsel to President Carter, Letter to *The New York Times*, September 16, 1992

Document 4



Use your knowledge of Congress and Documents 1–4 above to answer Questions 1–3.

- Which statement does Document 2 support?
 - Independents are most likely to support divided government.
 - Republicans are most likely to support divided government.
 - Democrats are most likely to support divided government.
 - A majority of Americans support divided government.
- What point does Document 4 make?
- Pull It Together** Using these documents, explain whether divided government enhances or hinders the lawmaking process.

GOVERNMENT ONLINE
Documents
To find more resources on divided government, visit PearsonSuccessNet.com


DOCUMENT-BASED ASSESSMENT

- A
- Partisanship in Congress has brought the work of government to a halt, and some people view that as positive.
- Possible response: Some people support divided government because it slows down the pace of legislation in Congress.

L2 Differentiate Students use all the documents on the page to support their thesis.

L3 Differentiate Students include additional information available online at PearsonSuccessNet.com.

L4 Differentiate Students use materials from the textbook, the online information at PearsonSuccessNet.com, and do additional research to support their views.

 **Go Online to PearsonSuccessNet.com** for a student rubric and extra documents.

WRITING ABOUT GOVERNMENT

- Persuasive essays should include a clear thesis statement with supporting details and specific examples.

APPLY WHAT YOU'VE LEARNED

- Students' flowcharts should show a grasp of the lawmaking process and its variations.
- Students' answers should reflect a thoughtful assessment of the lawmaking process.

ANSWERS TO ESSENTIAL QUESTION WARMUP

Before assigning these questions, distribute the Rubric for Assessing a Writing Assignment (Unit 3 All-in-One, p. 168). Use the criteria and the guidelines below to grade students' answers to the Essential Question Warmup questions. Then send students to the **Essential Questions Journal** to answer the unit Essential Question.

1. To answer this question, students must grapple with the several roles of members of Congress. A good answer to this question will demonstrate an understanding of the competing goals of a member of Congress. Specifically, members of Congress must legislate for the good of the nation, yet satisfy the constituents who elect them. Students should take a position on the role of Congress and defend that position with evidence.
2. As with question 1, students must again consider competing roles of members of Congress. To answer this question successfully, students must demonstrate an understanding of the party system and the lawmaking process. They must outline and defend a strategy for members of Congress to balance the competing roles of party member and lawmaker.
3. A good answer will articulate an opinion about the role of debate in Congress and support that opinion with evidence.

PERSPECTIVES



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Essential Question

What makes a successful Congress?

There are many ways to define a successful Congress. The following examples offer perspectives on different qualities.

ON SETTING PRIORITIES:

Congress should pass laws that reflect the will of the people; that is, Congress should be responsive to popular majorities. Congress should pass laws that deal promptly and effectively with pressing national problems. . . . Only in a perfect world would what the majority wants always accord with what policy experts deem most likely to be effective. When a conflict exists, which should take priority?"

—Barbara Sinclair, *An Effective Congress and Effective Members: What Does It Take?*

ON COMPROMISE:



ON EFFICIENCY:

. . . Congress simply isn't set up to be efficient. . . . Its job is to understand [issues] thoroughly, weigh the beliefs and interests of an astounding variety of Americans, and consider carefully how to move forward.

—Rep. Lee Hamilton (D., Indiana)

Essential Question Warmup

Throughout this unit, you studied the powers and functions of Congress. Use what you have learned and the quotations and opinions above to answer the following questions. Then go to your **Essential Questions Journal**.

1. How should members of Congress balance their roles as representatives of what voters want and as trustees who protect the best interests of the nation as a whole?

2. How should members of Congress balance their roles as party members with the need to compromise?
3. What should be the role of debate in Congress?

Essential Questions Journal

To continue to build a response to the unit Essential Question, go to your **Essential Questions Journal**.

Assessment Resources

Unit 3 AYP Monitoring Assessment
ExamView Test Bank CD-ROM
SuccessTracker Assessment
Online Student Self-Tests
Chapter Tests
Section Quizzes
Chapter-level Document-Based Assessment

In This Unit

Chapter 13:
The Presidency

Chapter 14:
The Presidency in Action

Chapter 15:
Government at Work:
The Bureaucracy

Chapter 16:
Financing Government

Chapter 17:
Foreign Policy and National
Defense

Photo: Members of the executive branch gather in front of the White House.



Essential Questions Journal To begin to build a response to the chapter Essential Question, go to your Essential Questions Journal.

Unit 4

The Executive Branch

Essential Question What makes a good President?

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ESSENTIAL QUESTION PERSPECTIVES

Essential questions frame each unit and chapter of study, asking students to consider big ideas about government. The question for this unit—**What makes a good President?**—demands that students ask further questions. How closely does a good President follow the advice of others? Is firm leadership more or less important than consensus building? Should a President's governing style change in times of crisis? What qualities have made for our greatest Presidents? Do the qualities that make for a good candidate also make for a good President?

To begin this unit, assign the Unit 4 Warmup Activity on page 103 of the **Essential Questions Journal**. This will help students start to consider their position on the **Unit 4 Essential Question: What makes a good President?**

Show the **Unit 4 American Government Essential Questions Video** to help students begin thinking about the unit Essential Question and designate a classroom bulletin board for students to post news articles related to the unit Essential Question. Use the Conversation Wall strategy (p. T27) to encourage students to post articles and comments on other students' postings.

Later, students will further explore the chapter-level essential questions:

Chapter 13: Does the current electoral process result in the best candidates for President?

Chapter 14: How much power should the President have?

Chapter 15: Is the bureaucracy essential to good government?

Chapter 16: How should the federal budget reflect Americans' priorities?

Chapter 17: How should the United States interact with other countries?

Use the **Essential Questions Journal** throughout the program to help students consider these and other big ideas about government.

Government Online Resources

Government Online Teacher Center at **PearsonSuccessNet.com** includes

- Online Teacher's Edition with lesson planner and lecture notes
- Teacher's Resource Library with All-in-One Resources, Color Transparencies, Adequate Yearly Progress Monitoring, and an alternative lesson plan for each chapter
- SuccessTracker Assessment

Government Online Student Center at **PearsonSuccessNet.com** includes

- Interactive textbook with audio
- American Government Essential Questions Video
- Chapter-level WebQuests
- Guided Audio Tours and Interactivities
- Student Self-Tests

Introduce the Chapter

Essential Questions:

UNIT 4

What makes a good President?

CHAPTER 13

Does the current electoral process result in the best candidates for President?

ACTIVATE PRIOR KNOWLEDGE

Have students examine the image and quotation on these pages. Ask: **In what way is the presidency “the people’s office”?** (*The President is elected by a vote of citizens nationwide, making him or her the representative of all Americans.*) In this chapter, students will learn about the job of the President, and the election process. Tell students to begin to further explore the presidency by completing the Chapter 13 Essential Question Warmup Activity in their **Essential Questions Journal**. Discuss their responses as a class.

BEFORE READING

L2 ELL Differentiate Chapter 13 Prereading and Vocabulary Worksheet (Unit 4 All-in-One, p. 11)

SUCCESSNET STUDENT AND TEACHER CENTER

Visit **PearsonSuccessNet.com** for downloadable resources that allow students and teachers to connect with government “on the go.”

DIGITAL LESSON PRESENTATION

The digital lesson presentation supports the print lesson with activities and summaries of key concepts. Activities for this chapter include:

- **Who Is Next in Line?**
- **The 2008 Presidential Election**

SKILLS DEVELOPMENT

ANALYZE POLITICAL CARTOONS

You may wish to teach analyzing political cartoons as a distinct skill within Section 5 of this chapter. Use the Chapter 13 Skills Worksheet (Unit 4 All-in-One, p. 50) to help students learn to analyze political cartoons. The worksheet asks students to study a cartoon about the electoral college and then answer questions about it. For L2 and L1 students, assign the adapted Skill Activity (Unit 4 All-in-One, p. 51).



The chapter WebQuest challenges students to answer the chapter Essential Question by asking them about the presidential electoral process.



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Block Scheduling

BLOCK 1: Teach the Section 1, 2, and 3 lessons omitting the Section 1 Core Worksheet activity, the Section 2 political cartoon analysis, and the sections’ extend activities.

BLOCK 2: Teach the Section 4 and 5 lessons omitting the Section 4 Core Worksheet B activity, the Section 4 debate, and both sections’ extend activities.