

22. Which of the following is the best explanation for why only 25 members of the 109th Congress are under the age of 40?
- (A) Voters trust older people to make more cautious decisions.
(B) The Constitution does not allow anyone younger than 40 to run for Congress.
(C) Incumbency has become an established pattern in Congress.
(D) Since campaigns have become so expensive, most younger people cannot afford to run for office.
(E) People who have retired from their jobs are more likely to have time to run for office than younger people are.
23. As compared to the powers outlined in the Constitution, the powers of the modern presidency are
- (A) far greater
(B) far more restricted
(C) about the same
(D) greater in domestic affairs, but about the same in foreign affairs
(E) greater in foreign affairs, but about the same in domestic affairs
24. Which of the following presidential powers is NOT specifically mentioned in the Constitution?
- (A) power as commander in chief
(B) power of diplomatic recognition
(C) power to issue executive orders
(D) power to sign treaties
(E) power to appoint ambassadors and other public officers
25. An executive agreement with a foreign head of state is different from a treaty in that
- (A) an executive agreement must be ratified by the Senate
(B) a treaty must be ratified by the Senate
(C) an executive agreement is not limited to the president that signed it
(D) an executive agreement addresses issues that are not very important
(E) a treaty is among several countries; an executive agreement is between the president and one other head of state
26. Which types of federal positions are NOT appointed by the president?
- (A) cabinet secretaries
(B) White House staff
(C) federal judgeships
(D) agency heads
(E) civil service jobs

27. A presidential veto of a legislative bill may be overridden by
- (A) a 2/3 vote of either house of Congress
 - (B) 5 of 9 Supreme Court justices
 - (C) a majority of both houses of Congress
 - (D) a 2/3 vote of both houses of Congress
 - (E) a legislative veto
28. Presidential claims to executive privilege are based on
- (A) 1st Amendment rights
 - (B) "advice and consent" restrictions on the Senate
 - (C) the Constitutional principle of separation of powers
 - (D) the Constitutional principle of federalism
 - (E) the powers given to the president through his election by the people
29. One major purpose that Congress had in passing the Budget Reform and Impoundment Act of 1974 was to
- (A) give the president more say in developing the budget
 - (B) require the president to spend all appropriated funds
 - (C) limit the president's powers under executive privilege
 - (D) limit the ability of the president to issue executive orders
 - (E) specify how budget surpluses should be spent
30. The president's main goal in giving his State of the Union message to Congress is usually to
- (A) warn Congress not to overspend the budget
 - (B) challenge recent Supreme Court decisions that might limit his power
 - (C) set the agenda of issues that the nation and the government should address
 - (D) explain to the American public how the government plans to spend its money for the fiscal year
 - (E) communicate to other countries that they should not challenge the power and authority of the United States government

31. What is the current status of the line-item veto for presidents?
- (A) For the first time in U.S. history, presidents now have the power to line-item veto any legislative bill.
 - (B) Presidents have had line-item veto powers for appropriations bills only since 1996.
 - (C) Presidents do not have, nor have they ever had, the power of line-item veto.
 - (D) Presidents have always had line-item veto powers.
 - (E) The Line-Item Veto Act of 1996 has been declared unconstitutional by the Supreme Court.
32. A major criticism of divided government is that it has caused
- (A) an abuse of the constitutional principle of separation of powers
 - (B) an abuse of the constitutional principle of federalism
 - (C) a decline in the policymaking power of the judicial branch
 - (D) gridlock to occur between legislative and executive branches
 - (E) a blurring of policy differences between the two major political parties
33. "I do not choose to be buried until I am already dead."
Daniel Webster
- Webster made the above comment when he turned down the position of
- (A) vice president
 - (B) president
 - (C) senator from Massachusetts
 - (D) congressional representative from the District of Columbia
 - (E) governor of Massachusetts
34. What power is granted to the vice president by the Constitution?
- (A) advice and consent to presidential treaties and appointments
 - (B) tie-breaking power in votes by the Senate
 - (C) floor leadership in the House of Representatives
 - (D) service as ambassador-at-large to other countries
 - (E) power to veto legislative bills

35. The most usual way that vice presidents have become presidents in American history is by
- (A) being elected president in the years shortly after he has served as vice president
 - (B) challenging the incumbent president in his bid for reelection
 - (C) being selected by the House of Representatives when elections have been close
 - (D) taking the presidency when the president dies
 - (E) taking the presidency when the president resigns
36. Titles such as “counsel,” “assistant to the president”, “chief of staff,” and “press secretary” are given to people who work in
- (A) top cabinet positions
 - (B) independent executive agencies
 - (C) government corporations
 - (D) the White House Office
 - (E) the Executive Office of the President
37. Which of the following is a common criticism of a “circular model” for organizing the White House Office?
- (A) The president can easily become isolated.
 - (B) The president tends to rely too heavily on the advice of one or two people.
 - (C) It does not provide for a good use of the president’s time.
 - (D) It tends to be more expensive than the pyramid organization.
 - (E) It gives too much power to the chief of staff.
38. The president’s national security adviser is part of the
- (A) cabinet
 - (B) White House Office
 - (C) legislative bureaucracy
 - (D) Executive Office of the President
 - (E) staff that work for the Joint Chief of Staffs

39. The most important reason that most presidents do not treat their cabinets as advisory bodies is that cabinet secretaries
- (A) are generally appointed from the opposition party
 - (B) seek to defend and promote their departments in meetings with the president
 - (C) generally dislike one another because most have ambitions to be president
 - (D) have everyday access to the president during one-on-one meetings
 - (E) do not have much power over decisions that their agency heads make

(Questions 40 and 41 are based on the following quote from a Supreme Court majority opinion):

[There is] no “absolute unqualified presidential privilege of immunity from judicial process under all circumstances.”

40. The decision limited a president’s rights to
- (A) executive privilege
 - (B) issue executive orders
 - (C) impound funds appropriated by Congress
 - (D) deploy troops to other countries
 - (E) the pocket veto
41. The quote is from the majority opinion written for
- (A) *McCulloch v. Maryland*
 - (B) *United States v. Nixon*
 - (C) *Bush v. Gore*
 - (D) *Clinton v. City of New York*
 - (E) *Madison v. Marbury*
42. Which of the following is the best explanation for the controversial nature of the electoral college?
- (A) The electoral college does not give states with small populations equal power to large states in selecting the president.
 - (B) The electoral college gives too much power to Congress in selecting the president.
 - (C) The winner of electoral college votes is not necessarily the winner of the popular vote.
 - (D) Electoral college members do not usually vote the same way that people in their states voted in the presidential election.
 - (E) Electoral college members do not stay in touch with their state legislatures.

43. Which of the following individuals would be eligible to run for president?
- (A) an incumbent president who had served seven years in that office at the time of the election
 - (B) a 31 year old senator that wanted more rights for young people
 - (C) a secretary of state born in another country but naturalized as a citizen
 - (D) a person born in this country who had resided in another country for all but two years of his life
 - (E) a 38 year old female senator with only two years of public service experience
44. According to the 25th Amendment, what happens when the vice-presidency becomes vacant?
- (A) The president nominates a new vice president who must be approved by the Senate.
 - (B) The president nominates a new vice president who must be approved by both houses of Congress.
 - (C) The cabinet selects a new vice president, with the approval of the president.
 - (D) The vacancy cannot be filled until the next presidential election.
 - (E) A special election is called for the people to select a new vice president.
45. In what way is the bureaucracy of the federal government different from most other large bureaucracies?
- (A) It has more task specialization.
 - (B) Its rules are more extensive.
 - (C) It has clearer goals.
 - (D) It is administered more impersonally.
 - (E) It reports to two authorities: the president and Congress
46. The major power to create, organize, and disband federal agencies is given to
- (A) the president
 - (B) the Director of the Office of Management and the Budget
 - (C) Congress
 - (D) the cabinet secretaries
 - (E) the Supreme Court

47. In what way do U.S. government agency relationships to business enterprises differ from those in most western European nations?
- (A) U.S. agencies are more likely to operate publicly owned enterprises.
 - (B) U.S. agencies are more likely to regulate privately owned enterprises.
 - (C) U.S. agencies have little to do with business; European agencies regulate businesses intensely.
 - (D) U.S. agencies regulate businesses intensely; European agencies have little to do with business.
 - (E) Both U.S. and European agencies own and operate large parts of the economy, but the U.S. does not have to answer to the European Union.
48. Under the spoils system, appointments to federal jobs were based primarily on
- (A) region
 - (B) merit
 - (C) the president's whims
 - (D) the wishes of Congress
 - (E) patronage
49. The Pendleton Act created the
- (A) civil service
 - (B) patronage program
 - (C) Office of Personnel Management
 - (D) Office of Management and the Budget
 - (E) Senior Executive Service
50. In the past fifty years the percentage of jobs in the federal bureaucracy to all civilian jobs has
- (A) increased dramatically, along with state and local bureaucracy jobs
 - (B) decreased significantly
 - (C) stayed about the same, although state and local percentages have increased
 - (D) decreased in the Washington, D.C. area, but increased in other parts of the country
 - (E) decreased in the eastern part of the country, but increased in the west
51. Which cabinet level department hires the most people?
- (A) Department of State
 - (B) Department of Defense
 - (C) Department of Health and Human Services
 - (D) Department of Labor
 - (E) The Justice Department

52. Which of the following positions is NOT a part of the “inner cabinet”?
- (A) secretary of state
 - (B) secretary of defense
 - (C) secretary of the treasury
 - (D) attorney general
 - (E) secretary of the interior
53. Which of the following is NOT an independent regulatory agency?
- (A) National Aeronautic and Space Administration
 - (B) The Federal Trade Commission
 - (C) The National Labor Relations Board
 - (D) The Federal Reserve Board
 - (E) The Securities and Exchange Commission
54. The term “discretionary authority” most aptly defines the policy-making power held by
- (A) Congress
 - (B) the president
 - (C) the bureaucracy
 - (D) the Supreme Court
 - (E) state and local governments
55. The 1877 Supreme Court decision in *Munn v. Illinois* gave a significant amount of power to government bureaucracies because it gave them the right to
- (A) challenge the right of the legislature to control their budgets
 - (B) hire and fire their own workers
 - (C) accept donations from interest groups
 - (D) regulate business
 - (E) own significant portions of the economy
56. Congress oversees the bureaucracy in all of the following ways EXCEPT:
- (A) firing incompetent bureaucrats
 - (B) duplicating agencies
 - (C) authorizing and appropriating funds
 - (D) holding hearings to determine possible agency abuse
 - (E) rewriting legislation

57. Which of the following is an important control that the president has on the bureaucracy?
- (A) authorizing funds
 - (B) appropriating funds
 - (C) declaring bureaucratic acts unconstitutional
 - (D) firing bureaucrats
 - (E) appointing senior bureaucrats
58. The three points of the iron triangle are
- (A) president, chief justice, speaker of the House
 - (B) president, governors, local mayors
 - (C) interest groups, congressional subcommittee members, bureaucrats
 - (D) bureaucratic agency heads, cabinet secretaries, and White House Staff
 - (E) secretary of state, secretary of defense, national security advisor
59. People in interest groups, on congressional staffs, in universities, and in the mass media who regularly debate an issue collectively are known as a(n)
- (A) iron triangle
 - (B) issue network
 - (C) patronage group
 - (D) spoils system
 - (E) accountability group
60. What political activities does the modern day Hatch Act prohibit federal bureaucrats from participating in?
- I. running as candidates in elections
 - II. engaging in activities sponsored by political parties
 - III. raising funds for a political candidate
- (A) I only
 - (B) I and II only
 - (C) II and III only
 - (D) III only
 - (E) I, II, and III

21. (C) – The legislative process is deliberately designed to be slow and inefficient, partly because democratic principles require that both policy makers and citizens have real input that influences the results. Two linkage institutions – political parties and interest groups – play a large role in the process, and although their tactics are controversial, both provide input from their membership. The many bills that are presented every year to Congress represent a multitude of needs and desires from around the country, but most of them are destined to failure.
22. (C) – Although personal wealth allows some people better opportunity to run for public office, most money for campaigns today is raised from contributors, so age-related wealth is not a good answer to this question. Although some voters may trust older people more than younger ones, the best explanation for older age averages in Congress is incumbency. Candidates may run for the house at the age of 25 and for the senate at 30. However, even if first timers were young when they first were elected, incumbency means that they tend to stay in Congress for many years. As a result, the average age of members of Congress has crept up in recent years, so that representatives now average about 55 and senators average about 60.
23. (A) – No matter whether you consider foreign or domestic affairs, the powers of the presidency have grown enormously since the time when the Constitution was written. The founders thought that the legislature would be the dominant branch, and they were very careful to limit the powers of the president lest he begin to resemble the British king. However, especially in the 20th century, constitutional powers, such as commander in chief and chief ambassador, and head of the executive branch, have expanded enormously. Additionally, new powers have evolved, such as executive privilege and agenda setting through the media, that the founders did not anticipate.
24. (C) – Executive orders were not mentioned in the Constitution, but most presidents have used them. These executive orders may enforce the Constitution, treaties, or legislative statutes, or they may establish or modify rules and practices of executive administrative agencies. The only restriction on executive orders is that they must be published in the *Federal Register*, a daily publication of the U.S. Government. Executive orders allow presidents to make decisions that have the force of law, but without the consent of Congress.
25. (B) – The president makes treaties with foreign nations, but only with the “advice and consent” of the Senate. Two-thirds of the Senate must approve a treaty; a president’s signature is not enough to make it binding. This provision is a check of the executive by the legislature. However, presidents have gotten around this provision by using executive agreements made between the president and other heads of state. Such agreements do not require Senate approval, although Congress may withhold funding to implement them. Whereas treaties are binding on future presidents, executive agreements are not.

26. **(E)** – The appointment power is generally limited to cabinet and subcabinet jobs, federal judgeships, agency heads, and about two thousand lesser jobs. Most government positions are filled by civil service employees, who compete for jobs through a merit system, so presidents have little say over them.
27. **(D)** – The Constitution sets a high bar for overriding a presidential veto: 2/3 of both houses of Congress. There are many ways that both branches work to avoid a situation that calls for a presidential veto, and usually those circumstances are avoided. For example, a president may publicly threaten to veto a bill, a signal to Congress that they need to make revisions. Once a veto occurs, it is very hard to override, largely because members of the president’s party will support him. Since no one party has had 2/3 of either house in recent years, presidential vetoes are almost impossible to override.
28. **(C)** – The Constitution says nothing about presidential rights to keep private communications between himself and his principal advisers, but presidents have traditionally claimed the privilege of confidentiality – executive privilege. One basis for executive privilege is the principle of separation of powers that keeps one branch from inquiring into the internal workings of another branch. Executive privilege was first seriously questioned by Congress during the Watergate crisis of 1973-4, when the Supreme Court ruled in *United States v. Nixon* that there is no “absolute unqualified presidential privilege of immunity from judicial process under all circumstances.”
29. **(B)** – The Budget Reform and Impoundment Act of 1974 required the president to spend all appropriated funds, unless Congress approved the impoundment. Federal courts have upheld the rule that presidents must spend money that Congress appropriates. The act was passed in response to refusal by President Richard Nixon to spend money appropriated by Congress.
30. **(C)** – The tradition of the State of the Union speech is based on this phrase from the Constitution: “He [the president] shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient.” Before the 20th century, presidents traditionally sent their assessments to Congress in writing. Woodrow Wilson changed that tradition by giving his message to Congress in person, and since then, all presidents have done the same. The result is a highly anticipated speech given to both houses of Congress, top officials from the executive and judicial branches, and televised to the nation. The State of the Union Speech is usually the single most important agenda setting message for the president in any given year.

31. **(E)** – Presidents in many other democracies have line-item veto power – the ability to veto sections of legislative bills without rejecting the whole thing. In response to recommendations by several U.S. presidents, in 1996 Congress passed the Line-Item Veto Act, which allowed the president to veto sections of appropriations bills only. When President Clinton exercised this new provision, the law and the president’s action were challenged in *Clinton v. City of New York* (1997). The Supreme Court ruled both the law and the action unconstitutional, criticizing them for permitting the president to construct legislation – an abuse of the principle of separation of powers.
32. **(D)** – Many people criticize divided government because it produces gridlock, or the inability to get anything done because the two branches bicker with one another and make decisions difficult. Even though gridlock may slow the process of decision-making, some supporters of divided government believe that it is not necessarily bad because better balanced policies may result. Others believe that a unified government is a myth, with struggles between the branches a natural part of the give and take of checks and balances. In this scenario, gridlock is just as likely to occur when one party controls both branches as it is when a “divided government” exists.
33. **(A)** – Daniel Webster, an influential senator for many years during the first half of the 19th century, had presidential aspirations that were never met. His quote showed his disdain for the vice-presidency that was offered to him as something of a consolation prize. Although the vice-presidency is sometimes seen as a stepping stone to the White House, many vice presidents have died in relative obscurity, just as Webster predicted many years ago.
34. **(B)** – The only power listed in the body of the Constitution for the vice president is serving as president of the Senate. In that role, he can only vote when the Senate is otherwise tied. Many years later, the 25th Amendment (1967) permitted the vice president to become acting president if the vice president and the cabinet determine that the president is disabled. Otherwise, the Constitution grants no further powers to the vice president, and the position is almost totally dependent on the willingness of the president to give responsibilities to the vice president, always at the president’s discretion.
35. **(D)** – Vice presidents very seldom succeed the presidents they serve. The last sitting vice president to win the presidency was George H. Bush, who became president in 1989. Before that, you have to go back to Martin Van Buren in 1837 to find another sitting vice president that became president. Richard Nixon, vice president between 1953 and 1961 also became president, but not until 1969. The most common way for vice presidents to become president is to fill the position when the president dies.

36. **(D)** – The White House Office consists of staff that assist the president but do not head large departments, as the cabinet secretaries do. These positions are generally filled by the president at his discretion, and they do not require confirmation by the Senate. For most modern presidents, the White House Office has provided their closest and most trusted advisers, with many of them chosen from campaign staffs. Some of the top advisers have been long time professional acquaintances or personal friends of the president.
37. **(C)** – Presidents that use the circular model have more direct contact with their staff members, with many cabinet secretaries and assistants reporting directly to the president. Bill Clinton employed this structure, especially in the early years of his presidency, when many task forces, committees, and informal groups of friends and advisers dealt directly with the President. This model allows better access to the president, and ideas are not filtered through one or two top aides. Critics say that the model promotes chaos and that the president’s time is not well used.
38. **(D)** – The Executive Office of the President consists of agencies that report directly to the president and perform staff services for him. The National Security Council was created in the early days of the Cold War by President Harry Truman as a body to advise him on American military affairs and foreign policy. The NSC consists of the president, the vice president, and the secretaries of state and defense. The president’s national security adviser runs the staff of the NSC and also advises the president.
39. **(B)** – The most important reason that the departments operate independently from the president is that cabinet members spend the large majority of their time on departmental business, and seek to defend and promote their own organizations in cabinet meetings. What results is that they often compete with one another for precious resources and attention, and represent the departments to the president rather than functioning as the president’s representative to the departments.
40. **(A)** – Presidents have traditionally claimed the privilege of confidentiality, called executive privilege, and it was not questioned until the early 1970s. The 1974 case quoted in the passage provided the first limitation to this tradition. It is important to note that executive privilege was not ruled unconstitutional, but the justices did put a limit on it if it obstructed the “judicial process.”

41. **(B)** – As a part of the Watergate investigations, a federal prosecutor sought tape recordings of conversations between Richard Nixon and his advisers. Nixon refused to give the tapes over, claiming executive privilege. In *United States v. Nixon* the Court held that there is no “absolute unqualified presidential privilege of immunity from judicial process under all circumstances.” In this case, the justices ruled that executive privilege would block the constitutionally defined function of federal courts to decide criminal cases.
42. **(C)** – The electoral college was devised by the founders as a compromise between having a direct election for the presidency and having the president selected by Congress. As it has functioned in modern times, voters’ preferences on election day have generally been honored by the electors, who formally select the president in December after the election in November. Until the election of 2000, the electoral college was regarded primarily as a formality that didn’t affect the outcomes of presidential election. However, in 2000 Democratic candidate Al Gore won the popular vote, but George W. Bush became president because he won the electoral vote. The situation opened a debate, with electoral college supporters arguing that the system protects regional and local balance, and its critics claiming that the electoral college voting system is undemocratic.
43. **(E)** – The only eligible person listed is the 38 year old female senator with two years of public service experience. Other choices are ineligible for several reasons: the incumbent president is prohibited from running again by the 22nd Amendment, the 31 year old senator is too young (minimum age for the presidency is 35), the secretary of state is not a “natural born” citizen, and choice d) does not meet the residency requirement (minimum of 14 years).
44. **(B)** – Until the 25th Amendment was passed, a vacancy in the vice presidency was not filled until the next election. The 25th Amendment changed that by requiring the president to appoint a new vice president, who could only be confirmed by a vote from both houses of Congress. The bar is set higher than for most other appointments that generally require only confirmation by the Senate. However, the amendment was passed in reaction to the assassination of John F. Kennedy in 1963, when the country was reminded of how vulnerable it could be to have the vice presidency remain vacate for any length of time.

45. **(E)** – A bureaucracy by its definition is a large, hierarchical formal organization with task specialization, written rules and goals, and a great deal of impersonality. However, most bureaucracies are headed by one person (for example, a CEO of a large corporation), who is largely responsible for the operation of the bureaucracy, despite the fact that (s)he usually is accountable to a board of directors. The U.S. government, in contrast, has two “heads”: the president and Congress. Although the president is the chief executive, Congress has separate powers, particularly those that control the budget. The principles of separation of powers and checks and balances create a unique bureaucratic structure.
46. **(C)** – Although the Constitution makes almost no mention of a federal bureaucracy, by law and tradition Congress has the rights to create, organize, and disband federal agencies. These rights limit the power of the president to supervise the agencies, although bureaucrats in the executive branch hold a great deal of discretionary power in determining how their agencies operate.
47. **(B)** – Most western European governments take a good bit of initiative in operating publicly owned enterprises, in contrast to the U.S. government that has been much more likely to regulate (not operate) privately owned enterprises. The U.S. government’s relationship to business was defined during the New Deal era, when Franklin Roosevelt’s programs were criticized for being too “socialistic.” Perhaps the defining moment was the Supreme Court’s decision to declare the National Recovery Act unconstitutional, and the ensuing debate over Roosevelt’s attempt to “pack the court” with justices that supported his programs. Roosevelt withdrew his plan, and the NRA’s efforts to control prices, wages, and monetary policy were never revived.
48. **(E)** – Although Andrew Jackson is usually pegged as the president that initiated the spoils system, the tradition of appointing political supporters to federal jobs goes all the way back to George Washington. Along with patronage came the expectation that when the presidency changed hands, so would most other federal jobs. The practice was checked by the Pendleton Act, passed shortly after President James Garfield was assassinated by a man disgruntled because he did not get a federal job in return for political support.
49. **(A)** – The Pendleton Act laid the foundations for a merit-based hiring process within the federal government. It set up a limited merit system for appointing federal offices. Federal service was placed under the Civil Service Commission, which supervised a testing program to evaluate candidates. Federal employees were to be selected and retained according to merit, not party loyalty, but in the beginning the merit system only covered about 10 percent of all federal employees. Today, the vast majority of government employees are hired under the merit system.

50. (C) – The federal bureaucracy grew tremendously as a result of Roosevelt’s New Deal programs and World War II, but the number of federal bureaucrats has leveled off in the years since then. Whereas the number of employees of state and local governments has grown tremendously in the past fifty years, the number of federal employees has remained a relatively constant three percent of all civilian jobs. One reason for the growth on the state and local levels is that many recently created federal programs are administered at the lower levels of government, not by federal employees.
51. (B) – The Department of Defense has the largest number of employees, with vast civilian bureaucracies and military personnel in the various service branches (army, navy, air force, marines, coast guard). However, in the years since the Cold War ended, the Department of Health and Human Services, with its various entitlement programs, has had a larger budget than the Department of Defense. With recent military buildups for the “War on Terrorism” and the War in Iraq, the statistics could change again.
52. (E) – The “inner cabinet” consists of the jobs that were created by George Washington for the original administration: secretary of state, secretary of war (now defense), secretary of the treasury, and the attorney general. The department of the interior was created in 1849 to manage the vast amounts of public lands that the government came to manage as the country and its borders moved west. The “inner cabinet” jobs are still considered to be the most prestigious, even though the other departments have important responsibilities.
53. (A) – Independent regulatory agencies regulate important parts of the economy, making rules for large industries and businesses that affect the interests of the public. Because regulatory commissions are “watchdogs” that by their very nature need to operate independently, they are not part of a department, and most are not directly controlled by the president. Examples are the Federal Trade Commission, the National Labor Relations Board, the Federal Reserve Board, and the Securities and Exchange Commission. The National Aeronautic and Space Administration administers the United States space program, financing ventures into space since 1958.
54. (C) – Bureaucrats who work in the executive branch are there to implement decisions, but the reality of their work is more complicated. The power of the bureaucracy depends on how much discretionary authority they have. Congress passes laws, but they cannot follow through on all the little decisions that have to be made as laws are translated into action. Bureaucrats, then, may make policies and choose actions that are not spelled out in advance by laws. Their main function is to do the nuts and bolts of “executing” policies that are made by Congress, the president, and the Supreme Court.

55. **(D)** – Until the late 19th century, no significant precedents were set that allowed the government to regulate businesses. However, as early as 1877 the Supreme Court upheld the right of government to regulate business in *Munn v. Illinois*, a case that confirmed the rights of the state of Illinois to regulate the charges and services of a Chicago warehouse. The New Deal legislation of the 1930s created more regulatory agencies, and World War II allowed government a great deal more regulation than ever before.
56. **(A)** – Congress has the power to oversee the bureaucracy by creating duplicate agencies that check one another’s power, authorizing and appropriating funds, holding hearings to determine possible agency abuse, and rewriting legislation. However, Congress has very little power to actually fire individual bureaucrats. Firing a bureaucrat is a complicated process, with job security kept in place through agency interactions and civil service codes.
57. **(E)** – Most senior bureaucrats are appointed by the president. Examples are secretaries and assistant secretaries for the various cabinet-level departments, as well as the heads of independent agencies and government corporations. Congress has the power to authorize and appropriate funds, the judiciary may declare bureaucratic acts unconstitutional, and agency heads generally handle what little firing of bureaucrats there is.
58. **(C)** – Alliances among bureaucrats, interest groups, and congressional subcommittee members and staff sometimes form to promote their common causes. Such an alliance is described as an iron triangle. These triangles are sometimes so strong that they are referred to as subgovernments – the place where the real decisions are made. Interest groups support the agency’s budget requests and make contributions to the election campaigns of the subcommittee members. The subcommittees pass legislation affecting the industries that interest groups represent, and approve higher budget requests from the agency. The agencies give the subcommittees information, help with constituents’ complaints, and develop rules that affect the industries. They all have a common interest – the promotion of the interest area, and they can help one another achieve their goals. As a result, the president and Congress beyond the subcommittee have little decision-making power.
59. **(B)** – The idea of an issue network is based on the observation that many related “iron triangles” exist in Washington, and are so complex that they may be called “issue networks.” An agency may be described as being embedded not in an iron triangle, but in an issue network. These issue networks consist of people in interest groups, on congressional staffs, in universities, and in the mass media who regularly debate an issue. The networks are contentious, with arguments and disagreements occurring along partisan, ideological, and economic lines. When a president appoints a new agency head, he will often choose someone from the issue network who agrees with his views.

60. (A) – Before the 1993 legislation that revised it, the Hatch Act forbid federal employees from participating in almost any type of partisan political participation, including engaging in activities sponsored by political parties or raising funds for a political candidate. However, in the early 1970s some bureaucrats complained that their 1st Amendment rights were being violated. The issue made its way to the Supreme Court, where the justices ruled that the Hatch Act did not put unreasonable restrictions on employees' rights. In response to this court decision, Congress softened the Hatch Act in 1993 by making many forms of participation in politics permissible. Federal bureaucrats still cannot run as candidates in elections, but they may be active in party politics.
61. (C) – A very important principle that justices follow in deciding court cases is *stare decisis*. The doctrine of *stare decisis* (“let the decision stand”) is based on precedent, and it means that justices will respect and abide by previous court decisions unless there is a compelling reason to contradict them. *Stare decisis* is a cornerstone of English and American judicial systems. So, when a Court overturns a previous court's decision, it is a major event, because to do so breaks the strong tradition of *stare decisis*.
62. (A) – Article III states that judgeships may be held “during good Behavior” of the judges, ruling out the possibility of terms of office being set for their posts. The Constitution has specific age and residency requirements for representatives, senators, and presidents, but it sets no such restrictions on judgeships.
63. (D) – Most cases in which federal crimes are committed go to District Courts, but the Constitution directs all cases that involve ambassadors or “other public ministers” to the Supreme Court.
64. (A) – In order to solve a difficult dilemma between the executive and judicial branches, Chief Justice John Marshall bases his decision in *Marbury vs. Madison* on the principle of judicial review. According to Article III, original jurisdiction is given to the Supreme Court only in certain cases; the Judiciary Act gave original jurisdiction for the Court to issue writs not mentioned in the Constitution; therefore, the law was unconstitutional. As a result, a showdown between executive and judicial branches was avoided, Jefferson and Madison were happy, and Marshall awarded the Court an unprecedented power: judicial review. From then on, no one seriously questioned the Court's right to declare laws unconstitutional, and Marshall's 34 years as Chief Justice were spent building on that power.
65. (E) – According to Article III, Section 2, the Supreme Court has original jurisdiction “in all cases affecting ambassadors, other public ministers and consuls, and those in which a shall be party.”