CHAPTER 9
THE EXECUTIVE BRANCH AND FEDERAL BUREAUCRACY

Chapter Goals and Learning Objectives

Often called the “fourth branch of government” because of the power its agencies and bureaus exercise, the federal bureaucracy draws criticism from many sectors. Political conservatives charge that the bureaucracy is too liberal and that its functions constitute unnecessary government inference in the business sector. In contrast, liberals view the bureaucracy as too slow, too unimaginative to solve America’s problems, and too zealous a guardian of the status quo. And, while many Americans complain of high taxes and inefficiency in government, most Americans regard the government services they receive through the bureaucracy important to their lives. Indeed, it is the executive branch organizations that deliver the myriad of services citizens have come to expect from their government. A basic knowledge of these organizations is important to you, a taxpayer and a consumer of these services.

This chapter is designed to give you a better understanding of the executive branch and federal bureaucracy. The main topic headings of this chapter are:

- The Origins and Growth of the Federal Bureaucracy
- The Modern Bureaucracy
- How the Bureaucracy Works
- Holding Agencies Accountable

In each section, there are certain facts and ideas that you should strive to understand. Many are in boldface type and appear in both the narrative and in the glossary at the end of the book. Other ideas, dates, facts, events, people, etc. are more difficult to pull out of the narrative. (Keep in mind that studying for objective tests [multiple choice, T/F] is different than studying for essay tests. See the Study Guide section on test taking for hints on study skills.)

In general, after you finish reading and studying this chapter, you should understand the following:

- the origins and growth of the federal bureaucracy in the executive branch
- the modern bureaucracy, bureaucrats and the formal organization of the bureaucracy
- how the bureaucracy works
- how to make executive branch agencies accountable
Chapter Outline and Key Points

In this section, you are provided with a basic outline of the chapter and key words/points you should know. Use this outline to develop a complete outline of the material. Write the definitions or further explanations for the terms. Use the space provided in this workbook or rewrite that material in your notebook. This will help you study and remember the material in preparation for your tests, assignments, and papers.

bureaucracy—

“fourth branch of government”—

polling results regarding the bureaucracy—

The Origins and Growth of the Federal Bureaucracy

the three governmental departments under the Articles of Confederation—

early development of the Cabinet under the first President of the United States, George Washington—

expansions of the federal executive branch and bureaucracy from 1816 to 1861—

the Post Office—

spoils system—

patronage—

The Civil War and the Growth of Government

expansions of the federal government as a result of the Civil War—

Department of Agriculture—

post-Civil War development—

Pension Office—

Justice Department—

From Spoils System to the Merit System

Pendleton Act—
civil service system—

merit system—

**Regulating the Economy**

Interstate Commerce Commission—

independent regulatory commissions—

Theodore Roosevelt and movement toward governmental regulation—

Woodrow Wilson and regulation—

Sixteenth Amendment—

The Ebb and Flow of Federal Employees in the Executive Branch, 1789-2005—

**Growth of the Government in the Twentieth Century**

Great Depression—

Franklin D. Roosevelt and economic regulation—

change in beliefs of Americans regarding intervention by government into the economy—

WPA—

effect of World War II on the U.S. economy—

post-war infusion of new monies into the economy and demands of veterans for services—

G. I. Bill—

Lyndon B. Johnson and the expansion of the bureaucracy—

**The Modern Bureaucracy**

ways in which the national government differs from private business—

how public sector employees view risks and rewards—
Who Are Bureaucrats?

Distribution of Federal Civilian Employment, 2004 (Figure 4.1)—

federal bureaucrats—

number of federal workers in the executive branch—

General Schedule (GS)—

how most civilian federal government employees selected today—

selection process for lower levels of the U.S. Civil Service—

selection process for mid-level to upper ranges of U.S. Civil Service—

types of federal government jobs not covered by the civil service system—

Characteristics and Rank Distribution of Federal Civilian Employees, 2004 (Figure 9.2)—

where federal workers work—

Federal Agency Regions and City Headquarters (Figure 9.3)—

graying of the federal workforce—

outside contractors—

Formal Organization

approximate number of civilian agencies—

four general types of agencies—

Cabinet Departments

departments—

president’s formal Cabinet—

The Executive Branch (Figure 9.4)—

responsibilities of secretaries and Cabinet secretaries—
features shared by departments—
basis for divisions within departments—
clientele agencies—

Government Corporations

government corporations—
examples of government corporations—
U.S. Postal Service—
some reasons for creation of government corporations—

Independent Executive Agencies

independent executive agencies—
heads of independent executive agencies—
reasons for existence of independent agencies—
NASA—
EPA—

Independent Regulatory Commissions

independent regulator commissions—
reasons for independent regulatory commissions—
examples of independent regulatory commissions—
selecting members of boards and commissions—

Government Workers and Political Involvement

Political Activities Act of 1939 (Hatch Act)—
Federal Employees Political Activities Act of 1993—
public employees of the District of Columbia and political activities regulation—
examples of permissible and prohibited actions under the Federal Employees Activities Act (Table 9.1)—

**How the Bureaucracy Works**

Max Weber and characteristics of model bureaucracies—

congressional delegation of Article I, section 8, powers—

implementation—

iron triangles—

issue networks—

interagency councils—

policy coordinating committees—

U.S. Interagency Structure for National Security in the George W. Bush Administration (Figure 9.6)—

**Making Policy**

policy making—

administrative discretion—

Rule Making

rule-making—

regulations—

1946 Administrative Procedures Act three part rule-making procedures—

formal hearings—

How a Regulation is Made (Figure 9.7)—

**Administrative Adjudication**

administrative adjudication—
Making Agencies Accountable

to whom or what are agencies answerable?

IRS example—
factors that work to control the power of the bureaucracy—

Making Agencies Accountable (Table 9.2)—

Executive Control

presidents’ delegation of control of power to bureaucracy—
presidents find difficult to regain control over power delegated to the bureaucracy—
presidential appointments to the bureaucracy—
how the president can reorganize the bureaucracy—
Thomas Jefferson and bureaucratic responsibility—
reform during the Progressive Era—
Calvin Coolidge and bureaucratic responsibility—
executive orders—

Congressional Control

role of Congress in checking the power of the bureaucracy—
investigatory powers—
police patrol oversight—
fire alarm oversight—
most frequently used form of oversight—
most effective communication—
power of the purse—
House Appropriations Committee—
appropriations process in Congress—
GAO—
OMB—
CRS and CBO—
citizens’ appeals of adverse bureaucratic decisions—
congressional review (adopted by 104th Congress)—

Judicial Control

judiciary’s oversight less apparent—
courts can issue injunctions or orders even before a rule is formally promulgated—
courts have ruled that agencies must give due process rights to those affected by bureaucratic action (example)—
influence of litigation or threat of litigation on bureaucrats—
degree to which agencies appear to respond to Supreme Court decisions—
specialized courts—

Research Ideas and Possible Paper Topics

1) Service Learning (learn by doing): Visit at least three federal offices in your area. Research each agency (or department or commission) on the Internet prior to your visit. Watch what goes on. Ask questions. Investigate the functions and efficiencies of the procedures used. If possible, schedule interviews with managers and staff at these offices. Ask about misconceptions and problems with the bureaucracy. How does what you find compare with what you learned in the text?
2) The newest bureaucratic departments is the Department of Homeland Security. Research to determine how the department’s genesis, organization, and purpose. How large is the Department of Homeland Security? What is its budget? What former federal agencies were subsumed into DHS? How effective has it been in carrying out its goals? In addition, analyze whether the current Secretary of Homeland Security has managed to change the culture of the department. If so, how?

3) The U.S. Postal Service has changed its relationship with the government and the American people over time. Research the history of the postal service, its past and present ties to the government, its effectiveness, and reputation. Many of us complain incessantly about the mail. Are we justified? How are rate increases determined? If we are truly unhappy, what avenues of complaint are open?

4) Service Learning (learn by doing): Write to or visit your local congressional office. Ask to speak with one of the caseworkers who deals with bureaucratic snafus and red tape. Find out how they intervene on behalf of constituents, how effective they are, how many constituents avail themselves of this service, and their impressions of the bureaucracy. Write a paper or discuss in class what you have learned.

5) How does the bureaucracy affect you? Consider the innumerable ways you perceive government helps or hinders your life. Keep a journal for the semester and note in it ways you interact with bureaucracy and government. At the end of class, compare notes with friends and colleagues. Discuss whether, in total, your experiences with government are positive, negative, or neutral.

### Web sites

**President Bush’s Cabinet** is a Web site hosted by the White House presenting photographs of Cabinet officers and biographies. You can go to each of the individual departments via links for each on this Web site.

[www.whitehouse.gov/government/cabinet.html](http://www.whitehouse.gov/government/cabinet.html)

**Federal Web Locator** provided by the Villanova Center for Information Law and Policy has links to all government Web sites, including all governmental departments, agencies, corporations, and affiliates.

[http://www.lib.auburn.edu/madd/docs/fedloc.html](http://www.lib.auburn.edu/madd/docs/fedloc.html)

**FedWorld**, hosted by the Department of Commerce, is a comprehensive index of federal government agencies, searchable by keyword. Access to thousands of U.S. government Web sites, more than a 1/2 million U.S. government documents, databases, and other information products with links to the FedWorld File Libraries and other sources.

[www.fedworld.gov](http://www.fedworld.gov)
GovExec.com is online version of a magazine for federal employees called Government Executive. The Web site offers breaking news stories, analysis, and information about the federal community
www.govexec.com

The Washington Post reports on the activities of the federal bureaucracy for an audience keenly interested in news about it—Washington-based employees of the federal government—in a section entitled Federal Page. (Free registration is required for access to the Washington Post.)
http://www.washingtonpost.com/wp-dyn/politics/fedpage

Practice Tests

MULTIPLE CHOICE QUESTIONS

1) The first independent regulatory commission, established to regulate railroad rates after the Civil War, was called the
   a. Independent Transportation Commission.
   c. National Railroad Relations Board.
   d. Interstate Commerce Commission.

2) The reform measure that created the merit-based civil service is commonly referred to as the
   a. Anti-Patronage Act.
   c. Pendleton Act.
   d. Garfield Act.

3) In 2004, the executive branch had approximately ___ million federal workers.
   a. 1.8
   b. 2.7
   c. 3.9
   d. 6.9

4) An agency created by Congress that is concerned with a specific economic activity or interest is called a(n)
   a. Cabinet department.
   b. clientele agency.
   c. independent regulatory commission.
   d. government corporation.
5) Hundreds of new federal agencies were created to regulate business practices and various aspects of the economy in an attempt to mitigate the effects of the Great Depression during the administration of President
   a. Theodore Roosevelt.
   b. Franklin Roosevelt.
   c. James Garfield.
   d. Lyndon Johnson.

6) Which of the following is *not* a type of federal executive agency?
   a. Government Accounting Office
   b. government corporation
   c. independent agency
   d. regulatory commission

7) There are currently ________ Cabinet departments.
   a. 10
   b. 12
   c. 13
   d. 15

8) Executive departments directed by law to foster and promote the interests of a specific segment or group in the U.S. population (and, thus, are particularly subject to lobbying from outside organized interests) is called a(n)
   a. Cabinet department.
   b. clientele agency.
   c. government corporation.
   d. executive agency.

9) The Environmental Protection Agency (EPA) is an example of a(n)
   a. independent executive agency.
   b. government corporation.
   c. clientele agency.
   d. independent regulatory commission.

10) The relatively stable relationship and pattern of interaction that occurs among an agency, interest groups, and congressional committees is called a(n)
    a. issue network.
    b. implementation network.
    c. policy circle.
    d. iron triangle.
11) The bureaucracy has the ability to make choices about the best way to implement congressional or executive intentions, thus giving the bureaucracy tremendous leeway to carry out its assigned tasks. This ability is called
   a. administrative adjudication.
   b. administrative discretion.
   c. regulatory authority.
   d. legislative override.

12) Administrative discretion is exercised through two formal administrative procedures:
   a. sunset review and administrative oversight.
   b. rule-making and issue networking.
   c. administrative adjudication and rule-making.
   d. congressional review and oversight.

13) The president has the power to hold agencies accountable through
   a. appointments to the bureaucracy.
   b. reorganization of the bureaucracy.
   c. issuing executive orders.
   d. All of the above.

14) Congress can hold the bureaucracy accountable through
   a. issuing executive orders.
   b. appointment and removal of bureau heads.
   c. investigation and appropriations.
   d. All of the above.

15) The most commonly used and effective form of congressional oversight is
   a. staff communication with agency personnel.
   b. removal of agency heads.
   c. fire alarm oversight.
   d. police patrol oversight.

TRUE/FALSE

1) The bureaucracy consists of a set of complex, hierarchical departments, agencies, commissions, and their staffs that exist to help the president carry out the laws of the country.

2) The “spoils system” allowed each political party to “pack” the bureaucracy with its supporters when it won the presidency.

3) The passage of the Sixteenth Amendment significantly impeded the growth of the federal bureaucracy.
4) Governments exist for the public good, not to make money and, therefore, cannot be run like a business.

5) The graying of the federal workforce has not been of concern to many in governmental authority.

6) Bureaucrats make, as well as implement, policies.

7) The first president to act on the issue of bureaucratic accountability was Thomas Jefferson.

8) The bureaucracy is accountable to no one except the president.

9) An executive order is a presidential directive to an agency that provides the basis for carrying out laws or for establishing new policies.

10) Congress’s power to control the bureaucracy is severely limited because Congress lacks the power of the purse.

**SHORT ANSWER AND ESSAY QUESTIONS**

1) Discuss the history of the bureaucracy in terms of presidential influence and needs. What historical issues affected the creation of, expansion, or contraction of the bureaucracy? Which president, in your estimation, was the most influential in expanding the size and power of the bureaucracy? Which president, in your estimation, was the most influential in contracting the size and power of the bureaucracy? Explain your reasoning in both situations.

2) What was the spoils system, and how did it lead to civil service reforms? What were those reforms?

3) What are iron triangles and are they as significant as they once were?

4) Does the bureaucracy make policy? Discuss two ways that it does or does not.

5) Discuss three methods by which the bureaucracy can be held accountable.

6) Discuss the roots and development of the federal bureaucracy.

7) What is the formal organization of the bureaucracy, and what are the main functions of each agency, commission, or department? Give examples.

8) Discuss the nature of bureaucratic policy making.
9) Discuss the checks and balances the president, Congress, and the judiciary have on the bureaucracy. Which techniques are used most often, and which are most effective and why?

10) What problems plague bureaucratic politics, and what reforms have been aimed at addressing them? How effective have these reform efforts been?

**COMPARE AND CONTRAST**

- patronage, spoils system, and merit system
- Cabinet departments, government corporations, independent executive agencies, and independent regulatory commissions
- iron triangles and issue networks
- administrative discretion and administrative adjudication
- executive versus congressional versus judicial control of the bureaucracy

**ANSWERS TO STUDY EXERCISES**

**MULTIPLE CHOICE ANSWERS**

1) a
2) c
3) b
4) c
5) b
6) a
7) d
8) b
9) a
10) d
11) b
12) c
13) d
14) c
15) c

**TRUE/FALSE ANSWERS**

1) T
2) T
3) F
4) T
5) F
6) T
7) T
8) F
9) T
10) F