

Holding the Bureaucracy Accountable

Explain how Congress uses its oversight power in its relationship with the executive branch.

Explain how the president ensures that executive branch agencies and departments carry out their responsibilities in concert with the goals of the administration.

1. Which of the following roles of Congress most closely reflects the Founders intention to serve as a “check and balance”?

- a. Make laws
- b. Oversight
- c. Constituent Service
- d. Campaign for reelection

2. Congress, it has been said, has the

- a. Power of the purse
- b. Power of the sword
- c. Power to explain
- d. Power of polarization

3. Congress tends to defer, or concede, to the strong authority of the executive branch

- a. When critical budget debates are taking place
- b. When critical foreign policy decisions need to be made
- c. When oversight of the judiciary needs attention
- d. When constituents need assistance regarding veteran benefits

4. In 1974, Congress passed the Budget Impoundment Act in order to restore balance in the federal budget process. A critical piece of that legislation included forming the Congressional Budget Office (CBO). The CBO’s primary purpose is to

- a. Study the cost of prospective policies
- b. Study the will of the people
- c. Block presidential budget proposals
- d. Block court interference in the budget process

5. Public opinion has demanded more and more from our Congress

- a. To spend more on public assistance programs
- b. To spend less on military readiness
- c. An attempt to reign in fiscal irresponsibility
- d. An attempt to limit the productive output of the Supreme Court

6. All of the following make Congressional oversight of the Executive Branch difficult EXCEPT

- a. Numerous access points to measure
- b. Budget constraints placed on Congress by the President
- c. Vague legislative requirements
- d. Bureaucratic agencies with discretionary authority

7. In *Federalist 51* (1788) James Madison wrote:

“If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself. A dependence on the people is, no doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions...”

Which of the following best reflects how the original U.S. Constitution embodied Madison’s argument?

- a. Checks and balances
- b. Republicanism
- c. Authoritarianism
- d. The Bill of Rights

8. Congress engages in oversight of the executive branch in all of the following ways EXCEPT

- a. Holding hearings
- b. Investigating bureaucratic behavior
- c. Limiting budgets
- d. Firing Cabinet secretaries

9. Leading critics of Congressional oversight claim that our representatives all too often act like fire fighters. This means that

- a. Congress investigates too late, after the fact
- b. Congress investigates with a lot of noise and expensive “equipment”
- c. Congress only tries to end the problem by covering it up
- d. Congress fights the Executive Branch with old tactics

10. Pay-as-you-go provisions in Congress along with sequester agreements have been an attempt to

- a. Strip Congress of its war making powers
- b. Introduce term limits in Congress
- c. Control the expansion of government
- d. Increase the ease of raising taxes

11. The Executive Branch is more than a president. It is made up of hundreds of agencies each employing thousands of agents doing the president’s bidding. Or do they? Why is it difficult for presidents to control their own administrations?

- a. The size of the federal bureaucracy makes it difficult to control
- b. The federal bureaucracy answers first to Congress
- c. The federal bureaucracy has been severely limited by judicial review
- d. The federal bureaucracy does not have sufficient manpower to operate efficiently

12. Article II, Section 1, Clause 1 of the U.S. Constitution states: “The executive power shall be vested in a President of the United States of America.” According to political science this has created a

- a. Nominal executive
- b. Unitary executive
- c. Parliamentary executive
- d. Hereditary executive

13. The Vesting Clause of the U.S. Constitution has given authority to the president to execute and enforce the laws passed by Congress. In doing so, as critics often point out, presidents often

- a. Carry out laws without applying them to family members
- b. Carry out laws only in certain states
- c. Carry out laws in partisan ways
- d. Carry out laws that Congress hasn't even passed

14. The English King held certain prerogative powers "for the sake of unanimity, strength and dispatch." The U.S. Constitution appears to inherently vest such prerogative powers in the president, as well. What does this mean?

- a. Presidents can act beyond "statutory authorization"
- b. Law do not apply to the president
- c. Presidents can disregard the constitution
- d. Presidents can overrule Court opinions through "executive fiat"

15. In *Myers v. United States* (1926) the Court stated:

"[The president] should select those who were to act for him under his direction in the execution of the laws...[A]s his selection of administrative officers is essential to the execution of the laws by him, so must be his power of removing those for whom he cannot continue to be responsible..."

Which of the following headlines would be an appropriate example of the precedent in this case?

- a. "Majority Leader fired by the President, Membership Considering Impeachment"
- b. "Chief Justice Threatened by President, 'One more case like that and you're fired'"
- c. "President relieves Secretary of Defense of his duties, Congress fumes"
- d. "President tells Illinois Governor that Friday will be his last day in office; Residents Relieved"

16. How does the Office of Information and Regulatory Affairs (OIRA) assist the president?

- a. Keeps an eye on Congress to make sure that they are passing laws needed to keep the president happy
- b. Keeps both the president and the federal agencies informed about their respective responsibilities
- c. Keeps an eye on the Court to make sure that they are hearing cases related to executive priorities
- d. Keeps an eye on state governments to make sure they are living up to campaign promises

17. All of the following give the modern president tremendous inherent power to govern EXCEPT

- a. Executive Orders
- b. Executive Agreements
- c. Vesting Clause
- d. Judicial Review

18. The influence of the president over the bureaucracy is often difficult due to

- a. Supreme Court precedent
- b. Divided loyalties
- c. Excessive partisanship
- d. High profile impeachments

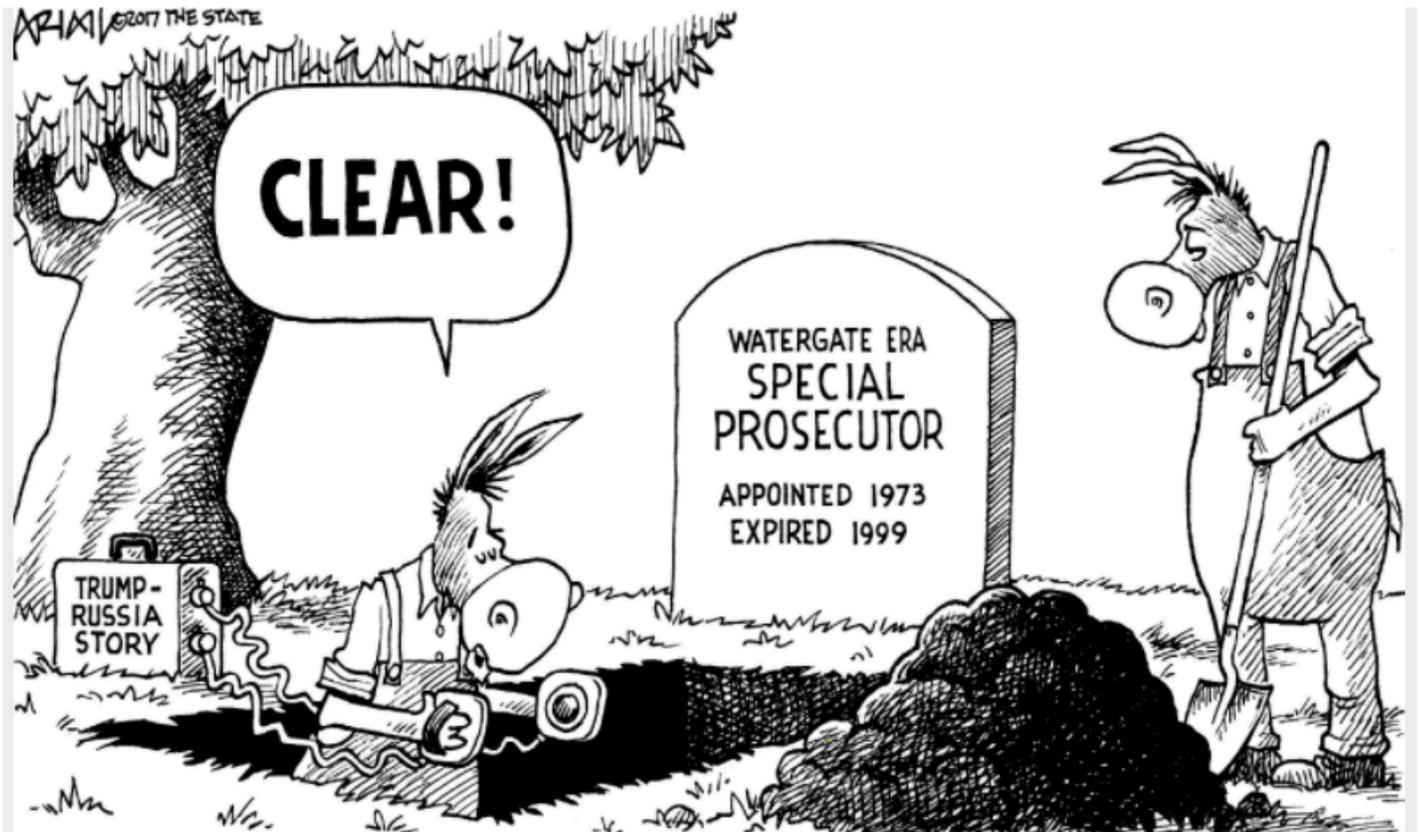
19. The Vesting Clause along with certain inherent prerogative powers have led some political scientists to refer to the modern chief executive as “an imperial president.” All of the following check presidential power EXCEPT

- a. Judicial review
- b. Laws passed by Congress
- c. Bureaucratic largesse
- d. White House Office

20. Sitting in plain view atop President Harry S. Truman’s Oval Office desk sat a simple sign, “The buck stops here.” What did this simple sign mean?

- a. President Truman, along with every president, is ultimately responsible for preparing the federal budget
- b. President Truman, along with every president, is charged with checking an impervious Congress
- c. President Truman, along with every president, is ultimately responsible for government actions
- d. President Truman, along with every president, is ultimately responsible for protecting free elections

Critical Thinking Prompt 1: How effective are Congress’ checks on our bureaucracy? What are the biggest abuses of bureaucratic authority? How can we prevent these abuses from becoming routine?



Critical Thinking Prompt 2: Investigate the federal government’s use of a Special Counsel and/or a Special Prosecutor. What is the intent of these special investigatory agencies? What does current law say about them? What should current law say about them?