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[June 20, 1936]

THE CONGRESSIONAL FRONT.  
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16th District.

**FOREWORD.** For a long time, the author of this column has wanted to present a birds-eye view of our government. This entire letter will be devoted to that purpose. Once upon a time, government was simple. It had a few departments, few employees, comparatively few functions. Today, it is a complex, often bewildering thing. Like Topsy, "it just grewed." The first Congress had but 65 members. Today it has 435. The first Cabinet had but three departments, namely War, State, and Treasury. Today it has ten and each has a host of ramifications. The first Courts were few in number with a minimum of litigation. Today, we have a multitude of courts and judges. This Congress will probably add nine more district judges to the already long list. Now demands called for new agencies to carry out new duties of government. Today there is an ever-increasing list of so-called Independent Agencies for which Congress appropriates hundreds of millions annually. Perhaps, there can be set forth within the limits of one News Letter, a panorama of government that may be helpful to every citizen, to every student, the better to understand.

**CONSTITUTION.** You hear so much about it today. What is it? It is the foundation of our government. Our first form of Federated government was a loose document known as the Articles of Confederation. Under those Articles, each state maintained its right to do as it pleased. States paid no taxes, furnished no troops to the central government unless they felt so disposed. Nor did the Federal Government have power to enforce payment of taxes or furnishing of troops. Came a demand for a strong central government with the sole authority to issue money so that there would not be a hundred different kinds of money in the land; a strong government that could levy and collect taxes with which to pay off the Revolutionary War Debt; a strong government to enforce proper regulations between states so that New Jersey would not collect duties on firewood brought in from New York and to prevent Connecticut from collecting tariffs on cabbage brought in from Rhode Island. These were but some of the considerations that demanded a strong central government. After some difficulty, chosen representatives from the states finally met at Philadelphia, drew up a Constitution, under which the People, who are the source of all power, delegated to a Federal Government certain rights, duties and powers, and retained all other powers to the different states. That Constitution is the supreme law of the land. It sets out the form of Government. It tells the Federal Government what it can do. It tells the states what they cannot do. It guarantees to every citizen certain, well defined rights. It is the charter of liberty and the framework of government.

**A. CONGRESS.** From time to time, new needs of the nation create a demand for new laws. There must therefore be a law making body. That law making body is called a Congress as provided in the Constitution. It has two branches. A Senate, consisting of 2 members from each state, to hold office for 6 years. No state, no matter how small, can be deprived of its right to two members in the Senate, without its consent. This is guaranteed by the Constitution. One third of the Senate, namely 32 members, are elected every two years. Hence the Senate consists of 32 members who have been in office for 4 years, 32 who have been in office for 2 years and 32 members just coming into office. It has 33 standing committees.

**B. HOUSE OF REPRESENTATIVES.** It consists of 435 members. When first selected, by the vote of the people, it had 1 Representative for each 30,000 people. Today it has one for each 279,712 or major fraction thereof. The term of office is 2 years. It is called the most popular branch of the legislature. It alone has power to initiate revenue and taxing measures on the theory that it is closer and more responsive to the people. It has 47 Standing Committees. Some committees contain as many as 35 members; others contain only 2 or 3.

**C. LEGISLATION.** Before any bill or resolution can become law, it must have been passed by both the House and the Senate in agreed form and signed by the President.

**D. AGENCIES UNDER CONTROL OF CONGRESS.** Congress has direct control of the Congressional Library, the Government Printing Office, the Architect of the Capitol, the General Accounting Office, the National Academy of Sciences, the Botanical Gardens, the National Research Council, and over the government of the District of Columbia.

**THE COURTS.** A. Suppose the Congress passes laws that do not conform to the Constitution? Suppose Congress enacts a law depriving the people of the right of freedom of speech and freedom of worship when those rights are specifically guaranteed in the Constitution. Who shall say, whether the Congress had the power to enact such a law? The answer is: The Courts. The same Constitution which created the Congress also created a court system to act as a check on the Congress. The Constitution by its own terms, creates a Supreme Court and then gives to Congress the power to create such lower courts from time to time as may be necessary. Out of this authority, the court system was created. The Supreme Court today has 9 members. Once it had but 5. Great jurists like John Marshall, Roger B. Taney, William Howard Taft and others have graced that bench. The decisions of that court have had much to do with interpreting the Constitution. Since the first Congress in 1789, more than 24,000 laws have been passed. Of that vast number only 70 have been declared unconstitutional by the Supreme Court. Many of these decisions have made history and given direction to the growth and expansion of the nation.

**B. FEDERAL DISTRICT COURTS.** To lighten the labors of the Supreme Court and to give proper attention to the growing amount of Federal litigation, the Congress created such Federal District Courts as conditions and demands required, presided over by a Federal District Judge, with power to hear cases where Federal law and Federal questions are involved. Today, we have 147 Federal District Judges in the United States and the territories.

**C. FEDERAL CIRCUIT COURTS OF APPEALS.** One of the rights of the people which is generally carefully safeguarded is the right of every man who is aggrieved with the treatment he received in a lower court or administrative body to appeal to a higher court. To take a case from the Federal District Courts to the Supreme Court in every instance, would so overwhelm that court with litigation that it would be years behind schedule. Accordingly an intermediate system of courts was established to which appeals can be taken from the Federal District Courts. There are 10 of these Federal Circuit courts. Some of them embrace as many as 8 states. Others embrace but three states. The judges are appointed for life, conditioned on good behavior and receive an annual salary of \$12,500. Federal District judges receive \$10,000; Supreme Court Justices receive \$20,000.

**D. SPECIAL COURTS.** As time went on and the nation's affairs grew in complexity and volume, there was need for other courts to handle special cases.

1. **THE U.S. COURT OF CUSTOMS AND PATENT APPEALS.** It consists of 5 judges who receive \$12,500 per year and hold office for life, conditioned on good behavior. As the name implies, it deals only with appeals on cases which involve patents and appeals under the variety of customs and import laws of the country.

2. **THE U.S. COURT OF CLAIMS.** Do you have a claim against Uncle Sam because a mail truck knocked you down? You cannot sue Uncle Sam. It is a development of the old theory that a subject could not sue the king. But if he was a fair and equitable king and you had a grievance, he would make it possible for you to present your claim. In this country, those claims come within the jurisdiction of the Court of Claims. It is a busy court with a vast amount of cases. It consists of 5 judges, appointed for life at an annual salary of \$12,500.

3. **U.S. CUSTOMS COURT.** Did you violate one of the many customs laws that are on the Federal Statute books? Or are you aggrieved by one of those laws? Or were you unduly taxed by one of the customs officers when you arrived at a port of entry after a sojourn abroad. Your case would come before the U.S. Customs Court. It consists of 9 judges, holding office for life, conditioned on good behavior, each one drawing an annual salary of \$10,000.

4. **UNITED STATES COURT FOR CHINA.** Nearly 40 years ago, we took a hand in the tangled affairs of China. Oldsters will remember the celebrated Boxer Uprising. We've been there ever since. We still have two regiments of Marines on duty in China. We have commercial interests there and a sphere of influence. You can't have soldiers and commercial interests and a well-defined sphere of influence in a foreign land without differences of opinion that lead to litigation. So we establish a United States Court For China at Shanghai. It consists of one Judge at a salary of \$10,000.

5. **COURTS OF THE DISTRICT OF COLUMBIA.** The Constitution states that Congress shall have power "To exercise exclusive legislation in all cases whatsoever over such District (not exceeding ten miles square) as may, by cession of the particular states and the acceptance of Congress become the Seat of Government of the United States....." That 10 mile square (in reality it's only 7 miles square now) was carved out of Virginia and Maryland and is known as the District of Columbia. Washington and the District of Columbia are practically one and the same thing. It contains about half million people. It too needs courts to try cases for and against the government. Hence we have a Supreme Court of the District of Columbia with 9 judges, at a salary of \$10,000 per year and a Court of Appeals for the District of Columbia with 5 judges at a salary of \$12,500 per year.

6. **OBSERVATIONS.** Here then is the judicial machinery of the United States to settle the grievances of man against man where Federal laws are involved or the differences between the citizen and his government.

**THE EXECUTIVE BRANCH.** Congress makes the laws, the Federal Courts interpret the laws, but who shall enforce the laws once they are made? Who shall give direction to the affairs of the nation? Who shall be the administrative head to guide the functions of government? The Chief Executive, who under the Constitution is invested with power to veto or approve acts of Congress, make treaties and appoint diplomats with the consent of the Senate, act as Commander in Chief of the Army and Navy, and who "shall take care that the laws be faithfully executed."

**A. THE CABINET.** More and more, the President must delegate administrative duties to others. He cannot be expected to know everything about everything. Accordingly, he has a Cabinet, made up of Secretaries who preside over different Administrative departments. In Washington's time, we had but three Cabinet portfolios. Today we have ten.

1. **DEPARTMENT OF STATE.** The Secretary is Hon. Cordell Hull of Tennessee. This department looks after foreign affairs, the drafting, negotiation and ratification of treaties, passports, foreign claims, translation of documents, control of the import and export of munitions, foreign service officers. This department was created in 1789.

2. **TREASURY DEPARTMENT.** The Secretary is the Hon. Henry Morgenthau, Jr. of New York. The department was created in 1789. It acts as Uncle Sam's book-keeper and banker. It supervises the borrowing of money, issuing of bonds,

payment of the public debt, collection of revenue, supervision of national banks, the printing of checks and currency, coining of money in the various mints, enforcement of customs laws, preventing of smuggling, supervision of the Coast Guard, supervision of the Public Health Service, enforcement of narcotic laws, the secret service division, the purchase of government supplies, the construction of new government buildings, and a host of other things.

3. WAR DEPARTMENT. The Secretary is Hon. George H. Dern, former Governor of Utah. It was created in 1789. It looks after the Army, the War College, West Point, War Plans, Military Intelligence, Fortifications, control of navigable and coastal waters, maintenance of Rivers and Harbors, Inland Waterways, supervision of the Philippine Islands, the Panama Canal and a number of other things.

4. DEPARTMENT OF JUSTICE. Prior to 1870, we had an Attorney General to advise the President and handle the government's legal work, but not until 1870 was this work established under a Cabinet position. The attorney General is the Hon. Homer S. Cummings of Connecticut. It is the law enforcing agency of government, provides legal counsel, directs and supervises the activities of Federal district attorneys and U.S. marshals, and supervises prisons and prisoners.

5. POST OFFICE DEPARTMENT. Since 1829, the Postmaster General has been a member of the President's Cabinet but not until 1872, was this department made a Cabinet department. In addition to all functions pertaining to the mails, it supervises foreign postal treaties, ocean and air mail contracts, postal savings, and parcel post.

6. NAVY DEPARTMENT. During the Revolutionary War, Congress supervised the Navy thro a Marine Committee. For a few years thereafter, the Secretary of War looked after the Navy. In 1798 the Navy Department was created. Hon. Claude A. Swanson of Virginia is the Secretary of the Navy. In addition to Naval Affairs, it directs the Bureau of Navigation, the making of maps, charts and soundings of waters, the Naval Academy at Annapolis, Time Service and astronomical observations, and supervision of Yards and Docks.

7. DEPARTMENT OF INTERIOR. The Secretary is Hon. Harold L. Ickes of Winnetka, Illinois. When first created in 1849, it was known as the Home Department. Its original function was the supervision of home affairs and domestic welfare. Today it performs a myriad duties such as supervision of public lands, irrigation and reclamation projects, grazing on public lands, geological investigations and surveys, mines and minerals, Indian affairs, the Bureau of Education, the national park service, the affairs of Hawaii, Porto Rico, Alaska and the Virgin Islands, oil conservations, and many others.

8. DEPARTMENT OF AGRICULTURE. It was created in 1862, when Lincoln was president. Hon. Henry Agar Wallace of Iowa is the Secretary. Its functions are to conduct agricultural surveys, eradicate and control plant and animal diseases and insects, look after forests, make weather reports, administer the forest service, soil surveys, administer the food and drug laws, administer the grain futures act, all public roads, soil conservation, crop control and many others.

9. DEPARTMENT OF COMMERCE. Not until 1903 was this department created as the Department of Commerce and Labor. Today it is separate from the Department of Labor. Hon. Daniel C. Roper of South Carolina is the Secretary. It assists business with surveys of foreign and domestic commerce, supervises lighthouses, steamship inspection, aeronautics and airports, the Census, the Bureau of Testing and Standards, reports on foreign trade, the Bureau of Fisheries, the making of maps and surveys, the Patent Office, the U.S. Shipping Board, and a host of other functions.

10. DEPARTMENT OF LABOR. In 1884, we had a Bureau of Labor in the Department of Interior. In 1913, it was established as a Cabinet Department. Hon. Frances Perkins of New York is the Secretary. Among other things, it compiles labor statistics, arbitrates and examines labor disputes, supervises the Women's Bureau, the U.S. Employment Service, the administration of labor legislation, the Children's Bureau and the U.S. Housing Corporations.

B. INDEPENDENT OFFICES. As our country grew, as new needs arose, as our affairs became more complex, so new laws were enacted and new boards and commission and bureaus created to administer those laws. Since they came under the executive department, the question was whether to place these different agencies under a Cabinet head or make them separate and independent agency which reported directly to the Congress, their various activities. A vast number were set up as independent offices for which Congress specially appropriates money. A partial list of them includes the U.S. Civil Service Commission, The U.S. Employees Compensation Commission, The Interstate Commerce Commission, the General Accounting Office, the U.S. Railroad Administration, The Federal Reserve Board, the Federal Trade Commission, the U.S. Tariff Commission, the U.S. Board of Tax Appeals, the Federal Power Commission, the Federal Housing Administration, the Veterans Administration, the National Mediation Board, the Panama Canal Administration, The Smithsonian Museum, The Federal Home Loan Bank Board, the Home Owners Loan Corporation, The Tennessee Valley Authority, The Electric Farm and Home Authority, The Reconstruction Finance Corporation and others. The most recent addition to the list is the Federal Alcohol Administration. Heretofore it was a division of the Treasury Dept., but by new legislation it becomes an independent agency.

C. EMERGENCY AGENCIES. The emergency period of 1933 and thereafter produced much legislation designed to deal with the banking crisis, the relief crisis, the drought disaster, the agricultural program, and many other problems. Accordingly, the legislation which prescribed a remedy and supplied the money with which to meet those problems, also created the agencies to administer the remedy. As a result, we have today, the so-called "alphabetical agencies" such as the CCC, the AAA, the PWA, the CWA, the WPA, FERA, and others. Less familiar perhaps are the FDIC (Federal Deposit Insurance Corporation) the FSRC (Federal Surplus Relief Corporation) CCC (Commodity Credit Corporation) TVA (Tennessee Valley Authority) FHA (Federal Housing Administration) NYA (National Youth Administration) HOLC (Home Owners Loan Corporation) SEC (Securities Exchange Commission) RA (Resettlement Administration) RRA (Rural Electrification Administration) and many others.

CONCLUSION. Here in brief is a picture of our government as it exists today. No legislation can be enacted by the Congress unless it passes both Houses. Hence the Senate and House operate as a check upon each other. No legislation becomes law unless approved by the President. By virtue of his veto or approving power, the President operates as a check on the Congress. Congress alone has power to appropriate money. In that respect it operates as a restraint on the Chief Executive. Any law which is repugnant to the Constitution may on a bona fide test case, be invalidated by the Supreme Court. It therefore operates as a check on both President and Congress in preserving the Constitution. Over all, stand the People of the United States, who by the power of the ballot still determine the destiny of government.