

AP GOVERNMENT

TEST #6/7 STUDY GUIDE

THE LEGISLATIVE BRANCH, SIGS, & THE JUDICIAL BRANCH

1. Place the letter of the item below into the appropriate box. **Two letters** will go in both.

HOUSE OF REPRESENTATIVES	SENATE
E. F. I. K. M. N. O. S. W. X.	A. B. C. D. F. H. J. P. Q. R. S. T. U. Y. Z.

- | | |
|--|--|
| <ul style="list-style-type: none"> A. Members serve a six-year term B. Gary Peters C. 17th Amendment D. A member's constituency is all of the people of their state E. 435 voting members F. Members can be elected for an unlimited number of terms. G. 100 members H. It is called a continuous body because only 1/3rd of members are up for election every two years. I. A member's constituency is all the people of their district J. Debbie Stabenow K. Revenue bills (a bill that raises taxes) can only be introduced here L. Has the power of ratification M. Where the impeachment process starts | <ul style="list-style-type: none"> N. Members are called representatives, congressmen or congresswomen O. Fred Upton P. The 17th Amendment changed the way members are chosen Q. Filibuster R. Rule 22/Cloture S. A bill must go through here before reaching POTUS' desk T. A POTUS who has been impeached would go on trial here U. Has the power of confirmation V. Two per-state W. Members serve a two-year term X. Each state has a different number of members based upon population Y. The Vice-president may cast the tie-breaking vote here. Z. It's establishment was considered a necessary check on popular passions |
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2. What impact has gerrymandering had on the number of safe districts in the House? Why?

They have increased, but control of the House has not changed because gerrymandering requires control of both Houses of a state legislature and the governorship.

3. What were the two major reasons why the framers felt that a bicameral legislature was necessary?

- In order to balance power between the small states and large states.
- To diffuse the power of Congress/modulate the popular passions of the House.

4. How is the relationship between the executive and legislative branches different under a parliamentary system?

The legislative selects the chief executive under a parliamentary system and therefore controls them.

5. What are four ways party politics have impacted Congress?

- The leaders which set the legislative agenda are always from the majority party
- The Speaker of the House is elected by the House membership and is always from the majority party
- Committee chairs are always from the majority party in both houses
- Leadership positions are typically awarded to party loyalists
- The majority party sets the speaker list for floor debate

6. What are two ways gridlock impacts the legislative duties of Congress? How can it impact the bureaucracy?

- Bills pass more slowly/fewer get passed
- The confirmation process is slower
- More bureaucratic vacancies

7. OH NO! This revenue bill is all discombobulated! Help place these steps in the correct order!

15 **Vote to Override:** If the president vetoes the bill, it can still become law if two thirds of both houses vote to override the veto.

2 **Introduced in House:** Representative sponsors the bill in the House. Only members can introduce bills.

6 **House Floor Action:** House debates the bill, and may add amendments. If a majority votes in favor of the bill, it goes to the Senate.

7 **Introduced in Senate:** A Senator introduces the bill, which is sent to a standing committee.

14 **Presidential Action:** The president may sign (approve) the bill, not sign the bill or veto (reject) it. If approved, or it goes more than ten days without being signed, it becomes law. In this case, POTUS vetoes the bill.

8 **Senate Committee Action:** Same procedure as in the House. If the committee majority votes for the bill, it goes to the whole Senate.

1 **Bill is Drafted:** Members of Congress, the Executive Branch, and even outside groups can draft (write or draw up) bills.

5 **House Rules Committee:** The rules for debating the bill are established as well as its placement on the legislative calendar.

13 **Vote on Compromise:** Both houses must approve changes made by the conference committee. If approved, the bill goes to the president.

10 **Senate Floor Action:** The Bill is debated, and amendments may be added.

3 **Sent to Committee:** The Speaker of the House sends the bill to a standing committee.

4 **House Committee Action:** The bill is assigned to a relevant sub-committee; experts are called to testify; the bill is marked up.

11 **Senate Cloture**

12 **Conference Committee:** If the House rejects any of the changes, the bill goes to a conference committee of members from both houses. It works out a compromise. Both houses must simply vote the compromise version up or down.

9 **Senate Rules Committee:** The rules for debating the bill are established as well as its placement on the legislative calendar.

8. At what stage of the legislative process does most work on a bill take place? At what stage do most bill die?

In committee

10. Identify the type of committee by the description: Standing Committee (SC), Joint Committee (JC), Select Committee (SEC), Rules Committee (RC), Conference Committee (CC)

RC Establishes the legislative calendar

JC Composed of Senators and Congressmen; typically established for a special purpose

SEC Exclusive to the House or Senate; established for a single purpose

SC Permanently established committees that are broken into sub-committees

RC Chaired by the Speaker of the House or Senate Majority Leader

CC Resolves differences between House and Senate versions of a bill

11. Identify the primary task of the following legislative agencies

GAO: General Accounting Office verifies that monies allocated by Congress are being spent in the manner for which they were intended.

CBO: Congressional Budget Office advises Congress on the financial feasibility of a project/program.

12. Identify whether the following apply to the Delegate Model (DM), Organizational Model (OM), or the Trustee Model (TM):

DM Also known as, the representational view

DM Members of Congress voting in accordance with the wishes of their constituents

TM Also known as, the attitudinal view

OM Members of Congress acting in accordance with the views of the party

TM Members of Congress acting on basis of their perception of what is best for their constituents/the public good
(Add to trustee model: Expertise, salience of the issue, inability to determine constituents' feelings)

13. Identify the primary focus of the following congressional committees:

Senate Finance: **All bills that come before the Senate that deal with taxation must come through here.**

House Ways and Means: **All bills dealing with taxation must start here.**

Senate Commerce: **Oversees all activities and bureaucratic agencies dealing with foreign and interstate commerce.**

House/Senate Appropriations: **Any bill that appropriates money must pass through here.**

House/Senate Ethics: **Ensures that all members of Congress act in an ethical and legal manner.**

Senate Judiciary: Overseas the Department of Justice, all federal courts and holds confirmation hearings for all federal judicial appointments.

14. Why are special interest groups more numerous and active in the United States than in other countries?

1. Many cleavages = many SIGs
2. The Constitution provides many access points to government (The bureaucracy, Congress, Courts, State & local governments)
3. Political parties are weak so interests work directly on government
4. Americans have a high sense of civic duty and political efficacy

16. When is the influence of SIGs and their PACs most effective during the legislative process? Why?

They are most effective in the committee process where they can advocate for minute changes in legislation to suit their interests. These are often difficult to attribute directly to SIGs.

17. What is a grassroots effort? How does this differ from "astro-turfing?"

A grassroots effort takes place when a group of voters are mobilized to contact legislators or protest in favor of or against legislation or a policy. "Astro-Turfing" is when they are hired to do so in order to make it appear as though their cause has more support than it does.

18. How do special interest groups differ from political parties?

Special interest groups don't nominate candidates for office and focus on a narrow spectrum of issues.

19. What limitation does the Lobbying Disclosure Act of 1995 place upon SIGs?

Lobbyists must disclose all contacts with legislators.

20. How can SIGs openly contribute to the legislative process?

They can directly contribute to the writing of legislation, consult, testify, and provide information to legislators.

THE FEDERAL COURTS

Short answer or fill-in the blank

21. From what two courts may a petition for a *Writ of Certiorari* originate? Where do most originate?

State supreme and federal circuit courts. Most originate from federal circuit courts.

22. Which Supreme Court case resulted in its acquiring the power of judicial review and what does this power permit the Court to overturn?

Marbury v. Madison-Judicial review is the power to rule acts of Congress, the President and the bureaucracy unconstitutional, and to overrule to rulings of lower courts.

23. Article III of the constitution allows federal judges to serve life terms. What is the primary reason the Founding Fathers felt this was necessary?
It enables the justices to make their rulings free of political concerns and independent of the other branches.
24. Who is responsible for appointing federal judges?
POTUS
25. What congressional body is responsible for confirming federal judges?
The Senate; confirmation hearings are conducted by the Senate Judiciary Committee
26. When is a petition for a writ of certiorari considered approved? What happens if a case is denied cert?
It is approved when four justices consent to hear the case; if certiorari is not granted, the ruling of the lower court stands.
27. Why does SCOTUS typically agree to hear a case?
**The case raises an important constitutional or legal question; it involves conflicting decisions by different circuit courts on a similar issue; it involves a constitutional ruling by a state supreme court.
NOTE: The petitioner must have standing (legally be able to bring the case)**
28. Are the majority of cases heard by SCOTUS original or appellate jurisdiction? In what instances does the Supreme Court have original, exclusive jurisdiction?
Appellate; cases involving disputes between two states or high federal officials
29. How may a federal court judge be removed from the bench?
Impeachment
30. How may a ruling by the Supreme Court be overturned? In what other ways can Congress influence the federal courts?
It can be overturned by a future court majority, by Congress passing a law to circumvent the ruling, or by amending the Constitution.
31. Why has the nomination process for Supreme Court justices become more politically contentious?
The lifetime tenure of federal judges ensures that a Presidential appointment will still be influential years after POTUS leaves office.
32. What factors does POTUS consider when selecting a candidate for the federal bench?
Judicial record, age, likelihood of confirmation, religion, race, POTUS' own current approval rating
33. What are oral arguments and why are they vital to Supreme Court proceedings?

They are question/answer sessions that give each party an opportunity to make their case; oral arguments are important because they allow members of the public to hear judicial proceedings via media coverage; allow Justices to ask hypothetical questions in order to gauge what the effect of a decision might be in practice; they help identify issues that were not properly briefed by the parties, and magnify the strengths and weaknesses of each side's arguments.

34. How can POTUS limit the impact of the Court's rulings?

- Refusing to enforce rulings (Andrew Jackson)
- Proposing legislation/making executive orders to sidestep rulings
- Using the Bully Pulpit to exert pressure on the Court

35. What sources influence the Court's rulings?

The Constitution & precedent

36. Indicate whether the following statements apply to the courts above by placing the correct letter in the box. One letter will be used twice.

DISTRICT COURTS	APPELLATE COURTS	SCOTUS
C, E, F, K	A, B, G, I	A, D, H, J,

- | | |
|---|---|
| <ul style="list-style-type: none"> A. Nine Justices B. Three judges typically hear the case C. Where most federal cases begin D. Has both original and appellate jurisdiction E. Original jurisdiction only F. Are federal trial courts | <ul style="list-style-type: none"> G. Appellate jurisdiction only H. "Highest Court in the Land" I. Also called "Circuit" Courts J. Can hear cases on appeal from a state court or federal circuit court K. Where most federal cases originate |
|---|---|

37. A Supreme Court Justice who bases his/her rulings on precedent and the framers' intent with regard to the constitution might be said to practice the philosophy of **JUDICIAL RESTRAINT** be an **ORIGINALIST** and are typically **STRICT** constructionists who are likely to **UPHOLD** a law, whereas a justice who believes that the Court should settle issues that were not adequately addressed by legislatures is a judicial **ACTIVIST** or **LOOSE** constructionist who is more likely to **OVERTURN** a law.

38. Why is the principle of *stare decisis* important to American judicial process?

It prevents chaos via consistency in the law and helps protect the principle of equal justice

39. Why are *Amicus Curiae* briefs potentially important to the process?

They raise issues about the case that could have an impact on people or groups who were not parties in the case.

40. If two circuit courts issue different rulings over two similar cases, why is the Supreme Court likely to take the case?

It signals a Constitutional crisis as the law can now be interpreted in two different ways making it difficult to enforce equally.

*****In addition to this study guide, I would HIGHLY recommend that you go back and take a look at your SCOTUS cases flash cards.*****