#### THE BIRTH OF THE CONSTITUTION

#### The Articles of Confederation

During the Revolutionary War, the United Colonies needed a document to govern the lands then struggling to be free from England's rule. The Articles of Confederation became the first national constitution of the United States in March of 1781.

The Articles of Confederation established a government organized around a Congress. Each of the thirteen states would only have one vote regardless of size or

population. For a law to pass, nine of the thirteen states had to agree.

The Congress had the power to declare war, make peace, and make treaties. It could also coin and borrow money, create post offices, admit new states, and create an army and navy.

On the other hand, the Congress could not tax, and it could not control or interfere with trade between the individual states.

There was no one person who was in charge of this new government. Because they feared the return of tyranny, the founding fathers were very cautious not to create a new "king"—that was exactly why they had separated from England. So, as a result, there was no executive to carry out the laws passed by Congress. Ultimately, this lack of a leader caused much confusion.

The Articles of Confederation created a loose friendship between the thirteen states. This loose friendship



**Revolutionary War Soldiers** 

was enough to win the War for Independence and keep the states together as one country. But without an executive, the power to tax, and the ability to regulate trade, the Congress could not function effectively. Many Americans felt the Articles of Confederation needed to be revised.

By 1786, more problems were beginning to surface. A convention of five of the thirteen states, called the Annapolis Convention, met at Annapolis, Maryland, in September, 1786. They met to study the trade problem. There was not enough representation to make any big decisions, so the delegates led by Alexander Hamilton (New York) and James Madison (Virginia) called for another convention to begin in May, 1787, in Philadelphia, Pennsylvania. In February of that year, Congress agreed with the delegates and stated the convention would have the "sole and express purpose of revising the Articles of Confederation."

Th	The Articles of Confederation
	≈ Challenges ≈
1.	Define:  Confederation:
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	Constitution:
10	Congress Each of the thirteen states would only have one vote regardless of size
	Commerce:
	decigre wat, meko seace, and meka
2.	What was the first form of our national government?
3.	When did our first form of government begin to govern the United States?
4.	For a law to pass, how many states had to agree?
	What were the powers of Congress under the Articles of Confederation?
6.	What could Congress NOT do under the Articles?
	by Congress Ultimately, this lack of a leader caused much confusion.
7.	Why was there no executive under the Articles?
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8.	What meeting occurred in September, 1786? What was its purpose?
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9.	What was scheduled to happen in May, 1787? Why?
erii lo	Perinsylvania, in February of that year. Congress arreed with the delegates and stated convention, would have the "sole and express purpose of revising the Artifles."

Date \_\_\_\_\_ Name\_

#### The Constitutional Convention

The Constitutional Convention opened in Philadelphia in May, 1787, and finished its work in September. The delegates to the convention were not elected by the people, but instead were selected by their state legislatures.

The delegates to the convention were men of great ability. Many had fought in the Revolutionary War, many were educated, and many were wealthy. They were men of great

power and influence in their own states. Eventually, two would become presidents of the United States, one a vice president, and 26 would serve in Congress. All in all, there were 65 official delegates, but only 55 made it to Philadelphia. The average attendance at each day's meeting was about 30.

George Washington, a delegate from Virginia, was chosen to be the president of the convention. At first, the purpose of the convention was to revise the Articles of Confederation, but very quickly the delegates decided to replace the Articles with a new plan for government.

Two important leaders were absent from the convention. John Adams and Thomas Jefferson, who were influential in the writing of the Declaration of Independence, were in Europe serving as ambassadors to other nations. Benjamin Franklin of Pennsylvania was the oldest delegate at 81 years old, and



George Washington was chosen as the president of the Constitutional Convention.

Jonathan Dayton of New Jersey was the youngest at 26. Other delegates present were Alexander Hamilton and James Madison. There was one state that refused to send delegates to the Constitutional Convention; Rhode Island did not send any representatives to Philadelphia.

During those five hot summer months in 1787, the 55 delegates struggled to create a more flexible form of government for the new United States. The most serious task that faced the delegates was how to achieve a balance between liberty and authority. There were many different viewpoints and opinions on how to go about that task. The concept of compromise unified the differences into a supreme document capable of representing the opinions of all Americans.

The Constitution that resulted from this historic convention is now over 200 years old. Few written constitutions have lasted as long as the Constitution of the United States.

T	HE BIRTH OF THE CONSTITUTION MORE TRANSPORTED TO A STATE OF THE STATE
	The Constitutional Convention
	≈ Challenges ≈
1.	Define:
	Convention:
	work in September. The delegates to the convention were not discred by the people, it between were unlauted by their state logislatures.
	Compromise:
	Delegate:
	Congress All in all their water 65 official
2.	Where did the Constitutional Convention meet in May, 1787?
3.	During what months of 1787 was our Constitution written?
-	the Articles of Confederation, but very price of Confederation, but very price of Confederation but very price of Confederatio
	Which state didn't send delegates to the Convention?
5.	Who served as president of the convention?
6.	What was the most serious task that the convention faced?
	of Independence, were in Europa serving
7.	Name two famous politicians who were present at the convention.
916	Jonathan Daylon of New Jersey was the your get at 25. Other delegates present we
8.	Name two famous politicians who were absent from the convention.
gje har	Suring thuse 8 to hot summer months in 1787, the 55 delegates struggled to create according to the summer to the s
9.	Who was the oldest delegate?
10	. Who was the youngest delegate?

Name\_\_\_\_\_

Date \_\_\_\_\_

### Compromise

Without compromise in 1787, our government would have collapsed in infancy. Compromise is a settlement in which both sides give up something in order to reach an agreement. There were many different compromises made during the Constitutional Convention. The most important compromises dealt with how our government would be set up.

A major concern of the delegates was how to set up the lawmaking body of our government, the legislative branch. How should states be represented in the legislative body? Who would have control—the small states or the large states? This issue threatened to destroy the convention. Eventually, the delegates came to an agreement known as the Great Compromise, which combined the best of the Virginia Plan and the New Jersey Plan.

The Virginia Plan was proposed by the states having the larger populations. First, they suggested that the lawmaking body be called Congress. This Congress was to be *bicameral* (having two houses). The first house would be elected by the people, and the second house would be elected by the



The Convention was held in the Philadelphia Statehouse, now known as Independence Hall.

first house. The number of Congressmen was to be determined by the population of the state. The larger states liked this plan because they had a larger population and as a result would be able to control the government. They favored a plan based on population.

An alternative was the New Jersey Plan supported by the smaller states. First, the small states proposed a Congress that was *unicameral* (having one house) with each state having the same number of representatives or votes. The smaller states would then be equal with the larger states. They favored a plan based on equality.

Eventually a compromise was reached. The compromise became known as the Great Compromise, because without this basic issue settled, the Convention would have failed.

The Great Compromise called for a bicameral Congress. The first house was to be called the House of Representatives, with representatives elected by the people for a two-year term. The number of representatives each state could elect would depend on the population of the state. This pleased the large states.

The second house was to be called the Senate, with senators elected by their state legislatures for a six-year term. Each state would have two senators. This pleased the small states. The Great Compromise had succeeded; both sides got what they wanted.

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Tŀ	HE BIRTH OF THE CONSTITUTION
	Compromise
	≈ Challenges ≈
1.	Define:
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2.	What question was resolved with the Great Compromise?
	A major ouncem of the detagates was how to set up the taying high body
3.	What plan was supported by the large states? Why?
•	legislative body? Who would have
4.	What plan was supported by the small states? Why?
	delegates came to an agreement lorown as the Great Compromise which the came of the came o
5.	Fill in the information:
	A. Virginia Plan: 1. How many houses?
	2. Number of congressmen determined by:
	B. New Jersey Plan:  1. How many houses?
	2. Number of congressmen determined by:
6.	What was the Great Compromise, and how did it establish the legislative body?
97 6V	equal with the larger states. They lavored a plan based on equality.  Eventually a compromise was read od. The confurbinise became known as I great Compromise, becaute without his batte issue settled, the Convention would be
7.	Circle the correct ending to each statement:  A. Representatives in the House of Representatives are chosen by:  POPULATION  EQUALITY
	B. Senators in the Senate are chosen by:

## Separation of Powers

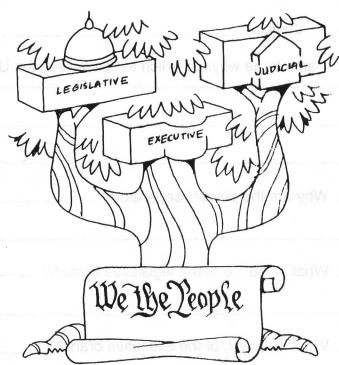
Another problem facing the Constitutional Convention was how to divide the powers of a government. Who will make the laws? Who will make sure the laws are obeyed? Who will make sure the laws are "good" laws? These questions were answered in the next set of compromises.

American government can be seen as a tree. The Constitution is the trunk, or base,

with three branches extending from that trunk. Those three branches are the legislative branch, the executive branch, and the judicial branch. Each branch has different responsibilities and looks out for and checks the other two branches. These concepts, respectively, are called *separation of powers* and *checks and balances*.

The *legislative* branch was defined during the Great Compromise. Together, the House of Representatives and the Senate make the laws to govern our country. The legislative branch also checks the executive and judicial branches.

The second branch is the executive branch. Eventually, the delegates decided to create a chief executive. Under the Articles of Confederation, there was no national leader. The founding fathers had feared creating another "king." There was much discussion, even talk of having two



The U.S. Constitution provides for the legislative, executive, and judicial branches of government.

equally powered leaders. The convention agreed to create one President, but only if the President would be checked or watched by the legislative and judicial branches. The job of the President and the executive branch is to carry out the laws passed by the legislative branch.

The third branch established the *judicial* system. The judicial branch was to be headed by the Supreme Court. It is the job of the Supreme Court to interpret or define the laws. The Supreme Court is chosen by the President and approved by the Senate. The judicial branch checks the executive and legislative branches.

Each branch has its own specific responsibilities. Each has a separate power. Part of the responsibility of a branch is to control or check the power of the other branches. That way, no one branch gets to be too powerful; each branch is balanced.

Date	Name
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#### THE BIRTH OF THE CONSTITUTION

## Separation of Powers

## ≈ Challenges ≈

1.	Define:  Separation of Powers:
	Checks and Balances:
	Legislative: al modulina and and and and an according to the second and a second an
	Executive:
	egistative branch, the executive branch,
2.	Name three ways in which the powers of the United States are divided.
	premones, these concepts, respectively, are called severallow of powers and
	The legislative branch was TAN W
3.	Why are the powers separated?
	our country. The legislative branch also
4.	What is the job of the legislative branch?
	The second branch is the executive branch. Eventually, the [W. Wellopfic P. ]
5.	What is the job of the executive branch?
	correct another the founding fathers had feared the u.g. constitution provides for the legislature of security; and judicial branches of government.
	What is the job of the judicial branch?
10 94	<ul> <li>esident would be checked or watched by the (egistative and justicial branches. The local checkent and the exceutive branch is to carry out the laws passed by the legislation.</li> </ul>
7. ()	What two branches are checked by the legislative branch?
	beaded by the Supreme Court, It is the job of the Supreme Court to interpret or define to laws, 11th Supreme Court is chosen by the President and approved by the Senate. The Supreme Court is chosen by the President and approved by the Senate. The Supreme Court is chosen by the President and Applicate and Senate Court to the President Court is chosen and the President Court in the President Court is chosen and the President Court in the President Court is chosen as a senate Court in the President Court is considered to the President Court in the President Court is chosen as a senate Court in the President Court in
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## Organization of the Constitution

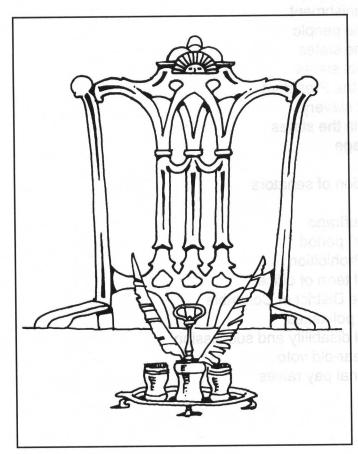
On September 17, 1787, the Constitutional Convention approved the Constitution of the United States. The document was then sent out to the states to be *ratified*, or approved, through a specific procedure set up in the Constitution. On June 21, 1788, New Hampshire became the ninth state to ratify the Constitution, and the necessary three-fourths majority was achieved. The United States began to function under a new form of government.

The Constitution is divided into several parts. It starts with the *Preamble*, or introduction. The main body of the document consists of seven *Articles*. The final section of the Constitution contains the *Amendments*, or changes to the Constitution. There are presently 27 Amendments.

The first three Articles deal with the three separate branches of government. The last four Articles discuss the powers of the states and the procedures for ratifying and amending the Constitution. Each Article is further subdivided into Sections and then into Clauses.

On your copy of the Constitution you will notice that some phrases or sections are printed in *italics*. This indicates that these parts are no longer in effect due to the passage of time or changes made by the Amendments.

On the next page is a chart of the organization of the Constitution.



Throughout the convention Ben Franklin had noticed the back of George Washington's chair. There was a sun carved into it. "I have often and often in the course of this session looked at that behind the President without being able to tell whether it was rising or setting; but now at length I have the happiness to know that it is a rising and not a setting sun," Franklin observed.

## Organization of the Constitution

ARTICLE I	Legislative Branch
ARTICLE II	Executive Branch
ARTICLE III	
ARTICLE IV	Relationships Among States
ARTICLE V	Amending the Constitution
ARTICLE VI	Supreme Law of the Land
ARTICLE VII	Ratifying the Constitution

Introduction

#### AMENDMENTS:

**PREAMBLE** 

olde ett	Freedom of roligion proces and the complete matition
t <b>q</b> ehe s	Freedom of religion, press, speech, assembly, petition Right to bear arms
III	Quartering of soldiers
IV	Searches and seizures
V	Life, liberty, and property
VI	Rights of the accused
VII	Right to trial by jury
VIII	Bail and punishment
IX	Rights of the people
X	Rights of the states
XI	Suits against states
XII	Election of the President
XIII	Abolition of slavery
XIV	Civil rights in the states
XV	Black suffrage
XVI	Income tax
XVII	Direct election of senators
XVIII	Prohibition
XIX	Women's suffrage
XX	"Lame duck" period
XXI	Repeal of Prohibition
XXII	Presidential term of office
XXIII	Voting in the District of Columbia
XXIV	Abolition of poll taxes
XXV	Presidential disability and succession
XXVI	Eighteen-year-old vote
XXVII	Congressional pay raises

Date	Name
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#### THE BIRTH OF THE CONSTITUTION

## Organization of the Constitution ≈ Challenges ≈

	Define: (eldmrai9 edi es8) Ratify:	_
	The Preamble lists the major goals to be accomplished by the United Stutioners under the Constitution. The importance of the Preamble and BibonamA titud	
	re expressed in the first three words. "We the people" The Constitution was created the people," The Constitution was created the people, the fix some kind dictator, or absolute ruler.	
2.	When was the Constitution approved by the Convention?	_
3.	What date was the Constitution approved by the states?	_
	What do you think the sun represents in Franklin's quotation?	
5.	What is the purpose of the Preamble?	_
	How many Articles are in the Constitution?  What is Article I about?	
da.	PREAMBLE TO THE UNITED STATES CONSTITUTION:  No the people of the United States, in order to form a most people of United States, in order to form a most people of United States, in order to form a most people of United States, in order to form a most people of United States, in order to form a most people of United States.	
	ulstice, insure do nestic Tranquility, provide for the common Defense, promote the gener Vellare, and secure the plessage of Liberty to ourselves and our Posterity, do ordain ar	
	. Article III?	
8.	How many Amendments have been added to the Constitution?	
9.	. Why have certain phrases or sections been italicized?	
_		

#### The Preamble

(See the Preamble)

The Preamble lists the major goals to be accomplished by the United States government under the Constitution. The importance of the Preamble and the Constitution are expressed in the first three words, "We the people . . . ." The Constitution was created by the people, not by some king, dictator, or absolute ruler.

The founding fathers had six goals in mind when they set out to create the Constitution. They are:

- (1) to form a more perfect union (set up a stronger government than they had under the Articles of Confederation)
- (2) establish justice
  - (improve the court system)
- (3) insure domestic tranquility (have peace in all states)
- (4) provide for the common defense (protect the country from enemies)
- (5) promote the general welfare (have good living conditions)
- (6) secure the blessings of liberty to ourselves and our posterity.

  (have freedom for themselves and future Americans)

The Preamble expresses the hopes of the people for a good and honest government for themselves and their children.

#### PREAMBLE TO THE UNITED STATES CONSTITUTION:

We the people of the United States, in order to form a more perfect Union, Establish Justice, insure domestic Tranquility, provide for the common Defense, promote the general Welfare, and secure the blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.



Date	Name
THE BIRTH OF THE CONSTIT	THE LEGISLATIVE BRANCH NOITU
	The Preamble
	≈ Challenges ≈
	~ Onancinges ~
<ol> <li>By whose power was the Co</li> </ol>	nstitution written?
GOALS OF THE CONSTITUTION	stitution) (Your own words)
L	during the next algotics.
	Laws are parsed by a majority vote, Majority mea
C. rang regast affi wet a sasa at r	among 10 people, six or more of them, coust agree in order of politicians is known as the majority, and the smaller group.
	or possible at the person at the majority, and the impairs of the
<u>s zallad Congress. Congress</u> . <b>9</b>	The legislative branch of our Federal government to
<ul> <li>Congress begins its meeting:</li> </ul>	
3. Rewrite the Preamble in you	ur own words. See a commence of the see and the see an
its own rures governing its	
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the members, not just a	
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ent ni bedaildug at f	The state of the s
— Congressional Fincerd—	The House of Representatives and the Senate

#### **PROJECTS:**

- 1. The Preamble is short, only 52 words. Memorize and recite it to the class. (Extra: do it in only one breath!)
- 2. Bring a copy of a student organization constitution to class. How is it similar to or different from the U. S. Constitution?

### THE LEGISLATIVE BRANCH

#### Introduction

(See Article I, Section 1)

The legislative branch of the United States government is described in Article I of the Constitution. Its major job is to make our country's laws. The American system of government is based on a representative form of government. Not all Americans can meet in the same place at the same time to make laws, so Americans choose representatives to make the laws for them. Representatives carry out the will of the people, or they are replaced during the next election.

Laws are passed by a majority vote. Majority means one over half. For example, among 10 people, six or more of them must agree in order to pass a law. The larger group of politicians is known as the majority, and the smaller group is known as the minority. If you are in the minority, you try to encourage members of the majority to change sides.

The legislative branch of our Federal government is called Congress. Congress is made up of the House of Representatives and the Senate. Congress begins its meetings on the third day of January every odd-numbered year. The meetings are called terms and they last two years with a recess, or break, during the summer. The first term of Congress met from 1789-91. The House of Representatives and the Senate meet in different

> chambers on opposite sides of the Capitol Building in Washington, D.C.

The Congress makes Congressional Record.

gress also have certain

its own rules governing its meetings. It can expel, or remove, a member by a two-thirds vote. That means that two thirds of the members, not just a majority, have to agree to an action. A record is kept of all the meetings and published in the

Members of Con-

The House of Representatives and the Senate meet in the U.S. Capitol Building.

privileges. They cannot be arrested when going to or coming from Congress, or while attending a session of Congress. A member cannot be sued or punished for anything he or she might say in Congress.

The Constitution goes on to define the individual responsibilities and requirements of the two houses of Congress: the House of Representatives and the Senate, our lawmaking bodies.

Date	Name Name	

#### THE LEGISLATIVE BRANCH

## Introduction ≈ Challenges ≈

1.	Majority:	(See Article I, Section 2)	
		Congress is the House of Ru The number of representates	
	Privilege:	on in the state. There is one re- wal misson perate linar state	number of people, or population on a series of the contract of the series of the contract of t
2.	What is the major duty of th	vy	be must be restorted ever wo verte.
			To find out how man
3.	What is the legislative body		jovernani napoude è censi ar caunt d'inte pacole, event
			years. The first cansus w canducted in 1790 When v
4.	Where does it meet?		he next census occur? In order to be
			eprosentative, there are certo equirements to be met.
5.	What two houses make up	the Congress?	eoresantaliva que la bella les 26 ye <mark>urs de limentida a citiz</mark>
	s pertium in the	Di D	of the <b>Uni</b> ties filteres for at l <b>es</b> seven <mark>veers, an</mark> d must live
6.	When do its meetings begin	1?	the state from which he of she elected
			Within his House, the presiding of her The Speak
7.	What is the name of the rec	cord of the meetings of Congre	
8.	List two privileges of members	ers of the United States Cong	
		·	

### The House of Representatives

(See Article I, Section 2)

The largest house of Congress is the House of Representatives. There are 435 representatives in the House. The number of representatives a state has is based on the number of people, or population, in the state. There is one representative for every 500,000 people. So if a state has two million people, that state would be able to send four representatives to Washington, D.C.

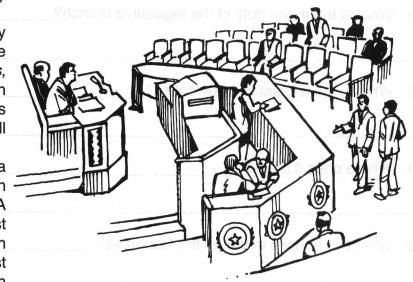
The term of office for a representative is two years. In order to stay in office, he or she must be reelected every

To find out how many people are in a state, the government conducts a census, or count of the people, every ten years. The first census was

conducted in 1790. When will the next census occur?

two years.

In order to be a representative, there are certain requirements to be met. A representative must be at least 25 years old, must be a citizen of the United States for at least seven years, and must live in the state from which he or she is elected.



The speaker's podium in the House of Representatives' chamber.

Within the House, there are several leaders. The Speaker of the House is the presiding officer. The Speaker is selected by the members of the House and is usually a member of the majority party. The Speaker of the House is second in line to take over the presidency, after the Vice President, in the event of an emergency.

The House of Representatives has the sole power to begin impeachment proceedings against a government official. To impeach is to accuse an official of some wrongdoing or misuse of power. The House begins the process by accusing the official, but the trial is carried out by the Senate. More about impeachment will be discussed in later chapters.

Date	Name
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#### THE LEGISLATIVE BRANCH

## The House of Representatives $\approx$ Challenges $\approx$

1. Define:		
	ouse frat makes up the Congress is the Senate. Vith only 100 members. These people are know	
	nar carry not manuers, angse people are know pig or small, has two senators. Currently there ashington, D.C.	
	or is <b>elec</b> ted for a six year term, but every tw lection Forexemple,	enale is up for resi
2. How many representa	tives are there in the House of Representative	es? <u>amataay</u> xii
3. How many representa	tives does your state send to Washington, D.	C.? energy, there ??
4. When was the last cer	nsus taken in the United States?	ome experienced
When will the next ce	nsus be taken?	
5. What was the populati	ion of the United States at the last census?	sipul elsis fiell vo
6. What are the three qua	alifications to be a representative?	
a)		
b)	Its that must be met.	
c)	ed States for at least in the state he or sne	
7. What is the title of the	presiding officer of the House?	
the U.S. Senate chamber.	resident of the United Senators at their deeks in	
8. The House begins the	impeachment process by doing what?	enae ont Inseda s
stane2 ent noccei fesi si	went of an emergency site the impeachment process mentioned in th	

#### The Senate

(See Article I, Section 3)

The other house that makes up the Congress is the Senate. The Senate is the smaller of the two groups, with only 100 members. These people are known as senators. Each state, regardless of how big or small, has two senators. Currently there are 50 states, so we have 100 senators in Washington, D.C.

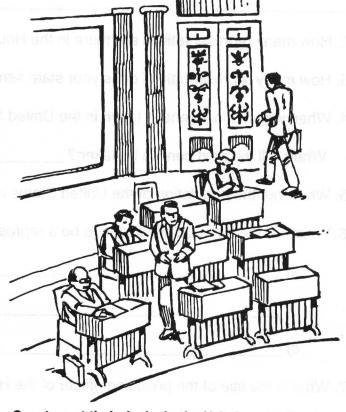
Each senator is elected for a six-year term, but every two years, one third of the

senate is up for reelection. For example, in 1992, 33 senators were elected for six-year terms. In 1994, 33 others will be elected, and in 1996, 34 will be elected. This way, there is never an entirely new group of senators; there will always be some experienced senators to guide the newcomers.

According to the original Constitution, the senators were chosen by their state legislatures, but in 1913, the Seventeenth Amendment changed this and allowed the people to elect their senators directly.

In order to be a senator there are certain requirements that must be met. A senator must be at least 30 years old, a citizen of the United States for at least nine years, and live in the state he or she represents.

The Senate also has certain leaders. The Vice President of the United States is in charge of all meetings of the



Senators at their desks in the U.S. Senate chamber.

Senate. He can only vote in the event of a tie between the senators. If the Vice President is absent, the senators choose an alternate presiding officer known as the president pro tempore (temporary president). The president pro tempore is third in line to take over the presidency in the event of an emergency.

With regards to the impeachment process mentioned in the last lesson, the Senate acts as the jury and tries any impeachment cases. When the House of Representatives accuses an official of a crime, the Senate decides whether or not the official is guilty. The Chief Justice of the Supreme Court acts as the judge. Two thirds of the senators present must find the official guilty in order to remove him or her from office.

Date Name	
THE LEGISLATIVE BRANCH	
The Sena	ite
≈ Challeng	jes ≈ 25M/8
1. What are the names of the two houses of Con	gress?
2. How many senators does each state send to V	Vashington?
3. What is the total number of senators today? _	In crider for a meeting to be held,
	example for the Senate to have a
	creent (one over hait 51/100). The
5. What is the term of office of a representative?	Representatives. The House and Sengra may
	e post or remove a member for preaking
6. What are the three requirements to be a senat	
a)	The House and Senara political
b)	meetings in what is implying as the
c)	Both houses of Congress must
7. What are the titles of the two presiding officers	
	the constant of the other house.
8. What does the Senate do during the impeaching	ment process?
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## Rules, Rights, and Privileges of Congress

(See Article I, Sections 5, 6)

Each house of Congress develops a set of rules for its members, but the Constitution also sets forth specific rules and rights.

In order for a meeting to be held, there must be a quorum. A quorum is one person

over half of the number of members. For example, for the Senate to have a quorum, there must be 51 senators present (one over half: 51/100). The same is true of the House of Representatives.

The House and Senate may expel, or remove, a member for breaking its rules. To expel a member, two thirds of the House or Senate must agree to the removal.

The House and Senate publish the notes, minutes, and records of their meetings in what is known as the *Congressional Record*.

Both houses of Congress must meet in the same city and must meet during the same time. Neither house can *adjourn*, or stop meeting, without the consent of the other house.

Representatives and senators are paid by the United States government, and their salary is set by law. Members of Congress cannot be



Representatives and senators have many duties including meeting with voters, preparing bills and speeches, and attending committee meetings.

arrested during meetings or while going to or from meetings. They also cannot be punished for anything said during one of their meetings.

One right reserved to the House of Representatives is the handling of money matters. Only the House may introduce bills to raise money.

	Rules, Rights, and Privileges of Congress	
	≈ Challenges ≈	
<ol> <li>Define: Quorum:</li> </ol>	(See Article I, Section 7)	
quetry functioning	or rules, our country bas were passed to keep our c op by stop process in the making of laws.	Thoras I seem
	w is a law, + is known as a bill. A bill is an idea that n <del>is would like to see become a law. A bill mey stan in</del>	
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	as Watronal Caronal Caronal	precialm June 21
2. How many repre in order for there to	Se a se	veril lid adt ritiw
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	the Senate must agree to expel a member?	
What number is	s that?	rasvisansengan <del>I thay disagrac i</del>
4. Where can you	find the notes of the meetings of Congress?	
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	alaries of representatives and senators?	approvat. H <del>the Proc</del> i
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6. What house is t	he only house to introduce bills to raise money?	it the Presidence of
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	t started, in our case, the Senate. I started, in our case, the Senate. I of the Geneta agree with the bill, that is called <i>overna</i>	

Date \_\_\_\_\_ Name \_\_\_\_

THE LEGISLATIVE BRANCH

### How Bills Become Laws

(See Article I, Section 7)

The laws, or rules, our country has were passed to keep our country functioning. There is a long step-by-step process in the making of laws.

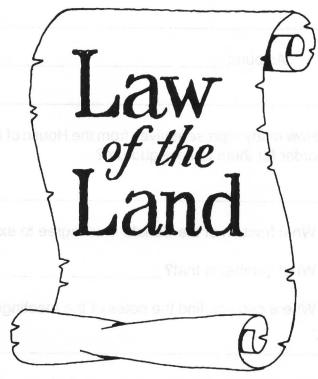
Before a law is a law, it is known as a bill. A bill is an idea that a representative or a senator has that he would like to see become a law. A bill may start in either the House of

Representatives or the Senate, except for money bills, which must start in the House.

Let's say Senator X has a bill to proclaim June 21 as National Cardinal Day. He takes his bill in written form to his fellow senators, and it is given a code number. If the other senators disagree with the bill, they vote it down, and the bill is dead. If they agree, the bill is passed over to the House of Representatives.

The bill is given to the House of Representatives to discuss and vote on. If they disagree, they vote it down and send it back to the Senate for changes. If the Senate refuses to make changes, the bill dies. If the House approves the bill, it is given to the President for his approval.

If the President agrees with the bill, he signs it and it becomes a law. The



Bills must go through a long, difficult process before they finally become the law of the land.

bill can also become law if the President does not respond to it within ten working days.

If the President does not agree with the bill, he *vetoes* it. With a veto, the President is rejecting the bill. If the President does not sign the bill within ten days after Congress adjourns, the bill dies. This is known as a pocket veto.

If the bill has been vetoed and Congress is still in session, the bill then goes back to the house where it started, in our case, the Senate.

If two thirds of the Senate agree with the bill, that is called *overriding* the President's veto. If the Senate votes to override the veto, then the House of Representatives must override it also. If both houses vote to override the veto, then the bill becomes a law without the President's approval.

Date	Name	Date
THE LEGISLATIVE	BRANCH HOMARA	THE LEGISLATIVE
	How Bills Become Laws	
	≈ Challenges ≈	
1. Define: Veto:	(See Alide I, Section 6)	
	non gives the congress (the house sind on the congress to lax, but	powers, Amang Inc
Override:	and remainment of the process by whom one of included are the powers to coin maney, establish establish troot office, declare war, and provide	Sintes attache Also
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2. Where can a bill b	pe introduced?	practise or or osumny 188 - Esbith A 1 - ot on on one or one or or
3. Money bills must	be introduced in which house?	terown as the "electic
4. If a bill is approve	ed by the House of Representatives, where must	it go next?
5. When both house	es approve a bill, then where does it go?	newod mare unite wop uswoul eq ueo
6. If the President ve	etoes a bill, what process must happen for the bi	Il to become a law?
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President's veto?		rder to override the
	overridden, what happens to the bill?	To reliableh post of than just loads; that loads; the Case has that the Case has the constitution of the Case has the constitution of the constitu
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become a law.	wn and explain the process, from beginning to en	a, or now that bill will

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#### Name

#### THE LEGISLATIVE BRANCH

## **Powers of Congress**

(See Article I, Section 8)

The Constitution gives the Congress (the House and the Senate) certain specific powers. Among those listed in Section 8 are the powers to tax, borrow money, regulate commerce (trade), and naturalization (the process by which one can become a United States citizen). Also included are the powers to coin money, establish a system of weights and measurements, establish a post office, declare war, and provide a military. These are

many of the important powers specifically granted to the Congress.

Article 1, Section 8, Clause 18 is very important to the Congress. It is known as the "elastic clause." The elastic clause gives Congress the power "to make all laws which shall be necessary and proper" to carry out it's responsibilities.

The powers given to Congress can be broken down into three areas: *enumerated* powers, *implied* powers, and *inherent* powers.

Enumerated powers are powers specifically given to the Congress by the Constitution. They are written. An example would be the power to declare war.

Implied powers are powers given to the Congress that are general. They are stated, but not enough information is given in the Constitution about details. An example would be: the Constitution in Article 1, Section 8, Clause 7 states,



Congress is responsible for maintaining the military forces in the United States.

"To establish post offices and post roads." Obviously, more is needed to run the post office than just roads; there are the mail carriers, security, and buildings. The Constitution assumes that the Congress will take care of these matters, too.

Inherent powers are unlisted powers that a government must have simply because it exists as a government and needs to run its affairs smoothly. The best example of this is the need to conduct foreign affairs. The Constitution does not discuss foreign affairs, but because the United States is a country, we must deal with foreign countries diplomatically.

Date	Name_	
THE LEGISLATIVE BF	RANCH	
	Powers of Co	ongress
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b)	ots into the Civil War in 18	states. As you will study, this rivalry eng
		the legal term known as halfeas corpus.
c)		have the body." This right of habeas
16077124		corpus allows a person to be seen and heard in a countroom by a judge if you
d)		are to be found guilty or not gottly, year that the right to depear in count. This
		government can not take inathight away except in cases of rebellion or invasion.
2. What is the "elastic o	clause"?	of effainder. A bilt or attainder is a law
		passed by the government that convicts a person of a crime and punishes them
3. Define enumerated	powers and give an exam	pass expost facto laws. An expest to applications are below to the control of the
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		torbidding smoking in the United States, for smoking on Monday, When Mr. Z smoking
	neo on wormary, he readed	
4. Define implied powe	rs and give an example.	Other limits on Congress are that
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inst, they cannot make virtinoney. Finally, they	All and the second seco	The Constitution also puts cenar
		cannot do the items mentioned in the ab
Concurrent powers are		government in Washington, D.C., such as

## Limits on Congress and the States

(See Article I, Sections 9, 10)

We saw in the last lesson what powers the Constitution gave the Congress. Now we are going to look at what the Constitution told the Congress it could *not* do.

First, the Constitution told the Congress it could not make any laws outlawing the slave trade until 1808. This clause deals with the rivalry between the northern and southern states. As you will study, this rivalry erupts into the Civil War in 1861.

The second limitation deals with the legal term known as habeas corpus. Habeas corpus literally means "you shall have the body." This right of habeas corpus allows a person to be seen and heard in a courtroom by a judge. If you are to be found guilty or not guilty, you have the right to appear in court. The government can not take that right away except in cases of rebellion or invasion.

The Constitution outlawed *bills* of attainder. A bill of attainder is a law passed by the government that convicts a person of a crime and punishes them without a trial.

Another limitation set by the Constitution is that Congress cannot pass expost facto laws. An expost facto



Prior to the Constitution, people were often arrested and jailed without being charged or having a trial.

law punishes people for a crime that was not a crime when they did it. For example, Mr. Z was smoking a cigarette on his lawn on Monday. On Tuesday, Congress passed a law forbidding smoking in the United States. Wednesday, the police came and arrested Mr. Z for smoking on Monday. When Mr. Z smoked on Monday, it was not a crime. Under the ex post facto clause of the Constitution, punishment of Mr. Z is forbidden.

Other limits on Congress are that it cannot tax products from a state, it cannot give preference to any state's seaport, government money can only be spent by passing a law, and finally, Congress cannot issue titles of nobility. That means the Senate or House cannot make people knights, lords, or duchesses.

The Constitution also puts certain limits on the states. First, they cannot make treaties with other countries. Secondly, they cannot coin their own money. Finally, they cannot do the items mentioned in the above three paragraphs.

The powers of government can be put into three categories: *delegated, concurrent,* and *reserved* powers. Delegated powers are powers that are given to the national government in Washington, D.C., such as the power to declare war. Concurrent powers are powers that are shared between the national and state governments, such as the power to tax. Finally, reserved powers are powers that only the states have, such as the power to create a school system. It is important to keep these different powers in mind as we discuss the remainder of the Constitution.

Date	Name
THE LEGISLATIVE	E BRANCH
	Limits on Congress and the States
	≈ Challenges ≈
	eas corpus" mean, literally?
	As you have seen, the job of the legislative branch is to make the of the executive branch to carry cut. It execute, whose lews. They end
	Constitution prevent Congress from taking away our right of habeas
ent for lum. The	State executive branch of the Local State is very large toda executive branch is the Fresident, but many theyesends of page executive branch tension much of the describe work work or the country.
3. What is a bill of a	attainder?
4. What is an ex po	ost facto law? Give an example.
5. What is one other	er limit placed on the Congress?
6. What are two ad	Iditional limitations placed on the states by the Constitution?
a)	
b)	
7. Explain these th	ree powers:
Delegated: _	
Concurrent:	

Reserved: \_

#### THE EXECUTIVE BRANCH

#### Introduction

(See Article II, Section 1)

As you have seen, the job of the legislative branch is to make the laws. It is the job of the executive branch to carry out, or execute, those laws. They enforce, or make sure people are obeying, the laws made by the legislative branch.

If the Congress makes it a law that the speed limit should be 70 MPH, then it is the job of the executive branch and its offices to make sure that the citizens of the United States are obeying the speed limit.

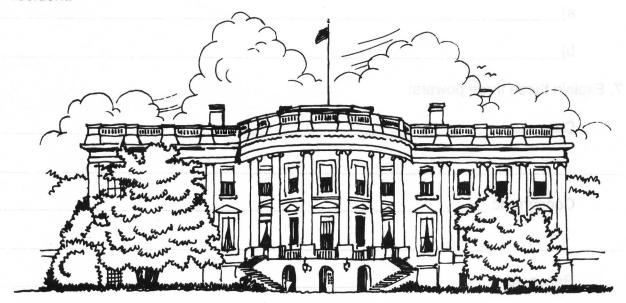
The executive branch of the United States is very large today. The head of the executive branch is the President, but many thousands of people work for him. The executive branch handles much of the day-to-day work of the country.

The President is the chief executive, and he is elected for a four-year term. His second-in-command is called the Vice President. They are both elected at the same time.

The President and Vice President are chosen by the electoral college. The electoral college is made up of men and women from the different states. Each state gets a certain number of people, or electors. That number is determined by the total number of representatives and senators a state has. For example, if Illinois has 22 representatives and 2 senators, then Illinois would get 24 electors, or people, to vote for the President.

When we go to the polls in a presidential election, our votes are counted and the electors take those totals and elect the President based on who the people have selected. Since the common people were poorly educated and informed in the early years of our nation, the electoral college was originally established to keep the common people from making a mistake and electing a disastrous leader.

If there is a tie in a presidential election, or no one candidate receives a clear majority, then the House of Representatives, with each state having only one vote, elects the President.



The President of the United States lives in the White House.

THE EXECUTIVE BRANCH	
Introduction	
≈ Challenges ≈	
1. Define:	
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requirements to be the President of the United States.	- Land
inabise, a read averture blo steay. Establis ad laum one to aid interpirem Executive:	States—not an I
ent that the President dies or is unfit to continue as President, there is a	ve sati al
2. If the legislative branch makes the laws, then the executive branch doe laws?	
3. What is the title of the chief executive, or head, of the executive branch States?	
What is the name of the person who is currently in that office?	
4. What is the title of the second-in-command?	
What is that person's name today?	
5. What is the job of the electoral college?	m
I tend the Constitution of the United	THE
6. How many electoral votes does your state have today?	
7. What was the original purpose of the electoral college?	
8. Who chooses the President in the event of a tie?	
- Provident Bill Clinton telling the oath of office.	

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Date \_\_\_\_\_ Name \_\_\_\_

### Qualifications for President

(See Article II, Section 1)

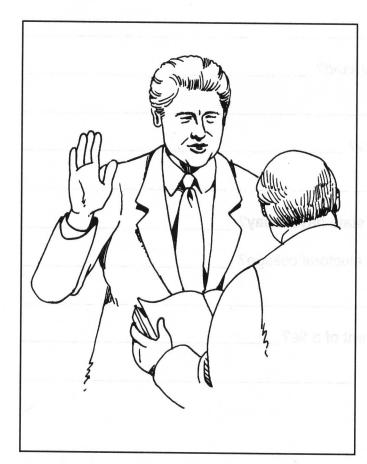
Just as there were requirements to be a representative or a senator, the Constitution set forth certain requirements to be the President of the United States.

In order to be President, a person must be a natural-born citizen of the United States—not an immigrant. He or she must be at least 35 years old and have been a resident of the United States for at least 14 years.

In the event that the President dies or is unfit to continue as President, there is a detailed line of succession. The Vice President assumes the power of the Presidency first; if he is unable, then the Speaker of the House of Representatives takes over. After him is the president pro tempore of the Senate, then the various Cabinet department heads in order of the establishment of the departments, beginning with the Secretary of State. The 25th Amendment outlines what is done when the President dies or is disabled.

The salary of the President is set by the Congress and does not change during the President's term of office. Currently the salary is \$200,000.

The President and Vice President are elected on the first Tuesday after the first Monday in November. They are sworn in on Inauguration Day, January 20. Usually, the Chief Justice of the Supreme Court is the person who administers the oath of office to the President at the ceremony. The oath of office is as follows:



"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will to the best of my ability, preserve, protect, and defend the Constitution of the United States." "So help me God" is added by the Presidents.

President Bill Clinton taking the oath of office.

Date	Name
Date	INAITIE

#### THE EXECUTIVE BRANCH

## *Qualifications for President*≈ Challenges ≈

1. What three requirements must be met in orde	
erresigera and the executive branch, and powers orius: Commanderin Charl Onet Execut <b>(s</b> r. Chol	responsibilities, powerr, and durce of the of the President can be put the five categor
. SONO DI CHARLES CONTICLE CONTICLE IN RECEI	interes such a present and any side H
c)	the United States, Aliceusion screening the Army News Air Force, and Airpanas
<ol><li>In the proper order of succession, who will take four people.</li></ol>	over in the event the President dies? List
a)	
b)	Chief Executive. To sugar a councilities
c)	exe of the United States, you need many people doing many things. It is the
	ob of the President as Chief Executive
d)	ram cassure all of his cabinet, staff, and a new compleyees are cloing than lobs
3. What is the salary of the President?	10.563.07
4. When is a President elected?	on the feathful beautiful control of the said of the s
When is a President inaugurated?	in charge of all foreign relations. The President represents the United States
The President Is the Communitor in Chief of the armed	when he crahe travels to other countines.
forces, and he periodically impossed the troops.	' artT archaet apiatot drive teem of
Why do you suppose there is a gap of time?_	to area di <b>criteries</b> when they east on Uni-
radity of approve, the treaty by a two-thirds vote, at of Chief Looislator. We saw in Article 1 how the	eth other cou <b>nties,</b> put the Separe must Apolled duly of the President sea
5. Who usually administers the oath of office to t	
rters in the House or the Senate	
Republy an or Democratic He makes decisions	vinsa teritica ani to basil erit semonen

## Powers and Duties of the President

(See Article II, Section 2.3)

The job of the President is not an easy one. The Constitution spells out many different responsibilities, powers, and duties of the President and the executive branch. The powers of the President can be put into five categories: Commander in Chief, Chief Executive, Chief of State, Chief Legislator, and Chief of Party.

First, the President is the Commander in Chief of the United States Armed Forces.

He is the number one military person in the United States. All decisions regarding the Army, Navy, Air Force, and Marines are the responsibility of the President. He can also call the National Guard (or state militias) from the individual states into the service of the United States.

Secondly, the President is the Chief Executive. To run a country the size of the United States, you need many people doing many things. It is the job of the President as Chief Executive to make sure all of his cabinet, staff, and other employees are doing their jobs correctly.

The President is also the Chief of State. This responsibility was given to the President by the Constitution so that the United States would have one person in charge of all foreign relations. The President represents the United States when he or she travels to other countries to meet with foreign leaders. The President also greets and hosts other



The President is the Commander in Chief of the armed forces, and he periodically inspects the troops.

foreign dignitaries when they visit the United States. The President may also make treaties with other countries, but the Senate must ratify, or approve, the treaty by a two-thirds vote.

Another duty of the President is that of Chief Legislator. We saw in Article 1 how the President had the power to veto laws. The Constitution gives the President the power to approve or disapprove of the laws that Congress is making. He can also suggest that certain laws be made by working with his supporters in the House or the Senate.

Finally, the President is also the Chief of Party. When he is elected President, he becomes the head of his political party, Republican or Democratic. He makes decisions regarding the make-up of his individual political party.

THE EXECUTIVE B	RANCH Powers and Duties of the President
	≈ Challenges ≈
1. What are the five	categories that the powers of the President can be put into?
a)	- mari atainitta ayarrar aryay adi sagiiah asta saliutitana 2 adi -
	failed at their job. This process is called impeachment  To be removed from office by impeachment, a person mus
	To be removed from office by impeachment, a person musicescon, bridgey, grother high crimes and misdemeanors. By high crime
	the founding fathers meant more serious crimes than a trainc ticket.
The second secon	process to begin, the House of antercommunication
e)	Representatives must believe that an
b) what can he do?	ent's responsibility to the United States Military? a) What is his title, and
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a)	at is his title, and b) what can he do? If he is greed trebleer? Off at it entres store to be a store of the
and b) what can he a	ent's responsibility to the aspect of foreign relations? a) What is his title,
	or the impediation process.  In 1887, President Andrew Johnson was charged with seven
is his title, and b) wh	lent's responsibility to approve, disapprove, or suggest laws? a) What at can he do?
	By the end of July, 1974, the House had prepared several charges againstead of letting the impeachment process go any further, Nixon resignations
	August 9, 1974, Nixon was the first President evento resign.
can he do?	ent's responsibility to his political party? a) What is his title, and b) what
b)	
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### **Impeachment**

(See Article I, Section 3 and Article II, Section 4)

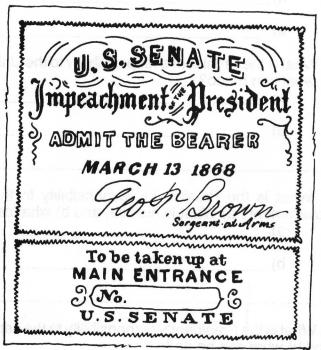
The Constitution also defines the way to remove officials from office when they have failed at their job. This process is called *impeachment*.

To be removed from office by impeachment, a person must be found guilty of *treason*, *bribery*, or other high crimes and *misdemeanors*. By high crimes and misdemeanors the founding fathers meant more serious crimes than a traffic ticket.

In order for the impeachment process to begin, the House of Representatives must believe that an official has committed one of the abovementioned offenses. The House will then come up with a list of charges against the official.

The next step of the process continues in the Senate. The senators act as the jury and hear both sides of the case against the accused official. When it is the President being tried, the Chief Justice of the Supreme Court acts as the judge. Two thirds of the Senate must agree in order for the official to be convicted of the charges and removed from office.

In all of United States history, no President has ever been removed from office by impeachment. Two Presidents, however, have gone through part or all of the impeachment process.



During the impeachment of President Andrew Johnson, tickets were issued to the public for admittance to the trial.

In 1867, President Andrew Johnson was charged with several offenses, and the House voted to impeach him. The Senate held the trial, and when the vote was taken, Johnson escaped being convicted by only one vote!

In 1974, the House of Representatives began to investigate President Richard Nixon and his involvement with the break-in of the Watergate Office Complex in Washington, D.C. By the end of July, 1974, the House had prepared several charges against President Nixon. Instead of letting the impeachment process go any further, Nixon resigned as President on August 9, 1974. Nixon was the first President ever to resign.

THE EXECUTIVE BRANCH		
	Impeachmen	t
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3. Which house of Congress ac		es the case?
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4. Who acts as the judge at the	impeachment trial of	f a President?
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		on of the Senate needs to agree?
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8. How many Presidents have impeachment process?	been removed from	office by being found guilty after the
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Date \_\_\_\_\_ Name \_\_\_\_

## Organization of the Executive Branch and the Cabinet

(See Article II, Section 2.3)

As we have seen, the executive branch of the United States government is quite large. Let's look now at what makes up the executive branch and the Cabinet.

There are four divisions of the executive branch: the Cabinet departments, independent

agencies, government corporations, and regulatory agencies.

While the Constitution did not specifically create the Cabinet, President Washington in 1789 felt he needed advisors. The Cabinet is a group of men and women who are the President's closest advisors. They are each in charge of one of the fourteen departments. A list of the Cabinet Departments may be found on page 66 of this workbook. The most important Cabinet departments are the Department of State, Department of Defense, and the Department of the Treasury. Each advisor is given the title of "Secretary." If you were head of the Department of State, for example, you would be known as the Secretary of State. Each department head, or secretary, has many people working under him or her to keep the government



The Cabinet meeting room.

running smoothly. Each Cabinet department deals with specific areas of national concern.

Another section of the executive branch overseen by the President is the independent agencies. These agencies are not as important as Cabinet departments, but are essential to the mission of the United States. One example of an independent agency is the National Aeronautics and Space Administration (NASA).

A third category is known as government corporations. These are businesses run by the United States government in order to provide specific services to the people. The United States Postal Service is a government corporation. Another example is the Federal Deposit Insurance Corporation (FDIC), which insures the money that is deposited in banks.

The final division of the executive branch is the regulatory commissions. These groups make sure that the rules set for certain large industries are being followed and that the safety of the public is not in jeopardy. Examples are the Federal Communications Commission (FCC), which licenses radio and television stations, and the Federal Aviation Administration (FAA), which makes sure airports, aircraft, and pilots are safe.

As you can see, the President has a great deal of responsibility and a large number of people to oversee to ensure that the government is functioning properly.

Date	Name	

#### THE EXECUTIVE BRANCH

# Organization of the Executive Branch and the Cabinet ≈ Challenges ≈

1. What are the four divisions of the executive branch?
(a) The initial branch of the United States government is the protein branch. We seemed
at the tenislative branch makes the laws and that the executive branch came (deut and
When Congress passes a law, and the Fresident enforced it, it is then the (c) of the aprendance of the spending when the law are major made. The Suprendance of the major
by of the judicial branch. The Supreme Court Building is recited in Washington. (b.C. The apremii Court is the dighest, and most important, court in the United States. The
2. How many cabinet departments are there?
3. What is the title of the head of the Department of Defense?
the Senate. Once approved, they value for life. They cannot be removed except by peachment, when federing a case, only live or trial must agree to reach a decision.
4. Referring to page 66, list three more cabinet departments.
There are -avaration for court systems under the Supreme Court. The lower are extend to the in the under the judicion system are the district courts. There are endors the pudicion system are the district courts.
States. After a case has been heard in the district count, it moves to the Unit of States non-of-count it is non-overess, it is non-overess, it is non-overess, and the can be appealed on near of the a second time, to
versa the original judgment. There are 12 appeals courts.
5. Which President created the Cabinet? When?
med States fax Court, and the United States Claims Court also feed cases to the
6. Give an example of an independent agency.
7. Give an example of a government corporation.
8. Give an example of a regulatory commission.

**DEBATE:** What are the pros and cons of having a national executive?