

22. **(C)** – Since the candidates on the ballot, William Clinton, and Joseph Thomason are Democrats and Ronald Johnson is a Republican the ballot is an example of a split ticket. The practice of voting for the presidential candidate from one party and a congressional candidate from the other party is called “splitting the ticket.” It contrasts to the phrase “straight ticket” for those who cast a vote for the same party for all candidates.
23. **(B)** – Divided government occurs when one party holds the presidency, and the other dominates Congress, or at least one of the two houses of Congress. If the outcome of the election resulted in the split ticket indicated in question #22 the Republicans would control the Senate while the Democrats controlled the Presidency and the House of Representatives resulting in divided government. With a few exceptions, control of the legislature and the presidency has been “divided” between the two major political parties since the late 1960s. Scholars have various theories about the causes of the new division of power, but one cause may be the declining power of political parties in general. The division brings with it the problem of “gridlock”, or the tendency to paralyze decision making, with one branch advocating one policy and the other another, contradictory policy.
24. **(D)** – The chief of staff is usually the most powerful person in the White House staff, and the person in that role often has control over how the president spends his time. Presidents organize their staffs differently, and some give more power to the chief of staff than others, but often the chief of staff serves as a shield against all who demand the president’s attention. The chief of staff often fields phone calls, letters, and e-mails, and makes decisions about how issues and contacts are prioritized, so that presidents can spend their time on the most important ones.
25. **(D)** – Two of the four ways to amend the Constitution begin with Congress. Amendments may be proposed by a 2/3 vote of both houses of Congress and ratified by at least 3/4 of the state legislatures. All but one of the amendments have been added through this process. Amendments may also be proposed by a 2/3 vote of each house of Congress and ratified by specially called conventions in at least 3/4 of the states. This method was used once – for the 21st Amendment that repealed Prohibition – because Congress believed that many state legislatures would not vote for it. The only other way to propose an amendment is through a national constitutional convention. The proposal must be ratified by either 3/4 of the state legislatures or 2/3 of both houses of Congress. No amendment to the Constitution has ever been proposed in this way.

26. **(B)** – The Constitution requires that redistricting for the House of Representatives will take place every ten years after a census count of the population. The Bureau of the Census is responsible for that massive job, and every redistricting brings about different allocations of representatives, with some states losing representation and others gaining. After the Supreme Court ruling in *Baker v Carr*, 1962, which permitted voters to challenge the constitutionality of voting districts in the courts, the problem was addressed by the Supreme Court in the 1964 case, *Wesberry v. Sanders*. In *Wesberry* the Court ordered that districts be drawn so that one person’s vote would be as equal as possible to another (the “one man one vote” decision).
27. **(C)** – The franking privilege is the right of members of Congress to send mail to their constituents at the government’s expense. Since they are doing government business, it is generally conceded that the privilege is justified, but it is subject to abuse, and members are sometimes criticized for exercising it for their own reelection campaigns. Accordingly, critics point out that the franking privilege is just one more advantage that congressional incumbents have over their challengers.
28. **(E)** – Although “majority minority” districts may result from a practice nicknamed “racial gerrymandering”, the most common intent of gerrymandering is to give one political party advantages over the other. Gerrymandering involves redrawing the congressional district lines after the census every ten years, a practice that is usually left up to the state legislature. If a state wins or loses representatives, the lines have to be redrawn, usually to the advantage of the party that holds the majority in the state’s legislature.
29. **(B)** – The chart indicates a high level of support for the judicial branch by Democrats (59%), Independents (62%) and Republicans (86%) in September, 2008. None of the other categories had as high a rate of support across the groups as that for the judiciary. Partisan considerations appear to influence the support of both Democrats and Republicans. Democrats’ highest approval rating was given to the legislature (61%) which was dominated by Democrats in September, 2008, while Republicans had a high level of support for the executive (83%) during the presidency of George W. Bush, a Republican.

30. **(B)** – Due to the lengthy primary system the cost of campaigns has increased over the years. Candidates for a party’s presidential nominee run in a series of presidential primaries, in which they register to run. The first primary traditionally has been held in February of the election year in New Hampshire. In 2008 it was frontloaded to early January extending the primary season as states hold individual primaries through June on dates determined ahead of time. Due to the lengthy primary system the cost of campaigns have increased over the years. This was especially evident in 2008 with the long Democratic primary between Barack Obama and Hillary Clinton that continued from early January to early June. Another factor that has affected the cost of campaigns is that candidates choose to run for office with little financial support of the parties. Candidates must raise their own funds during the primaries, hire their own staff and build their own campaign organization. Over time primaries have become a way for individuals to convince voters to support them by financing their own campaigns. The primary system has increased the number of candidates, making them more competitive while also increasing the costs of running campaigns.
31. **(D)** – The First Amendment reads: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.” The amendment covers choices a), b), c), and e). The rights of those accused of committing crimes are covered in various other amendments (IV, V, VI, and VIII primarily) that constitute the Bill of Rights.
32. **(E)** – The “iron triangle” is the way that Congress traditionally has received advice on proposed legislation. The points of the triangle have been interest groups, the bureaucracy, and congressional committees. Interest groups provide information from advocacy groups that both support and oppose proposed legislation. Bureaucracies provide advice to Congress based on the view of those responsible for enforcing the legislation. Congressional staff members are responsible for advising committees and members of Congress on the viability of the proposed legislation. Public hearings are held by subcommittees that include testimony from groups, bureaucrats and individuals regarding the bill. Individual testimony generally comes from those that have a personal interest in the proposed legislation. An example would be Michael J. Fox, diagnosed with Parkinsons Disease, who testified in support of stem-cell legislation due to the belief that stem-cell treatment may help patients of Parkinsons Disease. Our federalist system does not provide routine connections between state and national legislatures, so state legislatures generally don’t provide advice to Congress.

33. **(A)** – Freedom from “unreasonable search and seizure” is guaranteed by the Fourth Amendment. To prevent abuse by police, the Constitution requires that searches of private property are permissible only if “probable cause” exists that indicates that a crime may have taken place. An important limitation was set on police searches by *Mapp v. Ohio*, a 1961 case in which the police broke into the home of Dollree Mapp, a woman suspected of harboring a fugitive. Instead, they found obscene materials and arrested Mapp for possessing them. She appealed her case, claiming that the Fourth Amendment should be applied to state and local governments, and that the evidence had been seized illegally and should not be used against her at trial. The police, she claimed, had no probable cause for suspecting her for the crime she was arrested for. The court ruled in her favor, thus establishing a precedent for 4th Amendment rights and making the “exclusionary rule” applicable to the states.
34. **(D)** – The only presidential power on the list that is directly identified in the Constitution is the power to veto legislative proposals by Congress. The Constitution clearly includes the president in the legislative process through this important power. Other powers listed – leading his political power, impoundment of funds, executive privilege, and emergency actions – all have evolved over the years. None are specifically identified in the Constitution.
35. **(E)** – The single most important characteristic of a politically active citizen is a high level of education. Generally, the more education an individual has, the more likely he or she is to vote. This may be because the well educated better understand complex societal issues, or it may be they better understand the importance of civic responsibility. Another possible factor is that their occupations are often more flexible in allowing them to take time to go to the polls.
36. **(C)** – Although there are many checks and balances among the three branches of government, the only correct one of the answer choices is the Supreme Court’s ability to declare a law unconstitutional. Since its early days the Court has claimed the right of judicial review, the basis of its great policymaking power. If a law is declared unconstitutional, Congress may find ways around the Court’s rulings, such as passing a new, similar law, but the weight of judicial review is great, and the actions of Congress are checked by the Court’s power.
37. **(B)** – The Constitution states that all major presidential appointments, including ambassadors, are subject to the “advice and consent” of the Senate. The Constitution is silent on the removal of those officials, so presidents have a great deal of discretionary power in firing and/or replacing them. Executive agreements are not subject to Senate approval, although the Constitution states that treaties must be approved. Executive orders and presidential pardons are both issued at the president’s discretion.

38. **(D)** – Pork projects have become controversial due to the financial impact they often have on the federal budget. Some legislators want to eliminate them altogether. John McCain made it a part of his presidential campaign when he promised to veto any bill that contained pork projects. The line-item veto would give the president the authority to veto parts of bills, not bills in whole as he must do now. As a result, presidents could eliminate pork projects in bills as a way to limit federal spending. Since presidents now must accept or reject whole bills, they tend to go along with parts they don't like because the bill includes something that they do want. Critics of the line-item veto believe that the president could use the power to reward supporters and punish those that oppose his policies. Congress passed the Line-Item Veto Act in 1996, which allowed the president to veto sections of appropriations bills only. When President Clinton exercised this new provision, eliminating projects for New York City, the law and the president's action were challenged in *Clinton v. City of New York* (1997). The Supreme Court ruled both the law and the action unconstitutional, criticizing them for permitting the president to construct legislation – an abuse of the principle of separation of powers.
39. **(D)** – The budget process uses checks and balances to ensure that the executive and legislative branches are involved in the process. The Office of Management and Budget develops a budget to present to the president, who makes adjustments before he passes it on to Congress. Meanwhile, the Congressional Budget Office develops its own budget, so that when the president presents his budget, Congress is ready with their own figures that must be reconciled with those of the president. Both the House and Senate must approve the budget but they do so only after they have examined it and made their adjustments, and the president must sign it into law. The process requires both branches to compromise on the budget. The process can be controversial as in the 1995 between President Clinton, Democrat, and Republican Speaker of the House, Newt Gingrich. The Republican Congress refused to accept the president's budget, and President Clinton refused to compromise on some of the funding in the Congressional version. In the end, the budget reflected more of President Clinton's policies but the situation illustrates the importance of both the executive and legislature in the budget process.
40. **(A)** – Entitlements are payments that the government owes to individuals because they have participated in a government program that promises the programs, or they are the recipients of payments promised by legislation. Examples are Social Security, Medicare, Medicaid, and welfare programs. These entitlements make up a big part of the government's budget and limit the amount of money available for discretionary spending.

41. **(D)** – In numerous court cases between 1925 and 1969, the Supreme Court interpreted the due process clause of the 14th Amendment so as to make the Bill of Rights apply to the states, a process called incorporation. The Bill of Rights originally only protected rights from abuse by the federal government, and in *Barron vs. Baltimore* (1833) the U.S. Supreme Court ruled that the Bill of Rights did not apply to the states. It was assumed that Bills of Rights in state constitutions would protect individuals from abuse by state laws. However, the 14th Amendment nationalized the nature of civil rights with this statement: “No State shall...deprive any person of life, liberty, or property, without due process of law.” Incorporation happened gradually and selectively over time through individual court decisions that required states to protect most of the same liberties and rights that the Bill of Rights protects from federal abuse. The process of gradual application of the Bill of Rights is known as selection incorporation.
42. **(C)** – Political efficacy is a citizen’s capacity to understand and influence political events. Political efficacy has two parts, internal and external efficacy. Internal efficacy is the ability of citizens to understand and take part in political affairs. External efficacy is the belief of citizens that government will respond to his or her personal needs or beliefs. The level of political efficacy is then the extent to which citizens feel that government officials listen to them and will respond to their views and demands. Levels of American political efficacy dropped during the 1960s and 1970s with many political scientists blaming the Vietnam War and Watergate for the growing belief that the government was unresponsive to the concerns of the people. Another reason for low political efficacy for many is the belief that the government has become too big to be sensitive to an individual citizen’s opinions. Low voter turnout in the U.S. is proof to many that Americans have low external political efficacy.