

Study questions for law and public policy the final critical thinking examples

[Business](#), [Management](#)



- Legislative (adopting laws). Executive (implementing federal policy) and judicial (court protection of rights and interests)
- (4) The meaning of bicameralism lies in having two chambers as legislative body.
- (5) Federalism is specific governmental system in which one territory is controlled by two levels of government. Its functioning is ensured through provisions of Constitutions, establishing separation of powers rules
- (6) Section 8, clause 18
- (7) Right to freedom, petitions and assembly, to bear arms, rights in criminal and civil cases etc. (all those listed in first Ten Amendments). No, rights, listed in Art. 1 of California Constitution are different. (e. g. habeas corpus, prohibition of slavery)
- (11) Executive agencies exist within executive branch, whereas independent agencies function outside it. This legal difference calls forth lots of differences in accountability and financing. Independent agencies are considered to be the fourth branch
- (12) we have diverse set of agencies, because Congress lacks both resources and expertise to regulate all the relationships in different branches of economy
- (13) Substantial rules are those, which belong to substantial law (regulate social relation), interpretive acts are used to clarify the rules, set by other regulations and procedural regulations are aimed at setting the rules of substantial rules' interpretation.
- (14) Congress provides guidance mostly via adopting relevant laws and regulations and different means of oversight.

- (15) Congressional oversight includes reviewing, monitoring and supervising agencies. It can pass laws, which overrule agencies' regulations or even narrow their powers.
- Congressional oversight refers to the review, monitoring, and supervision of federal agencies, programs, activities, and policy implementation.[1]
Congress exercises this power largely through its congressional committee system. Congress can pass a law to overrule agency decisions, or to narrow the agency's jurisdiction. Congress can use its appropriations power to restrict the agency's funding. Congress can also narrow the agency's regulatory authority.
- (16) President uses lots of means of oversight (appointing and removing agencies' heads, reviewing its budget, adopting EO). President's authority is considered in Art. 2 of U. S. Constitution. President's powers are limited by the system of checks and balances
- (17) There are lots of factors (e. g., data on existing issues and concerns, opinions of different stakeholders, financial impact of the regulation
- (18) Individuals and corporations may refer to the court with a claim that they were or would be damaged by a regulation. The court can consider the regulation to be unconstitutional, arbitrary or abuse of discretion, or going beyond agency's authority.
- (19)Administrative Procedure Act, procedural rules, relevant for the operation of the court, which are set forth in the Code of Federal Regulation
- (20) The difference lies in strictness of the procedures (procedures for the formal rules are strict ones). Informal rulemaking is preferable due to its flexibility

- (21) Formal adjudication is governed by more detailed procedural rules. Informal adjudication is often chosen due to its flexibility.
- (22) A citizen may use FOIA request, which describes type of information the person needs, its format etc.
- (23) Yes. Such situation is possible in case non-enforcement of the regulation infringes person's rights. To compel an agency to enforce some rule, either court or administrative procedures may be used
- (24) Statutes at Large represent chronological arrangement of laws, adopted by Congress, whereas the Code is more up-to-date and embraces various types of laws
- (25) The Code of Federal Regulations is published in Federal Register, which contains other publications, different from the Code
- (26) Yes. A government official can be sued in case his misconduct led to the infringement of legal rights of the claimant.
- (27) Employee Standards of conduct, published by Office of Government Ethics.
- (28) California agencies must follow procedures, reflected in Administrative Procedure Act (can be found in California Code of Regulations)
- (29) Yes
- (30) No, there are some differences. For example, Constitution of California uses the term " habeas corpus", emphasizes abolishing of slavery etc.
- (11) At its website <http://www.ftc.gov/bcp/guides/decptprc.htm> or U. S. Code of Regulations
- (12) U. S. Department of Civil Service
- (13) Federal Register Act and statutes relevant to the functioning of U. S.

Government's Printing Office

- (14) Art 1, Section 5 of U. S. Constitution requires that the Congress keeps the journal of its proceedings
- (15) Act of Congress, signed by President Lyndon B. Johnson on October 15, 1966.
- (16) U. S. Congress
- (17) Federal Aviation Regulations
- (18) It is an independent agency, overseen by Congress
- (19) At its website [http://www. epa. gov/lawsregs/](http://www.epa.gov/lawsregs/)
- (20) The Communication Act of 1934
- (21) U. S. Department for State
- (22) Despite being chartered by Congress, it is an independent organization

- (23) The celebration is administered at the local level?
- (24) It is an independent agency of federal government
- (25) The National Food Insurance Act
- (26) National Environmental Policy Act
- (27) U. S. Department of the Interior
- (28) Federal Register Act. The categories are federal regulatory material, federal laws, presidential documents, and federal organizations, programs and activities
- (29) Under the heading “ Presidential documents” in Contents
- (30) Employee Standards of conduct
- (31) At the website of U. S. Department of Agriculture, Food and Nutrition Service [http://www. fns. usda. gov/cnd/lunch/](http://www.fns.usda.gov/cnd/lunch/)