

UNIT 2

THE FEDERAL GOVERNMENT

CHAPTER 5

The Legislative Branch

CHAPTER 6

The Executive Branch

CHAPTER 7

The Judicial Branch



**I WANT YOU
FOR U.S. ARMY**

NEAREST RECRUITING STATION

The figure of Uncle Sam is often used in posters to represent the U.S. federal government.



FLORIDA...

The Story Continues

CHAPTER 5, The Legislative Branch

PEOPLE

1845: David Levy Yulee. Florida senator David Levy Yulee was the first Jewish member of the U.S. Senate. Elected in 1845, he promoted the improvement of the postal service. A proponent of slavery, he also fought for the inclusion of more slave states and territories in the Union. After his bid for re-election in 1850 failed, he returned to Florida. He pursued the construction of a state-wide railroad system. This is generally considered his greatest accomplishment. Thanks to Yulee, Florida's railroads received generous land grants, smoothing their progress.

EVENTS

2010: Florida gains representation in Congress. *Apportionment* is the process of dividing the 435 seats in the U.S. House of Representatives among the 50 states. It is based on population counts from the U.S. census. Based on the results of the 2010 census, Florida will receive two additional seats in Congress. The state will also gain two additional electoral votes in the 2012 and 2016 presidential elections.

PEOPLE

2004: Debbie Wasserman Schultz. Since 2004, Debbie Wasserman Schultz has represented the people of Florida's 20th Congressional District. She is likeable yet unafraid to speak her mind. Wasserman Schultz has quickly become a star in the Democratic Party. She holds several top leadership positions in Congress. She actively supports gun control, gay rights, and health care reform legislation. Her strong fundraising ability has benefitted many Democratic candidates across the nation.

EVENTS**2011: Fight over gerrymandering.**

The practice of redrawing electoral districts to gain an electoral advantage for a political party is called *gerrymandering*. Amendment 6 of the Florida Constitution, approved by voters in 2010, sought to prevent such activity. But two Florida lawmakers—Democrat Corrine Brown and Republican Mario Diaz-Balart—filed suit to torpedo the amendment. They claimed that it violates federal election law. In 2011, Florida Attorney General Pam Bondi asked a federal court to dismiss the case. She claimed that the court does not have jurisdiction.

PEOPLE**1976: Robert Sikes.**

In its history, the U.S. House of Representatives has expelled five members. It has censured twenty-two and reprimanded another nine. The House ethics committee suggested a reprimand—the least serious of the three options—in the 1976 case of Florida Democrat Robert

L. F. Sikes. He was the longtime chairman of the House Appropriations Subcommittee on Military Construction. Sikes was reprimanded for failing to disclose stock holdings in a defense contractor and a bank on a naval base and for conflict of interest.

PEOPLE**Marco Rubio is elected to the U.S. Senate.**

Republican Marco Rubio rode the limited-government, conservative sentiments of the “Tea Party” movement to victory in the 2010 U.S. Senate race against former Florida governor Charlie Crist. Rubio’s election put the state in the national spotlight as an important gauge of Tea Party strength.



Unpacking the Florida Standards <...>

Read the following to learn what this standard says and what it means. See FL8-FL20 to unpack all the other standards related to this chapter.

Benchmark LA.7.1.6.1 The student will use new vocabulary that is introduced and taught directly.

What does it mean?

Identify new vocabulary terms and definitions to learn content and answer review questions. Go to the Section Assessment and Chapter Review pages that appear in each chapter for help.

CHAPTER 5

THE LEGISLATIVE BRANCH

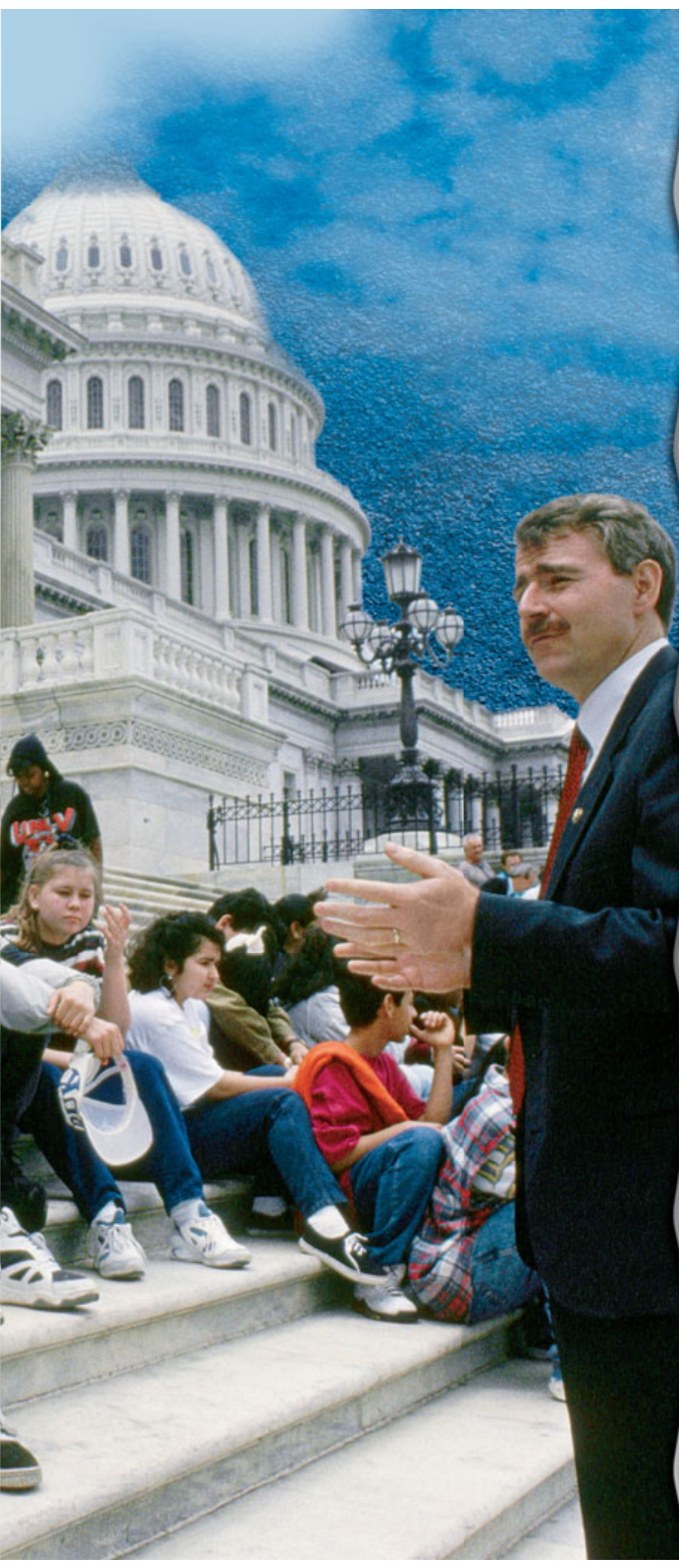
Essential Question What are the structures, functions, and processes of the legislative branch?



Florida Next Generation Sunshine State Standards

SS.7.C.2.9 Evaluate candidates for political office by analyzing their qualifications, experience, issue-based platforms, debates, and political ads. **SS.7.C.2.11** Analyze media and political communications (bias, symbolism, propaganda). **SS.7.C.2.12** Develop a plan to resolve a state or local problem by researching public policy alternatives, identifying appropriate government agencies to address the issue, and determining a course of action. **SS.7.C.2.14** Conduct a service project to further the public good. **SS.7.C.3.8** Analyze the structure, functions, and processes of the legislative, executive, and judicial branches. **SS.7.C.3.9** Illustrate the law making process at the local, state, and federal levels. **LA.7.1.6.1** The student will use new vocabulary that is introduced and taught directly. **LA.7.1.7.1** The student will use background knowledge of subject and related content areas, prereading strategies, graphic representations, and knowledge of text structure to make and confirm complex predictions of content, purpose, and organization of a reading selection. **LA.7.1.7.3** The student will determine the main idea or essential message in grade-level or higher texts through inferring, paraphrasing, summarizing, and identifying relevant details.





WHY CIVICS Matters

The legislative branch is the part of our government that represents the voice of the people. As an active citizen, it is up to you to make your representatives listen.

PROJECT  Citizen

FLORIDA



STUDENTS TAKE ACTION

STOPPING PILL MILLS One of the purposes of government is to pass laws that protect people and their communities. In Florida, students decided to try to pass a law to restrict Pill Mills that were making their communities less safe. What issues in your community do you think might require new laws to address?

FOCUS ON SPEAKING

PERSUASIVE SPEECH You are a member of the House of Representatives. You have introduced a bill to protect students from bullying, and now that bill is coming up for debate. You must convince your fellow representatives that this bill should become a law. Prepare and give a speech persuading Congress to pass a law that addresses the problem of bullying in schools.

Reading Skills

In this chapter you will read about Congress, the lawmaking body of the federal government. You will learn how senators and representatives are elected. You will learn about how work gets done in Congress. You will read about the

authority that the Constitution has given to Congress and what powers it forbids. You will discover how bills get proposed to Congress. Finally, you will read about the legislative process in which a bill becomes law.

Analyzing Cause and Effect

FOCUS ON READING

Asking *Why?* and *What are the effects?* can help you understand how one thing leads to another. When you ask these questions as you read, you are analyzing causes and effects. Recognizing causes and effects can help you grasp the significance of events and decisions.

Cause and Effect Chains A cause makes something happen, which is an effect. That effect can then cause another effect. This is known as a cause and effect chain. Understanding cause and effects chains can help you see the chain of events that bring about changes in government.

Helpful Hints for Analyzing Cause and Effect

1. Ask why an event happened to figure out the cause.
2. Keep asking why until you trace back to the first cause.
3. To determine an effect, ask what happened as a result of an event.
4. Keep asking yourself what happened next to understand the entire chain.

For years the power of Congress to set its own salary was a controversial matter. In response to this debate, the Twenty-seventh Amendment to the Constitution was ratified in 1992. This amendment states that no increase in congressional pay raise can take effect until after the next congressional election. This condition allows voters to respond to the proposed increase by voting for or against those members who supported a pay increase.

Cause:
Congress sets its own salary

Effect:
Created controversy among voters

Effect:
27th Amendment ratified

Effect:
Voters can vote for or against members who support a pay increase



You Try It!

The following passage is from the chapter you are about to read. As you read each paragraph, try to identify the cause and the effects of what is being discussed. Read it and then answer the questions below.

Every 10 years, after the census is taken, Congress determines how the seats in the House are to be **apportioned**, or distributed. If a state's population decreases, the number of its representatives may be reduced. States whose populations grow may be entitled to more representatives . . .

*From Chapter 5,
pp. 136–137*

Many of these congressional districts have very oddly shaped boundaries. A practice called gerrymandering is often the reason. **Gerrymandering** is the practice of drawing district lines that favor a particular political party, politician, or group of people. For example, a state legislature made up of mostly one party might draw district lines that place a majority of their supporters in as many districts as possible.

After you have read the passage, answer the following questions.

1. What cause is discussed in the first paragraph? What are its effects?
2. Draw a cause and effect chain that shows the events described in the first paragraph.
3. What main effect is discussed in the second paragraph?
4. What is the final effect? Draw a cause and effect chain to illustrate this paragraph.

As you read Chapter 5, look for cause and effect chains.

KEY TERMS

Chapter 5

Section 1

bicameral legislature (p. 136)
apportioned (p. 136)
gerrymandering (p. 137)
immunity (p. 138)
expulsion (p. 139)
censure (p. 139)

Section 2

sessions (p. 140)
caucuses (p. 141)
president pro tempore (p. 141)
whip (p. 142)
Speaker of the House (p. 142)

Section 3

implied powers (p. 144)
elastic clause (p. 144)
impeach (p. 144)
treason (p. 145)

Section 4

bill (p. 148)
appropriation bill (p. 148)
act (p. 148)
filibuster (p. 150)
cloture (p. 150)
veto (p. 152)
pocket veto (p. 152)

Academic Vocabulary

Success in school is related to knowing academic vocabulary—the words that are frequently used in school assignments and discussions. In this chapter you will learn the following academic word:

procedure (p. 150)

SECTION 1



SS.7.C.3.8; LA.7.1.6.1; LA.7.1.7.1

The Senate and the House of Representatives

BEFORE YOU READ

The Main Idea


Congress is divided into two houses, the Senate and the House of Representatives, and its members have certain qualifications.

Focus Questions

1. What are the two houses of Congress?
2. What are the qualifications, salaries, and rules of conduct for members of Congress?

Key Terms

bicameral legislature, *p. 136*
apportioned, *p. 136*
gerrymandering, *p. 137*
immunity, *p. 138*
expulsion, *p. 139*
censure, *p. 139*

 hmhsocialstudies.com
TAKING NOTES
Use the graphic organizer online to take notes on the Senate and the House of Representatives



When your town decides local issues, such as funding for a road or a new school tax, each voter has a say. This is direct democracy. On a national level, direct democracy would not be practical. Imagine a vote on every national issue. Instead, we choose men and women to vote for us. They represent us. These representatives are the members of Congress.

Two Houses of Congress

SS.7.C.3.8 Analyze the structure, functions, and processes of the legislative, executive, and judicial branches.

Congress is the lawmaking body of the federal government. The Constitution states that the Congress shall be composed of two houses—the Senate and the House of Representatives.

Why is Congress divided into two houses? The framers of the U.S. Constitution wanted to make sure that both small and large states would be fairly represented. So they created a **bicameral legislature**, a lawmaking body of two houses. Membership in the House of Representatives is based on state population. In the Senate, each state is represented equally. The system also allows each house to check the actions of the other.

The House of Representatives

According to the Constitution, the number of representatives each state can elect to the House is based on the state's population. Each state is entitled to at least one representative. Washington, D.C., Guam, American Samoa, and the Virgin Islands each have one nonvoting delegate in the House.

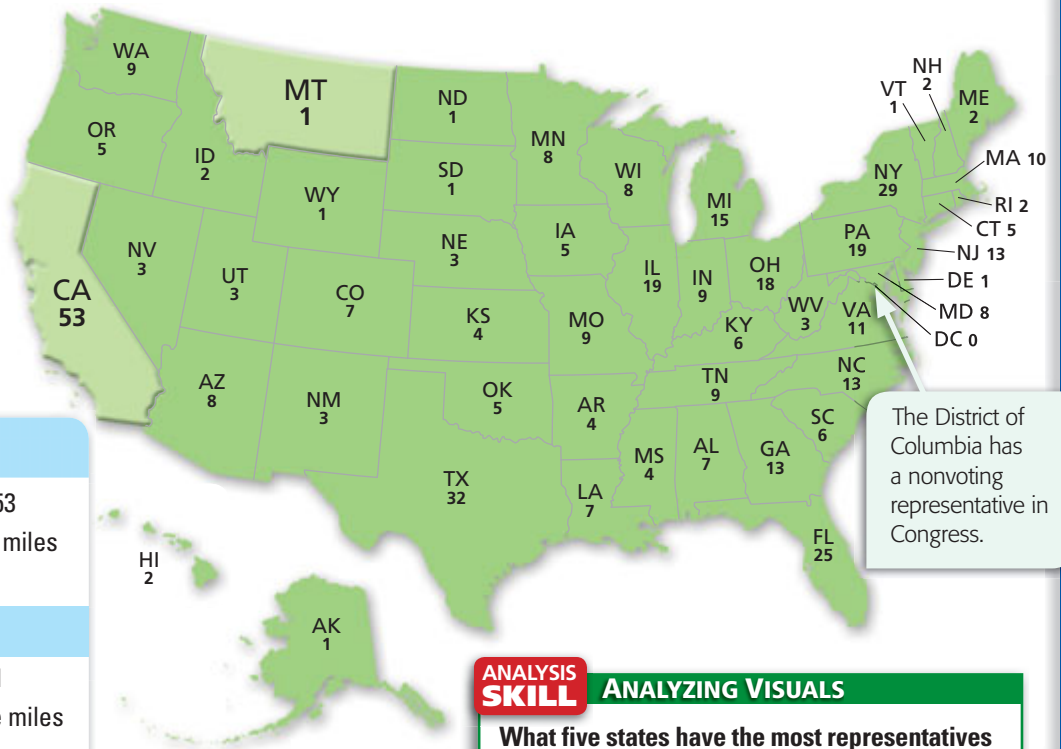
Today there are 435 members in the House. Why 435 members? In 1789, when the first Congress met, the Constitution allowed for 65 representatives in the House. Each state elected one representative for every 30,000 people in the state. However, as new states joined the Union and the population increased, membership in the House kept growing. Eventually, Congress had to limit the size of the House to 435 members.

Every 10 years, after the census is taken, Congress determines how the seats in the House are to be **apportioned**, or distributed. If a state's population decreases, the number of its representatives may be reduced. States whose populations grow may be entitled to more representatives.

Congressional Representation

**QUICK
FACTS**

Every 10 years, after a national census, Congress apportions representatives to the House based on population. As of 2010, California, with 53 representatives, has the most, while Montana and six other states have only 1 representative.



Most states allow the governor to appoint a person to fill the vacancy until the next regular election or until a special state election is held.

Do you think that members of Congress should be allowed to serve for an unlimited number of terms? Many people believe that the number of terms should be limited. However, the Supreme Court disagrees. In 1995 the Court ruled that such term limits for federal offices are unconstitutional. The Constitution reserves to the people the right to choose their federal lawmakers, and term limits would infringe upon this right, the Court ruled.

READING CHECK

Analyzing Information Why does the Constitution specify different ways to determine the number of members for the House and for the Senate?

PRIMARY SOURCE

POLITICAL CARTOONS

Term Limits

Term limits would restrict the number of terms a representative could serve in a particular office. While many states have term limits, there are none for members of Congress.



Career politicians fear that term limits might force them from office.

ANALYSIS SKILL

ANALYZING POLITICAL CARTOONS

What point do you think this cartoon is trying to make about term limits? Do you agree? Why or why not?

Members of Congress

Members of Congress have certain requirements they must meet. They also receive a set salary and benefits and must agree to uphold a code of conduct in order to be eligible to hold office.

Qualifications of Members

To be a representative in the House of Representatives, the Constitution requires that you:

1. be at least 25 years old;
2. have been a citizen of the United States for at least seven years; and
3. be a legal resident of the state you represent. (Most representatives live in the district from which they are elected. However, the Constitution does not require this.)

The qualifications for members of the Senate differ slightly from those of the House. To be a U.S. senator you must:

1. be at least 30 years old;
2. have been a citizen of the United States for at least nine years; and
3. be a legal resident of the state you represent.

Salary and Benefits

As of January 2006, each member of Congress receives a yearly salary of \$165,200. Members of Congress have offices in the Capitol Building and receive an allowance to pay staff members. Members of Congress receive free trips to their home state, an allowance for local district offices, and a stationery allowance. In addition, they have the franking privilege—the right to mail official letters or packages free of charge.

Members of Congress also have **immunity**, or legal protection. Immunity means that when Congress is in session its members cannot be arrested in or on their way to or from a meeting in Congress. This protection ensures that Congress members are not unnecessarily kept from performing their duties.

Rules of Conduct

Both houses of Congress have the right to decide who shall be seated as members. Sometimes members of the Senate or the House question the qualifications of a newly elected member of Congress. For example, in 1996, Republican Representative Robert Dornan challenged the election of Democrat Loretta Sanchez. In such a case, the member may not be seated until an investigation of the charges is made. The House considered Dornan's challenge and eventually ruled that Sanchez was the winner.

The Supreme Court may review the actions of Congress in this regard. Congress seldom has refused to seat one of its members.

The House and Senate have passed codes of conduct for their members. These codes establish limits to the amount of outside income a member of Congress may earn and requires members to make a full disclosure of their financial holdings.

What would happen if a member of Congress violated the code of conduct? The Constitution allows both houses of Congress

to discipline its members. A person who is accused of a serious offense might be expelled from office. **Expulsion** of a member means that the person must give up his or her seat in Congress. Expulsion from the Senate or House requires a vote of two-thirds of the senators or representatives.

Expulsion is rare. Only five House members have been expelled, the last one in 2002. In the Senate, 15 members have been expelled. The last senator expelled was Jesse D. Bright in 1862. He was expelled for supporting the Confederacy.

Less serious offenses may bring a vote of **censure**, or formal disapproval of a member's actions. A censured member must stand alone at the front of the House or Senate and listen as the charges against him or her are read.

Since 1789, the Senate has censured only 9 of its members, the last one in 1990. The House has censured 22 of its members.

READING CHECK

Summarizing What are the qualifications for senators? For representatives?

SECTION 1 ASSESSMENT



hmhsocialstudies.com

ONLINE QUIZ

Reviewing Ideas and Terms

- Define** Write a brief definition for each of the following terms: **bicameral legislature**, **apportioned**, and **gerrymandering**.
 - Analyze Information** If a senator dies or resigns before the end of a term of office, the seat must be occupied. Why do you think this law exists?
 - Make Predictions** What might have happened if the House of Representatives had never been formed and only the Senate represented the people?
- Define** Write a brief definition for each of the following terms: **immunity**, **expulsion**, and **censure**.
 - Defend a Point of View** Do you think members of Congress should be required to make a full disclosure of their financial holdings? Why or why not?

Critical Thinking

- Comparing and Contrasting** Use your notes and a graphic organizer like this one to identify the similarities and differences between the House of Representatives and the Senate.



FOCUS ON WRITING

- Supporting a Point of View** Where do you stand on congressional term limits? Write a position statement agreeing or disagreeing with the Supreme Court's decision on the issue of congressional term limits.

SECTION 2



SS.7.C.3.8; LA.7.1.6.1; LA.7.1.7.1

How Congress Is Organized

BEFORE YOU READ

The Main Idea


Congress is organized in a way that allows its members to consider and pass legislation without each member having to do everything.

Reading Focus

1. What are the terms and sessions of Congress?
2. How is Congress organized?

Key Terms

sessions, *p. 140*
caucuses, *p. 141*
president pro tempore, *p. 141*
whip, *p. 142*
Speaker of the House, *p. 142*

 hmhsocialstudies.com
TAKING NOTES
Use the graphic organizer online to take notes on how Congress is organized.



Vice President Joe Biden shakes hands with House Speaker Nancy Pelosi before President Obama addresses a joint session of Congress in 2009.

As vice president, Joe Biden is the president of the U.S. Senate. He cannot vote, however, unless it is to break a tie.



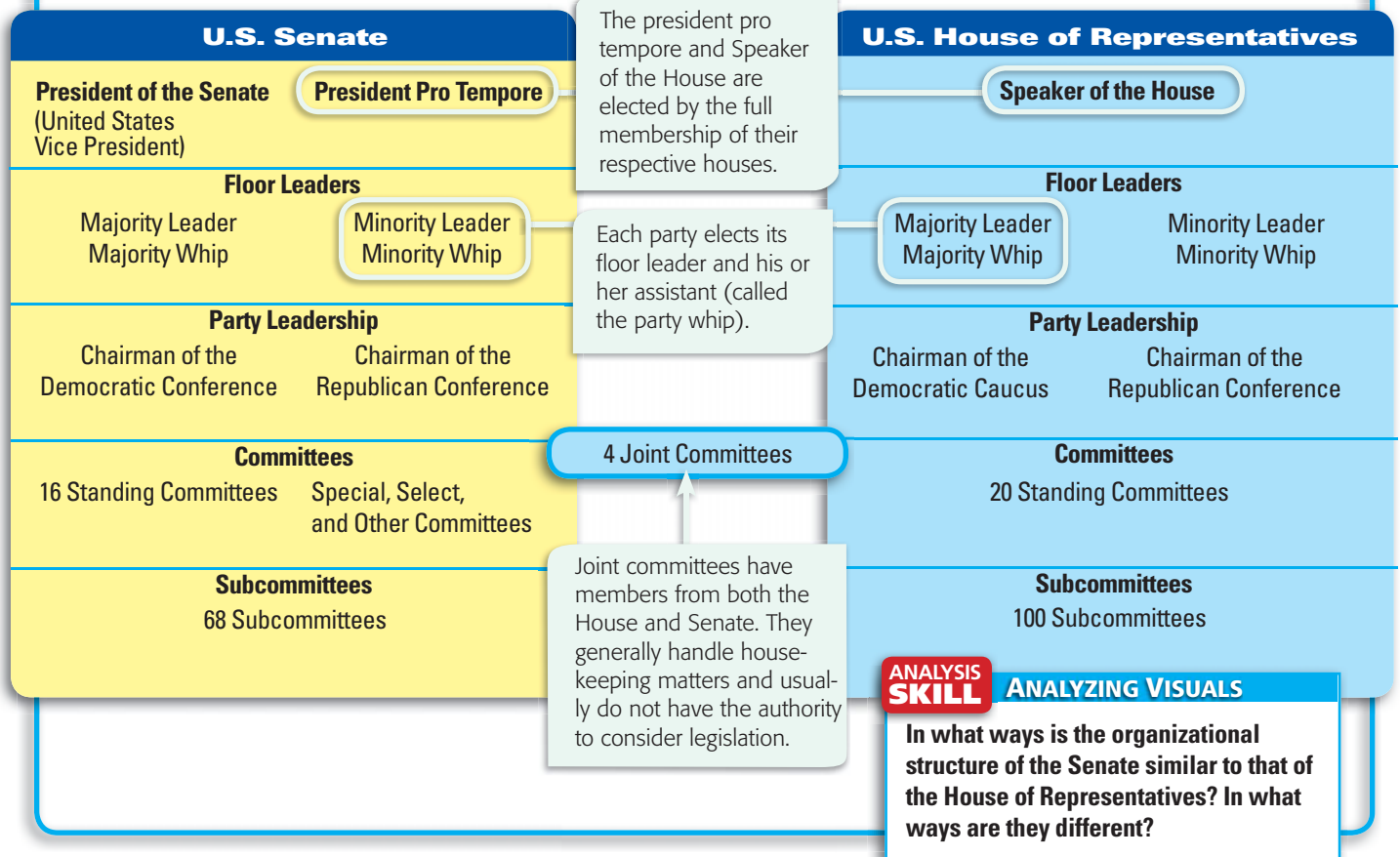
What if you had to remember to breathe, digest, and circulate blood? Your body is organized so that everything works together to keep you going. Similarly, if every member of Congress had to deal with every legislative detail, government would grind to a halt. To avoid this, Congress divides the workload.

Terms and Sessions

Under the Twentieth Amendment, a term of Congress begins at noon on January 3 of every odd-numbered year. The first term of Congress was in 1789. The Congress whose term lasts from 2011 to 2113 is the 112th Congress. The Constitution requires Congress to meet at least once each year. So each term of Congress is divided into two **sessions**, one for each year of the term. Each session begins on January 3 (unless Congress chooses another date). When Congress finishes its legislative work, both houses adjourn and the session is ended. In unusual circumstances, the president may call one or both houses back into a special session after they have adjourned. Although each house usually meets by itself to conduct business, the two houses occasionally meet together in what is called a joint session.

Organizational Structure of the 111th Congress

QUICK FACTS



For example, when the president delivers the State of the Union address each year, all the members of the House and the Senate meet in the House chamber to hear the speech.

READING CHECK

Contrasting What is the difference between a regular session and a special session of Congress?

Organization of Congress

The Constitution has only three rules about how Congress should be organized. First, it directs the House of Representatives to select a presiding officer. Second, it names the vice president of the United States as president of the Senate. Third, it calls for the selection of a senator to preside in the vice president's absence.

Shortly after the first day of each term, the Republican and Democratic members

in each house gather separately in private meetings. These private meetings are called party **caucuses**. At these caucuses, the Republican members of each house choose their own leaders. The Democratic members do the same. The political party that has the most members in each house is known as the majority party. The political party that has fewer members is called the minority party.

Organization of the Senate

The vice president of the United States does not usually preside over the daily meetings of the Senate. Instead, the majority party elects one of its members to be the **president pro tempore**. *Pro tempore* is a Latin phrase meaning *for the time being*.

Each party has its floor leaders, known as the majority leader and the minority leader.

SS.7.C.3.8 Analyze the structure, functions, and processes of the legislative, executive, and judicial branches.

ANALYSIS SKILL

ANALYZING VISUALS

In what ways is the organizational structure of the Senate similar to that of the House of Representatives? In what ways are they different?



FOCUS ON Ileana Ros-Lehtinen (1952-)

Born in Havana, Cuba, Ileana Ros-Lehtinen immigrated to the United States at the age of seven. U.S. Representative Lehtinen became the first Latina elected to the Florida House of Representatives

in 1982. In 1989 Ros-Lehtinen also became the first Latina and the first Cuban American elected to the U.S. Congress, representing Florida's 18th Congressional District. As an advocate for human rights and democracy, Representative Ros-Lehtinen helped pass the Cuban Democracy Act. It seeks to improve the lives of Cuban citizens. She is also committed to the effort to preserve and protect the Florida Everglades.

Draw Conclusions Why do you think Ros-Lehtinen supported the Cuban Democracy Act?

Each party's floor leader is assisted by a party **whip**. The whip's job is to count votes, encourage party loyalty, and ensure that the party's members are present for important votes.

The Senate has about twenty committees that consider legislation and hold hearings. Each committee has one or more subcommittees that may consider legislation before it is

taken up by the full committee. Each committee and subcommittee has a chairperson, who is a member of the majority party, and a ranking minority member. The ranking minority member is the highest ranking (and usually longest serving) member of the minority party on a committee or subcommittee.

Organization of the House of Representatives

The person who presides over the House when it is in session is the **Speaker of the House**. The Speaker, who is always a member of the majority party, is the most powerful officer in the House. For example, no representative may speak until called on, or recognized, by the Speaker. The Speaker also influences the order of business in the House.

The committee structure in the House is generally similar to the committee structure in the Senate. There are about two dozen committees, their subcommittees, committee chairpersons, and ranking minority members. The names of the House committees are often different from the names of the Senate committees, but the basic organization is the same.

READING CHECK

Summarizing How is each house of Congress organized?

SECTION 2 ASSESSMENT



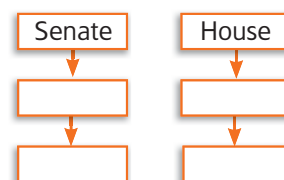
hmhsocialstudies.com
ONLINE QUIZ

Reviewing Ideas and Terms

- a. Define** Write a brief definition for the term **sessions**.
b. Draw Inferences and Conclusions What do you think are some issues that might cause the president to call a joint session of Congress?
- a. Define** Write a brief definition for each of the following terms: **caucuses**, **president pro tempore**, **whip**, and **Speaker of the House**.
b. Elaborate Why does the majority party have an advantage over the minority party under the committee system?

Critical Thinking

- Analyzing** Use your notes and a graphic organizer like the one here to explain the structure of the U.S. Senate and House of Representatives.



FOCUS ON WRITING

- Evaluate** What do you think might happen if both houses of Congress are controlled by the same political party?

SECTION 3



SS.7.C.2.11, SS.7.C.3.8; LA.7.1.6.1; LA.7.1.7.1

The Powers of Congress

BEFORE YOU READ

The Main Idea

The Constitution both defines and limits the powers of Congress.

Reading Focus

1. What types of powers are granted to Congress?
2. What are some of the limits on the powers of Congress?

Key Terms

implied powers, *p. 144*
elastic clause, *p. 144*
impeach, *p. 144*
treason, *p. 145*



TAKING NOTES

Use the graphic organizer online to take notes on the powers and limits of Congress.



As one of its delegated powers, Congress can authorize the printing and coining of money.



Who decides how to spend the money in your house? In many families, it is a team discussion. Some bills must be paid now. Some can be paid later. It's that way in government. Congress collects money through taxes, decides how to spend it, and pays the bills. And these are only some of its powers.

Congressional Powers

Some of the powers of Congress have been expressly granted, or delegated, by the Constitution. Other powers are implied by the language of the Constitution. The Constitution also gives Congress impeachment power and specific special powers.

Delegated Powers

Article I, Section 8, of the Constitution lists the powers delegated to Congress. These powers can be grouped into five general categories.

Financing Government The Constitution grants Congress the power to finance the federal government. In order to pay for government programs and defense, Congress has the authority to raise and collect taxes, to borrow money, and to print and coin money.

Powers of Congress

Article I, Section 8 of the U.S. Constitution lists all the powers of Congress. The last power listed is “to make all laws which shall be necessary and proper” to execute all the other powers. This phrase is known as the elastic clause. It gives the government the ability to expand to meet needs that the Founding Fathers could not have foreseen. An example is the the creation of a national system of highways.

Powers Granted in Article I, Section 8:

- Collect taxes
- Borrow money
- Coin money
- Punish counterfeiters
- Regulate trade
- Grant copyrights and patents
- Make immigration law
- Form the federal court system
- Punish piracy
- Declare war
- Fund and regulate armed forces
- Form and arm militias
- Establish a postal service
- Create Washington, D.C.

ANALYSIS SKILL

ANALYZING VISUALS

Do you think that the creation of a national system of highways was a “necessary and proper” act of Congress?

LA.7.1.6.1 The student will use new vocabulary that is introduced and taught directly.

Regulating and Encouraging American Trade and Industry Congress helps businesses by regulating trade with foreign countries and among the states. It passes laws that protect the rights of inventors.

Defending the Country Congress has the power to declare war and to maintain armed forces.

Creating Lower Courts Congress has the power to pass certain laws. To ensure that these laws are upheld, Congress has set up a system of national courts.

Providing for Growth Congress can pass laws to regulate immigration and naturalization. Congress is also given the power to govern the country’s territories and to provide for the admission of new states.

Implied Powers

The Constitution states that Congress has the power “to make all laws which shall be necessary and proper for carrying into execution

[carrying out] the foregoing powers.” This means Congress has been given the power to do any action relating to its delegated powers that it considers “necessary and proper.” The powers that Congress has exercised under this clause are called **implied powers**.

For example, Congress established national military academies to train officers for the armed forces. The Constitution does not specifically give Congress this power. However, Congress argued that establishing the academies is “necessary and proper” to ensure the defense of the United States.

The necessary and proper clause allows Congress to stretch delegated powers to cover many other areas. Because of its flexibility, the necessary and proper clause is also called the **elastic clause**.

Impeachment Power

Congress has the power to impeach federal officials charged with serious crimes and bring them to trial. To **impeach** is to accuse an officeholder of misconduct.

Congress may remove these officials from office if they are found guilty of serious crimes such as treason. **Treason** is an act that betrays or endangers one's country.

The charges against an accused official must be drawn up in the House of Representatives. If a majority of representatives vote in favor of the list of charges, the official is impeached, or formally accused. The individual will then be put on trial. The procedure of drawing up and passing the list of charges in the House is called impeachment.

The trial on the impeachment charges is held in the Senate. During the impeachment trial, the Senate becomes a court. The vice president usually acts as the judge. However, if the president is impeached, the chief justice of the Supreme Court presides over the trial instead. Two-thirds of the Senate must find the official guilty before he or she can be dismissed from office.

Two presidents, Andrew Johnson and Bill Clinton, have been impeached. In 1868 President Johnson was found not guilty

by only one vote. President Clinton was impeached in December 1998 on charges that he lied under oath and obstructed justice. The Senate found Clinton not guilty of both charges. In 1974 the threat of impeachment led President Richard M. Nixon to resign from office.

Special Powers

The Constitution gives each house of Congress certain special powers. For example, the House of Representatives must start all bills for raising revenue. The House also has the sole power to impeach public officials. The House chooses the president if no presidential candidate receives enough electoral votes to be elected.

The Senate has four special powers.

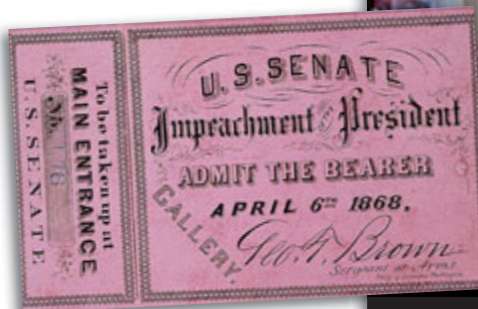
1. All impeachment trials must be held in the Senate.
2. If no vice presidential candidate receives enough electoral votes to be elected, the Senate chooses the vice president.

Linking to Today

Presidential Impeachment Trials

The 1868 impeachment trial of President Andrew Johnson was very public and very political. Johnson's impeachment stemmed from his violation of the Tenure of Office Act—and his unfriendly relationship with Congress. Despite these factors, the Senate adjourned the trial after acquittal votes on the first three of the 11 charges against Johnson.

President Bill Clinton's 1999 impeachment trial also caused a national sensation. As with Johnson, Clinton's relationship with some members of Congress complicated the obstruction of justice and perjury charges against him. Yet public approval ratings of the president remained high during the trial. Soon members of both parties realized that a two-thirds vote to convict was impossible. Clinton was acquitted on February 12.



ANALYSIS SKILL

ANALYZING VISUALS

Making Inferences How might Congress's power to impeach sometimes clash with party politics?

3. All treaties, or written agreements, with foreign nations must be approved in the Senate by a two-thirds vote.
4. Certain high officials, such as Supreme Court justices, appointed by the president must be approved in the Senate by a majority vote.

The House is often the more active legislative body. The Senate is said to be the more deliberative and cautious body.

READING CHECK

Supporting a Point of View

Which powers of Congress do you think are the most important? Explain your answer.

Limits on Powers

The Constitution places limits on the powers granted to Congress. For example, the Tenth Amendment reserves some powers for the state governments. These reserved powers include the states' authority to regulate and conduct elections, create and administer schools, and

establish marriage laws. The Constitution also specifically forbids Congress from:

- Passing ex post facto laws—laws that apply to actions that occurred before the laws were passed;
- Passing bills of attainder—laws that sentence people to prison without trial;
- Suspending the writ of habeas corpus—removing the right to a court order, called a writ, requiring that a person be brought to court to determine if there is enough evidence to hold the person for trial;
- Taxing exports;
- Passing laws that violate the Bill of Rights;
- Favoring trade of a state;
- Granting titles of nobility; and
- Withdrawing money without a law.

For further explanation of these restrictions, see the U.S. Constitution, pages 53–81.

READING CHECK

Analyzing Information

Why do you think the Constitution limits the powers of Congress?

SECTION 3 ASSESSMENT



hmhsocialstudies.com
ONLINE QUIZ

Reviewing Ideas and Terms

1. **a. Define** Write a brief definition for each of the following terms: **implied powers**, **elastic clause**, **impeach**, and **treason**.
b. Compare and Contrast How are the special powers granted to the Senate different than the special powers granted to the House of Representatives?
c. Elaborate Why do you think the Senate must approve of certain high officials appointed by the president?
2. **a. Recall** What types of powers are reserved to the states under the Tenth Amendment?
b. Analyze Information Why do you think Congress is prohibited from taxing exports?
c. Elaborate Why do you think Congress is specifically forbidden from some actions?

Critical Thinking

3. **Categorizing** Using your notes and a chart like the one here, categorize the powers granted to the U.S. Congress.

Special Powers	Limits on Powers

FOCUS ON WRITING

4. **Evaluating** Imagine that you are a Congress member who supports building a new military academy. Write a speech that explains why Congress has the power to set up this academy. Be sure to address the fact that the Constitution does not specify that Congress can do this.

Analyzing Advertisements

SS.7.C.2.9 Evaluate candidates for political office by analyzing their qualifications, experience, issue-based platforms, debates, and political ads.

Learn

Advertisements are all around us—billboards on buses, bumper stickers on cars, and commercials on television or the radio. All of these advertisements have a common goal: to convince you to buy or support something. Manufacturers use advertisements to persuade you to buy their goods. Candidates running for office use ads to ask for your vote. To make a decision about whether to purchase a product or support a candidate, it is important to analyze advertisements carefully.

Practice

- 1 Determine the message.** The purpose of an advertisement is to sell a product, service, or idea, whether a car, a movie, a slogan, or something else. When you view an advertisement, always identify what is being sold.
- 2 Examine the information.** Advertisers often use facts and opinions to persuade us to support their product or idea. The facts might be statistics or evidence from research. Opinions might be

quotes from people familiar with the product or idea. Determine what information can be proven.

- 3 Identify techniques.** Advertisements use different methods to persuade us. Some advertisements appeal to our emotions or try to convince us that everyone supports the product or idea.
- 4 Draw conclusions.** Carefully study the advertisement and the facts presented. Then, ask yourself whether you support the point of view of the advertisement.

Apply

Analyze the political advertisement below carefully. Use the example of an advertisement to answer the questions below.

1. What is the “product” in this advertisement? What techniques does the advertisement use to sway your opinion?
2. What facts does this advertisement present? What opinions does it present?
3. Did this advertisement win your support? Why or why not?

Illustrated example of a political advertisement

MARIA SANDOVAL



As governor, Maria Sandoval

- raised the minimum wage
- increased health care benefits
- increased funding to our schools

IMAGINE WHAT MARIA SANDOVAL COULD DO IN THE U.S. CONGRESS

The right choice for working Americans!

Political advertisement paid for by Maria Sandoval, candidate for U.S. Congress

SECTION 4



SS.7.C.2.12, SS.7.C.2.14, SS.7.C.3.8; SS.7.C.3.9; LA.7.1.6.1; LA.7.1.7.1

How a Bill Becomes a Law

BEFORE YOU READ

The Main Idea


To become a law, a bill goes through a multistage process involving both houses of Congress.

Reading Focus

1. How does a bill begin?
2. How do the House and the Senate consider a bill?
3. In what ways can the president act on the bill?

Key Terms

bill, *p. 148*
appropriation bill, *p. 148*
act, *p. 148*
filibuster, *p. 150*
cloture, *p. 150*
veto, *p. 152*
pocket veto, *p. 152*

 hmhsocialstudies.com
TAKING NOTES
Use the graphic organizer online to take notes on how a bill becomes a law.



If you asked your classmates what single change would improve your school, you might get 20 different ideas. If you asked every student in your school, you would get even more ideas. Some ideas would be better than others. Which idea would you try to put into effect? This is the job of Congress—its members have many ideas for legislation but must decide which ideas deserve to become laws.

How a Bill Begins

SS.7.C.3.9 Illustrate the law making process at the local, state, and federal levels.

A **bill** is a proposed law. Getting a bill passed is a long and difficult process. This careful process helps ensure that the country's laws will be sound ones.

Congress Considers Legislation

Each year the Senate and the House of Representatives consider thousands of bills. A bill can be introduced in either house. The only exception to this rule is an **appropriation bill**, or bill approving the spending of money, which must begin in the House of Representatives. Both the House and Senate must pass the bill. Once passed, the bill can be signed by the president and become a law. A law is also known as an **act**.

Sources of Legislation

Where do the ideas for these bills begin, or originate? Ideas come from several sources, including U.S. citizens, organized groups, congressional committees, members of Congress, and the president.

When a large number of constituents, or citizens of a Congress member's district, requests a law, the Congress member usually listens. If the member of Congress agrees, he or she then introduces a bill that reflects the constituents' ideas.

Sometimes members of Congress introduce bills because certain groups ask them to do so. For example, businesspeople may want to limit competition from industries in other countries. Labor groups may call for laws establishing improved working conditions or higher hourly wages.

Bills can originate from members of Congress themselves. Congress members often become experts in certain fields. A representative who has experience with farming issues, for example, may introduce a bill to fund an agriculture program.

Perhaps the most influential person to introduce a bill is the president. Early in each session, the president appears before a joint



LAW 101



FOUNDATIONS
of DEMOCRACY

Constitution and Citizenship Day

In 2004 Congress passed a law. It established September 17, the date the Constitution was signed in 1787, as Constitution and Citizenship Day. The law requires all schools that receive federal funds to hold an educational program of their choice about the Constitution on that date.

Why it Matters

This law did not pass through the usual process of introduction, readings, committee review, and floor debate. Instead, Senator Robert Byrd of West Virginia added it as a rider to a 2005 federal appropriations bill. A rider is an amendment to a funding bill. It is used to pass legislation unrelated to the main bill. Opposing and defeating a rider can potentially jeopardize the passage of the original bill.

Most Americans agree that learning about the Constitution is important. Some people argued that in passing the rider, however, Congress used powers reserved to the states by requiring the teaching of a particular topic. Supporters of the rider point out that any schools that do not want to have Constitution Day programs do not have to take federal education funds.



Constitution Day gives students the opportunity to discuss the U.S. Constitution.

ANALYSIS SKILL

EVALUATING THE LAW

Should members of Congress be allowed to attach riders to funding bills? Explain.

hmhsocialstudies.com **ACTIVITY**

session of Congress to deliver the State of the Union address. In this speech the president recommends laws that he or she believes are needed to improve the country's well being. Members of Congress who agree with the president soon introduce many of these ideas as bills.

READING CHECK

Summarizing What groups or individuals might come up with ideas for bills?

The House and the Senate Consider the Bill

Any member of either house can introduce a bill. When a bill is introduced, it is

assigned letters and a number, such as HR1215. The letters HR indicate that the bill was introduced in the House of Representatives. The number 1215 indicates the bill's place among all the bills introduced in the House during the current session of Congress. After the bill is introduced, it is printed in the *Congressional Record*. The *Congressional Record* is a publication that covers the daily proceedings of Congress.

The Bill Is Sent to Committee

The bill is then sent to a standing committee. A standing committee is a permanent congressional committee that meets regularly.

Usually the subject of the bill determines which committee will study it. The committee may then refer the bill to a subcommittee for review. Sometimes, a bill is set aside and is never returned to the floor for action. This action effectively kills the bill. If the bill is not set aside, the committee holds hearings on the bill. At the hearings the committee calls witnesses to testify for and against the bill. These witnesses give committee members the information they need to recommend that the bill be accepted, rejected, or changed. After the hearings, the committee may pass the bill without changes, make changes and pass the bill, or vote to kill the bill.

The House Acts on the Bill

In the House, if the committee recommends the bill, it is officially reported out of committee. The bill is sent back to the House of Representatives and placed on the House calendar. The calendar is the schedule that lists the order in which bills have been reported out of committee. However, bills do not usually come to the floor in the same order in which they appear on the schedule. The Speaker of the House determines when or if a bill will reach the floor and where it will be debated.

Before the House begins debate on the bill, the House Rules Committee decides how much time will be given to debate the bill. The time to be spent in debate, or discussion, is divided evenly between supporters and opponents of the bill. House members may offer amendments to the bill, but the amendments must be relevant to the bill.

For the debate on some legislation, the House acts as a Committee of the Whole. This means that all the members act as one large committee. Amendments may be offered, but not always. Debate on each amendment is limited, and then a vote is taken on the amendment. When all discussion is finished and all amendments considered, the bill as a whole is voted on.

A quorum, or majority of the members, must be present in order to do business. When

action has been completed on amendments, the House is ready to vote on the entire bill. In most cases, a majority is needed to pass a bill. If the bill is an important one, a roll-call vote is taken. Each member's name is called, and a record is made of his or her vote. If the bill passes the House, it is then sent to the Senate for consideration.

The Senate Acts on the Bill

Whether a bill is introduced in the Senate or is a bill that has been passed by the House, it goes through the same steps as a bill in the House. The bill is read and is sent to a committee. After committee hearings and any revisions, the bill is sent back to the Senate for a vote.

Unlike members of the House of Representatives, senators usually are not limited in their debate of a bill. In the Senate, speeches may last a long time. To prevent the Senate from taking a vote on a bill, some senators may threaten to talk for many hours, thereby “talking the bill to death.” This method of delay is called a **filibuster**. Debate in the Senate, including filibusters, can be limited only if at least three-fifths of the full Senate vote to limit it. The legislative **procedure** for ending debate in the Senate and taking a vote is called **cloture**. After senators finish their debate on the bill, a vote is taken.

The Final Bill Is Sent to the President

When a bill passes the House and Senate in identical form, it is ready to be sent to the president. However, the two houses often pass different versions of the same bill. To reconcile any differences, the bill is sent to a conference committee. A conference committee is made up of an equal number of senators and representatives who work to reach a compromise on the bill. The compromise bill is sent back to both houses, which usually approve the work of the conference committee.

READING CHECK

Summarizing Describe the process that a bill goes through in Congress.

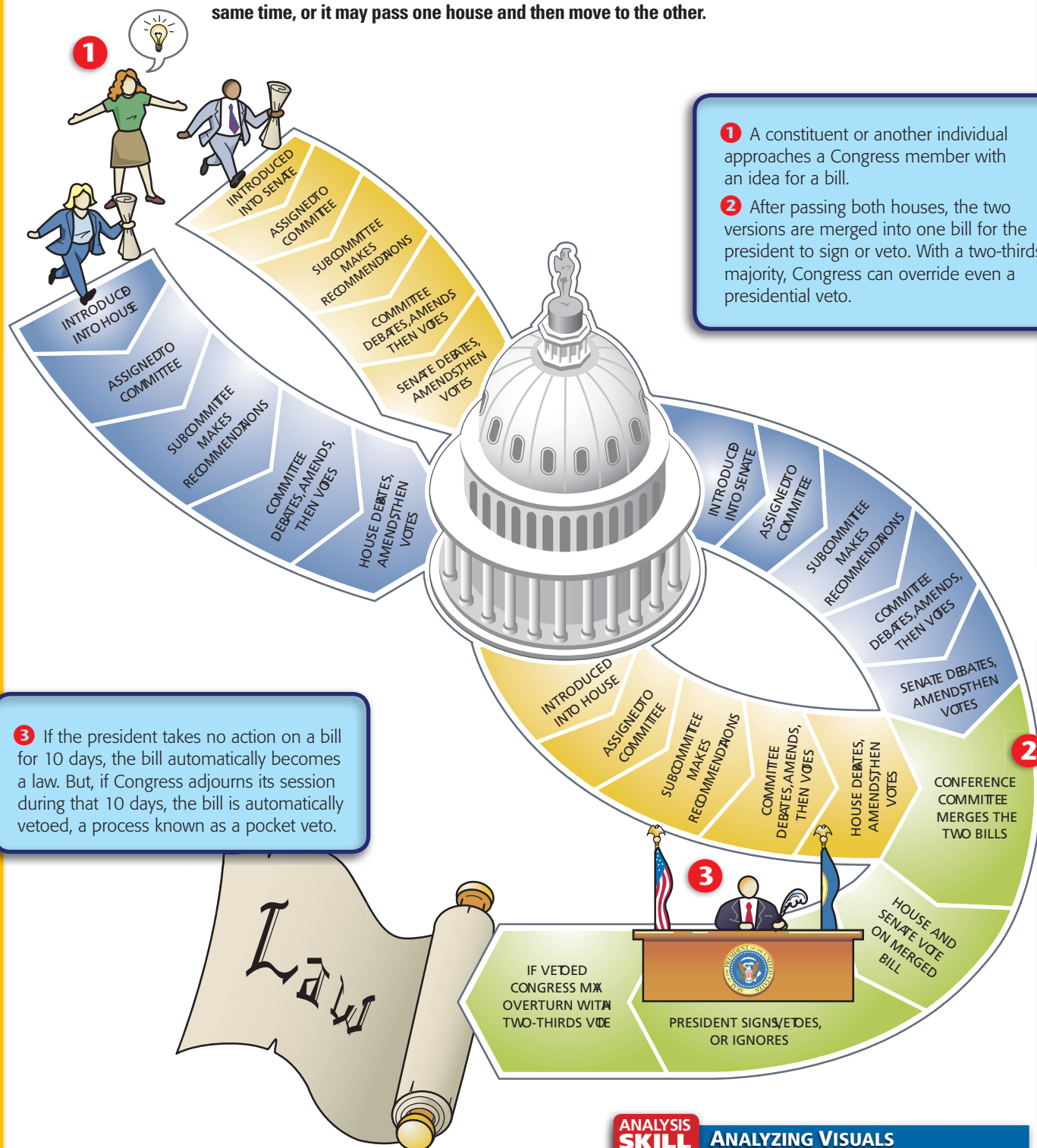
ACADEMIC VOCABULARY

procedure:

a series of steps by which a task is completed

How a Bill Becomes a Law

Every law begins by passing through the House and Senate as a bill. A bill may be introduced into the House and Senate at the same time, or it may pass one house and then move to the other.



The President Acts on the Bill

Once both houses have agreed upon and passed a final version of a bill, it is sent to the president for approval. The president then may take one of three possible actions on a bill from Congress.

1. The president may sign the bill and declare it to be a law.
2. The president may refuse to sign the bill. Instead, the bill is sent back to Congress with a message giving the president's reasons for rejecting it. This action is called a **veto**.
3. The president may choose to keep the bill for 10 days without signing or vetoing it. If Congress is in session during this 10-day period, the bill becomes a law without the president's signature. However, if Congress is not in session and the president does not sign the bill within 10 days, it does not become a law. Instead, the bill has been killed by a **pocket veto**. Presidents do not use the pocket veto often.

Congress has the power to pass a bill over a presidential veto by a two-thirds vote of both houses. However, it is usually difficult to obtain the necessary votes to override a presidential veto. If Congress thinks that there is strong public support for a bill, it may vote to override the president's veto.

Often the president is the nation's chief legislator, even though he or she is not a member of the legislative branch. A president generally has programs that he or she wants to pass, so the president can greatly influence the legislature's agenda. The president may offer legislation, and then request, suggest, or even demand that Congress pass it.

The long and involved process of making laws may seem slow. Yet it does provide a means of making necessary laws while at the same time preventing hasty legislation. The process ensures that bills signed into law are important and useful.

READING CHECK

Drawing Conclusions Why is it important for the president to have final approval over congressional legislation?

SECTION 4 ASSESSMENT



hmhsocialstudies.com

ONLINE QUIZ

Reviewing Ideas and Terms

1. **a. Define** Write a brief definition for each of the following terms: **bill**, **appropriation bill**, and **act**.
b. Summarize What are four sources of ideas for bills?
2. **a. Define** Write a brief definition for each of the following terms: **filibuster** and **cloture**.
b. Draw Inferences and Conclusions Why is it necessary for a bill to be considered by a committee?
c. Defend a Point of View Do you think the process of making laws is too long and involved? Explain your answer.
3. **a. Define** Write a brief definition for the terms **veto** and **pocket veto**.
b. Summarize Explain the actions that the president can take on a bill.

Critical Thinking

4. **Sequencing** Using your notes and a graphic organizer like this one, identify the steps in the process of passing a bill into law.



FOCUS ON WRITING

5. **Sequencing** Imagine that you are a senator who has been invited to visit a school classroom. Write a presentation on how citizens can become involved in the process of recommending new laws.

STUDENTS TAKE ACTION



Stopping Pill Mills

Students at Hialeah Gardens Middle School in Hialeah, Florida, heard about the growing problem of so-called pill mills. So they decided to do something about it. They gathered information on the issue, testified before the Florida House of Representatives Health Care Regulation Policy Committee, and helped pass new legislation to restrict pill mills in Florida.

Community Connection According to media reports and police, pain clinics in Florida known as pill mills distribute millions of narcotic pills to people each month. They cater to drug dealers and addicts across the Southeast. State officials say that nine people a day die in Florida from prescription drug overdoses. This is more than from illegal drugs. Stronger legislation was needed to curb this growing problem.

Taking Action The students contacted different legislators to sponsor their bill. In the Florida House, representatives Joseph Abruzzo and Esteban Bovo agreed to help. In the Senate, Senator Dave Aronberg joined the cause. The students met with these public officials. They met with the Florida Health Department, the FBI, the Broward County Sheriff's office, the Office of Drug Control, and Florida lieutenant governor Jeff Kottkamp. After traveling to Tallahassee to testify, the students followed the bill on the Florida legislature's online site. Students could watch the legislative session, see amendments filed, and see the official votes. "The kids were going crazy," said Jackie Viana, their teacher. "We watched it [online]. It was so much work to get this passed." On the last day of the session the House and Senate passed the pill mill legislation. Governor Charlie Crist signed it into law. Soon after that the students got an e-mail from a reporter. It simply said, "You did it!" The students were also recognized by the Florida Drug Enforcement Administration and their local police.



Hialeah Gardens Middle School students took action to get the Florida legislature to pass laws preventing pill mills.

SS.7.C.2.12 Develop a plan to resolve a state or local problem by researching public policy alternatives, identifying appropriate government agencies to address the issue, and determining a course of action.

SERVICE LEARNING



1. What course of action did the Hialeah students take to combat pill mills?
2. Identify an issue challenging your state or local community and develop a course of action to resolve the issue. Be sure to research any relevant public policy alternatives and identify the appropriate government agencies to address your issue.

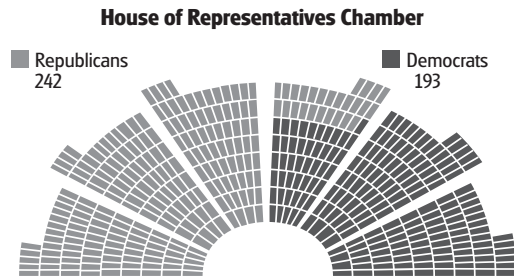
hmsocialstudies.com **ACTIVITY**

CHAPTER 5 REVIEW



FLORIDA CIVICS EOC PRACTICE

1. The diagram below illustrates the House of Representatives.



Which of the following best summarizes the diagram?

- A. Most representatives do not belong to a political party.

- B. The House is evenly divided between Republicans, Democrats, and Undecideds.

- C. The Republicans have a simple majority.

- D. The Democrats have a two-thirds majority.

2. What term refers to re-drawing congressional district boundaries to favor a particular political party?

- A. gerrymandering

- B. censure

- C. impeaching

- D. apportionment

Reviewing Key Terms

For each term below, write a sentence explaining its significance to the legislative branch of the U.S. government.

1. bicameral legislature
2. apportioned
3. gerrymandering
4. immunity
5. expulsion
6. censure
7. sessions
8. caucuses
9. president pro tempore
10. whip
11. Speaker of the House
12. implied powers
13. elastic clause
14. impeach
15. treason
16. bill
17. appropriation bill

18. act

19. filibuster

20. cloture

21. veto

22. pocket veto

Comprehension and Critical Thinking

SECTION 1 (Pages 136–139)

23. **a. Summarize** What is the difference between the way a state is represented in the House of Representatives and the way it is represented in the Senate?

- b. Supporting a Point of View** Which part of Congress, the House or the Senate, do you think is more important? Explain your answer.

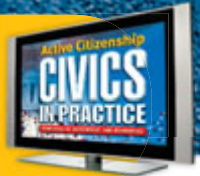
SECTION 2 (Pages 140–142)

24. **a. Recall** What are the jobs of the floor leader and the whip in the legislative process?

- b. Elaborate** Why is most of the work of Congress done through committees?

Active Citizenship video program

Review the video to answer the closing question:
How can students in particular influence certain parts of the legislative process?



SECTION 3 (Pages 143–146)

25. **a. Describe** What is the difference between Congress's delegated and implied powers, and what does this have to do with the elastic clause?
- b. Explain** What special powers does each house of Congress have, and why do you think each house has separate powers?

SECTION 4 (Pages 148–152)

26. **a. Recall** How do bills become laws, and what can the president do with a bill passed by Congress?
- b. Compare and Contrast** What are the advantages and disadvantages of having Congress follow a lengthy and complex lawmaking process?

Civics Skills

Analyzing an Advertisement Review the advertisement below. Then answer the question that follows.



MARIA SANDOVAL
As governor, Maria Sandoval

- raised the minimum wage
- increased health care benefits
- increased funding to our schools

IMAGINE WHAT MARIA SANDOVAL COULD DO IN THE U.S. CONGRESS
The right choice for working Americans!
Political advertisement paid for by Maria Sandoval, candidate for U.S. Congress

27. What is the purpose of this ad?
- To convince voters to support increased funding for schools
 - To encourage voters to elect Maria Sandoval to Congress
 - To convince voters to support Maria Sandoval for governor
 - To convince voters not to elect Maria Sandoval
28. What does the phrase “The right choice for working Americans” mean? Give reasons for your answer.

Reading Skills

Analyzing Causes and Effects Use the Reading Skills taught in this chapter to answer the question about the reading selection below.

The framers of the Constitution wanted to make sure that both small and large states would be fairly represented. So they created a bicameral legislature, a lawmaking body of two houses. Membership in the House of Representatives is based on state population. In the Senate, each state is represented equally.

29. According to the passage above, what is a cause of the structure of the legislative branch of the U.S. government?
- the House of Representatives
 - the Senate
 - small states and large states
 - the desire for fair representation

Using the Internet

30. **Understanding Congress** Congress makes decisions that affect not only national and world affairs, but also your life, your school, and your community. Who is making these decisions? Through your online textbook, compare and contrast the roles, requirements, and powers of both houses of Congress. Then create a diagram to present your information.

 hmhsocialstudies.com

FOCUS ON SPEAKING

31. **Writing a Persuasive Speech** First, decide whether you will deliver your speech about your legislation that protects students from bullying at a committee hearing or on the floor of the House. Then write a three paragraph persuasive speech to your colleagues. Remember that you want the press and the public to know what you are proposing, too.