

UNIT FOUR QUESTIONS

1. Which of the following is the BEST description of the influence of political party affiliation on a member's vote in Congress?
- (A) Party affiliation is very important, with representatives and senators voting along party lines about $\frac{3}{4}$ of the time.
- (B) Members take party views into account, but they often vote against the party line.
- A (C) Members of the majority party are more likely to support party views than are the members of the minority party.
- (D) Members of the minority party are more likely to support party views than are the members of the majority party.
- (E) The views of the president usually influence members more than the views of party leaders do.
2. Which of the following is NOT a correct comparison of the House of Representatives and the Senate?
- (A) Representatives must be at least 25 years old; senators must be at least 30.
- D (B) The House of Representatives has 435 members; the senate has 100.
- (C) Both representatives and senators must live in the area that they represent.
- (D) Senators must be native-born citizens, but representatives may be naturalized citizens.
- (E) Representatives have two year terms; senators have six year terms.
3. All of the following are powers of Congress enumerated in the Constitution EXCEPT:
- (A) to lay and collect taxes
- E (B) to borrow money
- (C) to regulate interstate commerce
- (D) to create courts
- (E) to select the commander in chief of the armed services
4. Which of the following powers does the Constitution grant to the House of Representatives?
- D (A) to ratify treaties signed by the president
- (B) to try the president and other civil officers after the Senate has impeached them
- (C) to confirm major presidential appointments
- (D) to originate all bills of revenue
- (E) to vote on laws declared unconstitutional by the courts

- A
5. Congress determines the actual amount available for government agencies to spend in a fiscal year when it sets
- (A) appropriations
 - (B) authorizations
 - (C) schedules for marking up bills
 - (D) pigeonholes
 - (E) rules for debate
- B
6. Which of the following positions would NOT be affected if the majority party lost its majority in Congress?
- (A) the speaker of the House
 - (B) the president of the Senate
 - (C) party whips in the Senate
 - (D) party whips in the House of Representatives
 - (E) the *president pro tempore* in the Senate
- A
7. Which of the following powers is NOT given to the speaker of the house of representatives?
- (A) appointing chairmen of standing committees
 - (B) exercising control over which bills get assigned to which committees
 - (C) appointing the party's legislative leaders
 - (D) directing business on the floor
 - (E) recognizing members who wish to speak on the floor
- A
8. Which of the following most accurately compares the majority leader in the House of Representatives to the majority leader in the Senate?
- (A) The majority leader is usually not the most powerful leader in the House; the Senate majority leader has the top leadership post in that house.
 - (B) Both majority leaders have the top positions in their respective houses, but the majority leader in the House has more concentrated power.
 - (C) The majority leader in the Senate is less likely to cooperate with the minority leader; the House majority leader has little choice but to cooperate with the minority leader.
 - (D) The majority leader in the House is usually more dependent on the good will of the president than the Senate majority leader is.
 - (E) Both majority leaders have comparative powers within their respective houses.

9. Which of the following usually has little power in determining Congressional proceedings?

- C
- (A) the speaker of the House
 - (B) the majority leader in the Senate
 - (C) the president of the Senate
 - (D) the majority leader in the House
 - (E) the minority leader in the Senate

10. Which of the following types of committees is set up to hammer out differences between House and Senate versions of similar bills?

- A
- (A) conference committees
 - (B) joint committees
 - (C) party committees
 - (D) select committees
 - (E) standing committees

11. In which of the following settings is a bill the most likely to be changed/rewritten?

- B
- (A) in full committee
 - (B) in sub-committee
 - (C) by the Rules Committee
 - (D) by the Committee of the Whole
 - (E) on the House or Senate floor

12. A new representative from rural Kansas who narrowly won his or her election would most likely seek to be placed on the

- E
- (A) Ways and Means Committee
 - (B) Appropriations Committee
 - (C) Judiciary Committee
 - (D) Rules Committee
 - (E) Agriculture Committee

13. A closed rule for debate on the floor of the House of Representatives would mean that

- D
- (A) only the bill's supporters will be recognized to speak
 - (B) a discharge petition has resulted in a bill's appearance for floor debate
 - (C) amendments from the floor are permitted
 - (D) the bill has strict time limits for debate
 - (E) the speaker of the House does not lead the debate

14. The informal networks that group members of Congress sharing the same interests are called

- A
- (A) caucuses
 - (B) select committees
 - (C) bureaucracies
 - (D) subcommittees
 - (E) linkage groups

(Question 15 is based on the following chart):

Characteristics of the 109th Congress (2005-2007)		
Characteristic	House of Representatives	Senate
Women	68	14
Lawyers	160	58
Members with advanced degrees	281	78
Average age	55	60
Members with military service	109	31

15. Which of the above characteristics has changed significantly over the past few Congresses?

- C
- (A) average age
 - (B) types of occupations
 - (C) number of women
 - (D) advanced education
 - (E) military service

16. *Wesberry v. Sanders*, the “one-man, one vote” Supreme Court decision addressed the problem of

- E
- (A) gerrymandering
 - (B) minority-majority districting
 - (C) incumbency
 - (D) pork barrel legislation
 - (E) malapportionment

- X
17. *Easley v. Cromartie* ruled that race may not be a “dominant and controlling” factor in
- (A) redistricting
 - (B) setting who will run for Congress
 - (C) selecting chairmen of standing committees
 - (D) logrolling legislation
 - (E) passing civil rights legislation
18. Cloture is a technique used in the senate to
- (A) discharge a bill from committee
 - (B) control nongermane amendments
 - (C) stall a bill from passing
 - (D) stop a filibuster
 - (E) send a strong message to the president
19. A pocket veto is a technique that allows the president to
- (A) kill legislation presented to him within ten days of the adjournment of Congress
 - (B) kill legislation without calling attention to his point of view
 - (C) communicate his dislike for a bill before it leaves committee
 - (D) send a bill back to both houses for further consideration
 - (E) veto part of a bill, but allow other parts to become law
- A
20. The 2005 Consolidated Appropriations Act was criticized by many as an example of
- (A) malapportionment
 - (B) gerrymandering
 - (C) misuse of the powers of incumbency
 - (D) pork barrel legislation
 - (E) favoritism toward the Midwest
- X
21. Which of the following is most often cited as a strength of the legislative process in the U.S.?
- (A) It is efficient.
 - (B) It is generally free of partisan politics.
 - (C) It allows for input from many people.
 - (D) It generally is not influenced by powerful lobby groups.
 - (E) It allows most bills to be passed into law.
- C

61. The judicial doctrine based on the practice of deciding court cases with reference to previous decisions is called
- C
- (A) mandamus
 - (B) certiorari
 - (C) *stare decisis*
 - (D) judicial review
 - (E) dual sovereignty
62. Which of the following qualifications for becoming a federal judge is directly addressed in Article III of the Constitution?
- A
- (A) Federal judges have no fixed terms of office.
 - (B) Federal judges must be at least 35 years old.
 - (C) Federal judges must have experience in lower (state and local) courts.
 - (D) Federal judges must have lived in the United States for at least 14 Years.
 - (E) Federal judges must not hold any type of elected office.
63. The Supreme Court holds original jurisdiction over cases that involve
- D
- (A) criminal intent
 - (B) civil cases that involve \$500,000 or more
 - (C) the United States as a party
 - (D) cases affecting ambassadors and other public ministers
 - (E) cases in which parties live in different states
64. The power of judicial review was first used in John Marshall's majority opinion expressed in
- A
- (A) *Marbury v. Madison*
 - (B) *McCulloch v. Maryland*
 - (C) *Gibbons v. Ogden*
 - (D) *Barron v. Baltimore*
 - (E) The Dred Scott case
65. Which of the following courts would have original jurisdiction in a case in which one state is suing another state?
- E
- (A) the plaintiff state's Supreme Court
 - (B) the defendant state's Supreme Court
 - (C) a U.S. District Court
 - (D) a U.S. Court of Appeals
 - (E) the Supreme Court

66. Which of the following courts has no original jurisdiction in any cases?
- (A) a state Supreme Court
 - (B) a U.S. District Court
 - (C) the Supreme Court
 - (D) the Court of Claims
 - (E) the U.S. Court of Appeals for the Federal Circuit
67. If a lawyer from the Justice Department is arguing the case for the defense, the plaintiff is most likely
- (A) an official of the United States government
 - (B) a high official of one of the states
 - (C) an individual accused of an illegal action against a state
 - (D) an individual accused of a federal crime
 - (E) an individual or group involved in a civil lawsuit against the U.S. government
68. In which of the following situations might a person be tried for a single criminal act twice?
- (A) It can't happen, since it would be double jeopardy.
 - (B) It could happen in cases where more than one person is victimized.
 - (C) It would happen if the same action broke both a state and a federal law.
 - (D) It could happen if the judge is not objective in his ruling.
 - (E) It could happen if the person is not a U.S. citizen.
69. Presidents generally honor the principle of senatorial courtesy in appointing judges to
- (A) the Supreme Court
 - (B) U.S. Courts of Appeal
 - (C) District Courts
 - (D) Tax Court
 - (E) Territorial Courts

70. Which of the following best describes the role that political party affiliation plays in a president's selection of federal judges?
- (A) Presidents try to be bipartisan in selecting judges.
 - (B) Since judges are supposed to be nonpartisan, party affiliation generally doesn't matter for appointing judges.
 - C (C) 90% of judicial appointments in modern times have gone to members of the president's political party.
 - (D) Party affiliation is important as a selection criterion, but not as important as political ideology.
 - (E) Party affiliation is important only if there is a serious question that the Senate won't confirm the nomination.
71. Which of the following is the best description of race and gender diversity as a consideration for a president's selection of federal judges?
- (A) Race and gender diversity has been an important selection criterion since the early 20th century.
 - (B) Only in recent years has race and gender diversity been applied as an important selection criterion.
 - B (C) Race and gender are basic selection criteria; the percentage of female and minority judges mirrors the general population fairly closely.
 - (D) Presidents play lip service to race and gender, but they almost never seriously consider them as selection criteria.
 - (E) Race and gender are less important today as selection criteria than they have been in the past.
72. An example of a "litmus test" used in recent years for nominating and confirming judicial appointees is
- (A) opinions about abortion
 - (B) judicial experience
 - A (C) senatorial courtesy
 - (D) party loyalty
 - (E) compatibility with Justice Department personnel
73. Which of the following describes the usual route that a case follows to be brought before the Supreme Court?
- (A) by original jurisdiction, as defined in Article III of the Constitution
 - (B) from state supreme courts directly
 - D (C) from U.S. Courts of Appeal, whose cases almost always go to the Supreme Court
 - (D) by writ of certiorari
 - (E) referred from the president's desk to the Court

74. Which types of opinion are always rendered with a decision from the Supreme Court?

- I. majority opinion
- II. dissenting opinion
- III. concurring opinion

A

- (A) I only
- (B) I and II only
- (C) II and III only
- (D) I, II, and III
- (E) None; sometimes no opinions are expressed.

75. Which of the following is the best description of the ideological leanings of the Rehnquist Court?

- (A) Almost all the justices are conservative.
- (B) Almost all the justices are liberal.
- (C) Most of the justices are moderates, with none that can be clearly identified as liberal or conservative.
- (D) The majority of the justices are liberal, but some are quite conservative.
- (E) The Court is fairly evenly split, but it tilts toward being conservative.

X

76. Which of the following is NOT a check of judicial power by Congress?

- (A) The Senate confirms judicial nominations.
- (B) The House confirms judicial nominations.
- (C) Congress has the power to impeach justices.
- (D) Congress may amend the Constitution if the Courts find a law unconstitutional.
- (E) Congress may alter the structure of the court system.

B

77. In order to avoid settling disputes more appropriately decided by Congress and the president, the courts have developed the doctrine of

- (A) justiciable dispute
- (B) rule of four
- (C) political questions
- (D) *stare decisis*
- (E) original jurisdiction

C

78. Cases involving citizens of different states are known as

- D
- (A) federal-question cases
 - (B) class-action cases
 - (C) political cases
 - (D) diversity cases
 - (E) judicial review cases

“Where there is ambiguity as to the precise meaning or reach of a constitutional provision, it should be interpreted and applied in a manner so as to at least not contradict the text of the Constitution itself.”

79. The above statement most clearly reflects the judicial philosophy of

- A
- (A) judicial restraint
 - (B) avoiding political questions
 - (C) judicial activism
 - (D) judicial conservatism
 - (E) judicial liberalism

80. Which of the following is the best and clearest example of judicial activism by federal courts?

- X
- (A) the *Bush v. Gore* decision
 - (B) the *Plessy v. Ferguson* decision
 - (C) the *U.S. v. Nixon* decision
 - (D) the decisions of the Rehnquist court on abortion issues
 - (E) the decisions of the Court regarding Franklin Roosevelt’s New Deal program.