

UNIT FOUR QUESTIONS

1. All of the following were powers that the Constitution explicitly gave to Congress EXCEPT:
A (A) to establish a national bank
(B) to borrow money
(C) to establish a post office and post roads
(D) to create courts
(E) to raise and support an army and navy

2. Today the expressed powers of Congress listed in Article I of the Constitution
C (A) strictly limit the powers exercised by Congress
(B) limit congressional powers very little since so many other powers have evolved
(C) form the basis of congressional powers and the framework for policymaking
(D) have been changed extensively through the formal amendment process
(E) are open to constant reinterpretation by the Supreme Court

3. Which of the following is a special power granted by the Constitution to the House of Representatives?
C (A) The House must confirm all presidential nominations to federal office.
(B) The president must seek the "advise and consent" of the House on all treaties with foreign countries.
(C) All bills of revenue must originate in the House.
(D) The House has exclusive control of all bills of revenue.
(E) The House has the Constitutional right to form a Committee of the Whole to simplify the lawmaking process.

4. All of the following accurately describe the organization of the House and Senate EXCEPT:
D (A) Time limits on debate are set in the House; no time limits are set in the Senate
(B) The House forms a Committee of the Whole; the Senate does not.
(C) The House may prohibit amendments to a bill on the floor; the Senate may not.
(D) The Senate has a Rules Committee; the House does not.
(E) Both Houses consider legislation in legislative committees.

5. The office of the Speaker of the House is
D (A) much more powerful today than ever before
(B) controversial; many representatives believe that it should be abolished
(C) so much less powerful than it was at the turn of the century that the office of the majority leader is now more powerful
(D) less powerful than it was at the turn of the century, but still a powerful position
(E) almost powerless today, but is an important ceremonial position

6. All of the following are powers of the Speaker of the House EXCEPT:
- (A) recognizing members who wish to speak
 - (B) directing business on the floor
 - (C) exercising political and behind-the-scenes influence
 - (D) exercising substantial control over which bills get assigned to which committees
 - (E) appointing new members to standing legislative committees
7. Which of the following is a largely ceremonial position in the Senate?
- (A) majority leader
 - (B) minority leader
 - (C) president pro tempore
 - (D) majority whip
 - (E) minority whip
8. In shaping a bill into law, the most important step is
- (A) introduction of the bill on the floor of the House or Senate
 - (B) consideration in standing committees and subcommittees
 - (C) debate on the floor
 - (D) consideration in conference committees
 - (E) feedback from the executive branch in a formal address by the president
9. Which type of committee is formed exclusively to hammer out differences between the House and the Senate?
- (A) standing committees
 - (B) committees of the whole
 - (C) joint committees
 - (D) select committees
 - (E) conference committees
10. What is the most usual fate of a bill introduced in Congress?
- (A) death by pigeonholing (Committee chair kills it)
 - (B) death before it goes to committee
 - (C) death on the floor
 - (D) death by presidential veto
 - (E) passage into law
11. Who is primarily responsible for assigning members of the House and Senate to legislative committees?
- (A) the Speaker of the House and the president of the Senate
 - (B) the parties, primarily the majority party
 - (C) the president and vice president
 - (D) the majority and minority leaders
 - (E) the Rules Committee

12. Today committee chairmen in the House of Representatives are selected by
- (A) the Speaker of the House and the President pro tempore of the Senate
 - (B) the seniority system; the committee member from the majority party that has been on the committee the longest is automatically named chairman
 - C (C) the seniority system; the committee member from the majority party that has been on the committee the longest, although the Speaker and the party membership have the power to pick someone else.
 - (D) the president
 - (E) the electorate
13. Which of the following are important powers of the House Rules Committee?
- I. setting time limits on floor debate
 - II. deciding whether or not amendments will be allowed from the floor
 - III. deciding which bills may be allowed to go to the floor
 - IV. deciding whether or not amendments must be germane to the bill
- B (A) I, II, and III only
- (B) I and II only
 - (C) I, II, III, and IV
 - (D) III and IV only
 - (E) I, II and IV only
14. Congressional caucuses
- (A) decide who will hold key leadership positions in Congress
 - (B) are primarily social groups of representatives or senators
 - (C) almost always base their membership on ideological points of view
 - E (D) make recommendations to the president regarding action on bills that he must sign
 - (E) act informally, but they often actively promote their issue or special interest
15. All of the following are characteristics of members of Congress EXCEPT:
- (A) Most are male.
 - (B) Most are from upper-middle or upper income backgrounds.
 - C (C) Representatives are generally older than are senators.
 - (D) Most are Protestant.
 - (E) Most are white.

16. Racial gerrymandering

- I. involves rearranging district lines to allow a minority representative to be elected
- II. is supported by Republicans who want to maintain control of the House by weakening Democratic power in congressional districts
- III. was proven unconstitutional by the "one person, one vote" Supreme Court decision

- D
- (A) I and II only
 - (B) I and III only
 - (C) II and III only
 - (D) I only
 - (E) I, II, and III

(Questions 17 and 18 are based on the following chart):

PARTY STRENGTH IN THE HOUSE OF REPRESENTATIVES
(435 members, at the beginning of the term)

| | DEMOCRATS | REPUBLICANS |
|------------|-----------|-------------|
| 1985–1987 | 252 | 182 |
| 1987–1989 | 258 | 177 |
| 1989–1991 | 259 | 174 |
| 1991–1993 | 267 | 167 |
| 1993–1995 | 259 | 175 |
| 1995–1997* | 204 | 230 |
| 1997–1999* | 207 | 227 |
| 1999–2001 | 212 | 223 |

*One independent

(Note: Numbers do not always add to 435 due to vacancies)

17. Which of the following statements is true regarding party strength in the House of Representatives?

- C
- (A) The Democrats have held the majority in the House consistently since 1985.
 - (B) The Republicans have held the majority in the House consistently since 1985.
 - (C) The Democrats held the majority in the House until 1995; since then the Republicans have held the majority.
 - (D) The Republicans have held the majority in the House until 1995; since then the Democrats have held the majority.
 - (E) Neither party has been able to claim a clear majority since 1985 because almost all votes in the House require a 2/3 majority to pass.

- X
45. The National Performance Review headed by Vice President Al Gore recommended that reforms in government organization include all of the following EXCEPT:
- (A) more centralization of control of governmental agencies in the president's office
 - (B) closing and/or consolidating offices
 - (C) reducing programs
 - (D) allowing funds for creative innovation
 - (E) eliminating federal support for some agencies.
- B
46. In which of the following cases does the Supreme Court have original jurisdiction?
- (A) Any case involving criminal law
 - (B) Any cases in which a state is a party
 - (C) a case involving citizens of the same state
 - (D) cases of states or their citizens against foreign countries
 - (E) all cases involving disputes between citizens of different states
- C
47. Which of the following best describes the view of the role of courts described in Article III of the Constitution?
- (A) Courts should be actively involved in governmental policymaking.
 - (B) Courts should not make laws, neither should they interpret them.
 - (C) Courts judge disputes between people and decide which of the two parties is right by applying and interpreting the laws.
 - (D) The judicial branch is the most important "checker and balancer" of the three branches of government.
 - (E) The judicial branch should have no responsibility for judicial review.
- E
48. Which of the following best expresses the balance of power between the judiciary and the other two branches?
- (A) The judiciary is the weakest branch of the three.
 - (B) The judiciary is the strongest branch of the three.
 - (C) The judiciary is weaker than Congress, but stronger than the executive branch.
 - (D) The judiciary is stronger than Congress, but weaker than the executive branch.
 - (E) The judiciary is a coequal branch to the other two.
- C
49. Which chief justice was most influential in establishing the principle of judicial review?
- (A) John Jay
 - (B) Oliver Ellsworth
 - (C) John Marshall
 - (D) Roger Taney
 - (E) Salmon Chase

50. Which of the following is the best definition of judicial review?
- (A) the power of the federal courts to rule on the constitutionality of laws
 - (B) the power of the Supreme Court over all other federal courts
 - (C) the supremacy of the federal courts to the state courts
 - (D) the power of the federal courts to make policies for the nation
 - (E) the power of the Supreme Court to set its own agenda
51. Which famous court case was most directly responsible for establishing the power of judicial review?
- (A) *McCulloch v. Maryland*
 - (B) *Brown v. Topeka*
 - (C) *Roe v. Wade*
 - (D) *Marbury v. Maryland*
 - (E) *Plyler v. Doe*
52. Which of the following represent constraints on the manner in which federal courts operate?
- I. Courts must make policy within the setting of an adversarial system.
 - II. Cases presented to courts must represent a justiciable dispute.
 - III. Courts must generally avoid settling disputes that deal with political questions.
- (A) I only
 - (B) III only
 - (C) II and III only
 - (D) I, II, and III
 - (E) I and II only
53. All of the following represent checks that Congress has on the judiciary EXCEPT:
- (A) The Senate must confirm presidential appointments.
 - (B) Congress may alter the structure of the court system.
 - (C) Congress may abolish the Supreme Court through legislation.
 - (D) Congress may amend the Constitution if the Courts find a law unconstitutional.
 - (E) Congress may impeach justices.
54. All of the following would have standing to sue in a federal court EXCEPT:
- (A) a citizen from Kansas injured in a two-car accident on an interstate highway suing the driver of the other car, who is from Minnesota
 - (B) a person who lost income because of illness due to food poisoning suing the federal government for improper inspection of food for sale
 - (C) the federal government attempting to prosecute an individual accused of murdering a foreign tourist
 - (D) a chemical company contesting a state-imposed fine for illegally dumping pollutants into a nearby river
 - (E) an individual suing a motorcyclist for driving recklessly and nearly killing his best friend

(Question 55 refers to the following chart):

MINORITY JUDGES

The following represent the percentages of federal judge of each group appointed by three presidents:

| | REAGAN | BUSH | CLINTON* |
|--------|--------|-------|----------|
| Women | 7.6% | 19.5% | 35% |
| Whites | 93.5 | 89.2 | 72.3 |
| Black | 1.9 | 6.5 | 23 |
| Latino | 4.1 | 4.3 | 6 |
| Asian | .05 | 0 | 0 |

*Only through 1993

55. All of the following are accurate reflections of the chart EXCEPT:

- (A) An increasing number of women, blacks, and Latinos have been appointed to federal courts.
- (B) Of the groups listed, the smallest percentage of appointees have been Asian.
- (C) Each president appointed a higher percentage of blacks than Latinos.
- (D) The percentage of black appointees has increased more rapidly than has the percentage for Latinos.
- (E) Clinton appointed more than four times as many women than did Reagan.

56. No cases may originate in

- (A) the Supreme Court
- (B) a state Supreme Court
- (C) a court of appeals
- (D) a legislative court
- (E) a district court

57. All of the following are criteria used by presidents in selecting federal court justices EXCEPT:

- (A) party affiliation
- (B) acceptability to the Senate
- (C) ability of the justice to win elections
- (D) race and sex
- (E) judicial experience

58. Which of the following was a distinguishing characteristic of Justice Thurgood Marshall?

- D
- (A) He was the first justice selected from the South.
 - (B) He was the justice that established judicial review.
 - (C) He was the youngest chief justice in the history of the Court.
 - (D) He was the first black justice on the Court.
 - (E) He wrote more majority opinions than any other justice in history.

59. Most cases come to the Supreme Court by means of

- E
- (A) mandatory appeals from the circuit courts
 - (B) writ of mandamus
 - (C) original jurisdiction
 - (D) appeal from the state supreme courts
 - (E) writ of certiorari

60. Which of the following principles does the following statement most clearly reflect?

“The Constitution does not vest in this Court the authority to strike down laws because they do not meet our standards of desirable social policy, ‘wisdom,’ or ‘common sense.’”

Chief Justice Warren Burger
1982

- A
- (A) judicial restraint
 - (B) loose construction of the Constitution
 - (C) judicial activism
 - (D) judicial review
 - (E) stare decisis