**Federal Government of the United States**

**From The Black Vault Encyclopedia Project**

The [U.S. Constitution](http://www.theblackvault.com/wiki/index.php/U.S._Constitution), adopted in 1789 by a [constitutional convention](http://www.theblackvault.com/wiki/index.php?title=Philadelphia_convention&action=edit&redlink=1), sets down the basic framework of American government in its seven articles. The Constitution is currently on display at the [National Archives](http://www.theblackvault.com/wiki/index.php?title=National_Archives_and_Records_Administration&action=edit&redlink=1).

The **government of the United States**, established by the [U.S. Constitution](http://www.theblackvault.com/wiki/index.php?title=United_States_Constitution&action=edit&redlink=1), is a [federal republic](http://www.theblackvault.com/wiki/index.php?title=Federal_republic&action=edit&redlink=1) of [individual states](http://www.theblackvault.com/wiki/index.php?title=U.S._states&action=edit&redlink=1). The [laws of the United States](http://www.theblackvault.com/wiki/index.php?title=Law_of_the_United_States&action=edit&redlink=1) are contained in [Acts of Congress](http://www.theblackvault.com/wiki/index.php?title=Acts_of_Congress&action=edit&redlink=1); [administrative regulations](http://www.theblackvault.com/wiki/index.php?title=Regulations&action=edit&redlink=1), and judicial cases interpreting the statutes and regulations. The federal government has three branches: the [executive](http://www.theblackvault.com/wiki/index.php?title=Executive_branch&action=edit&redlink=1), [legislative](http://www.theblackvault.com/wiki/index.php?title=Legislative_branch&action=edit&redlink=1), and [judicial](http://www.theblackvault.com/wiki/index.php?title=Judicial_branch&action=edit&redlink=1). Through "checks and balances", each of these branches has some authority to act on its own, some authority to regulate the other two branches, and has some of its authority, in turn, regulated by one or two other branches.

**Legislative branch**

The [Constitution](http://www.theblackvault.com/wiki/index.php?title=United_States_Constitution&action=edit&redlink=1) grants all legislative powers of the federal government to the [Congress](http://www.theblackvault.com/wiki/index.php?title=United_States_Congress&action=edit&redlink=1), which is divided into two chambers, a [Senate](http://www.theblackvault.com/wiki/index.php?title=United_States_Senate&action=edit&redlink=1) and a [House of Representatives](http://www.theblackvault.com/wiki/index.php?title=United_States_House_of_Representatives&action=edit&redlink=1). The [Senate](http://www.theblackvault.com/wiki/index.php?title=Senate&action=edit&redlink=1) is composed of two members from each state as provided by the Constitution. Membership in the House is based on each state's population, and its size is therefore not specified in the Constitution. Members of the House and Senate are elected by [first-past-the-post](http://www.theblackvault.com/wiki/index.php?title=First-past-the-post&action=edit&redlink=1) voting in every state except [Louisiana](http://www.theblackvault.com/wiki/index.php?title=Louisiana&action=edit&redlink=1) and [Washington](http://www.theblackvault.com/wiki/index.php?title=Washington&action=edit&redlink=1), which have [runoffs](http://www.theblackvault.com/wiki/index.php?title=Runoff_voting&action=edit&redlink=1).

The Constitution does not specifically call for the establishment of [Congressional committees](http://www.theblackvault.com/wiki/index.php?title=U.S._Congressional_committee&action=edit&redlink=1). As the nation grew, however, so did the need for investigating pending legislation more thoroughly. The [108th Congress](http://www.theblackvault.com/wiki/index.php?title=108th_United_States_Congress&action=edit&redlink=1) (2003-2005) had 19 standing committees in the House and 17 in the Senate, plus four joint permanent committees with members from both houses overseeing the Library of Congress, printing, taxation, and the economy. In addition, each house can name special, or select, committees to study specific problems. Because of an increase in workload, the standing committees have also spawned some 150 subcommittees.

The Congress has the responsibility to monitor and influence aspects of the executive branch. Congressional oversight prevents waste and fraud, protects [civil liberties](http://www.theblackvault.com/wiki/index.php?title=Civil_liberties&action=edit&redlink=1) and individual rights, ensures executive compliance with the law, gathers information for making laws and educating the public, and evaluates executive performance. It applies to cabinet departments, executive agencies, regulatory commissions, and the presidency. Congress's oversight function takes many forms:

* Committee inquiries and hearings;
* Formal consultations with and reports from the President;
* Senate advice and consent for presidential nominations and for treaties;
* House impeachment proceedings and subsequent Senate trials;
* House and Senate proceedings under the [25th Amendment](http://www.theblackvault.com/wiki/index.php?title=25th_Amendment&action=edit&redlink=1) in the event that the President becomes disabled, or the office of the Vice President falls vacant;
* Informal meetings between legislators and executive officials;
* Congressional membership on governmental commissions;
* Studies by congressional committees and support agencies such as the [Congressional Budget Office](http://www.theblackvault.com/wiki/index.php?title=Congressional_Budget_Office&action=edit&redlink=1), and the [Government Accountability Office](http://www.theblackvault.com/wiki/index.php?title=Government_Accountability_Office&action=edit&redlink=1), both of which are arms of Congress.

**Responsibilities of a Congressman**

Each individual Congressman must assume five roles. These roles include: legislator, committee member, representative of their constituents, servant of their constituents, and politician.

**Powers of Congress**

The Constitution grants numerous powers to Congress. These include the power to: lay and collect taxes, pay debts, provide for common defense and general welfare of the U.S., borrow money on the credit of the U.S., regulate commerce with other nations, establish a uniform rule of naturalization, coin money and regulate its value, provide for punishment of counterfeiting, establish post offices and roads, promote progress of science, create courts inferior to the Supreme Court, define and punish piracies and felonies, declare war, raise and support armies, provide and maintain a navy, makes rules for the regulation of land and naval forces, provide for the militia, arm and discipline the militia, exercise exclusive legislation in Washington D.C, and make laws necessary to execute the powers of Congress.

**Executive branch**

The Executive branch consists of the [President of the United States](http://www.theblackvault.com/wiki/index.php?title=President_of_the_United_States&action=edit&redlink=1) and his delegates.

**President and Vice President**

*Main article:* [*President of the United States*](http://www.theblackvault.com/wiki/index.php?title=President_of_the_United_States&action=edit&redlink=1)

The President is both the [**head of state**](http://www.theblackvault.com/wiki/index.php?title=Head_of_state&action=edit&redlink=1) and [**head of government**](http://www.theblackvault.com/wiki/index.php?title=Head_of_government&action=edit&redlink=1), as well as the [**commander-in-chief**](http://www.theblackvault.com/wiki/index.php?title=Commander-in-chief&action=edit&redlink=1) of the military, and the **chief diplomat**. The office of President of the United States is one of the most powerful offices of its kind in the world. The President, the [Constitution](http://www.theblackvault.com/wiki/index.php?title=United_States_Constitution&action=edit&redlink=1) says, must "take care that the laws be faithfully executed." To carry out this responsibility, he or she presides over the executive branch of the federal government, a vast organization numbering about 4 million people, including 1 million active-duty military personnel. In addition, the President has important [legislative](http://www.theblackvault.com/wiki/index.php?title=Legislative&action=edit&redlink=1) and [judicial](http://www.theblackvault.com/wiki/index.php?title=Judicial&action=edit&redlink=1) powers. Within the executive branch itself, the President has broad constitutional powers to manage national affairs and the workings of the federal government, and may issue [executive orders](http://www.theblackvault.com/wiki/index.php?title=Executive_order&action=edit&redlink=1) to effect internal policies.

The President may veto [legislation](http://www.theblackvault.com/wiki/index.php?title=Legislation&action=edit&redlink=1) passed by Congress; he may be [impeached](http://www.theblackvault.com/wiki/index.php?title=Impeachment_in_the_United_States&action=edit&redlink=1) by a majority in the House and removed from office by a [two-thirds majority](http://www.theblackvault.com/wiki/index.php?title=Supermajority&action=edit&redlink=1) in the Senate for "[treason](http://www.theblackvault.com/wiki/index.php?title=Treason&action=edit&redlink=1), [bribery](http://www.theblackvault.com/wiki/index.php?title=Bribery&action=edit&redlink=1), or other [high crimes and misdemeanors](http://www.theblackvault.com/wiki/index.php?title=High_crimes_and_misdemeanors&action=edit&redlink=1)." The President may not [dissolve](http://www.theblackvault.com/wiki/index.php?title=Dissolution&action=edit&redlink=1) Congress or call [special elections](http://www.theblackvault.com/wiki/index.php?title=Special_election&action=edit&redlink=1), but does have the power to [pardon](http://www.theblackvault.com/wiki/index.php?title=Pardon&action=edit&redlink=1) criminals convicted of federal offences (though not crimes against a state), give [executive orders](http://www.theblackvault.com/wiki/index.php?title=Executive_order&action=edit&redlink=1), and (with the consent of the [Senate](http://www.theblackvault.com/wiki/index.php?title=United_States_Senate&action=edit&redlink=1)) appoint [Supreme Court](http://www.theblackvault.com/wiki/index.php?title=Supreme_Court_of_the_United_States&action=edit&redlink=1) [justices](http://www.theblackvault.com/wiki/index.php?title=List_of_Justices_of_the_Supreme_Court_of_the_United_States&action=edit&redlink=1) and [federal judges](http://www.theblackvault.com/wiki/index.php?title=United_States_federal_courts&action=edit&redlink=1).

*Main article:* [*Vice President of the United States*](http://www.theblackvault.com/wiki/index.php?title=Vice_President_of_the_United_States&action=edit&redlink=1)

The [Vice President of the United States](http://www.theblackvault.com/wiki/index.php?title=Vice_President_of_the_United_States&action=edit&redlink=1) is the second-highest executive official of the government. As first in the [presidential line of succession](http://www.theblackvault.com/wiki/index.php?title=United_States_presidential_line_of_succession&action=edit&redlink=1), the Vice President becomes the new President of the United States upon the death, resignation, or removal of the President, which has happened nine times. His only other constitutional duty is to serve as the [President of the Senate](http://www.theblackvault.com/wiki/index.php?title=President_of_the_Senate&action=edit&redlink=1) and break any tie votes in that chamber, but over the years the office has evolved into a senior advisor to the President

**Cabinet, executive departments, and agencies**

The day-to-day enforcement and administration of federal laws is in the hands of the various [federal executive departments](http://www.theblackvault.com/wiki/index.php?title=United_States_Federal_Executive_Departments&action=edit&redlink=1), created by Congress to deal with specific areas of national and international affairs. The heads of the 15 departments, chosen by the President and approved with the "advice and consent" of the [U.S. Senate](http://www.theblackvault.com/wiki/index.php?title=United_States_Senate&action=edit&redlink=1), form a council of advisors generally known as the President's "[Cabinet](http://www.theblackvault.com/wiki/index.php?title=United_States_Cabinet&action=edit&redlink=1)." In addition to departments, there are a number of staff organizations grouped into the [Executive Office of the President](http://www.theblackvault.com/wiki/index.php?title=Executive_Office_of_the_President&action=edit&redlink=1). These include the [White House](http://www.theblackvault.com/wiki/index.php?title=White_House&action=edit&redlink=1) staff, the [National Security Council](http://www.theblackvault.com/wiki/index.php?title=United_States_National_Security_Council&action=edit&redlink=1), the [Office of Management and Budget](http://www.theblackvault.com/wiki/index.php?title=Office_of_Management_and_Budget&action=edit&redlink=1), the [Council of Economic Advisers](http://www.theblackvault.com/wiki/index.php?title=Council_of_Economic_Advisers&action=edit&redlink=1), the [Office of the U.S. Trade Representative](http://www.theblackvault.com/wiki/index.php?title=Office_of_the_U.S._Trade_Representative&action=edit&redlink=1), the [Office of National Drug Control Policy](http://www.theblackvault.com/wiki/index.php?title=Office_of_National_Drug_Control_Policy&action=edit&redlink=1) and the Office of Science and Technology Policy. There is also a number of [independent agencies](http://www.theblackvault.com/wiki/index.php/Independent_Agencies_of_the_United_States_Government) such as the [Central Intelligence Agency](http://www.theblackvault.com/wiki/index.php/Central_Intelligence_Agency), the [Food and Drug Administration](http://www.theblackvault.com/wiki/index.php?title=Food_and_Drug_Administration&action=edit&redlink=1) and the [Environmental Protection Agency](http://www.theblackvault.com/wiki/index.php?title=Environmental_Protection_Agency&action=edit&redlink=1).

**Judicial branch**

*Main article:* [*United States federal courts*](http://www.theblackvault.com/wiki/index.php?title=United_States_federal_courts&action=edit&redlink=1)

The federal judiciary consists of the [Supreme Court of the United States](http://www.theblackvault.com/wiki/index.php?title=Supreme_Court_of_the_United_States&action=edit&redlink=1), whose justices are appointed for life by the President and confirmed by the Senate, and various "lower" or "inferior courts," among which are the [United States Courts of Appeals](http://www.theblackvault.com/wiki/index.php?title=United_States_Courts_of_Appeals&action=edit&redlink=1) and the [United States District Courts](http://www.theblackvault.com/wiki/index.php?title=United_States_District_Courts&action=edit&redlink=1).

With this guide, the [first Congress](http://www.theblackvault.com/wiki/index.php?title=First_United_States_Congress&action=edit&redlink=1) divided the nation into [judicial districts](http://www.theblackvault.com/wiki/index.php?title=United_States_federal_judicial_district&action=edit&redlink=1) and created federal courts for each district. From that beginning has evolved the present structure: the Supreme Court, 13 courts of appeals, 94 district courts, and two courts of special jurisdiction. Congress today retains the power to create and abolish federal courts, as well as to determine the number of judges in the federal judiciary system. It cannot, however, abolish the Supreme Court.

There are three levels of federal courts with *general jurisdiction,* meaning that these courts handle criminal cases and civil law suits between individuals. The other courts, such as the [bankruptcy courts](http://www.theblackvault.com/wiki/index.php?title=United_States_bankruptcy_courts&action=edit&redlink=1) and the tax court, are specialized courts handling only certain kinds of cases. The bankruptcy courts are branches of the district courts, but technically are not considered part of the "Article III" judiciary because their judges do not have lifetime tenure. Similarly, the tax court is not an Article III court.

The [United States district courts](http://www.theblackvault.com/wiki/index.php?title=United_States_district_court&action=edit&redlink=1) are the "trial courts" where cases are filed and decided. The [United States courts of appeals](http://www.theblackvault.com/wiki/index.php?title=United_States_courts_of_appeals&action=edit&redlink=1) are "appellate courts" that hear appeals of cases decided by the district courts, and some direct appeals from [administrative agencies](http://www.theblackvault.com/wiki/index.php?title=Administrative_agency&action=edit&redlink=1). The [Supreme Court of the United States](http://www.theblackvault.com/wiki/index.php?title=Supreme_Court_of_the_United_States&action=edit&redlink=1) hears appeals from the decisions of the courts of appeals or state supreme courts (on constitutional matters), as well as having [original jurisdiction](http://www.theblackvault.com/wiki/index.php?title=Original_jurisdiction&action=edit&redlink=1) over a very small number of cases.

The judicial power extends to cases arising under the Constitution, an act of Congress, or a treaty of the United States; cases affecting ambassadors, ministers, and consuls of foreign countries in the United States; controversies in which the U.S. government is a party; controversies between states (or their citizens) and foreign nations (or their citizens or subjects); and bankruptcy cases. The Eleventh Amendment removed from federal jurisdiction cases in which citizens of one state were the plaintiffs and the government of another state was the defendant. It did not disturb federal jurisdiction in cases in which a state government is a plaintiff and a citizen of another state the defendant.

The power of the federal courts extends both to civil actions for damages and other redress, and to criminal cases arising under federal law. Article III has resulted in a complex set of relationships between state and federal courts. Ordinarily, federal courts do not hear cases arising under the laws of individual states. However, some cases over which federal courts have jurisdiction may also be heard and decided by state courts. Both court systems thus have exclusive jurisdiction in some areas and concurrent jurisdiction in others.

The Constitution safeguards judicial independence by providing that [federal judges](http://www.theblackvault.com/wiki/index.php?title=Federal_judge&action=edit&redlink=1) shall hold office "during good behavior". Usually they serve until they die, retire, or resign. A judge who commits an offense while in office may be impeached in the same way as the President or other officials of the federal government. U.S. judges are appointed by the President and confirmed by the Senate. Another Constitutional provision prohibits Congress from reducing the pay of any judge—Congress could enact a new lower salary applying to future judges, but not to those already serving.

**See also**

**President**

* [President of the United States](http://www.theblackvault.com/wiki/index.php?title=President_of_the_United_States&action=edit&redlink=1)
* [Executive Office of the President of the United States](http://www.theblackvault.com/wiki/index.php?title=Executive_Office_of_the_President_of_the_United_States&action=edit&redlink=1)
* [United States Federal Executive Departments](http://www.theblackvault.com/wiki/index.php?title=United_States_Federal_Executive_Departments&action=edit&redlink=1)
* [United States Cabinet](http://www.theblackvault.com/wiki/index.php?title=United_States_Cabinet&action=edit&redlink=1)
* [Executive Order](http://www.theblackvault.com/wiki/index.php?title=Executive_Order&action=edit&redlink=1)

**Congress**

* [United States Congress](http://www.theblackvault.com/wiki/index.php?title=United_States_Congress&action=edit&redlink=1)
* [United States Senate](http://www.theblackvault.com/wiki/index.php?title=United_States_Senate&action=edit&redlink=1)
* [United States House of Representatives](http://www.theblackvault.com/wiki/index.php?title=United_States_House_of_Representatives&action=edit&redlink=1)
* [Bipartidism](http://www.theblackvault.com/wiki/index.php?title=Bipartidism&action=edit&redlink=1)

**Courts**

* [Supreme Court of the United States](http://www.theblackvault.com/wiki/index.php?title=Supreme_Court_of_the_United_States&action=edit&redlink=1)
* [United States federal courts](http://www.theblackvault.com/wiki/index.php?title=United_States_federal_courts&action=edit&redlink=1)
* [United States federal judicial circuit](http://www.theblackvault.com/wiki/index.php?title=United_States_federal_judicial_circuit&action=edit&redlink=1)
* [United States courts of appeals](http://www.theblackvault.com/wiki/index.php?title=United_States_courts_of_appeals&action=edit&redlink=1)
* [United States federal judicial district](http://www.theblackvault.com/wiki/index.php?title=United_States_federal_judicial_district&action=edit&redlink=1)
* [United States district courts](http://www.theblackvault.com/wiki/index.php?title=United_States_district_court&action=edit&redlink=1)
* [United States bankruptcy courts](http://www.theblackvault.com/wiki/index.php?title=United_States_bankruptcy_court&action=edit&redlink=1)

**Law**

* [Constitution of the United States of America](http://www.theblackvault.com/wiki/index.php?title=United_States_Constitution&action=edit&redlink=1)
* [Law of the United States](http://www.theblackvault.com/wiki/index.php?title=Law_of_the_United_States&action=edit&redlink=1)
* [Legal research](http://www.theblackvault.com/wiki/index.php?title=Legal_research&action=edit&redlink=1)
* [List of U.S. government designations for places](http://www.theblackvault.com/wiki/index.php?title=List_of_U.S._government_designations_for_places&action=edit&redlink=1)
* [United States Code](http://www.theblackvault.com/wiki/index.php?title=United_States_Code&action=edit&redlink=1)

**Agencies**

Some agencies are legislative, some are executive, some are judicial.

* [Independent Agencies of the United States Government](http://www.theblackvault.com/wiki/index.php/Independent_Agencies_of_the_United_States_Government)
* [List of United States federal agencies](http://www.theblackvault.com/wiki/index.php?title=List_of_United_States_federal_agencies&action=edit&redlink=1)

**States and territories**

* [Political divisions of the United States](http://www.theblackvault.com/wiki/index.php?title=Political_divisions_of_the_United_States&action=edit&redlink=1)
* [States of the United States](http://www.theblackvault.com/wiki/index.php?title=U.S._state&action=edit&redlink=1)
* [United States territory](http://www.theblackvault.com/wiki/index.php?title=United_States_territory&action=edit&redlink=1)

**Copyright**

"Original data received from Wikipedia on April 23, 2006. Credit given to original authors can be seen [Here](http://en.wikipedia.org/w/index.php?title=Federal_government_of_the_United_States&action=history)."

Retrieved from "<http://www.theblackvault.com/wiki/index.php/Federal_government_of_the_United_States>"

[Category](http://www.theblackvault.com/wiki/index.php/Special%3ACategories): [Government](http://www.theblackvault.com/wiki/index.php/Category%3AGovernment)