AP US Government & Politics

Exam Review #4 – 7.5

**Units 4 – 7.5: Legislative & Executive Branches; the Budget & the Bureaucracy; Structure of the Court System**

**Enduring Understanding: The republican ideal in the U.S. is manifested in the structure and operation of the legislative branch.**

The Senate is designed to represent states equally, while the House is designed to represent the population.

Senate:

* # of members per state:
* # of members total:
* Original way senators were elected:
* 17th Amendment:
* Issues with Senate representation (big state vs large state):

House:

* # of members per state:
  + states with highest population:
  + States with lowest population:
* # of members total:
* Non-voting members (number; from where):

Different chamber sizes and constituencies influence formality of debate.

Senate rules on debate:

* How long:
* Who speaks:
* Why:
* Filibuster:

House rules on debate:

* How long:
* Who speaks:
* Why:

Coalitions in Congress are affected by term-length differences.

Senate term length:

* Years:
* Why:
* Limited or unlimited:
* Rate of re-lection:

House terms length:

* Years:
* Why:
* Limited or unlimited:
* Rate of re-election:

The Constitution provides specific requirements to run for each house:

Senate qualifications:

House qualifications:

Define enumerated powers:

Define implied powers:

The enumerated (Article \_\_\_\_\_\_\_\_\_\_\_\_; Section \_\_\_\_\_\_\_\_\_) and implied (Article \_\_\_\_\_\_\_\_\_\_\_\_; Section \_\_\_\_\_\_\_\_\_) powers in the Constitution allow the creation of public policy by Congress, which includes:

* Enumerated Powers (money - 3):
* Enumerate Powers (war/military - 2):
* Enacting legislation that addresses a wide range of economic, environmental, and social issues based on the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_\_\_\_ Clause (aka the \_\_\_\_\_\_\_\_\_\_\_\_\_\_ Clause)

By design, the different structures, powers, and functions of the U.S. Senate and House of Representatives affect the policy-making process.

Powers given to the Senate:

Powers given to the House of Representatives:

Though both chambers rely on committees to conduct hearings and debate bills under consideration, different constitutional responsibilities of the House and Senate affect the policy-making process.

Chamber-specific procedures, rules, and roles that impact the policy-making process include:

* Number of chamber and debate rules that set the bar high for building majority support
* Roles of Speaker of the House, President of the Senate, party leadership, and committee leadership in both chambers
  + Role of Speaker of House:
  + Role of President of the Senate:
  + Other party leadership positions + roles in House (4):
  + Other party leadership positions + roles in Senate (4):
* Filibuster and cloture
  + Filibuster:
  + Cloture:
* Holds and unanimous consent in the Senate:

* Role of Rules Committee, Committee of the Whole, and discharge petitions in the House
  + Rules Committee:
  + Committee of the Whole:
  + Discharge petition:
* Treaty ratification and confirmation role of the Senate

Congress’ primary function is creating legislation. Describe in detail how a bill becomes a law (include both houses and the President):

Congress must generate a budget that addresses both discretionary and mandatory spending, and as entitlement costs grow, discretionary spending opportunities will decrease unless tax revenues increase or the budget deficit increases.

Pork barrel legislation and logrolling affect lawmaking in both chambers.

* + Pork Barrel legislation:
  + Logrolling:

Congressional behavior and governing effectiveness are influenced by:

* Ideological divisions within Congress that can lead to gridlock or create the need for negotiation and compromise
* Gerrymandering, redistricting, and unequal representation of constituencies have been partially addressed by such Court decisions as ***\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*** (1961), which opened the door to equal protection challenges to redistricting and stated the “one person, one vote” doctrine, and the no-racial- gerrymandering decision in ***\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*** (1993)
  + Gerrymandering:
  + Redistricting:
* Elections that have led to a divided government, including partisan votes against presidential initiatives and congressional refusal to confirm appointments of “lame-duck” presidents of the opposite party
* Different role conceptions of “trustee,” “delegate,” and “politico” as related to constituent accountability in each chamber
  + Trustee:
  + Delegate:
  + Politico:

Presidents use powers and perform functions of the office to accomplish a policy agenda.

Constitutional requirements to seek presidency:

Formal and informal powers of the president include:

* + Legislative powers:
  + Bill signing or vetoing
    - Pocket veto:
  + Executive orders:
* Foreign policy – both formal (Commander-in-Chief and treaties) and informal (executive agreements) powers that influence relations with foreign nations
  + Executive agreements:
* Bargaining and persuasion – informal power that enables the president to secure congressional action
* Signing statements:
* Judicial powers:

The potential for conflict with the Senate depends upon the type of executive branch appointments, including:

* Cabinet members
* Ambassadors
* White house staff

Senate confirmation is an important check on appointment powers, but the president’s longest lasting influence lies in life-tenured \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ appointments.

Policy initiatives and executive orders promoted by the president often lead to conflict with the congressional agenda.

**Enduring Understanding: The presidency has been enhanced beyond its expressed constitutional powers.**

Justifications for a single executive are set forth in **Federalist No. 70.**

* Author:
* Major points:

Term-of-office and constitutional-power restrictions, including the passage of the **22nd Amendment**, demonstrate changing presidential roles.

* 22nd Amendment (when, why, terms):

Different perspectives on the presidential role, ranging from a limited to a more expansive interpretation and use of power, continue to be debated in the context of contemporary events.

The communication impact of the presidency can be demonstrated through such factors as:

* Modern technology, social media, and rapid response to political issues
* Nationally broadcast **State of the Union** messages and the president’s **bully pulpit** used as tools for agenda setting
  + State of the Union (how often, when, purpose):

**Enduring Understanding: The design of the judicial branch protects the Supreme Court’s independence as a branch of government, and the emergence and use of judicial review remains a powerful judicial practice**

The foundation for powers of the judicial branch and how its independence checks the power of other institutions and state governments are set forth in:

* Article III of the Constitution
* Federalist No. 78
  + Author:
  + Major points:
* *Marbury v. Madison* (1803):

Precedents and *stare decisis* play an important role in judicial decision making.

* *stare decisis:*

Ideological changes in the composition of the Supreme Court due to presidential appointments have led to the Court’s establishing new or rejecting existing precedents.

Controversial or unpopular Supreme Court decisions can lead to challenges of the Court’s legitimacy and power which Congress and the president can address only through future appointments, legislation changing the Court’s jurisdiction, or refusing to implement decisions.

Political discussion about the Supreme Court’s power is illustrated by the ongoing debate over judicial activism versus judicial restraint.

* Judicial activism:
* Judicial restraint:

Restrictions on the Supreme Court are represented by:

* Congressional legislation to modify the impact of prior Supreme Court decisions
* Constitutional amendments
* Judicial appointments and confirmations
* The president and states evading or ignoring Supreme Court decisions
* Legislation impacting court jurisdiction

**Enduring Understanding: The federal bureaucracy is a powerful institution implementing federal policies with sometimes questionable accountability.**

Tasks performed by departments, agencies, commissions, and government corporations are represented by:

* Writing and enforcing regulation
* Issuing fines
* Testifying before Congress
* Issue networks and “iron triangles”
  + Issue networks:
  + Iron triangles:

Political patronage, civil service, and merit system reforms all impact the effectiveness of the bureaucracy by promoting professionalism, specialization, and neutrality.

* Patronage:
* Civil service:
* Merit system:

Discretionary and rule-making authority to implement policy are given to bureaucratic departments, agencies, and commissions, such as:

* Department of Homeland Security (purpose/prominent agencies within):
* Department of Transportation
* Department of Veterans Affairs
* Department of Education
* Environmental Protection Agency (EPA)
* Federal Elections Commission (FEC):
* Securities and Exchange Commission (SEC):

Oversight and methods used by Congress to ensure that legislation is implemented as intended are represented by:

* Committee hearings
* Power of the purse

**As a means to curtail the use of presidential power, congressional oversight serves as a check of executive authorization and appropriation.**

**Presidential ideology, authority, and influence affect how executive branch agencies carry out the goals of the administration.**

Compliance monitoring can pose a challenge to policy implementation.

Formal and informal powers of Congress, the president, and the courts over the bureaucracy are used to maintain its accountability.