

**Unit 2: Interactions Among Branches of government**

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 republican ideal in the U.S. is manifested in the structure and operation of the legislative branch.

Describe the different structures, powers, and functions of each house of Congress.	<b>Senate</b>	<b>House of Representatives</b>
The Senate is designed to represent states equally, while the House is designed to represent the population.	<b>How is representation decided in the Constitution?</b>	
Different chamber sizes and constituencies influence formality of debate.	<b>Senate</b>	<b>House of Representatives</b>
Discuss how Coalitions in Congress are affected by term-length differences.		

The enumerated and implied powers in the Constitution allow the creation of public policy by Congress, which includes:

**Passing a federal budget, raising revenue, and coining money**

**Declaring war and maintaining the armed forces**

**Enacting legislation that addresses a wide range of economic, environmental, and social issues based on the Necessary and Proper Clause**

Explain how the structure, powers, and functions of both houses of Congress 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.

**Identify and explain the four types of congressional committees:**

*Chamber-specific procedures, rules, and roles that impact the policy making include:  
(Make sure you understand these procedures and their impact Define where necessary).*

**Number of chamber and debate rules that set the bar high for building majority support:**

**Roles of Speaker of the House, party leadership, and committee leadership in both chambers:**

**Filibuster**

**Cloture**

**Role of Rules Committee, Committee of the Whole, and discharge petitions in the House**

**Treaty ratification and confirmation role of the U.S. Senate**

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.

**Define and provide an example:**

**Discretionary spending**

**Mandatory spending**

Pork barrel legislation and logrolling affect lawmaking in both chambers.

**Define and explain:**

**Pork barrel legislation**

**Logrolling**

Explain how congressional behavior is influenced by election processes, partisanship, and divided government.

Congressional behavior and governing effectiveness are influenced by:  
**(Define and Explain)**

**Ideological divisions within Congress**

**Gerrymandering**

**Redistricting**

**Reapportionment**

**Elections that have led to a “divided government”**

**Congressional refusal to confirm appointments of “lame duck” presidents of the opposite party**

**Different role conceptions of ... as related to constituent accountability in each chamber:**

**Trustee model**

**Delegate model**

***These issue are partially addressed by such Court decisions:***

**Baker v. Carr**

**Shaw v. Reno**

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

<p>Explain how the president can implement a policy agenda.</p>	
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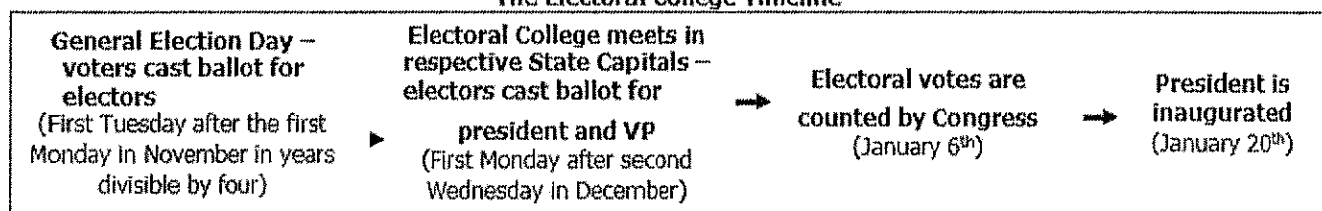
<p>Presidents use powers and functions of the office to accomplish a policy agenda. Discuss the formal and informal powers of the president represented by:</p>	<p><b>Informal Powers</b></p>	<p><b>Formal Powers</b></p>
<p>Explain how the president's agenda can create tension and frequent confrontations with Congress.</p>		
<p>Senate confirmation is an important check on appointment powers, but the president's longest lasting influence lies in life-tenured judicial appointments.</p>	<p><b>Explain this statement:</b></p>	
<p>Discuss how policy initiatives and executive orders promoted by the president often lead to conflict with the congressional agenda.</p>		
<p>Term-of-office and constitutional-power restrictions, including the passage of the 22nd Amendment, demonstrate changing presidential roles.</p>	<p><b>22<sup>nd</sup> Amendment</b></p>	

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

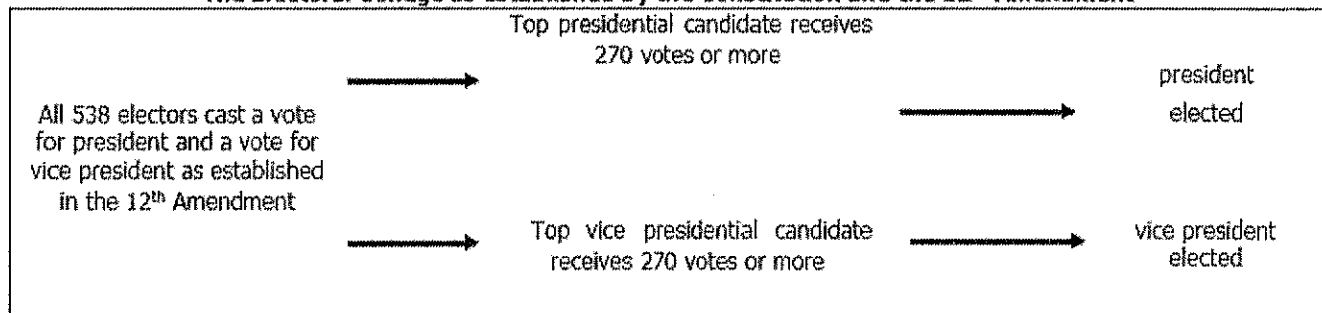
1. **Modern technology, social media, and rapid response to political issues**
2. **Nationally broadcast State of the Union messages and the president's bully pulpit used as tools for agenda setting**

## HOW THE PRESIDENT AND VICE PRESIDENT ARE ELECTED

### The Electoral College Timeline



### The Electoral College as established by the Constitution and the 12<sup>th</sup> Amendment



**What happens if the top presidential and vice presidential candidates receive fewer than 270 electoral votes?**  
The decisions are made in the House and the Senate based on the 12<sup>th</sup> Amendment of the U.S. Constitution

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

<p>Explain how the bureaucracy carries out the responsibilities of the federal government.</p>	
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Tasks performed by departments, agencies, commissions, and government corporations are represented by:

**Writing and enforcing regulations**

**Issuing fines**

**Testifying before Congress**

**Issue networks and “iron triangles”**

<p>Define and explain how political patronage, civil service, and merit system reforms all impact the effectiveness of the bureaucracy by promoting professionalism, specialization, and neutrality.</p>	<p><b>civil service</b></p> <p><b>merit</b></p> <p><b>Pendleton Act</b></p>
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<p>Explain how the federal bureaucracy uses delegated discretionary authority for rule making and implementation.</p>	
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<p>Discretionary and rule-making authority to implement policy are given to bureaucratic agencies such as:</p> <ul style="list-style-type: none"> <li>• Department of Homeland Security Department of Transportation</li> <li>• Department of Veterans Affairs Department of Education</li> <li>• Environmental Protection Agency</li> <li>• Federal Elections Commission (FEC)</li> <li>• Securities and Exchange Commission (SEC)</li> </ul>	<p><b>Independent Executive Agency</b></p>	<p><b>Independent Regulatory Commission</b></p>	<p><b>Government Corporation</b></p>
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Explain how Congress uses its oversight power in its relationship with the executive branch.  
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.

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

Explain the extent to which governmental branches can hold the bureaucracy accountable given the competing interests of Congress, the president, and the federal courts.



**Judicial Branch:** The design of the judicial branch protects the court's independence as a branch of government, and the emergence and use of judicial review remains a powerful judicial practice.

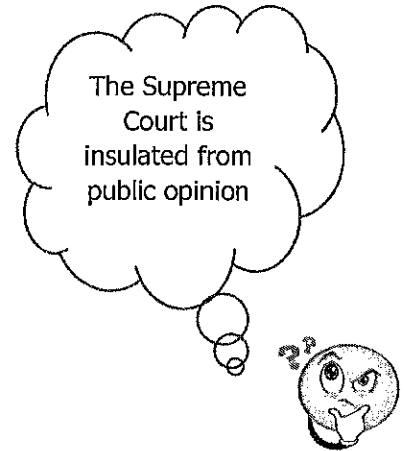
Explain the principle of judicial review and how it checks the power of other institutions and state governments.

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**

**Marbury v. Madison (1803)**



Explain how the exercise of judicial review in conjunction with life tenure can lead to controversy about the legitimacy of the Supreme Court's power.

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

**Define:**

**Stare Decisis**

**Precedent**

<p>Discuss how 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.</p>	
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Controversial or unpopular court decisions can lead to challenges of the court's legitimacy and power which Congress and the president. Discuss how the President and Congress can change unpopular decisions...

**future appointments**

**legislation changing the Court's jurisdiction refusing to implement decisions**

**Constitutional Amendment**

<p>Political discussion about the Supreme Court's power is illustrated by the ongoing debate over judicial activism versus judicial restraint.</p>	<p><b>Define and provide an example:</b></p> <p><b>Judicial Activism</b></p>	<p><b>Define and provide an example:</b></p> <p><b>Judicial Restraint</b></p>
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<p>Explain how other branches in the government can limit the Supreme Court's power.</p>	
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What are the functions of *amicus curiae* briefs?

What is the difference between:

**majority opinion**

**dissenting opinion**

**concurring opinion**

<b>COURT</b>	<b>NUMBER OF COURTS</b>	<b>NUMBER OF JUDGES</b>	<b>JURISDICTION</b>	<b>POLICY IMPLICATIONS</b>
<b>District Court</b>				
<b>Courts of Appeal</b>				
<b>Supreme Court</b>				