RLP-GOV · RLP American Government — Principles of American Democracy

# Unit 2: The Branches and the Court

Practice Workbook. The same problems, in the same order, as the Practice sections of the online lessons.

Name _____ Period _____

## Lesson 2.1 — Article I — How Congress Works, and Who Represents You

### FLUENCY

1. Complete the comparison for each chamber of Congress: number of members, length of term, minimum age, years of citizenship.

2. Put these steps of a bill's path in order: (a) conference committee reconciles differences; (b) introduction and referral to committee; (c) the President signs or vetoes; (d) committee hearings and mark-up; (e) floor debate and vote in each chamber.

3. Which chamber: (a) where revenue bills must start; (b) confirms appointments; (c) ratifies treaties by a two-thirds vote; (d) brings impeachment charges; (e) tries impeachments.

### APPLICATION

4. A bill passes the House 240-195 and the Senate 58-42, and the President vetoes it. If every member votes the same way on an override, does it become law? Show the numbers.

5. Article I gives Congress power to regulate commerce among the states and to make laws "necessary and proper" for its listed powers. Explain why RH.11-12.4 treats these as key terms whose meaning is refined over time.

6. As a Missouri resident you are asked to record your U.S. senators and representative. Describe how to find them reliably and what you must record with them, and explain why.

### REVIEW

7. Review from Unit 1: the equal representation of states in the Senate came from which compromise, and which amendment changed how senators are chosen?

## Lesson 2.2 — Article II — The Presidency, Executive Orders and Presidential Power

### FLUENCY

1. State the President's eligibility requirements and the term limit, with the amendment that sets it.

2. How many electoral votes does a state have, how many does it take to win the presidency, and how many does Missouri have with 8 House seats?

3. Sort into formal (listed in Article II) and informal powers: commander in chief; executive orders; pardons; executive agreements; appointing judges; the "bully pulpit".

## APPLICATION

4. Apply Justice Jackson's *Youngstown* framework: (a) a President acts under a statute that authorises the action; (b) a President acts on a matter Congress has never addressed; (c) a President acts in a way Congress has expressly forbidden. Where is presidential power strongest and weakest?

5. Using HI.2, explain why the Great Society laws passed in 1964-65. Separate what President Johnson chose from what circumstances contributed.

6. Scenario: a President issues an executive order directing an agency to stop collecting a fee that a federal statute requires it to collect. Using the lesson, predict how a court would analyze the order.

### REVIEW

7. Review from Unit 1: Federalist 51 says "Ambition must be made to counteract ambition." Name one check Congress has on the President and one the President has on Congress.

8. Review from Unit 1: the Twenty-Second Amendment was added through the Article V process. What votes did it need to be proposed and ratified?

## Lesson 2.3 — Deliberation Lab — Article III, Judicial Review and the Landmark Cases

### FLUENCY

1. Define *original* and *appellate jurisdiction*, and give an example of a case the Supreme Court hears under original jurisdiction.

2. Describe the three steps by which a Supreme Court justice is chosen, and state how long justices serve.

3. Match each case to the principle it established: *Marbury v. Madison*; *McCulloch v. Maryland*; *United States v. Nixon*.

## APPLICATION

4. Marshall wrote that "It is emphatically the province and duty of the judicial department to say what the law is." Explain why the lesson says that in *Marbury* he gave up a small power to claim a much larger one.

5. Scenario: a state passes a tax that applies only to a new federal agency's offices located in the state. Using *McCulloch*, predict the result and quote the lesson's reasoning.

6. Deliberation: "Should Supreme Court justices serve fixed terms instead of for life?" State the strongest argument on each side, drawing on Federalist 78 and the Anti-Federalists. Do not give a verdict.

7. Missouri's Constitution has the governor appoint supreme court judges from three names sent by a nonpartisan commission, for twelve-year terms, after which voters decide whether to retain each judge. Which concern from Federalist 78 and which from the Anti-Federalists does this plan address, and what does it give up? Do not give a verdict.

### REVIEW

8. Review from Unit 1: judicial review is one of the checks and balances. Which branch does it check, and which two branches' actions can it reach?

## Lesson 2.4 — Workshop — Changing Interpretations of Civil Rights, from Plessy to Bakke

### FLUENCY

1. Put in order and give the year: *Brown v. Board of Education*; *Plessy v. Ferguson*; *Regents of the University of California v. Bakke*; *Miranda v. Arizona*; *Tinker v. Des Moines*.

2. Define *separate but equal*, *dissenting opinion* and *precedent*.

3. What did each case hold? (a) *Miranda v. Arizona*; (b) *United States v. Virginia*; (c) *Tinker v. Des Moines*.

## APPLICATION

4. Harlan, dissenting in *Plessy*, called segregation on a public highway "a badge of servitude." The *Plessy* majority said any badge of inferiority existed only because Black citizens chose to read it that way. Explain the disagreement, and identify the sentence in *Brown* that later vindicated Harlan.

5. HI.3 asks you to read *Plessy* in its own context without excusing it. Write two sentences that do both.

6. Trace the law on race-conscious admissions at public universities from 1978 to 2023, using only facts from the lesson.

7. In *Missouri ex rel. Gaines v. Canada* (1938), Missouri offered to pay Lloyd Gaines's tuition at a law school in an adjacent state instead of admitting him to its state university's law school. Use the Court's sentence in the lesson to explain why that did not satisfy the Constitution, and why *Gaines* did not overrule *Plessy*.

**REVIEW**

8. Review from Unit 1: *Brown* applied the Fourteenth Amendment to a state's schools. Why was the Fourteenth Amendment, not the Bill of Rights alone, the basis for limiting a state?

9. Review from Lesson 2.3: name the Chief Justice who wrote *Marbury* and the Chief Justice who led the unanimous Court in *Brown*.

## Unit 2 checkpoint

1. The House has _____ members, apportioned among the states by population after each census.
2. Where does the 60-vote threshold to end debate on most Senate legislation come from?
   A. Article I of the Constitution
   B. The Seventeenth Amendment
   C. A rule of the Senate
   D. A Supreme Court decision
3. True or false: Most bills that die in Congress die in committee.
4. A presidential candidate needs _____ of the 538 electoral votes to win.

5. In Youngstown Sheet & Tube Co. v. Sawyer (1952), why did the Court rule against President Truman's seizure of the steel mills?
   A. He acted without congressional authority
   B. The mills were state property
   C. The Korean War had ended
   D. Congress had already seized them
6. True or false: The President may remove a federal judge by executive order.
7. Which case held that executive privilege is real but must yield to the specific needs of a criminal trial?
   A. Marbury v. Madison
   B. McCulloch v. Maryland
   C. United States v. Nixon
   D. Youngstown Sheet & Tube Co. v. Sawyer
8. In McCulloch v. Maryland the Court said "the power to tax involves the power to _____."
9. True or false: Judicial activism and judicial restraint always correspond to one political side.
10. What did Regents of the University of California v. Bakke (1978) hold?
    A. Race may never be considered in admissions
    B. Fixed racial quotas were unlawful, but race could be one factor among many
    C. Separate but equal applies to universities
    D. The Equal Protection Clause does not apply to state universities
11. Justice Harlan, the lone dissenter in Plessy, wrote: "Our Constitution is _____."

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