

4

The National Government at Work

As You Read

Explore These Questions

- What are the roles of Congress?
- What jobs does the President do?
- How is the federal court system organized?

Define

- appropriate
- standing committee
- joint committee
- impeach
- constituent
- executive agreement
- appeal
- opinion
- dissenting opinion

Identify

- House of Representatives
- Senate
- Supreme Court

SETTING the Scene

On October 10, 1788, the last Congress under the Articles of Confederation transacted its final business. By September of the following year, the Presidential electors had chosen George Washington as the first President of the United States, the first Congress under the Constitution had met in New York City, and the Federal Judiciary Act had provided for the organization of the United States Supreme Court. The government of the United States, as set up by the Constitution, was in place.

More than 200 years later, Americans still live under this three-branched government set up by the Constitution. Each branch has its own clearly defined powers. Together, they provide us with a government of laws.

The Legislative Branch

Congress, the legislative branch of government, is made up of two houses: the House of Representatives and the Senate. Together, the two houses have the power to make the laws that govern all 50 states. At the same time, the states have a say in making those laws.

Two houses of Congress

The larger house, the **House of Representatives**, currently seats 435 members. The number of representatives for each state

The Congressional Record reports events in Congress. ➤

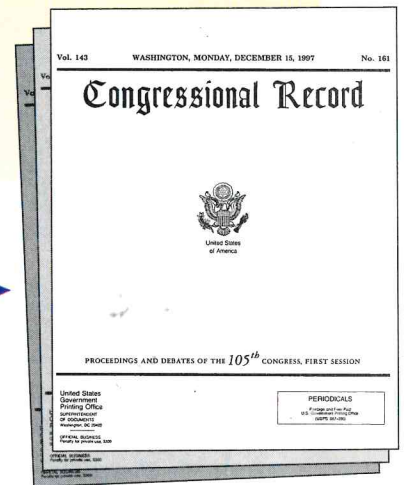
is determined according to that state's population. The more people who live in a state, the greater its number of representatives. Each state, however, is guaranteed at least one representative.*

Representatives serve for two-year terms. As a result, the entire House is up for election every even-numbered year. Congressional terms are numbered consecutively. The Congress that served from 1789 to 1791 is known as the First Congress. The Congress serving from 1999 to 2001 is the One Hundred Sixth Congress.

The **Senate**, the smaller house, has 100 members. Each state, no matter how large or small its population, has two senators. Senators serve for six-year terms. The terms are staggered, however. As a result, one third of the Senate are up for election every two years.

Powers of Congress

The chief job of Congress is to make the nation's laws. A new law first appears as a



*Guam, the Virgin Islands, American Samoa, and Washington, D.C., each elect a delegate to the House, while Puerto Rico elects a resident commissioner. However, these delegates are not voting members of the House.

Federal Officeholders

Office	Number	Term	Selection	Requirements
Representative	At least 1 per state; based on population	2 years	Elected by voters of congressional district	Age 25 or over Citizen for 7 years Resident of state in which elected
Senator	2 per state	6 years	Original Constitution—elected by state legislature Amendment 17—elected by voters	Age 30 or over Citizen for 9 years Resident of state in which elected
President and Vice President	1	4 years	Elected by electoral college	Age 35 or over Natural-born citizen Resident of U.S. for 14 years
Supreme Court Justice	9	Life	Appointed by President	No requirements in Constitution

Chart Skills

The Constitution details the number, length of term, method of selection, and requirements for officeholders in the three branches of government.

- 1. Comprehension** (a) At what age can you be elected to the Senate? The House of Representatives? (b) How long may a Supreme Court Justice remain in office?
- 2. Critical Thinking** Why do you think the requirements for President and Vice President are the same?



proposal called a bill. The bill must be passed by both houses of Congress and signed by the President to become law. The chart on page 227 shows the steps a bill must pass through before becoming a law.

Congress has another equally important power. It decides what laws or programs will receive funds. The federal government cannot spend money on any program unless Congress **appropriates** it, or sets it aside for a special purpose. In this way, Congress controls how much money the government spends, whether for military aircraft, national highways, or school lunches.

Congressional committees

During the first session of Congress, 31 bills were proposed by both houses. Today, thousands of bills are introduced every year in Congress. Clearly, it would be impossible

for each member of Congress to study and make recommendations about every bill. This job is reserved for committees.

The House of Representatives and the Senate each have **standing committees**. These are permanent committees assigned to study specific issues such as agriculture, labor, and energy. They are often broken up into subcommittees that examine certain problems in depth.

Congress may sometimes create a **joint committee**, or committees that include both House and Senate members. One of the most important kinds of joint committee is the conference committee. Its task is to settle differences between the House and the Senate versions of the same bill. Members of a conference committee try to find a middle ground and to agree on the language of the bill. Compromise is often difficult.

Skills FOR LIFE

Critical
Thinking

Managing
Information

Communication

Maps, Charts,
and Graphs

Reading a Flowchart

How Will I Use This Skill ?

A flowchart is a type of graphic organizer. It uses boxes and arrows to guide you step by step through a development or process. Learning to read a flowchart can help you understand even the most complicated processes—from programming a VCR to running for public office.

LEARN the Skill

- 1 Identify the process described by the flowchart.
 - 2 Locate the starting point of the process. (This is the box with no arrow leading toward it.) Some flowcharts may have more than one starting point, since more than one part of a process is being tracked to the end point.
 - 3 Follow the steps of the process by following the arrows to the end point.
- 2 (a) Where can a bill be introduced? (b) Why are there two starting points on this flowchart?
 - 3 (a) What happens to a bill after it is introduced? (b) At what point in the process do the work of the Senate and the House come together? (c) What happens next?

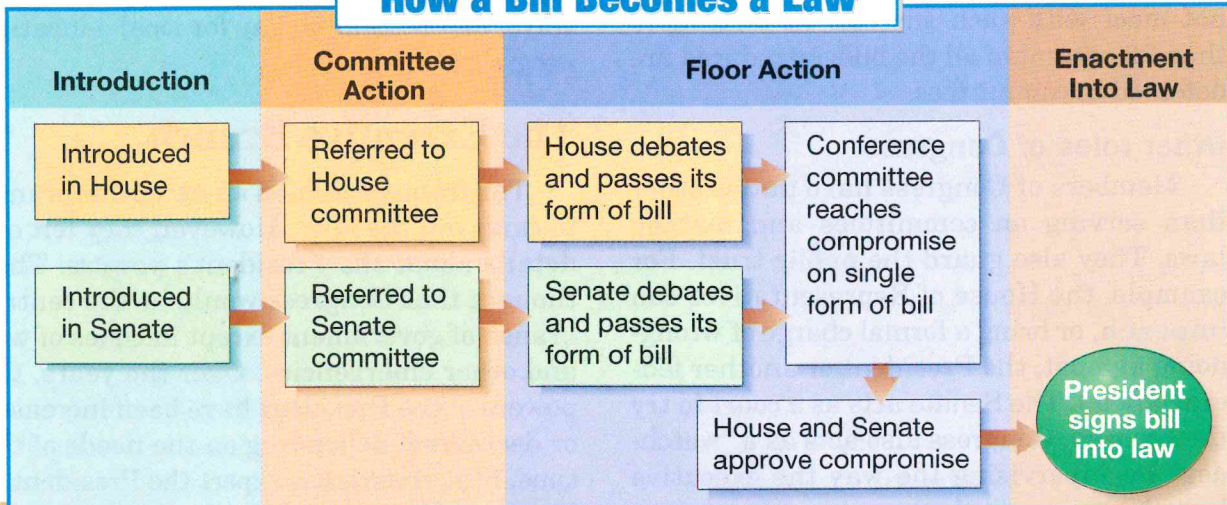
PRACTICE the Skill

- 1 What process does the flowchart below describe?

APPLY the Skill

Create a flowchart to describe the steps of a process you know well. You might show how to play a game, how to repair something, or how to prepare a meal. Show your flowchart to some friends. See if they can understand the process by looking at your chart.

How a Bill Becomes a Law



The United States Capitol Building

History is still happening at the Capitol Building. Since November 1800, the Capitol has been the meeting place of the United States Congress. Each year, millions of people visit the parts of the Capitol open to the public. If you have a pass from your representative or senator, you can even visit the House or Senate chambers and watch lawmakers in action. Funeral ceremonies for Presidents and other outstanding Americans are held in the Great Rotunda under the famous Capitol dome.

★ To learn more about this historic site, write: The Capitol, Washington, DC 19106.



◀ The Capitol Building in Washington, D.C.

Passing a bill requires the cooperation of many individuals. For example, a recent trade bill was 1,000 pages long. It required the efforts of 200 members of Congress, working in 17 subcommittees, to get it passed. Most bills introduced in Congress do not meet with such success. In fact, more than 90 percent of all the bills introduced are defeated in committees.

Other roles of Congress

Members of Congress have duties other than serving on committees and making laws. They also guard the public trust. For example, the House of Representatives can **impeach**, or bring a formal charge of wrongdoing against, the President or another federal official. The Senate acts as a court to try the accused. Congress also acts as a “watchdog” by supervising the way the executive branch carries out the laws.

Members of Congress must also respond to the special needs of their states. Responsible representatives and senators must remember their **constituents**, or the people who elected them. They do this by supporting bills that have a direct impact on the people “back home.” Such bills might include promoting new post offices, improving highways, and helping to pay for local education programs.

The Executive Branch

The framers created an executive branch to carry out the laws. However, they left out details about the President’s powers. They thought that Congress would be the central branch of government except in times of war and other emergencies. Over the years, the powers of the President have been increased or decreased, depending on the needs of the time. Still, Americans expect the President to fill certain roles.

Roles of the President

The main role of the President is to carry out the nation's laws. As chief executive, the President oversees the many departments, agencies, and commissions that help to accomplish this task.

The President directs the nation's foreign policy. Three important powers allow the President to influence relations with other countries. They are the powers to appoint ambassadors, make treaties, and enter into **executive agreements**. Executive agreements are informal agreements with other heads of state, usually dealing with trade. Unlike treaties, they do not require Senate approval.

The President is the highest-ranking officer in the armed forces. As commander in chief, the President can appoint and remove top military commanders. The President may also use the armed forces to deal with crises both at home and abroad. (However, only Congress has the power to declare war on another country.)

As the nation's chief legislator, the President suggests new laws and works for their passage. In this role, the President often meets with members of Congress to win their support. Sometimes, the President campaigns for public support through television or radio speeches and press conferences. The President also can use persuasion to oppose a bill. In this case, however, the President's most powerful weapon is the power to veto a bill.

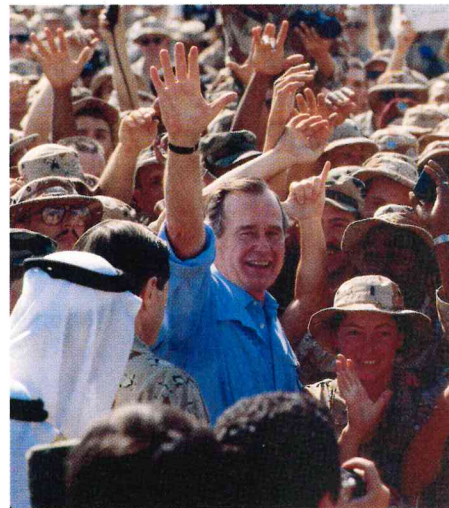


The President is the living symbol of the nation. In this role, the President represents all American citizens at many occasions. For example, the President welcomes visiting foreign leaders, makes speeches to commemorate national holidays, and gives medals to national heroes. (See the photograph on page 216.)

The American people also see the President as the chief symbol of the condition of the nation, even though this responsibility is shared with Congress and the judiciary. In describing this situation, former President Jimmy Carter declared that “When things go bad you get entirely too much blame,” and “when things go good, you get entirely too much credit.”

Executive agencies and departments

The nation's laws cover a broad range of concerns—defense, housing, crime, and pollution, to name a few. To carry out these laws and to perform other duties, the President needs the help of millions of government workers and assistants.



Presidents at Work

Under the Constitution, the President commands the armed forces and directs foreign policy. At left, President Bill Clinton meets with Tony Blair, prime minister of Great Britain. Above, President George Bush visits American troops in Saudi Arabia. ★ Describe two other roles of the President.



The Supreme Court

Here, the 1998 Justices of the Supreme Court pose for an annual photograph. Standing, left to right, are Ruth Bader Ginsburg, David Souter, Clarence Thomas, and Stephen Breyer. Sitting, left to right, are Antonin Scalia, John Paul Stevens, Chief Justice William Rehnquist, Sandra Day O'Connor, and Anthony Kennedy.

★ What kinds of cases does the Supreme Court hear?

One group of assistants, the Executive Office, includes many agencies and individuals. They range from the Vice President to the Office of Management and Budget, which prepares the total budget of the United States.

The President's Cabinet, called secretaries, are the heads of executive departments. Today, the President relies on 14 executive departments—among them, the Departments of Defense, Commerce, Justice, Labor, and Energy. Each department has many concerns. For example, the Department of Agriculture deals with food quality, crop improvement, and nutrition. The Department of Transportation establishes rules for speed limits, automobile exhaust systems, and highway and vehicle safety.

More than 30 independent executive agencies also help the President carry out duties. For example, the Central Intelligence Agency (CIA) provides the President with secret information about the world's trouble spots. The National Aeronautics and Space Administration (NASA) is in charge of the nation's space program.

Eleven independent regulatory commissions enforce national laws. They establish rules, rates, and standards for trade, business, science, and transportation. For example, the Federal Trade Commission (FTC) enforced the federal law banning "false or misleading advertising" by ruling that ciga-

rettes may not be advertised as "kind" to your throat.

Finally, there are government corporations. There are at least 60 government corporations today. They include the United States Postal Service, the Tennessee Valley Authority, and Amtrak.

The Judicial Branch

Article 3 of the Constitution gives the judicial power of the United States to the Supreme Court and to lower courts that Congress may set up. Under the Judiciary Act of 1789, Congress created the system of federal courts that still operates today.

Lower courts

Most federal cases are first heard in the district courts. These courts are located in more than 90 districts around the country. Cases brought to these courts may involve matters of criminal law, such as kidnapping and murder, or matters of civil law, such as bankruptcy and divorce. In district courts, decisions are made by either a judge or a jury, which is a panel of citizens.

Every citizen has the right to **appeal** a decision, or ask that it be reviewed by a higher court. These higher courts of appeal are called circuit, or appellate, courts. The United States has 13 circuit courts of appeal.

Circuit courts operate differently from district courts. A panel of three judges re-

views each case. The judges decide if rules of trial procedure were followed in the original trial. If errors did occur, the circuit court may reverse, or overturn, the original decision. Or it may send back the case to the district court for a new trial.

Supreme Court

The **Supreme Court** is the highest court in the United States. Americans depend upon the Supreme Court to settle disputes, interpret the law, and protect their guaranteed rights. The Court is made up of a Chief Justice and eight Associate Justices. The President appoints the Supreme Court Justices, but Congress must approve the appointments. In about one out of five cases, Congress rejects the President's appointment and a new nomination must be made. Appointments to the Supreme Court are for life.

Only two kinds of cases can begin in the Supreme Court. One kind involves disputes between states. The other involves foreign ambassadors. In other cases, the Supreme Court serves as a final court of appeals. It hears cases that have been tried and appealed as far as law permits in lower courts.

The Supreme Court hears only issues about the Constitution, federal law, or treaties. It selects only about 120 cases from the 4,000 or more requests it receives each year. Most of the cases involve laws written in unclear language. The Court must decide what each law means, whom it affects, and whether it is constitutional.

A Supreme Court decision rests on a simple majority vote of at least five Justices. A member of the majority writes an **opinion**, or official statement of the legal reasons for the Court's decision. Sometimes, a member of the minority strongly disagrees with the majority ruling. That Justice may write a **dissenting opinion**, explaining the reasons for the disagreement. Justice Oliver Wendell Holmes, Jr., wrote so many dissenting opinions that he became known as the "Great Dissenter."

Supreme Court decisions are final. There are no other courts of appeal. If Congress strongly disagrees with a Supreme Court decision, however, it can take other action. It can pass a modified version of the law that will meet the Court's objections. Congress can also propose an amendment to the Constitution.

★ Section 4 Review ★

Recall

1. **Identify** (a) House of Representatives, (b) Senate, (c) Supreme Court.
2. **Define** (a) appropriate, (b) standing committee, (c) joint committee, (d) impeach, (e) constituent, (f) executive agreement, (g) appeal, (h) opinion, (i) dissenting opinion.

Comprehension

3. What are the two most important powers of Congress?
4. (a) How does the President influence legislation?

(b) What three powers enable the President to direct foreign policy?

5. (a) What is the role of circuit courts? (b) What is the role of the Supreme Court?

Critical Thinking and Writing

6. **Ranking** Review the subsection "Roles of the President." List the President's roles. Then rank the roles in order of importance. Be prepared to support your ranking.
7. **Analyzing Ideas** Why is it important for Congress to approve the President's choices for Supreme Court Justices?



Activity Making a Diagram Make a graphic organizer with three branches. Fill in the chart to show the roles of each branch of government and the smaller parts that make them up.