

Magruder's American Government

CHAPTER 12 *Congress in Action*

The Federal Court System

SECTION 1 Congress Organizes

SECTION 2 Committees in Congress

SECTION 3 How a Bill Becomes a Law: The House

SECTION 4 The Bill in the Senate



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Chapter 12

Congress Organizes

- How and when does Congress convene?
- What are the roles of the presiding officers in the Senate and the House?
- What are the duties of party officers in Congress?
- How are committee chairmen chosen, and what is their role in the legislative process?

Section 1 Overview

- [Section 1 Congress Organizes](#)
- Congress begins each new term on January 3 of every odd-numbered year; each new term follows the general election in November.
- The Speaker of the House, usually the leader of the majority party, controls the agenda in the House of Representatives, while the Vice President and an experienced senator serve as largely ceremonial presidents in the Senate.
- After the Speaker, the floor leaders and their whips in both houses are the most powerful members of Congress.
- Committee chairmen, potent in their own domain, are chosen according to the seniority rule

Section 1 Vocabulary

- **Speaker of the House** - The presiding officer of the House of Representatives, chosen by and from the majority party in the House
- **president of the Senate** - The presiding officer of a senate; in Congress, the Vice President of the United States; in a State's legislature, either the lieutenant governor or a senator
- **president pro tempore** - The member of the United States Senate, or of the upper house of a State's legislature, chosen to preside in the absence of the president of the Senate. A temporary president of the Senate
- **party caucus** - A closed meeting of a party's House or Senate members; also called a party conference

Section 1 Vocabulary continued

- **floor leader** - Members of the House and Senate picked by their parties to carry out party decisions and steer legislative action to meet party goals Helps the party organize for votes
- **Whip** - Assistants to the floor leaders in the House and Senate, responsible for monitoring and marshalling votes
- **committee chairman** - Member who heads a standing committee in a legislative body
- **seniority rule** - Unwritten rule in both houses of Congress reserving the top posts in each chamber, particularly committee chairmanships, for members with the longest records of service.

Congress Convenes

- Congress convenes every two years—on January 3 of every odd-numbered year.
- The House has formal organizational meetings at the beginning of each term to determine committee membership and standing officers.
- The Senate, because it is a continuous body, has fewer organizational issues to address at the start of each term.
- When Congress is organized, the President presents a State of the Union message to a joint session of Congress. This message, in which the President reports on the state of the nation as he sees it, is given annually.



The Presiding Officers

The Speaker of the House

- The **Speaker of the House** is the presiding officer of the House of Representatives and the acknowledged leader of the majority party.
- The Speaker's main duties revolve around presiding over and keeping order in the House.
- The Speaker names the members of all select and conference committees, and signs all bills and resolutions passed by the House.

The President of the Senate

- The job of **president of the Senate** is assigned by the Constitution to the Vice President.
- The president of the Senate has many of the same duties as the Speaker of the House, but cannot cast votes on legislation.
- The **president pro tempore**, the leader of the majority party, is elected from the Senate and serves in the Vice President's absence.



Party Officers

The Party Caucus

- The **party caucus** is a closed meeting of the members of each party in each house which deals with matters of party organization.

The Floor Leaders

- The **floor leaders** are party officers picked for their posts by their party colleagues.
- The party **whips** assist the floor leaders and serve as a liaison between the party's leadership and its rank-and-file members.

Committee Chairmen and Seniority Rule

Committee Chairmen

- The **committee chairmen** are the members who head the standing committees in each chamber of Congress.
- The chairman of each of these permanent committees is chosen from the majority party by the majority party caucus.

Seniority Rule

- The **seniority rule**, an unwritten custom, holds that the most important posts will be held by those party members with the longest records of service in Congress.
- The head of each committee is often the longest-serving member of the committee from the majority party.



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Section 1 Review

1. The presiding officer of the House of Representatives is
 - (a) the President.
 - (b) the Speaker of the House.
 - (c) the majority whip.
 - (d) the president *pro tempore*.

2. The party whips are responsible for all of the following EXCEPT
 - (a) serving as a liaison between party leaders and rank-and-file members.
 - (b) presiding over the House or Senate.
 - (c) informing the floor leader of anticipated vote counts in key decisions.
 - (d) seeing that all members of the party are present for important votes.

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Committees in Congress

- How do the standing committees function?
- What are the duties and responsibilities of the House Rules Committee?
- What are the functions of joint and conference committees?



Section 2 Overview

- [Section 2 Committees in Congress](#)
- Most work in Congress is divided among committees that focus on special areas like national defense, the budget, agriculture, and the like.
- The powerful House Rules Committee can speed, delay, or even prevent House action on a bill.
- Both houses may create select committees, which are special, often temporary, bodies.
- Joint committees are composed of members of both houses.

Section 2 Vocabulary

- **standing committee** - Permanent committee in a legislative body to which bills in a specified subject-matter area are referred; see select committee
- **select committee** - Legislative committee created for a limited time and for some specific purpose; also known as a special committee
- **joint committee** - Legislative committee composed of members of both houses
- **conference committee** - Temporary joint committee created to reconcile any differences between the two houses' versions of a bill –

Standing Committees

- **Standing committees** are permanent panels in Congress to which bills of similar nature could be sent.
- Most of the standing committees handle bills dealing with particular policy matters, such as veterans' affairs or foreign relations.
- The majority party always holds a majority of the seats on each committee (the lone exception being the House Committee on Standards of Official Conduct).

Permanent Committees of Congress

Permanent Committees of Congress		
HOUSE STANDING COMMITTEES	JOINT COMMITTEES OF CONGRESS	SENATE STANDING COMMITTEES
Agriculture	Economic	Agriculture, Nutrition, and Forestry
Appropriations	The Library	Appropriations
Armed Services	Printing	Armed Services
Budget	Taxation	Banking, Housing, and Urban Affairs
Education and the Workforce		Budget
Energy and Commerce		Commerce, Science, and Transportation
Financial Services		Energy and Natural Resources
Government Reform		Environment and Public Works
House Administration		Finance
International Relations		Foreign Relations
Judiciary		Governmental Affairs
Resources		Indian Affairs
Rules		Judiciary
Science		Labor and Human Resources
Small Business		Rules and Administration
Standards of Official Conduct		Small Business
Transportation and Infrastructure		Veterans Affairs
Veterans Affairs		
Ways and Means		



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The House Rules Committee and Select Committees

The House Rules Committee

- The Rules Committee decides whether and under what conditions the full House will consider a measure.
- This places great power in the Rules Committee, as it can speed, delay, or even prevent House action on a measure.

The Select Committees

- **Select committees** are panels established to handle a specific matter and usually exist for a limited time.
- Most select committees are formed to investigate a current matter.



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Joint and Conference Committees

- A **joint committee** is one composed of members of both houses.
- Examples of joint committees include the Joint Economic Committee, the Joint Committee on Printing, and the Joint Committee on the Library of Congress
- A **conference committee**—a temporary, joint body—is created to iron out differences between bills passed by the House and Senate before they are sent to the President.



Section 2 Review

1. The House Rules Committee

- (a) establishes codes of conduct.
- (b) determines when and under what conditions the full House will consider a measure.
- (c) oversees the execution of bills once they are passed into law.
- (d) determines which members of the Senate may vote on a measure.

2. A conference committee is formed to

- (a) iron out differences in bills passed by the House and Senate before they are sent to the President.
- (b) hold press conferences.
- (c) appoint Supreme Court justices.
- (d) determine rules for debate.

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How a Bill Becomes a Law: The House

- What are the first steps in introducing a new bill to the House?
- What happens to a bill once it enters a committee?
- How do House leaders schedule debate on a bill?
- What happens to a bill on the House floor?
- What is the final step in passing a bill in the House?



Section 3 Overview

- [Section 3 How a Bill Becomes a Law: The House](#)
- Only a member can introduce a bill in either house.
- Bills are referred to standing committees, and are usually considered in subcommittees.
- Bills approved by the appropriate committee and the Rules Committee are given floor consideration by the House.
- Measures that win House approval are sent to the Senate.

Section 3 Vocabulary

- **Bill** - A proposed law presented to a legislative body for consideration
- **joint resolution** - A proposal for 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 used by the House and Senate acting jointly; does not have the force of law and does not require the President's signature.
- **Resolution** - A measure relating to the business of either house, or expressing an opinion; does not have the force of law and does not require the President's signature
- **Rider** - Unpopular provision added to an important bill certain to pass so that it will “ride” through the legislative process

Section 3 Vocabulary continued

- **discharge petition** - A procedure enabling members to force a bill that has been pigeonholed in committee onto the floor for consideration
- **Subcommittee** - Division of existing committee that is formed to address specific issues.
- **Committee of the Whole** - A committee that consists of an entire legislative body; used for a procedure in which a legislative body expedites its business by resolving itself into a committee of itself.
- **Quorum** - Least number of members who must be present for a legislative body to conduct business; majority
- **Engrossed** - To print a bill in its final form

The First Steps

- A **bill** is a proposed law presented to the House or Senate for consideration.
- A bill or resolution usually deals with a single matter, but sometimes a **rider** dealing with an unrelated matter is included.
- The clerk of the House numbers each bill, gives it a short title, and enters it into the House *Journal* and the *Congressional Record* for the day. With these actions the bill has received its first reading.



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Types of Bills and Resolutions

Types of Bills and Resolutions	
BILL	A proposed law or draft of a law; public bill applies to the entire nation; private bill applies only to certain people or places
JOINT RESOLUTION	A proposal for 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 used by the House and Senate acting jointly; does not have the force of law; does not require the President's signature
RESOLUTION	A measure relating to the business of either house or expressing an opinion on a matter; does not have the force of law; does not require the President's signature

The Bill in Committee

Discharge Petitions

- Most bills die in committee, pigeonholed, or put away, never to be acted upon.
- If a committee pigeonholes a bill that a majority of the House wishes to consider, it can be brought out of committee via a **discharge petition**.

Gathering Information

- Most committees do their work through several **subcommittees**—divisions of existing committees formed to address specific issues.
- Committees and subcommittees often hold public hearings or make a junket (trip) to gather information relating to a measure.



Committee Actions

When a subcommittee has completed its work on a bill, it returns to the full committee. The full committee may do one of several things:

1. Report the bill favorably, with a “do pass” recommendation.	
2. Refuse to report the bill.	3. Report the bill in amended form.
4. Report the bill with unfavorable recommendation.	5. Report a committee bill.



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Scheduling Floor Debate

- A bill is placed into one of five calendars before going to the floor for consideration:
 1. The Calendar of the Committee of the Whole House on the State of the Union
 2. The House Calendar
 3. The Calendar of the Committee of the Whole House
 4. The Consent Calendar
 5. The Discharge Calendar
- 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.



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The Bill on the Floor

Committee of the Whole

- The **Committee of the Whole** includes all members of the House, however, they sit as one large committee and not as the House itself.
- When the Committee of the Whole resolves itself, the Speaker steps down and another member presides. General debate follows.

Debate

- Severe limits are placed on floor debate due to the House's large size.
- Majority and minority floor leaders generally decide in advance how they will split the time to be spent on a bill.



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Voting on a Bill

There are four methods of taking a floor vote in the House:

1. During voice votes the Speaker calls for the “ayes” and then the “noes.”	2. In a standing vote, members in favor of for and then those opposed to the bill rise and then are counted by the clerk.
3. One fifth of a quorum can demand a teller vote, in which the Speaker names two tellers, for and against, and members pass by each one to be counted.	4. A roll-call vote may be demanded by one fifth of the members present.

Once a bill has been approved at second reading, it is **engrossed**, or printed in its final form. It is then read for a third time and a final vote is taken.



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Section 3 Review

1. Riders are

- (a) measures attached to a bill dealing with an unrelated matter.
- (b) bills dealing with transportation matters only.
- (c) measures included in a bill that are unconstitutional.
- (d) none of the above.

2. All of the following are options for committees to take once they have finished reviewing a bill EXCEPT

- (a) refusing to report the bill.
- (b) reporting a bill in amended form.
- (c) reporting a committee bill.
- (d) passing the bill into law.

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The Bill in the Senate

- How is a bill introduced in the Senate?
- How do the Senate's rules for debate differ from those in the House?
- What is the role of conference committees in the legislative process?
- What actions can the President take after both houses have passed a bill?

Section 4 Overview

- [Section 4 The Bill in the Senate](#)
- Debate in the Senate is largely unrestricted.
- The Senate's dedication to free debate gives rise to the filibuster—the tactic of “talking a bill to death.”
- After both houses approve a bill, it is sent to the President.
- The President can sign the bill, allow it to become law without his signature, veto it, or apply a pocket veto.

Section 4 Vocabulary

- **Filibuster** - Various tactics (usually long speeches) aimed at defeating a bill in a legislative body by preventing a final vote; associated with the U.S. Senate; see cloture
- **Cloture** - Procedure that may be used to limit or end floor debate in a legislative body
- **veto** - Chief executive's power to reject a bill passed by a legislature; literally (Latin) "I forbid"; see pocket veto
- **pocket veto** - Type of veto a chief executive may use after a legislature has adjourned; when the chief executive does not sign or reject a bill within the time allowed to do so; see veto

Introducing a Bill and Rules for Debate

Introducing a Bill

- Bills are introduced by senators, who are formally recognized for that purpose.
- Proceedings are much less formal in the Senate compared to the House.

Rules for Debate

- The major differences between House and Senate rules regard debate over measures.
- As a general matter, senators may speak on the floor for as long as they wish.
- This freedom of debate allows for the fullest possible discussion of matters on the floor.



Filibuster and Cloture

Filibuster

- A **filibuster** is an attempt to “talk a bill to death.”
- A senator may exercise his or her right of holding the floor as long as necessary, and in essence talk until a measure is dropped.

The Cloture Rule

- Rule XXII in the Standing Rules of the Senate deals with **cloture**, or limiting debate
- If at least 60 senators vote for cloture, no more than another 30 hours may be spent on debate, forcing a vote on a bill.



Conference Committees

- Any measure enacted by Congress *must* have been passed by both houses in identical form.
- If one of the houses will not accept the other's version of a bill, a conference committee is formed to iron out the differences.
- Once a conference committee completes work on a bill, it is returned to both houses for final approval. It must be accepted or rejected without amendment.



The President Acts

The Constitution provides four options for the President when he receives a bill:

1. The President may sign the bill, and it then becomes law.	2. The President may veto the bill, or refuse to sign it. The President's veto can be overridden by a two-thirds vote of the members present in each house.
3. If the President does not act upon a bill within 10 days of receiving it, it becomes law.	4. A pocket veto occurs if Congress adjourns within 10 days of submitting a bill and the President does not sign it. The bill then dies.

Section 4 Review

1. A filibuster is

- (a) a tool used by senators to speed up the process of passing legislation.
- (b) the name for a bill once it is signed into law.
- (c) a delay tactic in which a bill is talked to death.
- (d) an executive privilege that allows for the amending of passed bills.

2. All of the following are options for the President for dealing with a bill once he receives it EXCEPT

- (a) allowing it to become law by not acting upon it for 10 days.
- (b) signing the bill into law.
- (c) altering the bill and signing it into law.
- (d) vetoing the bill.

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