

Does Congress Still Work?



The Capitol Building (photo credit: Marnie Webb/flickr)
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Supporting Questions

1. What is Congress and its main purpose?
2. How are citizens represented in Congress?
3. What are the procedures in the lawmaking process?
4. How does a filibuster affect the lawmaking process?

8th Grade Civics and Economics

Compelling Question?	
Standards and Content	<p>SOL CE.6: The student will apply social science skills to understand the American constitutional government at the national level by</p> <ul style="list-style-type: none"> a) describing the structure and powers of the national government; b) explaining and/or simulating the lawmaking process. <p>SOL CE.1: The student will demonstrate skills for historical thinking, geographical analysis, economic decision-making, and responsible citizenship by</p> <ul style="list-style-type: none"> a) analyzing and interpreting evidence from primary and secondary sources, including charts, graphs, and political cartoons; c) analyzing information to create diagrams, tables, charts, graphs, and spreadsheets; e) constructing informed, evidence-based arguments from multiple sources; h) using a decision-making model to analyze and explain the costs and benefits of a specific choice; j) defending conclusions orally and in writing to a wide range of audiences, using evidence from sources.
Staging the Compelling Question	<p>HOOK - Students will play the Lawcraft Game on the iCivics website (this is a free website and does not require registration—you can choose not to register). Students could play individually or as cooperative learning groups, or even as a whole class activity, with class discussion as the game is played.</p> <ul style="list-style-type: none"> ● In this game, students will take on the role of being a member of the House of Representatives and will sponsor a bill in the legislative process, in order to have an understanding of influences both for and against passing bills. <p style="text-align: center;">~OR~</p> <p>HOOK - Students will play the Legislative Race board game. In this game, students will master the legislative process in the United States Congress by racing against other teams to pass laws.</p> <ul style="list-style-type: none"> ● This game will require preparation, by printing the board game, instructions, and cards. There are also some other materials needed, such as tokens and game pieces. ● This game will also require a higher time commitment, and may be better as a reward activity when time permits.

Supporting Question 1	Supporting Question 2	Supporting Question 3	Supporting Question 4
What is Congress and its main purpose?	How are citizens represented in Congress?	What are the procedures in the lawmaking process?	How does a filibuster affect the lawmaking process?
Formative Performance Task	Formative Performance Task	Formative Performance Task	Formative Performance Task

C3 TEACHERS

Complete a concept map of how Congress was created and its structure as well as its purpose.	Complete a cost-benefit analysis chart regarding representation of the American people as part of the legislative process.	Create an infographic describing how a bill becomes law.	Write one paragraph describing the impact of a filibuster.
Featured Sources	Featured Sources	Featured Sources	Featured Sources
Source A: Excerpts of the US Constitution (with notes and annotations) Source B: Congress for Kids Source C: Congress Slides (see notes)	Source A: Excerpts of the US Constitution (with notes and annotations) Source B: Congressional Representation Slides Source C: Congressional Districts Source D: Redistricting Source E: Redistricting Infographic	Source A: US Congress Legislation Procedures Source B: Lawmaking Procedures Slides	Source A: Filibuster Article Source B: Filibuster Infographic Source C: Filibuster Video

Summative Performance Task	ARGUMENT: Is Congressional reform necessary to protect democracy? Construct an argument (e.g., detailed outline, poster, essay) that evaluates the relevant evidence from sources while acknowledging competing views.
	EXTENSION. Stage a debate about the necessity of congressional reform (specifically related to redistricting procedures and the filibuster).
Taking Informed Action	UNDERSTAND Understanding is accomplished through the staging and completion of the compelling question. ASSESS Investigate the use of the filibuster in recent years and how it has impacted lawmaking. ACT Write a persuasive letter to a representative in government outlining the need or lack thereof to move toward reform of Congressional methods.

**Featured sources are suggested and links are provided. It may be that these links are broken and we apologize in advance for the inconvenience.*

Overview

Inquiry Description

This inquiry leads students through an investigation of Congress, including its purpose, how citizens are represented, and the methods of creating laws.

It is important to note that this inquiry requires prerequisite knowledge of how officials are elected, the responsibilities of government officials, and the power of the people in a representative government.

Note: This inquiry is expected to take two to three 90-minute class periods. The inquiry time frame could expand if teachers think their students need additional instructional experiences (e.g., supporting questions, formative performance tasks, featured sources, and writing). Teachers are encouraged to adapt the inquiry to meet the needs and interests of their students. This inquiry lends itself to the differentiation and modeling of historical thinking skills while assisting students in reading a variety of sources.

Summative Performance Task

At this point in the inquiry, students have examined the creation of Congress as a legislative body, as well as how citizens are represented and the process of making laws.

Students should be expected to demonstrate the breadth of their understanding and their abilities to use evidence from multiple sources to support their claims. In this task, students will construct an argument (e.g., detailed outline, poster, essay) that evaluates the relevant evidence from sources while acknowledging competing views to answer the question of whether Congressional reform is necessary to protect democracy.

Students' arguments will likely vary but could include any of the following:

- *Knowledge of the structure of Congress*
- *Acknowledgement of electing candidates to Congress*
- *Description of redistricting procedures, including unfair measures.*
- *Description of law-making procedures, including the use of a filibuster in the Senate.*
- *Demonstration of using supporting evidence to support their point of view.*

Other Notes

This lesson was designed for a Virginia 8th Grade Civics and Economics classroom. It was designed with the intention to provide material related to the Standards of Learning for Congress or the legislative branch, but with supplemental information to allow students to develop an opinion about the inner workings of Congress.

This was designed to be an entire mini-unit within a larger national government unit. Any segment of this plan is able to be used as a standalone lesson, rather than needing to be taught as a whole piece.

Any part of this lesson can be easily extended to include information for higher-level thinking, above and beyond requirements. This includes, but is not limited to

- *The use of the filibuster, including the use and change of use over time and specific instances of use*
- *The committees, including, specifically, the Rules Committee*
- *Terms of office, including the fact there are no limit*
- *Election of Senators and Representatives*

	4	3	2	1	Not Observed
Core Expectations (.1a and .1c) [choose one overall holistic score]					
Accuracy of Content	<ul style="list-style-type: none"> Identified, analyzed and interpreted information sources to demonstrate an in-depth understanding of content 	<ul style="list-style-type: none"> Analyzed and interpreted information sources to understand specific content 	<ul style="list-style-type: none"> Used information sources to understand of concepts, people, places, or events 	<ul style="list-style-type: none"> Used information sources to understand content 	
Synthesizing information sources	<ul style="list-style-type: none"> Integrated evidence from multiple information sources to determine characteristics of people, places, events or concepts 	<ul style="list-style-type: none"> Gathered and classified information to sequence events and separate fact from opinion 	<ul style="list-style-type: none"> Classified information, sequenced events, and separated fact from opinion 	<ul style="list-style-type: none"> Separated fact from opinion 	
Explaining Evidence	<ul style="list-style-type: none"> Used information to consistently develop, support, or refine the explanation or statement 	<ul style="list-style-type: none"> Used information to develop and support an explanation or statement 	<ul style="list-style-type: none"> Used information to support an explanation 	<ul style="list-style-type: none"> Identified information to support an explanation 	
Task Specific Concepts and Skills					
Evaluating Sources (.1e)	<ul style="list-style-type: none"> Compared and contrasted ideas about historical, cultural and political perspectives in history 	<ul style="list-style-type: none"> Compared and contrasted concepts, people, places, or events 	<ul style="list-style-type: none"> Explained concepts, people, places, or events 	<ul style="list-style-type: none"> Identified concepts, people, places, or events 	
Score	<i>Pass Advanced</i> (range: 7-8)	<i>Pass Proficient</i> (range: 5-6)	<i>Progressing</i> (range: 3-4)	<i>Needs Improvement</i> (range: 1-3)	<i>Not Evident</i> (range: 0)

C3 TEACHERS

*Rubric taken from VDOE: <https://www.doe.virginia.gov/teaching-learning-assessment/k-12-standards-instruction/history-and-social-science/assessment-resources>

Excerpts from the US Constitution

Article I

Section 1: Congress

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 1 creates a body that holds legislative powers, which is called Congress. This is further divided into two houses (creating a bicameral legislature), which is the Senate and the House of Representatives.

Section 2: The House of Representatives

The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Members (Representatives) in the House of Representatives are chosen every two years and in order to serve, a person must be 25 years old. The Constitution does not set term limits for members serving in the House of Representatives, as long as they are elected to the position.

Section 3: The Senate

The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

Members (Senators) in the Senate are chosen every six years and in order to serve, a person must be 30 years old. The Constitution does not set term limits for members serving in the Senate, as long as they are elected to the position.

****This section allowed for the choosing of Senators to be done by state legislatures, but this**

eventually changed with the addition of the 17th amendment, which changed the method to be voted by citizens.

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****This section allowed for state legislatures to choose Senators, but it was eventually changed through the 17th amendment (ratified 1913), which allowed citizens to elect Senators.**

Section 5: Powers and Duties of Congress

Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

The Senate and House of Representatives make their own rules for proceeding from day to day. They may determine punishments and consequences for bad behavior and will keep a record of discussions, votes, etc., so that the public may access it, unless they decide to keep it secret.

17th Amendment

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

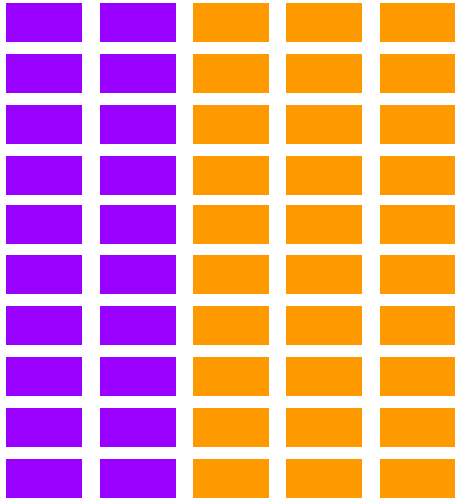
When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

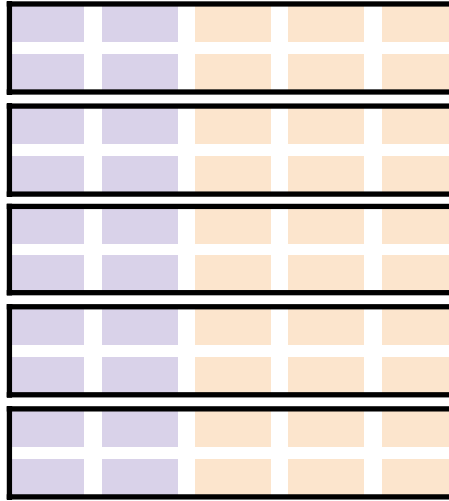
This amendment changed the procedure for choosing Senators, allowing for direct election by citizens.

Redistricting Methods

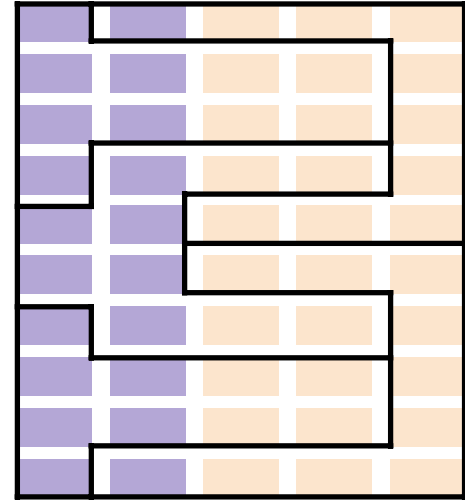
Purple and Orange represent competing political parties



50 precincts
60% Orange
40 % Purple



5 Districts
5 Orange
0 Purple
Purple Wins



5 Districts
3 Purple
2 Orange
Purple Wins

Using the information in Sources A, B, C, D, and E, sort the facts related to the representation of American citizens into pros and cons of the legislative process. For each pro or con, explain why it is considered either a pro or con.

Word Bank

Equal Representation in the Senate No term limits for either house Citizens choose who represents them Minimum age for Senators/Representatives	Representation in the House based on population Districting Policies
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Pro	Con	Why?
Example:		
Minimum age for Senators/Representatives	(Nothing needs to be in this box)	Kids do not serve in government positions.

File

SPONSORS

Write your name and tally co-sponsors here. even roll = co-sponsor

89TH CONGRESS 1ST SESSION S. 1564

BILL NAME

Write your bill name here.

AN ACT

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled

That this Act shall be known as the "Voting Rights Act of 1965".

Sec. 2. No voting qualification or prerequisite to voting or standard, practice, or procedure shall be imposed or applied by any State or political subdivision to deny or abridge the right of any citizen of the United States to vote on account of race or color.

Sec. 3. (a) Whenever the Attorney General institutes

AMENDMENTS

Tally amendments here. odd roll = amendment

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Full Committee Bill Foley

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AMENDMENTS

Tally amendments here. odd roll = amendment

The Legislative Race

Final VOTE

Pass House

Pass Senate

Finish

White House

Roll is \leq # of Co-Sponsors

Try Again

Bill Fails

Reconciled Bills PROCEED to Final Vote

Unreconciled Bill Fails

Conference Committee Reconcile - Remove One Amendment for One of Your Teammates' Co-Sponsors until # of Amendments Match

FLOOR
Wait Here for Your Teammate

3 or More Co-Sponsors PROCEED

Fewer than 3 Co-Sponsors

House Committee
Hearing - Roll 1 die
Revise - Remove 1 Supporter for 1 Amendment (optional)
Vote - Roll 1 die \leq # of Supporters for Favorable Vote

Senate Committee
Hearing - Roll 1 die
Revise - Remove 1 Supporter for 1 Amendment (optional)
Vote - Roll 1 die \leq # of Supporters for Favorable Vote

1 or More Co-Sponsors PROCEED

NO Co-Sponsors

House START

Senate START

NATIONAL ARCHIVES
CENTER FOR LEGISLATIVE ARCHIVES

Created by the Center for Legislative Archives
www.archives.gov/legislative

Created by the Center for Legislative Archives
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The Legislative Race: Rules of Play

Players: 4-6 players, working in teams of 2.

Mission: Master the legislative process in the United States Congress by racing against other teams to pass laws. On each team, one team member will take on the role of a member of the House of Representatives and the other team member will take on the role of a U.S. Senator. Teams will introduce companion bills in each chamber and advance their bills around the game board through the House and Senate. Each bill must end up with the same number of amendments to advance all the way to the Finish.

Equipment and Setup

Tokens: Each team needs a set of matching tokens, representing their companion bills. Place your tokens at the appropriate House or Senate starting space on the game board.

Bill Cards: Each player needs a Bill Card (or a scrap piece of paper).

- With your teammate, decide on a title for your companion bills. Write this title on the top of your Bill Card.

Dice: Each group of teams will need three dice. You will use two to advance on the game board and the additional die to add co-sponsors and amendments to your bill.

Co-Sponsors and Amendments: Whenever you land on an envelope space on the game board, roll the third die to add a co-sponsor or amendment to your bill.

- **Roll an Even Number = Co-Sponsor:** You have found another supporter for your bill!
- **Roll an Odd Number = Amendment:** You have accepted a change to your bill.

Gameplay

Advancing Tokens

- To start, all players must roll one die to determine who will go first. The player with the highest roll goes first. Play will continue clockwise from the first player.
- On your turn, roll 2 dice and move your token the corresponding number of spaces.
 - Each die should be treated as a separate move. This will enable you to stop at as many envelope spaces as possible. (For example, you roll a 2 and a 5. If there is an envelope space two spaces away, you could move two spaces for the first die (you'd roll the third die to collect a co-sponsor or amendment), and then move your token the remaining five spaces for the second die on the original roll.
 - If you roll doubles, take an extra turn.
 - If you land on an envelope space, roll a single die to add a co-sponsor (even number) or amendment (odd number) to your bill. Keep a tally of co-sponsors and amendments on your Bill Card with a pencil.

House and Senate Committee

- **You must have at least one co-sponsor to advance to the House or Senate Committee.** If you do not meet this requirement, you must continue around the board.
- When you move into the House or Senate Committee:
 - **Hold a Hearing:** Roll one die to add another co-sponsor or amendment to your bill.
 - **Revise your Bill:** You may choose to remove amendments from your bill by removing an equal number of co-sponsors, but *you must keep at least one co-sponsor*.
 - **Consult with your teammate before making this decision.** Eventually, your team's companion bills will need a matching number of amendments in order to advance for the final vote, but each bill will also need 3 co-sponsors.
 - **Get a Favorable Committee Vote:** To leave committee, roll one die and compare the result to the number of co-sponsors for your bill.

The Legislative Race: Rules of Play

- *If the roll is greater than the number of co-sponsors*, the bill is delayed in committee. Repeat this process on your next turn, starting with holding a hearing.
- *If the roll is equal or less than the number of co-sponsors*, the committee has passed the bill. Move to the first space outside of the committee. This is the end of your turn.

House and Senate Floor

- **You must have at least three co-sponsors to make it to the House or Senate Floor.**
 - If your bill does not meet this requirement, you must continue around the game board.
 - If you have at least three co-sponsors you must wait for your teammate to reach the Floor before proceeding.
- Once both teammates have reached the Floor, compare your companion bills.
 - If your bills do not have the same number of amendments, they must be reconciled, or made to match, in the **Conference Committee**. Move your tokens to this space.
 - If your bills have the same number of amendments:
 - Combine your tokens.
 - Combine your co-sponsors and divide this number in half (rounding up if needed). Write this number on both Bill Cards.
 - Move your team's combined tokens to the first space of the **Final Vote**. Pause here until your team's next turn.

Conference Committee

- In order for your bills to advance to the Final Vote, they must have the same number of amendments. To reconcile your bills:
 - Subtract one co-sponsor for each extra amendment from its companion (e.g. remove 2 House amendments by discarding 2 Senate co-sponsors).
 - **Each player must keep at least 3 co-sponsors for each bill.**
- If your bills cannot be reconciled, meaning you cannot make the number of amendments match and maintain 3 co-sponsors for each bill, they must be tabled. The game is over for your team.
- If your bill was reconciled, you may advance to the final vote.
 - Combine your tokens.
 - Combine your co-sponsors and divide this number in half (rounding up if needed). Write this number on both Bill Cards.
 - Move your team's combined tokens to the **Final Vote**. Pause here until your team's next turn.

Final Vote

- **Proceed to the first House vote space. Roll one die, and compare the result to the number of co-sponsors for your team's bill.**
 - *Roll is equal or less than the number of co-sponsors*: The House has passed the bill! Advance to the Senate final vote.
 - *Roll is greater than the number of co-sponsors*: Advance one space and roll again on next turn. After 3 failed turns, the bill is tabled. The game is over for your team.
- Repeat this process in the Senate on your next turn.
- If the bill passes in both chambers, it is ready for the President to consider. **Congratulations!**

Bill to Law Infographic

Directions: Using Sources A and B, you will complete the [infographic](#) that includes a flow chart of the steps for a bill to become a law.

- You must include:
 - A title
 - An eye-grabbing background (not just white—change the color)
 - Complete the cart
 - From idea to the President.
 - Make sure to include where ideas can be generated
 - An image for each step should be included. (This can be placed in the arrow or near it, or you may move items around in the flowchart.)
 - Make sure you have permission to use the image and cite your source.

Make a PDF of your infographic

- Under File, choose “Download as” and make sure you choose PDF. The PDF file is what you will submit for your infographic assignment.

SIX FACTS ABOUT THE FILIBUSTER

The filibuster is not mentioned in the Constitution.



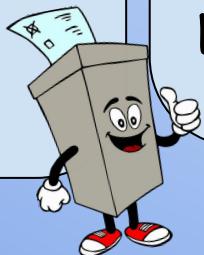
The filibuster is a political move by the minority party to prolong debate so as to delay or prevent the vote.



The rules governing the filibuster have changed several times.



The filibuster ends when $\frac{2}{3}$ or 60 Senators vote to end it. This is called cloture.



The longest filibuster was used during the debate of the Civil Rights Bill of 1957.



The use of the filibuster has skyrocketed in recent years.



Impact of the Filibuster

Directions: Write one paragraph describing the impact of a filibuster.

Summative Task
Congressional Reform

Directions: Construct an argument (e.g., detailed outline, poster, essay) that evaluates the relevant evidence from sources while acknowledging competing views to answer the compelling question.

Compelling Question: Is Congressional reform necessary to protect democracy?