Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Period: \_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_

**AP U.S. GOVERNMENT AND POLITICS**

**Unit 2 - Interactions Between Branches – Review Packet (T. McKibben)**

Because power is widely distributed and checks prevent one branch from usurping powers from the others, institutional actors are in the position where they must both compete and cooperate in order to govern.

The three key institutions of the federal government are Congress, the presidency, and the courts. The bureaucracy, which implements policy, is seen by some as an extension of the executive branch and by others as, in effect, a fourth branch of government because of the discretion it can exercise in carrying out policy directives. The Constitution grants specific powers to Congress, the president, and the courts, and in addition, each branch exercises informal powers (developed through political practice, tradition, and legislation). Because checks and balances are designed to prevent one branch from becoming too powerful, Congress and the president, for example, will sometimes cooperate and sometimes compete in governance.

The powers of Congress are set forth in Article I of the Constitution. Congress is bicameral, with the Senate representing states and the House of Representatives reflecting each state’s population. Congress passes laws that cover a wide range of policy areas, and each chamber has different responsibilities and rules. The federal budget is a good example of how the president and Congress must cooperate and compromise. While Congress is empowered to develop and pass a budget, in the modern era the president typically proposes one, which may lead to ideological debate. There are several reasons it is difficult for Congress to pass legislation, including ideological differences. Much of the work of Congress is done in committees, and congressional committees also exercise oversight to ensure that the bureaucracy is carrying out policies as intended.

The expressed powers of the president are set forth in Article II of the Constitution. The president has a significant degree of informal power, which has grown over time. Under the Constitution, Congress checks the power of the president, and this leads to tension between the two branches over both foreign and domestic affairs. The president and Congress have several interrelated powers. For example, while Congress passes legislation, the president must sign it into law. The president appoints judges and members of the cabinet, who must be confirmed by the Senate. The president also oversees most of the bureaucracy. Technology has impacted the president’s use of the “bully pulpit” to influence public opinion. In addition to reaching out to the public through televised press conferences and the State of the Union message, the president is increasingly making use of social media to communicate views to a vast audience.

Using a merit-based civil service system for all staff except top-level political appointees, the federal bureaucracy carries out laws to regulate a wide range of individual and commercial activities. Bureaucrats implement policy using their discretionary and rule-making authority. Both Congress and the president can hold the bureaucracy accountable in policy implementation, and the two branches will sometimes be in conflict over whether or not administrative agencies are carrying out the letter and spirit of the law.

**Essential Questions**

* How do the branches of the national government compete and cooperate in order to govern?
* To what extent have changes in the powers of each branch affected how responsive and accountable the national government is in the 21st century?

**Big Idea #1 The republican ideal in the U.S. is manifested in the structure and operation of the legislative branch.**

**Basic Congressional Requirements**

|  |  |  |
| --- | --- | --- |
| **House of Representatives** |  | **Senate** |
|  | Number of members in each Chamber |  |
|  | Minimum Age |  |
|  | Citizenship Requirement |  |
|  | Term Length |  |
|  | Explain how the representation of each differs - whole state or the populate of the district.  |  |
|  | Where in the Constitution are the requirements found?  |  |

**Powers of Congress**

|  |  |
| --- | --- |
| Define: Enumerated Powers  |  |
| Define: Implied Powers  |  |
| Where in the Constitution are the enumerated powers of Congress found?  |  |
| Where in the Constitution are the implied powers of Congress found? |  |
| List the ECONOMIC powers of Congress.  |  |
| List the MILITARY powers of Congress |  |
| Explain why the Necessary and Proper Clause is used for addressing social and environmental issues.  |  |

**Structure, powers, and functions of both houses of Congress**

|  |  |  |
| --- | --- | --- |
|  | House of Representatives | Senate |
| Describe and explain how each differ constitutionally in the policy-making process (what powers does one hold that the other does not?  |  |  |

**Special Notes:**

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

**Congressional Leadership**

|  |  |  |
| --- | --- | --- |
|  | **House of Representatives** | **Senate** |
| Constitutional Required Leadership Offices \*Identify and Describe role in policy making process.  | 1.
 | 1.
2.
 |
| Additional Leadership Offices (Include committees) | Majority Party | Minority Party | Majority Party | Minority Party |
| \*Identify and Describe role in policy making process. |  |  |  |  |

**Procedures, rules, and roles that impact the policy-making process**

|  |  |  |
| --- | --- | --- |
|  | **Define and describe the impact in the policy-making process**  | **House of Representatives (HR)****Senate (S)****Both (B)**  |
| Filibuster |  |  |
| Cloture  |  |  |
| Discharge Petition |  |  |
| Treaty Ratification  |  |  |
| Confirmation of Judges |  |  |
| Rules Committee  |  |  |

**Special Notes:**

* Senate confirmation is an important check on appointment powers, but the president’s longest lasting influence lies in life-tenured judicial appointments.
* Chamber-specific procedures, rules, and roles impact the policy-making process.

|  |  |
| --- | --- |
|  | **Define and describe the impact in the budgetary process – include examples.**  |
| Discretionary Spending |  |
| Mandatory Spending |  |
| Pork Barrel Legislation |  |
| Logrolling  |  |

**Special Note:** 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.

**Congressional Behavior and Governing Effectiveness**

|  |  |
| --- | --- |
|  | **Define and explain how it influences congressional behavior.**  |
| Divided Government |  |
| Partisan |  |
| Bi-Partisan |  |
| “Lame—Duck” President |  |
|  | **Definition**  | **Describe the different role as related to constitute accountability in each chamber.** |
| Trustee  |  | H of R:. Senate:  |
| Delegate |  | H of R:. Senate:  |
| Politico  |  | H of R:. Senate:  |

**Special Notes:**

* Ideological divisions within Congress that can lead to gridlock or create the need for negotiation and compromise.
* 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.
* Coalitions in Congress are affected by term-length differences.

**Gerrymandering and redistricting**

|  |  |
| --- | --- |
|  | **Define and describe the impact in the budgetary process – include examples.**  |
| Gerrymandering |  |
| Redistricting |  |
| **Court Case** | **Year** | **Brief description of the case and outcome** | **Constitutional principles** |
| *Baker v. Carr*  |  |  |  |
| *Shaw v. Reno* |  |  |  |

**Special Note:** Gerrymandering, redistricting, and unequal representation of constituencies have been partially addressed by such Supreme Court decisions.

**Big Idea #2 The presidency has been enhanced beyond its expressed constitutional powers.**

**Formal and Informal Powers of the President**

|  |  |  |  |
| --- | --- | --- | --- |
|  | Formal or Informal? | Define  | Explain how the president would use to implement policy.  |
| Veto |  |  |  |
| Pocket-Veto |  |  |  |
| Executive Orders |  |  |  |
| Treaties |  |  |  |
| Commander-in-Chief |  |  |  |
| Executive Agreements  |  |  |  |
| Bargaining & Persuasion  |  |  |  |
| Signing Statements  |  |  |  |
| Explain how presidents have interpreted and justified their use of formal and informal powers. |  |

**Special Notes:**

* Presidents use powers and perform functions of the office to accomplish a policy agenda.
* 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.
* Policy initiatives and executive orders promoted by the president often lead to conflict with the congressional agenda.

**President and Congressional Tension**

|  |  |
| --- | --- |
| Explain how the president’s agenda can create tension and frequent confrontations with Congress.  |  |

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

**Tensions between the President and the Senate**

|  |  |
| --- | --- |
|  | Explain how conflict could occur with the Senate for each of the following.  |
| Cabinet Members |  |
| Ambassadors |  |
| White House Staff |  |

**Special Note:.** Senate confirmation is an important check on appointment powers, but the president’s longest lasting influence lies in life-tenured judicial appointments.

**Federalist No. 70**

|  |  |
| --- | --- |
| Author |  |
| Main ideas |  |
| Explain the argument for a strong executive.  |  |

**Presidential Requirements**

|  |  |  |
| --- | --- | --- |
|  | Presidential Requirements  | Where in the Constitution are the requirements found? |
| Minimum Age |  |  |
| Citizenship Requirement |  |  |
| Length of Term |  |  |

**Constitutional-Power Restrictions**

|  |  |  |
| --- | --- | --- |
|  | Describe the 22nd Amendment | Explain why this demonstrates the changing presidential role.  |
| 22nd amendment |  |  |

**Special Note:** Term-of-office and constitutional-power restrictions, including the passage of the **Twenty-second Amendment**, demonstrate changing presidential roles.

**Communication, technology and the Presidency**

|  |  |  |
| --- | --- | --- |
|  | Explain how each has changed the president’s relationship with the **national constituency**.  | Explain how each has changed the president’s relationship with the **other government branches.**  |
| Modern technology (TV, radio, internet)  |  |  |
| Social media |  |  |
| Nationally broadcast State of the Union |  |  |
| “Bully pulpit”  |  |  |

**Big Idea #3- The federal bureaucracy is a powerful institution implementing federal policies with sometimes questionable accountability.**

|  |  |
| --- | --- |
|  | Define  |
| Bureaucracy  |  |
| Patronage |  |
| Merit |  |
| Civil Service  |  |
| “Power of the Purse”  |  |
| Compliance monitoring  |  |

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

**Tasks performed by departments, agencies, commissions, and government corporations**

|  |  |
| --- | --- |
|  | Explain how each assists the bureaucracy in carrying out the responsibilities of the national government  |
| Writing and enforcing regulations |  |
| Issuing fines |  |
| Testifying before Congress  |  |
| Issue networks and “Iron Triangle”  |  |

**Bureaucratic Agencies**

|  |  |  |
| --- | --- | --- |
|  | Explain how the federal bureaucracy uses delegated discretionary authority for rule making and implementation. | Cite a recent example in the past 2 years.  |
| Department of Homeland Security |  |  |
| Department of Transportation |  |  |
| Department of Veterans Affairs |  |  |
| Department of Education |  |  |
| Environmental Protection Agency (EPA) |  |  |
| Federal Elections Commission (FEC) |  |  |
| Securities and Exchange Commission (SEC) |  |  |

**Special Note:.** Discretionary and rule-making authority to implement policy are given to bureaucratic departments, agencies, and commissions.

**Methods of Oversight**

|  |  |
| --- | --- |
|  | For each, explain how Congress uses its oversight power in its relationship with the executive branch. |
| Committee hearings |  |
| Power of the Purse |  |

**Special Notes:**

* 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.

**Presidential responsibilities and goals**

|  |  |
| --- | --- |
| Explain how the president ensures that executive branch agencies and departments carry out their responsibilities in concert with the goals of the administration. |  |

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

**Governmental branches hold the bureaucracy accountable**

|  |  |  |
| --- | --- | --- |
| How does each ensure that the bureaucracy is held accountable?  | Formal Powers | Informal Powers |
| * Congress
 |  |  |
| * President
 |  |  |
| * The Courts
 |  |  |

**Special Note:.** Governmental branches can hold the bureaucracy accountable given the competing interests of Congress, the president, and the federal courts.