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| Bank Item Number | G.C.3.3.L1 |
| Benchmark | SS.7.C.3.3  |
| Cognitive Complexity  | Low |
| Item | Which part of the U.S. Constitution outlines legislative power? |
| A | First Amendment |
| B | Bill of Rights |
| C | Preamble |
| D | Article I |

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| Bank Item Number | G.C.3.3.L1 |
| Benchmark | SS.7.C.3.3  |
| Cognitive Complexity  | Low |
| Item | Which part of the U.S. Constitution outlines legislative power? |
| A | First Amendment | **Incorrect**-The First Amendment lists the rights of expression protected by the federal government. |
| B | Bill of Rights | **Incorrect**-The Bill of Rights provides a list of protections guaranteed to individuals including expression and the rights of those accused of crimes, and the powers reserved to the states.  |
| C | Preamble | **Incorrect**-The Preamble of the U.S. Constitution outlines the goals and purposes of government.  |
| D | Article I | ***Correct***-Article I of the U.S. Constitution lists the powers of Congress, the legislative branch.  |

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| Bank Item Number | G.C.3.3.M1 |
| Benchmark | SS.7.C.3.3 |
| Cognitive Complexity | Moderate |
| Item | The passage below is from a speech by President George W. Bush, March 19, 2003. On my orders, coalition forces have begun striking selected targets of military importance to undermine Saddam Hussein's ability to wage war. These are opening stages of what will be a broad and concerted campaign.Source: Office of the White House Press Secretary Archives  What constitutional power justifies the actions described in the passage? |
| A | commander-in-chief |
| B | negotiator-in-chief  |
| C | chief legislator |
| D | chief regulator  |

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| Bank Item Number | G.C.3.3.M1 |
| Benchmark | SS.7.C.3.3 |
| Cognitive Complexity | Moderate |
| Item | The passage below is from a speech by President George W. Bush, March 19, 2003. On my orders, coalition forces have begun striking selected targets of military importance to undermine Saddam Hussein's ability to wage war. These are opening stages of what will be a broad and concerted campaign.Source: Office of the White House Press Secretary Archives  What constitutional power justifies the actions described in the passage? |
| A | commander-in-chief | ***Correct***-The president is the highest civilian officer in the military. As commander-in-chief the president has the power to order military strikes.  |
| B | negotiator-in-chief  | **Incorrect**-The U.S. Constitution gives the president the power to negotiate treaties. This power is not presented in the passage. |
| C | chief legislator | **Incorrect**-The U.S. Constitution gives the president the power to sign or veto legislation. This power is not presented in the passage.  |
| D | chief regulator  | **Incorrect**-The U.S. Constitution gives the president the power to “take care that the laws be faithfully executed” which includes the regulation powers held by the Executive Branch. This power is not presented in the passage.  |

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| Bank Item Number | G.C.3.3.M2 |
| Benchmark | SS.7.C.3.3 |
| Cognitive Complexity  | Moderate |
| Item | The following passage is from *McCulloch v. Maryland* (1819). If … such be the mandate of the Constitution, we have only to obey; but that instrument does not profess to enumerate the means by which the powers it confers may be executed…Which constitutional provision does this decision support? |
| A | commerce clause |
| B | judicial review |
| C | habeas corpus |
| D | elastic clause |

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| Bank Item Number | G.C.3.3.M2 |
| Benchmark | SS.7.C.3.3 |
| Cognitive Complexity  | Moderate |
| Item | The following passage is from *McCulloch v. Maryland* (1819). If … such be the mandate of the Constitution, we have only to obey; but that instrument does not profess to enumerate the means by which the powers it confers may be executed…Which constitutional provision does this decision support? |
| A | commerce clause | **Incorrect**-The passage focuses on how the powers of government are enforced; the passage does not focus on commerce or business. |
| B | judicial review | **Incorrect**-The passage focuses on how the powers of government are enforced; the power of judicial review is the power of the courts to determine the constitutionality of laws and executive actions. |
| C | habeas corpus | **Incorrect**-The passage focuses on how the powers of government are enforced; habeas corpus means that the government may not hold a citizen indefinitely without showing cause |
| D | elastic clause | ***Correct***-The passage focuses on how the powers of government are enforced. The elastic clause gives Congress the right to do what it needs to fulfill its powers.  |

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| Bank Item Number | G.C.3.3.M3 |
| Benchmark | SS.7.C.3.3  |
| Cognitive Complexity  | Moderate |
| Item | Which list includes roles of the president? |
| A | Chief Justice, Commander-in-Chief |
| B | Commander-in-Chief, Chief Executive |
| C | Speaker of the House, Chief Executive |
| D | Speaker of the House, Chief Justice |

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| Bank Item Number | G.C.3.3.M3 |
| Benchmark | SS.7.C.3.3  |
| Cognitive Complexity  | Moderate |
| Item | Which list includes roles of the president? |
| A | Chief Justice, Commander-in-Chief | **Incorrect**-The president is commander-in-chief although the chief justice heads the U.S. Supreme Court.  |
| B | Commander-in-Chief, Chief Executive | ***Correct***-The president is the commander-in-chief of the armed forces as well as the chief executive. |
| C | Speaker of the House, Chief Executive | **Incorrect**-The president is the chief executive while the speaker of the house is the leader of the U.S. House of Representatives. |
| D | Speaker of the House, Chief Justice | **Incorrect**-The Speaker of the House if the leader of the U.S. House of Representatives while the chief justice heads the U.S. Supreme Court.  |

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| Bank Item Number | G.C.3.3.H1 |
| Benchmark | SS.7.C.3.3 |
| Cognitive Complexity | High |
| Item | The statement below is from a congressional document, July 27, 1974. Richard M. Nixon has acted in a manner contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice, and to the manifest injury of the people of the United States.Source: U.S. House of Representatives Committee on the Judiciary How have similar statements influenced modern congressional actions? |
| A | presidential impeachment |
| B | presidential nomination |
| C | presidential election |
| D | presidential veto |

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| Bank Item Number | G.C.3.3.H1 |
| Benchmark | SS.7.C.3.3 |
| Cognitive Complexity | High |
| Item | The statement below is from a congressional document, July 27, 1974. Richard M. Nixon has acted in a manner contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice, and to the manifest injury of the people of the United States.Source: U.S. House of Representatives Committee on the Judiciary How have similar statements influenced modern congressional actions? |
| A | presidential impeachment | ***Correct***-The statement outlines the reasons that President Richard Nixon was being impeached by the U.S. House of Representatives.  |
| B | presidential nomination | **Incorrect**-Congress does not have the power to nominate.  |
| C | presidential election | **Incorrect**-The words in the passage do not speak to elections; the words in the passage focus on how President Nixon acted against the U.S. Constitution.  |
| D | presidential veto | **Incorrect**-Congress does not have the power to veto legislation.  |