



# United States Government Primer

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## INTRODUCTION

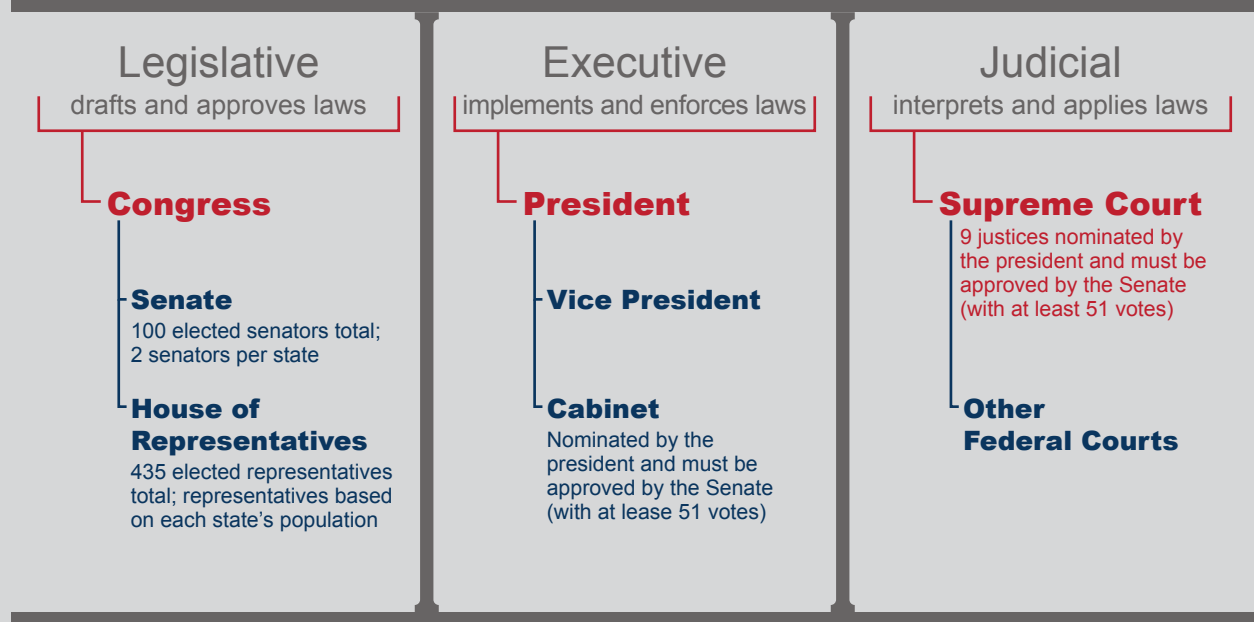
This primer outlines the key points of the U.S. political system, including the three branches of the federal government prescribed by the Constitution. The legislative branch includes the Senate and the House of Representatives and is charged with drafting and approving laws (see [Schoolhouse Rock video](#)). The executive branch, including the president and his/her Cabinet, implements and enforces laws. Finally, the judicial branch contains the court system that interprets and applies laws. The basics of the political process are explained in the following summaries.

## THE THREE BRANCHES OF GOVERNMENT

The federal government consists of three parts: legislative branch, executive branch, and judicial branch. Together, they function to provide a system of lawmaking and enforcement based on a system of checks and balances. The separation of powers through three different branches of government is intended to ensure that no individual, or body of government, can become too powerful. This helps protect individual freedoms in addition to preventing the government from abusing its power. This separation of power is described in the first three articles of the Constitution.

# 3 Branches of Government

The U.S. Constitution Provides a Separation of Powers



## LEGISLATIVE BRANCH (DRAFTS AND APPROVES LAWS)

Congress is the legislative branch of the U.S. government and is responsible for making all federal laws. In order to balance the concerns of smaller (but more populated) states against those of larger (but less populated) ones, the drafters of the Constitution formed two chambers within Congress: the Senate and the House of Representatives. This bicameral Congress writes, debates, and passes bills, which then get sent to the president for approval.

Both major political parties (Democrat and Republican) in the Senate and the House of Representatives elect leaders. The leader of the party that controls the most seats in the chamber is called the speaker of the house or majority leader. The leader of the other party is called the minority leader.

# 2 Chambers of the U.S. Congress

	Senate	House of Representatives
<b>Membership</b>	100 members (two from each state)	435 members (apportioned by population)
<b>Term of Office</b>	6 years; staggered terms with one-third of the Senate elected every 2 years	2 years; entire House elected every 2 years
<b>Qualifications</b>	At least 30 years of age; citizen for 9 years; must live in state	At least 25 years of age; citizen for 7 years; must live in state where district is located
<b>Constituencies</b>	Larger, entire state	Smaller, by districts

## U.S. SENATE

- 100 members, two from each state, regardless of size or population. U.S. territories do not have senators.
- Senators are elected by their states and serve overlapping six-year terms.
- The vice president serves as the president of the Senate.
- The Senate is responsible for confirming presidential appointments of Cabinet members, federal judges, and foreign ambassadors and can ratify or reject treaties the president establishes with other nations.
- The Senate also tries any federal official accused of a crime after the House votes to impeach that official.

## U.S. HOUSE OF REPRESENTATIVES

- 435 members, with each state's level of representation dependent upon the size of its population. When census figures determine that the population of a state has changed significantly, the number of representatives in that state may shift proportionately. Each U.S. territory has one representative, regardless of population, but they are not allowed to vote on the floor.
- Each member of the House represents a specific geographic district within a state, while senators represent their whole state.
- Representatives are elected by their districts every other year and serve two-year terms.
- The speaker of the house, elected by the representatives from the majority party, is considered the leader of the House.
- The House can initiate laws that require people to pay taxes and can decide whether public officials should be tried, if accused of a crime.

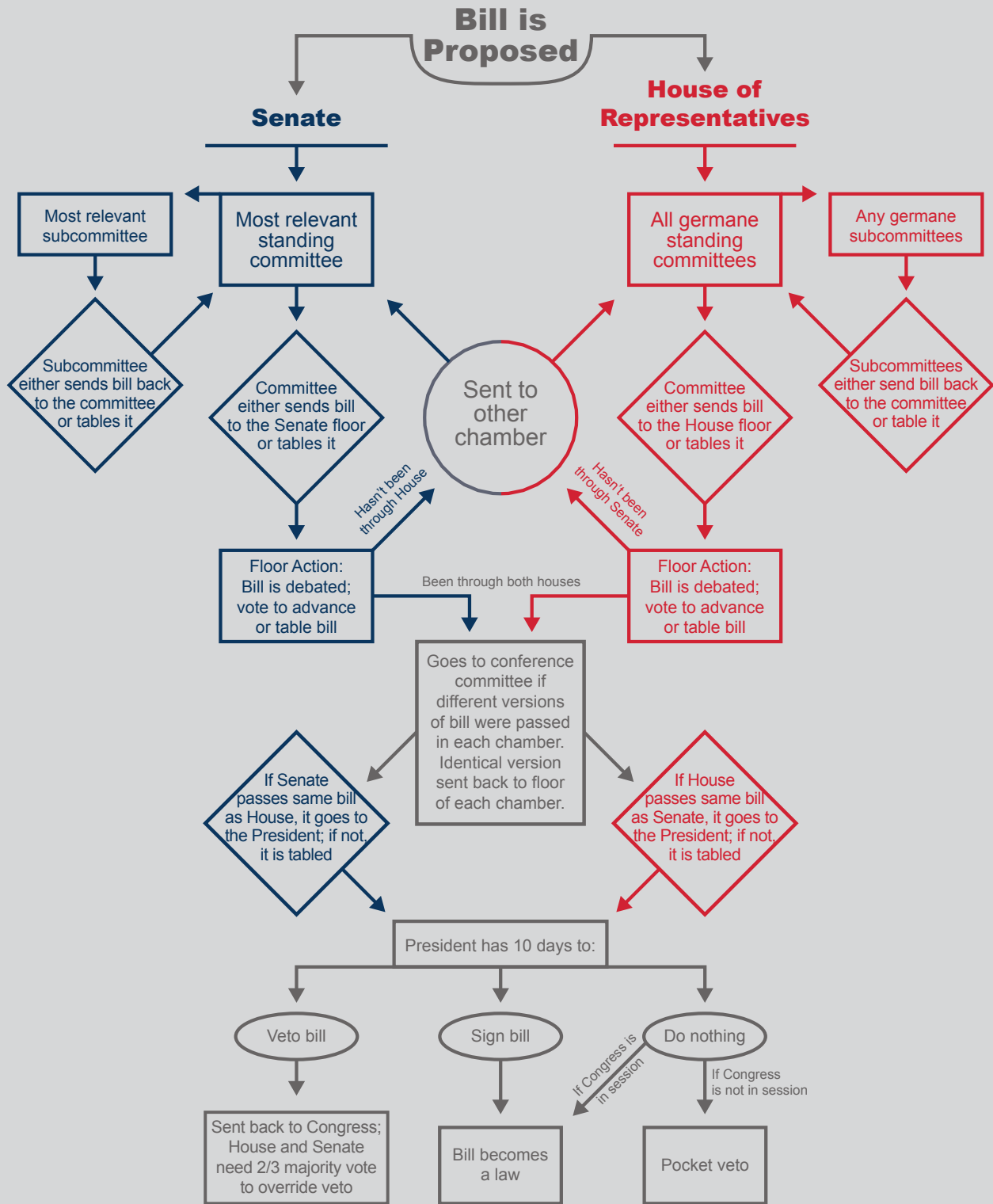
## HOW A BILL BECOMES LAW

1. Any member of the Senate or House of Representatives can introduce a bill.
2. In the House, a bill is introduced when it is placed in the hopper, a special box on the side of the clerk's desk. In the Senate, members have to gain recognition of the presiding officer to announce the introduction of a bill during the morning hour.
3. In the Senate, the bill is referred to the most relevant committee with jurisdiction over the matter. In the House, the bill is referred to all germane committees with jurisdiction.
4. The bill is then assigned to the most relevant subcommittee in the Senate and to all germane subcommittees in the house.
5. If the bill is taken up, subcommittee members (groups of representatives or senators who serve on the full committee) review, research, and revise the bill before voting on whether or not to send (or report) the bill back to the full committee. To gain more information about the topic being discussed, subcommittees organize public hearings, where they invite witnesses representing various viewpoints on the bill to be heard. The bill is then deliberated in a markup session. Amendments may be offered to

the bill, and subcommittee members vote to accept or reject those changes. After deliberation, subcommittee members vote to determine what action to take on the bill. The bill can be reported to the full committee, either with or without amendment, or it can be tabled, which means no further action on it will occur.

6. The full committee then also holds hearings and a markup session, where they vote on whether or not to report the bill to the House or Senate floor.
7. When a full committee approves a bill, it is reported to the House or Senate floor and is ready to be debated on the floor by the House or Senate members.
8. Amendments can be offered on the floor. These are also debated and voted upon by members of Congress. After all debate is concluded and amendments decided upon, the House or Senate is ready to vote on final passage.
9. If the bill passes the chamber in which it was introduced, it is sent to the other chamber for consideration.
10. The exact same bill must be voted on and approved by each chamber to be considered passed by Congress. If the second chamber makes any changes to the bill that the first chamber sent over, or if they have passed their own version of the bill that is not identical to the other chamber's, a conference committee is appointed with both House and Senate members to resolve any differences between the two bills. The conference committee reports the identical bill back to both chambers for a vote.
11. Once an identical bill passes both chambers, it is sent to the president.
  - If the president signs the bill within 10 days, it becomes law.
  - If the president does not sign or veto the bill within 10 days while Congress is in session the bill becomes law.
  - The president can veto (reject) the bill and send it back to the originating chamber.
    - If 2/3 of each chamber then votes to pass the bill, the veto is overridden and the bill becomes law.
    - If Congress has adjourned during these 10 days and the president returns the bill, there is no way to override the veto (pocket veto). For this reason, Congress often holds a pro forma session where a few members remain during a recess so that Congress is not officially adjourned.

# How a Bill Becomes Law



## COMMITTEES WITH JURISDICTION OVER OCEAN RESEARCH AND POLICY

There are many congressional committees and subcommittees in the Senate and the House of Representatives with jurisdiction over ocean research and policy. These are the main committees and subcommittees that oversee the various federal agencies whose missions and activities include ocean science and policy. (*click items below for more information*)

### U.S. Senate

- **Senate Appropriations Committee**  
*Subcommittees:*
  - › Commerce, Justice, Science, and Related Agencies
  - › Defense
  - › Energy and Water Development
  - › Interior, Environment, and Related Agencies
  - › State, Foreign Operations, and Related Programs
- **Senate Armed Services Committee**
- **Senate Commerce, Science, and Transportation Committee**  
*Subcommittees:*
  - › Oceans, Atmosphere, Fisheries, and Coast Guard
  - › Space, Science, and Competitiveness
  - › Surface Transportation and Merchant Marine Infrastructure, Safety and Security
- **Senate Energy and Natural Resources Committee**  
*Subcommittees:*
  - › Energy
  - › National Parks
  - › Water and Power
- **Senate Environment and Public Works Committee**  
*Subcommittees:*
  - › Fisheries, Water, and Wildlife
  - › Superfund, Waste Management, and Regulatory Oversight

### U.S. House of Representatives

- **House Appropriations Committee**  
*Subcommittees:*
  - › Commerce, Justice, Science, and Related Agencies
  - › Defense
  - › Energy and Water Development, and Related Agencies
  - › Interior, Environment, and Related Agencies
  - › State, Foreign Operations, and Related Programs
- **House Armed Services Committee**
- **House Energy and Commerce Committee**  
*Subcommittees:*
  - › Energy and Power
  - › Environment and the Economy
- **House Natural Resources Committee**  
*Subcommittees:*
  - › Energy and Mineral Resources
  - › Water, Power and Oceans
- **House Science, Space, and Technology Committee**  
*Subcommittees:*
  - › Energy
  - › Environment
  - › Research and Technology
  - › Space
- **House Transportation and Infrastructure Committee**  
*Subcommittees:*
  - › Coast Guard and Maritime Transportation
  - › Water Resources and Environment



## **CREATING AND FUNDING FEDERAL AGENCIES – “AUTHORIZATION” VS. “APPROPRIATION”**

Federal agencies that work on topics related to oceans must be both established and funded in order to execute their tasks. Two steps are necessary to create and fund programs and agencies: authorization and appropriation.

### **1. Authorization**

- Congress and the president establish programs through the authorization process.
- Congressional committees with jurisdiction over specific subject areas write the legislation. It is called “authorization” because this type of legislation only authorizes the creation of a federal program or activity. While it may recommend how much money should be spent on a program, it does NOT actually set aside the money.
- Reauthorization is a process by which Congress prescribes changes, additions, and deletions to an existing act.

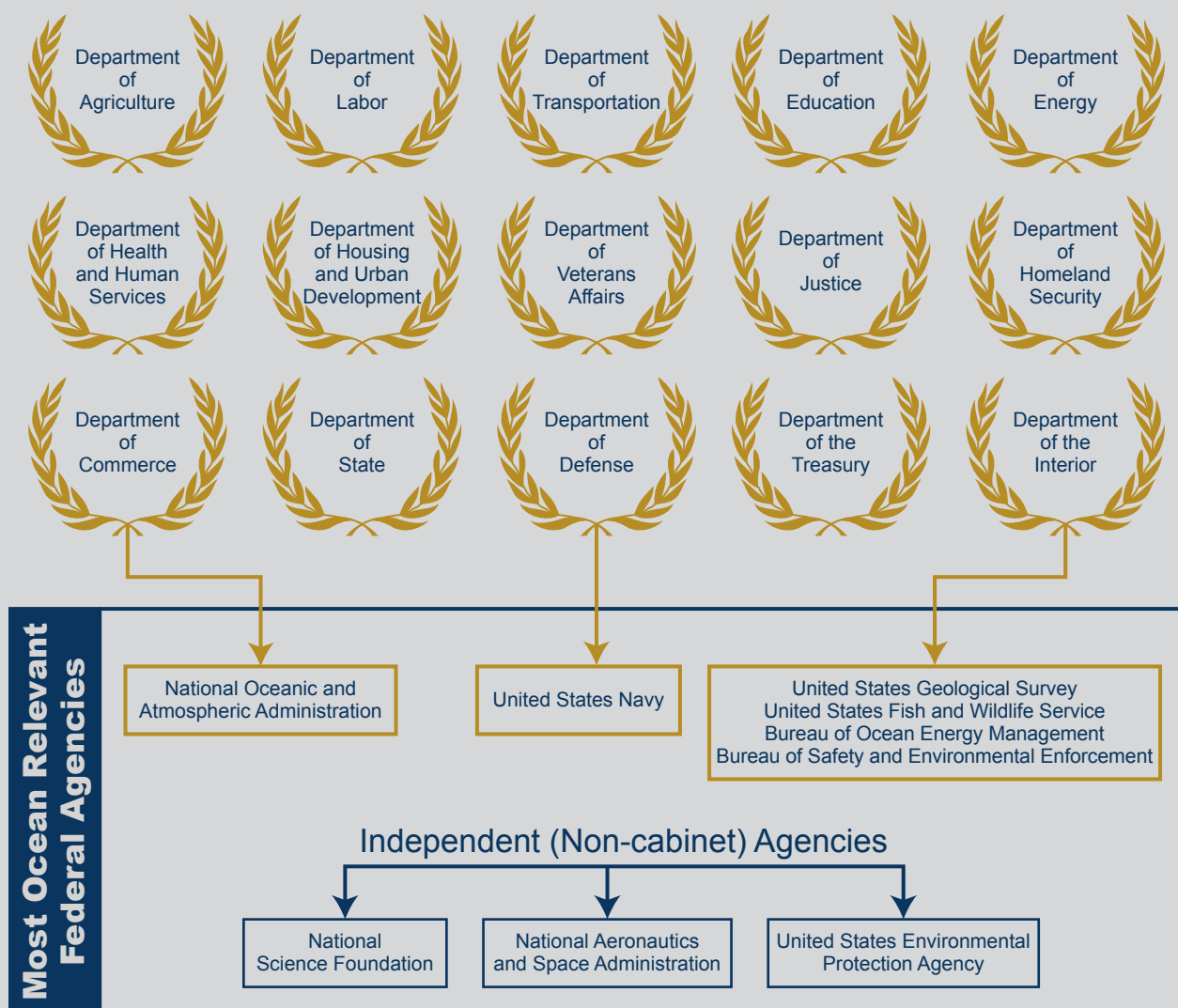
### **2. Appropriation**

- All funding of agencies or programs occurs through the appropriations process.
- Each year, Congress must write and pass 12 appropriations bills to fund the entire federal government. In appropriation bills, Congress allocates the amount of money that will be spent on federal programs during the following fiscal year.

## EXECUTIVE BRANCH (IMPLEMENTS AND ENFORCES LAWS)

The executive branch of the United States government consists of the president, the vice president, 15 Cabinet-level executive departments, and all federal agencies. The president of the United States is the head of the executive branch of government and acts as the head of state in diplomatic relations and as commander-in-chief of all U.S. branches of the seven uniformed services. The president, with his/her Cabinet and through its agencies, is responsible for implementing and enforcing the laws written by Congress. All heads of the federal agencies, Cabinet members, and ambassadors are appointed by the president.

### The President's Cabinet



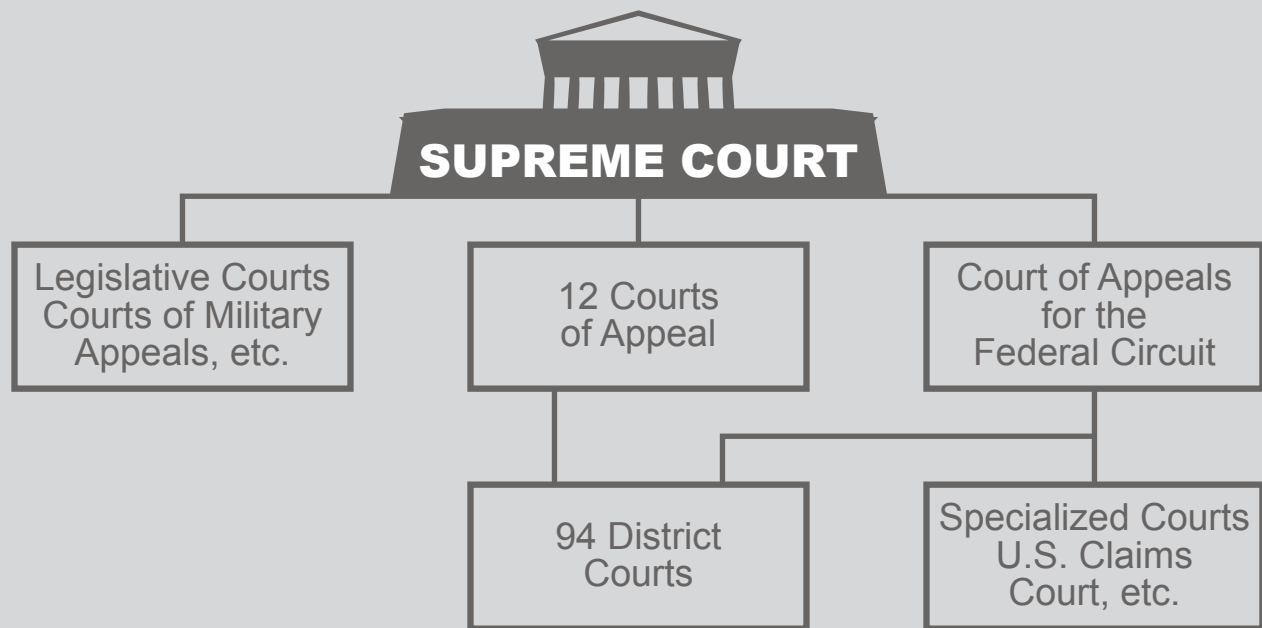
## FEDERAL AGENCIES INVOLVED IN OCEAN RESEARCH AND POLICY

*(click items below for more information)*

- Department of Commerce (DOC)
  - › National Oceanic and Atmospheric Administration (NOAA)
- Department of Defense (DOD)
  - › Defense Advanced Research Projects Agency (DARPA)
  - › U.S. Army Corps of Engineers (USACE)
  - › U.S. Navy
    - *Office of Naval Research (ONR)*
- Department of Energy (DOE)
- Department of Homeland Security (DHS)
  - › U.S. Coast Guard (USCG)
  - › Federal Emergency Management Agency (FEMA)
- Department of Interior (DOI) Bureau of Ocean Energy Management (BOEM)
  - › Bureau of Safety and Environmental Enforcement (BSEE)
  - › U.S. Fish and Wildlife Service (USFWS)
  - › U.S. Geological Survey (USGS)
  - › National Park Service (NPS)
- Department of State (DOS)
- Executive Office of the President
  - › Council on Environmental Quality (CEQ)
  - › Office of Science and Technology Policy (OSTP)
- Independent agencies
  - › National Aeronautics and Space Administration (NASA)
  - › National Science Foundation (NSF)
  - › U.S. Environmental Protection Agency (EPA)

## JUDICIAL BRANCH (INTERPRETS AND APPLIES LAWS)

The judicial branch of government is made up of the court system, including the Supreme Court and other federal courts. The judicial branch interprets the Constitution and laws. The Supreme Court is the head of the judicial branch. Unlike federal (or state) courts, the Supreme Court rules whether something is constitutional or unconstitutional – whether or not it is permitted under the Constitution. Decisions of the Supreme Court set precedents, which are new ways of interpreting the law. All Supreme and federal court judges are nominated by the president and approved by the Senate. They have no term limits. If a bill is passed into law by both chambers and signed by the president, the Supreme Court can determine if it is a legal law under the Constitution.



## MAJOR OCEAN AND COASTAL POLICY LEGISLATION

### *INTEGRATED COASTAL AND OCEAN OBSERVATION SYSTEM ACT OF 2009*

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In March of 2009, President Obama signed the *Integrated Coastal Ocean Observation System (ICOOS) Act* establishing statutory authority for the development of the *U.S. Integrated Ocean Observing System (IOOS)*. The ICOOS Act mandates the establishment of a national integrated system of ocean, coastal, and Great Lakes observing systems coordinated at the federal level. IOOS partners with the *Alliance for Coastal Technologies (ACT)*, a NOAA-funded partnership of research institutions, resource managers, and private sector companies dedicated to fostering the development and adoption of effective and reliable sensors and platforms.

### *FEDERAL OCEAN ACIDIFICATION RESEARCH AND MONITORING ACT*

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The *Federal Ocean Acidification Research and Monitoring Act (FOARAM)* was passed by Congress in 2009. This legislation established NOAA's Ocean Acidification (OA) program. The act outlined a coordinated process for federal agencies to create a plan for the effective monitoring of OA processes and consequences on marine organisms and ecosystems through the creation of an *Interagency Working Group on Ocean Acidification*. Also included in this legislation is the requirement to develop adaptation strategies to conserve ecosystems vulnerable to the effects of OA (both at regional and national levels) and to assess the associated socio-economic impacts.

### *MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT*

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The *Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act)* is the primary law governing marine fisheries management in U.S. federal waters. First passed in 1976, the Magnuson-Stevens Act fosters long-term biological and economic sustainability of our nation's marine fisheries out to 200 nautical miles from shore. Key objectives of the Magnuson-Stevens Act are to prevent overfishing, rebuild overfished stocks, increase long-term economic and social benefits, and ensure a safe and sustainable supply of seafood.

### *ENDANGERED SPECIES ACT*

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The purpose of the *Endangered Species Act (ESA)* of 1973 is to protect and recover imperiled species and the ecosystems upon which they depend. It is administered by the U.S. Fish and Wildlife Service (USFWS) and NOAA. The USFWS has primary responsibility for terrestrial and freshwater organisms, while the responsibilities of NOAA are marine wildlife, including anadromous fish, such as salmon.

### *COASTAL ZONE MANAGEMENT ACT*

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The U.S. Congress recognized the importance of meeting the challenge of increasing coastal growth by passing the *Coastal Zone Management Act (CZMA)* in 1972. This act, administered by NOAA, provides for management of the nation's coastal resources, including the Great Lakes. The goal is to "preserve, protect, develop, and where possible, to restore or enhance the resources of the nation's coastal zone."

The CZMA outlines three national programs, the National Coastal Zone Management Program (CZM), the National Estuarine Research Reserve System (NERRS), and the Coastal and Estuarine Land Conservation Program (CELCP). The National Coastal Zone Management Program aims to balance competing land and water issues through state and territorial coastal management programs, the National Estuarine Research Reserves serve as field laboratories that provide a greater understanding of estuaries and how humans impact them, and CELCP provides matching funds to state and local governments to purchase threatened coastal and estuarine lands or to obtain conservation easements.

### **MARINE MAMMAL PROTECTION ACT**

The Marine Mammal Protection Act (MMPA) was enacted on October 21, 1972. All marine mammals are protected under the MMPA. The MMPA prohibits, with certain exceptions, both the “take” of marine mammals in U.S. waters or by U.S. citizens on the high seas and the importation of marine mammals and marine mammal products into the U.S..

## Checks and Balances

<p><b>Legislative Branch</b> (Drafts and approves laws)</p>	<p><b>Checks on the Executive Branch</b></p> <ul style="list-style-type: none"> <li>• Can override president’s veto</li> <li>• Confirms executive appointments</li> <li>• Ratifies treaties</li> <li>• Can declare war</li> <li>• Appropriates money</li> <li>• Can impeach and remove a president</li> </ul>	<p><b>Checks on the Judicial Branch</b></p> <ul style="list-style-type: none"> <li>• Creates lower federal courts</li> <li>• Can impeach and remove judges</li> <li>• Can propose amendments to overrule judicial decisions</li> <li>• Confirms appointments of federal judges</li> </ul>
<p><b>Executive Branch</b> (Implements and enforces laws)</p>	<p><b>Checks on the Legislative Branch</b></p> <ul style="list-style-type: none"> <li>• Can propose laws</li> <li>• Can veto laws</li> <li>• Can call special sessions of Congress</li> <li>• Makes appointments</li> <li>• Negotiates foreign treaties</li> </ul>	<p><b>Checks on the Judicial Branch</b></p> <ul style="list-style-type: none"> <li>• Appoints federal judges</li> <li>• Can grant pardons to federal offenders</li> </ul>
<p><b>Judicial Branch</b> (Interprets and applies laws)</p>	<p><b>Checks on the Executive Branch</b></p> <ul style="list-style-type: none"> <li>• Can declare executive actions unconstitutional</li> </ul>	<p><b>Checks on the Legislative Branch</b></p> <ul style="list-style-type: none"> <li>• Can declare acts of Congress unconstitutional</li> </ul>

## VIDEOS (BY CRASH COURSE ON GOVERNMENT AND POLITICS)

### THE THREE BRANCHES OF GOVERNMENT

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Separation of Powers and Checks and Balances

Constitutional Compromises

### LEGISLATIVE BRANCH

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The Bicameral Congress

How a Bill Becomes Law

Congressional Committees

Congressional Leadership

### EXECUTIVE BRANCH

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Presidential Power

Presidential Powers 2

How Presidents Govern

Bureaucracy Basics

Types of Bureaucracies

### JUDICIAL BRANCH

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Legal System Basics

Structure of the Court System

Supreme Court of the United States Procedures

### SOURCES

<https://www.whitehouse.gov/1600>

<https://www.usa.gov/branches-of-government>

[http://www.house.gov/content/learn/legislative\\_process/](http://www.house.gov/content/learn/legislative_process/)

<http://www.senate.gov/index.htm>

<http://judiciallearningcenter.org/state-courts-vs-federal-courts/>

<https://kids.usa.gov/three-branches-of-government/index.shtml>



A Washington, DC-based non-profit organization that represents the leading public and private ocean research and education institutions, aquaria, and industry; working to advance research, education, and sound ocean policy.

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