CHAPTER 9
THE EXECUTIVE BRANCH AND THE 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 as 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 Roots of the Federal Bureaucracy
- The Modern Bureaucracy
- How the Bureaucracy Works
- Toward Reform: 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 from 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 roots of the federal bureaucracy in the executive branch
- the modern bureaucracy, bureaucrats and the formal organization of the bureaucracy
- how the bureaucracy works
- efforts 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.
avian influenza threat—
Bush administration's Pandemic Influenza Strategic Plan—
criticism of the Bush administration's plan—
bureaucracy—
"fourth branch of government"—
polling results regarding the bureaucracy—
"who gets what, when, and how"—

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—
Pension Office—
Justice Department—

From Spoils System to the Merit System
calls for reform of the patronage system—
Pendleton Act—
civil service system—
merit system—
Regulating the Economy


Interstate Commerce Commission—

independent regulatory commissions—

Theodore Roosevelt and movement toward governmental regulation—

rights of workers at the turn of the twentieth century—

Woodrow Wilson and regulation—

Sixteenth Amendment—

Growth of the Government in the Twentieth Century

economic boom leading up to economic decline in early twentieth century—

Great Depression—

Franklin D. Roosevelt and economic regulation—

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

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—

Veterans Housing Authority—

Lyndon B. Johnson and the expansion of the bureaucracy—

The Modern Bureaucracy

ways in which the national government differs from private business—

impact of the different natures of government and business on the way the bureaucracy works—

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

federal bureaucrats—
number of federal workers in the executive branch—

Distribution of Federal Civilian Employment, 2004 (Figure 9.1)—

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—

job skills represented in the federal government—

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)—
decimalization of the bureaucracy—

use of private contractors by the military—

Blackwater scandal—

why the Bush administration outsourced positions to private companies—
graying of the federal workforce—

Formal Organization

approximate number of civilian agencies—

areas of specialization—

four general types of agencies—

Cabinet Departments

departments—
The Living Constitution: Article II, Section 2, Clause 1 —
president's formal Cabinet —
The Executive Branch (Figure 9.4) —
responsibilities of Cabinet secretaries —
features shared by departments —
basis for divisions within departments —
clientele agencies —

Government Corporations

government corporations —
examples of government corporations —

T.V.A. —
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 —
older boards and commissions —
newer regulatory boards —
Government Workers and Political Involvement

Political Activities Act of 1939 (Hatch Act)—

Federal Employees Political Activities Act of 1993—

regulation of public employees' political activities—

The Federal Employees Activities Act (Table 9.1)—

How the Bureaucracy Works

Max Weber and characteristics of model bureaucracies:

1)

2)

3)

4)

5)

6)

congressional delegation of Article I, section 8, powers—

implementation—

iron triangles—

An Iron Triangle (Figure 9.5)—

issue networks—

interagency councils—

policy coordinating committees—

Making Policy

policy-making—

street-level bureaucrats make policy on two levels—

administrative discretion—

rule-making—
regulations—

How a Regulation is Made (Figure 9.6)—

1946 Administrative Procedures Act three-part rule-making procedures:

1) 

2) 

3) 

formal hearings—

Learn into Action: Enforcing Gender Equality in College Athletics—

administrative adjudication—

quasi-judicial—

compared to a trial—

administrative law judges—

**Toward Reform: 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)—

actors other than the president in the policy process—

**Executive Control**

presidents’ delegation of control of power to bureaucracy—

presidents find difficult to regain control over power delegated to the bureaucracy—

Politics Now: The Bush Administration and Bureaucratic Control—

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—
use of power of the purse to control the bureaucracy—
Join the Debate: Funding the War in Iraq—
House Appropriations Committee—
appropriations process in Congress—
General Accounting Office, now the Government Accounting Office—
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)—

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influence of litigation or threat of litigation on bureaucrats—

weight given to opinions of bureaucrats by the courts—

specialized courts—

degree to which specialized courts respond to agency rulings—

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<tr>
<th>Research Ideas and Possible Paper Topics</th>
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<td>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?</td>
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<td>2) The newest bureaucratic department is the Department of Homeland Security, established in the first term of the Bush administration. Research 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 (including FEMA)? In addition, analyze whether the current Secretary of Homeland Security has managed to change the culture of the department. If so, how?</td>
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<td>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?</td>
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<td>4) Service Learning (learn by doing): Write to or visit your local U.S. Representative’s office or U.S. Senator’s 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.</td>
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<td>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.</td>
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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.

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

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 half-million U.S. government documents, databases, and other information products with links to the FedWorld File Libraries and other sources.

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.

http://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

The U.S. Government Accountability Office (GAO) is known as "the investigative arm of Congress" and "the congressional watchdog." GAO supports the Congress in meeting its constitutional responsibilities and helps improve the performance and accountability of the federal government for the benefit of the American people.

http://www.gao.gov

Practice Tests

MULTIPLE CHOICE QUESTIONS

1) What percentage of the federal workforce is NOT part of the merit-based civil service system?
   A) 10%
   B) 20%
   C) 30%
   D) 40%
   E) 50%

2) What percentage of the federal workforce is part of the merit-based civil service system?
   A) 10%
   B) 40%
   C) 50%
   D) 60%
   E) 90%

3) The Pendleton Act established the principle of ________ in federal hiring.
   A) patronage
   B) merit
   C) civility
   D) partisanship
   E) gender equality

4) An agency created by Congress that is generally concerned with a specific aspect of the economy is called
   A) a bureau of the first class.
   B) a committee on correspondence.
   C) an independent regulatory commission.
   D) a Cabinet-level agency.
   E) a self-serving agency.

5) An examination of the Analyzing Visuals feature on page 314 suggests that the number of federal executive branch employees has
   A) increased steadily since the founding.
   B) increased steadily since the New Deal.
   C) increased steadily since the Great Society.
   D) decreased steadily since the Great Depression
   E) decreased under Presidents Bill Clinton and George W. Bush.

6) The number of federal government employees was largest
   A) in the wake of the September 11, 2001 terrorist attacks.
   B) during the Civil War.
   C) during World War I.
   D) during World War II.
   E) during the Great Society.

7) About how many people are employed by the executive branch?
   A) 300,000
   B) 884,000
   C) 1,203,000
   D) 1,670,000
   E) 2,713,000
8) An examination of Figure 9.2 suggests which of the groups listed below is the most underrepresented in the federal workforce, when compared with their proportion of the general population?
   A) veterans
   B) Native Americans
   C) Asians
   D) African Americans
   E) Hispanics

9) An examination of Figure 9.2 suggests which of the groups listed below is the most overrepresented in the federal workforce, when compared with their proportion of the general population?
   A) veterans
   B) Native Americans
   C) Asians
   D) African Americans
   E) Hispanics

10) What does Figure 9.2 suggest about the relationship between gender and employment within the federal government?
    A) There are more women in the federal workforce than men.
    B) On average, women earn only 60% of what men earn.
    C) Most of the women who work for the federal government are African American.
    D) Lower-level positions tend to be dominated by women; higher-level positions tend to be dominated by men.
    E) There do not appear to be any differences in federal government employment according to gender.

11) Under the George W. Bush administration, the number of political appointees
    A) was cut in half.
    B) shrank by about 33 percent.
    C) shrank by about 25 percent.
    D) stayed about the same.
    E) increased by about 33 percent.

12) According to Figure 9.3, if you lived in Ohio and needed to visit the regional headquarters for the Federal Trade Commission, where would you most likely have to go?
    A) Philadelphia
    B) Boston
    C) Columbus
    D) Chicago
    E) Kansas City

13) Government corporations such as the Postal Service are formed
    A) because the activities are primarily social in nature.
    B) because the provision of services requires greater rigidity and uniformity.
    C) to discourage consumption of the good or service that is produced.
    D) to provide for goods and services that would not otherwise be produced by the free market.
    E) to provide revenue-producing services that could also be achieved through private businesses.
14) According to Figure 9.6, what role does the *Federal Register* play in the process of crafting a regulation?
   A) Newly drafted rules must be published in the *Federal Register* before they are sent to the Office of Management and Budget.
   B) Advance notice of proposed rule-making must be published in the *Federal Register*.
   C) The *Federal Register* drafts proposed regulations and sends them to the Office of Management and Budget for an evaluation of the costs.
   D) Proposed regulations must be published in the *Federal Register* for 30 to 60 days in order to elicit comments from interested parties.
   E) As soon as a proposed regulation is printed in the *Federal Register*, it has the force and effect of law.

15) The Internal Revenue Service was overhauled in the late 1990s to provide better service to the American people. How successful was this effort?
   A) By 2003, fewer than 5% of Americans had confidence in the IRS.
   B) By 2003, only 10% of Americans had confidence in the IRS.
   C) By 2003, only 25% of Americans had confidence in the IRS.
   D) By 2003, a majority of Americans had confidence in the IRS.
   E) By 2003, over 90% of Americans had confidence in the IRS.

16) Why was the bureaucracy unresponsive to George W. Bush’s call for ambassadors in unfree countries to meet with dissident leaders to help eliminate tyranny?
   A) because the bureaucracy is headed by Democrats and George W. Bush is a Republican
   B) because senior executive branch officials thought Bush’s directive was a bad policy
   C) because George W. Bush sent contradictory messages to the bureaucracy about whether or not he truly favored the proposal
   D) because Egyptian President Hosni Mubarak threatened to withdraw from its unilateral treaty with Israel if the directive was carried out
   E) All of the above.

17) Who can create or abolish federal departments and agencies?
   A) the president
   B) the vice president
   C) the Executive Oversight Agency
   D) Congress
   E) the states

18) Congress can oversee the bureaucracy by
   A) holding congressional committee hearings.
   B) using the power of the purse.
   C) requiring congressional review of agency regulations.
   D) transferring agency functions.
   E) All of the above.

19) Among the tools of judicial oversight of the bureaucracy are
   A) the judicial branch’s ability to develop specialized courts.
   B) the ability to pressure the president.
   C) issuing injunctions to prevent bureaucratic rules from going into effect.
   D) ruling laws unconstitutional.
   E) All of the above.
20) Which of the following is an argument made by those in favor of special arrangements for funding the war in Iraq?
A) Spending for national security is essential so it is appropriate to do whatever it takes to ensure that the military has the funds it needs for success.
B) The security of the United States does not depend on what happens in Iraq.
C) It is the responsibility of the Iraqi people to determine the future of Iraq.
D) American contractors in Iraq are able to accomplish more at a lower cost than can the U.S. military.
E) The staggering cost of the war could be used to address social concerns in the United States, including fighting crime, improving education and healthcare, and strengthening the economy.

TRUE/FALSE QUESTIONS

1) Most Americans are generally satisfied with the bureaucracies they use, but are less satisfied with government as a whole.

2) The civil service system today covers only half of all federal employees.

3) The Pendleton Act established the spoils system.

4) Over 40 million American civilians work for the federal government.

5) The G.I. Bill was a program begun after World War II to provide opportunities to newly returning veterans to attend college and buy homes.

6) Women are more likely to have low-level civil service jobs and men are more likely to have high-level civil service jobs.

7) Most federal employees live and work near Washington, D.C.

8) The largest government corporation is Amtrak.

9) Bureaucrats do not make policy; they only implement it.

10) In order to make the bureaucracy more efficient, the president has absolute authority to reorganize the bureaucracy and abolish inefficient agencies.

ESSAY AND SHORT ANSWER QUESTIONS

1) What is the spoils system? Is the bureaucracy better off without it?

2) What are independent regulatory commissions, and why were they created?

3) What sorts of federal government positions are not subject to hiring requirements of the civil service system?
4) Describe three activities that are prohibited under the Federal Employees Political Activities Act and three that are permitted.

5) How has the Internal Revenue Service been reformed? What brought about these reforms? How successful have they been?

6) Discuss the roles, responsibilities, and functions of the four general types of government agencies (Cabinet departments, government corporations, independent executive agencies, and independent regulatory commissions).


8) 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?

9) Presidents exercise control of the bureaucracy in a number of ways. List and discuss at least three.

10) Define iron triangles, issue networks, and interagency councils. Using examples, discuss which typology you believe best describes the relationships between those who make, influence, and implement policies.