

Summary 2

Summary 2 Focus Question

What are the powers of each branch of government?

Summary

The federal government consists of three branches, each of which has its own unique powers and responsibilities.

How the Federal Government Works: The Legislative Branch

Article 1 of the Constitution sets up the Congress to make the nation's laws. Congress consists of two bodies: the Senate and the House of Representatives.

The Senate is based on equal representation and includes two senators from each state. Senators serve six-year terms. The Vice President serves as the president of the Senate.

The House of Representatives is the larger of the two bodies. Representation in the House is based on a state's population. People elect their representatives for two-year terms. The leader of the House, called the Speaker, regulates debates and agendas in the House.

Congress's most important power is the power to make the nation's laws. A law starts as a **bill**, or proposal, which can be introduced in either the House or the Senate. Congress can also collect taxes, coin money, establish post offices, fix standard weights and measures, and declare war.

Much of the work in Congress is done through committees. Each committee deals with a specific topic, such as defense, education, or science. ✓

How the Federal Government Works: The Executive Branch

Article 2 of the Constitution sets up the executive branch to carry out laws and to run the affairs of the national government. The President is the head of the executive branch, which also includes the Vice President and the Cabinet. The people in the many departments and agencies are also part of the executive branch. The Framers of the Constitution intended Congress to be the most powerful branch of government. Therefore, while the Constitution is very specific about the powers of the legislature, it offers few details about the powers of the President. Beginning with George Washington, Presidents have taken the actions they thought were necessary to meet the nation's changing needs. Today, the President can veto bills, propose laws, grant pardons, appoint high officials, negotiate treaties, and serve as commander in chief of the armed forces.

The President serves a four-year term and cannot serve more than two terms. The President is elected through a system called

Vocabulary Builder

Read the bracketed text. Based on context clues, write a definition of *agenda*.

✓ Checkpoint

Name the two bodies of the legislative branch.

Presidential
responsibilities
include:

the electoral college. Americans do not directly elect the President; rather, they vote for a group of electors. The number of electors depends on each state's number of senators and representatives. In most states, the presidential candidate with the majority of popular votes receives all of that state's electoral votes. The candidate who receives the most electoral votes becomes President. ✓

How the Federal Government Works: The Judicial Branch

The Constitution also establishes a Supreme Court and authorizes Congress to establish other courts that are needed. The system of federal courts was set up under the Judiciary Act of 1789.

Most federal cases begin in district courts, where evidence is presented and a judge or a jury decides the facts of a case. If a party disagrees with the decision of the judge or jury, it may appeal. An **appeal** asks that the decision be reviewed by a higher court. A judge in an appellate court, or court of appeals, reviews the decision to determine if the lower court interpreted and applied the law correctly.

Court cases can be filed under federal or state jurisdiction. A **jurisdiction** is the power to hear and decide cases. Most cases are tried under state jurisdiction because they involve state laws. A case may be placed under federal jurisdiction if:

- The United States is either suing another party or being sued by another party.
- The case is based on the Constitution or on a federal law.
- The case involves disputes between different states.

The Supreme Court is at the top of the judicial branch, and it consists of a chief justice and eight associate justices. The President nominates the judges, and Congress must approve the appointments. The Supreme Court is the final court of appeals. Decisions rest on a majority of at least five of the justices.

There is no court of appeal beyond the Supreme Court. However, the Supreme Court may sometimes reverse its own past decisions.

The most important power of the Supreme Court is the power to decide what the Constitution means. The Court can declare whether acts of the President or laws passed by Congress are unconstitutional. **Unconstitutional** means that an act or law is not allowed by the Constitution. ✓

Check Your Progress

1. What and who makes up the executive branch?

2. Describe the process by which a justice is added to the Supreme Court.

✓ Checkpoint

Name the system by which the President is elected.

✓ Checkpoint

List the two things that the Supreme Court can declare unconstitutional.

Branches of Government Notetaking Study Guide

Keep in mind the Summary 2 Focus Question as you read about the structure of the U.S. government in your textbook and take notes.

► Use these charts to help you record key facts about the branches of government. Some information has been filled in to get you started.

The Legislative Branch	
The Senate Number of members for each state: <u>two per state</u> Length of term: _____ President of the Senate: _____	House of Representatives Number of members for each state: <u>based on population</u> Current number of members: _____ Representatives elected by: _____ _____ Length of term: _____
Powers of Congress: 1. make <u>nation's laws</u> , 2. collect _____, 3. coin _____, 4. establish <u>post offices</u> , 5. fix standard _____ and _____, 6. declare _____	

The Executive Branch
Duties: Carry out the _____ and run the affairs of _____ Head executive: _____ Other members: Vice President, Cabinet, _____, _____ Length of President's term: _____, but no more than <u>two terms</u> System by which President is elected: _____

The Judicial Branch
Lower Courts 1. In district courts, _____ is presented during trials, and a _____ or a _____ decides the facts of the case. 2. A party that disagrees with a decision may _____ to a higher court. 3. Appellate court judges review the decisions of district courts to _____ _____ 4. Jurisdiction is _____
The Supreme Court Court consists of: _____ Justices appointed by: _____ Appointments must be approved by: _____ Length of Justices' service: _____ Main job: _____ Number of cases heard per year: _____ Most important power: _____ What the court can declare as unconstitutional: _____ _____

Refer to this page to answer the Citizenship Handbook Focus Question on page 118.

