

Role of the Legislative Branch

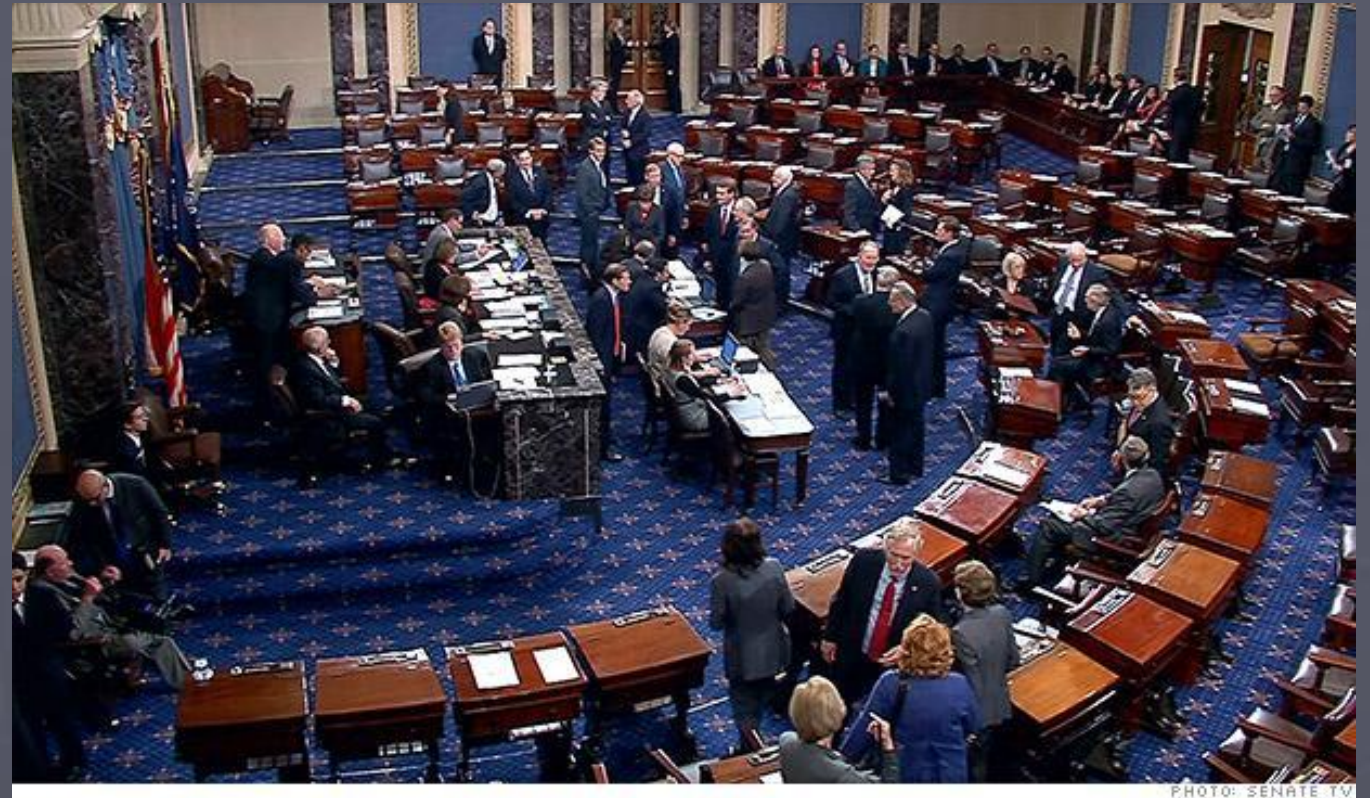
Primary Role: Make Laws

Basics About the Legislative Branch

- Meant to serve as the “people’s branch”
 - As a reflection of the will of the people
- No term limits
 - Representatives and Senators can serve for as long as they are re-elected
- Established by Article 1 of the Constitution
- Philosophies and approaches towards representation
 - Trustee - Representatives act in best interest of constituents as if they trust representative to do what is most in their interest
 - Delegate - Votes in a way in which a majority of constituents agree

The US Senate (Upper House of Congress)

- Method of Selection – Election by the people
- Term of office – 6 years
- Powers reserved for Senate only
 - Confirm Presidential appointments
 - Approve/reject treaties
 - Jury for impeachment trial



The House of Representatives (Lower House of Congress)

- Method of Selection – Election by the people
- Term of Office – 2 years
- Powers reserved for the House only
 - Originates money bills (taxes)
 - Begins impeachment process
 - Elects President if Electoral College fails to do so



Functions and Powers

- Function:
Make the Laws
- Congressional Joint Powers
 - Levy and collect taxes
 - Raise and maintain military
 - Grant statehood
 - Control national lands
 - Regulate interstate trade
 - Naturalize citizens
 - Declare war
 - Control making of currency

Congressional Powers Expressed in Article 1, Section 8			
PEACETIME POWERS		WAR POWERS	
Clause	Provision	Clause	Provision
1	To establish and collect taxes, duties, and excises	11	To declare war; to make laws regarding captures on land and water
2	To borrow money	12	To raise and support armies
3	To regulate foreign and interstate commerce	13	To provide and maintain a navy
4	To create naturalization laws; to create bankruptcy laws	14	To make laws governing land and naval forces
5	To coin money and regulate its value; to regulate weights and measures	15	To provide for summoning the militia to execute federal laws, suppress uprisings, and repel invasions
6	To punish counterfeiters of federal money and securities	16	To provide for organizing, arming, and disciplining the militia and governing it when in the service of the Union
7	To establish post offices		
8	To grant patents and copyrights		
9	To create courts inferior to the Supreme Court		
10	To define and punish crimes at sea and violations of international law		
17	To exercise exclusive jurisdiction over the District of Columbia and other federal properties		
18	To make all laws necessary and proper to the execution of any of the other expressed powers		

Environmental Powers of the Legislative Branch

- Passage of Laws
 - Laws passed by Congress and signed by the President can only be overturned by the passage new laws or being declared unconstitutional by the Supreme Court
 - If President tries to veto the bill then congress can override with a $\frac{2}{3}$ majority
 - Ex. In 1970s Congress sent Clean Water Act to desk of Nixon who tried to Veto it, to which Congress re-voted and was able to override his Veto



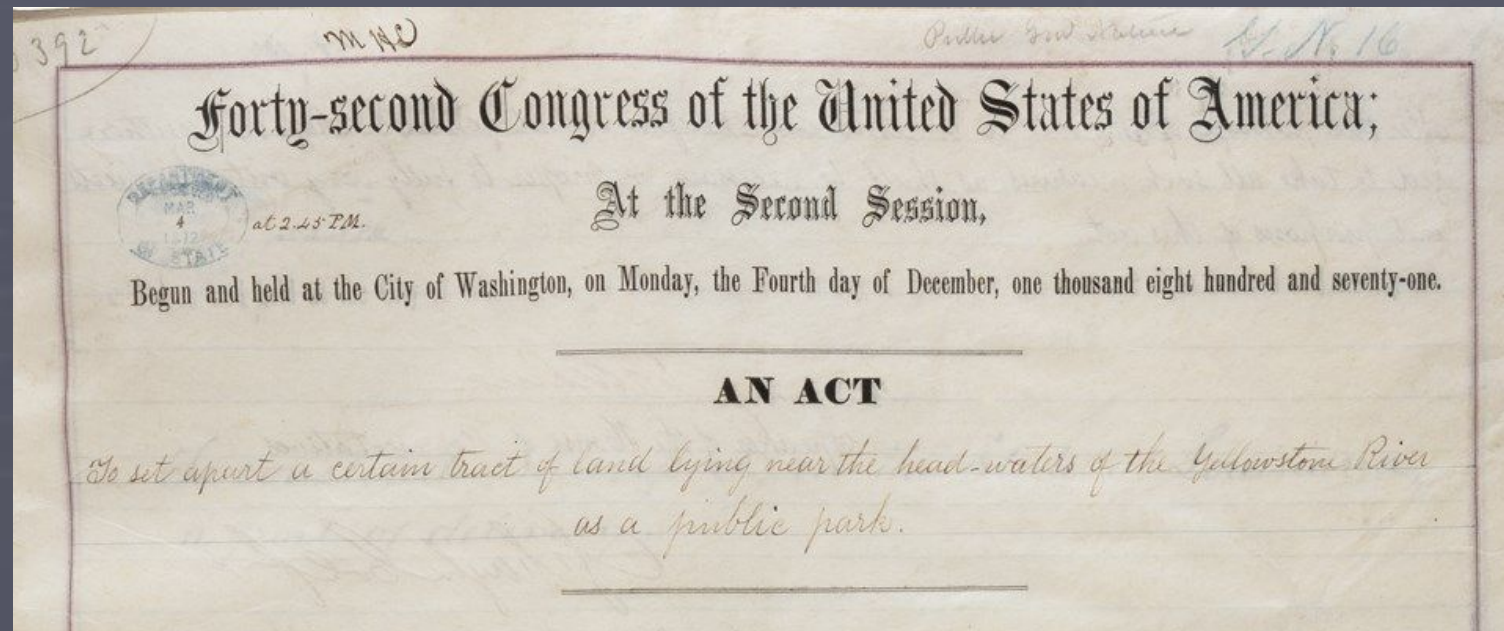
Environmental Powers of the Legislative Branch

- Power of the Purse
 - Congress in charge of determining how money is spent
 - President can submit a Budget Request but congress can decide whether or not to fund projects
 - Example: Defunding EPA - In 2019 President Trump proposed cutting the EPA's budget by 25%, Up to Congress to pass a budget with President's recommendations in mind
 - If congress ignores President's budget proposal they risk having it vetoed and a government shutdown



Environmental Powers of the Legislative Branch

- Designation of areas as National Parks
 - National Parks are created by an act of congress
 - Much harder to overturn than National Monument, National Forest, or other land designations
 - Ex. In 2019 Congress voted to upgrade Indiana Dunes to a National Park from a National Lakeshore



Environmental Powers of the Legislative Branch

- The Senate oversees the process of confirming Presidential Appointees
 - Secretary of Interior, Agriculture, Energy, Commerce, and EPA are all appointment-level positions
 - Ex. In 1959 President Eisenhower appointed Lewis Strauss to be Secretary of Commerce but was rejected by the Senate

