**Important Terms (Chapters 9-12)**

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| **congress** | A national legislature composed of elected representatives who do not choose the chief executive (typically, a president). |
| **parliament** | A national legislature composed of elected representatives who choose the chief executive (typically, the prime minister). |
| **franking privilege**  | The ability of members of Congress to mail letters to their constituents free of charge by substituting their facsimile signature (frank) for postage. |
| **bicameral legislature** | A lawmaking body made up of two chambers or parts. The U.S. Congress is a bicameral legislature composed of a Senate and a House of Representatives. |
| **runoff primary** | A second primary election held in some states when no candidate receives a majority of the votes in the first primary; the runoff is between the two candidates with the most votes. Runoff primaries are common in the South. |
| **majority leader (floor leader)**  | The legislative leader elected by party members holding the majority of seats in the House of Representatives or the Senate. |
| **minority leader**  | The legislative leader elected by party members holding a minority of seats in the House of Representatives or the Senate. |
| **whip** | A senator or representative who helps the party leader stay informed about what party members are thinking, rounds up members when important votes are to be taken, and attempts to keep a nose count on how the voting on controversial issues is likely to go. |
| **Speaker** | The presiding officer of the House of Representatives and the leader of his or her party in the House. |
| **party vote**  | There are two measures of such voting. By the stricter measure, a party vote occurs when 90 percent or more of the Democrats in either house of Congress vote together against 90 percent or more of the Republicans. A looser measure counts as a party vote any case where at least 50 percent of the Democrats vote together against at least 50 percent of the Republicans. |
| **caucus (congressional)**  | An association of members of Congress created to advocate a political ideology or a regional, ethnic, or economic interest. |
| **standing committees** | Permanently established legislative committees that consider and are responsible for legislation within certain subject areas. Examples are the House Ways and Means Committee and the Senate Judiciary Committee. |
| **select committees** | Congressional committees appointed for a limited time and purpose. |
| **joint committees** | Committees on which both representatives and senators serve. An especially important kind of joint committee is the conference committee made up of representatives and senators appointed to resolve differences in the Senate and House versions of the same piece of legislation before final passage. |
| **conference committees** | See **joint committees**. |
| **simple resolution** | An expression of opinion either in the House of Representatives or the Senate to settle housekeeping or procedural matters in either body. Such expressions are not signed by the president and do not have the force of law. |
| **concurrent resolution** | An expression of congressional opinion without the force of law that requires the approval of both the House and Senate but not of the president. Used to settle housekeeping and procedural matters that affect both houses. |
| **joint resolution** | A formal expression of congressional opinion that must be approved by both houses of Congress and by the president. Joint resolutions proposing a constitutional amendment need not be signed by the president. |
| **discharge petition**  | A device by which any member of the House, after a committee has had a bill for thirty days, may petition to have it brought to the floor. If a majority of the members agree, the bill is discharged from the committee. The discharge petition was designed to prevent a committee from killing a bill by holding it for too long. |
| **restrictive rule** | An order from the House Rules Committee in the House of Representatives that permits certain kinds of amendments but not others to be made to a bill on the legislative floor. |
| **closed rule** | An order from the House Rules Committee in the House of Representatives that sets a time limit on debate and forbids a particular bill from being amended on the legislative floor. |
| **open rule** | An order from the House Rules Committee in the House of Representatives that permits a bill to be amended on the legislative floor. |
| **filibuster** | An attempt to defeat a bill in the Senate by talking indefinitely, thus preventing the Senate from taking action on it. From the Spanish *filibustero*, which means a “freebooter,” a military adventurer. |
| **riders** | Amendments on matters unrelated to a bill that are added to an important bill so that they will “ride” to passage through the Congress. When a bill has lots of riders, it is called a Christmas-tree bill. |
| **cloture resolution** | A rule used by the Senate to end or limit debate. Designed to prevent “talking a bill to death” by filibuster. To pass in the Senate, three-fifths of the entire Senate membership (or sixty senators) must vote for it. |
| **double tracking** | Setting aside a bill against which one or more senators are filibustering so that other legislation can be voted on. |
| **voice vote**  | A congressional voting procedure in which members shout “aye” in approval or “no” in disapproval; allows members to vote quickly or anonymously on bills. |
| **division vote** | A congressional voting procedure in which members stand and are counted. |
| **roll-call** | A congressional voting procedure that consists of members answering “yea” or “nay” to their names. When roll calls were handled orally, it was a time-consuming process in the House. Since 1973 an electronic voting system permits each House member to record his or her vote and learn the total automatically. |
| **veto** | Literally, “I forbid,” it refers to the power of a president to disapprove a bill; it may be overridden by a two-thirds vote of each house of Congress. |

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| **circular structure** | A method of organizing a president’s staff in which several presidential assistants report directly to the president. |
| **pyramid structure** | A method of organizing a president’s staff in which most presidential assistants report through a hierarchy to the president’s chief of staff. |
| **cluster structure** | A system for organizing the White House in which a group of subordinates and committees all report to the president directly. |
| **cabinet** | By custom, the cabinet includes the heads of the fifteen major executive departments. |
| **executive privilege** | A presidential claim that he may withhold certain information from Congress. |
| **veto message** | One of two ways for a president to disapprove a bill sent to him by Congress. The veto message must be sent to Congress within ten days after the president receives the bill. |
| **pocket veto** | One of two ways for a president to disapprove a bill sent to him by Congress. If the president does not sign the bill within ten days of his receiving it and Congress has adjourned within that time, the bill does not become law. |
| **line-item veto** | The power of an executive to veto some provisions in an appropriations bill while approving others. The president does not have the right to exercise a line-item veto and must approve or reject an entire appropriations bill. |
| **legislative veto** | The rejection of a presidential or administrative-agency action by a vote of one or both houses of Congress without the consent of the president. In 1983 the Supreme Court declared the legislative veto to be unconstitutional. |
| **signing statements** | Written comments by the president about a bill he has just signed. Those that raise constitutional questions are controversial.  |
| **trial balloon** | Information provided to the media by an anonymous public official as a way of testing the public reaction to a possible policy or appointment. |
| **impeachment** | An accusation against a high federal official charging him or her with “treason, bribery, or other high crimes and misdemeanors.” An impeachment requires a majority vote in the House of Representatives. To be removed from office, the impeached official must be tried before the Senate and convicted by a vote of two-thirds of the members present. |
| **budget resolution**  | A proposal submitted by the House and Senate budget committees to their respective chambers recommending a total budget ceiling and a ceiling for each of several spending areas (such as health or defense) for the current fiscal year. These budget resolutions are intended to guide the work of each legislative committee as it decides what to spend in its area. |
| **continuing resolution** | A congressional enactment that provides funds to continue government operations in the absence of an agreed-upon budget. |
| **budget deficit** | A situation in which the government spends more money than it takes in from taxes and fees.  |
| **budget surplus**  | A situation in which the government takes in more money than it spends. |

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| bureaucracy | A large, complex organization composed of appointed officials. The departments and agencies of the U.S. government make up the federal bureaucracy. |
| discretionary authority | The extent to which appointed bureaucrats can choose courses of action and make policies that are not spelled out in advance by laws. |
| competitive service | The government offices to which people are appointed on grounds of merit as ascertained by a written examination or by having met certain selection criteria (such as training, educational attainments, or prior experience). |
| excepted service  | Provision for appointing federal offices without going through the competitive service. |
| name-request job  | A job to be filled by a person whom a government agency has identified by name. |
| iron triangle  | A close relationship among an agency, a congressional committee, and an interest group that often becomes a mutually advantageous alliance. |
| issue network | A loose collection of leaders, interest groups, bureaucratic agencies, and congressional committees interested in some public policy. |
| authorization legislation | Legislative permission to begin or continue a government program or agency. An authorization bill may grant permission to spend a certain sum of money, but that money does not ordinarily become available unless it is also appropriated. Authorizations may be annual, multiyear, or permanent. |
| appropriation | Legislative grant of money to finance a government program. |
| trust funds | Funds for government programs that are collected and spent outside the regular government budget; the amounts are determined by preexisting law rather than by annual appropriations. The Social Security trust fund is the largest of these. |
| committee clearance | The ability of a congressional committee to review and approve certain agency decisions in advance and without passing a law. Such approval is not legally binding on the agency, but few agency heads will ignore the expressed wishes of committees. |
| red tape | Complex bureaucratic rules and procedures that must be followed to get something done. |

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| judicial review  | The power of the courts to declare acts of the legislature and of the executive to be unconstitutional and, hence, null and void. |
| strict constructionist approach (judicial)  | The view that judges should decide cases on the basis of the language of the Constitution. |
| activist approach (judicial) | The view that judges should discern the general principles underlying the Constitution and its often vague language and assess how best to apply them in contemporary circumstances, in some cases with the guidance of moral or economic philosophy. |
| constitutional court  | A federal court exercising the judicial powers found in Article III of the Constitution and whose judges are given constitutional protection: they may not be fired (they serve during “good behavior”) nor may their salaries be reduced while they are in office. The most important constitutional courts are the Supreme Court, the ninety-four district courts, and the courts of appeals (one in each of eleven regions plus one in the District of Columbia). |
| district courts | The lowest federal courts where federal cases begin. They are the only federal courts where trials are held. There are a total of ninety-four district courts in the United States and its territories. |
| courts of appeals | The federal courts with authority to review decisions by federal district courts, regulatory commissions, and certain other federal courts. Such courts have no original jurisdiction; they can hear only appeals. There are a total of twelve courts of appeals in the United States and its territories plus one for a nationwide circuit. |
| legislative court | A court that is created by Congress for some specialized purpose and staffed with judges who do not enjoy the protection of Article III of the Constitution. Legislative courts include the Court of Military Appeals and the territorial courts. |
| senatorial courtesy | A tradition that makes it impossible to confirm a presidential nominee for office if a senator files a personal objection. |
| federal-question cases  | Cases concerning the Constitution, federal law, or treaties over which the federal courts have jurisdiction as described in the Constitution. |
| diversity cases | Cases involving citizens of different states over which the federal courts have jurisdiction because at least $75,000 is at stake. |
| writ of certiorari | A Latin term meaning “made more certain.” An order issued by a higher court to a lower court to send up the record of a case for review. Most cases reach the Supreme Court through the writ of certiorari, issued when at least four of the nine justices feel that the case should be reviewed. |
| jn forma pauperis | A procedure whereby a poor person can file and be heard in court as a pauper, free of charge. |
| fee shifting | A law or rule that allows the plaintiff (the party that initiates the lawsuit) to collect its legal costs from the defendant if the defendant loses. |
| standing | A legal concept establishing who is entitled to bring a lawsuit to court. For example, an individual must ordinarily show personal harm in order to acquire standing and be heard in court. |
| sovereign immunity | A doctrine that a citizen cannot sue the government without its consent. By statute Congress has given its consent for the government to be sued in many cases involving a dispute over a contract or damage done as a result of negligence. |
| class-action suit | A case brought into court by a person on behalf of not only himself or herself but all other persons in the country under similar circumstances. For example, in *Brown v. Board of Education of Topeka*, the Court decided that not only Linda Brown but all others similarly situated had the right to attend a local public school of their choice without regard to race. |
| brief | A legal document prepared by an attorney representing a party before a court. The document sets forth the facts of the case, summarizes the law, gives the arguments for its side, and discusses other relevant cases. |
| amicus curiae | A Latin term meaning “a friend of the court.” Refers to interested groups or individuals, not directly involved in a suit, who may file legal briefs or make oral arguments in support of one side. |
| Opinion of the Court  | A Supreme Court opinion written by one or more justices in the majority to explain the decision in a case. |
| **per curiam opinion**  | A brief, unsigned opinion issued by the Supreme Court to explain its ruling. |
| **concurring opinion**  | A Supreme Court opinion by one or more justices who agree with the majority’s conclusion but for different reasons. |
| **dissenting opinion**  | A Supreme Court opinion by one or more justices in the minority to explain the minority’s disagreement with the Court’s ruling. |
| **stare decisis**  | A Latin term meaning “let the decision stand.” The practice of basing judicial decisions on precedents established in similar cases decided in the past. |
| **precedent**  | A judicial rule that permits the court ruling settling an old case to settle a similar new one. |
| political question | An issue that the Supreme Court refuses to consider because it believes the Constitution has left it entirely to another branch to decide. Its view of such issues may change over time, however. For example, until the 1960s, the Court refused to hear cases about the size of congressional districts, no matter how unequal their populations. In 1962, however, it decided that it was authorized to review the constitutional implications of this issue. |
| **remedy**  | A judicial order preventing or redressing a wrong or enforcing a right. |