

Social Studies Virtual Learning

AP US Gov & Politics

Bureaucracy Checks & Congress

April 21, 2020

AP US Gov & Politics

Lesson #31: April 21st, 2020

Learning Target (PMI-2.C) : Explain how Congress uses its oversight power in its relationship with the executive branch.

Get a piece of paper and answer these questions from the video:

- 1) What Congressional organization watches how bureaucracies spend money?
- 2) What process at controlling bureaucracies is more common than termination?
- 3) What does devolution do for Federal Bureaucracies? And what could take place if the laws still existed without money attached (maybe you learned this earlier)?
- 4) What are the two reasons Craig says bureaucracies are so hard to tame at the ending summary of the video?

Warm Up

Click on this
Summary
video



Get a piece of paper and answer these questions from the video:

- 1) General Accounting Office
- 2) Deregulation
- 3) Takes away some of the Federal B's power and gives it to more local B's.
Also, if the laws are still in place it creates **UNFUNDED MANDATES** like wheelchair accessible ramp laws
- 4) Part 1) They **grow huge** and do tons of work along with growth of government spending and Part 2) Once created they are **supported by political constituencies that make them popular** because they become necessary to people like Social Security!

Warm Up : Teacher Thoughts



Write all of me
down. I'm
important!



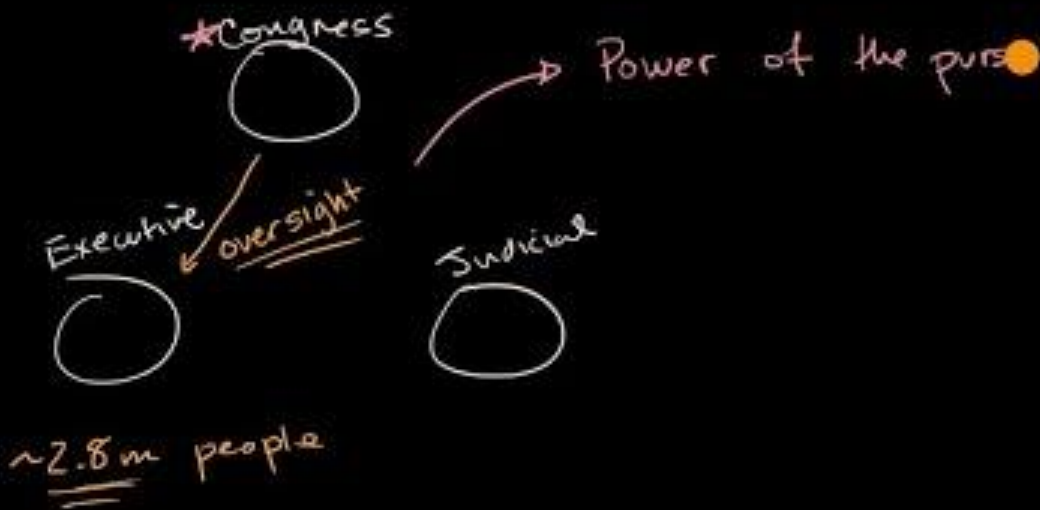
Important Vocabulary

Term	Definition
bureaucracy	An administrative group of nonelected officials charged with implementing policies created by the other branches of government.
civil service	The permanent, professional branches of government administration. The civil service is nonpartisan and its employees are hired and promoted based on merit rather than patronage.
iron triangle	A longstanding, mutually-beneficial relationship between an interest group, congressional committee, and bureaucratic agency devoted to similar issues. For example, the American Association of Retired Persons, the Congressional Subcommittee on Aging, and the Social Security Administration all work closely on issues related to seniors.
issue network	A group of individuals, public officials, and interest groups that form around a particular issue, usually a proposed public policy that they wish to support or defeat.
merit system	In the federal bureaucracy, the practice of hiring and promoting individuals based on their qualifications and job performance.
patronage	In the federal bureaucracy, the practice of hiring and promoting individuals based on their political support for a party or candidate rather than on their merit. Also called the spoils system.

Explain how Congress uses its oversight power in its relationship with the executive branch. PMI-2.C

Click on this
Summary
video

Khan
Academy
Video:
Congressional
Oversight



Khan Academy

Bureaucratic Red Tape



Excessive regulation or rigid conformity to formal rules

Pointless hoops that you need to jump through

Red Tape hinders action & decision-making.

Bureaucracies are Implementers of Policy

Policy Implementation

- *Congress* doesn't implement, but they work out the details of:
 - legislative actions
 - executive orders
 - judicial decisions
 - regulatory rules



Policy Implementation

- Creation of a new agency or assignment to old agency
- Translation of policy goals to operate rules and program guidelines
- Coordination of resources and personnel to achieve intended goal

Why Implementation Fails

Why Implementation Fails

- **Program Design:** basic theoretical concept flaw
- **Lack of Clarity:** broad policy goals by Congress, with details left to bureaucracies so others can be blamed
- **Lack of Resources:** scarcity leads to ineffective gov't
- **Administrative Routine:** standard operating procedures outdated (like airport security pre 9/11)
- **Administrative Dispositions:** too many responses to a given problem (like highway patrol vs. local police giving a ticket)
- **Fragmentation:** too many bureaucratic units have the responsibility of an issue

Fragmentation : Divide Responsibility

Department of Agriculture Animal and Plant Health Inspection Service	Department of Justice Bureau of Alcohol, Tobacco, and Firearms Drug Enforcement Administration Federal Bureau of Investigation Immigration and Naturalization Service Marshals Service Office of Special Investigations
Central Intelligence Agency	
Department of Commerce Critical Infrastructure Assurance Office National Oceanic and Atmospheric Administration	Department of State Bureau of Consular Affairs Bureau of Intelligence and Research Bureau of Population, Refugees, and Migration Bureau for International Narcotics and Law Enforcement Agencies Passport Office
Department of Defense Defense Intelligence Agency Inspector General National Guard National Reconnaissance Office National Security Agency North American Aerospace Defense Command	Postal Service
Department of Energy Office of Science and Technology Policy	Department of Treasury Customs Service Financial Crimes Enforcement Network Internal Revenue Service Office of the Inspector General Secret Service
Environmental Protection Agency Office of International Activities	Department of Transportation Coast Guard Federal Aviation Administration Federal Motor Carrier Administration Maritime Administration

Departments & Agencies Responsible for Border Security in 2002

Implementation

- **Privatization**
 - REGO movement in 1980s
 - Instead of the government providing a service, they pay a private company to do it for them

Implementation Philosophies

“Government is not the solution to our problems, it IS the problem” - Reagan

“The era of big government is over.” - Clinton

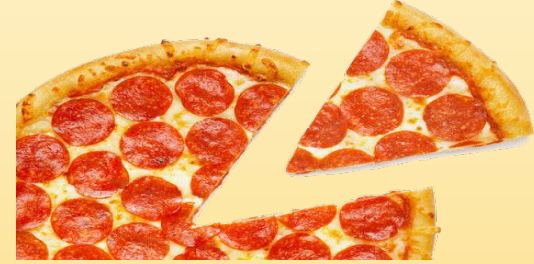
“Big government is not the solution.” - Bush

Implementation

- Contractors provide specialized skills that government lacks
- Allows officials to say they're cutting federal workforce (while actually expanding it)
- Controversy: no-bid contracts, less public scrutiny than branches

Regulators

- Regulation: use of gov't authority to control or change some private sector practices



- Economy & Everyday Life: most everything in life is regulated by a government agency...
([Bureaucracy of Pizza!](#))



Click on this link for
an old webquest to
understand
bureaucracy

Deregulation: the lifting of government restrictions

- Arguments against:
 - Raising prices
 - Hurts American competition abroad
 - Failing to work (hard to enforce)

Regulations



cleaner air
lower levels of lead in our blood
safer working conditions
seacoasts preserved
children more likely to survive infancy

- Arguments for:
 - Deregulation led to **ALL SORTS** of problems like
 - environmental problems
 - expensive bailouts of financial institutions
 - power shortages in CA
 - Housing Market Disaster
 - But... there are a lot of positive results, too!

Practice #1

In 2016, Congress passed a law that intended to improve transportation in rural areas, relying on the Department of Transportation to figure out the mode of transportation was strongest. Senator Tahani Al-Jamil has heard that the Department of Transportation is planning to institute a regulation requiring state governments to give every person living in a rural area a brand-new car, which was not the intent of the law. However, she's not sure if this is gossip or an actual plan.

Which of the following is an informal power that Senator Al-Jamil could use to get information about how the Department of Transportation is implementing the law?

- A) She could call a Senate hearing and request the head of the Department of Transportation testify before the Senate.
- B) She could reach out to her contacts in the Department of Transportation to find out more about their implementation plans.
- C) She could propose new legislation limiting the kinds of regulations that the Department of Transportation can make.
- D) She could reduce the amount of funding the Department of Transportation gets for the next year to stop them from implementing the plan.

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Practice #2

President David Rose refuses to spend the money Congress appropriated for the Environmental Protection Agency. In response, Congress has rejected the rescission of funds.

This is an example of what practice?

- A) how Congress uses its oversight powers to check the executive branch's budgeting power.
- B) how non-governmental agencies can influence the budget setting process.
- C) how the bureaucracy and Congress work together to implement important policy.
- D) how the goals of the executive branch can influence the policy goals of the federal bureaucracy.

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Practice #3

Which of the following provides the most accurate explanation of how compliance monitoring poses a challenge to policy implementation?

- A) State and local agencies may shape policy in different directions than the federal bureaucracy intended, which forces the federal bureaucracy to spend resources enforcing compliance with the original policy.
- B) Bureaucratic agencies have power to make rules and regulations on policy, but do not have enforcement power as that power falls to state and local governments.
- C) Local agencies have to report their compliance to federal policies to state agencies who send those reports to federal agencies, slowing the direct line of communication between federal and local agencies.
- D) Compliance monitoring requires that bureaucratic agencies have strong relationships with state and local agencies, dividing their loyalty and impeding their relationship with the president.

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Practice #4

In 1975, Congress passed the Hazardous Materials Transportation Act, which gave the Department of Transportation the power to regulate the transport of potentially hazardous materials, like radioactive waste. In response, the Department of Transportation set regulations, such as requiring additional labels on shipment trucks that warn other vehicles that there is hazardous material in the truck.

The action taken by the Department of Transportation is an example of which of the following?

- A) a hearing called by congressional committees to hear testimonies from heads of departments and agencies
- B) the president's platform to promote an agenda directly to the American public without consultation from Congress
- C) the ability of executive agencies to decide on whether to take courses of action when implementing a policy
- D) a rule issued by an executive agency that lists specific regulations about how to implement a policy

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Practice #5

Every year, the Seafair Air Show performance takes place in Lake Washington in Seattle, Washington. To protect guests who are attending the festival, Congress passed a law designating the area a safety zone. In response, the Department of Homeland Security created a regulation requiring the Coast Guard to enforce the boundaries of the safety zone from 8 am to 4 pm.

The action taken by the Department of Homeland Security is an example of which of the following?

- A) a law created by the president and implemented by a bureaucratic agency without congressional approval
- B) a written pronouncement issued by the President of the United States after signing a bill
- C) a permanent change to the Constitution of the United States
- D) a guideline issued by government agencies, which provide specific details about how to implement policies

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Practice #6

Congress passed the Clean Air Act, which gave the federal government the power to monitor and limit emissions of harmful chemicals into the atmosphere. However, in 2003, the Environmental Protection Agency (EPA) announced that the Clean Air Act does not give it the authority to regulate carbon dioxide and other greenhouse gases.

The EPA's decision to not act is an example of which of the following?

- A) the relationship between bureaucratic agencies, interest groups, and congressional subcommittees to promote a common cause
- B) the collaboration between experts and stakeholders to create specific policy
- C) the power that individual bureaucrats and agencies have to make choices about how to implement existing laws
- D) the power of bureaucrats to write the specific regulations that determine the implementation of public policy

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Bureaucracy and the Executive Branch

April 21, 2020

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Lesson #32: April 21st, 2020

Learning Target (PMI-2.D) : Explain how the president ensures that executive branch agencies and departments carry out their responsibilities in concert with the goals of the administration.

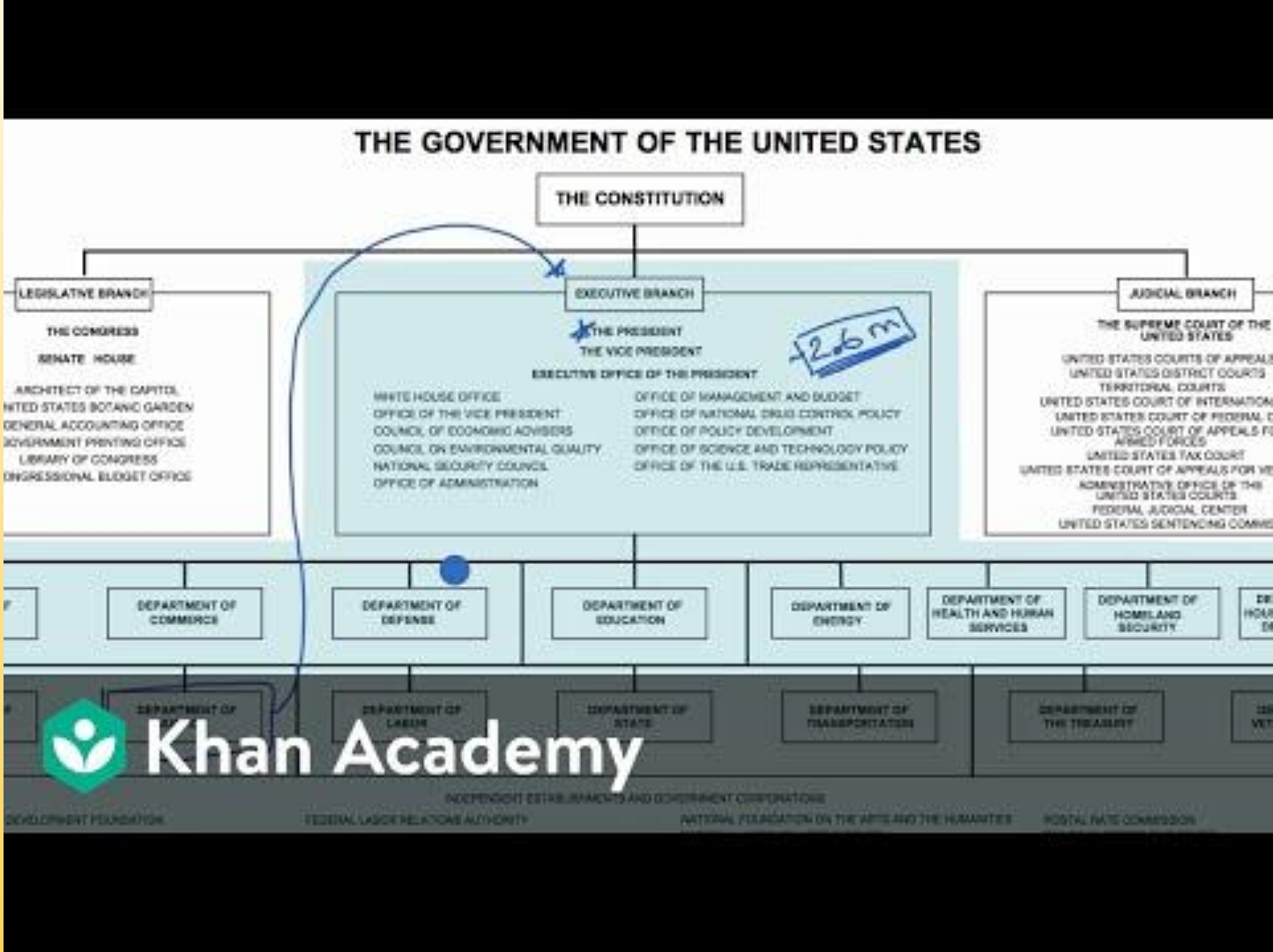
Learning Target (PMI-2.E) : Explain the extent to which governmental branches can hold the bureaucracy accountable given the competing interests of Congress, the president, and the federal courts.

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

PMI-2.D

Click on this
Summary
video

Khan
Academy
Video:
Presidential
Oversight



Organization

The organization of bureaucracy is too complicated to chart... but COULD be organized into four groups:

1. **Cabinet (15 departments)**
2. **Independent Regulatory Agencies (“police”)**
 - LOTS of power (SEC, FEC, FED)
3. **Independent Executive Agencies (50-ish)**
 - NASA; appointed by POTUS & serve at their will
4. **Government Corporations (AMTRAK, USPS)**
 - Provide services that private sector could handle, but it's CHEAPER!

Organization

Copy this chart.
It's important!

Type	What is it?	How heads are hired
Cabinet (Dept of Justice, State, Treasury, Defense, DHS)	Directly reports to the President over a specific policy area; has own budget and staff	Sec of _____ Nominated by POTUS, confirmed by Senate (majority vote)
Independent Regulatory Agencies (FCC, SEC, Fed)	Largely independent of the POTUS and Congress Have quasi-legislative / executive / judicial powers to regulate ("police") an important area → LOTS OF POWER!!	Members of the Board of Governors. Nominated by POTUS, confirmed by the Senate (majority vote) → can't fire as easily
Independent Executive Agencies (CIA, NASA, GSA)	They report to POTUS, but are not underneath another agency. They have a singular purpose (basically the rest of gov't)	Agency heads nominated by POTUS, confirmed by Senate (majority vote) (serve at the will of POTUS)
Government Corporations (USPS, Amtrak)	Created by Congress to carry out business-like activities. Like a corporation, but don't attempt to make a profit off of their service.	Members of the Board of Governors. Nominated by POTUS, confirmed by Senate (majority vote)

#1 Cabinet

The President's Cabinet

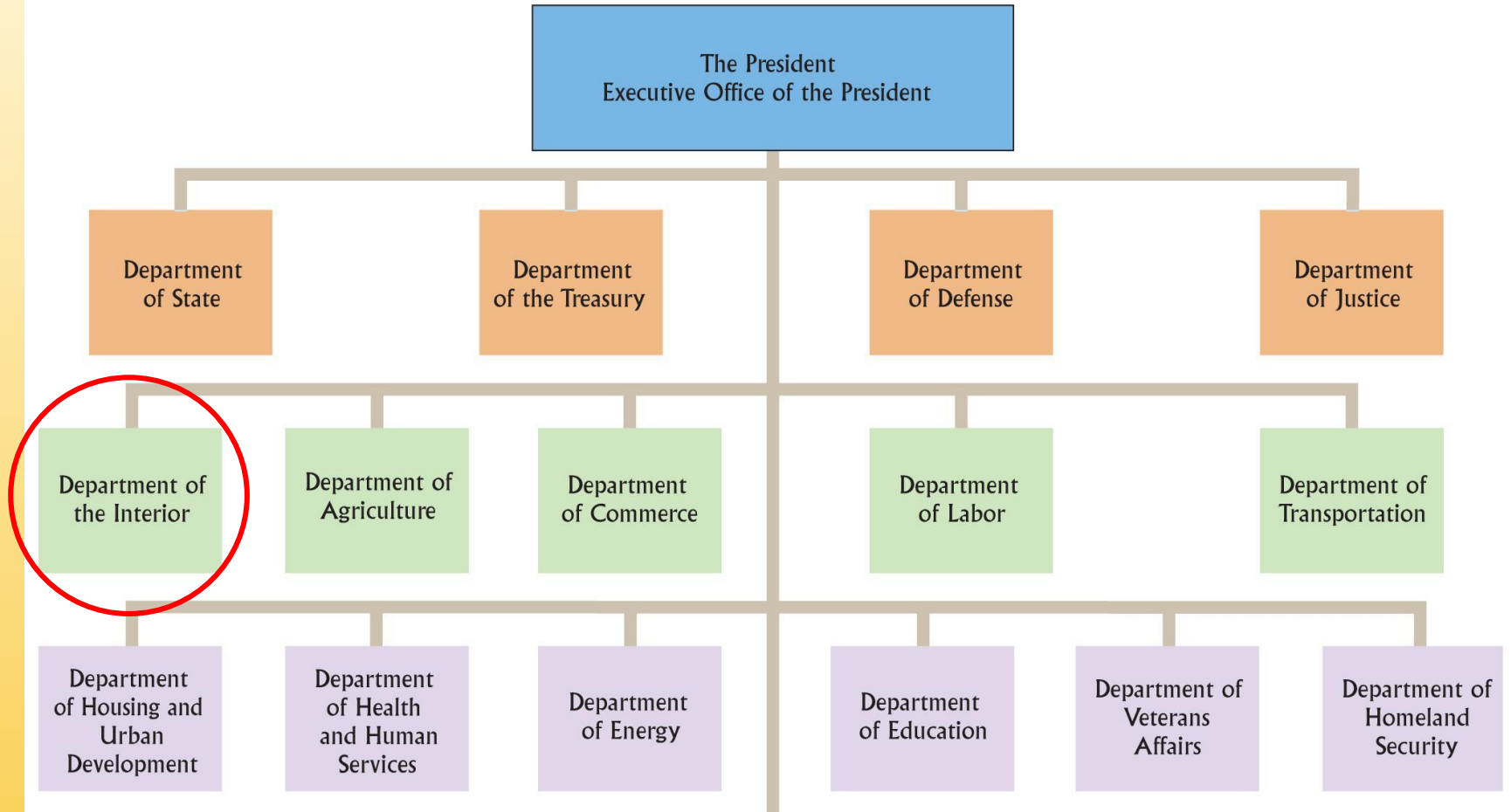
15 Cabinet departments
headed by a secretary-
EXCEPT for Justice
Department!

- Appointed by the POTUS and confirmed by the Senate
- Each department manages specific policy area and each has its own budget & staff

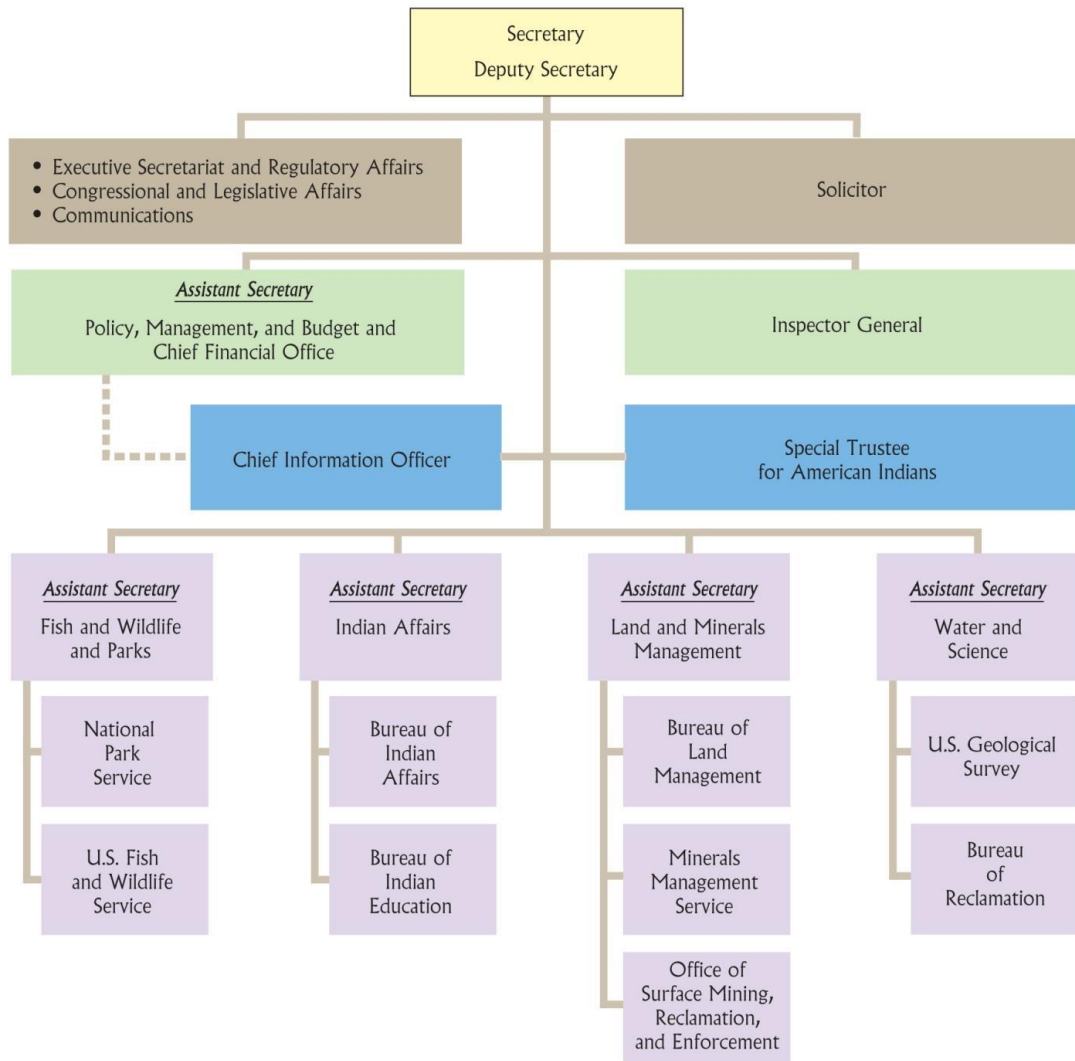


Yes, I realize that Department of Homeland Security is not in this visual. Added in 2002

Executive Branch & Cabinet



Department of the Interior



#2 Independent Regulatory Agencies

Example: Securities & Exchange Commission, Federal Election Commission, Federal Reserve Board (aka- FED)

- Independent from the executive; created to regulate or police
- POTUS has less control over them (appointment, but can't fire as easily)
- A LOT OF POWER!!

Regulate

- Define: to control through laws



FDA



Regulatory Agency

- Definition- Independent Agencies that make rules for certain activities to protect the people of the US

#3 Independent Executive Agencies

- Similar to departments, but do not have “cabinet” status like (NASA)
- Basically all the rest of the government
- Appointed by the POTUS and serve at his will

Executive Agencies

Independent agencies that deal with certain specific areas within the govt.



#4 Government Corporations

- Examples: Tennessee Valley Authority (TVA), AMTRAK, USPS
- Created by Congress to carry out business-like activities
- Provide a service that private sector could handle
- Charge for services, but cheaper than private sector!

Government Corporations



*Component of
the Federal
Bureaucracy*

Characteristics

*Examples of Agencies &
Departments w/ Rationale*

**Cabinet
Departments**



**Independent
Executive
Agencies**

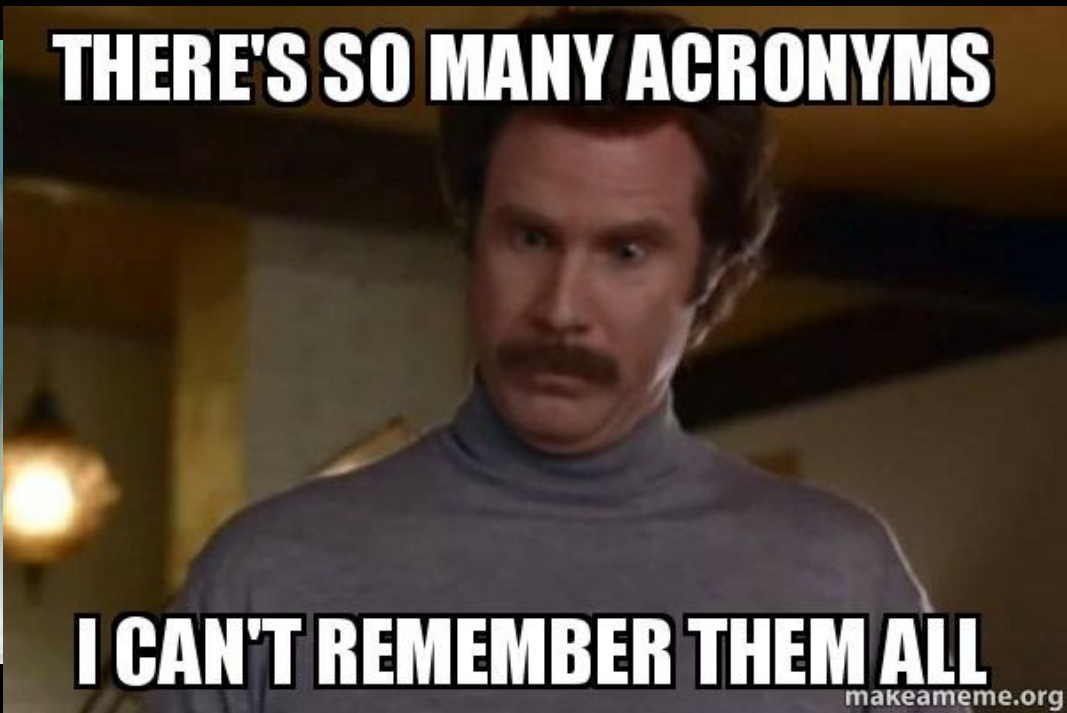


**Independent
Regulatory
Commissions**



**Governmental
Corporations**





Practice #1

President Meredith Palmer has several positions to fill within the federal bureaucracy.

Which of the following is an example of filling a position based on political patronage?

- A) nominating a member of her political party as the secretary of state after he offered political support during the campaign
- B) choosing a secretary of commerce that would appease members from the opposition party
- C) requesting the director of the Central Intelligence Agency (CIA) to stay in her position even though the previous administration appointed her
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Practice #2

Which of the following scenarios is an example of how the president can hold a bureaucratic agency accountable?

- A) The president lists their policy goals in the annual State of the Union address to the other branches of the federal government.
- B) The president nominates a strong campaign supporter to Secretary of Education after being elected to office.
- C) The president issued an executive order to split the Department of Veterans Affairs into two agencies after the organization failed to meet policy goals.
- D) The president receives a briefing from their chief of staff on the current actions of all bureaucratic agencies.

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Practice #3

Which of the following scenarios best reflects how a president's ideology can affect bureaucratic agencies?

- A) The president appoints an administrator who shares her philosophy that the federal government should shrink and empower the states to implement policy.
- B) The Environmental Protection Agency works with academics, journalists, and lobbyists to influence environmental policy and interfere with the president's control of the agency.
- C) The president nominates an ardent campaign supporter for an ambassador position in Switzerland as a reward for the loyalty she showed during the campaign.
- D) The House Committee on Transportation and Infrastructure cut the Department of Transportation's budget for the 2021 fiscal year after the president submits his budget.

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In which of the following situations would a federal court most likely declare a bureaucratic agency's actions void?

- A) when the actions extend beyond the intent of the law passed by Congress
- B) when the legislative branch is gridlocked and refusing to pass new legislation
- C) when the executive and legislative branches are controlled by different parties
- D) when a state refuses to follow the regulations set by the federal bureaucracy

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Practice #5

Under President Jean-Ralphio Saperstein, the Department of the Interior issued a new rule allowing private businesses to buy sections of land designated for national parks. In response, several environmental groups band together and sue the federal government to stop the implementation of the rule. The case makes its way to a federal court of appeals.

Which of the following actions could the federal court take to stop the Department of the Interior from implementing the rule?

- A) replace the Secretary of the Interior
- B) order the department to stop
- C) hold an investigative hearing
- D) stop funding the department

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Practice #6

Which of the following scenarios best illustrates a formal check on the federal bureaucracy?

- A) The Supreme Court rules that an executive order instructing the Secretary of Energy to seize all American coal mines and shut them down is unconstitutional.
- B) The president nominates a former teacher for the role of Secretary of Education after the previous Secretary of Education runs for public office in her home state.
- C) The Department of Transportation sets new regulations detailing safety standards for national highways, requiring states to devote some of their budget to restoring these highways.
- D) The Senate Committee on the Budget proposes reducing the amount of money the Environmental Protection Agency gets for the 2021 fiscal year when setting the annual budget.

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Explain the extent to which governmental branches can hold the bureaucracy accountable given the competing interests of Congress, the president, and the federal courts.

PMI-2.E



Independent Regulatory Agencies & Commissions are insulated from political pressure because of their long term.

Influences on the Federal Bureaucracy

Bureaucracies are one of two unelected policymaking institutions

We want then to be controlled (somewhat) by elected officials:

- appointing the right people
- issuing executive orders
- affecting the agency's budget
- reorganization of the agency

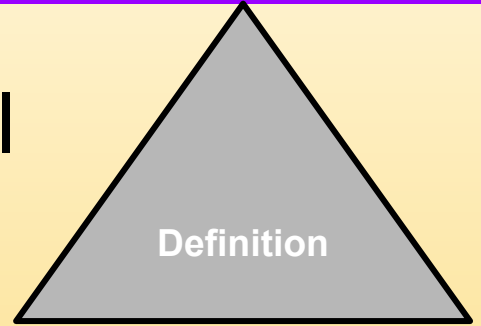
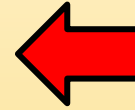
Influences on the Federal Bureaucracy

Congressional

- influencing appointments
- affecting the agency's budget
- holding hearings
- rewriting legislation (or making legislation more detailed)

Iron Triangles & Issue Networks

- Alliances developed between all parties involved
- Unlike Iron Triangles, Issue Networks continually form and disband according to the policy issue.
 - Nuclear Energy Example



Influences on the Federal Bureaucracy

Iron Triangles & Issue Networks

- alliances developed between all parties involved
- unlike Iron Triangles, Issue Networks continually form and disband according to the policy issue.
 - Examples on next few slides

Iron Triangles

Interest Group, Congressional Committee & Bureaucracy



STARK INDUSTRIES

Weapons
Technology

Campaign
Contribution\$

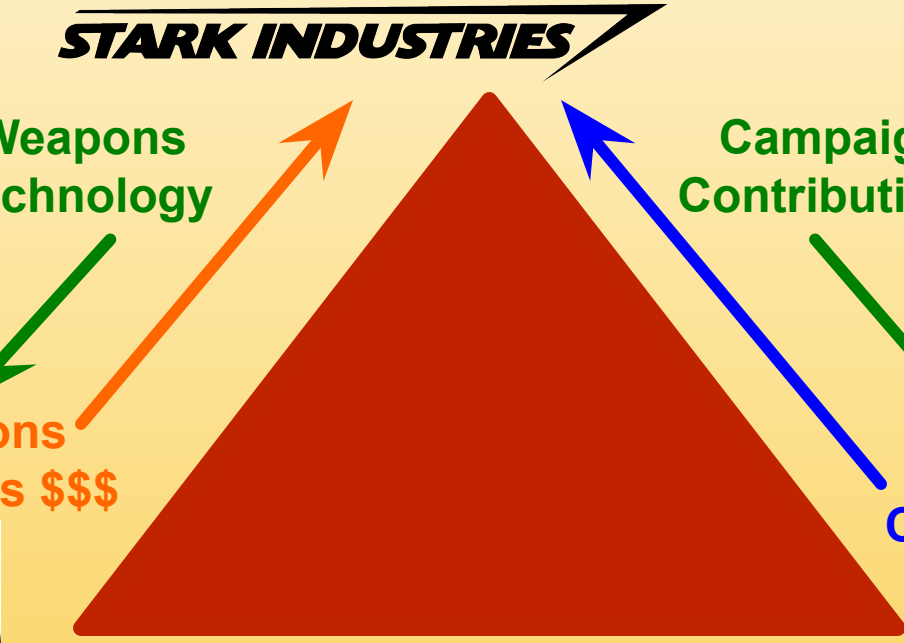
Weapons
Contracts \$\$\$

Access to Key
Congresspersons



"Tough on
Terror" Cred

Bigger
Military
Budget



Click on this
Summary
video

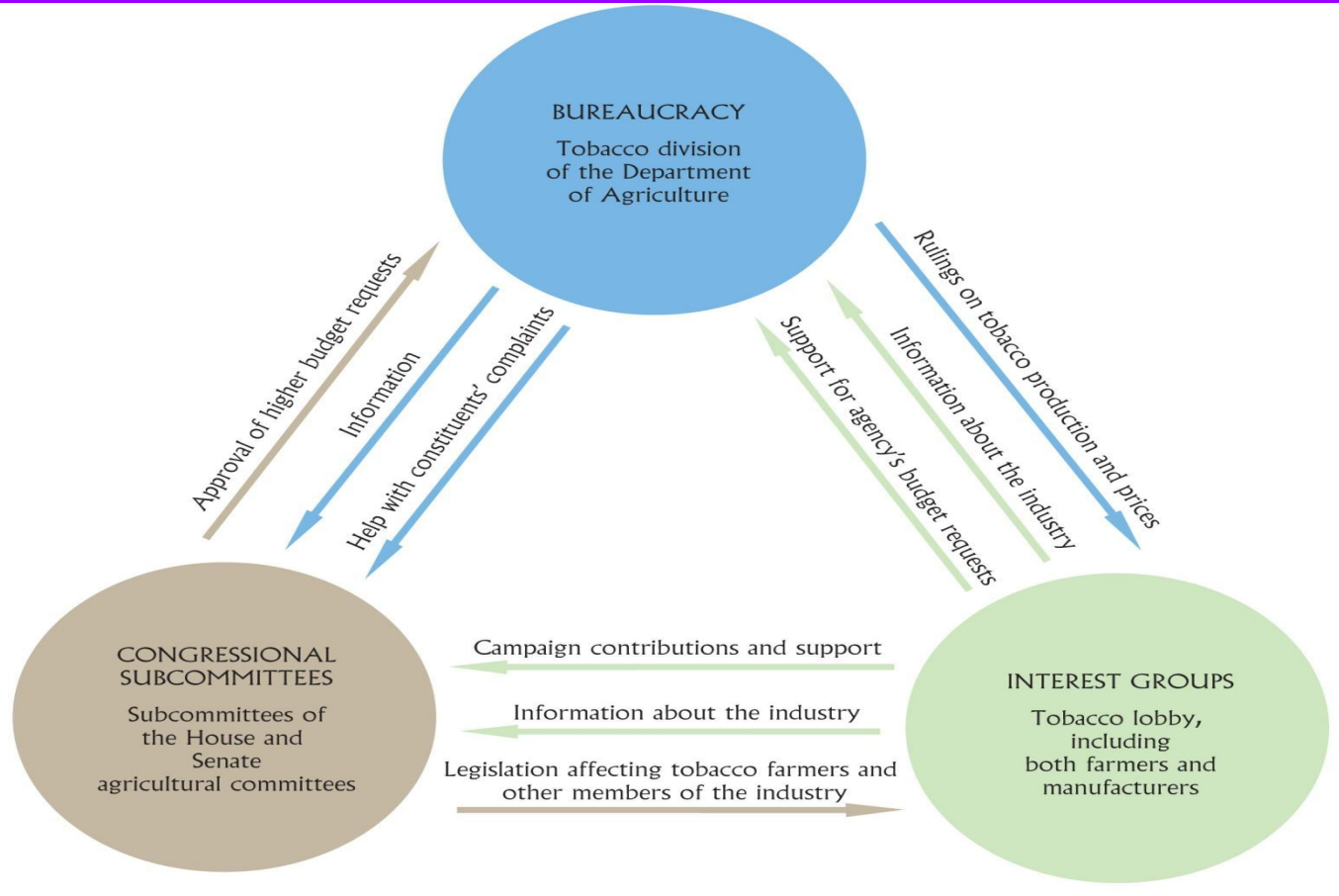
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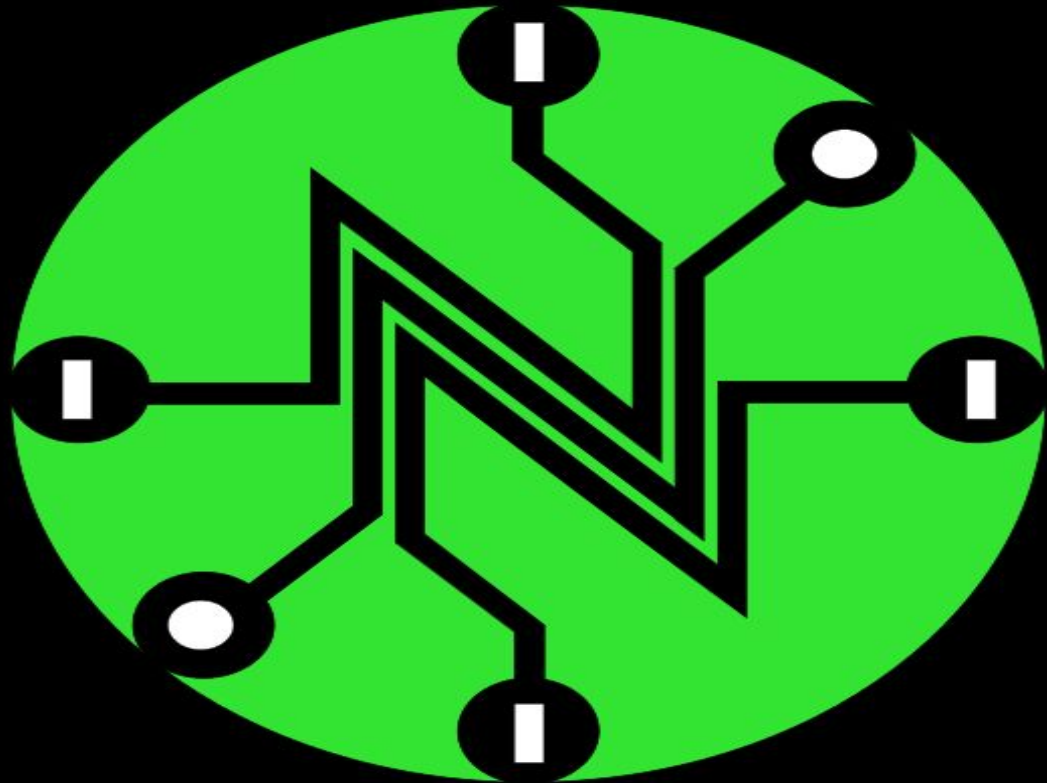
Iron Triangle



Khan Academy

Iron Triangles EXAMPLE: Tobacco





Click on this
Activity Link



Net Neutrality & Bureaucracy Activity

Practice #1

The House Committee on Veterans Affairs, the Department of Veterans Affairs, and the VFW (Veterans of Foreign Wars) work together to achieve policies that benefit veterans.

This is an example of which of the following?

- A) Iron triangles
- B) Issue networks
- C) Corporate lobbies
- D) Political action committees

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Practice #2

Congress passes a law reducing the amount of violence that children can be exposed to on television.

Which of the following actions can the Federal Communications Commission (FCC) take to implement this measure?

- A) Issue an executive order banning the production of violent TV shows
- B) Lobby Congress to decrease federal funding for TV networks that broadcast violent TV shows
- C) Refuse to air violent TV shows on their broadcast networks
- D) Write guidelines about how much violence can be depicted during times children are likely to be watching TV

Practice #2

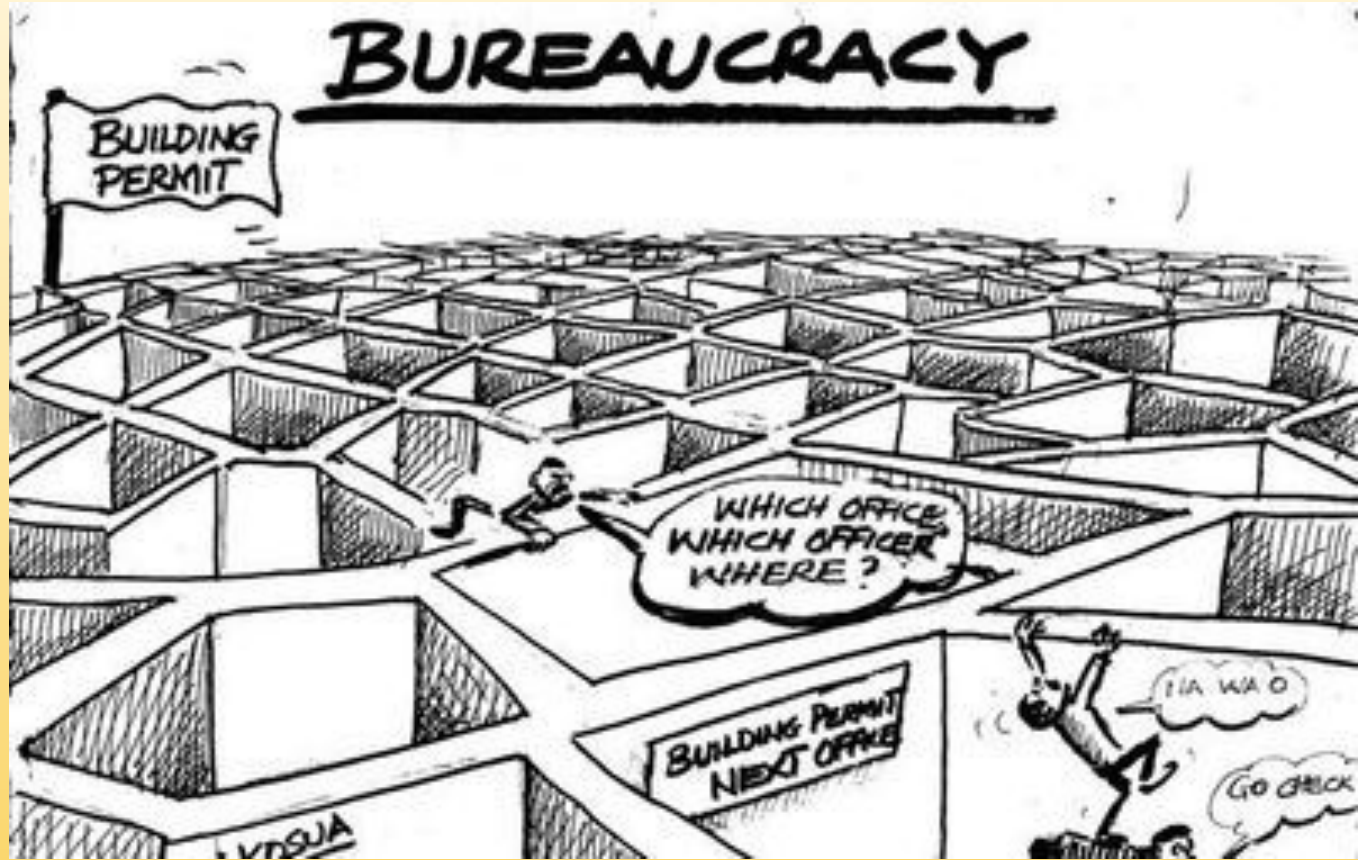
Congress passes a law reducing the amount of violence that children can be exposed to on television.

Which of the following actions can the Federal Communications Commission (FCC) take to implement this measure?

- A) Issue an executive order banning the production of violent TV shows
- B) Lobby Congress to decrease federal funding for TV networks that broadcast violent TV shows
- C) Refuse to air violent TV shows on their broadcast networks
- D) Write guidelines about how much violence can be depicted during times children are likely to be watching TV

Reflection:

In this political cartoon careful effort was made to draw tons of cubicles with the focal point being the man climbing in the center of the cartoon saying, “Which office? Which officer? Where?”:



What do you think this trying to communicate about the complexity of bureaucracies?