

Formal Response to Written Comments, September 11, 2002

**Submitted by Prentice Hall
October 2, 2002**

Introduction

Prentice Hall thanks the Texas Education Agency for allowing us to participate in this Public Hearing Textbook Review Process for the 2002 Social Studies textbook adoption. As a result of this process and the hard work of many individuals, we believe that the overall quality of the textbooks that will be used in Texas classrooms over the coming years has been improved.

The “Additional Changes” lists we have submitted to the Texas Education Agency on September 16, 2002 and October 2, 2002 reflect all of the changes we as a publisher have decided to make to our texts in order to improve their overall accuracy and quality. These changes reflect our commitment to providing Texas teachers and students with the highest quality materials for Social Studies classrooms.

All of the changes that we propose making fall into the following categories:

- 1) changes to correct factual errors
- 2) changes to eliminate any suggestion of bias
- 3) changes to provide better balance

Throughout the Public Hearing process we have remained open and sensitive to all requests for changes. However, there were instances where we could not agree to changes that would have introduced bias or factual inaccuracy. In addition, we have not agreed to make changes that fell outside of the TEKS and which we, our authors, and our reviewers deemed too advanced for students at the program’s grade level.

Jon Roland, Constitution Society

Response to Jon Roland’s written testimony about Prentice Hall’s *Magruder’s American Government*

J. Roland: SE page 79 and elsewhere. "Informal amendment". The proposed changes do not correct the error, which is inherent in the use of the word "amendment", even if it is put in quotes. That word erroneously indicates changes having the force of constitutional law. The only acceptable change is to replace the phrase "informal amendment" everywhere it appears with such terms as "practice", "precedent", "custom", "tradition", or equivalent words, to indicate that they are not changes in the actual Constitution. That also means rewriting the section about the five basic ways "informal amendment" "continues to occur". Note that competing textbooks use the alternate terms.

Publisher’s Response:

“Informal amendment” is the umbrella term used in *Magruder’s American Government* for the various practices, customs, and actions—such as Supreme Court rulings—that **all** government textbooks include and discuss at length. The text clearly explains that “informal amendment” does not indicate changes to the actual, written Constitution: “Informal amendment is the process by which over time many changes have been made in the Constitution which have not involved any changes in its written words” (page 79). Whether or not competing textbooks use alternate terms, the underlying idea is the same.

Response to Jon Roland's written testimony about Prentice Hall's *Magruder's American Government* (continued)

J. Roland: SE page 80. "Commerce". It would be more correct to simply say "at the time of ratification, 'commerce' was understood as only 'trade in tangible commodities.'"

Publisher's Response:

SE page 80, column 1, sentence 4 change to "The Constitution does not say, and at the time of ratification, 'commerce' was understood as only 'trade in tangible commodities.'"

J. Roland: SE page 81. Cabinet. Your proposed changes may work, but make it clear that "cabinet" does not mean "close advisors", but the heads of departments that are in the line of presidential succession.

Publisher's Response:

SE page 81, add footnote: "The Constitution provides for the Cabinet (the heads of departments who are in the line of presidential succession) only indirectly, in Article 2, Section 2."

Place footnote marker ("9") at the end of column 1, after "officers." Change existing footnote "9" to footnote "10."

J. Roland: SE page 81. "Living Constitution". This phrase, or synonyms like "flexible Constitution", needs to be omitted everywhere it appears. It is not an innocent characterization of the Constitution, but one that detracts from its status as supreme law, with a definite meaning that investigation can find. In this context it is a fundamental error. It is editorializing where straight reporting is required. High school textbooks are not an appropriate medium for secular proselytizing. Never mind the Marshall quote. If you are going to quote Marshall, then you need to quote Marshall's opponents, such as Jefferson, Madison, John Taylor, or others.

Publisher's Response:

The term "Living Constitution" reflects the fact that Supreme Court cases, custom, practice, legislation, and formal amendments have helped ensure the Constitution's continuing relevance to changing times for well over two centuries. The term connotes great pride in the Constitution and in those who created it, and in no way detracts from the equally important concept of the Constitution as a document of enduring principles. For a discussion that explains how the Constitution is the Supreme Law of the Land, see pages 94–95. In addition, in order to ensure balance, we have agreed to add the following:

- SE page 72: "How has the Constitution, written in 1787, endured despite that astounding change and growth? Strict constructionists point out that the Constitution is based on timeless principles. These principles should not be tampered with lest the words of the Constitution become meaningless. We must thus look to the Framers' original intent for guidance when grappling with today's issues. Liberal constructionists, on the other hand, believe that the answer to this question lies with the concept of a "Living Constitution." That is, that the Constitution has endured because it can change and grow with the times. This process of constitutional change can occur in two basic ways: . . ."

Response to Jon Roland's written testimony about Prentice Hall's *Magruder's American Government* (continued)

- SE page 82: “Read about the ways in which the Constitution can be amended. Then write a “constitution” for your classroom that consists of 10 rules for good classroom behavior. Debate whether these rules should remain fixed or be flexible. If fixed, will they become outdated? If flexible will they eventually become meaningless, as students interpret them to get away with whatever behavior they want?”
- SE page 292: “Today, United States politics is marked by a lack of **consensus**, or general agreement, over the proper limits of national power. Statists favor a liberal, or loose, construction, while constitutionalists favor a strict construction. This fundamental split is reflected, in general terms, in the different points of view of the Democratic and Republican parties.”
- TE page 51: “A subject of serious debate in politics today is whether current interpretations of the Constitution should be based on the Framers’ original intent. Originalists argue that the best way to interpret the Constitution is to determine how the Framers intended it to be interpreted. In *Original Arguments: Constitutional Interpretation, Textual Meaning, Original Intent and Judicial Review*, Keith E. Whittington buttresses the originalists’ argument by making the case that originalism, or original intent, should be the preferred method of constitutional interpretation, as it is the method best suited for a democratic government. On the opposite side of the spectrum, in *Original Meanings: Politics and Ideas in the Making of the Constitution*, Jack Rakove argues that there was no single “original intent” among the Framers. Rakove analyzes the sharply different perspectives of the Framers and points to how those differences led to dynamic debate and compromise.”
- TE page 67, answer to political cartoon question: “Some students may answer that the speaker means that the Constitution can change with the times as necessary. Others may argue that the speaker is using irony to support the notion that the Constitution should be interpreted strictly, according to the Framers’ original intent.”
- TE page 72: “Tell students that the Constitution has survived for more than 200 years because it contains timeless principles yet can be amended. Ask students to discuss what they know about the formal amendment process.”
- TE page 73: “The Framers purposely made the process of amending the Constitution difficult. Have students look for evidence to support this conclusion as they read.”
- See also activity in which students investigate originalism on page 292 and response to comments regarding page 90 below in which we agree to add an additional note explaining constitutionalism.

J. Roland: SE page 82, Take It to the Net. Better to say "as students interpret them to get away with..."

Response to Jon Roland's written testimony about Prentice Hall's *Magruder's American Government* (continued)

Publisher's Response:

SE page 82, *Take It to the Net* activity change last sentence to "If flexible will they eventually become meaningless, as students interpret them to get away with whatever behavior they want?"

J. Roland: TE, page 51, Background Note, strict and liberal. It is likely neither the teacher nor the students will have copies of the books readily available. If you are going to provide a link to www.constitution.org, it might be better to provide links to the interpretive debates there, which we will make sure are complete and balanced. It is also not correct to identify strict construction with "conservative" or Republican and "flexible" construction with "liberal" or Democrat. Both conservative Republicans and liberal Democrats tend to accept loose construction, each in different ways. The correct distinction is between constitutionalists and statist.

Publisher's Response:

TE, page 51, Background Note, does not use the terms "strict" and "liberal" nor provide an Internet link. References to Web site and to strict and liberal construction appear on SE, page 292. See below for response

J. Roland: TE page 67. Cartoon. The proposed change is acceptable.

J. Roland: TE page 72. Quick Lesson Plan Focus. The proposed change is acceptable.

J. Roland: SE page 78 Answer 4. The proposed change to "According to Jefferson, why would a bill of rights strengthen the judicial branch?" doesn't work. Jefferson's support of a bill of rights had little to do with strengthening the judicial branch, something he was dubious about. His position was that it would strengthen the position of individuals in defending their rights.

Publisher's Response:

See SE page 78, Jefferson to Madison, March 15, 1789 "...In the arguments in favor of a declaration of rights, you omit one which has great weight with me, the legal check which it puts into the hands of the judiciary."

J. Roland: TE, p. 80, and SE page 400. Executive agreements. Your case cites do not support your thesis that executive agreements, as a general proposition, have the same force as treaties. In both *U.S. v. Belmont*, 301 U.S. 324 (1937), and *U.S. v. Pink*, 315 U.S. 203 (1942), the U.S. government merely recognized the Soviet government as the legitimate successor to the Russian government for purposes of claims on Russian assets in the U.S. You need to read the actual decisions and opinions and not just rely on second-hand commentary, which may have an advocacy agenda that finds it convenient to misinterpret case decisions.

Response to Jon Roland's written testimony about Prentice Hall's *Magruder's American Government* (continued)

Publisher's Response:

The cases cited decided whether the Executive Agreement of 1933 had the force of law. The Supreme Court held that it did.

Please also see, among other authoritative, unbiased sources, *Senate Document 103-6, 103rd Congress, 1st Session, The Constitution of the United States of America: Analysis and Interpretation, Annotations of Cases Decided by the Supreme Court of the United States to 1992* [with subsequent supplements], Congressional Research Service, Library of Congress, pages 504-507: <http://frwebgate1.access.gpo.gov/cgi-bin/waisgate.cgi?WAISdocID=0597903948+0+0+0&WAISaction=retrieve>

J. Roland: SE page 81. Marshall quote. Change is acceptable, but should be balanced by opposing quote from Jefferson, Madison, John Taylor, or other opponent to Marshall's views, and students should be asked to write about both quotes.

Publisher's Response:

SE page 81, "Evaluating the Quotation" change to: "(a) Write a paragraph explaining your understanding of Marshall's statement. (b) How might Jefferson and Madison have responded to Marshall's statement?"

Change TE page 81 answer to "(a) Paragraphs will vary but should show an understanding that, according to Marshall, the process of judicial review will allow the Constitution to endure over time. (b) Jefferson and Madison might have responded that the Constitution will endure because it contains timeless principles, not because the judiciary can or should interpret it."

J. Roland: SE, Chap. 4 Sec. 1, p. 90. "Implied powers". To be correct it would need to say something like "exercise of powers many government officials claim are implied." The student should then be asked whether he or she agrees the power is implied, and if so, provide the chain of reasoning to justify that position. Implied powers should not be characterized as "thousands". Whether or not powers are implied should always be left an open question.

Publisher's Response:

SE, p. 90, column 2, paragraph 2, sentence 1, change to "Here are but a few examples of the exercise of implied powers." Please note that whether or not everyone agrees that these powers are in fact implied, Congress does exercise them as implied powers. Also, see response to SE page 308 and new TE note on page 90 below.

J. Roland: SE page 90. Your proposed change, characterizing the 21st Amendment, is incorrect. That amendment does not grant powers to the states to regulate alcohol. That power comes from their own constitutions. It only retains a part of the power, delegated by the 18th amendment to the federal government, to prohibit the importation of alcohol into those states where it is prohibited by state law. You need to read the actual amendment.

Response to Jon Roland's written testimony about Prentice Hall's *Magruder's American Government* (continued)

Publisher's Response:

Keep original statement regarding the 16th Amendment.

TE, page 90, add side column note below to address issues on page 90. For fit move Point-of-Use References to page 91.

“Background Note

Constitutionalism

For Constitutionalists—those who believe in a strict interpretation of the Constitution—the exercise of the implied powers goes much too far, and the Necessary and Proper Clause has been stretched to cover many more situations that the Framers ever intended. The ratification of the 16th Amendment is also open to debate. In this view, research of state legislative records shows that this amendment was not ratified, and that the declaration that it had been by then Secretary of State Philander Knox may well have been fraudulent.”

J. Roland: SE page 90. "Necessary and proper". The proposed change to "have been interpreted to mean" is acceptable.

J. Roland: SE, Chap. 4 Sec. 1, p. 91. The "inherent powers" you discuss are not limited to those "exclusively related to foreign affairs". You need to make it clear that just because other governments have traditionally exercised some powers, doesn't mean the Founders intended that either the federal or state governments have those powers delegated to them. There are many powers that nations ruled by monarchs might exercise that the founders of a republic might not want it to exercise.

Publisher's Response:

See SE page 91, column 1, paragraph 3, sentence 1: “The inherent powers are few in number.”

To reinforce this point, change SE page 91, column 1, paragraph 2, sentence 3, to “It stands to reason that the Framers intended that the National Government they created would hold a limited number of powers as necessary to any national government.”

J. Roland: SE page 91. "prohibit the free exercise of religion"? No, stick to the language of the First Amendment, "no law ... respecting an establishment of religion", and explain what "established" churches were.

Publisher's Response:

“Free exercise of religion” (the Free Exercise Clause) is the language of the First Amendment (“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof....”) and as such is an accurate example of a power denied to the National Government. The Establishment Clause is explained in text on pages 537-538.

J. Roland: SE page 91. Thompson quote. The proposed changes in the question and answer are acceptable.

Response to Jon Roland's written testimony about Prentice Hall's *Magruder's American Government* (continued)

J. Roland: SE page 91. Local government. The proposed change is acceptable.

J. Roland: SE page 291. Strict constructionists. The proposed changes almost work, but this point really needs to be expanded in the way I originally suggested.

Publisher's Response:

Unfortunately, there is not space in the text for the lengthier explanation; text is not in error, and this issue is not called for by the TEKS. Detailed explanation of this issue would be more appropriate to a history or AP/college government text.

J. Roland: SE, p. 291. The proposed change, "The liberal constructionists generally won that conflict in the early years of the Republic." is still incorrect. They prevailed on a few issues, not "generally". The few cases you cite are not "general" victories, although they were important cracks in the previously prevailing strict constructionist doctrines. Major departures from strict construction did not occur until the 20th century. However, it is incorrect to characterize changes in interpretative doctrine as "victories". In law, only the Constitution itself is settled, interpretations are not.

Publisher's Response:

Page 292, column 1, paragraph 2, change to "The liberal constructionists won several conflicts in the early years of the Republic, as you will see. Over the years, and particularly during the 20th century, however, the powers wielded by the National Government have grown to a point that even the most ardent supporters of liberal construction could not have imagined "

J. Roland: SE page 292. Consensus. The proposed changes almost work, except that the division is not between "liberals" and "conservatives" but between statists and constitutionalists.

Publisher's Response:

Change SE page 292, second column, fourth paragraph to "Today, United States politics is marked by a lack of **consensus**, or general agreement, over the proper limits of national power. Statists favor a liberal, or loose, construction, while constitutionalists favor a strict construction. This fundamental split is reflected, in general terms, in the different points of view of the Democratic and Republican parties."

J. Roland: SE page 292. www.phschool.com. If you link to www.constitution.org, we will provide a special subsite supportive of teaching American government at the high school level that will have links to relevant source documents and set forth divergent views.

Publisher's Response:

The publisher has agreed to link to www.constitution.org as part of this activity.

Response to Jon Roland's written testimony about Prentice Hall's *Magruder's American Government* (continued)

J. Roland: SE Page 296. Direct and indirect tax. Almost acceptable, but it is not correct to say, "An income tax is a direct tax which may be laid without regard to population." That reads like a definition of income tax, but an income tax may or may not be a direct tax, depending on how income is defined and what the nature of the taxpayer is. A tax on dividends or capital gains on corporate securities would not be direct, whereas a tax on wages for individual labor would be.

Publisher's Response:

SE Page 296, column 2, paragraph 1, sentence 2, change to "A tax on wages (income tax) is a direct tax, which may be laid without regard to population."

J. Roland: SE page 297. By the time the book comes out the stock market might be up again and the deficits reversed. If you are going to discuss the present downturn, it should be discussed in terms of historical speculative bubbles, and how such business cycles influenced public policy and legislation.

Publisher's Response:

SE page 297, paragraph 2, last sentence change to "Economic downturn and the war on terrorism mean that red ink has once again, at least temporarily, become the order of the day, however." Discussion of the business cycle is better left to an economics text. (Note that students generally study economics in the same year that they study government.) In addition, government TEKS do not call for a discussion of the business cycle.

J. Roland: SE page 300. Legal tender cases. The proposed changes are acceptable.

J. Roland: SE page 300. Bankruptcy courts. You need to read http://fjc.gov/history/landmark/20a_bdy.html more closely. The Act establishes a bankruptcy court within each judicial district, but a bankruptcy court is not a "district court", which has general jurisdiction over subjects not assigned to special courts, such as bankruptcy and admiralty courts.

Publisher's Response:

SE page 300, column 2, last sentence, change to "Bankruptcy cases are heard in bankruptcy courts, which are units of the U.S. district courts."

J. Roland: SE page 300. *McCulloch v. Maryland*. The change from "defined" to "interpreted" is acceptable.

J. Roland: SE page 307. Interstate highways. No, the interstate commerce clause is about regulation, not building highways, and played no part in the authorization of the interstate

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highway system. The only other clause besides the defense clause that was actually cited in congressional debate was the Post Roads clause.

Publisher's Response:

The Interstate Highway Clause is about both regulation and promotion (such as building highways). See the *Congressional Record* for 1956.

J. Roland: SE page 308. Implied powers. Should change to "Choose three of the possible implied powers listed above...." Always leave open the question of whether a power is implied.

Publisher's Response:

SE page 308, caption question, change to "*Choose three of the implied powers listed above and explain why they are seen as implied by the expressed power cited. Do you agree that the powers you have chosen are implied by an expressed power?*"

J. Roland: SE page 308. McCulloch case. Should instead ask the student to discuss how the decision changed the way the United States has developed. As stated, the paragraph is not neutral.

Publisher's Response:

See SE page 308, Section Assessment, #4 (d): "Explain the long-term consequences of the decision." Publisher respectfully submits that the paragraph is indeed neutral as stated.

J. Roland: SE page 393. Execute federal laws. Should change to "The Constitution requires the President to execute all federal laws, unless and until he or a court finds them to be unconstitutional." Constitutional review is not an exclusive act of judges, but a duty of all persons in a constitutional republic, especially those who have taken an oath or affirmation to preserve, protect, and defend the Constitution, a duty that may not be transferred to supervisors, judges, or legal advisors. This is the principle established by *Marbury v. Madison*, not that only the courts may interpret the Constitution.

Publisher's Response:

SE page 393, column 2, paragraph 2, sentence 3, change to "The Constitution requires the President to execute all federal laws, unless and until he or a court finds them to be unconstitutional."

J. Roland: SE page 394. Ordinance power. The proposed change is acceptable.

J. Roland: TE page 417. Federal Reserve. You need to read <http://www.federalreserve.gov/faq.htm> more carefully. It also says the 12 federal reserve banks

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are owned by their member banks (which are in turn owned by private parties). The 9th Circuit ruled in *Lewis v. United States*, 680 F.2d 1239 (1982) that a federal reserve bank was privately owned. See <http://www.save-a-patriot.org/files/view/frcourt.html>.

Publisher's Response:

The following is copied directly from <http://www.federalreserve.gov/faq.htm> in its entirety. Reference to 12 "federal reserve banks are owned by their member banks" does not appear. However, note first sentence of paragraph 2: "The twelve regional Federal Reserve Banks, which were established by the Congress as the operating arms of the nation's central banking system, are organized much like private corporations--possibly leading to some confusion about 'ownership.'"

"Who owns the Federal Reserve?"

The Federal Reserve System is not "owned" by anyone and is not a private, profit-making institution. Instead, it is an independent entity within the government, having both public purposes and private aspects. As the nation's central bank, the Federal Reserve derives its authority from the U.S. have to be ratified by the President or anyone else in the executive or legislative branch of government, it does not receive funding appropriated by the Congress, and the terms of the members of the Board of Governors span multiple presidential and congressional terms. However, the Federal Reserve is subject to oversight by the Congress, which periodically reviews its activities and can alter its responsibilities by statute. Also, the Federal Reserve must work within the framework of the overall objectives of economic and financial policy established by the government. Therefore, the Federal Reserve can be more accurately described as "independent within the government."

The twelve regional Federal Reserve Banks, which were established by the Congress as the operating arms of the nation's central banking system, are organized much like private corporations--possibly leading to some confusion about "ownership." For example, the Reserve Banks issue shares of stock to member banks. However, owning Reserve Bank stock is quite different from owning stock in a private company. The Reserve Banks are not operated for profit, and ownership of a certain amount of stock is, by law, a condition of membership in the System. The stock may not be sold or traded or pledged as security for a loan; dividends are, by law, 6 percent per year. The earnings of the Federal Reserve System come primarily from interest received on the Reserve Banks' holdings of U.S. government securities (which are used in the conduct of monetary policy) and from fees they charge depository institutions for providing services (such as processing and clearing checks). The expenses of the System are paid from these earnings. Any net earnings are paid yearly to the U.S. Treasury. For 2001, the payment was \$27.14 billion."

J. Roland: SE page 449. Income tax. The proposed change is acceptable.

J. Roland: SE page 571. Second Amendment. Your synopsis of *U.S. v. Miller*, 307 U.S. 174 (1939) is not correct. Read the actual decision and opinion at <http://www.constitution.org/2ll/2ndcourt/supreme/7sup.htm>. Don't base your statements on second-hand commentaries. The Court did not rule that a sawed off shotgun is not protected by

Response to Jon Roland's written testimony about Prentice Hall's *Magruder's American Government* (continued)

the Second Amendment. It noted in dictum that Miller had not presented evidence or argument that the weapon had a militia use, and therefore it could not take judicial notice of such evidence or argument. (Miller had been murdered shortly before the case came before the Court, under mysterious circumstances, and his lawyer did not show up to present oral argument.) What the Court was saying was that if anyone had showed up and made such argument, the Court would probably have ruled in favor of Miller, since sawed off shotguns had in fact been used in WWI (as "trench sweepers") and by military sentries. The \$200 was not a "fee" but a tax. The government charged Miller with transporting an untaxed item in interstate commerce. However, it was at the time trying to make such taxed items illegal, and their owners felons, by refusing to accept payment of the tax, even if someone offered to pay it, a practice that was found to be unconstitutional in *United States v. Rock Island Armory, Inc.*, 773 F.Supp. 117 (C.D.Ill. 1991) at http://www.constitution.org/211/court/fed/us_v_rock_island.htm. Miller had also not traded or transported the item across a state line, but made it himself and used it within one state. In *Miller* the Court sought a relation to militia use because the issue was whether the item was taxable, that is, whether the tax imposed an undue burden on the exercise of a right. For a regular military organization, it would be easy to determine whether its items are taxable: none would be. The problem for the exercise of militia duty, however, is that almost anything might be used for militia purposes, and the Court, if it found that almost anything was exempt, would be virtually eliminating all taxation, so it had to narrow the scope of a tax-exempt purpose.

Publisher's Response:

Please note the following quotation from the opinion and decision in *United States v. Miller* (see <http://www.constitution.org/211/2ndcourt/supreme/7sup.htm>, cited above): "The Court can not take judicial notice that a shotgun having a barrel less than 18 inches long has today any reasonable relation to the preservation or efficiency of a well regulated militia; and therefore can not say that the Second Amendment guarantees to the citizen the right to keep and bear such a weapon."

See also the following: "In the absence of any evidence tending to show that possession or use of a 'shotgun having a barrel of less than eighteen inches in length' at this time has some reasonable relationship to the preservation or efficiency of a well regulated militia, we cannot say that the Second Amendment guarantees the right to keep and bear such an instrument."

(<http://caselaw.lp.findlaw.com/scripts/getcase.pl?court=us&vol=307&invol=174>)

The text of *Magruder's American Government*, page 571, accurately reflects the Court's language thus: "The Court concluded that it could find no reasonable link between the sawed-off shotgun involved in the case and 'the preservation . . . of a well-regulated militia.'" Note also that no mention is made in the text of a "fee"; rather, "a \$200 license tax."

J. Roland: But the treatment of the Ninth and Tenth Amendments is still not adequate. As Jefferson once said, in his argument against the national bank <http://www.constitution.org/mon/tj-bank.htm>, "I consider the foundation of the Constitution as laid on this ground: That 'all powers not delegated to the United States, by the Constitution, nor prohibited by it to the States, are reserved to the States or to the people.'" [10th amendment.] It should also be pointed out that the Ninth and Tenth Amendments are complementary: Every right corresponds to an undelegated power, and every delegated power to a restriction on a right.

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Publisher's Response:

SE, page 95, Section Assessment, add question #8 (existing #8 becomes #9): "Thomas Jefferson considered the 10th Amendment as the 'foundation of the Constitution.' Explain Jefferson's reasoning."

For fit, shorten questions #s 6 and 7:

6. "How did the Framers make provisions for addressing issues that they could not foresee?"
7. "Name several issues in your community that are best addressed by local government."

TE, page 95, add answer #8 (existing #8 becomes #9): "Answers should show an understanding of the underlying philosophy of the 10th Amendment."

For fit, shorten answers #s 5:

5. "Answers should reflect an understanding that federalism provides a system of government in which national authority is balanced by local authority."

Note also that the Tenth Amendment is discussed on page 527 in the context of *Reno v. Condon* (2000) as well as on pages 89 and 92. We will consider increased coverage of the Ninth and Tenth amendments in future editions.

J. Roland: SE page 577. Bill of attainder. A mere change of "inflicts" to "authorizes" is not sufficient. It needs to be made clear that it is a legislative disablement without judicial due process, and thus that the prohibition of bills of attainder is nearly equivalent to the Fifth Amendment protection of the right of due process. (The difference is that anyone has standing to litigate against the existence of a bill of attainder, without having to be personally afflicted by it, whereas one must be the target of official action to make a claim for denial of due process.)

Publisher's Response:

Reviewer's comment is unclear; as such, we are unable to address it.

J. Roland: SE, page 578. Presentment. No, the statement "a presentment, as the term is used here,...." won't do. The meaning in the Fifth Amendment is a general report, which for the purpose of the Fifth Amendment, may contain one or more indictments (to authorize criminal prosecution). But the meaning of "presentment" is still any report of the grand jury, which may or may not contain or be an indictment.

Publisher's Response:

See the opening words of the Fifth Amendment: "No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury...."

See also the following definitions

[A presentment is] "the written statement of an offense by a grand jury, of their own knowledge or observation, when no indictment has been laid before them."

<http://www.infoplease.com/ipd/A0602153.html>

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"A presentment is an accusation issued by the grand jury on its own knowledge, without any bill of indictment having been previously drawn up by the prosecutor."

<http://www.slider.com/enc/26000/indictment.htm>

J. Roland: SE, Ch. 20 Sec 3, p. 579, and SE page 705. Verdict. The statement "In a trial in which a jury cannot agree on a guilty verdict, ... " needs to conclude "it must report a verdict of not guilty, or guilt not proved [beyond a reasonable doubt]." It is not enough to say only that a unanimous verdict is needed to convict.

Publisher's Response:

SE, p. 579: The issue being discussed is double jeopardy, not how the jury must rule in such a situation. The full statement is "In a trial in which a jury cannot agree on a guilty verdict, there is no jeopardy." The suggested addition would be irrelevant to the point at hand.

SE, p. 705, column 1, last paragraph, add after first sentence, "Otherwise it must report a verdict of guilty or guilt not proved (beyond a reasonable doubt)."

For fit, change second sentence in paragraph 4 to "In Texas at the county level, the petit jury consists of six persons; in the State district court, it numbers twelve."

J. Roland: SE page 687. Revision. The proposed change is acceptable.

J. Roland: SE page 703. Precedents. The single word "generally" is not sufficient to make this point clear. The text needs to explain that court decisions are divided between order, finding, and dictum, and that only the first two, which comprise the edict, may establish a precedent, in a published appeals case.

Publisher's Response:

Additions are more appropriate to an AP or college text and are not called for in the TEKS.

J. Roland: SE page 703. The characterization of common law as "remedial" and equity as "preventative" doesn't quite work. You need to be more specific: "Common law involves petitions for damages, costs, possession, or custody. Equity involves petitions for specific performance, for injunctive or declaratory relief, or for abatement of a nuisance."

Publisher's Response:

Additions are more appropriate to an AP or college text; they are not called for in the TEKS.

J. Roland: SE page 704. Grand jury. You need to say "prosecuting attorney or any citizen with a complaint..." Grand juries are supposed to be open to the public to present any matter requiring their investigation.

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Publisher's Response:

SE page 704, column 2, paragraph 5, sentence 3 change to "The prosecuting attorney (who in Texas may be a private party serving as a *pro tempore* prosecutor) or citizen with a complaint presents witnesses and evidence against the accused."

J. Roland: SE page 706. Jury lists. The proposed change is acceptable.

J. Roland: SE page 706. Jury instructions. Merely inserting "(This assumes that it is a valid law.)" is not sufficient, because it doesn't address what the juror is to do if the law as stated by the judge is not valid, or is incorrectly applied, or address official misconduct or abuses of the defendant's rights. It should be pointed out that the jury system exists to protect parties, especially defendants, against judges and prosecutors being corrupt or incompetent.

Publisher's Response:

This exercise is intended simply to give basic instructions to a high school student. It does not presume to go into detail about possible contingencies.

J. Roland: SE page 760. Appendix on the Constitution. The proposed changes are acceptable.

J. Roland: SE page 765. Strikethrough of "other direct tax". No, the question of whether the income tax was ratified is controversial, but no one claims it repealed or modified "other direct taxes".

Publisher's Response:

We will remove the strikethrough.

J. Roland: SE Page 769. Strikethrough of Art. IV Sec. 2 Cl. 3. No, "persons bound to service" is not just a euphemism for slaves. Sometimes it was, but it sometimes it also included duly convicted criminals. That is why the 13th Amendment makes an exception for "punishment for crime".

Publisher's Response:

SE page 769, under commentary, clause 3, change to "...effectively nullified...." See also SE page 774, commentary on the 13th Amendment.

J. Roland: SE page 770. Strikethrough of 1808 clause of Art. V. The proposed change is acceptable.

Response to Jon Roland’s written testimony about Prentice Hall’s *Magruder’s American Government (continued)*

J. Roland: www.phschool.com. There should be a prominent link on each page for comments, criticisms, and requests for changes.

Publisher’s Response:

Note that every page contains a “Write to PH” link. All comments, criticisms, and requests for changes are answered in a timely manner.

J. Roland: Ch. 4. Link to Virginia and Kentucky Resolutions. Your proposed link <http://www.yale.edu/lawweb/avalon/jeffken.htm> is not to the version of the Kentucky Resolutions of 1798 that was actually adopted, but to the draft version prepared by Thomas Jefferson. Better would be http://www.constitution.org/rf/vr_03.htm, which links the visitor to both the draft and ratified versions, to the 1799 resolution, to the Virginia Resolution of 1798, to the Alien and Sedition Acts, to the 1800 Virginia Report, and to the counter-resolutions of various states.

Publisher’s Response:

The activity does not link to other sites on the Web, but contains text only of Primary Sources. We will revise, however, using the text for the 1798 Kentucky Resolution from <http://www.constitution.org/cons/kent1798.htm>.

Gilbert Hinojosa

Response to Gilbert Hinojosa’s written testimony about Prentice Hall’s *Lone Star: The Story of Texas*.

G. Hinojosa: Comparison of the coverage of Hispanic Americans, Native Americans, and women in Prentice Hall’s *Lone Star: The Story of Texas*, and texts by Holt Rinehart and Winston, Glencoe, and McDougal-Littell.

Publisher’s Response:

Prentice Hall's mission is reflected in every program it develops—to reach, inspire, and educate today's students. We listen to the needs and hopes of teachers in our research in order to make the program relevant in their classrooms and meaningful for their students. We, at Prentice Hall, weave the stories of ordinary women and men from many backgrounds and occupations together with the stories of the famous and the well-known to illustrate the diversity that is the mirror of our society. This is reflected in narrative content, photos, images, and the variety of opinions presented in all Prentice Hall programs.

In addition, Prentice Hall has worked diligently to include all of the content required in the Texas Essential Knowledge and Skills. By providing instructional material that is thoroughly grounded in the TEKS, Prentice Hall aims to help each teacher cover all of the content necessary to help students achieve high levels of success.

Dolores Ramirez

Response to Dolores Ramirez's written testimony about Prentice Hall's *America: Pathways to the Present*.

D. Ramirez: "The textbook that was the easiest to read was [*America: Pathways to the Present* by] Prentice Hall."

Publisher's Response:

Prentice Hall thanks Dolores Ramirez for her review and for acknowledging the strengths of *America: Pathways to the Present*.

Peggy Venable

Response to Peggy Venable's written testimony about Prentice Hall *America: Pathways to the Present*.

P. Venable: "I was pleased that the Pearson Education *Current Update: United We Stand* clearly laid the blame at the feet of Osama bin Laden and identified the Taliban's role in protecting him. The Teacher's Edition [of *America: Pathways to the Present*] reads: "The terrorist attacks on the U.S. on September 11, 2001, inspired Americans to unite around the core values of American democracy. Democrats and Republicans alike stood behind the President in his quest to defend freedom. . . .'"

Publisher's Response:

Prentice Hall thanks Peggy Venable for her favorable comments on coverage of the September 11, 2001 terrorist attacks in Pearson Education's web site, *Current Update: United We Stand* and Prentice Hall's high school American history program, *America: Pathways to the Present*.

Peggy Venable

Response to Peggy Venable's written testimony about Longman's *America Past and Present*.

P. Venable: "Instructor's Resources include Anita Hill's testimony to the Senate Judiciary Committee in 1993 as an exercise in analyzing documents; activity asks students to identify Clarence Thomas."

Publisher's Response:

As a sitting U.S. Supreme Court Justice, Clarence Thomas is a significant historical figure and one students should know. Because his hearings were controversial, they represented an important milestone in the judicial approval process. Hill's testimony serves as a primary source document to give a sense of the issues of that period.

Laura Sargent

Response to Laura Sargent's written testimony about Prentice Hall's *The American Nation*.

Response to Laura Sargent’s written testimony about Prentice Hall’s *The American Nation* (continued)

L. Sargent: “generally accepted truth is crowded out by narrow Christian ideas or ideals; women are treated in many cases as invisible, irrelevant.”

Publisher’s Response:

Prentice Hall thanks Laura Sargent for her comments. The important role of religion in the founding of the English colonies is a well-documented matter of historical record. Coverage of this topic is mandated by the TEKS.

The motivations of colonists for establishing new settlements we present as multicausal. The text quotes Bernal Diaz del Castillo regarding the motives of the Spanish conquistadors, "We came here to serve God and the king and also to get rich," and in similar fashion, the text acknowledges both religious and economic motives in English colonization.

As to matters of gender, we follow historians in noting both women's achievements and the limits placed upon women by society during the colonial era and the years of the early republic. (For example, it was not until the 1820s and 1830s that women began making inroads into the teaching profession.)

Laura Sargent

Response to Laura Sargent’s written testimony about Prentice Hall *America: Pathways to the Present*

L. Sargent: “Page 126, paragraph 3, ‘declining moral values’ needs to be deleted.”

Publisher’s Response:

Prentice Hall thanks Laura Sargent for her careful review. In response to your comments, we agree to the following change:

SE p. 126, paragraph 3, revise second sentence as follows:

“In the early decades of the 1800s, America’s young cities experienced growing pains such as poverty, alcoholism, illiteracy, overcrowded housing, poor healthcare, and abuse of women.”

Lucy B. Camarillo

Response to Lucy B. Camarillo’s written testimony about Longman’s *America Past and Present*.

L. Camarillo: Student Edition (SE) has only 24 pages, or 2.3%, which contain reference to American Hispanic events.

Publisher’s Response:

Our national motto, one out of many, is essential to any presentation of the American experience. The authors of *America Past and Present* have tried to tell the unified story of the American people over the centuries. At the same time, they acknowledge that the American

Response to Lucy B. Camarillo’s written testimony about Longman’s *America Past and Present* (continued)

population is made up of many strands—immigrants from Europe, Asia, and Latin America, and their descendants, who came seeking a better way of life, as well as African Americans, who arrived as slaves, achieving their freedom, but not full equality in society, with the Civil War. This approach requires a focus on the major themes of national life—the struggle for independence from Britain, the industrial revolution in the 19th century, the two world wars of the 20th, the Great Depression of the 1930s, and the great inflation of the 1970s. The authors have also tried to show the impact of these major events on the various ethnic groups that make up the American mosaic.

In regard to Americans of Spanish-speaking descent, *America Past and Present* examines not only the recent rapid growth of the Hispanic American population, but traces as well the long and significant role that this ethnic group has played in national life. Thus there are several pages on the Spanish borderlands in the colonial era, a feature essay on Hispanic America after the War with Mexico, and references to the impact of the depression, World War II, and the Immigration Act of 1965 on Americans of Hispanic descent. Our text also includes representative illustrations of the impact of Hispanic traditions and ideas on American development, ranging from a picture of a Spanish mission in Texas in the 18th century to a photograph of Cesar Chavez leading the farm protest movement in the 1960s.

By its very nature, a survey textbook can only touch on many important issues that students, once their interest has been aroused, can then pursue in greater depth through additional reading and advanced courses at the college level. It is our hope that *America Past and Present*, by presenting salient aspects of the Hispanic experience in American history, will lead students to engage in the search for deeper knowledge and understanding of this important part of our national heritage.

Lucy B. Camarillo

Response to Lucy B. Camarillo’s written testimony about Prentice Hall’s *America: Pathways to the Present*.

L. Camarillo: “limited coverage of American Hispanic contributions.”

Publisher’s Response:

From the very start our goal in creating *America: Pathways to the Present* has been to be attentive to the experiences, contributions, and struggles of minorities and women in American history. Our text includes these materials not by tagging on captions and special features, but by integrating them smoothly into the main narrative of the book.

To include the contributions of many important Americans in a text that covers over two centuries of American history has been a challenging task. We have had to balance our desires for greater inclusiveness against both space limitations and the demands for broad coverage. We have also been wary of providing multiple examples at the cost of in-depth explanation. We remain committed, however, to a principle of sensitivity toward all requests

Response to Lucy B. Camarillo’s written testimony about Prentice Hall’s *America: Pathways to the Present* (continued)

for inclusion and revision.

In writing this textbook, we have been guided by Prentice Hall's mission to reach, inspire, and educate today's students. To this end *America: Pathways to the Present* weaves together the stories of ordinary women and men from many backgrounds and occupations with the stories of better known leaders. In addition to the narrative content of our text, we also include photos, images, and a variety of opinions that mirror the extraordinary diversity of our society.

Thank you for considering *America: Pathways to the Present* for use in your classroom. We encourage you to examine not only the student text, but also the vast array of enrichment materials that accompany it, such as fine art transparencies, excerpts from famous works of literature, primary sources, biographies, and audio recordings. These materials enable us to bring color and depth to the story of America while underscoring our commitment to include the voices of all Americans.

Sincerely,

Andrew Cayton, Ph.D., Miami University
Elisabeth Israels Perry, Ph.D., Saint Louis University
Linda Reed, Ph.D., University of Houston
Allan M. Winkler, Ph.D., Miami University
Authors, *America: Pathways to the Present*

In an effort to increase coverage of Hispanic Americans, Prentice Hall agrees to add the following content to the Student and Teacher’s editions of *America: Pathways to the Present*:

SE p. 48, paragraph 4, ‘Help From Abroad’. Revise as follows:

“Even before France entered the war, the Marquis de Lafayette, a French nobleman, had volunteered to help the Patriots. So, too, had Polish military engineer Thaddeus Kosciusko and German Baron Friedrich von Steuben. A year later, Spain joined the war as France’s ally.”

SE p. 268, paragraph 3, revise fourth sentence as follows:

“A Spanish technique called **placer mining** used this method on a large scale.”

SE p. 607 Add Focus on Citizenship. Include photographs of Jose M. Lopez and Audie Murphy.

“Focus on Citizenship

Texas War Heroes

Jose M. Lopez from Mission, Texas received a Congressional Medal of Honor for single-handedly holding off a German tank and infantry assault against his company near Krinkelt, Belgium in December 1944. Another famous war hero, Audie Murphy, fought in Europe and became the nation’s most decorated soldier, earning 28 medals, including the Congressional

Response to Lucy B. Camarillo’s written testimony about Prentice Hall’s *America: Pathways to the Present* (continued)

Medal of Honor, three medals from France, and one from Belgium. Following the war Murphy embarked on an acting career and appeared in more than 40 films. Murphy is buried in Arlington National Cemetery.

SE p. 703

Replace the first paragraph under the heading “Other Voices of Protest” with the following new/revised content:

“African Americans were not the only minority group to demand equal rights. The League of United Latin American Citizens (LULAC), founded in 1929, also struggled to achieve equality for Hispanics. When a funeral home in Texas refused to bury Felix Longoria, a World War II veteran, LULAC protested. Longoria was finally buried in Arlington National Cemetery. Other groups, including the Community Service Organization and the Asociación Nacional México-Americana, also worked to bring about improvements for Mexican Americans.

Like African American children in southern states, Mexican American children often attended inferior segregated public schools. Gonzalo and Felicitas Méndez of Orange County, California, sued their school district over this discrimination. In 1947, a Federal District Court judge ruled that segregating Mexican American students was unconstitutional. Soon thereafter, attorney Gus Garcia filed a similar lawsuit in Texas. That case, *Delgado v. Bastrop ISD*, made the segregation of Mexican American children in Texas illegal as well. LULAC was involved in both of these lawsuits.”

SE p. 703, Focus on Citizenship, second paragraph, second sentence. Revise as follows:

“In 1948, with the assistance of LULAC, he organized a group that would protect the rights of Latino veterans: the American G.I. Forum.”

SE p. 719

To expand the coverage of Hispanic Americans’ struggle for equal rights, replace the “Focus on Citizenship” feature on p. 719 of the SE with the following new content:

Focus on Citizenship

Jim Crow and Mexican Americans

The Jim Crow laws that were overturned by the Civil Rights Act of 1964 had historically affected both African Americans and Mexican Americans. In states with Jim Crow laws, Mexican Americans were often barred from public facilities, such as restaurants, and they were banned from serving on juries because they were not always considered “white.” Many Mexican American children were segregated into separate inferior schools, and in some parts of Texas were not allowed to speak Spanish in school. Mexican Americans challenged this discrimination in court. A 1948 court case in Texas, *Delgado v. Bastrop ISD*, made the school segregation of Mexican American children illegal. In 1954, the Supreme Court ruled in *Hernández v. State of Texas* that Mexican Americans were not covered by Jim Crow laws. In 1968, the Mexican

Response to Lucy B. Camarillo’s written testimony about Prentice Hall’s *America: Pathways to the Present (continued)*

American Legal Defense and Education Fund (MALDEF) organized to continue the fight for equal rights for Mexican Americans.

SE p. 772, Cultural Identity, revise first sentence as follows:

Activists such as Americo Parédes, a noted folklorist and author from Texas, began encouraging Mexican Americans to take pride in their culture and its dual heritage from Spain and the ancient cultures of Mexico.”

SE p. 799 Add a photo of Alfredo Gonzalez in the side column below the “Reading Check” with the following caption:

“Alfredo Gonzalez was one of many Texans who served in the Vietnam War. After dying in combat he was awarded the Congressional Medal of Honor.”

SE pp. 799-800, replace “One Soldier’s Story” text with the following:

One Soldier’s Story Many Americans went to war enthusiastic about the job they were being asked to do for their country. One American, Alfredo Gonzalez of Edinburg, Texas, exemplified the highest ideals of heroism and sacrifice demanded of the armed forces in Vietnam. Born in 1946, Gonzalez had always wanted to become a Marine. He joined the Marine Corps once he graduated from high school in 1965 and safely completed his first tour of duty in Vietnam in 1966. Soon after he returned to the United States, he received news that several Marines he had known during his first tour of duty had been killed in an ambush. Gonzalez believed that he could have prevented their deaths if he had been at the battle. In July 1967, he returned to Vietnam to serve a second tour of duty. The Viet Cong launched a major offensive on January 30, 1968, during Gonzalez’s second tour. Gonzalez commanded a platoon that was sent to aid American forces in the city of Hue. The platoon advanced toward Hue but came under heavy fire from Viet Cong snipers. Gonzalez ran into enemy fire to rescue a wounded Marine, and although he was bleeding from his own wounds, he managed to get the man to safety while successfully firing back at Viet Cong snipers. Gonzalez refused medical treatment that would have taken him away from his besieged troops. Instead, he plunged back into the battle days later, single-handedly suppressing many enemy firing points. Gonzalez died from his wounds on February 4th, 1968. The United States recognized his courage and heroic sacrifice at Hue with the Medal of Honor.

SE p. 912

Replace final paragraph of “changing population patterns” with:

“The 2000 Census revealed dramatic growth and change in the Latino population since 1990. Latinos nearly surpassed African Americans as the country’s largest minority. Established Latino

Response to Lucy B. Camarillo’s written testimony about Prentice Hall’s *America: Pathways to the Present* (continued)

communities in California, Texas, and New York continued to grow and diversify, while non-traditional destinations such as Georgia and North Carolina welcomed hundreds of thousands of new residents. At least 50 percent of Latinos now live in the suburbs. “

TE p. 11, new TE note:

Background

Recent Scholarship

The first Europeans to explore the coast and interior of modern-day Texas in the 1500s represented the Kingdom of Spain. These explorers were later followed by settlers and clergy who established missions and settlements and faced challenges with the Native Americans of Texas. Students can read more about Spain’s role in early Texas history in *Explorers and Settlers of Spanish Texas*, a book written for young adults by Donald E. Chipman and Harriett Denise Joseph.

TE p. 109: Add the following new note.

Activity

Connecting with History and Conflict

Ask students to research nine Hispanic Texans who helped defend the Alamo: Juan Abamillo, Juan Antonio Badillo, Carlos Espalier, Gregorio Esparza, Antonio Fuentes, José Maria Guerrero, Damacio Jiménez, José Toribio Losoya, and Andrés Nava. Have students share what they learn with their classmates. **(Verbal/Linguistic)**

TE p. 272 Add the following Background Biography below the current biography on Charles Goodnight (above the Captions Answers):

Background

Biography

Huge ranches spread across Texas. Richard King started with 15,000 acres in Nueces County in 1852. A few years later Mifflin Kennedy joined him and they bought more land. When King died in 1885, he owned more than 600,000 acres. His son-in-law, Robert Justus Kleberg, and widow, Henrietta King, more than doubled the size of the ranch. The King ranch grew to more than one million acres—about as large as the state of Rhode Island.

TE p. 472, Add the following activity above the existing activity.

“Activity

Connecting with Culture

Have students do research on the League of United Latin American Citizens (LULAC). Ask students to write a report describing the goals and activities of LULAC during the 1930s. LULAC was formed in 1929 in Texas and was modeled on civic organizations like the NAACP. LULAC worked to end discrimination against Hispanic Americans by opposing segregated public places and “Mexican” schools.”

Response to Lucy B. Camarillo’s written testimony about Prentice Hall’s *America: Pathways to the Present* (continued)

TE p. 773, Add the following activity:
**“Activity: Connecting with Citizenship
Americo Parédes**

Ask students to do research and write a short report about Americo Parédes. Parédes was a noted Mexican-American folklorist and scholar. He was a professor of English and Anthropology at the University of Texas in Austin for thirty years. Parédes studied and collected folklore, songs, and *corridos*, Mexican-American ballads, along the Texas-Mexico border. His work helped create a positive cultural image among Mexican Americans. Students should include descriptions of his writings, including *With His Pistol in His Hand: A Border Ballad and Its Hero*, *A Texas-Mexican Cancionero: Folksongs of the Lower Border*, and *The Hammon and the Beans* in their reports.”

Julio Noboa

Response to Julio Noboa’s written testimony about Prentice Hall’s *America: Pathways to the Present*.

J. Noboa: “...300,000 Mexican Americans who served in the military, and 17 earned the Congressional Medal of Honor. The Prentice text (p. 626) leaves out this information and also fails to mention...that a citizen’s committee later determined that racial prejudice had motivated the [Zoot Suit] attacks”

Publisher’s Response:

SE p. 595 states that more than 300,000 Mexican Americans served in the military during World War II.

New content has been added on SE p. 607 on recipients of the Congressional Medal of Honor. See above response to Lucy B. Camarillo.

Revise SE p. 626, paragraph 1, fourth sentence as follows: “Groups of sailors roamed the streets in search of zoot-suiters, whom they beat up and humiliated because of racial prejudice.”

J. Noboa: “...the Prentice Hall text covers fewer topics related to Latinos, particularly Mexican Americans”

Publisher’s Response:

Please see response above to Lucy B. Camarillo.

David H. Plylar

Response to David H. Plylar’s testimony about Prentice Hall’s *World History: Connections to Today*.

Response to David H. Plylar’s testimony about Prentice Hall’s *World History: Connections to Today* (continued)

D. Plylar: Student Edition (SE), p. 808. “On page 808 there is a world map which color codes the Philippines as a former European colony which gained its independence after 1945. In fact, the Philippines was a colony of the United States until 1946.

Publisher’s Response:

Prentice Hall thanks Mr. Plylar for all his comments. As the text makes clear on pp. 652, the Philippines was a colony of Spain for several hundred years before coming under American control.

D. Plylar: SE, p. 839. “On page 839 the last paragraph begins, ‘By the early 1960s the United States had become involved in Vietnam.’ Students would interpret this statement to mean that the U.S. was not involved in Vietnam before 1960. The fact is that the U. S. was increasingly involved in Vietnam from the mid-1940s when it supported French colonial claims....”

Publisher’s Response:

The phrase, “by the early 1960s,” is meant to indicate the conclusion of a process that began some time before the 1960s. More detailed coverage of the Vietnam War is given in a later section on Southeast Asia. American involvement in the conflict prior to 1960 is discussed on p. 873.

D. Plylar: SE, pp. 888-9. “On pages 888 and 889 there is important information about Iraq but these pages are not referenced in the index.”

Publisher’s Response:

These pages are part of a section titled “Forces Shaping the Modern Middle East.” The ideas discussed here generally pertain to the region as a whole, and not to just one specific country. Therefore, the pages are referenced in the index under “Middle East.” The index does list under Iraq those pages which deal more specifically with Iraq, such as pp. 902-903, where the Persian Gulf wars are discussed.

D. Plylar: SE, p. 888. “On page 888 the text states,” Iraq won freedom from Britain in 1932.” The word “independence” should be substituted for “freedom.” The people of Iraq do live in an independent country; they certainly do not appear to be free.”

Publisher’s Response:

The sentence in question is careful to define the specific context of the freedom that Iraq won, and that was only “freedom from Britain.”

D. Plylar: SE, p. 902. “On page 902, in a passage entitled, ‘A Second Gulf War,’ the text states that one of Iraq’s motives for invading Kuwait in 1990 was to gain ‘access to the Persian Gulf.’

Response to David H. Plylar's testimony about Prentice Hall's *World History: Connections to Today*.

The implication is that Iraq is a land-locked nation. Although Iraq has only a narrow coastline, its major port, Basra, connects directly to the Persian Gulf through the Shatt al Arab."

Publisher's Response:

Prentice Hall agrees that this sentence is misleading. Sentence in question will be edited to become, "increased access to the Persian Gulf."

D. Plylar: SE, multiple pages. "On pages 811, 840, 841, 887, and 903 the text repeatedly uses the attacks on the World Trade Center and the Pentagon in 2001 as an example of terrorist acts committed in modern times. There is little question that **9-11** attacks are of great historical importance. However, repeated reference to the attacks belabors the obvious and distorts reality. Considering that the entire life of Jesus of Nazareth is mentioned in the same number of pages as **9-11**, this raises the question of how the textbook deals with the relative significance of historical events."

Publisher's Response:

The attacks of **9-11** are an entirely new phenomenon that teachers and students have not encountered or learned about before. Never before has a terrorist attack on the United States resulted in such terrible destruction. The attacks have resulted in an ongoing international "War on Terrorism." The attacks have also caused changes to the structure of the American government and changes to the American way of life. The mention of the attacks on multiple pages is an indication of the newness of the phenomenon and the need to understand it; it is not an indication of its relative importance in comparison to other events of world history.

D. Plylar: SE, p. 811. "On page 811 the book provides a good common sense definition of terrorism but implies by example that terrorism is committed only by individuals and non-government groups. . . . If an understanding of the concept of terrorism has significance in the study of history, it should be introduced much earlier in the text and the behavior of governments as well as non-government entities should be evaluated in the light of this definition."

Publisher's Response:

Examples of state terrorism do appear elsewhere in the book, and pertain to earlier time periods. On p. 874, a discussion of state terrorism in Cambodia begins with the sentence, "Led by Pol Pot, the Khmer Rouge unleashed a reign of terror." Earlier examples of state terrorism include the "reign of terror" during the French Revolution."

D. Plylar: SE, p. 887 "One of the essential concepts of history is multiple causation; a related skill is the ability to analyze information to discover causes. Early in the text (p. xvii) an excellent model is introduced for identifying causes and effects. But throughout the text (example page 887) the model is used in an expository mode rather than used to encourage analysis on the part of students."

Response to David H. Plylar’s testimony about Prentice Hall’s *World History: Connections to Today*.

Publisher’s Response:

The text does provide students with multiple opportunities to discover causes and effects on their own. Some examples include: incomplete graphic organizer of causes of the French Revolution on p. 468, incomplete table for causes of reformation and renaissance on p. 360; critical thinking question on the fall of the Roman Empire on p. 151.

D. Plylar: SE, pp. 811 and 912, “The authors of the textbook have selected excellent editorial cartoons, but they take away the opportunity to practice higher order thinking skills by explaining the meaning of the cartoons (see pages 811 and 912 for examples).

Publisher’s Response

Each of the two cartoons cited are accompanied by a thematic question that asks students to use the ideas communicated by the cartoon. In other cases, students are asked to interpret the meaning of the cartoon themselves. For examples, see pp. XI, 615, 797, 825

D. Plylar: SE, “One of the strengths of the Prentice Hall text is that it contains many brief and lengthy excerpts from primary and historical sources. . . . The drawback is that each source is introduced by the authors with context-setting information and a one –sentence interpretation of the main idea of the source. By introducing the source in this way the authors unwittingly negate the opportunity for students to apply the skills of interpretation, analytical questioning, and hypothesis formation.”

Publisher’s Response:

It is customary for high school textbooks to provide a helpful context-setting introduction to a primary source. Without such an introduction many students would not be able to adequately understand the document. The collection of primary sources that appear on pp. 962-999 provide students with many opportunities to apply skills of interpretation and analysis. Each primary source is followed by two multiple-choice questions and an open-ended, critical thinking question.

D. Plylar: SE, “Prentice Hall has produced a typical world history textbook. It attempts to cover the period from roughly 2,000,000 BC to the present while teaching students the essential higher-order thinking skills—all in less than 1,000 pages. I do not think this ‘Aachen to Zulus’ or ‘just one damn thing after another’ approach to history make sense. Didactic, expository history textbooks do not make history come alive.”

Publisher’s Response:

The TEKS and other state curricula require that World History courses cover the entire history of the world from the first people and the rise of civilization to the current events of today. Prentice Hall textbook programs provide numerous features, ancillaries and online products to help history come alive for students.

Bill Peacock

Response to Bill Peacock's written testimony about Prentice Hall's *Economics: Principles in Action*.

B. Peacock: Overall, this text doesn't appreciate Public Choice theory. Tends to view governments as largely good, with well meaning people and representatives. Acknowledges that they aren't perfect—but tends to think their motivations are usually fairly pure.

Publisher's Response:

See page 70, which discusses Faith-Based Initiatives.

SE page 54, column 2, paragraph 3, Revise sentence 2 as follows:

“Although the government does not get directly involved in running private businesses, it does impose various restrictions.”

TE page 64. Replace the existing background note with the following:

“Background

Public-Choice Economics

Four contrasting views have emerged from the field of study called public-choice economics, which explores models of how governments actually operate. According to one view, governments make the economy more efficient because they can collect taxes and avoid the free rider problem that arises from relying on voluntary contributions for public goods. The second view focuses on how voters affect government decisions: if governments are responsive to voters, the actions of governments reflect voter preferences. According to the third model, politicians pursue their own narrow interests, which may differ from the public interest. For example, a new spending program may bring political prestige, but its costs may outweigh its benefits. In another model, small groups manipulate government for their own gain. For example the cost of a new dam, which may benefit only a few farmers, may be spread over a million taxpayers. The taxpayers have little incentive to express their preferences, while the farmers have a strong incentive to voice their views and make political contributions. As a result, inefficient projects are approved.”

B. Peacock: The section on Public Goods is fairly weak. Tends to view government's role in the provision of these services as necessary and beneficial in general. Doesn't appreciate the possible role of technology for minimizing the need for government provision of these services. For example, talks about roads as a Public Good (p. 62), but thinks that toll roads basically couldn't work (p. 62, 63). Blows off the idea of privately owned parks (p. 62). Talks about the benefits of publicly funded dams—and how hard private funding of dams would be—but doesn't mention the fact that government agencies tend to make too many dams (again, Public Choice approach not used much).

Publisher's Response:

See response to page 62-64 comments below. The idea of a publicly owned park is used to introduce the concept of free riders, which is explained in greater detail beginning on page 63. Here it is part of a general introduction to the concept of public goods. Also, see new *Background Note* for TE page 64 above.

Response to Bill Peacock’s written testimony about Prentice Hall’s *Economics: Principles in Action (continued)*

B. Peacock: “Discusses “Causes of Poverty”—but doesn’t make it clear that poverty is our natural state of affairs. Only with good institutions can we have wealth.

Publisher’s Response:

On Student Edition pp. 51-55 the authors discuss the importance of good political and social institutions to the creation of wealth.

B. Peacock: On p. 93, the picture at bottom has caption “Demand for prescription drugs is inelastic because the patient has few alternatives.”

While this may be true for a few life saving drugs, most prescription drugs have alternatives: other (cheaper) prescription drugs, OTC drugs, home remedies, herbs, diet, surgery, and, of course, the patient always has the option to do nothing. Very few things have inelastic demand; even in the case of a life-saving drug, a person might decide not to spend the money on himself, choosing instead to leave it to his family.

Publisher’s Response:

By “inelastic” in this context we do not mean “perfectly inelastic,” but inelastic in comparison to the soft drinks that are also shown in this photo. To avoid confusion, we agree to the following change:

SE page 93 Revise first sentence of caption to read as follows:

“Demand for some prescription drugs is relatively inelastic because the patient has few alternatives.”

B. Peacock: The section on Balance of Trade (p. 458) is surprisingly negative. Concludes with the statement “All of these approaches would result in fewer surplus dollars ending up in the hands of foreigners” as if somehow trade can be bad.

Publisher’s Response:

SE page 464, Revise the last two sentences of the last paragraph as follows:

“Or it could appreciate the exchange rate in order to make its own goods more expensive on the world market. Some economists, however, argue that these measures are unnecessary because trade deficits correct themselves over time. Others point to the growing market for services from the United States, making the case that increased service exports will significantly reduce the trade deficit.”

SE page 464, change question #7 to:

“*Try This* Suppose Ian buys all his groceries from a nearby store. Although he buys their groceries for many years, the store owners never buy anything from him. Should Ian be concerned about his finances? Compare this scenario to the balance of trade among countries.”

Response to Bill Peacock's written testimony about Prentice Hall's *Economics: Principles in Action* (continued)

TE page 464, change answer #7 to:

“Answers should consider the overall state of Ian's finances and how this principle applies to a nation's financial health.”

B. Peacock: “Accurate portrayal of the fact that 50% of income goes to 20% of the people. However, no mention that I can find that those same individuals have an even greater tax burden.”

Publisher's Response:

On Student Edition p. 367 the authors discuss the progressive nature of the federal income tax and Figure 14.5 shows higher tax rates at higher income levels.

B. Peacock: SE page 23, ““Each society must decide what to produce in order to satisfy its needs and wants.” We know that in a market economy things work differently: individuals, not “society,” makes the decisions.”

Publisher's Response:

SE p. 23, column 2. Revise 1st sentence as follows:

“Individuals in every society must decide what to produce in order to satisfy society's needs and wants.”

B. Peacock: SE page 26, ““Most countries also believe in providing some sort of base income for retired person to ensure that older people can support themselves after retirement.” Again, countries don't believe anything, although a majority of those living in the country might.”

Publisher's Response:

SE p. 26, column 1, paragraph 2. Revise last sentence as follows:

“Many countries also provide some sort of base income for retired persons to ensure that older people can support themselves after retirement.”

B. Peacock: SE page 41, ““As market economies have evolved since Smith's time, government intervention has become greater because some needs and wants of modern society are difficult to answer in the market place. . .” This statement's faulty view of history is backed up by the inaccurate example citing national defense and highway systems. Both national defense and highways have been societal needs since well before the advent of market economies. Thus, government has always “intervened” to provide for these—there is no more need for intervention now than 500 years ago.”

Publisher's Response:

SE p. 41, column 1, paragraph 2. Revise second sentence as follows:

Response to Bill Peacock's written testimony about Prentice Hall's *Economics: Principles in Action* (continued)

"In addition, people's preferences for redistribution have changed."

B. Peacock: SE page 41 "'Some needs that markets could meet fall to government so that all members of society can participate. Education is one example. Other needs that could fall into this category are health care, employment, and mass transit.'" No evidence is provided that these needs of society could not be met by the market."

Publisher's Response:

SE p. 41, column 1, paragraph 3. Revise third sentence as follows:

"Other needs that could fall into this category are health care and mass transit."

B. Peacock: SE page 399 The graph shows that the Laffer Curve predicts maximum government tax revenue at the 50% tax rate. In fact, the Laffer Curve does not specify at what tax rate government tax revenues would be maximized.

Publisher's Response:

SE p. 399: Remove "Replace "50%" at the bottom of the graph with "x%".

B. Peacock: SE page 399 Same problem.

Publisher's Response:

SE p. 399. Column 2 line 2. Revise as follows:

"Follow this change in Figure 15.7 by tracing the curve from no taxes at point a to x percent taxation at point b."

B. Peacock: "This is an incomplete definition of inflation."

Publisher's Response:

The authors maintain that the definition of inflation used in the text is the correct one to use in this context. Also, declining purchasing power is described in a subsequent paragraph on p. 339.

B. Peacock: "'Whether at war or not, nations must choose what to produce.'" Tends to address governments and societies as entities that think and do things."

Publisher's Response:

SE p. 13, column 1, paragraph 2. Revise first sentence as follows:

"Whether at war or not, individuals must choose what to produce."

B. Peacock: "'In March, imperial rule in Russia came to an end when Czar Nicholas was forced from the throne.'" Should mention the fate of the Czar and that of his family."

Response to Bill Peacock's written testimony about Prentice Hall's *Economics: Principles in Action (continued)*

Publisher's Response:

Czar Nicholas II abdicated his throne in March 1917. He and his family were assassinated in November 1917.

SE p. 36, column 1, paragraph 2. Revise fifth sentence as follows:

“Once in power they renamed themselves communists, instituted a reign of terror, and murdered the former czar and his wife and children.”

B. Peacock: ““We expect the government to carry out its constitutional responsibilities . . . Americans have also come to expect protection from problems that affect us all, such as air pollution or unsafe food or drugs.” While factually true, this does not show a good respect for the Constitution.”

Publisher's Response:

SE p. 54, column 1, paragraph 3. Revise second sentence as follows:

“Even though such protections are not spelled out in the Constitution, Americans have also come to expect protection from problems that affect us all, such as air pollution or unsafe food.”

B Peacock: “What if the government decides to leave the business of road building to private citizens?” This is a classic example of the analysis of “public goods.” The conclusion that something is a public good is drawn not from facts, but from assumptions and misrepresentations favorable to the desired outcome.”

Publisher's Response:

SE p. 62, column 1, paragraphs 1- 2. Revise paragraph as follows:

“What if the government decided to leave the business of road-building up to private citizens? If you wanted a road in front of your house, you'd have to pay a contractor to build it. Or more likely, you and your neighbors could chip in and hire someone to build you a small network of streets.

What problems might arise in this scenario? For one thing, if groups of individuals pooled their money to build a road or a freeway, who would they allow to use it? Would drivers have to constantly stop and pay the owners of each road they drove on? How would individuals living in sparsely populated areas come up with enough money to build the roads they needed?

SE p. 64, column 2, paragraph 2. Revise as follows:

“In the road-building scenario, are these features of a free market present? No. If a company did build a road, it could charge a high price for tolls because it would have no competition. Also, companies would not choose to build roads in sparsely populated areas because profit incentives in those areas might be non-existing. This way of getting roads built would be highly impractical.

Response to Bill Peacock’s written testimony about Prentice Hall’s *Economics: Principles in Action (continued)*

Note: The authors do point out on p. 64, column 2, last paragraph that public ownership poses problems as well. “Some public lands, for example, might be more usefully managed if owned privately.”

B. Peacock: “Government subsidies, like agricultural and export subsidies, encourage inefficient and excess production and maintain artificially high costs to society.”

Publisher’s Response:

The negative distortionary effects of subsidies are described in the Student Edition, pp. 117-118. “Farm subsidies are particularly controversial...more efficient farmers are penalized, and farmers use herbicides and pesticides on lands they do cultivate to compensate for production lost on the acres the government pays them not to plant. Also on Student Edition, p. 118, “Global Connections” describes the \$40 billion taxpayer burden of Europe’s agricultural subsidies in a recent year and how that has led to excess production.

B. Peacock: “Government regulation adds tremendous costs to society, often without achieving the goals for which they are adopted.”

Publisher’s Response:

The negative effects of regulation are outlined in the Student Edition, on p. 55, “Negative Effects of Regulation,” and on p. 118 “Regulation.”

B. Peacock: “Public loans encourage over indebtedness & over-expansion.”

Publisher’s Response:

SE p. 117, column 1, paragraph 4. Revise second sentence as follows:

“A subsidy is a government payment or discounted loan that supports a business or market.”

B. Peacock: “Capitalism, or the free market, promotes economic and social stability.”

Publisher’s Response:

Student Edition Chapter 3, Section 1, “Benefits of Free Enterprise”, lists the many ways that the American Free Enterprise system benefits Americans and provides prosperity and stability.

B. Peacock: “Inflation is driven by the creation of irredeemable paper money through central banks.”

Response to Bill Peacock’s written testimony about Prentice Hall’s *Economics: Principles in Action (continued)*

Publisher’s Response:

Student Edition, p. 253, “The Gold Standard” explains that an advantage of the gold requirement for paper money was that it prevented the government from issuing an unlimited volume of paper currency.

Student Edition, p. 341, 5th paragraph reads as follows: “The quantity theory of inflation states that too much money in the economy causes inflation. Therefore, the money supply should be monitored to keep it in line with the nation’s productivity as measured by real GDP.”

The authors believe that the complex topics of money, convertibility, and the gold standard are currently explained in a manner that is appropriate for high school students.

B. Peacock: “Monetary inflation temporarily lowers interest rates and encourages over-borrowing, over-investment, and over-expansion throughout the economy, followed by general cutbacks, layoffs, and inventory reductions when expected future consumer demand falls short, i.e., inflation causes boom-and-bust business cycles.”

Publisher’s Response:

Chapter 16, Section 4, “Monetary Policy and Macroeconomic Stabilization” explains how the Federal Reserve takes inflation into account when determining how to respond to economic conditions. A more complete discussion of the role of inflation in driving the business cycle is more appropriate for an AP or college level economics course.

B. Peacock: “Causes of the Great Depression: expansive governmental monetary policy.”

Publisher’s Response:

The Student Edition discusses the role of the Federal Reserve and the federal government according to the requirements of the Economics TEKS (18). A.

A fuller exploration of the causes of the Great Depression would be more appropriate for an AP or college-level economics course.

B. Peacock: “Government intervention in the economy often causes, deepens and/or prolongs economic downturns (book does mention Smoot-Hawley in this capacity).”

Publisher’s Response:

Ch. 15, Section 1, “Limits of Fiscal Policy”, pp. 391-393 describes the drawbacks of using fiscal policy to soften economic downturns. Also, Chapter 16, Section 4 of the Student Edition discusses the negative effects of ill-timed intervention in the economy on the business cycle. The deepening effect is illustrated by the diagram on p. 432.

B. Peacock: “Entrepreneurs can correct the problems associated with economic instability (such as over- and under-investment), and thus avert or minimize downturns in the business cycle.”

Publisher’s Response:

The role of entrepreneurs in a business cycle within the American Free Enterprise system is discussed in Chapter 12, Section 2 on p. 312 under “Business Investment.” The rational decisions faced by an entrepreneur in a downturn are described in fulfillment of Economics TEKS (2)(b), (4)(b), and (6)(a).

B. Peacock: “Market-based efforts, charitable organization, churches, and individuals can actually be more effective than the government at lessening the impact of economic instability and its associated hardships.”

Publisher’s Response:

TE p. 349, right column. Add the following background note:

“Background

Market Solutions

During times of economic instability or recession, many more families and individuals face personal economic hardship. Many people argue that market-based efforts, charitable organizations, religious institutions, and individuals can actually be more effective than the government at lessening the impact of economic instability.”

B. Peacock: “Competition favors most-efficient producers whose costs are lowest.”

Publisher’s Response:

SE, p. 154, column 2. Revise second sentence as follows:

“Because many sellers compete to offer their commodities to buyers, intense competition forces prices down to the point where the prices just cover the most-efficient sellers’ costs of doing business.”

B. Peacock: “Competition causes long-run economic profits to tend to zero.”

Publisher’s Response:

See the Student Edition, p. 154, which states, “In the long run, output will reach the point where each supplying firm just covers all of its costs, including paying the firm’s owners enough to make the business worthwhile,” and the heading “Profit” on p. 169.

B. Peacock: “Free-market monopolies are efficient firms which can satisfy all consumer demand for a good at the lowest possible price.”

Publisher’s Response:

See Student Edition, p. 157, Figure 7.3, which illustrates the benefits of economies of scale for higher production quantities at lower cost.

Response to Bill Peacock’s written testimony about Prentice Hall’s *Economics: Principles in Action* (continued)

B. Peacock: “Protected monopolies are inefficient firms which exist only through government support.”

Publisher’s Response:

Student Edition, Chapter 7, Section 2 discusses the inefficiencies present in some monopolies. Activities on p. 157 and 160 of the Teacher’s Edition require students to think critically about government-supported monopolies and judge their performance.

B. Peacock: “Government anti-trust laws and similar regulations often reduce competition.”

Publisher’s Response:

Student Edition, p. 175, “Deregulation” discusses the inefficiencies caused by government regulation.

B. Peacock: “Consumer preference (utility), not production costs, determine a product’s value.”

Publisher’s Response:

Chapter 6, “Prices,” describes the role of consumer demand in determining the market price in a free enterprise economy.

B. Peacock: “Low marginal tax rates on an expanding tax base encourage investment, increase employment, reward productive consumption, and increase real wages—which along with legal equality, open opportunity, and private property rights in capitalist economies most efficiently lift the working poor into the middle class.”

Publisher’s Response:

The benefits of lower tax rates are discussed on p. 362 of the Student Edition under “Balancing Tax Revenues and Tax Rates.” The idea that private investment, respect for private property rights, and a strong legal system are part of the American Free Enterprise system that benefits people of all economic strata is present throughout the Student Edition.

B. Peacock: “The book examines the distribution of the tax burden, i.e., most taxes are paid by a small percent of Americans, and looks at tax cuts in light of this fact.”

Publisher’s Response:

See Student Edition, p. 361 for a discussion and graphical illustration, of the progressive nature of the federal income tax, and p. 381 for a description of the benefits of the Bush tax cut of 2001.

Response to Bill Peacock's written testimony about Prentice Hall's *Economics: Principles in Action (continued)*

B. Peacock: "The book examines the cost of our complex tax code in terms of money and efficiency."

Publisher's Response:

See Student Edition, Chapter 14, Sections 1 and 2 for a discussion of the complexity and costs of the federal tax code.

B. Peacock: "A discussion of the negative impact of double taxation: dividends and estate tax."

Publisher's Response:

TE p. 368. Add the following background note:

"Background

Double Taxation

In some transactions, income can be taxed twice by the federal government. For example, corporations must pay tax on their profits, while the dividends they pay to shareholders is then taxed as personal income. Some people refer to this as 'double taxation' and point out its negative impact on the economy."

B. Peacock: "Income redistribution discourages productivity, cuts net purchasing power and aggravates poverty; private profit incentives increase productivity, raise net purchasing power, and alleviate poverty."

Publisher's Response:

The beneficial effects of private investment and personal reward for innovation and hard work are discussed in Chapter 3, "American Free Enterprise." Other sections discuss the importance of financial incentives for work and the consequent benefits to the entire economy of an innovative, productive workforce, as well as the effects of taxes on income and the effects of reduced income on purchasing power.

TE p. 68. Add the following background note:

"Background

People's preferences and support for redistribution programs change over time. Some people believe that income redistribution discourages productivity, cuts net purchasing power, and aggravates poverty. They contend that private profit incentives increase productivity, raise net purchasing power, and alleviate poverty."

B. Peacock: "Private property fosters efficient allocation of resources and their payments."

Publisher's Response:

See Student Edition, pp. 51-53 for discussion of the importance of property rights in American Free Enterprise.

Ted Weisgal

Response to Ted Weisgal's oral testimony about Prentice Hall's *World History: Connections to Today*.

T. Weisgal: [*World History: Connections to Today*] "had no full reference to the Preamble." and "...students must be encouraged to learn the ideals, hopes and values that are supposed to guide this country..."

Publisher's Response:

Prentice Hall thanks Mr. Weisgal for his comments. Even though the World History TEKS does not include a specific reference to the United States Constitution, Prentice Hall's *World History: Connections to Today* does include a discussion of the Constitution, its ideals, and its impact on other countries in the world. Because there is a limit to the volume of content that can be put into any one school textbook, a detailed analysis of the Preamble of the Constitution does not appear in the text. More detailed coverage of the Constitution and its Preamble does appear in Prentice Hall's American History and Civics textbooks. In addition, Prentice Hall provides the full text of the Constitution and its Preamble on the Magruder's American Government website at the following web address: www.phschool.com/atschool/primary_sources/us_constitution.html

Prentice Hall's Magruder's American Government website also provides a student activity at the following web address:

http://www.phschool.com/atschool/Magruders/keep_it_current/foundations.html

This activity provides students with the opportunity to explore current issues involving constitutional rights and freedoms, evaluate competing arguments from both sides of a current issue, and express a well-developed opinion of a modern issue challenging the nation that is related to the Constitution.

Ted Weisgal

Response to Ted Weisgal's oral testimony about Longman's *Government in America*.

T. Weisgal: "SE does not include Preamble to the Constitution."

Publisher's Response:

The Preamble to the Constitution is included in full on page 703 of the book.

Delia Woodbury

Response to Delia Woodbury's oral testimony about Prentice Hall's *World History: Connections to Today*.

D. Woodbury: "Mormon content is highly inaccurate."

Publisher's Response:

Prentice Hall texts are checked for factual accuracy. We are committed to correcting any specific, documented factual errors that are called to our attention.