

Unit 2: Interaction Among Government Branches
TEST – A

1. Enumerated powers given to Congress in the Constitution include all of the following EXCEPT
 - a. Override Supreme Court opinions
 - b. Declare war
 - c. Collect taxes
 - d. Regulate interstate commerce

2. In broad terms the U.S. Congress has all of the following responsibilities EXCEPT
 - a. Make laws
 - b. Constituent service
 - c. Conduct oversight investigations
 - d. Power of the sword

3. What is true of all REVENUE bills in Congress?
 - a. Pass without the consent of the president
 - b. Must be introduced by the majority party
 - c. Must be introduced in the House
 - d. Must originate in the Senate finance committee

4. Who has the biggest advantage in the legislative process?
 - a. Leadership
 - b. Opposition
 - c. Majority party
 - d. Senate

5. After years of serving in the House Tom was given the responsibility of informally vote counting in the House of Representatives. This duty also involved attempting to sway votes in favor of Tom's party position. What title is given to Tom's work?
 - a. Speaker
 - b. Majority Leader
 - c. Majority Whip
 - d. Minority Leader

6. Confirmation of presidential appointments and ratifying treaties is a role given to
 - a. Congress
 - b. House members only
 - c. Senate members only
 - d. Cabinet level appointees

7. Which one the following federal budget line items would be considered an entitlement program?
- Military spending
 - Social Security
 - Funding for the arts
 - Funding to protect the environment
8. Which one the following federal budget line items would be considered a discretionary program?
- Military spending
 - Social Security
 - Medicaid
 - Funding for workers with disabilities
9. Despite apparent dysfunctions our Congress continues to do all of the following EXCEPT
- Provide for social services
 - Fund the military
 - Respond to emergencies
 - Increase its public approval ratings
10. When the House of Representatives reapportions it
- Re-calculates the number of Districts each state receives
 - Counts the number of Democrats and Republicans serving
 - Counts the number of females and minorities serving
 - Re-calculates the money it provides to each state
11. When the House of Representatives redistricts it
- Determines how many districts each state receives
 - Redraws the size and shape of its Congressional districts
 - Switches from a Democratic chamber to a Republican chamber
 - Switches from a Republican chamber to a Democratic chamber
12. Although most of the members of Congress have “safe seats,” a few represent “marginal districts.” What is a marginal district?
- A congressional district where the winner receives less than 35% of the vote
 - A congressional district where the winner receives less than 55% of the vote
 - A congressional district where the winner receives less than 75% of the vote
 - A congressional district where the winner receives less female votes

13. Tom takes every vote in Congress seriously. He also is known on the Hill as an ideologue with strong religious convictions. Most of his votes are predictably cast to reflect his faith-based conscience. What type of Congressional voter is he?

- a. Delegate
- b. Trustee
- c. Partisan
- d. Politico

14. Tom takes every vote in Congress seriously. He also is one of the most loyal party members in his caucus. Most of his votes are cast to support the party leadership positions. What type of Congressional voter is he?

- a. Delegate
- b. Trustee
- c. Partisan
- d. Politico

15. Tom takes every vote in Congress seriously. He also worries about his reelection. Most of his votes are cast to represent as best as he can his constituents back home. What type of Congressional voter is he?

- a. Delegate
- b. Trustee
- c. Partisan
- d. Politico

16. Presidents possess both formal and informal powers. Many of the informal powers are based upon tradition. These powers are not found in the constitution but are routinely practiced without any reservations. What informal power is being exercised in the following scenario?

“The president orders the Wildlife Service to crack down on animal trafficking. Congress left out.”

- a. Executive Order
- b. Executive Privilege
- c. Executive signing statement
- d. Executive Agreement

17. Presidents possess both formal and informal powers. Many of the informal powers are based upon tradition. These powers are not found in the constitution but are routinely practiced without any reservations. What informal power is being exercised in the following scenario?

“The president signs a pact with Syria regarding chemical weapons. Senate left out”

- a. Executive Order
- b. Executive Privilege
- c. Executive signing statement
- d. Executive Agreement

18. Presidents possess both formal and informal powers. Many of the informal powers are based upon tradition. These powers are not found in the constitution but are routinely practiced without any reservations. What informal power is being exercised in the following scenario?

“Congress enquired about the president’s meeting with tech-leaders back in January but he has refused cooperating with them.”

- a. Executive Order
- b. Executive Privilege
- c. Executive signing statement
- d. Executive Agreement

19. A recent Blue Ribbon commission of lawyers wrote, “The President's constitutional duty is to enforce laws he has signed into being unless and until they are held unconstitutional by the Supreme Court or a subordinate tribunal... The Constitution is not what the President says it is.”

What presidential practice do you suppose these lawyers were responding to?

- a. State of the Union Address
- b. Signing statements
- c. Veto
- d. Meeting with members of Congress

20. According to many political scientists the most imposing constraint on U.S. presidents is

- a. Congress
- b. Supreme Court
- c. State legislatures
- d. Public opinion

21. Which of the following scenarios best exemplifies a president’s use of the bully pulpit?

- a. The president engaged in hard-nosed negotiations with Iran
- b. The president traveled the country giving speeches about raising the minimum wage
- c. The president submitted to Congress a piece of legislation that increased his military power
- d. The president traveled to another country for a peace summit

22. Foreign governments and their leaders can limit the president’s power in a number of ways. Most noticeably, however, they can

- a. Serve as agenda gatekeepers
- b. Challenge the president to use the veto more
- c. Divide the loyalties of the American people
- d. Reduce immigration

23. All of the following are common obstacles to a president realizing public policy success EXCEPT

- a. Public disapproval
- b. Confrontations with the Vice President
- c. Unexpected foreign policy interruption
- d. Confrontations with Congress

24. Our Founding Fathers feared anarchy as much as they feared monarchy. Yet they had just fought against the tyranny of King George of England. It was no surprise then that the new Constitution appeared to create a weak chief executive. The office of President, however, was given access to great potential power. That potential is found in the president's unilateral ability to execute the laws and the power to exploit public opinion. Alexander Hamilton in the Federalist Papers called this a (n)

- a. Capable chief executive
- b. Princely president
- c. Head of State
- d. Energetic president

25. Political activist William A. Niskanen has written:

“There’s one more advantage to tension between our governmental branches: Major reform is more likely to last. Since passing any measure in divided government requires bipartisan support, a shift in majorities is less likely to bring on serious changes or adulterations. The Reagan tax laws of 1981 and 1986, for example, were both approved by a House of Representatives controlled by Democrats and have largely survived. The welfare reform of 1996 was approved by Clinton and a Republican Congress and also endures. By contrast, any efforts during the past several years to reform the federal tax code, Medicare, or Social Security have faltered, and any changes forced through by the GOP would almost certainly be undone as soon as Democrats returned to power. Reforms of real magnitude will almost certainly depend on preventing immoderation and securing bipartisan support, and little of that seems likely in a GOP-only government.”

Niskanen appears to be arguing for the benefits of

- a. Divided government
- b. A unified government
- c. A two-party system
- d. A multi-party system

26. President’s wear many different hats. The president plays a number of important roles. Which role is being played in the following scenario?

“The president today met in the White House with the world champion Chicago Blackhawks. After putting on a jersey he joked that he had to decide between becoming president or becoming an NHL goalie.”

- a. Chief Executive
- b. Commander-in-Chief
- c. Chief of Party
- d. Chief of State

27. Modern political scientists like Richard Neustadt rooted presidential power in

- a. The formal powers found in the Constitution
- b. Informal powers used to persuade and bargain
- c. Interaction with foreign leaders and diplomats
- d. Support by Congress to pass all presidential proposals

28. In Federalist #70 Alexander Hamilton wrote:

Energy in the Executive is a leading character in the definition of good government...Every man the least conversant in Roman story, knows how often that republic was obliged to take refuge in the absolute power of a single man...

Hamilton was arguing for

- a. A strong president
- b. A king
- c. A weak president
- d. The abolition of the Executive Branch

29. Presidents use communication technologies to influence critical constituencies. All of the following would be historical examples of this informal power EXCEPT

- a. Teddy Roosevelt's use of the "bully pulpit"
- b. Ronald Reagan traveling to a rally and giving a speech
- c. Obama using Snapchat
- d. Trump gives a State of the Union Address

30. The following excerpt is taken from a recent speech given on the floor of the House of Representatives:

...So we have seen no oversight. That has played into the hands of the plebiscitary Presidency, into the hands of a President who is allowed more power than is healthy for a society. And I reiterate, I am not charging authoritarianism. It still is a free country, and I encourage people to use that freedom and to be critical and to organize. But we are still talking about a very, very different mode of governance, the mode of governance in which, instead of the checks and balances and the collaboration and the input of a lot of people, you get one man making the decisions...

What conclusions can be drawn from this speech regarding a plebiscitary Presidency?

- a. This representative thinks the presidency has expanded, as events have required
- b. This representative thinks the presidency has assumed too much power
- c. This representative thinks the presidency has shrunk due to unnecessary checks
- d. This representative thinks the presidency has turned into a dictatorship

31. In Federalist 78 Alexander Hamilton wrote, "Whoever attentively considers the different departments of power must perceive, that, in a government in which they are separated from each other, the judiciary, from the nature of its functions, will always be the least dangerous to the political rights of the Constitution; because it will be least in a capacity to annoy or injure them."

What is the main idea of this passage?

- a. The separation of powers divides authority equally
- b. The Congress is the most powerful branch
- c. The Courts will be the least dangerous branch
- d. The President will have supreme power over the courts

32. Judicial review was established in the case

- a. Marbury v. Madison (1803)
- b. Fletcher v. Peck (1810)
- c. McCulloch v. Maryland (1819)
- d. Gibbons v. Ogden (1824)

33. Which of the following scenarios provides the best example of the Court practicing judicial review?

- a. The Court applied the privileges of the Fourth Amendment to the states
- b. The Court broadly interpreted the latest environmental protection laws
- c. The Court struck down a corporate bid to buy the public park
- d. The Court ruled the president's application of war powers unconstitutional

34. Which of the following Supreme Court cases provided the seminal interpretation for the following language found in the U.S. Constitution?

“This Constitution, and the Laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the constitution or laws of any state to the contrary notwithstanding.”

U.S. Constitution Article 6, Section 2

- a. Marbury v. Madison (1803)
- b. McCulloch v. Maryland (1819)
- c. Gibbons v. Ogden (1824)
- d. Barron v. Baltimore (1833)

35. Read the Court excerpt below and answer the questions that follow:

“Two years ago, in *District of Columbia v. Heller*, 554 U. S. ____ (2008), we held that Second Amendment protects the right to keep and bear arms for the purpose of self-defense, and we struck down a District of Columbia law that banned the possession of handguns in the home. The city of Chicago (City) and the village of Oak Park, a Chicago suburb, have laws that are similar to the District of Columbia's, but Chicago and Oak Park argue that their laws are constitutional because the Second Amendment has no application to the States. We have previously held that most of the provisions of the Bill of Rights apply with full force to both the Federal Government and the States. Applying the standard that is well established in our case law, we hold that the Second Amendment right is fully applicable to the States.”

Excerpted from Justice Alito's Court opinion in McDonald v. Chicago (2010)

By applying the Second Amendment to the States the Court was practicing

- a. Selective incorporation
- b. Separation of powers
- c. Checks and Balances
- d. Equal protection

36. In Latin our word for precedent literally means, “Let the decision stand.” The Latin word for precedent is
- Ad hominem
 - Amicus curiae
 - Obiter dictum
 - Stare decisis
37. The use of precedent in the American legal system is loosely based upon
- The dialogues of Plato
 - Roman juries
 - English common law
 - Mayflower Compact
38. The United States judiciary has boasted of its “independence.” What does this mean?
- Free of private and partisan interests
 - Free of controversy and debate
 - Free of media scrutiny and examination
 - Free of any real check and balance from the other branches
39. Which of the following scenarios characterizes a judge who practices judicial restraint?
- The judge felt it necessary to help low income workers in the absence of any other public policy
 - The judge chose to give meaning to a vague portion of Congress’ new law on marriage
 - The judge chose to wait in deciding due to a change in public opinion
 - The judge deferred to Congress by choosing to deny jurisdiction in the case
40. All of the following would characterize a judge who practices activism EXCEPT
- Bound by the intent of the constitution
 - Belief in a “living” constitution
 - See them as a “last resort” for the powerless
 - Need to remedy vague laws
41. Today judges who practice restraint tend to be _____ while judges who practice activism tend to be _____.
- Liberal; conservative
 - Conservative; liberal
 - Libertarian; Liberal
 - Conservative; Libertarian
42. The Federal judiciary is checked in all of the following ways EXCEPT
- Federal judges serve limited terms
 - The Constitution can be amended
 - Legislative branch members can rewrite laws deemed unconstitutional
 - Executive branch officials can choose not to enforce court decisions

43. The following was stated in a recent Court opinion: *“The root of American governmental power is revealed most clearly in the instance of the power conferred by the Constitution upon the Judiciary of the United States and specifically upon this Court. As Americans of each succeeding generation are rightly told, the Court cannot buy support for its decisions by spending money and, except to a minor degree, it cannot independently coerce obedience to its decrees. The Court’s power lies, rather, in its legitimacy, a product of substance and perception that shows itself in the people’s acceptance of the Judiciary as fit to determine what the Nation’s law means and to declare what it demands.”* What is the main idea of this excerpt?

- a. We follow the Court due to its legitimacy, yet its legitimacy depends upon likable decisions
- b. We follow the Court due to financially acceptable opinions that buy our approval
- c. We follow the Constitution and therefore defer to the Courts regardless of their opinions
- d. Legitimacy in government is a fancy way of saying “governments can do whatever they want.”

44. Federalism checks the Courts in all of the following ways EXCEPT

- a. Proposed constitutional amendments are ratified by state legislatures
- b. Our dual court system means there are federal and state courts
- c. State Supreme Courts do not need to follow federal precedents
- d. Certain state cases lack federal jurisdiction

45. Which of the following best describe an iron triangle?

- a. A bureaucratic agency, an interest group, and a congressional committee
- b. The president, an interest group, and a congressional committee
- c. Senate majority leader, an interest group, and the president
- d. The Solicitor General, a justice, and a member of the ABA

46. Executive departments, collectively called the Cabinet, are empowered with vast statutory authority to implement public policy as written into law by Congress and approved by the president. This executive department is responsible for implementing foreign policy.

- a. State Department
- b. Treasury Department
- c. Defense Department
- d. Department of Education

47. Federal agencies are empowered to write regulations, enforce existing law and adjudicate disputes. This has helped to make our federal bureaucracy more powerful than our Founders imagined. Critics of this powerful bureaucracy would accuse it of

- a. Violating the separation of powers
- b. Violating the goal of an independent government
- c. Violating campaign promises
- d. Violating budget laws

48. Political science tells us: *Bureaucrats are powerful political actors because they have some flexibility as they interpret the law and implement public policy. For instance, police officers overlook some offenses during their shifts and welfare caseworkers decide the order and speed with which applicants receive their benefits. Of course, the actions of police officers and caseworkers, like all bureaucrats, are at least theoretically bound by the law. The point is not that bureaucrats are rogue actors but that they have some latitude as they make decisions.*

The main idea of this excerpt is

- a. Federal bureaucrats use delegated discretionary authority for rule making and implementation
- b. Federal bureaucrats act both outside and above the law when implementing federal rules
- c. Federal bureaucrats remain as positive civil servants as long as they follow the election returns
- d. Federal bureaucrats deliver benefits to those that vote giving them life long job security

49. Executive Departments of the federal government have broad *discretion* to act. Which of the following would be an example of the Department of Homeland Security using its discretionary authority?

- a. Favorably deciding contentious ethanol policies
- b. Administering massive infrastructure improvement plans
- c. Directing clandestine foreign intelligence operations
- d. Initiating controversial meta-data collections

50. Political science has criticized the dangers of an administrative state. One expert has written: “*After absolute power was defeated in England and America, it circled back from the continent through Germany, and especially through Prussia. There, what once had been the personal prerogative power of kings became the bureaucratic administrative power of the states. The Prussians were the leaders of this development in the 17th and 18th centuries. In the 19th century they became the primary theorists of administrative power, and many of them celebrated its evasion of constitutional law and constitutional rights.*” What is the fear?

- a. Prerogative powers are antithetical to the primary themes of American government
- b. Discretionary authority can be used to break up our federal system
- c. Discretionary authority gives too much power to the legislative branch thus causing an imbalance
- d. Prerogative powers when used inappropriately would restore an illegal parliamentary government

51. Which of the following roles of Congress most closely reflects the Founders intention to serve as a “check and balance”?

- a. Make laws
- b. Oversight
- c. Constituent Service
- d. Campaign for reelection

52. In *Federalist 51* (1788) James Madison wrote:

“If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself. A dependence on the people is, no doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions...”

Which of the following best reflects how the original U.S. Constitution embodied Madison’s argument?

- a. Checks and balances
- b. Republicanism
- c. Authoritarianism
- d. The Bill of Rights

53. The Executive Branch is more than a president. It is made up of hundreds of agencies each employing thousands of agents doing the president’s bidding. Or do they? Why is it difficult for presidents to control their own administrations?

- a. The size of the federal bureaucracy makes its difficult to control
- b. The federal bureaucracy answers first to Congress
- c. The federal bureaucracy has been severely limited by judicial review
- d. The federal bureaucracy does not have sufficient manpower to operate efficiently

54. The English King held certain prerogative powers “for the sake of unanimity, strength and dispatch.” The U.S. Constitution appears to inherently vest such prerogative powers in the president, as well. What does this mean?

- a. President’s can act beyond “statutory authorization”
- b. Law do not apply to the president
- c. Presidents can disregard the constitution
- d. Presidents can overrule Court opinions through “executive fiat”

55. In *Myers v. United States* (1926) the Court stated:

“[The president] should select those who were to act for him under his direction in the execution of the laws...[A]s his selection of administrative officers is essential to the execution of the laws by him, so must be his power of removing those for whom he can not continue to be responsible. . . .”

Which of the following headlines would be an appropriate example of the precedent in this case?

- a. “Majority Leader fired by the President, Membership Considering Impeachment”
- b. “Chief Justice Threatened by President, ‘One more case like that and you’re fired’”
- c. “President relieves Secretary of Defense of his duties, Congress fumes”
- d. “President tells Illinois Governor that Friday will be his last day in office; Residents Relieved”

56. Sitting in plain view atop President Harry S. Truman's Oval Office desk sat a simple sign, "The buck stops here." What did this simple sign mean?
- President Truman, along with every president, is ultimately responsible for preparing the federal budget
 - President Truman, along with every president, is charged with checking an impervious Congress
 - President Truman, along with every president, is ultimately responsible for government actions
 - President Truman, along with every president, is ultimately responsible for protecting free elections
57. Which of the following best characterizes what most people think about bureaucracies?
- Negative connotation
 - Positive but nuanced
 - Indifference
 - Enthusiastic about the quality of service
58. Congress attempts to control and check the power of federal agencies in all of the following ways EXCEPT
- The federal budget
 - Oversight hearings
 - Statutory law
 - Eradicating iron triangles
59. All of the following have been used to explain why it is difficult to hold the federal bureaucracy accountable EXCEPT
- Unrealistic expectations
 - Foreign intelligence obstacles
 - Political conflicts
 - Improbable crises
60. According to our studies this semester, our limited government is rooted in all of the following EXCEPT
- Historical traditions
 - Political theory
 - Conflict and compromise
 - Authoritarianism masquerading as democracy