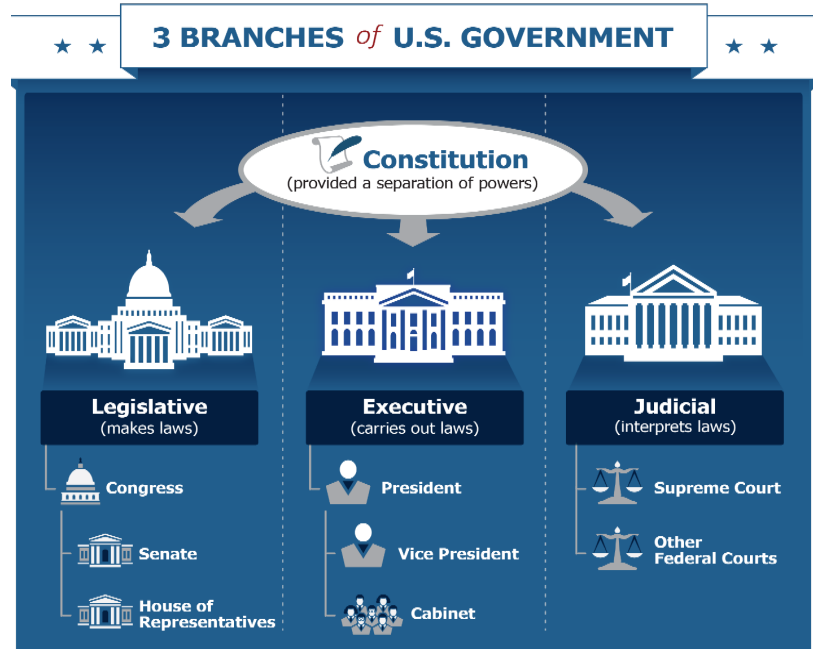


# How The Federal Government Works



## Three Branches of Government

There are three branches of the U.S. government. Each branch is equal in power and each has separate authorities granted to them by the Constitution. Because the function of the branches of government overlap in some areas, each branch has the ability to limit or “check” the power of the other branches.

### THE LEGISLATIVE BRANCH

The legislature, also known as Congress, is an organization of elected officials who have the power to create, alter, or repeal laws from the Constitution. Congress is made up of two houses, the upper house, known as the Senate, and the lower house, referred to as the House of Representatives. While the legislature’s primary job is to create and alter laws, the Senate is also tasked with confirming federal judges appointed by the President as well as the President’s cabinet members. This is an example of Congress’s check on the Executive’s power. The third role of the Congress is to ratify the federal budget, this is commonly referred to as the “power of the purse,” and is another example of Congress checking the power of the executive branch. Every two years, a new session of Congress begins, and any legislation that didn’t pass during that legislative session must start over in the new session.

#### Senate

- 100 members (2 per state, seats are elected in statewide elections).
- Senators sit on various committees and work together with other members to craft legislation that is mutually agreed upon by all committee members.
- Senators serve six-year terms (a third of the Senate is voted on every two years).
- In order for a bill to be passed into law, both the Senate and the House of Representatives must vote to pass the bill. If the Senate and House and pass different versions of the same bill, the bill goes to “conference” where members of both the Senate and the House work together to find a version that both chambers can agree upon. The revised bill is then sent back to both chambers for a final vote.

## House of Representatives

- 435 Members (proportionally represented).
- House Representatives serve two-year terms.
- Members are allowed to propose bills to the House floor. Once the bill is proposed, it is assigned to a committee, and committee members work through the language.
- Each member sits on committees and works with other committee members to craft legislation relating to their specific committee.

Note: The member who introduces the bill in a particular chamber is the bill's sponsor. Any other Senators or Representatives who support the bill thereafter are cosponsors.

## THE EXECUTIVE BRANCH

The executive branch, led by the President, is tasked with implementing and enforcing the laws of the Constitution. The President does so by appointing trusted members of his inner circle to lead various agencies such as the Department of Agriculture, Department of Commerce, Department of Defense, etc. By appointing members of his cabinet to specific departments, the President is able to direct how he would like the departments to be conducted and have his Secretaries delegate within the department on behalf of the President.

- The President's powers include:
  - Ability to veto or reject a proposal for a law
  - Appoint federal posts, such as members of government agencies
  - Negotiate foreign treaties with other countries
  - Appoint federal judges
  - Grant pardons or forgiveness for a crime

## THE JUDICIAL BRANCH

The primary role of the judicial branch is to interpret the meaning and language of laws, apply laws to individual cases, and decide if laws violate the Constitution. This role culminates in the power of judicial review, by which the U.S. Supreme Court is able to nullify a law by ruling that it is "unconstitutional." All federal courts fall under the jurisdiction of the judicial branch, with the highest court being the Supreme Court.

### Supreme Court

The Supreme Court is the highest court in the United States. The Justices of the Supreme Court are nominated by the President and must be approved by the Senate.

- Nine members make up the Supreme Court—a Chief Justice and eight Associate Justices. There must be a minimum (or quorum) of six Justices to decide a case.
- If there's an even number of Justices the case results in a tie, the lower court's decision stands.
- There is no fixed term for Justices. They serve until their death, retirement, or removal in exceptional circumstances.

### Federal Courts and Judicial Agencies

The Constitution gives Congress the authority to establish other federal courts to handle cases that involve federal laws including tax and bankruptcy, lawsuits involving the U.S. and state governments or the Constitution, and more. Other federal judicial agencies and programs support the courts and research judicial policy.