

Chapter Two:
The Political-Legal Environment of Administration

Multiple-choice questions:

1. Congress controls agencies through

- I. setting policy.
- II. appropriations.
- III. oversight.
- IV. legislative clearance.

- A. I and II
- B. III and IV
- C. I, IT, and III
- D. I, II, III, and IV

(Answer: C)

2. Co-optation refers to

- A. an important innovation in public housing.
- B. iron triangles or subgovernments.
- C. a process whereby an administrator gets a sense of other people.
- D. the process of absorbing new elements into the leadership.
- E. a mode of coordination used in coalitions consisting of disparate elements.

(Answer: D)

3. One source of power for a manager derives from the identification of others with him or her, The technical name for this type of power is

- A. connection.
- B. charisma.
- C. dependence.
- D. transference.
- E. referent.

(Answer: E)

4. Which of the following is NOT a method used by administrators to implement policy?

- A. Law enforcement
- B. Rule making
- C. Oversight
- D. Adjudication
- E. Distribution of certain benefits and services

(Answer: C)

5. The *Federal Register* provides

- A. a list of all members of Congress and their committee assignments.
- B. all statutes of the nation still in force.
- C. rules, directives, executive orders, and regulations.
- D. the names and affiliations of all registered Washington-based lobbyists.
- E. court interpretations of the Administrative Procedures Act.

(Answer: C)

6. According to Harold Seidman, executive agencies and legislative committees as allies often make common cause against the “third house of Congress.” What is the third house?

- A. The Rules Committee
- B. The appropriations committees
- C. The Speaker of the House and his staff
- D. The Congressional Budget Office
- E. The General Accounting Office

(Answer: B)

7. One of the more enduring sources of bureaucratic power is the phenomenon of

- A. subsystem politics or iron triangles.
- B. issue networks.
- C. legislative entente.
- D. federalism.
- E. political action committees (PACs).

(Answer: A)

8. Which of the following gives every citizen the right to receive information from government agencies and to file suit against the government if the requests are denied?

- A. Freedom of Information Act of 1966
- B. Internet Information Freedom Act of 1998
- C. Executive Order 10988
- D. *Mentor a Vinson*
- E. Information Antidiscrimination Act of 1967

(Answer: A)

9. Opening formal government meetings to the public is an example of

- A. sunset laws.
- B. institutionalized citizen participation.
- C. sunshine laws.
- D. Executive Order 12875.
- E. representative bureaucracy.

(Answer: C)

10. The fact that the Department of Agriculture cannot even study potential savings from the consolidation of Forest Service regional offices is best explained by

- A. macromanagement.
- B. micromanagement.
- C. institutional bias.
- D. Wilson's classic "The Study of Administration."
- E. econometrics.

(Answer: B)

11. Which of the following statements about administrative rulemaking is INCORRECT?

- (A) The most common rulemaking procedure is notice-and-comment rulemaking
- (B) The rules and regulations of all federal agencies are compiled in the Code of Federal Regulations.
- (C) Interpretive rules are legally binding on the public.
- (D) An agency need not respond to all comments.
- (E) Rulemaking is a continual national activity for more than 100 agencies.

(Answer: C)

12. _____ is a quasi-judicial process conducted by the agency to insure that no person can be deprived of "life, liberty, or property without due process of law."

- (A) A mini-trial
- (B) Prospective rule review
- (C) Rulemaking
- (D) Administrative law judge decision making
- (E) Adjudication

(Answer: E)

13. In the Chevron case, the Supreme Court prescribed two steps that a reviewing court should take when reviewing an agency's construction of a statute. These two steps are most relevant to which of the following administrative law concepts?

- (A) administrative reconstruction
- (B) judicial review
- (C) delegation
- (D) deference
- (E) due process

(Answer: D)

14. The Supreme Court in *Panamá Refining Co. versus Ryan* (1935) challenge the National Industrial Recovery Act of 1933, which allow the president to prohibit transportation of certain oil products in interstate commerce. Another case the same year, *Schechter Poultry Company versus United States*, challenged the NIRA, which allow the president to approve "codes of fair competition" for the poultry industry. These two cases are most relevant to which of the following administrative law concepts?

- (A) administrative reconstruction
- (B) judicial review
- (C) delegation
- (D) deference
- (E) due process

(Answer: C)

15. Two barriers to judicial review are

- (A) restrictive rules and interventions
- (B) subpoena power and sovereign immunity
- (C) lower-level staff and the 11th Amendment
- (D) standing and ripeness
- (E) White House staff and the rule of reason

(Answer: D)

Essay and Short Answer Questions:

1. Why should administration not be separated from politics?
2. During implementation, public administrators engage in four activities -- program operations, rulemaking, investigating, and adjudication. How do these activities differ?
3. How does notice-and-comment rule-making work?
4. Explain the functions of an administrative law judge.
5. What is the difference between sunset laws and sunshine laws?
6. Discuss how an administrator can effectively present testimony to a legislative body.
7. What are some ways in which an administrator can avoid litigation?
8. Explain judicial deference.
9. In the context of administrative law, what is due process?

10. What are the barriers to judicial review?
11. In the context of administrative law, what is *ex parte* communications?
12. Explain how negotiated rulemaking works.
13. What are cognate agencies and how do they affect an administrator's job?
14. Compare and contrast an iron triangle to an issues network.
15. Professionals in government have substantial control over agency operations. What are the bases of their power?
16. Besides legitimate power, which derives from a formal position, the text identifies seven bases of individual power. List and briefly explained these.
17. Give an example of a stakeholder issues matrix and explain how such a matrix might be useful to an administrator.
18. What is a zero-sum game and what can administrators do when they find themselves engaged in one?