

Study Guide for Module C: Process (2 & 3)

Thursday, Feb. 17: The executive branch and judicial branch; local government

In Lecture

Executive branch (In Lecture)

- When people refer to “the administration” at the federal level, what do they mean?
- What are the major ways that the President (the executive branch) is able to “check” the powers of Congress (the legislative branch) and the courts (the judicial branch)?
- What is meant by the term “bully pulpit”? Why is this such an important, unwritten power of the president?
- What are politically appointed officials (for instance, “administrators” at the federal level), and what do they do?
- Who are “civil employees”? How are they different from political appointees?

Judicial branch (In Lecture and Congressional Research Service)

- What are the major ways that the courts (the judicial branch) are able to “check” the powers of Congress (the legislative branch) and the president (the executive branch)?
- What does it mean to say that the judicial branch is fundamentally “reactive”, whereas the legislative branch and executive branch are “proactive”?

Meyer

- What is the difference between a “statute” and a “regulation/rule”? Which branch of government is responsible for which?
- Why did Congress give the EPA (and other agencies) the power to create rules and regulations that would shape how we impact the environment in so many ways?
- What are some of the steps that agencies (like the EPA) have to take when they issue regulations?

Congressional Research Service

- What question did the Supreme Court have to decide in *Rapanos v. United States*? Why is this a good example of power of the judicial branch in environmental politics?
- In its ruling in *Rapanos v. United States*, the Supreme Court said that the phrase “Waters of the United States” should be interpreted to include small bodies of water with a “significant nexus” to larger, navigable bodies of water. Why does this matter for the Clean Water Act?

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