AP US Government & Politics Content Review

Directions: Answer the following questions. You should keep you answers as succinct and detailed as possible J

I. Constitutional Beginnings:

- A. The Nature of Governments:
 - 1. Describe some of the purposes of 'government'.
 - 2 Compare/contrast a direct democracy with an indirect democracy.
- B. Theories of Democracy:

3. Define and provide examples for each of the following theories of democracy:

Or Belline and provide examples for each of the K	Brief explanation	Examples
Traditional Theory of Democracy		
Pluralist Theory of Democracy		
Elite Theory of Democracy		
Hyperpluralism Theory of Democracy		

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- C. The Policy-Making Cycle:
 - 5. From what sources do Americans become politically socialized?
 - 6. Summarize the steps of the **policy-making cycle:**

Steps	Summary of Step
1: Raise Awareness	
2: Create Policy Agenda	
3: Prioritize the Agenda	
4: Enact New Public Policy	
5: Evaluate the Policy	

D. Enlightenment Political Philosophies:

7. Compare the political theories of **Thomas Hobbes** & **John Locke**

Similarities	Political Theories of John Locke
<u> </u>	imilarities

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II. American Documents:			
A. <u>Declaration of Independence:</u> 8. Explain how the Declaration of Independence	idence in	ncorporated some	e of the ideas of John Locke.
B. The Articles of Confederation: 9. List some of the powers held by the cer	ntral gove	ernment in the A	rticles of Confederation.
10. Describe some of the weaknesses of	the Articl	es of Confederat	ion.
11. How did Shays' Rebellion show some	of the w	eaknesses of the	Articles of Confederation?
C. <u>The U.S. Constitution:</u> 12. Describe the concept of factions .			
13. List the features of the Connecticut (Great) C	ompromise.	
14. Explain the controversy over the creat	tion of the	e Three-Fifths C	compromise.
D. <u>Constitutional Principles:</u> 15. Describe the meaning of the following	constitu	tional principles:	
Principle	Explan		Example of Principle
Popular sovereignty			
Limited government			
Separation of powers			
Checks and balances			
Judicial review			
Federalism			
E. <u>Structure of the Constitution:</u> 16. Define the following concepts using si Constitution.	x words	or less. All three	of these concepts are forbidden under the US
Concept		Definition (6 wo	rds or less)
Writ of Habeas Corpus			
Bills of Attainder			
Ex Post Facto Laws			

17 Define the mean	ing of the followin	g constitutional provisions		
Constitutional Provision	ing or the renewin		finition (6 words or less)	
"Full Faith and Credit Clause"				
"Supremacy Clause"				
F. <u>The Purpose and Intent of</u> 18. Why did many st		Constitution to include a	Bill of Rights?	
	e following court of saltimore (1833):	ases shaped the evolutio	n of the Bill of Rights:	
- Gitlow v. N	ew York (1925):			
G. <u>The Bill of Rights:</u> 20. While being as s	uccinct & detailed	as possible, describe the	e freedoms contained in the Bill of Rights:	
		e freedoms contained in e		
1 st Amendment				
2 nd Amendment				
3 rd Amendment				
4 th Amendment				
5 th Amendment				
6 th Amendment				
7 th Amendment				
8 th Amendment				
9 th Amendment				
10 th Amendment				
H. <u>Amendments After the Bill</u> 21. Succinctly descri		of each of the following a	amendments:	
Amendment	are promoterio	Explanation of the amend		
11 th Amendment		,		
12 th Amendment				
13 th Amendment				

14th Amendment

15th Amendment

16th Amendment

17 th Amendment				
18 th Amendment				
19 th Amendment				
20 th Amendment				
21st Amendment				
22 nd Amendment				
23 rd Amendment				
24 th Amendment				
25 th Amendment				
26 th Amendment				
27 th Amendment				
II. American Federalism: A. <u>Defining Federalism:</u> 22. What is federalism ? 23. Why did the Founders feel t 24. Compare and contrast Dual	0.	•		
·	Similarities	Cooperative Feder	alism	
		ossporative i oden		
25. Define the meaning of dece	ntralization. How	does the US federal system	n display decentralization ?	
3. Separation of National and State Gov				
26. Define the following types of				
Constitutional Powers		Brief Definition	Examples	
Enumerated powers				
mplied powers				
nherent powers				
Reserved powers				
Concurrent power				
07.14"				

- 27. Why is the "necessary and proper clause" commonly called the elastic clause?
- 28. Describe the important precedent set by *McCulloch v. Maryland* (1819).

29. Describe the important precedent set by *Gibbons v. Ogden* (1824).

C. Cooperative Federalism:

- 30. Why is **cooperative federalism** often referred to as **marble cake federalism**?
- 31. Describe how the US government has become more cooperative.

D. Fiscal Federalism:

- 32. Describe the meaning of **fiscal federalism**.
- 33. How does fiscal federalism resemble the "carrot and a stick" metaphor?

34. Define the meaning of the following grants-in-aid:

Grants-in-Aid	Definition
Categorical Grants	
Formula Grants	
Project Grants	
Block Grants	

- 35. Explain the controversy of the federal government creating **unfunded mandates** for states. How does **No Child Left Behind** exemplify the meaning of an unfunded mandate?
- 36. Describe the concept of **devolution**.

IV. Political Parties & Voting Behavior:

A. The Function of Parties in America:

- 37. List and describe the <u>five</u> functions of **political parties**.
- 38. Define **partisanship** in six words or less.

B. Third Parties:

- 39. Describe how and why third parties begin.
- 40. Explain how the American political system limits the influence of third parties.
- 41. Describe how third parties can act as "spoilers" in elections. Provide a recent example.

C. Organization of Parties:

- 42. Describe the organization of American political parties—include information regarding the impact of federalism, national committees, national chairpersons, national conventions, and state committees.
- 43. Explain the purpose of **primary elections**.
- 44. List the pros and cons of **political machines**.

D. Factors that Lead to Party Identification:

45. Describe the trends of party identification when it comes to religion, education, age, and economics.

E. Party Realignment and Dealignment:

- 46. What happens during party realignment? Provide some examples of realignment occurring.
- 47. What happens during **party dealignment**? Why do many political scientists feel that the US is in a period of party dealignment—how does "divided government" play a role?

F. Demographics:

48. Using the most recent data from this chart, put a mark identifying how each group tends to vote.

Demographics	Trends towards the Democrats?	Trends towards the Republicans?	Inconclusive Trends?
Gender: Men			
Gender: Women			
Race: White			
Race: Non-White			
Education: College			
Education: High School			
Occupation: Professional/Business			
Occupation: White Collar			
Occupation: Manual Labor			
Occupation: Union Members			
Age:Under 30			
Age: 30-49			
Age: 50 and over			
Religion: Protestant			
Religion: Catholic			
Demographics	Trends towards the Democrats?	Trends towards the Republicans?	Inconclusive Trends?
Region: East			
Region: Midwest			
Region: South			
Region: West			

G. Intensity:

- 49. How does **political efficacy** affect voter intensity?
- 50. What is the difference between **internal efficacy** and **external efficacy**?
- 51. Based on what you have learned this year, what is the most important factor that determines if a person votes? What demographic groups tend to vote less often? (You will need to use past notes to answer this question)

V. Elections:

A. Cost of Elections:

- 52. Explain why campaigns for office cost so much money.
- 53. Why do political interest groups participate in **electioneering**?
- 54. Why did **Political Action Committees** (PACs) begin? What do PACs do?

55. Even though interest groups often have a negative reputation, how do interest groups positively influence the USA?

B. Campaign Finance Reform:

- 56. Define **soft money**. How did the McCain-Feingold Act (2002) attempt to limit soft money?
- 57. What important precedent came from the famous *Buckley v. Valeo* (1976) court case?
- 58. Describe the job of the Federal Elections Commission (FEC).

C. Incumbency:

- 59. Define the word **incumbent**. Why do members in the House of Representatives tend to have a higher reelection rate than do members in the Senate?
- 60. List the advantages incumbents have when it comes to winning reelection. Include information about **franking**, **pork-barrel legislation**, **junkets**, and **credit claiming**.

D. House and Senate Elections:

- 61. List the qualifications to run for the House of Representatives.
- 62. What factor determines how many members a state receives in the House of Representatives?
- 63. Define the concept **single-member districts**.
- 64. Describe the meaning of marginal districts and safe districts.
- 65. How did the passage of the 17th Amendment affect senatorial elections?
- 66. List the qualifications to run for the US Senate.

E. The Electoral College:

- 67. Discuss why the Framers were hesitant to allow a popular vote to determine who would become president.
- 68. Briefly explain how the **Electoral College** works. How does the **winner-take-all** feature affect elections?

69. List the pros and cons of using the Electoral College.

Cons of the Electoral College		

F. Primaries, Caucuses, and the Conventions:

- 70. How do caucuses differ from primaries?
- 71. How do **closed primaries** differ from **open primaries**?
- 72. Why do many states try to hold their primaries/caucuses as early as possible? (this is called "frontloading")

eral Elections:	
74. Describe the pros and cons of being an incumben	t presidential candidate.
Pros of Being an Incumbent President	Cons of Being an Incumbent President
	a presidential election
75. Describe the pros and cons of being challenger in	a presidential election.
75. Describe the pros and cons of being challenger in Pros of Being a Challenger	•
75. Describe the pros and cons of being challenger in Pros of Being a Challenger	Cons of Being a Challenger
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VI. The Legislative Branch:

- A. Composition of the House:
 - 76. What is the basis for representation in the House of Representatives?
 - 77. What happens during **reapportionment**?
 - 78. Why is **gerrymandering** so controversial? List the current laws when it comes to regulating redistricting. (check your notes!)
 - 79. Identify and explain the precedents from the two Supreme Court case decisions that have ruled on gerrymandering
 - 80. Describe the hierarchy of leadership in the House of Representatives.
- B. Committees and the Iron Triangle:
 - 81. Why are **committees** an important element in the House?
 - 82. Define the following types of committees:

Committees	Definition
Standing Committee	
Joint Committee	
Conference Committee	
Select Committee	

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84. List the pros and cons of iron triangles:

Pros of Iron Triangles	Cons of Iron Triangles	

C. Composition of the Senate:

85. List some of the differences that distinguish the Senate from the House.

D. Power, Committees, and Debates:

- 86. Describe the hierarchy of leadership in the Senate. Who has the "real power"?
- 87. Identify and describe the distinguishing powers of the Senate.
- 88. What is a **filibuster**? Why do **filibusters** only happen in the Senate, but not the House? How can a filibuster be broken?

E. Route of a Bill through Congress:

89. Define the following concepts:

69. Define the following concepts.		
Lawmaking Concepts	Definitions (as succinct/detailed as possible)	
Bill		
Public bill		
Private bill		
Resolutions		
Joint resolutions		
Concurrent resolutions		
Cloture		

90. Using the website and your notes, succinctly outline the steps needed for a bill to become law. Include the role of the House Rules Committee, conference committees, and possible filibuster.

F. Veto Power and Judicial Review:

- 91. Identify and explain the four options the president can take after Congress has passed a bill.
- 92. How can the Supreme Court affect a law?

VII. The Executive Branch:

A. Qualifications and Qualities:

93. List the constitutional qualifications needed to become president.

B. Rules and Contingencies:

- 94. Explain the purpose of the **25**th **Amendment**.
- 95. Provide a historical example illustrating the Presidential Succession Act being used.
- 96. Specifically explain how a president can be removed from office. Provide at least one historical example of this process being used.
- 97. How does the **22**nd **Amendment** limit the president.

C. Express Roles:

98. Describe the **expressed** roles of the president (as laid out in the Constitution):

Role	Explanation of Role	Example of Role	
Commander in Chief			
Chief Executive			
Head of State			
Role	Explanation of Role	Example of Role	
Chief Diplomat			
Chief Legislator			

99. Describe the **expressed** role of the vice president (as laid out in the Constitution):

D. Traditional Roles and Special Powers:

- 100. How can the president help other candidate via his/her "coattails"?
- 101. Provide an example showing how the president sometimes might not be leading his political party.
- 102. Define **pardon** and **reprieve**. What is the most *infamous* pardon in US political history?

E. Executive Offices and Staff:

103. Describe the roles of the following White House offices.

100. 200		
White House Office	Responsibilities of office	
Office of Management and Budget (OMB)		
National Security Council		
Council of Economic Advisors		

104. Why is the **chief of staff** an important asset to the president?

F. Approval Ratings and Public Perception:

- 105. Why is the beginning of a president's term considered to be the "honeymoon" phase?
- 106. Describe factors that often cause a president to have positive public opinion poll figures.
- 107. Provide historical examples showing how presidential public opinion figures can dramatically decline.

G.	Polls	and	Pol	ling
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108. Why is polling an important part of the US political system?

109. List the pros and cons of **exit polling**:

Pros of Exit Polling	Cons of Exit Polling

H. Media and Press Coverage:

- 110. What is the role of the president's **press secretary**?
- 111. Why do president's need to worry about their public image?

I. The Office of Management and Budget:

- 112. What is the **federal budget**?
- 113. Describe the role of the **OMB** in the federal budget process.
- 114. Where does the federal government receive most of its funding?
- J. Surpluses, Deficits, and the National Debt:
 - 115. Describe what happens when the government runs a **budget surplus**.
 - 116. Describe what happens when the government runs a **budget deficit**. How is the **national debt** related?
 - 117. What items take up the largest percentage of the annual federal budget? Why are entitlements and interest on the national debt considered *fixed spending*?

K. Budget Timetable:

- 118. In as few words as possible, describe how the federal budget process exemplifies the principle of **checks and balances**.
- 119. Using your notes, what famous law created the current federal budget process?

VIII. The Bureaucracy:

A. Perceptions of the Bureaucracy:

120. List the pros and cons of **bureaucracy**.

Pros of Bureaucracy	Cons of Bureaucracy

B. Organization of the Federal Bureaucracy:

- 121. Describe the composition of the federal bureaucracy.
- 122. Why are regulatory agencies considered quasi-legislative, executive, and judicial?

123. How do **regulatory agencies** differ from **executive agencies**? Provide examples of each type of bureaucratic agency.

C. Bureaucratic Reform:

- 124. How were most jobs in government filled before the 1880s? What tragic event took place that changed the staffing of the federal bureaucracy?
- 125. List the major provisions of the **Hatch Act**.
- 126. List the responsibilities of the **Office of Personnel Management (OPM)** and the **Merit Systems Protection Board**.
- 127. Why is the federal government a necessary entity?

D. The Origin of the Cabinet:

128. Describe the role of each of the following cabinet departments:

120. Beddibe the fold of each of the following eachies departments.		
Cabinet Department	Responsibilities/Job of Department	
Department of State		
Department of Defense		
Department of the Treasury		
Department of Justice		
Department of Homeland Security		

E. The Cabinet in Practice:

- 129. Who must confirm any leader of a cabinet department?
- 130. Describe the responsibilities of a cabinet leader.

F. Regulatory Agencies:

131. Describe the functions of the following regulatory agencies:

Regulatory Agency	Responsibilities/Job of Agency
Federal Communications Commission (FCC)	
Federal Trade Commission (FTC)	
Securities and Exchange Commission (SEC)	
Central Intelligence Agency (CIA)	
National Security Council (NSC)	
Environmental Protection Agency (EPA)	
The Federal Reserve System (FED)	

G. Government Corporations:

- 132. What Is a government corporation?
- 133. List the responsibilities of the following government corporations:

Government Corporation	Responsibilities/Job of Corporation
United States Postal Service (USPS)	
Federal Deposit Insurance Corporation (FDIC)	
National Aeronautics and Space Administration (NASA)	
Tennessee Valley Authority (TVA)	

H. Legislative and Executive Constraints:

134. Describe how the following laws limit the power of bureaucracies:

Law	Explain how these laws limit the federal bureaucracy		
The Administrative Procedure Act (1947)			
The Freedom of Information Act (1966)			
The National Environmental Policy Act (1969)			
The Privacy Act of 1974			
The Open Meeting Law (1976)			

135. List some actions the president can take to limit the power of bureaucratic agencies.

I. Congressional and Judicial Constraints:

- 136. List and describe the powers Congress can use to limit bureaucratic agencies.
- 137. How can the judicial branch limit the power of bureaucratic agengies?
- 138. Define **issue networks**. Why do some political scientists believe "**issue networks**" are more prevalent than "**iron triangles**"?

IX. The Judiciary:

- A. Constitutional and Legislative Courts:
 - 139. Describe how checks and balances plays a role in naming federal judges. Why do presidents often follow the unwritten rule of **senatorial courtesy** when nominating state-level judges?
 - 140. How do grand juries differ from petit juries?

141. Compare and contrast federal district courts with federal courts of appeal:

	Federal District Courts	Federal Courts Of Appeal
Type of jurisdiction		
What is the Job of this type of court?		
# of Courts		

142. How do **legislative courts** differ from **constitutional courts**?

B. The United States Supreme Court:

- 143. In what types of cases does the US Supreme Court hold original jurisdiction?
- 144. How many cases are appealed to the Supreme Court each year? How many cases does the court usually hear? How many justices is necessary for a case to be granted **writ of certiorari**?
- 145. Why does the Supreme Court often refuse to hear certain cases?
- 146. Describe the meaning of the principle stare decisis.
- 147. If the Supreme Court accepts an appellate case, what must each party then do? How much time does each side receive when they argue their case at the Supreme Court?

148. Define the following types of Supreme Court Opinions:

Court Opinion	Definition
Majority Opinion	
Concurring Opinion	
Dissenting Opinion	
Per Curium Opinion	

149. How can **dissenting opinions** play a role after a case is decided? Provide an example.

C. John Marshall and Roger Taney:

- 150. What is the Marshall Court known for?
- 151. What is the *Taney Court* known for?
- 152. Describe the importance of the following court cases:

Importance of Case
Importance of Case

D. Earl Warren:

153. What is the *Warren Court* known for?

154. Describe the importance of the following court cases:

Court Case	Importance of Case
Brown v. Board of Education of Topeka (1954)	
Gideon v. Wainwright (1963)	
Engel v. Vitale (1963)	
Miranda v. Arizona (1963)	

E. Warren Burger:

155. What is the Burger Court known for?

156. Describe the importance of the following court cases:

Court Case	Importance/Precedent of Case
Roe v. Wade (1973)	
Planned Parenthood of Southeastern Pennsylvania v. Casey (1992)	
Regents of University of California v. Bakke (1978)	
Grutter v. Bollinger (2001)	
Gratz v. Bollinger (2001)	

F. Judicial Activism and Restraint:

157. Describe the meaning of both judicial activism and judicial restraint.

- 158. Which philosophy applies to the famous case, Brown v. Board of Education (1954)? Why?
- 159. Why does the Supreme Court try to avoid **political questions**?

G. Judicial Review and Construction:

160. Describe the court's power of **judicial review**.

161. Fill in the chart below that deals with different interpretations of the constitution.

	Strict Construction	Loose Construction
Definition		
Where in the Constitution can you find justification for these different philosophies?		

H. The Selection Process:

- 162. List the qualifications to be a justice on the Supreme Court.
- 163. What types of characteristics do presidents usually look for when they nominate a justice to the Supreme Court?
- 164. Explain the purpose of using a political "litmus test" when selecting possible federal judges.

I. The Confirmation Process:

- 165. Describe what happens at the **confirmation hearing**. Why did the Senate nearly vote against the confirmation of Clarence Thomas?
- 166. What role do interest groups play in the selection/confirmation of potential Supreme Court justices?

X. Civil Liberties: The Bill of Rights Today

A. Unalienable Rights:

- 167. Define the concept of **unalienable rights**. Provide examples.
- 168. What is the purpose of the **privileges and immunity clause** that is located in the Constitution? How did the Supreme Court interpret this clause in the infamous *Dred Scott* decision?
- 169. Why did the Federalists eventually decide to include a national Bill of Rights in order to get the Constitution ratified?

B. Selective Incorporation:

- 170. Why did the Bill of Rights originally only apply to the national government?
- 171. How did the case Gitlow v. New York (1925) affect the interpretation of the Bill of Rights?
- 172. Compare and contrast the concepts **procedural due process** and **substantive due process**.

Procedural Due Process	Similarities	Substantive Due Process

•	
paration" when it come	es to freedom of religion.
stablishment clause?	
nan (1971), what three of a 'The Lemon Test ')?	criteria must be met in order for the
, ,	es the free exercise of religion.
	ation of the "Free Exercise Clause":
	mportance/Precedent of Case
)	
Definition	Examples
	stablishment clause? nan (1971), what three a 'The Lemon Test')? a country that promote practice their religion. ve shaped the interpret

181. Describe how the following court cases have limited free speech rights:

Court Case	Importance/Precedent of Case
Schenck v. United States (1919)	
Gitlow v. New York (1925)	
Johnson v. Texas (1989)	
Tinker v. Des Moines School District (1969)	
Miller v. California (1973)	
New York Times v. Sullivan (1964)	
Chaplinksy v. State of New Hampshire (1942)	

I. Rights and Limitations on Free Press:

- 182. How did the court case Near v. Minnesota (1931) affect the concept prior restraint?
- 183. Describe the circumstances that led to the "Pentagon Papers" case. How did the Supreme Court decide this conflict?
- 184. How did the precedent of *Branzburg v. Hayes (1972)* negatively affect members of the press?

J. Reasonable Searches and Seizures:

- 185. What led the constitutional framers to protect people from unreasonable searches and seizures by the government?
- 186. Define **probable cause**.
- 187. Define warrant.
- 188. Why do most students disagree with the court's decision in *New Jersey v TLO* (1985)
- 189. How does California v Avecedo (1991) limit one's freedoms when getting pulled over?

K. The Exclusionary Rule:

- 190. Define the **exclusionary rule**.
- 191. Why did civil libertarians praise the court for the *Mapp v Ohio* (1961) decision?
- 192. How did *United States v Leon* (1984) alter the Mapp ruling?

L. Self-incrimination:

- 193. What caused the framers to create protections for the accused?
- 194. List the protections included in the 5th Amendment that help the accused.
- 195. Explain how Miranda v Arizona (1966) shapes the modern interpretation of the 5th Amendment?
- 196. Do police always have to read someone their Miranda rights? Explain.

M. Speedy and Public Trials:

- 197. List the protections included in the 6th Amendment that help the accused.
- 198. How did the court case *Barker v Wingo* (1972) impact the modern interpretation of a "speedy trial"?

N. The Right to Counsel:

199. What is the importance of the court case *Gideon v Wainwright* (1963)?

O. Capital Punishment:

- 200. Define capital punishment.
- 201. Explain how federalism plays a role in the use of capital punishment.
- 202. According to the court case *Gregg v Georgia* (1976), what justifies the use of capital punishment?

XI. Civil Rights:

A. Civil War Amendments:

- 203. What was the purpose of the **13**th **Amendment**?
- 204. What were **Black Codes**? Describe the purpose of their usage.
- 205. What was the original purpose of the **14**th **Amendment**?
- 206. How was the "due process clause" of the 14th Amendment used to decide the following Supreme Court cases:
 - A. Lochner v. New York (1905)
 - B. Roe v. Wade (1973)
- 207. How was the "equal protection clause" of the 14th Amendment used to decide *Plessy v. Ferguson* (1896)? Describe the "separate but equal doctrine".
- 208. How did the Supreme Court justify the decision in *Brown v. Board of Education of Topeka* (1954)?
- 209. What was the intent of the **15th Amendment**? Explain how the Voting Rights Act (1965) strengthened the 15th Amendment.

B. The Civil Rights Movement:

- 210. What methods were used by Civil Rights activists to bring attention to their cause?
- 211. Describe the contributions made by the following individuals in the Civil Rights Movement:
- A. W.E.B. DuBois:
- B. A. Philip Randolph:
- C. Martin Luther King Jr.:
- C. The Truman Era:
 - 212. Summarize President Harry Truman's role in ensuring the equal protection of African Americans.
- D. The Eisenhower Era:
 - 213. Why was Eisenhower given the nickname "The New Emancipator"?
 - 214. Describe how Eisenhower's appointment of Earl Warren played a vital role in the *Brown* decision. How did cities in the South respond to the *Brown* decision?
 - 215. Define **de jure segregation**.

E. The Kennedy - Johnson Era:

- 216. What are the provisions of the Civil Rights Act of 1964?
- 217. List the protections provided under the **24**th **Amendment**. Describe the relationship between the 24th Amendment and the **Voting Rights Act of 1965**.
- 218. What protections are included in the Civil Rights Act of 1968?

F. Affirmative Action:

- 219. What are the goals of **Affirmative Action** programs?
- 220. List some of the arguments against the use of **Affirmative Action** programs.

221. What were Allan Bakke's arguments against the use of **Affirmative Action**? Describe how the Supreme Court decided the Bakke case. (hint—you should have this answer in #156)

222. List the modern precedents created by the two recent Supreme Court cases:

Supreme Court Case	Importance/Precedent of Case
Grutter v. Bollinger (2001)	
Gratz v. Bollinger (2001)	