

## **Article 1: The Legislature**

Main Points and Important Ideas:

- Consists of Congress; H.O.Rs (House of Representatives) and the Senate
- Purpose is to create laws
- Separation of Powers between Government branches

Separation of Powers:

- Checks and Balances
  - ex. President can Veto Legislation
    - VETOES and Pocket Vetoes (when the President doesn't sign before congress session ends)
  - ex. Congress can impeach the President

(section 2)

HOR Members:

- Voted in every 2 years
- Must be 25 years old, citizenship for 7 years, live in the state they wish to represent
- Number of members determined by a state's population: **435** in Total

(section 3)

Senate Members:

- Voted in every 6 years
- Must be 30 yrs old, citizenship for 9 years, live in the state they wish to represent
- 2 senators from each state: **100** in total

## **Article 2: Executive Branch**

Main Points and Important Ideas:

- Consists of the President and Vice President
- Purpose is to enforce laws
- Enumerated Powers
  - also known as the expressed powers or delegated powers, these are the powers specifically described in the constitution

Who do the enumerated powers apply to?

- Commander in Chief, Cabinet
  - Appointments
  - Pardons
  - Treaties

Election:

- The President and Vice President must be running mates (12th amendment)
- President must be American born, lived 14 consecutive years in the U.S, be 35 years old

The Cabinet:

- A traditionally informal group of Presidential advisors
- 15 different department heads

### **Article 3: Judicial Branch**

Main Points and Important Ideas:

- Appointed by the President
- Term for life
- Judicial Review
  - *“A court’s authority to examine an executive or legislative act and to invalidate that act if it is contrary to constitutional principles.”*

### **Important Clauses**

- Commerce Clause: Article 1, Section 8, Clause 3
  - gives Congress the power “to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.”
- Necessary and Proper Clause: Article 1, Section 8
  - Gives congress power to make “all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or any Department or Officer thereof”.
- Full Faith and Credit Clause: Article 4, Section 1
  - states are to respect each other’s laws and jurisdictions
- Supremacy Clause: Article 6, Paragraph 2
  - Federal law trumps state law

### **Types of Government Agencies**

#### **1. The Cabinet Departments**

- a. 15 Departments each headed by a Secretary, except for the Department of Justice which is headed by the Attorney General. They all sit on the Presidents cabinet.
- b. Department heads are very loyal to their departments and are often torn between their responsibilities as presidential advisors and as department heads.
- c. Each department focuses on a certain area of policy, but is very broad within the area.
- d. Majority of departments are divided up into different sections.
  - i. ex: the FBI lies within the Department of Justice.
  - ii. ex: the Secret Service in the Treasury Department  
(Soon to be moved to the Dept. of Homeland Security)

## **2. Independent Agencies**

- a. Resemble Departments but are smaller, more specific, and less complicated.
- b. NOT free from Presidential control - Independent in the sense that they do not belong to a department
  - i. ex: NASA... Created as it was multipurposeful and couldn't fit under a Dept. like Defense because it's sole purpose was not defense.

## **3. Government Corporations**

- a. DO NOT belong to any department
- b. These are corporations that do "government" business but charge for their services as well.
  - i. ex: The Post Office is regulated by the Government but charges for it's services
- c. These are "businesses" created by congress and like any business, have competition from private companies such as Fedex.

## **4. Regulatory Agencies**

- a. These agencies regulate important parts of the economy by making rules and guidelines for large industries and businesses.
- b. Not directly controlled by the President
- c. INDEPENDENT type of agency