U.S. Government Final Exam Review Sheet

1. A(n) **mandate** is the expressed will of the people and is the greatest source of presidential power.
2. **Political Party Leader** is a duty of the president that makes him responsible for giving speeches and attending fund-raising activities to support and promote his party.
3. A(n) **executive order** is a rule that has the force of law.
4. **Impoundment of funds** is a tool of influence where the president can refuse to allow a federal department or agency to spend money that Congress has set aside for them.
5. ***Clinton v. City of New York*, 1998** ruled the Line Item Veto of 1996 unconstitutional.
6. **Executive privilege** is the right of the president and other high-ranking officials, with the president’s consent, to refuse to provide information to Congress or a court.
7. **Executive agreements** are pacts between the president and the head of a foreign government that do not require Senate approval.
8. **Economic planner** is a duty of the president that allows him to prepare the annual budget.
9. ***Youngstown Sheet and Tube Company v. Sawyer*** is the Supreme Court case that decided the president must wait for Congress to act on a commerce matter.
10. One of the president’s greatest law making tools is his power of **veto**.
11. When the Founders wrote the Constitution they thought **Congress** would lead the nation, not the president.
12. **Chief diplomat** is a duty of the president that allows him to direct the foreign policy of the U.S. and make key decisions about the relations the U.S. has with other countries in the world.
13. \_**Judicial review** is an example of the federal courts power to limit the president.
14. **Multilateral treaties** are formal agreements between the governments of two or more countries.
15. The **Transportation Department** is divided into separate agencies to help regulate all aspects of American transportation needs.
16. A(n) **bureaucracy** is the organization of government administrators.
17. The **Veterans Affairs Department** administers hospitals and educational programs for veterans and their families.
18. The **Food and Drug Administration** inspects food and drug processing plants and must approve all new drugs before they can be sold.
19. The **Agriculture Department** was created to help farmers improve their incomes and expand their markets and also to develop conservation programs, provide financial credit to farmers and safeguard the nation’s food supply.
20. The **Energy Department** plans energy policy and researches and develops energy technology.
21. The **Department of Homeland Security** was created in response to the terrorist attacks of September 11.
22. The **Bureau of Engraving and Printing** manufactures U.S. paper money.
23. The **State Department** is responsible for the foreign policy of the U.S. and also protects the rights of American citizens traveling in foreign countries.
24. A(n) **bureaucrat** is one who works for a department or agency of the federal government; a civil servant.
25. The **Commerce Department** promotes and protects the industrial and commercial segments of the American economy.
26. Most agencies of the federal bureaucracy report to the **President.**
27. In the **Defense Department** civilian officials work with the Joint Chiefs of Staff to manage the armed forces of the U.S.
28. The **United States Postal Service** is the best known government corporation.
29. Most agencies of the federal bureaucracy were created by **Congress.**
30. The **Internal Revenue Service** creates the nation’s tax code and collects taxes paid by American citizens and businesses each year.
31. The **Health and Human Services Department** is concerned with public health and social services.
32. The **Labor Department** protects American workers by ensuring safe working conditions, safeguarding minimum wage and protecting pension rights.
33. The **Bureau of Labor Statistics** analyzes data on employment, wages and compensation.
34. The **Political Plum** is a term that refers to jobs that a new president can award to supports.
35. The **National Park Service** manages national monuments, historic sites and national parks.
36. The **Education Department** was created to coordinate federal assistance programs for public and private schools.
37. **Government corporations** are businesses run by the federal government that serve the public.
38. The term **spoils systems** refers to the practice of victorious politicians rewarding their followers with government jobs.
39. The **Bureau of Mint** manufactures U.S. coin money.
40. The **Central Intelligence Agency** gathers information about what is going on in other countries, evaluate it and then pass it on the president and other foreign policy decision-makers.
41. The **Interior Department** protects public lands and natural resources and oversees relations with Native Americans.
42. The **Office of American Workplace** works to encourage cooperation between labor and management.
43. The **Federal Deposit Insurance Company** insures bank accounts up to a certain amount.
44. The main duty of the **Treasury Department** is to manage the monetary resources of the U.S.
45. The **Civil Service System** is a principle and practice of government employment on the basis of open, competitive exams and merit.
46. The **Housing and Urban Development Department** was created to ensure that Americans have equal housing opportunities.
47. The **Bureau of Public Debt** is in charge of borrowing any money needed to operate the federal government.
48. The **Bureau of Mines** oversees the mining of natural resources in the U.S.
49. The **Public Health Service** helps implement a national health policy, funds medical research and ensures the safety of food and drugs.
50. The **Tennessee Valley Authority** builds dams and supplies electric power for an eight-state area.
51. Who killed President James Garfield and why?

**Charles Guiteau because Garfield promised him and government job and then didn’t give it to him.**

1. **Thurgood Marshall** was the first African American Supreme Court justice.
2. **Sandra Day O’Connor** was the first female Supreme Court justice.
3. **Constitutional Federal Courts** are courts established by Congress under provisions of Article III of the Constitution.
4. **Legislative Federal Courts** are courts established by Article I of the Constitution that help Congress exercise its power.
5. Most of the cases heard by the Supreme Court are under their **Appellate jurisdiction** where they hear cases from federal courts of appeals.
6. The Supreme Court’s **original jurisdiction** cases involve 2 states or a state and the federal government and make up a very small percent of their caseload.
7. **US Circuit Court of Appeals for the Federal Circuit** is a special appellate court that hears cases from a federal claims court, the Court of International Trade, the U.S. Patent Office and other executive agencies.
8. **Territorial courts** is the court system for the Virgin Islands, Guam, Northern Mariana Islands, and Puerto Rico.
9. **Courts of the District of Columbia** is the court system for Washington DC.
10. **Federal Court of Appeals** was created by Congress to ease the appeals workload of the Supreme Court.
11. **Federal District Courts** was created by Congress to serve as trial courts.
12. **Court of International Trade** was formerly known as the United Stated Customs Court and has jurisdiction over cases dealing with tariffs.
13. **Tax Court** hears cases from citizens who disagree with the Internal Revenue Service or other Treasury Department agencies about their federal taxes.
14. **US Court of Appeals for the Armed Forces** is the highest appeals court for the armed forces; hears appeals cases of members of the armed forces convicted of breaking military law.
15. **Foreign Intelligence Surveillance Court** is a secret court consisting of a panel of federal judges who govern the process of eavesdropping on citizens and foreigners inside the U.S. in national security cases.
16. **Court of Appeals for Veterans** is a court that hears appeals from the Board of Veterans’ Appeals in the Department of Veterans Affairs.
17. **Federal Claims Court** is a court of original jurisdiction that handles claims against the U.S. for money damages.
18. Explain the Supreme Court’s areas of final authority.

**Cases involving the Constitution, acts of Congress and treaties with foreign nations.**

1. One of the first acts of the First Congress was the **Judiciary Act of 1789** which outlined the makeup of the Supreme Court and established the lower federal courts.
2. **Concurrent jurisdiction** is a situation where state and federal courts share jurisdiction.
3. **Separate but equal doctrine** is a doctrine held that if facilities for both races were equal then they could be separate.
4. Chief Justice **John Marshall** was a major figure in the growing power of the Court.
5. **Jurisdiction** is the authority of the court to hear certain cases.
6. The **trial court** is the court in which a case is originally tried.
7. The decision in *Brown v. Board of Education of Topeka* (1954) outlawed a previous decision in which Supreme Court case? ***Plessy v. Ferguson*, 1896**
8. **Appellate jurisdiction** is the power of a court to hear a case that is appealed from a lower court.
9. **Litigants** are people who are engaged in a lawsuit.
10. **Judicial review** is the power to determine whether a law or government action is constitutional.
11. In ***Marbury v. Madison*, 1803** the Court established the power of judicial review, expanded the principle of limited government and said the courts should serve as a check on the legislature.
12. In ***Brown v. Board of Education*, 1954** the Court outlawed segregation in public schools.
13. In ***Fletcher v. Peck*, 1810** the Court held that a Georgia state law violated the Constitution’s protection of contracts; it also established the Court’s power to review state laws.
14. In ***Dartmouth College v. Woodward*, 1819** the Court applied the protection of contracts to corporate charters as well.
15. In ***McCulloch v. Maryland*, 1819** the Court established that a state should not be able to interfere with federal actions that were “necessary and proper” to carrying out its constitutional powers.
16. In ***Gibbons v. Ogden*, 1824** the Court used the Constitution’s commerce clause to broaden the definition of interstate commerce in a way that increased the power of the federal government.
17. In ***Slaughterhouse Cases*, 1873** the Court ruled that the 14th amendment only extended protection to rights, privileges, and immunities that had their source in federal citizenship, not state citizenship.
18. In ***Plessy v. Ferguson*, 1896** the Court upheld a Louisiana law requiring railroads in the state to provide separate cars for white and black passengers; the “Separate but equal” doctrine was established.
19. Fully explain the 14th amendment.

**Anyone born or naturalized in the U.S. will be granted citizenship no matter race, gender, ethnicity. Also guarantees due process of law.**

1. A(n) **undocumented alien** is a person who is in this country illegally.
2. The Constitution clearly gives **Congress** the power to make immigration policy.
3. The **Chinese Exclusion Act** said that no Chinese laborer could enter the U.S. for 10 years; this is the first major law that barred entrance to a specific group of people.
4. **Naturalization** is the legal process by which someone who was not born in the U.S. becomes a citizen.
5. A(n) **alien** is the term for someone who lives in a country where he or she is not a citizen.
6. The **Immigration Act of 1924** said each country’s immigrants were limited to 2% of foreign-born residents from that country listed in the U.S. Census of 1890.
7. **Collective naturalization** is a process under which an entire group of people become citizens by treaty or by an act of Congress.
8. The **US Citizenship and Immigration Service** is a bureau of the Department of Homeland Security and is the federal agency that administers most of the naturalization process.
9. A(n) **resident alien** is a foreigner who has established permanent residency in the U.S.
10. The **Immigration Reform Act** set up annual limits: 170,000 immigrants from the Eastern Hemisphere and 120,000 from the Western Hemisphere.
11. A(n) **non-resident alien** is a person who expects to stay in the U.S. for a short, specified time.
12. The most common type of naturalization is called **individual naturalization.**
13. When the Founding Fathers wrote the Constitution, they assumed **states** would decide citizenship.
14. The **Immigration Act of 1990** said that no country could account for more than 7% of total immigrants.
15. A(n) **enemy alien** is a citizen of a nation that is at war with the U.S.
16. The **Immigration Reform Control Act** had a dual purpose of slowing illegal immigration by punishing employers who hired undocumented immigrants and also offering a way for long-term, undocumented immigrants to become legal.
17. A(n) **refugee** is a person who is fleeing persecution or danger from their home country.
18. The rights and protections of the Constitution apply to whom?

**Anyone in the U.S., citizen or noncitizen.**

1. **Equal protection clause** states that state and local governments cannot draw *unreasonable* distinctions among different groups.
2. What are the First Amendment rights?

**Freedom of speech, religion, petition, assembly and press**

1. **Discrimination** is when individuals are treated unfairly solely because of their race, gender, ethnic group, age, physical disability, or religion.
2. The term “equal protection” is seen in what 2 amendments? **5th** and **14th**
3. In ***Grutter v Bollinger*, 2003** the Court upheld a University of Michigan admissions policy that gave preference to minorities who applied to its law school.
4. In ***Gratz v Bollinger*, 2003** the Court said that is was unconstitutional to use a system that automatically gave extra points to minority applicants for admission.
5. In ***Adarand Constructors v Pena*, 1995** the Court overturned earlier decisions by saying that federal agencies could not automatically favor minority-based companies for federal contracts.
6. In ***Griswold v Connecticut*, 1965** the Court interpreted that the First, Third and Fourth Amendments recognized an area of privacy and that the state of Connecticut could not outlaw contraception because it would violate the privacy of married couples.
7. In ***Wisconsin v Mitchell*, 1993** the Supreme Court upheld a state law that imposed longer prison sentences on people who commit hate crimes.
8. In ***Washington v Davis*, 1976** the Supreme Court ruled that to prove discrimination in a state law, one must prove that the state was motivated by intent to discriminate.
9. In ***Regents of the Unitversity of California v Bakke*, 1978** the Court ruled that while affirmative action systems are constitutional, a quota system based on race is unconstitutional.
10. **Presumption of innocence** means people who are charged or accused are presumed innocent until proven guilty.
11. **Civil law** concerns disputes between two or more people, or between individuals and the government.
12. **Plaintiff** is the person who brings charges in a lawsuit, called the complaint.
13. **Counter claim** is a lawsuit against the plaintiff in which the defendant asserts that the plaintiff did something wrong.
14. **Law** is the set of rules and standards by which a society governs itself.
15. What is the main characteristic of democracy?

**The principle that no one is above the law**

1. Common law often called **case law.**
2. **Equal protection under the law** is the principle that states that the goal of the American court system is to treat all people alike.
3. A(n) **contract** is a set of voluntary promises, enforceable by the law, between parties who agree to do or not to do certain things.
4. A(n) **summons** is an official notice with the date, time and place of the initial court appearance.
5. **Tort** is any wrongful act for which an injured person can sue for damages.
6. **Complaint** is a legal document filed with the court that has jurisdiction.
7. **Constitutional law** is the basic function of American society and is the fundamental source of law in the U.S.
8. **Statutory law** is a law written by a legislative branch of government.
9. **Administrative law** spells out the authoritative level and procedures of the many government agencies that administer programs and provide services.
10. **Common law** is law made by judges as they resolve individual cases.
11. **Equity** is a certain set of legal rules or principles that developed over time to supplement and sometimes overrule common law or statutory law in a decision.
12. In a(n) **Expressed** contract, the terms specifically stated by the parties, usually in writing.
13. In a(n) **implied** contract, the terms are not stated but can be conditional based on the circumstances.
14. **Property law** is the civil law that deals with the use and ownership of property.
15. **Family law** is the civil law that deals with family relationships, including marriage, divorce, child custody and child support relationships.
16. **Criminal justice system** is the system of state and federal courts, judges, lawyers, police and prisons responsible for enforcing criminal law.
17. **Manslaughter** is killing someone but less serious than murder, for example, if it occurs in the heat of passion or through recklessness).
18. A(n) **information** is a sworn statement by the prosecution asserting that enough evidence exists to go to trial.
19. **Inevitable discovery** states that evidence obtained in violation of a defendant’s rights can be used in trial if the prosecutor can show that the evidence would have eventually been discovered by legal means.
20. A(n) **jury** is a group of citizens who hear evidence during a trial to decide on guilt or innocence.
21. A(n) **sentence** is punishment for the offender.
22. About 90% of all criminal cases end at what stage? **Plea bargaining**
23. Most crimes in the U.S. are tried in the **state** court system.
24. **Bail** is a sum of money the accused leaves with the court until he or she returns
25. Which constitutional amendment protects you from unreasonable searches and seizures? **4th**
26. The **exclusionary rule** excludes illegally obtained evidence from trial.
27. **Writ of Habeas Corpus** is a court order that directs an official who has a person in custody to bring the prisoner to court and explain to a judge why the person is being held.
28. **Double jeopardy** means a person may not be tried for the same crime twice, thus protecting them from harassment.
29. A(n) **crime** is an act that breaks the law and harms someone or society in general.
30. In a preliminary hearing, **grand jury** decides if a case has enough evidence to go to court.
31. In ***Ewing v California*, 2003** the Supreme Court upheld the constitutionality of three-strikes laws.
32. In ***Payton v New York*, 1980** the Supreme Court ruled that, except in cases of life-threatening emergencies, the 4th Amendment forbids searching a home without a warrant.
33. In ***US v Leon*, 1984** the Court ruled that as long as the police act in good faith when they ask for a warrant, the evidence they collect may be used in court even if the warrant turns out to be flawed.
34. In ***Hudson v Michigan*, 2006** the Court held that evidence seized at a home could be used in a trial even if the police entered the home without knocking and announcing their presence.
35. In ***Vernonia School District v Action*, 1995** the Court upheld the ruling that all students in competitive school athletics could be required to have drug tests even if there was no specific reason to suspect the use of drugs.
36. In ***Santabello v New York*, 1971** the Court said that plea bargaining was an essential component of the administration of justice.
37. In ***Whren v US*, 1996** the Court held that the police could seize drugs found in a suspect’s vehicle that was stopped for a traffic violation.
38. In ***Nix v Williams*, 1984** the Court approved another exception to the exclusionary rules called inevitable discovery.
39. In ***California v Acevedo*, 1987** the Supreme Court ruled that police were free to search an automobile and the containers within it where they have probable cause to believe contraband or evidence is contained.
40. In ***Florida v JL*, 2000** the Court ruled that an anonymous tip that a person is carrying a gun does not give police the right to stop and frisk that person.
41. In ***Betts v Brady*, 1942** the Supreme Court ruled that states did not have to provide a lawyer in cases that did not involve the death penalty.
42. In ***Atwater v City of Lago Vista*, 2001** the Court found that the 4th Amendment did not prevent the police from arresting a woman who was driving her children in a car in which no one was wearing a seat belt.
43. In ***New Jersey v TLO*, 1985** the Court ruled that school officials do not need warrants or probable cause to search a student or their property.
44. In ***Miranda v US*, 1966** the Court ruled that the 5th Amendment requires police to clearly inform suspects of their rights before questioning them.
45. In ***Weeks v US*, 1914** the Court applied the exclusionary rule to federal courts.
46. In ***California v Greenwood*, 1998** the Court decided that police do not need a warrant to search garbage placed outside a home for pickup.
47. In ***U.S. v Halper*, 1989** the Court ruled that a civil penalty could not be imposed after a criminal penalty for the same act.
48. In ***Mapp v Ohio*, 1961** the Court applied the exclusionary rule to state courts.