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## A STUDY ON THE ADMINISTRATIVE AND POLITICAL STRUCTURE OF THE UNITED STATES OF AMERICA

### AMERİKA BİRLEŞİK DEVLETLERİ'NİN YÖNETSEL VE SİYASAL YAPISINA İLİŞKİN BİR ARAŞTIRMA<sup>1</sup>

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#### Abstract

The United States is a federal state. As in every country, this country also has legislative, executive and judicial bodies. These bodies emerged as a result of a system in which the balance of power was distributed, located separately in both the federal state and the federated state. America, which is governed by the presidential system as a government system, has determined a constitution based on the strict separation of powers. The Constitution was accepted on September 17, 1787 and has survived until today. Many studies have been conducted on the administrative and political structure of the United States of America. By compiling the research conducted in this research, the political and administrative structure of the USA has been tried to be briefly summarized. While obtaining research data, documentary scanning model was used based on literature review.

**Keywords:** United States of America, Legislative, Executive, Judiciary, State System.

#### Özet

Amerika Birleşik Devletleri federal bir devlettir. Her ülkede olduğu gibi bu ülkede de yasama, yürütme ve yargı organları bulunmaktadır. Bu organlar hem federal devlette hem de federe devlette ayrı ayrı yer alan ve güç dengesinin dağıtıldığı bir sistemin ürünü sonucu ortaya çıkmıştır. Hükümet sistemi olarak başkanlık sistemi ile yönetilen Amerika güçlerin sert ayrılığına dayalı bir anayasa belirlemiştir. Anayasa 17 Eylül 1787'de kabul edilmiş ve günümüze kadar varlığını korumuştur. Amerika Birleşik Devletleri'nin yönetsel ve siyasal yapısına ilişkin birçok araştırma yapılmıştır. Bu araştırma ile yapılan araştırmalar derlenerek A.B.D.'nin siyasal ve yönetsel yapısı kısaca özetlenmeye çalışılmıştır.

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Araştırma verileri elde edilirken literatür taramasından hareketle belgesel tarama modelinden faydalanılmıştır.

**Anahtar Kelimeler:** Amerika Birleşik Devletleri, Yasama, Yürütme, Yargı, Eyalet Sistemi

## INTRODUCTION

When evaluated in terms of development and sophistication, the United States (US) possesses one of the world's leading political and administrative systems. The roots of the US political-administrative system can be traced back to developments that occurred in the late 15th century. During this period, individuals, particularly those distressed by oppressive regimes and mentalities in continental Europe, including England and Ireland, migrated in colonies to the American continent. The foundations of the current political and administrative system of the United States were laid through this migration. The US is a federal state with a federal system of governance. In addition to a strong federal government, there are 50 state administrations with significant autonomy and nearly 90,000 local administrations. In general, the organizational structure of US public administration can be examined by dividing it into federal administration, state administration, and local administrations within state administration (Ömürgönülşen, 2009: 313-375).

The United States is a federal state with a federal system of governance, and as such, its administrative structure can be divided into federal administration and state administration. However, alongside these two structures, local governments also play a role within the administrative framework.

## FEDERAL STATE

The United States has a complex system of public administration that involves multiple branches of government. Each branch plays a crucial role in maintaining the smooth functioning of the government and ensuring that laws and regulations are enforced effectively. In this section, the legislative, executive and judicial branches within the public administration structure of the United States Federal State are examined.

### Legislature

The United States Legislature, also known as Congress, is the legislative branch of the USA. Established by Article I of the Constitution, the Legislature is responsible for making laws that govern the country. The Legislature consists of the House of Representatives and the Senate, which together form the United States Congress.

The United States Legislature is structured consists of the House of Representatives and the Senate. The chief function of Congress is the making of laws. The legislative process comprises a number of steps, including the introduction of a bill, committee review, and a vote in both the House and the Senate. Once the bill passes both chambers of Congress, it is then sent to the President for approval. The Congress has the power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States. The Legislature plays a critical role in the US government, and its operation is essential for the proper functioning of the country. The House of Representatives is made up of 435 elected members, divided among the 50 states in proportion to their total population. In addition, there are 6 non-voting members, including a delegate from the District of Columbia and the resident commissioner of Puerto Rico (Whitehouse, 2023). The Senate, on the other

hand, is composed of two Senators from each State, resulting in a total of 100 Senators (United States Senate, 2023a). This equal representation helps to ensure that each state has an equal voice in the legislative process.

The functions of the United States Legislature are another important aspect of its role in the government. All legislative power in the government is vested in Congress, meaning that it is the only part of the government that can make new laws or change existing laws (Whitehouse, 2023). The Senate maintains several powers to itself, such as ratifying treaties by a two-thirds supermajority vote and confirming the appointments of the President by a simple majority vote (Hal Rogers, 2023).

The role of the United States Legislature in the government is perhaps its most important function. Oversight of the executive branch is an essential Congressional check on the President's power and a balance against his or her discretion in implementing laws. The House has several powers assigned exclusively to it, including the power to initiate revenue bills, impeach federal officials, and elect the President in case of a tie in the Electoral College (Whitehouse, 2023). Congress has the authority to override presidential vetoes by two-thirds majorities of both the House and the Senate (United States Senate, 2023b). These checks and balances help to ensure that no one branch of government becomes too powerful and that the interests of the American people are protected.

The structure and duties of the House of Representatives can be listed as follows (Malamud, 2005: 7):

- It is also described as the People's House.
- All Representatives are elected simultaneously and serve for two years. There are no restrictions on the term of office.
- Each Representative is elected from a specific geographic area in the state called a Electoral district.
- Vacancies in the House of Representatives are filled only by a special or general election.
- Members of the House of Representatives elect a speaker of parliament who leads the house and is actually a member of the ruling party.

The House of Representatives has special powers and responsibilities that it does not share with the Senate. These can be listed as follows:

- Power to bring impeachment against the President and Supreme Court Justices.
- All bills aimed at raising revenue must first be introduced to the House of Representatives.
- If a presidential candidate does not receive a majority of electoral votes, the House of Representatives elects the President. In such cases, each state delegate has one vote.

The United States Senate, the other part of Congress, is located in the other half of the Parliament building. The Senate is different from the House of Representatives in terms of organization (Acheson, 1961: 22). The structure and duties of the Senate are as follows (Malamud, 2005: 7):

- The negotiations held in the Senate, which is considered the Upper House, are considered to be more important than those in the House of Representatives.
- Consists of 100 Senators (two senators from each state).

- Although senators serve for six years, there are no restrictions on their term of office.
- In terms of the election process, senators are divided into three classes; One of these three classes is elected every two years. This ensures that experienced people always serve in the Congress.
- Senate vacancies are generally filled by appointments made by the governor of the state in which the vacancy occurs.
- The Vice President of the United States serves as President of the Senate and votes only in cases of tie votes.

While it shares broad legislative powers with the House of Representatives, the Senate has some unique powers:

- Presidential appointees to key positions in the Supreme Court, lower federal courts, and the Executive Branch must receive Senate confirmation before assuming office.
- The Senate approves or rejects international agreements negotiated by the President.
- In criminal cases against the President or members of the Supreme Court, the general Senate conducts the trial and acts as a jury

In conclusion, the United States Legislature plays a crucial role in the functioning of the American government. Its structure, functions, and role in the government are essential to ensuring that the laws of the land are in line with the needs and concerns of the American people. The checks and balances built into the system help to ensure that no one branch of government becomes too powerful and that the interests of all citizens are protected.

### **Executive Branch**

The executive branch of the United States Government holds immense power, headed by the President, who is responsible for executing and enforcing laws created by Congress. The branch has a complex structure and numerous functions, all aimed at ensuring that the country is run smoothly.

This branch is headed by the President of the United States, who is assisted by a team of advisors and cabinet members. The President's engagement with agencies is crucial to the functioning of the administrative state (Chen, 2017). However, there have been disputes over the extent of the President's authority over agencies. Some argue that the President has the power to control agencies, while others contend that agencies should be independent from the Executive Branch (Subhawong, 2008).

The structure of the executive branch is hierarchical, with the President at the top. As per the Constitution, the President holds the power to enforce and execute laws created by Congress. The President appoints the heads of federal agencies, including fifteen executive departments, and is responsible for their administration (Whitehouse, 2023a). These departments include the Department of State, Defense, Treasury, and Justice, among others. Each department is headed by a secretary, who reports to the President and forms part of the President's Cabinet. (Whitehouse, 2023b) The Cabinet comprises the vice president, heads of executive departments, and other officials, all of whom serve as advisors to the President. (Usagov, 2023) The structure of the executive branch is designed to ensure that the President has access to expert advice on various issues, enabling them to make informed decisions. These Ministries are responsible for administering and

enforcing laws and providing various government services. The scope of their duties is quite broad and affects the life of every American (Malamud, 2005: 9).

The executive branch has a wide range of powers and responsibilities. The President is the Commander-in-Chief of the Armed Forces and has the power to make treaties with foreign nations, subject to the approval of the Senate. The President also has the power to appoint federal judges, ambassadors, and other officials, with the advice and consent of the Senate. The executive branch also has the power to enforce federal laws, to issue executive orders, and to make regulations (Fuo, 2014). Although the Constitution provides that the President "shall be Commander-in-Chief of the Army," it does not define the functions of that office, but these are left to be ascertained by reference to the law and usage of our military service as it currently exists (Garrison, 2013).

The executive branch is subject to checks and balances from the other branches of government. The Supreme Court has the power to issue judgments in controversies that come before it and, in some cases, to order the executive branch to take or refrain from taking specific actions. The legislative branch has a number of tools at its disposal to check the power of the executive, including the power to impeach and remove executives, the power to compel information from the executive branch, and the power to override vetoes (Miller, 1987). This illustrates the importance of checks and balances in ensuring that the executive branch does not overstep its bounds.

There are more than 200 independent public agencies (independent branch agencies) in the USA that do not have ministerial status and are located outside the President's Office (Ömürgönülşen, 2009: 339). Independent units form a wide range in terms of their structure and purposes. While some perform supervisory duties in terms of economic sectors, others operate in the field of social services. The independent or semi-independent work of these units provides certain advantages over ministries, and many of them perform very important duties. For example, agencies such as NASA carry out large state-supported projects with significant independence (Türker, 15.09.2020, [www.arem.gov.tr](http://www.arem.gov.tr)). The most well-known among these units are the "Central Intelligence Organization", "Environmental Protection Agency", "General Services Administration", "Personnel Management Department" (Ömürgönülşen, 2009: 339).

When we examine the Provincial Organization of the Federal Government, we see that almost all public institutions in the USA, including ministries, have widespread organizations in the provinces. However, states and local governments are largely responsible for providing public services financed by the Federal Government throughout the country (Ömürgönülşen, 2009: 345-346).

Table 1. Some Powers Specially Provided in the US Constitution

Federal Government	Federal and State Government	State Government
Printing money	Taksing	Creating Local Government
Conducting foreign relations	Borrowing money	Regulating trade within the state
Regulating commerce between countries and states	Establishing courts	Conducting elections
Having an army and navy	Making and implementing laws	Approving amendments to the Federal Constitution
Declaring war	Giving permission to banks and companies	Measures regarding public health, security and peace

Establishing courts below the Supreme Court	Making expenditures for the general welfare	Exercising powers not granted to the Federal Government by the Constitution and not prohibited by the states
Making laws to implement the Constitution	Building transportation and highways	Issuing licenses
Establishing a postal organization	Acquiring property for public purposes in exchange for a fee	Establishing a State Constitution

Source: from Fairfax, (2017). Önder, 2018: 69.

In addition, there is a two-party structure in the USA, which is perhaps one of the reasons why the Presidential System operates successfully in the country. So, there are 2 parties in the system. Third parties and independent parties have not been in a position to influence the system for a long time. Although these parties are in the system, two parties have always been active. There are no deep ideological differences between these two parties (Republicans and Democrats). In fact, this is an inheritance from England to America, and with this structure, the Narrow Region Majority System is observed to be implemented in the country. (If the party with the majority has even 1 vote more, elects a member of parliament from that region). In addition, parties do not have organizations in a structural sense. They meet before the election and have no activities after the election. Parties are weak and unstable. Here we encounter the Negative Concept of Law. Prohibitions regarding parties have been recorded. In other cases, parties were given freedom. That's why they have no organic structures or heads of state. Additionally, in the system, candidates compete on their own. Since the cost is high, they get support from lobbies and some ethnic groups and ask for help (Akçay, 2010: 25).

- As of January 2022, the cabinet of the United States of America is as follows;
- President: Joe Biden (as of January 2022).
- Vice President: Kamala Harris (as of January 2022).
- Secretary of State: Antony Blinken (as of January 2022).
- Secretary of the Treasury: Janet Yellen (as of January 2022).
- Secretary of Defense: Lloyd J. Austin III (as of January 2022).
- Attorney General: Merrick Garland (as of January 2022).
- Secretary of Homeland Security: Alejandro Mayorkas (as of January 2022).
- Secretary of the Interior: Deb Haaland (as of January 2022).
- Secretary of Agriculture: Tom Vilsack (as of January 2022).
- Secretary of Commerce: Gina Raimondo (as of January 2022).
- Secretary of Labor: Marty Walsh (as of January 2022).
- Secretary of Health and Human Services: Xavier Becerra (as of January 2022).
- Secretary of Housing and Urban Development: Marcia Fudge (as of January 2022).
- Secretary of Transportation: Pete Buttigieg (as of January 2022).
- Secretary of Energy: Jennifer Granholm (as of January 2022).

Secretary of Education: Miguel Cardona (as of January 2022).

Secretary of Veterans Affairs: Denis McDonough (as of January 2022).

Secretary of Commerce: Gina Raimondo (as of January 2022).

## Judiciary

With the Constitution of the United States of America, only the Supreme Court was established, and it was ruled that the authority to establish or abolish other courts belongs to the Congress (Türker, 15.09.2020, [www.arem.gov.tr](http://www.arem.gov.tr)). When the federal judicial system in the United States is briefly examined, it is seen that the federal court system, as a judicial body, has a wide and varied range of functions (Acheson, 1961: 22). Like many other aspects of the United States, the structure of the judicial system based on consensus. During the drafting of the US Constitution, two different views emerged on the configuration of the judicial system. Opponents of federalism argued that only the Supreme Court of America should be established as the national court and that all other civil and criminal disputes should be heard in state courts. Supporters of federalism, on the other hand, argued that the states should not have much power and that disputes should be handled by federal courts. In order to reach a compromise, both sides eventually had to compromise on their positions, which led to the creation of the dual-court system of the United States (Balo, 2012: 975).

Federal courts are established to enforce federal laws. Federal Congress has the power to make changes to the courts. Federal courts are divided into four classes (Sevinç, 1996: 931);

1. The Supreme Court in Washington
2. Circuit Courts
3. District Courts (local courts)
4. Other lower courts

Cases falling within the jurisdiction of the Federal Courts (Sevinç, 1996: 932);

1. Cases arising under the Constitution, laws and treaties of the United States.
2. Cases involving ambassadors, consuls and foreign government officials.
3. Law of the Sea cases.
4. Disputes between two or more federal states, citizens of various federal states, citizens of a federal state and citizens of a foreign state are also within the jurisdiction of federal courts.

Having a dual court organization system, being flexible and competitive, and respecting and protecting local values reflect the basic characteristics of the US court organization system. As a result of the duality of the United States court organization and the wide discretionary power given to the states in court organization in order to protect the local values of the states, the states are in a race and competition to provide a better service to their residents and businessmen in the field of justice services. In fact, the protection and development of local values and the perception of competition in services reflect the general characteristics of American society. The fact that this feature is reflected in justice services and the delivery models of this service increases satisfaction with the service ((Balo, 2012: 975).

## STATE GOVERNMENT

The state government is responsible for providing essential services to the citizens of the state, such as education, healthcare, and infrastructure development. State budgets play a critical role in addressing residents' needs and creating opportunities for families and communities to thrive (Cbpp, 2023). The state government also has the power to regulate commerce within its borders, maintain law and order, and establish a system of taxation (State & Local Government, 2023). The Constitution also outlines the duties states have to each other, as well as those the federal government has to the states (Votesmart, 2023). This means that the state government has the power to enter into agreements with other states and the federal government to address common issues.

States have largely taken the federal government organization (legislative, executive and judicial bodies) as an example in terms of organization. Each state has a constitution, a president (governor), a bicameral parliament and a high court (Ömürgönülşen, 2009: 348).

In the states, the executive branch is responsible for managing the day-to-day operations of the government, providing services, and enforcing laws. It is governed by a governor who is elected by statewide vote for a two- or four-year term, depending on the state. Other elected senior managers; They are the deputy governor, the minister of foreign affairs, the attorney general, the treasurer and members of various boards and commissions. Positions not filled by election are generally filled by appointment by the governor. All states have a popularly elected legislature consisting of two chambers, except Nebraska, which has a unicameral legislature. Legislators are elected from single-member districts and typically serve two- or four-year terms. The names of the assemblies vary by state. In most states, the upper house is called the senate, while the lower house may be called the house of representatives, house of delegates, or state legislature. State court systems have jurisdiction over matters not covered by federal courts, including most civil cases between parties in the same state and criminal cases where violations involve state or local law, family law, and state constitutional matters. The highest court in each state is the state supreme court or court of appeals. Judges are generally elected to long terms, but do not serve for life. The high court generally has only appellate jurisdiction—it reviews decisions of lower courts—and its decisions can also be appealed to the U.S. Supreme Court. The structure of lower state courts varies greatly from state to state. Some states have separate courts for civil and criminal cases, and all states have some form of local municipal or county courts to handle minor crimes and small claims (Malamud, 2005: 12).

Although the number of states in the USA is fixed, Congress has the authority to accept new states. During the founding of the United States of America, there were 13 states. There has been an increase in the number of states since the establishment. In this context, there are 50 states in the United States, although their population and surface area vary. In addition to the 50 states, there is also the District of Columbia, a federal district in the country. The District of Columbia, the national capital of the United States, is not affiliated with any state. The control and administrative supervision of the budget of the District of Columbia, which is governed by the municipal government, is exercised by Congress. State governments are not subunits of the federal government; Each state is a separate sovereignty and does not answer to the federal government according to the constitution. However, the US Constitution and federal laws supersede state constitutions and laws in disputed areas (Malamud, 2005: 12).



In conclusion, the state government in America plays a crucial role in providing essential services to the citizens of the state. The state government is modeled after the federal government and consists of three branches: executive, legislative, and judicial. The state government has the power to regulate commerce within its borders, maintain law and order, and establish a system of taxation. The state government also faces numerous challenges such as unfunded pension liabilities, ideological extremism, and limited resources.

### **LOCAL GOVERNMENT STRUCTURE**

The federal state structure of the USA has made the concept of "decentralization" dominant in the entire management mechanism. Local governments in this country are not subject to constitutional regulation at the federal level. Indeed, there is no provision in the US Federal Constitution on this subject. He left all regulatory powers on this issue to the federated states, that is, the states (Türker, 15.09.2020, [www.arem.gov.tr](http://www.arem.gov.tr)).

In accordance with American federalism, local governments in the USA continue their activities in relationship with the state government and have almost no relationship with the central federal government. Although US local governments vary from state to state, the local government bodies we mentioned are valid for many states. Although state governments are a central government, they have a local government function in terms of the federal government. However, when we evaluate local governments within the state, the state government should be considered as a central government both legally and functionally. In this case, what is meant by local governments are "county", "Municipalities", "town and township" administrations, and "district" and school administrations (Turan, 2017: 15-16).

Today in the USA; There are a total of 90,056 local government units, including 3,031 County Governments, 19,519 Municipalities, 16,360 Towns and Townships, 12,880 School Districts and 38,266 Special Districts. The fact that federated states in the USA have many local government units enables them to be defined as "Laboratories of Democracy". New policies and solutions to problems are first tried on small scales in these local units. Successful programs are being implemented in other federated states and local government units on a national scale (Erkul et al., 2016: 37).

Municipalities in America play a crucial role in providing various services and functions to their citizens. They are responsible for the management of local government, including the provision of public services such as emergency services, parks, and recreation. Municipalities are also responsible for administering and maintaining different types of districts that provide essential services like water, sanitary sewer, and street lighting. Municipalities in America have unique characteristics that differentiate them from other local governments. One of the most common forms of municipal government is the mayor-council form, in which the mayor is the chief executive and the council is the legislative body. However, there are other forms of government, such as the commission form, which is the oldest form of government in the U.S. and is still in use in less than 1% of cities (NLC100, 2023). Population centers can be organized into incorporated municipalities of different types, including cities, towns, boroughs, and villages. QuickFacts provides statistics for all states and counties, as well as cities and towns with a population of 5,000 or more (U.S. Census Bureau, 2023). These characteristics play a significant role in the way municipalities operate and provide services to their citizens.

Municipalities in America face various challenges that affect their ability to provide quality services to their citizens. One of the most significant challenges is the varying revenue sources and budgetary constraints that shape their ability to carry out new mandates or raise additional revenues (brookings.edu, 2023). Another challenge is the rising maintenance costs and delays that are holding economic performance back (Cfr, 2023). Local governments also face numerous challenges, from hiring to public relations, to climate change, and need to respond appropriately (Govpilot, 2023). These challenges require innovative solutions and proactive measures to overcome them. In conclusion, municipalities in America are essential for the proper functioning of local governments. They provide critical services and functions to their citizens, including emergency services, special districts, and public parks and recreation agencies. Although they face various challenges, municipalities strive to deliver quality services to their citizens and adapt to the changing needs of their communities. Understanding the characteristics, functions, and challenges of municipalities in America is crucial for ensuring effective local governance.

### CONCLUSION

The United States is a federal state. This means that power is divided between the national government and individual states. The national state consists of three bodies: the legislative branch, the executive branch and the judicial branch. The legislative branch is responsible for making laws and consists of the Senate and the House of Representatives. The executive branch is responsible for enforcing the laws and is headed by the President of the United States. The judicial branch is responsible for the country's courts and judicial system. It is responsible for interpreting laws and consists of the Supreme Court and other federal courts. Each state also has its own government structure, which includes a governor and state legislature. The state government is responsible for the administration within its borders and has the authority to make laws only on matters that do not belong to the federal government. The federal government has a number of responsibilities, including national defense, foreign relations, and regulating interstate commerce. In addition to the three branches of national government, the United States also has a system of checks and balances. This system ensures that no body has too much power and helps prevent abuse of power. For example, the President can veto a bill passed by Congress, but Congress can override the veto with a two-thirds vote in both the Senate and the House of Representatives. The Supreme Court can also annul it.

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