**EXERCISE 9.4  THE FOURTH BRANCH**

**BACKGROUND**

The title *chief executive* suggests that the president, in principle, commands and controls the executive branch of the national government. Many presidents have embraced Franklin Delano Roosevelt's view that "the Presidency was established as a single strong Chief Executive in which was vested the entire executive power of the National Government." The framers of the Constitution, however, refused to confer that much power on the president. Instead, the framers divided jurisdiction over the executive branch between Congress and the president, and assigned to Congress a substantial role in executive branch affairs. For example, to staff the highest positions in the executive branch, the president must secure the consent of the Senate. Congress also has the power to create executive branch agencies and departments, and to direct and fund their operations through legislation.

The Constitution clearly vests the executive power in the president (Article II, Section 1). But nowhere does it bestow the title *chief executive* on the president, and it has very little to say about the president's management of the executive branch. There are only three direct references in the Constitution to the president's power over the departments in the executive branch. Two are in Article II, Section 2: The first allows the president to "require the Opinion in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices." The second gives the president the power to appoint, subject to Senate approval, executive branch officers. The third reference to the president's executive powers is in Article II, Section 3, where the president is admonished to "take Care that the Laws be faithfully executed."

Throughout the nineteenth century, the president's position at the head of the executive branch would not have seemed to most Americans to be the source of much power. The national government was largely irrelevant to the conduct of most citizens' lives, and few had direct contact with it. At the time of the Civil War, for example, the federal bureaucracy consisted of just four Cabinet departments: war, state, treasury, and interior. Until well into the nineteenth century, the executive branch did little more than deliver the mail, guard the nation's coasts, fight Native Americans, and collect taxes.

In 1789 the president carried out his responsibility as head of the executive branch by supervising 50 civilian employees; by 1900, the number of civilian employees in the executive branch had gone up to about 240,000. By the end of the twentieth century, the federal bureaucracy had become more powerful than any nineteenth-century American could have imagined. Today the executive branch consists of fourteen Cabinet departments, dozens of agencies, commissions, and corporations, with more than 2.5 million civilian employees and a budget for fiscal year 2000 of about $1.7 trillion. When we speak today of the growth of the federal government, we are implicitly referring to the growth of the executive branch. The size and complexity of the federal bureaucracy raise important questions about the president's ability to oversee it. What does it mean to be the chief executive of the federal government? Is it possible for the president to command and control, or even manage and supervise, the federal bureaucracy? This exercise asks you to explore those questions.

**ASSIGNMENT**

1. Examine the organization chart of the executive branch in Figure 9.4.1. What do the vertical lines in the chart suggest about the president's position and power in the executive branch?

2. In Figure 9.4.1, the federal bureaucracy is connected by a vertical line to the Executive Office of the President. Locate the Department of Agriculture. In 2000, the USDA had about 95,000 employees

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and a budget of about $90 billion. In Figure 9.4.1, how significant a component of the executive branch does the USDA seem to be? Explain and support your answer.

3. Figure 9.4.2 shows the seven major subunits within the USDA, each headed by an undersecretary. Locate the undersecretary for natural resources and the environment. Notice that the Forest Service is one of the agencies charged with overseeing natural resources and the environment. How significant a component of the entire USDA does the Forest Service seem to be? Explain and support your answer.

4. Now go to the USDA’s Web site, at www.usda.gov. Click on Agencies, Services, & Programs and locate the Forest Service under “Natural Resources & Environment.” Click on the Forest Service link and then on Meet the Forest Service. Read the material there to better understand the size, scope, and mission of the Forest Service.
   
a. How many acres of land does the Forest Service administer?

b. What is the title of the head of the Forest Service?

c. How many people work for the Forest Service?

d. The Forest Service is a large and important agency by any standard, yet it doesn’t appear in the organization chart of the executive branch (see Figure 9.4.1). What does its exclusion from that chart indicate about the executive branch?

5. In the 1930s, when Franklin Delano Roosevelt was president, the federal bureaucracy was less than half its present size. Even so, Roosevelt made the following complaint:

The Treasury is so large and far-flung and ingrained in its practices that I find it almost impossible to get the action and results I want—even with Henry [Morgenthau] there. But the Treasury is not to be compared with the State Department. You should go through the experience of trying to get any changes in the thinking, policy, and action of the career diplomats and then you’d know what a real problem was. But the Treasury and the State Department put together are nothing compared with the Na-a-vy. The admirals are really something to cope with—and I should know. To change anything in the Na-a-vy is like punching a feather bed. You punch it
with your right and you punch it with your left until you are finally exhausted, and then you find the damn bed just as it was before you started punching.\textsuperscript{7}

In one sentence, using your own words, state the problem Roosevelt struggled with as head of the executive branch.

\textbf{6.} During Richard Nixon's term in office, this celebrated outburst by the president was recorded for posterity on the taping system he had secretly installed in the Oval Office:

We have no discipline in this bureaucracy. We never fire anybody. We never reprimand anybody. We never demote anybody. We always promote the sons-of-bitches that kick us in the ass. . . . We are going to quit being a bunch of goddamn soft-headed managers. . . . When a bureaucrat deliberately thumbs his nose, we're going to get him. . . . The little boys over in [the State Department] particularly, that are against us [the Defense Department, the Department of Health, Education, and Welfare]—those three areas particularly. . . . There are many unpleasant places were civil service people can be sent. . . . When they don't produce in this administration, somebody's ass is kicked out. . . . Now, goddamn it, those are the bad guys—the guys down in the woodwork.\textsuperscript{8}

\textbf{a.} What did Nixon likely mean by "the guys down in the woodwork"?

\textbf{b.} Identify the problem in contemporary government that triggered Nixon's anger.

\textbf{7.} In recent decades, many political scientists have come to think of the departments and agencies in the executive branch as a fourth branch of government. What evidence can you find in this exercise to support the characterization?
