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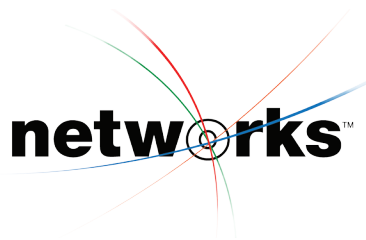
INQUIRY JOURNAL

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Dear Student,

Many of us are curious, and we have questions about many things. We have the more personal questions, such as, “What type of job or career might I be suited for?” or “How do I learn the best way to save money to buy the things I want or need?” to questions of a larger nature about the world around us. These might include questions such as the following: “What does being treated like an adult mean? Why do nations go to war with one another? How can I understand what I see or read about our nation’s government online or in the news? Why do political parties clash with one another so frequently?”

Asking good questions helps us take charge of our own learning. Learning to ask good questions is a process, as “yes” or “no” types of questions do not get us very far in discovering why events happened or why people feel as they do. Once we master this process, however, we become better thinkers and researchers and can find out more about subjects that interest us. Asking good questions is also important if we want to understand and affect the world around us.

In this book, as in other parts of the program, there will be “Essential Questions” that you will research. These are universal questions. Examples of such questions include: “What are the purposes of government?” and “What are the key components of presidential leadership?” and “What restrictions, if any, should be placed in our constitutional rights and freedoms?” and “How is social and domestic policy created and implemented?” You will choose some of your own supporting questions to help you answer the Essential Question.

As you move through the study of our nation’s government, you will be reading primary and secondary sources about a specific time period. **Primary sources**—whether they are diaries, poetry, letters, or artwork—were created by people who saw or experienced the event they are describing. **Secondary sources**—whether they are biographies, or history books, or your student text, are created after an event, by people who were not part of the original event.

Once you have completed the readings and answered the accompanying questions, there is a “Report Your Findings” project in which you answer the Essential Question. You will work on some parts of the project by yourself, and you will work on other parts of the project with your classmates. You will be given many opportunities to take informed action. This means that you will use what you have learned and apply it to a current issue in a way that interests you. You will share this information with other students or with people in your community.

The Legislative Branch

In this unit, you will learn the structure, responsibilities, and powers of the legislative branch. You will also study the way in which the legislative branch creates laws and provides oversight to the other branches. Read the Essential Questions for each of the four chapters in this unit and think about how they will help you understand the powers of the legislative branch.

TALK ABOUT IT



Select one Essential Question from each chapter in this unit and discuss it with a partner. What type of information would you need to know in order to answer it? For example, to understand the responsibilities and powers of the legislative branch, you must understand the separation of powers described in the Constitution.

DIRECTIONS: Write down two Supporting Questions for each chapter that will help you understand one or more Essential Question in the chapter.

Chapter 5 The Structure of Congress

ESSENTIAL QUESTION

- *What is the structure and organization of Congress?*

MY RESEARCH QUESTIONS

Supporting Question 1:

Supporting Question 2:

Chapter 6 Congressional Powers

ESSENTIAL QUESTIONS

- *How have the powers of Congress changed over time?*
- *How does the separation of powers influence the work of Congress?*

MY RESEARCH QUESTIONS

Supporting Question 1:

Supporting Question 2:

Chapter 7 Congress at Work

ESSENTIAL QUESTIONS

- *How does a bill become a law?*
- *How does the government raise and allocate money?*
- *What factors influence congressional decision making?*

MY RESEARCH QUESTIONS

Supporting Question 1:

Supporting Question 2:

Chapter 8 State and Local Legislative Branches

ESSENTIAL QUESTIONS

- *How are state and local legislative branches structured?*
- *How can citizens participate in state and local government?*
- *How are laws created at the state and local levels?*

MY RESEARCH QUESTIONS

Supporting Question 1:

Supporting Question 2:

INDEPENDENT INQUIRY ACTIVITIES

Chapters 5, 7, and 8

For Chapters 5, 7, and 8, your teacher may ask you to conduct a research project where you plan and research your inquiry using the Research Questions you have developed. For these independent inquiry projects, you will follow these steps.

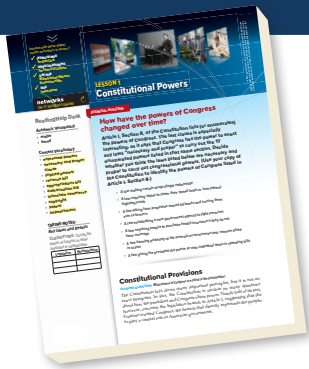
1. Research the answers to your Supporting Questions using online and library resources in addition to the Student Edition text. Analyze the primary and secondary sources you have located and take notes.
2. Select a method to report your findings, such as a research paper, oral presentation, or a visual essay. Prepare your findings and submit them to your teacher or share them with your class.
3. To conclude, think of ways you could take action based on your findings. Choose one way to get involved.

GUIDED INQUIRY ACTIVITY

Chapter 6

This unit's guided inquiry activity focuses on Chapter 6 *Congressional Powers*. In the guided inquiry activity, you will follow the same process as the independent activities; however, primary and secondary sources and questions about these sources and the Student Edition text are provided to help guide you through the inquiry process.

Reread the Supporting Questions you developed for Chapter 6 as you prepare to search for evidence in the Student Edition text.



Constitutional Powers

DIRECTIONS: Search for evidence in Chapter 6, Lesson 1, to help you answer the following questions.

ESSENTIAL QUESTION

How have the powers of Congress changed over time?

As you gather evidence to answer the Essential Question, think about:

- the Necessary and Proper Clause and its use by Congress throughout our nation’s history.
- the difference between the legislative and the nonlegislative powers of Congress.
- how Congress checks the other two branches of government.
- how the legislative branch is designed to address modern problems.

My Notes

1 ANALYZING INFORMATION What was the issue at the core of the Supreme Court case *McCulloch v. Maryland* (1819)?

2 CONTRASTING What are the legislative powers of Congress? What are the nonlegislative powers of Congress?

3 DESCRIBING Why does the legislative branch possess the sole ability to control spending and levy taxes? What is this power called?

4A ECONOMICS How has Congress used the “Commerce Clause” to regulate businesses?

4B RELATING EVENTS Does the use of the Commerce Clause to prevent discrimination by businesses represent an example of loose construction or strict construction of the Constitution? Why?

5 CITING TEXT EVIDENCE Why has no president been convicted in an impeachment trial?

6 INTEGRATING INFORMATION The legislative branch possesses a great amount of power, both expressed and implied. For example, the legislative branch regulates commerce, controls government spending, and declares war. Using the graphic organizer below and your knowledge of congressional powers from the Student Edition text, match the action to the clause that grants Congress that specific authority. The first line is filled in for you as an example.

Action	Clause that grants that power
Congress passes a new tax.	Clause 1
Congress declares war.	
Congress passes a law to adjust regulations on self-driving cars.	
Congress introduces a new bill of U.S. currency.	
Congress creates a new national park.	
Congress creates an office that grants patents.	
Congress opens a new post office.	
Congress sets a curfew for Washington, D.C.	

ESSENTIAL QUESTION

How have the powers of Congress changed over time?



The War Powers Resolution

DIRECTIONS: Read the excerpt from the War Powers Resolution. Then answer the questions that follow.

EXPLORE THE CONTEXT: After the U.S. had been involved in the Vietnam War for nearly a decade without a formal declaration of war, Congress sought to limit presidential power to use the military. The War Powers Resolution was signed into law in 1973 by President Richard Nixon, after his veto of the bill was overridden by Congress. The law limited the president's ability to use the military to sixty days without a formal declaration of war or congressional authorization of military force. Additionally, the law mandated that the president inform Congress if U.S. forces engage in hostilities. Excerpted below is the text of the law.

PRIMARY SOURCE: LAW

“(b) Under article I, section 8, of the Constitution, it is specifically provided that the Congress shall have the power to make all laws necessary and proper for carrying into execution....

(c) The constitutional powers of the President as Commander-in-Chief to introduce United States Armed Forces into hostilities, or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, are exercised only pursuant to (1) a declaration of war, (2) specific statutory authorization, or (3) a national emergency created by attack upon the United States, its territories or possessions, or its armed forces.

SEC. 3. The President in every possible instance shall consult with Congress before introducing United States Armed Forces into hostilities or into situation where imminent involvement in hostilities is clearly indicated by the circumstances, and after every such introduction shall consult regularly with the Congress until United States Armed Forces are no longer engaged in hostilities or have been removed from such situations.

SEC. 5....

(b) Within sixty calendar days after a report is submitted or is required to be submitted pursuant to section 4(a)(1), whichever is earlier, the President shall terminate any use of United States Armed Forces with respect to which such report was submitted (or required to be submitted), unless the Congress (1) has declared war or has enacted a specific authorization for such use of United States Armed Forces, (2) has extended by law such sixty-day period, or (3) is physically unable to meet as a result of an armed attack upon the United States. ”

—The War Powers Resolution, 1973

VOCABULARY

imminent: about to happen

circumstances: surrounding issues

pursuant: related to

statutory: related to law

terminate: to end

1 UNDERSTANDING CONTEXT Under what constitutional justification does Congress pass this law?

2 SUMMARIZING What are the three instances in which the president can use the military for more than sixty days?

3 EXPLAINING ISSUES Why might the Framers of the Constitution have given the power to declare war to the legislative branch?

4A HISTORY After the September 11, 2001, terrorist attacks, Congress authorized all “necessary and appropriate force” against whomever the president determined “planned, authorized, committed or aided” the attackers. As of 2016, the 2001 Authorization for the Use of Military Force (AUMF) had been used thirty-seven times in fourteen countries. What would critics of the continued use of the 2001 AUMF today argue?

4B ANALYZING INFORMATION What would supporters of the continued use of the 2001 AUMF today argue?



Investigations and Oversight

DIRECTIONS: Search for evidence in Chapter 6, Lesson 2, to help you answer the following questions.

ESSENTIAL QUESTION

How does the separation of powers influence the work of Congress?

As you gather evidence to answer the Essential Question, think about:

- how the legislative branch works to oversee the actions of the other two branches.
- how Congress compels uncooperative witnesses to testify.
- the work of support agencies such as the Government Accountability Office.

My Notes

1 CITING TEXT EVIDENCE What was the first investigation conducted by Congress?

2 DESCRIBING What is a subpoena?

3 ANALYZING INFORMATION How is the power of immunity used during congressional investigations?

4A IDENTIFYING CONNECTIONS Past congressional investigations have investigated the fighting of the Civil War and the presence of communism in the United States. What possible issues could Congress be needed to investigate today?

4B ANALYZING ISSUES Both the Senate and the House of Representatives can have committees investigating the same issue. Why might both the House and the Senate choose to investigate an issue simultaneously?

- 5 INTEGRATING INFORMATION** The investigative power of Congress is an essential part of its ability to hold different branches of government accountable. Using the chart below and the Student Edition text, define the key terms present in this chapter and provide an example of each.

Term	Definition	Example
Subpoena		
Perjury		
Contempt		
Immunity		

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- 6A SUMMARIZING** What is the Government Accountability Office (GAO)?

- 6B INFERRING** Why is the GAO necessary?

ESSENTIAL QUESTIONS

How does the separation of powers influence the work of Congress?

Final Report of the Select Committee to Study Governmental Operations

DIRECTIONS: Read the excerpt from the final report of a congressional investigative committee. Then answer the questions that follow.

EXPLORE THE CONTEXT: In the early 1970s, Congress began a series of hearings related to the actions of U.S. intelligence and law enforcement agencies, most notably, the Federal Bureau of Investigation (FBI). The FBI had been gathering information on American citizens and disrupting law-abiding organizations. The hearings, led by Senator Frank Church, sought to explain to the nation what exactly the agencies had been doing. Published in 1976, the report, formally titled *Final Report of the Select Committee to Study Governmental Operations*, led to a series of reforms to prevent future abuses of government power. The first excerpt is the opening of the committee's final report. The second part of the excerpt details FBI abuses of power.



PRIMARY SOURCE: CONGRESSIONAL COMMISSION REPORT

“Book I:

The Senate Select Committee on Intelligence Activities has conducted a fifteen-month long inquiry, the first major inquiry into intelligence since World War II. The inquiry arose out of allegations of substantial, even massive wrong-doing within the “national intelligence” system....

Book III:

COINTELPRO (“counterintelligence program”) is the FBI acronym for a series of covert action programs directed against domestic groups. In these programs, the Bureau went beyond the collection of intelligence to secret action designed to “disrupt” and “neutralize” target groups and individuals. The techniques were adopted wholesale from wartime counterintelligence, and ranged from the trivial (mailing reprints of Reader’s Digest articles to college administrators) to the degrading (sending anonymous poison-pen letters intended to break up marriages) and the dangerous (encouraging gang warfare and falsely labeling members of a violent group as police informers)....

Even the names of the later programs had no clear definition. The Black Nationalist program, according to its supervisor, included “a great number of organizations that you might not today characterize as black nationalist but which were in fact primarily black.” Indeed, the nonviolent Southern Christian Leadership Conference was labeled as a Black Nationalist “Hate Group.” Nor could anyone at the Bureau even define “New Left,” except as “more or less an attitude.” ”

—*Final Report of the Select Committee to Study Governmental Operations*, 1976

VOCABULARY

inquiry: questioning; investigation

counterintelligence: activities designed to prevent spying

covert: hidden

domestic: in the United States

poison-pen: anonymous letter intended to cause emotional harm

1 SUMMARIZING Why was this congressional committee created?

2 CITING TEXT EVIDENCE Where did the COINTELPRO program tactics originate?

3 INFERRING Why would the FBI falsely tell targeted groups that certain members were police informants?

4 EVALUATING What evidence from the text demonstrates that the FBI was abusing their power in the groups targeted for surveillance?

5 HISTORY During the 1960s and 1970s, American society underwent great changes as the Civil Rights Movement, student radicalism, and anti-Vietnam War protests were simultaneously occurring. Why might the FBI choose to surveil and attempt to disrupt these types of movements?

6 IDENTIFYING CONNECTIONS What is a possible negative impact of this report's release?



ESSENTIAL QUESTION

How does the separation of powers influence the work of Congress?

As you gather evidence to answer the Essential Question, think about:

- the roles of Congress and the president as established by the Constitution.
- how the roles of the branches accommodate modern challenges.
- how party politics influence the relationship and priorities between Congress and the president.

My Notes

Congress and the President

DIRECTIONS: Search for evidence in Chapter 6, Lesson 3, to help you answer the following questions.

1A CONTRASTING How are the constituencies of members of Congress different than the constituency of the president?

1B INFERRING How do differing constituencies affect the priorities between members of Congress and the president?

2 DRAWING CONCLUSIONS The term “loyal opposition” means that opposing political party may oppose the policies of the other party, but still respects the same source of government authority. Does the U.S. possess a system of “loyal opposition”? Why or why not?

3 RELATING EVENTS Although not in the Constitution, the filibuster is a legislative tactic where senators can speak indefinitely to delay a vote. How does the filibuster illustrate a way that the U.S. government can be slowed into “gridlock”?

4 ANALYZING INFORMATION A common proposal is to create term limits for members of Congress. How would this change the political timetables of Congress?

5 DESCRIBING Why did the Supreme Court rule that the line-item veto was unconstitutional?

6 INTEGRATING INFORMATION The relationship between Congress and the president is a crucial one. Listed below are various possible actions taken by either the executive branch or the legislative branch. Using your knowledge of American government and the Student Edition text, identify the correct branch in each situation. In the right-hand column, describe the check on power performed by the identified branch.

Action	Branch	Check Performed
The House of Representatives convenes a panel to investigate the actions of an executive agency.		
The president chooses to veto a popular measure.		
Representative John Dingell served fifty-nine years as a congressional representative from Michigan.		
President Lincoln suspended the writ of habeas corpus during the Civil War.		
110 presidential vetoes have been overridden by Congress in U.S. history.		

ESSENTIAL QUESTION

How does the separation of powers influence the work of Congress?



VOCABULARY

herewith: here; now

decimated: destroyed

sovereign: a separate power; authority

immunity: safety from legal action

enacted: put into place

undermines: works against

Veto Message from the President

DIRECTIONS: Read the excerpt from a presidential veto. Then answer the questions that follow.

EXPLORE THE CONTEXT: Introduced in 2009, the Justice Against Sponsors of Terrorism Act (JASTA) was a bill which assisted victims of terrorist attacks in their legal actions against the country that sponsored/funded the attack. Before JASTA, only countries designated by the State Department as “state-sponsors of terrorism” could be sued. JASTA was primarily written so that families of those killed on September 11, 2001, could continue their lawsuits against Saudi Arabia, a country not designated as a state-sponsor of terrorism, but still connected to the attack because a majority of the September 11 hijackers were Saudi Arabian. Passed unanimously in both chambers of Congress, the bill reached President Obama for signature. The excerpt below is from President Obama’s message explaining his reasoning for vetoing an extremely popular bill.

PRIMARY SOURCE: PRESIDENTIAL VETO

“I am returning herewith without my approval S. 2040, the “Justice Against Sponsors of Terrorism Act” (JASTA)....

I have deep sympathy for the families of the victims of the terrorist attacks of September 11, 2001 (9/11), who have suffered grievously. I also have a deep appreciation of these families’ desire to pursue justice and am strongly committed to assisting them in their efforts.

Consistent with this commitment, over the past 8 years, I have directed my Administration to pursue relentlessly al Qa’ida, the terrorist group that planned the 9/11 attacks. The heroic efforts of our military and counterterrorism professionals have decimated al-Qa’ida’s leadership and killed Osama bin Laden....

...JASTA would upset longstanding international principles regarding sovereign immunity, putting in place rules that, if applied globally, could have serious implications for U.S. national interests. The United States has a larger international presence, by far, than any other country, and sovereign immunity principles protect our Nation and its Armed Forces, officials, and assistance professionals, from foreign court proceedings....

...If JASTA were enacted, courts could potentially consider even minimal allegations accusing U.S. allies or partners of complicity in a particular terrorist attack in the United States to be sufficient to open the door to litigation and wide-ranging discovery against a foreign country....

The JASTA...does not enhance the safety of Americans from terrorist attacks, and undermines core U.S. interests.

For these reasons, I must veto the bill.

BARACK OBAMA”

— President Barack Obama, “Veto Message from the President”, September 23, 2016

- 1 ANALYZING TEXT STRUCTURE** Why does President Obama begin with an acknowledgment about the loss and grief of the families impacted by the terrorist attacks of September 11, 2001?

- 2 SUMMARIZING** Why does President Obama oppose the passage of JASTA?

- 3 DETERMINING CONTEXT** This veto was sent out in September 2016, four months before President Obama left office. How does the timing of the veto affect President Obama's ability to push back against popular legislation?

- 4 ANALYZING INFORMATION** President Obama's veto of JASTA was overridden by Congress. The final override vote was 348-77 in the House and 97-1 in the Senate. Why might the vote totals for the override vote differ from the first vote?

- 5 HISTORY** The JASTA override was the only presidential veto overridden during the Obama administration. President Andrew Johnson, who took power after President Lincoln's assassination, has had the most vetoes overridden by Congress. President Johnson vetoed twenty-nine bills and Congress overrode fifteen of those presidential vetoes. What does the high rate of congressional overrides under President Johnson tell you about the relative strength of the legislative branch and the executive branch at the time?

ESSENTIAL QUESTIONS

How have the powers of Congress changed over time?

How does the separation of powers influence the work of Congress?

My Notes

1 Think About It

Review the Supporting Questions that you developed at the beginning of the unit. Review the evidence that you gathered in Chapter 6. Were you able to answer each Supporting Question?

If there was not enough evidence to answer your Supporting Questions, what additional evidence do you think you need to consider?

2 Organize Your Evidence

Fill in the chart below to summarize what you have learned about Congressional powers.

What is a legislative power of Congress?	
What is a nonlegislative power of Congress?	
What is the purpose of congressional investigations?	
How can Congress ensure that witnesses will cooperate in congressional investigations?	
What is one way the legislative branch checks the power of the executive branch?	

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3 Talk About It

Work in a small group. Talk with your group and compare and contrast the information you included in your chart. What is one way the legislative branch checks the power of the executive branch? Explain your answers.

4 Write About It

Write a paragraph about the legislative powers of Congress. In your paragraph, explain in more detail about the legislative powers of Congress and its expansion in scope. Then provide one or two examples that illustrates that point.

5 Connect to the Essential Questions

Step into the shoes of a member of Congress beginning an investigation into a modern issue. Using the RAFT format (see below), you will examine the witnesses and ask questions to provide the necessary oversight to our government.

Role: Chairperson of a congressional oversight committee dealing with a modern issue of your choice.

Audience: Your fellow members of Congress and the American public.

Format: You will write a formal committee report. Your report will be composed of the following:

- 1) The witnesses called and the justification for each witness's presence before the committee.
- 2) The committee's questions matched to the appropriate witness.
- 3) The final recommendation to address the selected issue.

Topic: Your topic must be a modern issue where the U.S. government would benefit from oversight.

Your final product will be the written report with your committee name, key witnesses, the justification for their presence before the committee, and a final summary of actions to rectify the issue. Creativity (within reason) is encouraged! As you devise your report and think about who to call as a witness, think about the Essential Questions: *How have the powers of Congress changed over time? How does the separation of powers influence the work of Congress?*

MAKE CONNECTIONS Think about congressional powers and its impact on your life. Research newly passed or proposed laws. Choose one law that you strongly support or strongly oppose. Then compose a letter to your state or national representative. In your letter, clearly state your position and provide logical reasoning that supports your position. Then propose a reasonable solution such as additional or alternative legislation that would lead to your desired policy change. You may need to do additional research to find a reasonable solution that will satisfy all parties involved. Revise and edit your letter and then send the final copy to one of your congressional representatives.

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UNIT 2 The Legislative Branch