



Happy
Independence day

The GOVERNMENT



The Three Branches of Government

LEGISLATIVE



- ★ Makes laws
- ★ Approves presidential appointments
- ★ Two senators from each state
- ★ The number of congressmen is based on population

EXECUTIVE



- ★ Signs laws
- ★ Vetoes laws
- ★ Pardons people
- ★ Appoints federal judges
- ★ Elected every four years

JUDICIAL



- ★ Decides if laws are constitutional
- ★ Are appointed by the president
- ★ There are 9 justices
- ★ Can overturn rulings by other judges

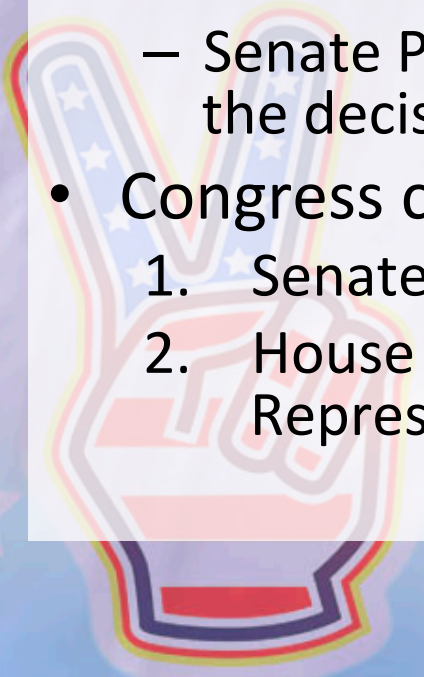
THREE BRANCHES OF GOVERNMENT

- Constitution created 3 branches to avoid the abuse of power
 - referred to as the separation of powers
 - Designed to balance each other out
 1. Legislative
 2. Executive
 3. Judicial



LEGISLATIVE BRANCH = CONGRESS

- Suggests bills and passes law
 - All laws must be agreed on before sending to the President to be signed.
 - Speaker of the House: Leader chosen from the House of Representatives—third in the line of succession to the Presidency
 - Senate President: Vice President of the U.S.A.—may cast the decisive vote in the event of a tie in the Senate
- Congress consists of 2 houses:
 1. Senate (Upper House): 2 members from each state
 2. House of Representatives (Lower House): Representation determined by population



HOW A BILL BECOMES A LAW...

CLICK HERE TO FIND OUT



How a Bill becomes a Law

ALL U.S. laws begin in Congress. For a bill to become a law can be a lengthy process, and many bills don't make it through. Of the approximately 1,000 bills that are introduced each year, only about 100 actually become laws.

- 1** A bill is introduced in Congress. A bill can be introduced by a member of Congress or by a Representative in the House of Representatives. The bill is assigned to a committee.
- 2** The bill is assigned to a committee. The committee holds hearings and makes recommendations. The bill may be amended.
- 3** The bill is reported to the floor. The bill is debated and voted on. The bill may be passed or rejected.
- 4** The bill is passed by both chambers. The bill is sent to the President.
- 5** The President signs the bill into law. The bill becomes a law.
- 6** The President vetoes the bill. The bill is sent back to Congress.
- 7** The President signs the bill into law. The bill becomes a law.

CHECKS AND BALANCES

If the President vetoes a bill, he can return it to Congress. If Congress passes the bill again, the President must sign it.

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LEGISLATIVE BRANCH = CONGRESS

Senate



- Smallest of the 2 Houses
- 2 Senators from each state
- Represent the whole state
- 30+ years old
- Citizen for 9+ years
- Current resident of the state you will represent
- No limit on terms
- 6 year term

Congress holds the power to declare war. The president can't declare war without their approval. However, many presidents have sent troops to battle without an official war declaration

House of Representatives



- Largest of the 2 Houses
- 435 Members- based on population
- Represents an area of the state (Congressional District)
- 25+ years old
- Citizen for 7+ years
- Resident of the state
- No limit on terms
- 2 year term

Nebraska Senators



Deb Fischer



Benjamin Sasse



Nebraska Representatives



Jeff Fortenberry
1st District



Brad Ashford
2nd District
*Douglas County



Adrian Smith
3rd District



EXECUTIVE BRANCH



President Qualifications

- 35+ yrs old
- Native Born
- U.S. Resident for 14+ yrs
- Elected every 4 years
- Limit of 2 terms = 8 years
- House can impeach/vote to bring charges against the President—
Senate tries the case
 - If found guilty, Congress can remove him/her from power

****Presidents Andrew Johnson and Bill Clinton were impeached, but acquitted. Richard Nixon resigned before he could be impeached.****

Responsibilities

- Holds the president: most powerful elected leader in the country—head of state and Commander-in-Chief of the armed forces
- Enforces laws passed by Congress
- Appoints the head of federal agencies
- Also includes the Vice President
- Advised by the cabinet (15 executive departments)— responsible for day to day enforcement and administering of law
 - Exs: Dept. of Defense, Department of Education, and Social Security Admin
- The Executive Branch employs more than 4 million Americans

The Cabinet is an important part of the presidential line of succession. This determines who may become or act as President of the United States because of mental/physical issues, death, resignation, or removal from office. Because of this, it is common not to have the entire Cabinet in one location, even for ceremonial occasions like the State of the Union Address. This person is the designated survivor, and they are held at a secure, undisclosed location, ready to take over if the President, Vice President, and the rest of the Cabinet are killed.

Line of Secession



Vice President
Speaker of the House of Representatives
President Pro Tempore of the Senate
Secretary of State
Secretary of the Treasury
Secretary of Defense
Attorney General
Secretary of the Interior
Secretary of Agriculture
Secretary of Commerce
Secretary of Labor
Secretary of Health and Human Services
Secretary of Housing and Urban Development
Secretary of Transportation
Secretary of Energy
Secretary of Education
Secretary of Veterans Affairs
Secretary of Homeland Security
Related Articles

Judicial Branch



Requirements

- System of Courts
 - Headed by the Supreme Court
- Can strike down federal and state laws if they are unconstitutional
- Interprets the law and apply it to individual cases
- President appoints judges—Senate confirms
- Term is for life
- # of justices is left to Congress—at times there have been as few as 6.
- Current #= 9 justices—chief justice leads the Supreme Court and then 8 associate justices
- No specific requirements to be a justice

Background Info

- Each state has at least one district court
 - 95 in the U.S.A.
- People convicted of a crime can appeal to the Supreme Court
- About 10,000 cases are appealed to the Supreme Court each year
 - Only review 100 cases

Meet the Justices...

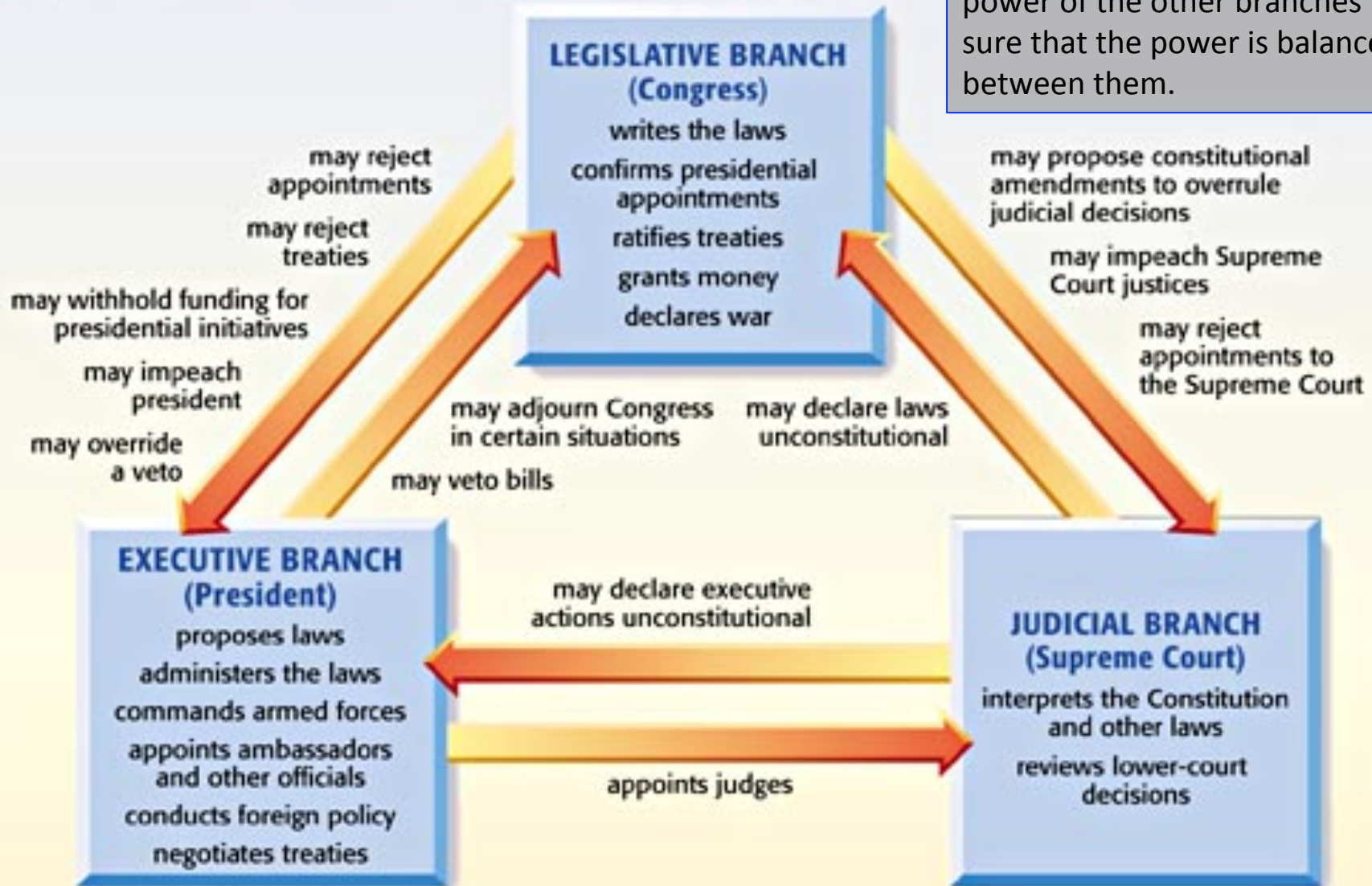
Click on the photo to
check them out.



Checks & Balances

With **checks and balances**, each of the three branches of government can limit the powers of the others. This way, no one branch becomes too powerful. Each branch “checks” the power of the other branches to make sure that the power is balanced between them.

Separation of Power and Checks and Balances



Federalism

Concurrent Powers



LANDMARK SUPREME COURT CASES



- Ernesto Miranda was arrested at his home and taken in custody to a police station.
 - He was then interrogated by 2 police officers for 2 hours, which resulted in a signed, written confession.
- At trial, the oral and written confessions were presented to the jury.
 - Miranda was found guilty of kidnapping and was sentenced to 20-30 years imprisonment on each count.
- (1966) Supreme Court held that Miranda's constitutional rights were violated.
 - *"The person in custody must, prior to interrogation, be clearly informed that he has the right to remain silent, and that anything he says will be used against him in court; he must be clearly informed that he has the right to consult with a lawyer and to have the lawyer with him during interrogation, and that, if he is indigent, a lawyer will be appointed to represent him."*

MIRANDA V. ARIZONA



- Topeka, Kansas in the 1950s, schools were segregated by race.
- Each day, Linda Brown and her sister had to walk through a dangerous railroad switchyard to get to the bus stop for the ride to their all-black elementary school.
 - There was a school closer to the Brown's house, but it was only for white students.
 - Linda Brown and her family believed that the segregated school system violated the Fourteenth Amendment and took their case to court. Federal district court decided that segregation in public education was harmful to black children, but because all-black schools and all-white schools had similar buildings, transportation, curricula, and teachers, the segregation was legal.
 - The Browns appealed their case to Supreme Court stating that even if the facilities were similar, segregated schools could never be equal to one another.
- The Court decided that state laws requiring separate but equal schools violated the Equal Protection Clause of the Fourteenth Amendment.

BROWN VS. BOARD OF Education



- Who: Norma McCorvey aka “Jane Roe”
- Why: She alleged that the abortion law in Texas violated her constitutional rights.
 - Against: The defendant was the district attorney of Dallas County, Henry B. Wade.
- This decision overturned a Texas interpretation of abortion law and made abortion legal in the United States.
 - held that a woman, with her doctor, could choose abortion in earlier months of pregnancy without legal restriction, and with restrictions in later months, based on the right to privacy.
- In Roe v. Wade the Court said that a fetus is not a person but "potential life," and thus does not have constitutional rights of its own.

roe vs. wade (1973)



- **Background:**

- public school in Des Moines, Iowa
- students organized a silent protest against the Vietnam War
- Students planned to wear black armbands to school to protest the fighting
- The principal found out and told the students they would be suspended if they wore the armbands.
- Students wore the armbands and were suspended.
- During their suspension the students' parents sued the school for violating their children's right to free speech.

- **Decision:** In 1969 the United States Supreme Court ruled in a 7-2 decision in favor of the students.

- The court agreed that students' free rights should be protected and said, "Students don't shed their constitutional rights at the school house gates."
- While schools certainly have the right to establish rules relating to "the length of skirts or the type of clothing, to hair style,...[or] aggressive, disruptive action or even group demonstrations," this case does not involve any of those issues.
- Student protest that will disrupt school activities or endanger the safety of others is not protected.

TINKER VS. DES MOINES

