

HOUSE OF REPRESENTATIVES

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Introduction:

- ▶ The Congress, the American Federal legislature is a bicameral one.
 - ▶ House of Representatives is the lower and popular Chamber of the American Congress.
 - ▶ It represents the people of USA.
 - ▶ It represents the heterogeneity of the American life.
 - ▶ In the words of Patterson “the House of Representatives is the nation in miniature.”
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Composition:

- ▶ For every 30000 people in USA there is one representative & each state will send at least one representative.
 - ▶ The total number of representatives in the house will be determined on the basis of population.
 - ▶ Its strength was 435 in 1929 & in 1961 it was increased to 437 and after 1962 it was fixed at 435.
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Election method:

- ▶ Method of election is direct one.
 - ▶ They are elected from single member constituencies.
 - ▶ There is no uniform suffrage law either for the House of Representatives or for the Senate.
 - ▶ The qualification for the voters varies from state to state.
 - ▶ But generally all citizens of the age of 18 years & above have the right to vote.
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Qualifications of the members:

- ▶ They must have the following qualifications –
 1. Must have completed 25 years of age,
 2. Must have resided in US for a period of 7 years,
 3. Must be the resident of the state from which he seeks election,
 4. He should not hold any office of profit under the government,
 5. Must not have convicted of serious crimes, etc.
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Tenure:

- ▶ Its members are elected for a term of two years.
 - ▶ House cannot be dissolved earlier.
 - ▶ The house must meet at least once a year.
 - ▶ Its regular annual session begin on 3rd January & continues till the end of June & July.
 - ▶ In the event of death or resignation of any member of the house, the governor of the state may nominate some one to represent the constituency.
 - ▶ The house can also disqualify any of its members on grounds of misbehavior or cheating.
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Privileges:

1. They enjoy the immunity from arrest only in civil cases, during the sessions of the house.
2. They also enjoy the freedom of speech.
3. Apart from their regular salaries they also paid travelling allowances to attend the sessions.
4. Every member of has a privilege of free postage on official correspondence, free telephone & telegraphic services.
5. Free medical services also available to all members.
6. Those members who have served a minimum of 6 years of service as member is entitled to pension, etc.

Presiding Officer:

- ▶ The presiding officer of the House is the Speaker.
 - ▶ He is elected by the house on party lines.
 - ▶ He is not impartial but essentially a party man.
 - ▶ His main functions are –
 1. Presides over the meetings of the house,
 2. Conduct the proceedings of the house,
 3. To recognize members for their services,
 4. To maintain order in the house,
 5. Interpret and apply the rules of procedures,
 6. To decide the points of order,
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Role of the speaker

7. To refer bills to the committees,
 8. To put questions to vote,
 9. To appoint chairman to the committee of the whole house,
 10. To sign all acts, warrants, writs, resolutions, etc.
 11. To declare the results of voting,
 12. To order the Lobbies to be cleared,
 13. To designate speaker extempore,
 14. To suspend the business of the house, if need arise.
- ▶ Speakers position is one of honour, dignity & prestige with social & political influence.

Powers & Functions:

- ▶ It is relatively a weak house when compared to the Senate.
 - ▶ Some important powers of the house are –
 1. Ordinary Legislation,
 2. Financial powers,
 3. Constituent powers,
 4. Impeachment powers,
 5. Executive powers,
 6. Electoral powers,
 7. Other powers, etc.
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1. Ordinary Legislation:

- ▶ It has equal powers with the Senate.
 - ▶ For passing any bill the concurrence of the Senate is absolutely necessary.
 - ▶ It cannot pass any ordinary bill against the will of the Senate.
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2. Money Bills:

- ▶ All money bills originates only in the lower house.
 - ▶ A money bill originating in the House of Representatives becomes an Act only when it is passed by the Senate.
 - ▶ The Senate can have the power to amend or reject any money bills passed by the Representatives.
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3. Constituent Powers:

- ▶ Shares equal power with the Senate in amending the constitution.
- ▶ In admitting new states to the USA both the houses approval is equally necessary.

4. Impeachment Powers:

- ▶ The lower house frames charges for impeachment with 2/3 majority – but the trial is held in the Senate.

5. Executive powers:

- ▶ It has very negligible executive powers.
 - ▶ It possess the power to declare war as its consent is necessary for declaring war against any nation.
 - ▶ But it has no role in the ratification of treaties and agreements and appointments made by the President.
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6. Electoral powers:

- ▶ If no candidate secures absolute majority in the presidential election – it can help in declaring elected the candidate, by casting votes among the two candidates who have secured the highest number of votes in the presidential election, as president .

7. Other Powers:

- ▶ The power to make rules in regard to the election of members of the House of Representatives, their qualifications, their expellations, etc.
 - ▶ Thus, the House of Representatives is comparatively less powerful than the lower houses of other countries.
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Causes for the weakness of the House:

1. **Lack of executive powers** – no control over the executive.
2. **Short tenure** – due to its short tenure it seems it is worried more about their re-election rather than fulfilling its responsibilities – expectations & promises.
3. **Lack of leadership** – a recognized leader is lacking in the House of Representatives.
4. **Big size of the house** – due to this effective discussions not possible in the house on any subject, many of them may not get opportunities for discussions – most of them remain busy with part politics.

Causes for its weakness

5. Superiority of the Senate in certain respects – special powers given to the Senate which are denied to this house.
 6. Equal power of both the houses – on matters of legislation, constitution amending, in money matters, is another cause for its weakness.
 7. The house does not represent the collective interest of the people – its members give importance to local issues & interests rather than the collective interest of the nation.
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