

Public Affairs "Curriculum Checklist"

When choosing your current event article keep in mind the following list. Make sure you can reference the part or parts of government that is applicable to your topic. Each section is from an appropriate internet source, find source after each section.

I. Bill of Rights

Amendment 1 The First Amendment protects the rights of every American. It defines the freedoms of religion, speech, and press. Most Americans believe that the First Amendment guarantees their most important rights.

Amendment 2 The Second Amendment guarantees Americans the right to bear arms, or own guns.

Amendment 3 The Third Amendment prevents the government from forcing citizens to shelter soldiers in their homes.

Amendment 4 The Fourth Amendment protects the privacy of American citizens. It **prohibits**, or prevents, unnecessary or unreasonable searches of a person's property.

Amendment 5 In the Fifth Amendment, all Americans are guaranteed the right to a fair and legal trial. It also protects someone from testifying against him- or herself under oath.

Amendment 6 A right to a speedy trial is guaranteed in the Sixth Amendment.

Amendment 7 The Seventh Amendment guarantees the right to a trial by jury in **civil**, or private, legal cases where damages are more than \$20. Civil cases solve disputes between citizens.

Amendment 8 Unreasonable bail or fines and cruel and unusual punishment are prohibited in the Eighth Amendment.

Amendment 9 The Ninth Amendment recognizes that Americans have rights that are not listed in the Constitution.

Amendment 10 The Tenth Amendment says that the powers not given to the United States government by the Constitution belong to the states or to the people.

<http://work.chron.com/duties-executive-branch-8572.html>

Bill of Rights-<https://quizlet.com/4566256/bill-of-rights-summary-flash-cards/>

II. Executive Branch

The executive branch of the U.S. government is responsible for enforcing laws; its power is vested in the President. The President acts as both the head of state and commander-in-chief of the armed forces. Independent federal agencies are tasked with enforcing the laws enacted by Congress. The President's Cabinet is an advisory body made up of 15 leaders from each agency. The President works closely with a Vice President, who must take over leadership of the United States in the event the President is unable to continue.

A. Head of State

The President is the leader of the executive branch and is elected every four years.

One president may serve a maximum of two, four-year terms. The President is responsible for appointing the heads of all executive agencies and federal commissions. When Congress enacts legislation, the President holds the power to veto bills. The President is responsible for promoting diplomacy with other nations, signing international treaties, issuing executive orders, signing pardons and presenting a State of the Union address to Congress on a regular basis. The Constitution requires that each President be at least 35 years old at the time of taking office, be a natural-born U.S. citizen and have lived in the United States for at least 14 years.

B. Commander-in-Chief

The President serves as commander-in-chief of all branches of the U.S. military.

Under Article II of the U.S. Constitution, "[t]he President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several

States, when called into the actual Service of the United States." The interpretation of this clause has been the subject of considerable debate, namely the extent to which the President holds power to declare war and order commitments of troops. The President is permitted under federal law to enter troops into hostilities under declaration of war, statutory authorization or exigent circumstances.

C. Vice President

Second-in-command to the President sits the Vice President, who is to be ready at a moment's notice to assume the role of President due to death, resignation or incapacitation. The Vice President assumes the role of President of the U.S. Senate and casts the deciding vote in the event of a tie. Since 1974, Vice Presidents have resided in the U.S. Naval Observatory, located in Washington, D.C.

D. Federal Agencies

The executive branch relies on various agencies to fulfill the day-to-day tasks of enforcing the laws enacted by Congress. There are currently 15 executive agencies, including the Departments of Agriculture, Commerce, Defense, Education, Energy, Health and Human Services, Homeland Security, Housing and Urban Development, Interior, Justice, Labor, State, Transportation, Treasury and Veteran's Affairs. Each agency is led by a department head and is granted a specific budget each year to enforce laws.

E. Cabinet

The President's Cabinet is an advisory body made up of the heads of each of the 15 federal agencies. The President appoints each Cabinet member, who then must be approved by the Senate. Cabinet members also stand in line to assume the role of President in the event the Vice President, Speaker of the Senate and Speaker of the

House are unable. Each agency leader holds the title of Secretary except the leader of the Department of Justice, who is referred to as the Attorney General.

III. State Equivalent

Each U.S. state is organized like the federal government with a three-branch system.

The head of the state executive branch is the Governor, who is accompanied by a Lieutenant Governor. States are comprised of agencies that enforce the laws enacted by the state legislature or general assembly. State agencies may vary in their titles and job descriptions and do not always mirror the federal agency structure.

IV. Legislative Branch

The legislative branch is made up of the two houses of Congress—the Senate and the House of Representatives. The most important duty of the legislative branch is to make laws. Laws are written, discussed and voted on in Congress.

There are 100 senators in the Senate, two from each state. Senators are elected by their states and serve six-year terms. The Vice President of the U.S. is considered the head of the Senate, but does not vote in the Senate unless there is a tie. The Senate approves nominations made by the President to the Cabinet, the Supreme Court, federal courts and other posts. The Senate must ratify all treaties by a two-thirds vote.

There are 435 representatives in the House of Representatives. The number of representatives each state gets is based on its population. For example, California has many more representatives than Rhode Island. When Census figures determine that the population of a state has changed significantly, the number of representatives in that state may shift proportionately. Representatives are elected by their states and serve two-year terms. The Speaker of the House, elected by the representatives, is considered the head of the House.

Both parties in the Senate and the House of Representatives elect leaders. The leader of the party that controls the house is called the majority leader. The other party leader is called the minority leader.

Source-<http://www.factmonster.com/ipka/A0774837.html>

<https://www.whitehouse.gov/1600/legislative-branch>

V. Judicial Branch

A. Role of the Supreme Court

The Supreme Court has a special role to play in the United States system of government. The Constitution gives it the power to check, if necessary, the actions of the President and Congress.

It can tell a President that his actions are not allowed by the Constitution. It can tell Congress that a law it passed violated the U.S. Constitution and is, therefore, no longer a law. It can also tell the government of a state that one of its laws breaks a rule in the Constitution.

The Supreme Court is the final judge in all cases involving laws of Congress, and the highest law of all — the Constitution.

The Supreme Court, however, is far from all-powerful. Its power is limited by the other two branches of government. The President nominates justices to the court. The Senate must vote its approval of the nominations. The whole Congress also has great power over the lower courts in the federal system. District and appeals courts are created by acts of Congress. These courts may be abolished if Congress wishes it. The Supreme Court is like a referee on a football field. The Congress, the President, the state police, and other government officials are the players. Some can pass laws, and others can enforce laws. But all exercise power within certain boundaries.

These boundaries are set by the Constitution. As the "referee" in the U.S. system of government, it is the Supreme Court's job to say when government officials step out-

of-bounds.

B. How the Justices Make Decisions

The decisions of the Supreme Court are made inside a white marble courthouse in Washington, D.C. Here the nine justices receive approximately 7,000 to 8,000 requests for hearings each year. Of these the Court will agree to hear fewer than 100. If the Court decides not to hear the case, the ruling of the lower court stands.

Those cases which they agree to hear are given a date for argument.

On the morning of that day, the lawyers and spectators enter a large courtroom.

When an officer of the Court bangs his gavel, the people in the courtroom stand. The nine justices walk through a red curtain and stand beside nine tall, black-leather chairs. The Chief Justice takes the middle and tallest chair. "Oyez! Oyez! Oyez!" shouts the marshal of the Court. (It's an old Court expression meaning *hear ye*.)

"God save the United States and this Honorable Court."

The justices take their seats. The lawyers step forward and explain their case. The justices listen from their high seats and often interrupt to ask the lawyers questions. Several cases may be argued in one day. Finally, in the late afternoon, the Chief Justice bangs his gavel, rises from his seat, and leads the other justices through the red curtain out of the courtroom.

The justices may take several days to study a case. Then they meet around a large table in a locked and guarded room. From their table, they may occasionally look up to see a painting on the wall.

It is a portrait of a man dressed in an old-fashioned, high-collared coat. This man is

John Marshall, one of the greatest Chief Justices in American history. More than anyone else, he helped the Supreme Court develop its power and importance. Before Marshall became Chief Justice, the Supreme Court had not yet challenged an act of Congress. The Constitution did not clearly give the Court power to judge laws passed by Congress. Therefore, the Court wasn't even sure it had this power. But Marshall made a daring move. In a famous court case in 1803, *Marbury v. Madison*, he wrote the Court's opinion, which declared a law passed by Congress to be unconstitutional.

This decision gave the Supreme Court its power of judicial review. Ever since, the highest court has used the power to review the nation's laws and judge whether they were allowed under the Constitution. It has also reviewed the actions of the President.

The Constitution does not allow Congress or state legislatures to pass laws that "abridge the freedom of speech." Freedom of speech is protected in the United States, and no lawmaking body may interfere with that freedom. Right? Usually. But there may be limits, even to free speech.

No freedom, even one specifically mentioned in the Constitution, is absolute. People convicted of serious crimes lose their right to vote. Some religions encourage a man to have several wives. But that practice is forbidden in the United States, even though the Constitution says that there shall be no laws that prohibit the "free exercise" of religion. Even words themselves may pose a "clear and present danger" to the well-being of the country.

Source- *The Presidency, Congress, and the Supreme Court*, Scholastic Inc., 1989.

