

## Handout 1A: Declare your Powers Answer Key:

- A. Homeland Security opening suspicious packages  
Branch responsible: Homeland Security officials are part of the **Executive Branch**.  
Possible Check(s) on the power:
- If **Legislative Branch** disagreed, it could stop funding the Homeland Security department or program responsible.
  - Citizens who felt the order violated their rights could take the issue to **Judicial Branch**.
- B. A bill passed for citizens to choose their own health care program  
Branch responsible: Bills are passed in the **Legislative Branch**  
Possible Check(s) on the power:
- The **President (Executive Branch)** could veto the bill
- C. A peace treaty with Iran is signed.  
Branch Responsible: Treaties are made by the **Executive Branch**  
Possible Check(s) on the power:
- All treaties must be confirmed by the **Senate (Legislative Branch)**
- D. A ban on gay marriages is challenged for its Constitutionality  
Branch Responsible: **the courts (Judicial Branch)** would hear a case regarding any constitutional question.  
Possible Check(s) on power:
- Depending on which judicial level the case was heard, if the desired ruling was not satisfactory to the either side, the case could go to a higher court.
  - If the court ruling was considered "unfavorable" by any citizen, legislator, or leader, they could urge passage of a constitutional amendment, initiated by the **Congress (Legislative Branch)** or by calling for a Constitutional convention to overturn the court ruling.<sup>1</sup>
  - Citizens dissatisfied with the Court's ruling could ask the President (**Executive Branch**) to appoint and approve judges or Justices more favorable to their side.

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<sup>1</sup> There are two ways the Constitution can be amended as prescribed in Article V of the Constitution. The first is for a bill to pass both halves of the legislature but two-thirds majority in each. Then it goes to the states for ratification by ¾ of the states. The second method is for a Constitutional Convention to be called by two-thirds of the legislatures in the states. Amendments proposed are then sent to the states to be approved by three-fourths of the legislatures or state constitutional conventions.

- E. A bill is passed outlawing American citizens from making contributions to Middle East charitable organizations.  
 Branch Responsible: The **Legislative Branch** could pass such a law.  
 Possible Check(s) on the power:
- The **President (Executive Branch)** could veto the bill
  - If the bill was signed by the President, citizens who felt the law violated their rights could take the case to **Judicial Branch**.
- F. A replacement for the Attorney General has been given to Congress.  
 Branch Responsible: The President (**Executive Branch**) makes appointments to his cabinet.  
 Possible Check(s) on power: The Senate (**Legislative Branch**) can accept or reject the appointment.
- G. A recent law closing a tax reduction for US companies establishing off shore companies to is ruled constitutional.  
 Branch Responsible: The **Judicial Branch** would hear a challenge to a tax-law and make a ruling as to its constitutionality.  
 Possible Check(s) to the power:
- The Congress (**Legislative Branch**) could rewrite the law to make it more in-line with the Constitution.
  - If the court ruling was considered "unfavorable" by the companies, they could urge passage of a constitutional amendment, initiated by the **Congress (Legislative Branch)** or by calling for a Constitutional convention to overturn the court ruling.
- H. A recent bill to increase funding for education was passed again after it was rejected.  
 Branch Responsible: the Congress (**Legislative Branch**) can override a veto (rejection of a bill) if 2/3rds of both houses vote to do so.  
 Possible Check(s) on the power:
- The president (**Executive Branch**) can make an appeal to the citizens to get Congress to change its mind.
  - Citizens can take the matter to court (**Judicial Branch**) stating the law is unconstitutional.
- I. A health care insurance company has been ordered to pay for additional treatment requested by a patient.  
 Branch Responsible: The **Judicial Branch** would hear cases where a citizen felt they were being illegally hurt by the actions of a company or individual.  
 Possible Checks:
- Depending on which judicial level the case was heard, if the desired ruling was not satisfactory to the insurance company, the case could go to a higher court.
  - If the final court ruling was considered "unfavorable" by the company they could go back to Congress (**Legislative Branch**) to have the tax-loophole law rewritten to pass constitutional scrutiny.