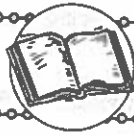


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Date Nov. 5th

Class Govt

STUDY GUIDE



Chapter 5, Section 5

For use with textbook pages 146–150.

STAFF AND SUPPORT AGENCIES

KEY TERMS

personal staff The people who work directly for individual representatives and senators (page 147)

committee staff The people who work for House and Senate committees (page 147)

administrative assistant A member of a lawmaker's personal staff who runs the lawmaker's office, supervises the schedule, and gives advice (page 147)

legislative assistant A member of a lawmaker's personal staff who makes certain that the lawmaker is well informed about proposed legislation (page 148)

caseworker A member of a lawmaker's personal staff who handles requests for help from constituents (page 148)

DRAWING FROM EXPERIENCE

You have probably had school assignments that required a lot of research. Lawmaking requires research, too. It is one of many tasks that staff and support agencies do for lawmakers.

This section focuses on the staff and support agencies that help congressional members.

ORGANIZING YOUR THOUGHTS

Use the graphic organizer below to help you take notes as you read the summaries that follow. Think about the duties of personal staff and committee staff members.

Personal Staff	Committee Staff

STUDY GUIDE (continued)**Chapter 5, Section 5****READ TO LEARN****Introduction** (page 146)

Lawmakers and committees need trained staffs to help them do their work effectively. A number of agencies also do important work for members of Congress.

Congressional Staff Role (page 146)

Lawmakers rely on their staffs to help them handle the growing workload of Congress by communicating with voters, helping to run committee hearings and floor sessions, drafting new bills, writing committee reports, and attending committee meetings. Congressional staffs also help lawmakers get reelected. Staffers get publicity for members of Congress, watch political developments back home, write speeches and newsletters, raise funds for election campaigns, and meet with lobbyists and visitors from home.

1. How do staffs help with the growing workload of Congress?
-
-

Congressional Staff Growth (page 147)

For almost 100 years senators and representatives had practically no aides. After 1946, however, the number of congressional staff members increased dramatically. Why? Lawmaking became more complex after the early 1900s. Lawmakers could not be experts on all the issues that came before their committees or upon which they voted in Congress. Also, constituents increased their demands. Congress members needed large office staffs just to deal with the many letters from the people in their states.

2. Why did the need for office staff increase in the 1900s?
-
-

Personal Staff (page 147)

Personal staff members work directly for individual senators and representatives. **Committee staff** members work for the many House and Senate committees.

The size of senators' staffs vary because the allowances to pay for them are based on the population of the senator's state and distance from the capital. Senators each receive a yearly budget to operate their offices. Most of it is spent on staff salaries. About one-third of the personal staff works in the legislator's home state. The rest work in Washington, D.C. Each member of the House has an allowance to pay for a personal staff. The House and Senate employ thousands of personal staff aides.

An **administrative assistant** (AA) is an aide who runs the lawmaker's office, supervises the lawmaker's schedule, and gives advice on political matters.

A **legislative assistant** (LA) makes certain that the lawmaker is well informed about the many bills with which he or she must deal. The LA does research, drafts bills, studies bills currently in Congress, and writes speeches and articles for the lawmaker. The LA also assists the lawmaker in committee meetings

STUDY GUIDE (continued)**Chapter 5, Section 5**

and attends the meetings when the lawmaker cannot be present. LAs also keep track of the work taking place on the floor of Congress, as well as bills that are in committee.

Caseworkers handle the many requests from people in a lawmaker's state or congressional district. They staff offices in key cities of the lawmaker's state and in Washington, D.C.

3. Which kind of personal staff member do you think is most important? Explain your answer.

Committee Staff (page 148)

Committee staff members draft bills, study issues, collect information, plan committee hearings, write memos, and prepare committee reports. Some senior committee staff members are very experienced in the area their committee covers, whether it be tax policy, foreign affairs, or health care.

4. What lawmaking responsibilities do committee staffers help with?

Support Agencies (page 149)

Congress has created the following important support agencies:

The Library of Congress was created in 1800. The Library has a Congressional Research Service (CRS) with hundreds of employees. Members of Congress use the CRS to answer requests for information from voters and for research on matters related to bills.

The Congressional Budget Office (CBO) was created in 1974. It coordinates the budget-making work of Congress, studies the budget proposals put forward by the president each year, and makes cost projections of proposed new programs. CBO staff members also study economic trends, keep track of how much congressional committees are pending, and prepare a report on the budget each April.

The General Accounting Office (GAO) was established in 1921. The staffers of the GAO review the financial management of government programs, collect government debts, settle claims, and provide legal service. Many GAO staffers answer requests for information about specific programs from lawmakers and congressional committees.

The Government Printing Office does the printing for the entire federal government. Every day it prints the *Congressional Record*—a record of all the bills introduced in both houses and of the speeches and the testimony presented in Congress. Another valuable publication of the GPO is the *Statistical Abstract of the United States*. It provides statistical information about population, government finances, personal income, business, agriculture, education, law enforcement, national defense, elections, and many other topics.

5. Which support agency helps lawmakers prove that they have supported certain issues? Explain your answer.

Page 150
#1-5

Textbook

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CHAPTER SUMMARY * * * * * **CHAPTER 6** * * *

Development of Congressional Powers

★ CONSTITUTIONAL POWERS ★ * * * * *

Article I, Section 8, Clauses 1–18 of the Constitution describes the legislative powers of Congress. Among the most important of these 18 enumerated powers are the following:

- **The Taxing and Spending Power** allows Congress to levy taxes and provide for the general welfare. All revenue bills, or laws for raising money, must originate in the House of Representatives. Through usage, or established practices, Congress has developed the appropriations process—the rules by which it authorizes federal agencies to spend money.
- **Other Money Powers** allow Congress to borrow money to help pay the operating costs of government, to coin and regulate the value of money, and to punish counterfeiters.
- **The Commerce Power** authorizes Congress to regulate both interstate and foreign commerce. Supreme Court rulings that broadly interpret the term “commerce” have allowed Congress to regulate working conditions and prohibit discrimination nationwide.
- **Foreign Policy Powers** include the power to approve treaties and to declare war.
- **Other Legislative Powers** include the power to make all laws that are “necessary and proper” gives Congress implied powers; this elastic clause allows Congress to expand its powers as the nation grows.

The Constitution also gives Congress nonlegislative powers. Among these are the following:

- If no presidential candidate receives a majority of the electoral votes, the House of Representatives chooses the president from among the three candidates with the most electoral votes.
- The Senate has the power to approve presidential appointments.
- Congress has the power to remove any member of the executive or judicial branches from office for serious misconduct.
- Congress shares with state legislatures the power to propose constitutional amendments.

★ INVESTIGATIONS AND OVERSIGHT ★ * * * * *

Over the years Congress has developed additional powers that are inherent in government but are not mentioned in the Constitution. These inherent powers fall into one of two categories: the power to investigate and oversight powers. The congressional power to investigate has been important in American politics since 1792. The key elements of investigative power include the following:

- A standing committee or a select committee may conduct investigations.
- The most frequent results of investigations include new legislation, changes in a government program, or removal of officials from office.
- Congress, like the courts, has the power to issue subpoenas.
- Witnesses who refuse to testify, or otherwise fail to cooperate can be held in contempt, that is, charged with willful obstruction of Congress.
- Congressional committees can require witnesses to testify under oath. Untruthful witnesses can be prosecuted for perjury, or lying under oath.

(continued)
Chapter Summaries

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CHAPTER 6 SUMMARY CONTINUED

INVESTIGATIONS AND OVERSIGHT *(continued)*

- In 1957 the Supreme Court ruled that Congress, like the courts, must respect the constitutional rights of witnesses, including the right not to give evidence against themselves.

Congressional committees often side-step the Supreme Court decision by granting witnesses immunity. Immunity is freedom from prosecution for witnesses whose testimony ties them to illegal acts.

Congressional committees use oversight powers to check the effectiveness of the executive branch in administering the law in areas under their jurisdiction.

The legislative branch has three methods of exercising oversight powers:

- Lawmakers routinely ask congressional support agencies, such as the General Accounting Office, to study the workings of an executive agency.
- Congress may use its appropriations process to expand, cut back, or eliminate programs when it reviews the federal budget each year.
- Congress requires executive agencies to submit reports on their activities.

In the past Congress wrote provisions into certain laws that allowed it to review and cancel the actions of executive agencies charged with carrying out those laws. In 1983 the Supreme Court ruled that these legislative vetoes violated the principle of separation of powers.

★ CONGRESS AND THE PRESIDENT



Cooperation between the president and Congress is essential if government is to work effectively. However, recent presidents have found it hard to work with Congress for several reasons:

- **Different Constituencies** A national electorate chooses presidents; individual states and congressional districts elect members of Congress. The difference in constituencies may lead to conflicting ideas about what public policies are desirable.
- **Checks and Balances** The powers that the president and Congress have to counteract each other can create an adversarial relationship often described as the "President vs. Congress."
- **Party Politics** In recent decades the president's party rarely has controlled both houses of Congress. Partisan political differences increase conflicts and impede the legislative process.

Congress offered little opposition when presidents exercised broad "emergency powers" to deal with crises. Since then Congress has taken action to reassert its authority and to gain new influence, such as the following two examples:

- **The 1974 Budget Impoundment and Control Act** increased the congressional role in planning the federal budget. The law also prohibits the president from impounding—refusing to spend—money appropriated for programs unless both houses of Congress agree.
- **The 1976 National Emergencies Act** requires presidents to notify Congress before declaring a national emergency and gives Congress the power to end a state of emergency at any time by a majority vote of both houses.

An important new presidential power took effect in 1997. The line-item veto allowed presidents to veto spending on specific items in an appropriations bill while letting the rest become law. The line-item veto was immediately challenged in court, and the Supreme Court declared it unconstitutional in 1998.

Throughout American history the balance of power between Congress and the president has shifted back and forth. Between 1933 and the mid-1970s,

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CHAPTER SUMMARY Activity



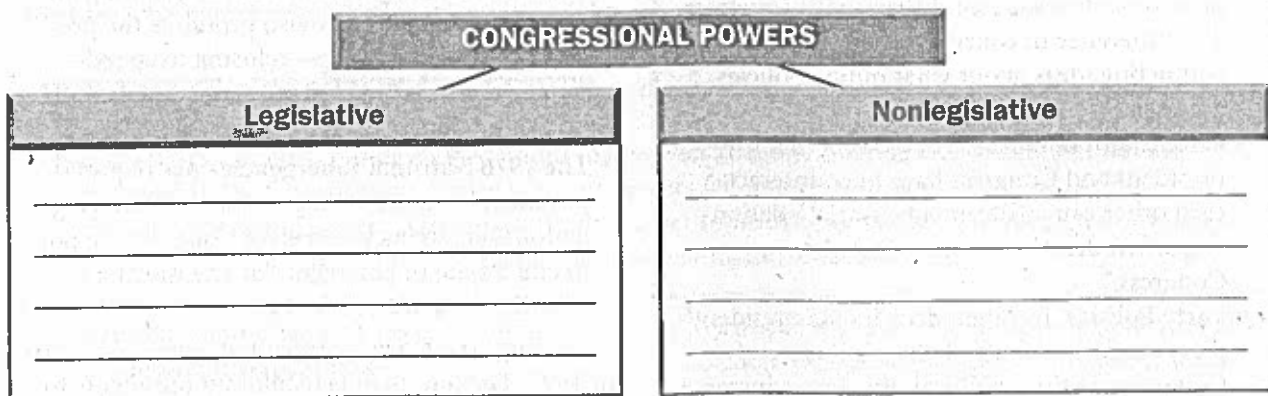
Development of Congressional Powers

★ DIRECTIONS In the space provided, write the word(s) that best completes the sentence.

1. The power to make all laws that are _____ and _____ gives Congress implied powers not enumerated elsewhere.
2. A standing or a select committee of Congress may exercise the inherent power to _____.
3. _____ is freedom from prosecution for witnesses whose testimony ties them to illegal acts.
4. Congressional committees use _____ powers to check how the administrative branch is administering laws.
5. The system of checks and balances can create an adversarial relationship described as the _____ vs. _____.
6. The president cannot _____—refuse to spend—money appropriated for programs unless Congress agrees.
7. The _____ requires presidents to notify Congress before declaring a national emergency.

Organizing Information Complete a diagram of congressional legislative and nonlegislative powers by writing the following items under the appropriate headings:

- to levy taxes
- to approve presidential appointments
- to make necessary and proper laws
- to regulate commerce
- to impeach
- to borrow money
- to break Electoral College deadlocks
- to propose constitutional amendments



Critical Thinking Answer the following questions on a separate sheet of paper.

8. Why do you think legislative vetoes violated the constitutional principle of separation of powers?
9. The term “gridlock” describes what sometimes happens when one political party occupies the White House and the other controls Congress. Explain how the term applies to this situation.

STUDY GUIDE



Chapter 6, Section 1

For use with textbook pages 157–165.

CONSTITUTIONAL POWERS

KEY TERMS

expressed powers Powers directly stated in the Constitution (page 157)

necessary and proper clause Article I, Section 8, of the Constitution, which gives Congress the power to make all laws that are necessary and proper for carrying out its duties (page 157)

implied powers Powers that the government requires to carry out the expressed powers (page 157)

revenue bill A law proposed to raise money (page 158)

appropriations bill A proposed law to authorize spending money (page 160)

interstate commerce Trade among the states (page 161)

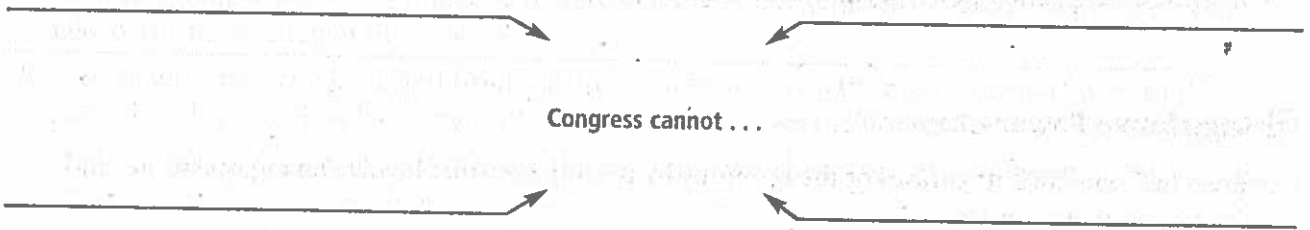
impeachment A formal accusation of misconduct in office against a public official (page 164)

DRAWING FROM EXPERIENCE

Do you play baseball or basketball? If you do, then you know that the rules of the game spell out what players can and cannot do. In a similar way, the Constitution states what Congress can and cannot do.

ORGANIZING YOUR THOUGHTS

Use the graphic organizer below to help you take notes as you read the summaries that follow. Think about the powers denied Congress.



STUDY GUIDE (continued) **Chapter 6, Section 1**

READ TO LEARN

☐ **Introduction** (page 157)

The Framers of the Constitution intended for Congress to play a central role in governing the nation. That role has developed and changed over time.

☐ **Constitutional Provisions** (page 157)

The Constitution describes the *expressed powers* of Congress in Article I, Section 8, Clauses 1–18. The last clause of Section 8 gives Congress the power to do whatever is “necessary and proper” to carry out its other powers. This *necessary and proper clause* implies that Congress has powers beyond those listed in the first 17 clauses. Because these *implied powers* have allowed Congress to expand its role to meet the needs of the nation, the necessary and proper clause has been called the elastic clause.

The Supreme Court has often been the site of conflict over what is “necessary and proper.” For example, those who believe in the “strict construction,” or interpretation, of the Constitution, opposed Congress when it created the Second Bank of the United States in 1816. They believed that Congress did not have the power to charter such a bank. The Court supported the “loose constructionists” in Congress who argued that the necessary and proper clause gave them the power to set up the bank.

The Bill of Rights and other parts of the Constitution deny several powers to Congress. Congress may not:

- A. suspend the writ of habeas corpus—a court order to release a person accused of a crime to determine whether he or she has been illegally detained.
- B. pass bills of attainder—laws that establish guilt and punish people without allowing them a trial.
- C. pass ex post facto laws—laws that make crimes of acts that were legal when they were committed.
- D. tax exports.

1. How do expressed powers differ from implied powers?

☐ **Legislative Powers** (page 158)

Congress has expanded its control of the economy by passing laws that involve taxing, spending, and regulating commerce, or trade.

The power to tax and spend allows Congress to influence national policy because no government agency can spend money without congressional authorization. *Revenue bills*—laws for raising money—start in the House and then go to the Senate. Most *appropriation bills*—proposed laws to authorize spending—are requests from the executive branch. Over the years Congress has used its taxing and spending authority to expand its powers to regulate spending. Congress often requires that local officials follow federal regulations as a condition of receiving federal money. Another tactic is to tax products such as cigarettes to discourage their use. Cutting or increasing taxes also helps Congress to control the economy.

Another money power of Congress is borrowing. The most common way for the United States to borrow money is by selling savings bonds, Treasury bills, or Treasury notes. Congress also has the power to coin money and regulate its value. Congress can also punish counterfeiters—people who print postage

STUDY GUIDE (continued)

Chapter 6, Section 1

stamps, paper money, or government securities illegally; to establish a system of weights and measures; and to make laws concerning bankruptcy—when a person cannot pay his or her debts.

The commerce power is given to Congress in Article I, Section 8, Clause 3 of the Constitution. It authorizes Congress to regulate foreign commerce and *interstate commerce*, or trade among the states. The Supreme Court has expanded this power by ruling that commerce goes beyond just buying and selling goods and services. According to Court rulings, broadcasting, banking and finance, air and water pollution, and civil rights come under the “commerce” heading. Congress itself has expanded its power over interstate commerce to include the power to regulate working conditions.

Foreign policy powers of Congress include the power to approve treaties, to declare war, to create and maintain an army and a navy, to make rules governing land and naval forces, and to regulate foreign commerce. Congress shares foreign policy and national defense responsibilities with the president.

The Constitution puts Congress in charge of *naturalization*—the process by which immigrants become citizens. Congress is also authorized to admit states and pass laws to govern territories, military bases, national parks, and historic sites.

Other legislative powers of Congress include the granting of *copyrights*—the exclusive right to publish and sell a literary, musical, or artistic work—and *patents*—the exclusive right of an inventor to manufacture, use, and sell his or her invention.

2. Name three activities covered by the commerce power of Congress.

☐ Non-legislative Powers (page 163)

Most non-legislative powers of Congress require that the House and Senate work together, yet each usually performs a different function:

- A. The House chooses a president from the three candidates with the most electoral votes if no candidate for president has a majority of the electoral votes. The Senate chooses the vice president.
- B. Both houses of Congress must confirm the appointment when a president appoints a replacement for a vacancy in the office of vice president.
- C. The House has the power of *impeachment*—a formal accusation of misconduct in office. A two-thirds vote of the Senators present is required for conviction and removal.
- D. The Senate has the power to approve presidential appointments to federal office.
- E. The Senate has the power to ratify treaties between the United States and other nations.
- F. Amendments to the Constitution may be proposed by two-thirds vote of both houses.

3. Which powers can the Senate carry out with no involvement from the House?

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#1-5

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Nov. 7th