

BUILDING BRIDGES FOR
AMERICA

Civics for Everyone



Introduction

WE ARE BOMBARDED
IN THE MEDIA,
INCLUDING SOCIAL
MEDIA, WITH STORIES,
SOUND BITES AND
MEMES ABOUT OUR
GOVERNMENT.

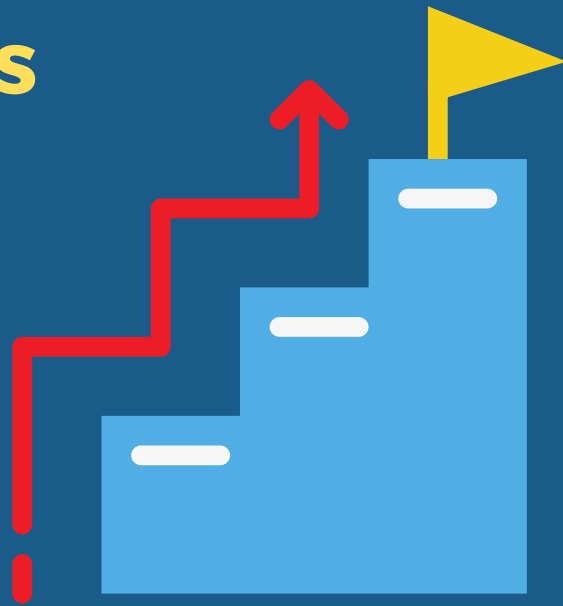
THIS CAN BE
CONFUSING AND
EXTREME. WE NEED
TO GROUND
OURSELVES IN AN
ACCURATE
UNDERSTANDING OF
HOW OUR FEDERAL,
STATE AND LOCAL
GOVERNMENTS WORK.



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Workshop Goals



Goals

FEDERAL GOVERNMENT

Understand the U.S. Constitution, our system of government, and how a bill becomes a law.

ELECTIONS

Including a glossary of election jargon.

STATE GOVERNMENT

Who is in charge and what powers the states have.

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THAT'S UNCONSTITUTIONAL!

An action (law, interpretation, implementation) by the government is unconstitutional if it violates express or implied powers or protections granted by the constitution. Unconstitutionality is determined by the courts.

WHAT IS IN THE CONSTITUTION?

- 7 Articles which outline structure and operation
- 27 Amendments



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THE ARTICLES (1789)

Articles 1-3 The Structure of the Government

Articles 4,6,7 The Federal Government and the States

ARTICLE 1

Legislative: Lawmaking

The Congress: House of Representatives & Senate

ARTICLE 2

Executive: Execute the laws

President, Vice President

ARTICLE 3

Judicial: Interpret the laws

U.S. Supreme Court and other federal courts

ARTICLE 4

Full Faith and Credit

States honor other states laws,
Extradition,
Creation of a new state.

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A SYSTEM OF CHECKS AND BALANCES

Legislative authority is checked and balanced by:

- The Executive Branch through veto power and serves as a tie-breaker in the Senate.
- The Judicial Branch through interpretation and rulings of unconstitutionality.

Executive authority is checked and balanced by:

- The Legislative Branch by oversight, approval of appointments (judges, department heads, etc.) and treaties, veto override (2/3 of members), and impeachment.
- The Judicial branch through interpretation and rulings.

Judicial authority is checked and balanced by:

- The Executive branch through the appointment of judges.
- Legislative branch through the approval of those appointments and the power of impeachment of judges.





The Constitution

ARTICLE 5

Amendments to the Constitution

ARTICLE 6

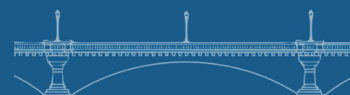
"Supremacy Clause"

The constitution and federal laws take priority over state laws.

ARTICLE 7

Approval of the Constitution

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BILL OF RIGHTS (1791) AMENDMENTS 1-10 (SUMMARIZED)

AMENDMENT 1

Freedom of speech, religion, press, and assembly;
the right to petition the government

AMENDMENT 2

Right to bear arms

AMENDMENT 3

Troops may not be quartered in homes at peacetime

AMENDMENT 4

No unreasonable search and seizures

AMENDMENT 5

Procedures for criminal prosecutions:

- Grand jury indictment required for felony charges in federal court.
- Double jeopardy clause prevents a person from being charged twice for the same crime.
- A defendant cannot be forced to testify or incriminate themselves, "plead the fifth"

AMENDMENT 6

Right to a speedy, public, impartial trial by jury with defense counsel and the right to cross-examine witnesses

AMENDMENT 7

Civil jury trials in federal cases

AMENDMENT 8

No excessive bail or fines, no cruel and unusual punishment

AMENDMENT 9

Unlisted rights are not necessarily denied

AMENDMENT 10

Powers not delegated in the U.S. or denied to the states reserved to the states.



MORE AMMENDMENTS TO KNOW

AMENDMENT 12 (1804)

Electoral college officially elects President and Vice President. Each state's electors equal the number of Senators & Representatives

AMENDMENT 13 (1865)

Abolishment of slavery

AMENDMENT 14 (1868)

Citizenship and protection from state action:

- Citizenship Clause

- Privileges and Immunities Clause

- Due Process Clause

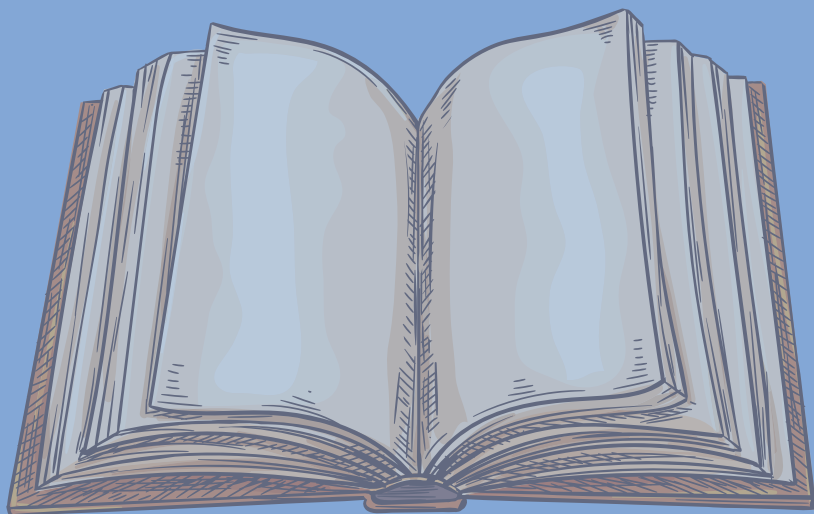
- Equal Protection Clause

AMENDMENT 15 (1870)

Voting Rights

AMENDMENT 25 (1967)

Presidential inability to preform duties, Presidential succession



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CONGRESS: THERE OUGHT TO BE A LAW!

How a bill becomes a law in five "easy" steps.

STEP 1

The bill is drafted and introduced to either the House or Senate



STEP 2

The bill goes to committee

Step 2a: Subcommittee review

Step 2b: Committee mark up of the bill

Step 2c: Committee "votes bill out" to the full "chamber"

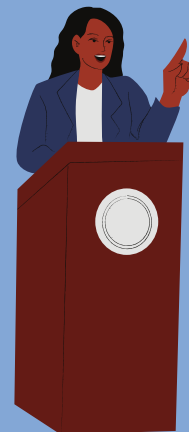


STEP 3

Voting by the full chamber on the bill

Step 3a: Bill may be amended

Step 3b: Floor debate, unlimited debate unless Senate votes for "cloture" to vote or filibuster, minimum of 60 votes needed.



STEP 4

Referral of bill to the other chamber,

Repeat steps 2 & 3



STEP 5

Bill is passed

The identical bill is passed by each chamber, then sent to President for their approval.



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RULES TO KNOW



WHAT IS A FILIBUSTER?

Senate rules allow a "filibuster"- a delay of action on legislation. Traditionally a filibuster was intended to open debate on the legislation, Use of the filibuster has evolved to allow Senators to call a filibuster without opening the issue to debate, and the legislation is not considered. A fiibuster can be stopped by a "cloture" vote. The filibuster does not apply to reconciliation, appointment of judges and the cabinet. The filibuster rule can be changed or amended by the Senate.

WHAT IS CLOTURE?

Colture ends debate on a bill and submits it for a vote - requires 60 votes

WHAT IS RECONCILIATION?

Reconciliation is any measure (bill, resolution) pertaining to revenue, taxes, and debt limit and can be approved by a simple majority (51 votes in Senate).

WHAT KIND OF GOVERNMENT ARE WE?

"Federal" (3 levels of government), "representative, democratic" (people have means to control government), "republic "(people choose elected delegates)--

Our American Government 2003

WHO'S WHO IN THE HOUSE AND THE SENATE?

Who are the Senators?

100 Senators

- 2 per state, regardless of population,
- Serve 6 year terms

Senate Leadership

- The Vice-President of the United States serves as the President of the Senate and gets a vote in the case of a tie.
- President Pro Tempore - Majority Leader
- Minority Leader - Leader of the Minority Party
- Each party leadership includes
 - Whip
 - Conference Chair

Who are the House of Representatives

435 Representatives or Congresspersons

- Will hear them referred to as "congresspersons" because they represent congressional districts in their respective states.
- Total number is set by federal statute
- Each state has at least 1
- The total per state (greater than 1) is based on population or "apportionment"
- 2-year terms
- State legislatures determine the "districts" represented

House Leadership

- Speaker of the House
- Majority Leader
- Minority Leader
- Each party's leadership includes
 - Whip
 - Conference Chair



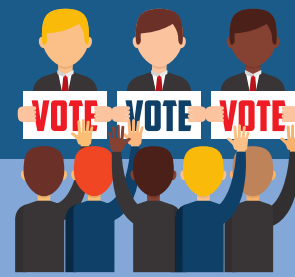
The House & Senate



The Speaker of the House
is third in line for the
Presidency

"THROW THE BUMS OUT!"

TYPES OF ELECTIONS



Elections

General Election

An election to fill a public office-for federal offices elections happen in even number years.

Primary Election

An election to place a candidate on the ballot for the general election on a political party's "ticket".

Open Primary

Voter selects a party on election day in order to pick which candidates they wish to voter for.

Closed Primary

Only voters who are registered with a party may vote in that party's primary

Top Two Open Primary Systems

All candidates for all parties are listed by office, the top two with the most votes compete in the general election.

Run-Off Primary/Election

A follow-up primary or election when no candidate wins the majority - typically at least 50%.

Ranked Choice Voting (RCV)

Voters rank candidates by preference on their ballots. If a candidate wins a majority of first-preference votes, they are declared the winner. If no candidate wins a majority of first-preference votes, the candidate with the fewest first-preference votes is eliminated. The second choice votes are added to the vote totals until a candidate meets the minimum threshold (i.e. 50%)



Election Jargon - A Baker's dozen

Absentee Ballot

A ballot completed and typically mailed in advance of an election by a voter who is unable to be present at the polls.

Ballot Initiative

A procedure allowed in a number of states under which citizens are able to vote to change a law.

Battleground States

A large state with an electorate split relatively evenly between Democrats and Republicans - so named because candidates spend a disproportionate amount of time and money campaigning there.

Blue State

A state where people tend to vote for the Democratic Party.

Candidate Committee

A committee formed by a candidate to accept contributions and make expenditures under the candidate's authority to support a bid for election.

Congressional District

A territorial division of a state from which a member of the U.S. House of Representatives is elected.

FEC (Federal Election Commission)

The Federal Election Commission enforces federal campaign finance laws, including monitoring donation prohibitions and limits, and oversees public funding for presidential campaigns.

Gerrymandering

The practice of drawing political constituency maps to increase a particular candidate's or party's advantage in a subsequent election.

(PAC) Political Action Committee

An organization formed to promote its members' views on selected issues, usually by raising money that is used to fund candidates who support the group's position.

Popular Vote

The votes made directly for a candidate.



ELECTION JARGON - A BAKER'S DOZEN CONT'D

Precinct

A voting district-the smallest unit into which electoral districts are divided. Precinct chairs often elect party officials.

Red State

A state where people tend to vote for the Republican Party.

Registered Voter

A citizen who has registered with election officials in order to become eligible

ADMINISTRATION OF ELECTIONS

While the Federal Government has jurisdiction over federal elections, most elections are decided at the state level.

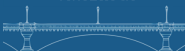
STATE ROLE

- State law generally governs elections that occur in that state.
- State and local officials are primarily responsible for conducting elections.
- The Secretary of State's Office and/or County Clerks are often good resources.

FEDERAL ROLE

- Remember the 13th Amendment-The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.
- The FEC (Federal Election Committee) is responsible for disclosing campaign finance information, enforcing limits, prohibitions on contributions, and overseeing the public funding of presidential elections.

For instance the States responded to the pandemic with changes in election procedures (i.e. vote by mail qualifications, drop boxes, extended voting hours and days).



"IT'S THE SAME BUT DIFFERENT"

Each State Has a Constitution

- State constitutions follow federal governmental structure
- 3 branches of government
 - Legislative
 - Executive
 - Judicial
- A state constitution may include areas not covered by the federal constitution and may offer greater protections, but a state constitution cannot conflict with the federal constitution.

Branches of Government (example Indiana)

- Legislative Branch
 - The General Assembly
 - Part-time, Citizen Legislature
 - 100 House Members, elected to two-year terms, each representing a district.
 - 71 Republicans, 29 Democrats
 - Speaker of the House - Todd Huston
 - Minority Leader - Phil GiaQinta
 - 50 Senators, elected for four-year terms, each representing a district.
 - 39 Republicans, 11 Democrats
 - Lieutenant Governor - President of the Senate
 - Pro-tem- Rodric Bray
 - Minority Leader - Greg Taylor
 - Republicans have a supermajority (more than 2/3) in each house. All actions can be taken without Democrat involvement.
 - Session dates
 - Long Sessions- in odd numbered years (must adopt budget)

State Government

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"IT'S THE SAME BUT DIFFERENT"

Branches of Government (Indiana cont'd)

- Short Sessions in even numbered years
- Special Sessions- at the call of the Governor
- Redistricting - Legislature "draws" congressional districts and districts for state senators and state representatives
 - Districts are drawn after the decennial (10 year) census by the legislature
 - Finding my legislator www.in.iga.gov

What is Gerrymandering? Drawing districts to achieve an unfair advantage for one party. Check out Common Cause of Indiana about non-partisan proposals for fair redistricting.

State Government

How does a bill become a law

- Drafted by Legislative Services Agency for Representative or Senator
- Introduced by Representative or Senator
- First Reading - assigned to committee
- Heard in Committees - amendment and passed to the Floor-or dies in committee
- Second Reading - Action on the Floor-amendments allowed
- Third Reading -Yes or no by majority vote
- Transmittal to the other chamber for a repeat of the process
- If the identical bill is passed by both chambers, it goes to the Governor for action - signature, veto, or approval without signature after 7 days

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The House & Senate are each referred to as "chambers"
A bill is on the "Floor" of the chamber if it is being considered by all members.

"IT'S THE SAME BUT DIFFERENT"

State Government

The Executive Branch

- Governor, Lieutenant Governor, Secretary of State, State Treasurer, State Auditor, Attorney General, and Agencies
- Indiana has a "weak Governor" system, which means that a simple majority vote of both chambers can override a veto.
- Implements legislative directives enacted by the legislature

The Judicial Branch

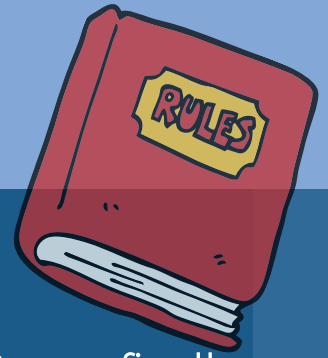
- Supreme Court - highest court in Indiana
- Court of Appeals
- Circuit Courts
- Superior Courts



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WHO IS IN CHARGE? THE STATES OR FEDS?



The States

Don't forget about the 10th Amendment! Any power not specifically given to the federal government by the Constitution belongs to the States and the people.

- Ownership of property
- Education of inhabitants
- Implementation of welfare and other benefits programs
- Protecting people from local threats
- Maintaining a justice system
- Setting up local governments -- counties and municipalities
- Maintaining state highways and administering local roads
- Regulation of Industry
- Raising funds to support their activities
- Elections - Secretary of State
- Insurance

The Feds

But don't forget the Supremacy Clause and the Interstate Commerce Clause

- The federal constitution prohibits states from interfering with federal government's exercise of its constitutional powers, and from assuming any functions that are exclusively entrusted to the federal government.
- The federal constitution gives Congress and not the states the power to regulate interstate commerce.

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CAZ MARGENAU

Director Leadership Development, Building Bridges for America

TERRY MUMFORD

Associate, Leadership Development, Building Bridges for America

Remember this

**THE SECRET OF CHANGE
IS TO FOCUS ALL YOUR
ENERGY NOT ON
FIGHTING THE OLD BUT
ON BUILDING THE NEW.**

- DAN MILLMAN

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