

SUPREME COURT COMPARISON

Name: _____

3. This question requires you to compare a Supreme Court case you studied in class with one you have not studied in class. A summary of the Supreme Court case you did not study in class is presented below and provides all of the information you need to know about this case to answer the prompt.

In 1933, Congress passed the National Industrial Recovery Act (NIRA) as part of President Franklin D. Roosevelt's New Deal. The NIRA allowed the executive branch far-reaching powers to regulate business, including to draw up "codes of fair competition" for local businesses that could regulate wages, prices, and prohibited business practices.

The Schechter brothers operated a kosher butchery in New York City that sold chickens to local Jewish customers who observed kosher dietary guidelines. Kosher law prescribes specific ways in which a chicken must be butchered by someone who has received special training. The Schechter brothers were arrested for violating the NIRA after they defied a federal regulator who told them that they could not allow their customers to select the chickens they wanted butchered. NIRA regulations required "straight killing," which prohibited customers from selecting a specific chicken to be butchered. The federal government also accused the Schechter brothers of selling sick chickens to customers. After being found guilty of several violations of the NIRA by a lower court, the Schechter brothers appealed their case to the Supreme Court.

In the ensuing case, *Schechter Poultry Corp v. United States* (1935), the Supreme Court unanimously ruled in favor of the Schechter brothers and declared the National Industrial Recovery Act to be unconstitutional.

Based on the information above, respond to the following questions.

- A. Identify the constitutional clause that is common to both *Schechter Poultry Corp v. United States* (1935) and *United States v. Lopez* (1995).
- B. Explain how the facts in both *Schechter Poultry Corp v. United States* and *United States v. Lopez* led to a similar decision in both cases.
- C. Explain why the federal law struck down in *Schechter Poultry Corp v. United States* was not protected under the Supremacy Clause of the Constitution.

This Supreme Court Comparison question was written by Tom Richey to assist students and teachers who are preparing for the AP[®] United States Government and Politics exam.