Power With Limits

Read how the Constitution divides government power.

5.C.6.3 "Analyze the structure and operations of government established in the Constitution of the United States of America. Explain why the Framers separated government's powers into different branches..."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline one job of each branch, circle two ways a branch can limit another branch, and write F beside a federal job and S beside a state job. Use your marks to explain how power is divided and checked.

From School Buses to Mail Trucks

1. On Monday, a school bus passes a post office. Who runs the school, and who delivers mail across the country? The Constitution divides power between federal and state governments. States manage public schools, while the federal government runs the postal service. Both can collect taxes. The Framers assigned nationwide jobs to the federal government and many local jobs to states so power would not rest in one place.

2. Now imagine Congress wants safer mail trucks. Congress, the legislative branch, writes and passes a bill in both the House and Senate. The President, who leads the executive branch and carries out laws, can sign the bill into law or veto it. Congress can override a veto with a two-thirds vote in each chamber. These steps make a law possible while stopping either branch from having the final say alone.

3. The Supreme Court belongs to the judicial branch, which decides what laws mean in court cases. It can rule that a law or an action by the President violates the Constitution and cannot stand. The President appoints justices, but the Senate must approve them. These limits are called checks and balances. The Framers separated branches so no group could make laws, carry them out, and judge them without limits.

2 ANSWER WITH EVIDENCE

Use the passage

1. Why might the federal government run the postal service while states manage public schools?

2. If Congress passes a mail-truck bill and the President vetoes it, how could the bill still become law?

3. How could the Supreme Court limit a mail-truck law or an action by the President?

4. How do the President and Senate share power over Supreme Court justices? How does this limit one branch?

3 YOUR TURN

Your own words

A town wants safer streets near its school, while people across the country want safer airplanes. Write four sentences: choose which level of government should handle each need and why, then describe a possible national airplane law and one way another branch could check it.

ANSWER KEY

Power With Limits

GRADE 5 · 5.C.6.3

PART 1 · READ AND MARK

Underline one job of each branch, circle two ways a branch can limit another branch, and write F beside a federal job and S beside a state job. Use your marks to explain how power is divided and checked. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	Why might the federal government run the postal service while states manage public schools?	**Mail delivery across the country is a nationwide job, while managing schools meets needs within each state.**
2	If Congress passes a mail-truck bill and the President vetoes it, how could the bill still become law?	**Congress could override the veto with a two-thirds vote in both the House and Senate.**
3	How could the Supreme Court limit a mail-truck law or an action by the President?	**In a court case, it could rule that the law or action violates the Constitution and cannot stand.**
4	How do the President and Senate share power over Supreme Court justices? How does this limit one branch?	**The President appoints justices, but the Senate must approve them. The President cannot choose justices alone.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

The state government should address streets near the school because that is a local need. The federal government should handle airplane safety because planes travel across state lines. Congress could pass a law requiring regular safety checks for airplanes. The President could veto that law.

Accept other reasonable local and nationwide explanations. For the final sentence, accept a check that fits the proposed law, such as a presidential veto or a Supreme Court ruling that the law violates the Constitution.