# Legislative Branch (Congress) Terms.

##### Amendment

Amendments are formal changes to the Constitution. [Article V](http://www.shmoop.com/constitution/article-5.html) creates a process that makes it difficult but not impossible to amend the Constitution; an amendment can only take effect if it first passes Congress by a two-thirds supermajority (or is passed by the legislatures of two-thirds of all the states), then is subsequently ratified by three-fourths of the states. In the 230+ years since the Constitution took effect, thousands of amendments have been proposed but only 27 have been ratified. The first ten amendments, all passed by the very first Congress, are known as the Bill of Rights.

A change to the Constitution or to a specific law. Congress routinely amends ordinary laws by majority vote; amending the Constitution is considered to be a much more serious matter and requires approval by a two-thirds vote of Congress, followed by ratification from three-fourths of the states.

##### Appropriations

Legislative assignment of money to a particular use. The appropriation of government funding to particular programs is one of Congress's most important functions; the House and Senate Appropriations Committees are thus among the most powerful in Congress.

##### Bicameral Legislature

A lawmaking body divided into two chambers. The United States Congress is a bicameral legislature, consisting of an upper house (the Senate) and a lower house (the House of Representatives). "Bicameral" is just a fancy Latin word for "two chambers."

##### Bill

A proposed law. A bill introduced into Congress can become a law if passed by both houses, then signed by the president.

##### Broad Constructionist

A constitutional viewpoint that argues for a broad interpretation of the powers granted by the Constitution to the federal government.

##### Cloture

A procedure used to end a legislative debate. Cloture is frequently invoked in the US Senate, where a vote of 60 out of 100 senators can end a filibuster.

##### Committees

Small working groups formed out of the full membership of the House and Senate that meet to conduct hearings and consider legislation. Most of the real work of Congress is conducted in committees, as legislation typically has to pass out of committee before it can reach a full floor vote.

##### Commerce Power

The constitutional authority to regulate international and interstate commerce, granted to Congress by Article I, Section 8, Clause 3 of the US Constitution. The commerce power is one of the most important powers given by the framers to the legislative branch of government.

##### Conference Committee

A temporary committee formed by representatives of both the House and Senate in order to reconcile discrepancies in any piece of legislation that has passed both chambers, but not in exactly the same form.

##### Confirmation

The process by which the Senate must approve the president's nominees for appointed positions in the executive and judicial branches of government. For a nominee to gain confirmation, he or she must win a majority of votes in the Senate.

##### Constituencies

People and interests represented by a legislator. Any given lawmaker typically represents multiple constituencies—all the residents of his or her district *plus* local industries *plus* gun rights advocates *plus* railroad enthusiasts, and so on.

##### Copyright And Patent Powers

The Congress's power, established in Article I, Section 8, Clause 8, to regulate the granting of copyrights and patents to the creators of artistic works and inventors of new technologies. The idea of copyrights and patents is to ensure that creative people can profit from their ingenuity by granting them the exclusive right, for a certain period of time, to sell their own work. Copyrights protect writings and other artistic creations, while patents protect inventions.

##### Currency Power

The Congress's authority, established in Article I, Section 8, Clause 5, to coin money and regulate its value.

##### Deficit Spending

A situation that occurs when the government spends more than it receives in taxes and other revenues. Deficit spending by the government can help to finance expensive short-term obligations such as wars, and it can also serve as a tool to battle economic slowdowns. However, deficit spending also creates large public debts by requiring the government to borrow money to make up the difference between spending and revenue, and that borrowing can weigh heavily on the economy over time. In recent decades, the federal government has run a spending deficit in [all but four years](http://www.vanderbilt.edu/AEA/students/images/skills_graph1.gif) since 1969, racking up a cumulative debt of more than $10 trillion by 2008.

##### Election

The process by which democratic citizens vote to select their representatives in government. While electoral systems in the United States have changed over time, every state now elects its senators and congressmen through popular vote. US Representatives face election every two years, senators every six.

##### Electoral Duties of Congress

Powers granted to Congress by the Constitution to decide elections, but only in special (and rare) circumstances. Most importantly, in the event of a presidential election ending without any one candidate winning a majority of votes in the Electoral College, the Constitution requires the House of Representatives to select the winner; the candidate who receives the votes of a majority of the states—with each state casting one vote—gains the presidency. By a similar procedure, the Senate must select the vice president in the event of no vice-presidential candidate winning an Electoral College majority. So far in American history, the House has twice had to elect the president (Thomas Jefferson in 1801, John Q. Adams in 1825) and the Senate has once picked the vice president (Richard M. Johnson in 1837).

##### Expressed Powers

Powers explicitly granted to Congress by the US Constitution (as opposed to implied powers, which are powers not specifically named in the Constitution but reasonably inferred to be "necessary and proper" to carry out the expressed powers). The most important of the expressed powers include the power to tax, to borrow, to allocate spending, to regulate commerce and currency, and to declare war.

##### Expulsion

The constitutionally ensured power of both the House and the Senate to expel its own members for misconduct if such expulsion is supported by the vote of two-thirds of the chamber's members. So far in American history, the Senate has voted for expulsion of 15 members—one for conspiring to start a war over Florida in 1797, the other 14 for supporting the Confederacy during the Civil War. The House has expelled only five members—three during the Civil War, and two more recently (in 1980 and 2002) for corruption.

##### Gerrymandering

A congressional district drawn in an odd or unnatural shape in order to improve the electoral prospects of one party. The idea of a gerrymandered district is to create a "safe" seat in Congress by concentrating supportive voters for the party doing the gerrymandering is the district—or to weaken the opposition party by spreading its voters out across several district boundaries. The name comes from one of gerrymandering's earliest practitioners—Elbridge Gerry, who supported the practice while serving as governor of Massachusetts in 1811. To better favor his own Democratic-Republican Party, Gerry created one serpentine district—winding, long, and narrow—that critics suggested looked like a salamander...or a " [Gerry-mander](http://upload.wikimedia.org/wikipedia/commons/9/96/The_Gerry-Mander_Edit.png)." The name stuck.

##### House of Representatives

The lower house of the United States Congress, the House of Representatives is home to 435 congressmen, serving all 50 states in proportion to their populations. (Populous California is thus represented by 53 congressmen and congresswomen, while sparsely populated Wyoming is represented by one.) Members of the House face election every two years.

##### House Rules Committee

One of the most powerful committees in all of Congress, the House Rules Committee controls which of the thousands of bills submitted each year will reach the floor for consideration by the full chamber.

##### Impeachment

The power of Congress to remove from office any federal civil official—up to and including the president—deemed guilty of "Treason, Bribery, or other high Crimes and Misdemeanors." In such cases, the House has the sole power to impeach—that is, to bring charges against the offending official. If the House votes to impeach, the Senate then serves as judge and jury in impeachment cases. So far in American history, only two presidents have ever been impeached—Andrew Johnson in 1868 and Bill Clinton in 1998. Neither was convicted by the Senate, and thus both remained in office. A third president, Richard Nixon, resigned from the presidency in 1974 in order to avoid an impeachment trial he was almost certain to lose over the Watergate scandal.

This is the process by which the president can be removed from office. When the House of Representatives concludes that the president has committed an impeachable offense ("treason, bribery, or other high crimes and misdemeanors"), it draws up "articles of impeachment," a list of specific charges against the president. The House then presents its case against the president to the Senate, which acts as the jury for the president's impeachment trial. A two-thirds vote in the Senate is required to remove the president from office.

##### Implied Powers

Powers of government not explicitly expressed in the Constitution but held to be implicit in the expressed powers due to being "necessary and proper" to carry out those expressed powers. The extent of Congress's implied powers has long been a matter of political controversy between those who desire a narrowly limited government and those who prefer more expansive government powers.

##### Inherent Powers

Powers of the United States government that exist simply because it is the legitimate government of a sovereign nation-state. These include the power to control the borders, to acquire new territories, to conduct diplomacy with foreign nations, and to defend the state from attack. As all nations in history have had these powers, they are considered to be inherent in the idea of government itself, whether or not explicitly listed in the Constitution.

##### Investigatory Powers

The Congress's wide authority to conduct investigations on any matter related to its legislative duties. Congressional investigations can serve several purposes—for example, to gather information needed to craft legislation, to conduct oversight of government agencies, or to focus public attention on particular issues.

##### Filibuster

A procedural technique used by members of the Senate to block a particular bill by speaking (or threatening to speak) forever, thus preventing progress to a vote. Since the Senate does not set time limits on debate, it is possible for a senator to take the floor and hold it for as long as he can continue talking; only a special cloture vote of three-fifths of the Senate can cut off his time. A successful filibuster can kill legislation otherwise favored by a majority (but not a three-fifths supermajority) of the Senate.

A procedural device used in the United States Senate to defeat or delay a bill. As senators are generally allowed to speak for unlimited periods of time, a senator may attempt to speak until the bill is removed from consideration. The Senate may invoke “cloture” by a three-fifths vote ending the filibuster and forcing a vote.

##### Joint Committee

A committee composed of members of both houses of Congress.

##### Law

A piece of enacted legislation. Under the United States Constitution, a bill becomes a law after it passes both houses of Congress and is signed by the president.

##### Liberal Constructionist

A constitutional viewpoint that argues for a broad interpretation of the powers granted by the Constitution to the federal government.

##### Majority Leader

Typically the most powerful member of the Senate, the Majority Leader is the head of the party caucus of the majority party in the chamber. As such, he or she controls much of the Senate's agenda. (The nominal presiding officer over the Senate, the Senate President, is actually the Vice President of the United States serving in a largely ceremonial role, allowing most real power to rest with the Majority Leader.) The current Senate Majority Leader is Harry Reid (Democrat-Nevada).

##### Naturalization Powers

The Congress's expressed power, established in Article I, Section 8, Clause 4 of the Constitution, to "establish a uniform Rule of Naturalization"—that is, to determine policy allowing immigrants from foreign countries to enter the United States and gain American citizenship.

##### Oversight

The Congress's duty to serve in a watchdog role over the activities of the executive branch of the government. Typically, the Congress uses investigative committees to provide oversight over the programs and policies of the executive branch.

##### Partisanship

Firm allegiance to one political party. Excessive partisanship among legislators is often criticized for putting the interests of party ahead of country, but strong partisanship has been a part of American politics since at least the 1790s.

##### Party

A political organization devoted to winning elections to place its members in office and advance its political principles. The two dominant parties in American politics since 1860 have been the Democratic Party and the Republican Party.

##### Party Caucus

A meeting of a party's senators or representatives, closed to outsiders. Parties use caucus meetings to set strategy and organize legislative priorities, as well as to assign party leadership positions.

##### Pocket Veto

A procedure by which the president can effectively veto legislation passed by Congress without officially vetoing it. If Congress adjourns from its session within ten days of submitting a bill to the president for his signature, and the president then does nothing—neither signing nor vetoing the bill—then the measure dies and the president is said to have executed a pocket veto, metaphorically killing the bill by sticking it in his pocket and forgetting about it.

If the president takes no action on a bill received from Congress during the last ten days of the Congressional session, the bill does not become law; it is "pocket vetoed."

##### Postal Powers

The Congress's power, established in Article I, Section 8, Clause 7 of the Constitution, to organize a national postal service. As hard as it may be to believe today, for much of the first century of the nation's existence, the post office was one of the largest and most important functions of government.

##### President Of The Senate

The presiding officer of the United States Senate, stipulated by the Constitution to be the Vice President of the United States. In practice, the position is largely ceremonial; the Vice President plays no role in helping to craft Senate legislation.

##### Public Debt

All moneys borrowed by the federal government but not yet repaid. Deficit spending by the government requires borrowing that necessarily leads to increases in the public debt (also known as the national debt).

##### Quorum

The minimum number of members of a house of the legislature who must be present for the chamber to conduct business. In the House of Representatives, for example, quorum is set at a bare majority of all members, or 218 congressmen.

##### Reapportionment

The process by which seats in the House of Representatives are re-allocated among the states to ensure that each state's representation accurately reflects the size of its population. The Constitution requires reapportionment every ten years, following the publication of each United States Census (which obtains an accurate count of each state's population). States that lose population may lose seats in the House, while states that gain population gain greater representation in Congress.

##### Representative Democracy

A system of government in which policy is made by public officials selected directly by voters in regular elections. The United States government is a representative democracy.

##### Resolution

A measure expressing the opinion of either house of Congress, but which does not have the force of law. Resolutions, as non-binding statements of Congress's views, do not require the president's signature and are not legally enforceable.

##### Rider

A legislative provision tacked on to an unrelated bill that is larger or more popular in order to help it gain passage as part of a package when it likely would not be passed if left to stand on its own. The name comes from the idea that the tacked-on provision can "ride" through the legislative process on the back of the larger bill.

##### Senate

The upper house of the United States Congress. In the Senate, all states—no matter how large or small they may be—have equal representation, so populous California gets the same two seats as tiny Delaware. Senators serve terms that are six years long, facing re-election campaigns less frequently than any other elected officials.

##### Seniority Rule

The practice, employed by both chambers of Congress, of awarding the top leadership posts and committee chairmanships to those members who have been serving in the chamber the longest. The seniority rule is an unwritten rule, but it is almost always followed by both parties.

##### Session of Congress

The period each year in which Congress meets to conduct business. Today, Congress stays in session almost year-round, so the line between one session and the next is not very dramatic. However, before World War II, each session typically only lasted four or five months, leaving long periods between each session when Congress was in recess.

##### Single-Member District

A voting district from which one person is selected in each election to represent all voters from that district. All members of the House of Representatives are now elected in single-member districts.

##### Speaker Of The House

The presiding officer and most powerful member of the House of Representatives. The speaker is selected by the majority party and wields great influence in determining which legislation can pass through the chamber.

##### Special Session

An emergency session of Congress, called to meet by the president during a time when Congress would otherwise be in recess. Special sessions are intended to deal with emergency situations; only 26 have been called since 1787, and none since 1948.

##### Speech or Debate Clause

The constitutional guarantee, enshrined in Article I, Section 6, Clause 1, that prevents legislators from facing criminal prosecution for any statements made in Congress. The idea of the clause was to ensure that congressmen and senators would have total freedom of speech while in Congress, ensuring that they would not face reprisals for voicing opinions unpopular with the president. The only exceptions are for acts of "Treason, Felony, and Breach of the Peace."

##### State of The Union

An annual message delivered by the President of the United States to Congress. The Constitution requires one such report each year; since 1934, the State of the Union has always been delivered in January. George Washington delivered the first State of the Union to Congress in person in 1790, but Thomas Jefferson hated giving speeches, so he began sending a written message to Congress, to be read aloud by a lowly clerk, in 1801. That practice continued until 1913, when Woodrow Wilson revived the tradition of giving the speech in person.

##### Strict Constructionists

People who argue for a narrow interpretation of the government's powers under the Constitution, advocating for a small government with powers limited strictly to those powers enumerated in the Constitution, and against the expansion of larger implied powers.

##### Subcommittees

Smaller offshoots of the main committees of Congress, typically dedicated to studying or addressing particular issues. The large Senate Foreign Relations Committee, for example, has subcommittees on African Affairs, East Asian and Pacific Affairs, International Development and Foreign Assistance, etc.

##### Taxing Power

The Congress's authority, granted in Article I, Section 8, Clause 1 of the Constitution, to levy taxes to pay for the costs of government. The taxing power is one of the most important powers of the legislative branch.

##### Term Of Congress

The two-year period during which each Congress meets. Each term is said to last two years because new elections (for all members of the House and one-third of the senators) are held every two years; each term is the period in between those elections. January 2009 marks the beginning of the 111th term of Congress since the ratification of the Constitution.

##### Treaty Power

The Constitution requires the "Advice and Consent" of two-thirds of the Senate for any treaty negotiated by the president with a foreign government to take effect. This treaty power gives the Senate significant leverage over the president's ability to conduct foreign affairs.

##### Veto

The president's power to reject a bill passed by Congress, preventing it from becoming law. Congress can override a president's veto by two-thirds vote. The veto is one of the executive branch's most important checks on the power of the legislative branch of government.

This is one of the president's options when Congress passes a bill and submits it to the president for approval. Rather than sign it into law, the president may veto, or reject, the bill. Congress can override this veto with a two-thirds vote in both the House of Representatives and the Senate.

Noun: A rejection of a proposed law or idea.

Verb: Reject; refuse to accept.

##### War Powers

The Congress's powers, enumerated in the Constitution, to declare war, to raise and support the army and navy, and to make rules governing the conduct of the armed forces. The framers of the Constitution intended to divide the potent power to wage war between the president (who was named commander-in-chief of the armed forces) and the Congress (which retained the sole power to declare war and provide funding for it). Over time, however, the presidency has become more and more powerful in matters of war and peace; since 1945, no American military conflict has been an official war, declared by Congress as called for by the Constitution. Congress sought to regain some control over military matters by passing the [War Powers Act](http://avalon.law.yale.edu/20th_century/warpower.asp) of 1973, which placed certain restrictions on the president's ability to deploy forces abroad when no state of war has been declared. But every president since has disputed the War Powers Act's legality, and there has never been a court case to test its lawfulness, so the question of Congress's war powers vis-à-vis the president remains unresolved.