

❖ Legislative Branch

➤ Its Powers

- Declare War
- Regulate interstate commerce
- Power of the Purse
 - Power to raise and spend money
- General Welfare Clause
 - Congress charged with providing for the general welfare of the people
- Necessary and Proper Clause
 - Allows Congress to do things (not mentioned in the Constitution) to carry the powers delegated to it in the Constitution

➤ 2 Chambers

- House
 - 435 members
 - More “structured” - more rules
 - Elected every 2 years
 - Has Speaker of the House
 - Chooses President when no one wins a majority of electoral votes
 - Impeachment Power
 - Discharge Petition
 - ◆ Majority may vote to release bill from committee
- Senate
 - 100 members (2 per state)
 - Less structured
 - Elected every 6 years
 - Vice President normally President of Senate
 - Power to delay legislation
 - ◆ Filibuster
 - ◆ Senatorial hold
 - Has treaty ratification
 - Confirmation
 - Bills come to the floor by unanimous consent

➤ Incumbent Advantages

- Greater access to money
- Name recognition
- Get “pork” for their districts
 - Port is money and jobs for their districts
- Casework
 - Settling constituent problems
- Greater media access

- Gerrymandering
 - States may have made districts “safe”
 - Franking privilege
 - Free mailing
 - Trustee v. Delegate
 - Trustee
 - Decisions made using their own personal views
 - Delegate
 - Decisions mirror constituents’ views
- ❖ Executive Branch
 - Its Powers
 - Formal
 - Shall “faithfully execute the Office of the President”
 - Veto power
 - Commander-in-chief
 - Appointment powers
 - Pardoning Power
 - Negotiate/ make treaties
 - Convene Congress into special sessions
 - State of the Union message
 - Receive ambassadors; recognize nations
 - Informal
 - Access to media
 - Executive orders
 - Executive agreements
 - Threat of veto
 - Bill “signing statements”
 - Legislative proposal
 - Budget proposals
 - Use of bureaucracy staff
 - Presidents since 1960
 - John F. Kennedy
 - Democratic
 - Lyndon B. Johnson
 - Democratic
 - Richard M. Nixon
 - Republican
 - Gerald R. Ford
 - Republican
 - James E. Carter
 - Democratic
 - Ronald W. Reagan
 - Republican

- George H. W. Bush
 - Republican
- William J. Clinton
 - Democratic
- George W. Bush
 - Republican
- Barack Obama
 - Democratic
- Donald Trump
 - Republican
- Divided Government
 - Definition
 - When a political party controls one form of government and another political party controls the other form
 - Its problems
 - Greater policy/ideology conflict likely
 - Narrow field or potential candidates
 - Offices go unfilled
 - Tougher committee scrutiny
 - Harder to get confirmation
 - More frequent character attacks on nominees
- Bureaucracy
 - Definition
 - Thousands of federal government agencies and institutions that implement and administer federal laws and programs
 - Why do they have discretion?
 - They have ability to make “independent” choices of how to implement or administer policy

❖ Judicial Branch

- Levels of federal courts
 - Constitutional courts
 - Legislative courts
- Civil law v. Criminal law
 - Civil
 - Cases in which two sides disagree over some issue
 - Criminal
 - Cases in which juries decide whether people have committed crimes
- How does a case get to the Supreme Court
 - Federal government is the party asking for review
 - Case presents a civil rights or civil liberties question
 - Case involves ideological or policy preferences of the justices
- Judicial restraint

- The view that judges should decide cases strictly on the basis of the language of the laws and the Constitution
- Judicial activism
 - The view that judges should discern the general principles underlying laws or the Constitution and apply them to modern circumstances

Executive Branch v. Others		Legislative Branch v. Others	
Executive CHECKS Legislative	<ul style="list-style-type: none"> ● Veto ● Call Special Session of Congress ● State of the Union Message ● Impound funds appropriated by Congress ● Bully Pulpit ● Commander in chief 	Legislative CHECKS Executive	<ul style="list-style-type: none"> ● War Power ● Power of the Purse ● Confirmation ● Impeachment; Removal from Office ● Override veto ● Ratify treaties ● Oversight
Executive CHECKS Judicial	<ul style="list-style-type: none"> ● Appointment power ● MAY drag feet on Court Decisions ● Pardoning Power 	Legislative CHECKS Judicial	<ul style="list-style-type: none"> ● Confirm appointments ● Establish and set jurisdiction of “lower courts” ● Impeach, Remove Judges ● May propose an amendment ● Senatorial Courtesy
Judicial Branch v. Others			
Judicial CHECKS Executive	<ul style="list-style-type: none"> ● Judicial Review <ul style="list-style-type: none"> ○ May declare presidential actions unconstitutional ● Decisions limit presidential discretion 		
Judicial CHECKS Legislative	<ul style="list-style-type: none"> ● Declare laws unconstitutional ● Decisions may limit Legislative actions/activities ● Decisions may affect campaign/election activities 		