

Legislative Branch

What is the Legislative Branch?

The legislative branch, one of the three pillars of the U.S. government alongside the executive and judicial branches, bears the responsibility of crafting the laws that uphold our societal framework. Enshrined in Article I of the Constitution, **Congress**, comprising the Senate and the House, serves as the collective body vested with legislative power.

These chambers are primarily tasked with drafting, deliberating, and enacting bills, forwarding them to the president for either approval or veto. Upon the president's endorsement, a bill swiftly transitions into law. However, in the event of a presidential veto, Congress possesses a recourse: with a two-thirds majority in both chambers, it can override the veto.

Furthermore, Congress retains the option to revise a bill to secure presidential approval; rejected legislation returns to its originating chamber for modifications. Conversely, if a bill remains unacted upon by the president for 10 days while Congress is in session, it automatically assumes the force of law.

Investigative Duties

In addition to its legislative duties, Congress holds the vital role of overseeing and providing a counterbalance to the executive and judicial branches of government. It possesses the authority to conduct investigations into pertinent national issues and plays a pivotal role in maintaining the balance of power. Congress holds the exclusive power to declare war, regulate interstate and foreign commerce, and coin money. Moreover, it bears the responsibility of maintaining the armed forces, although the president serves as their commander in chief.

Established in 1921 as the General Accounting Office and now known as the Government Accountability Office (GAO), this investigative body audits all financial statements and budgets submitted to Congress by the Secretary of the Treasury and the Director of the Office of Management and Budget. The GAO's mandate extends to scrutinizing every facet of government operations, ensuring the effective and efficient use of taxpayer funds through comprehensive audits and reports.

Government Oversight

An integral role of the legislative branch is the oversight of the executive branch, crucial to upholding the doctrine of **checks and balances** outlined by the nation's Founders and enshrined in the Constitution. Congressional oversight serves as a vital mechanism for scrutinizing the exercise of presidential power and maintaining equilibrium against executive discretion in law implementation and regulatory matters.

One primary method through which Congress carries out this oversight is by conducting hearings. Committees such as the House Committee on Oversight and Government Reform and the Senate Committee on Homeland Security and Government Affairs are dedicated to monitoring and reforming government operations within their respective policy domains. Through these hearings and related activities, Congress ensures accountability and transparency within the executive branch, fulfilling its duty to the American people.

Why Two Houses of Congress?

The decision to establish two separate chambers within the legislative branch of the U.S. government was deeply rooted in the principles of representation, equity, and balance of power. The framers of the Constitution recognized the imperative to reconcile the interests of states with varying sizes and populations, as well as to prevent the concentration of power in any single branch of government.

By creating a bicameral legislature, the framers aimed to strike a delicate equilibrium between the competing concerns of states. The Senate, with its equal representation for each state, regardless of population, was conceived as a safeguard for smaller states against potential domination by larger ones. This arrangement ensured that every state, regardless of its population size, had an equal say in national legislative matters, fostering a sense of fairness and preventing the marginalization of less populous states.

Conversely, the House of Representatives, structured to reflect population disparities more directly, served as a mechanism for proportional representation based on population size. This chamber provided a platform for states with larger populations to assert their interests and wield greater influence in the legislative process, thereby ensuring that the diverse demographics of the nation were accurately represented.

Moreover, the bicameral system was designed to introduce an additional layer of checks and balances within the legislative branch itself. By requiring the approval of both chambers for legislation to become law, the framers sought to mitigate the risk of hasty or arbitrary decision-making, promoting thorough deliberation and consensus-building among representatives from different states and constituencies.

The House of Representatives

The House of Representatives comprises 435 elected members, apportioned among the 50 states based on their respective populations as determined by the latest **U.S. Census**. Additionally, the House includes six non-voting members, known as "delegates," representing the District of Columbia, the Commonwealth of Puerto Rico, and four other U.S. territories.

The Speaker of the House, chosen by fellow members, holds the responsibility of presiding over House meetings and ranks third in the line of **presidential succession**.

Members of the House, known as U.S. Representatives, serve two-year terms and must meet specific eligibility criteria. They must be at least 25 years old, have been U.S. citizens for at least seven years, and be residents of the state from which they are elected to represent. These requirements ensure that House members are deeply rooted in their communities and possess the necessary experience and commitment to serve effectively in their legislative capacity.

The Senate

The Senate comprises 100 Senators, with two representing each state. Prior to the ratification of the 17th Amendment in 1913, Senators were appointed by state legislatures rather than elected directly by the people. Nowadays, Senators are elected by the constituents of each state to serve six-year terms. These terms are staggered so that roughly one-third of the Senators face reelection every two years. To be eligible for Senate candidacy, individuals must be at least 30 years old, have been U.S. citizens for a minimum of nine years, and reside in the state they represent. During Senate sessions, the Vice President of the United States serves as the presiding officer and holds the authority to cast a tie-breaking vote on bills when necessary.

Unique Duties and Powers

Each chamber of Congress possesses distinct responsibilities. The House of Representatives holds the authority to introduce legislation concerning taxation and has the prerogative to determine whether public officials should stand trial if accused of criminal offenses. Representatives are elected to serve two-year terms.

On the other hand, the Senate plays a crucial role in foreign affairs by ratifying or rejecting treaties negotiated by the president with other nations. Additionally, the Senate is tasked with confirming or rejecting presidential appointments for Cabinet members, federal judges, and foreign ambassadors. Furthermore, in cases where a federal official faces allegations of wrongdoing, the Senate conducts trials following **impeachment** proceedings initiated by the House. Moreover, in the event of an **electoral college** tie in the presidential election, the House holds the power to elect the president.