

EXECUTIVE DEPARTMENTS AND AGENCIES



INSTRUCTIONS

Step 1: Grab your phone.

Step 2: Open your browser and go to kahoot.it

Step 3: In a minute, we're going to give you a code to join the game. Enter the 6-digit code in the field where it says "Game PIN." Or you can use your phone to scan the QR code you see on the screen.

Step 4: Enter a nickname and click "Ok, go!"

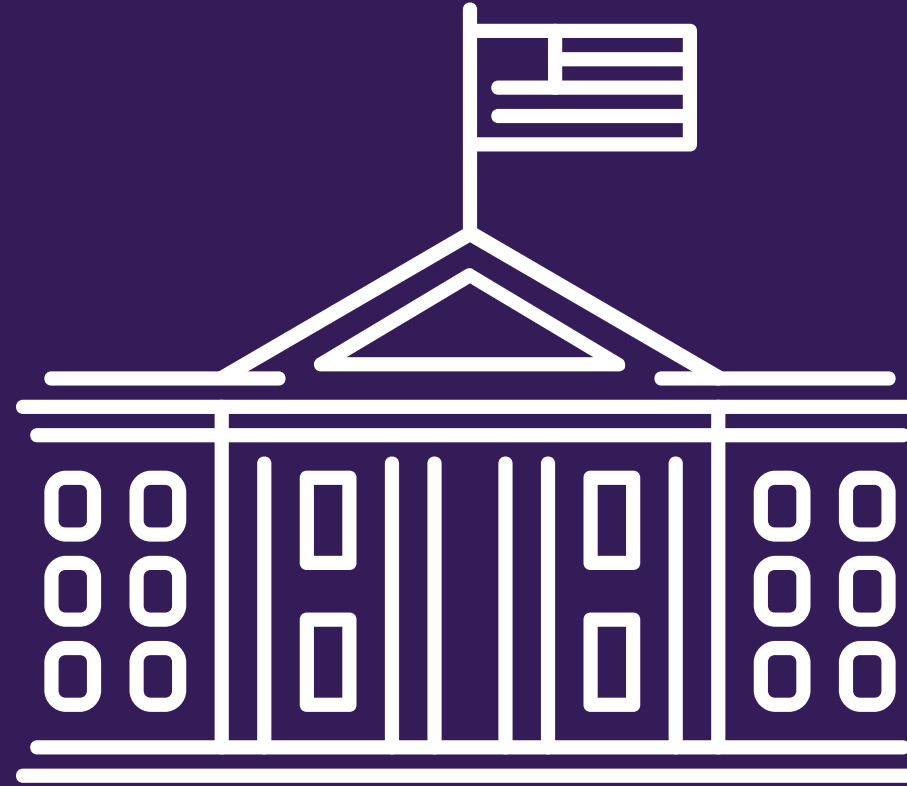


LEGISLATIVE



- Makes laws
- Approves presidential appointments
- Two senators from each state
- The number of congressmen is based on population

EXECUTIVE



- Signs laws
- Vetoes laws
- Pardons people
- Appoints federal judges
- Elected every four years



JUDICIAL



- Decides if laws are constitutional
- Are appointed by the president
- There are 9 justices
- Can overturn rulings by other

TYPES OF EXECUTIVE BRANCH POSITIONS

Elected

- Changes every 4 - 8 years w/ elections
- The President and the Vice President

Appointed

- President appoints and the Senate approves
- Changes every 4 - 8 years w/ elections
 - Heads of the Executive Office of the President
 - Heads of the Executive Depts (the Cabinet)
 - Heads of the Executive agencies

TYPES OF EXECUTIVE BRANCH POSITIONS

Permanent

- Merit based civil servants/non-political
- Independent of elections
- Non partisan specialists
- Permanent employment
- All employees below the heads of departments and agencies
- Must pass the Civil Service Exam and evaluations
- Write and enforce regulations that are based on the laws that the US Congress has passed

Civil Servants Oath



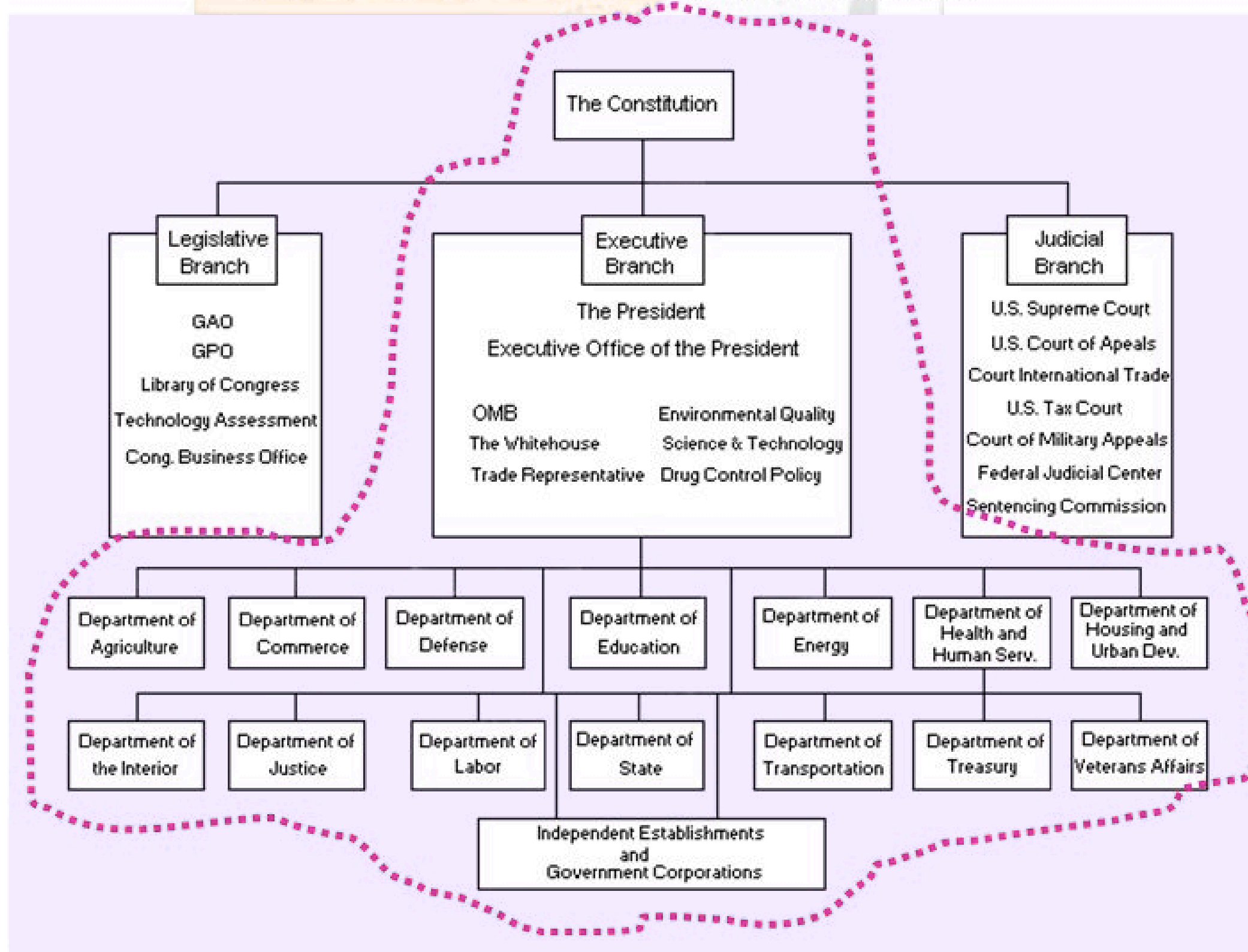
AN INDIVIDUAL,... IN THE CIVIL SERVICE OR UNIFORMED SERVICES, SHALL TAKE THE FOLLOWING OATH: “I,..., DO SOLEMNLY SWEAR (OR AFFIRM) THAT I WILL SUPPORT AND DEFEND THE CONSTITUTION OF THE UNITED STATES AGAINST ALL ENEMIES, FOREIGN AND DOMESTIC; THAT I WILL BEAR TRUE FAITH AND ALLEGIANCE TO THE SAME; THAT I TAKE THIS OBLIGATION FREELY, WITHOUT ANY MENTAL RESERVATION OR PURPOSE OF EVASION; AND THAT I WILL WELL AND FAITHFULLY DISCHARGE THE DUTIES OF THE OFFICE ON WHICH I AM ABOUT TO ENTER. SO HELP ME GOD.”

Structure of The Executive Branch

- **THE PRESIDENT**
- **EXECUTIVE OFFICE OF THE PRESIDENT**
- **EXECUTIVE DEPARTMENTS**
- **INDEPENDENT AGENCIES**



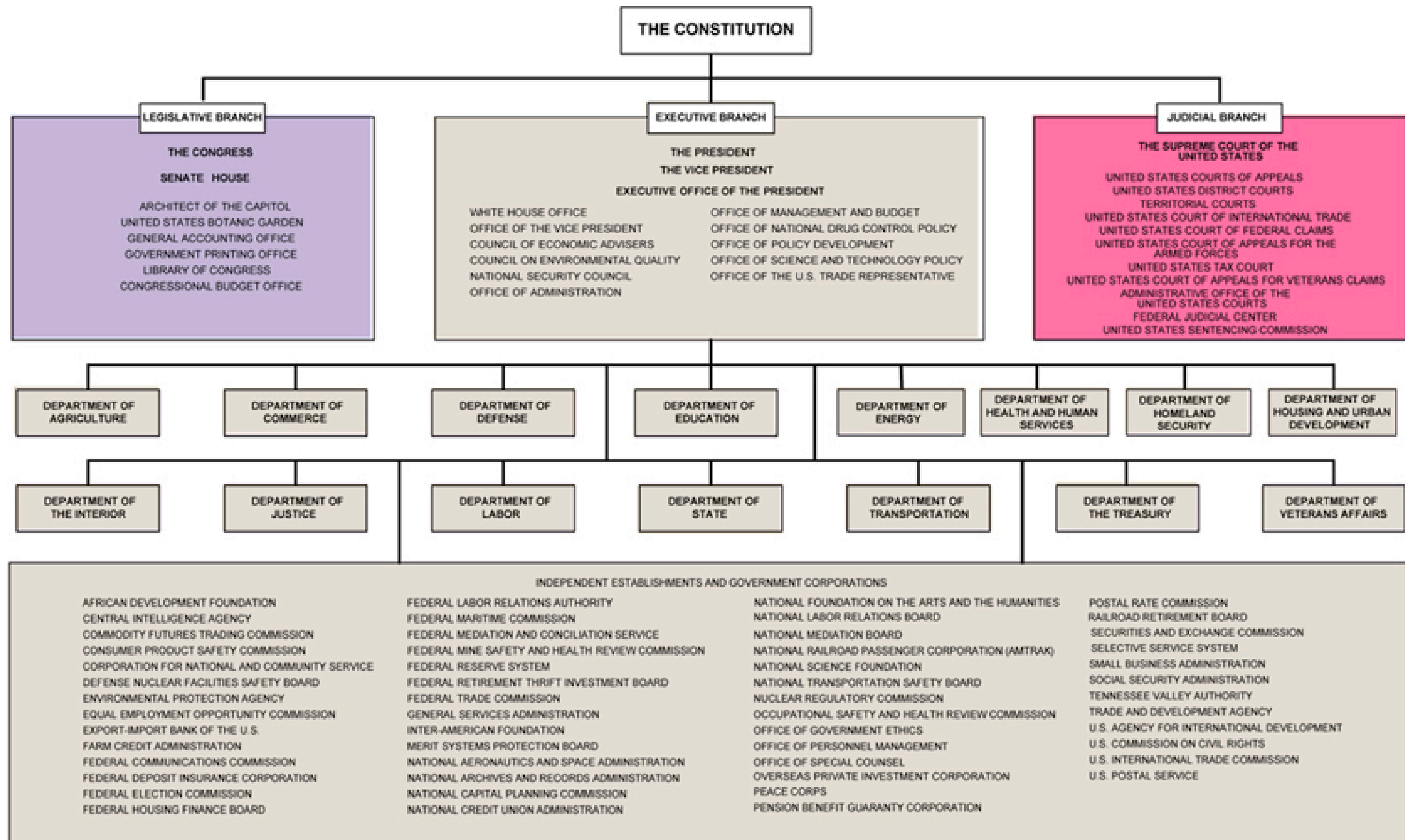
Executive Branch



**OVER 2 MILLION
CIVIL SERVANTS
AND ALL MILITARY
PERSONNEL WORK
IN THE EXECUTIVE
BRANCH.**

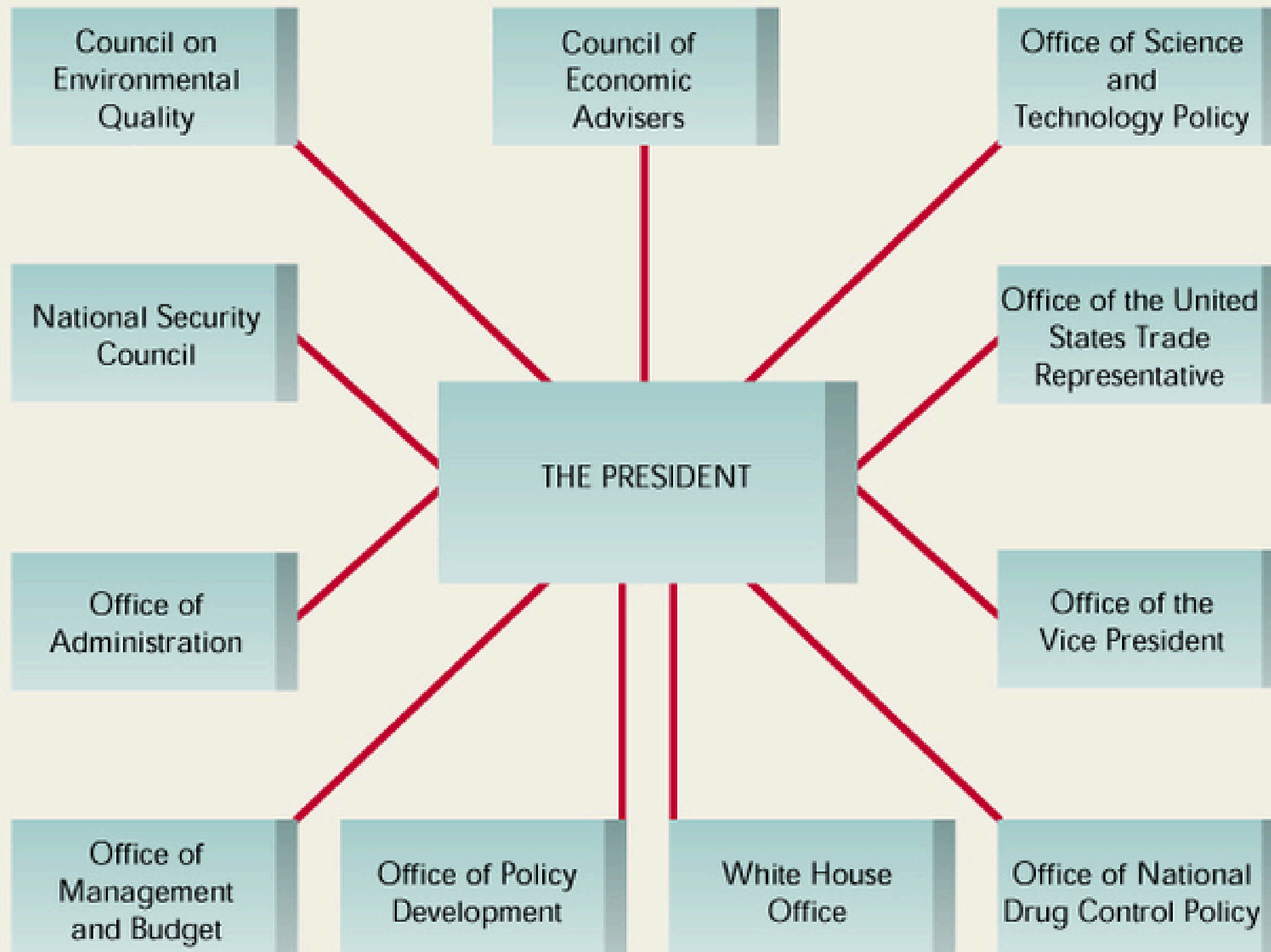
**IT IS THE BRANCH
WITH THE LARGEST
NUMBER OF
FEDERAL
EMPLOYEES.**

THE GOVERNMENT OF THE UNITED STATES



THE EXECUTIVE OFFICE OF THE PRESIDENT

- Created in **1939** by President FD Roosevelt
- **Mission** is to help and support the President
- **Communicates** the President's message to the American people
- Promotes **trade** interests abroad



EXECUTIVE OFFICE OF THE PRESIDENT

THE CABINET

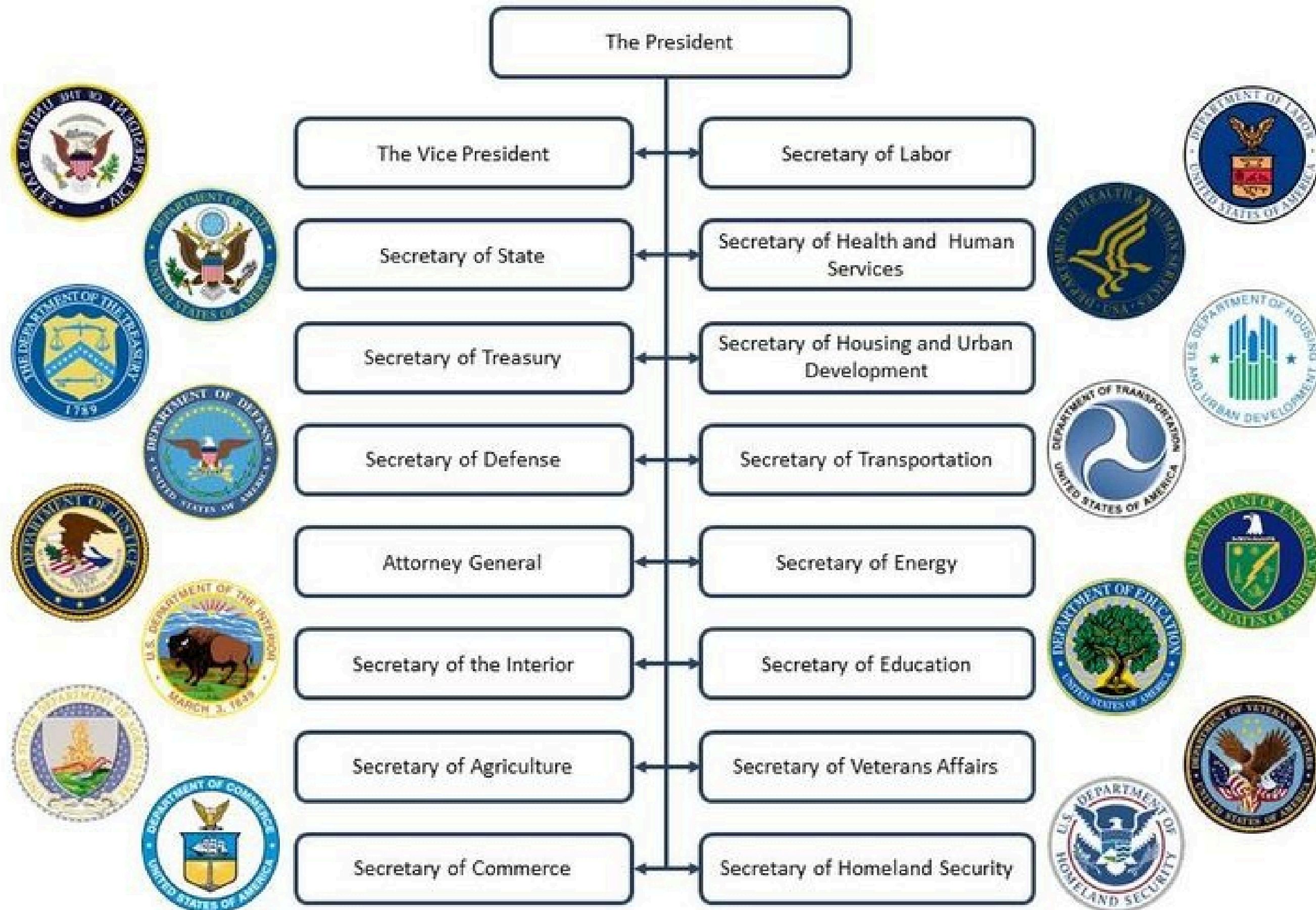


**HEADS OF
THESE 15
EXECUTIVE
DEPARTMENTS**

THE EXECUTIVE DEPARTMENTS

- **Advise** the President since 1787
- Heads of the departments are appointed by the President and approved by the Senate (*US Constitution II, Sec 2*) and **form the Cabinet**
- **Enforce and administer** the laws

Executive Branch



IN THE HEADLIINES . . .



THE CENSUS BUREAU

PART OF THE COMMERCE DEPARTMENT

US CONSTITUTION ARTICLE I (CONGRESS) SECTION 2 "ADDING TO THE WHOLE NUMBER OF FREE PERSONS, INCLUDING THOSE BOUND TO SERVICE FOR A TERM OF YEARS, AND EXCLUDING INDIANS NOT TAXED, THREE FIFTHS OF ALL OTHER PERSONS.]/ THE ACTUAL ENUMERATION SHALL BE MADE WITHIN THREE YEARS AFTER THE FIRST MEETING OF THE CONGRESS OF THE UNITED STATES, AND WITHIN EVERY SUBSEQUENT TERM OF TEN YEARS, IN SUCH MANNER AS THEY SHALL BY LAW DIRECT."

FOURTEENTH AMENDMENT, SECTION 2:

**“REPRESENTATIVES SHALL BE APPORTIONED
AMONG THE SEVERAL STATES ACCORDING TO
THEIR RESPECTIVE NUMBERS, COUNTING THE
WHOLE NUMBER OF PERSONS IN
EACH STATE,”**

POLITICS

Trump wants a new U.S. census to exclude people here illegally. It'd be unprecedented

UPDATED AUGUST 7, 2025 · 8:33 PM ET ⓘ

HEARD ON MORNING EDITION



Hansi Lo Wang



3-Minute Listen

TRANSCRIPT



FORMER PRESIDENT JOE BIDEN AFFIRMED THE LONGSTANDING PRACTICE OF INCLUDING THE TOTAL NUMBER OF PERSONS RESIDING IN THE STATES IN THE CENSUS WITH A 2021 EXECUTIVE ORDER.

TRUMP REVOKED IT ON THE FIRST DAY OF HIS SECOND TERM.

COMMISSIONER OF LABOR STATISTICS FIRED

Trump fired the her claiming that the jobs numbers were faked.

*Dr. McEntarfar was confirmed in the Senate in January 2024 by a vote of 86-8. One of those voting for her confirmation was then-Senator JD Vance.

* <https://www.foxbusiness.com/politics/trump-orders-termination-labor-statistics-official-after-jobs-report-downward-revisions>



**DEPARTMENT OF
HOMELAND
SECURITY
VS.
DUE PROCESS**

Identification

- ICE or correctional facility identifies noncitizen serving criminal sentence.
- ICE determines if criminal offense is ground for deportation proceedings (but not ground for summary removal).

Hearing

- If offense is ground for deportation, ICE files Notice to Appear with EOIR.
- EOIR schedules initial hearing before immigration judge.

Determination of Deportability

- Judge determines if noncitizen is deportable.
- If noncitizen is deportable, judge determines eligibility for relief from removal.

Final Order of Deportation

- If noncitizen is not eligible for relief, judge issues a final decision ordering deportation.
- A “final order of deportation” is served on the noncitizen.

AARP V TRUMP MAY 2025

SUPREME COURT ON DUE PROCESS:

“NOTICE ROUGHLY 24 HOURS BEFORE REMOVAL, DEVOID OF INFORMATION ABOUT HOW TO EXERCISE DUE PROCESS RIGHT TO CONTEST THAT REMOVAL, SURELY DOES NOT PASS MUSTER”

(7-2 VOTE)

THREE DIFFERENT EXECUTIVE DEPARTMENTS

All with immigration agencies!!

- **Department of Homeland Security**
- **Department of State**
- **Department of Justice**

Immigration Agencies: Who's Who?

Department of Homeland Security (DHS)



U.S. Citizenship &
Citizenship Service
(USCIS)

Determines eligibility
for immigration
benefits such as:

- SIJS
- U Visas
- Asylum
- Lawful Permanent Residence
- Citizenship

Immigration &
Customs Enforcement
(ICE)

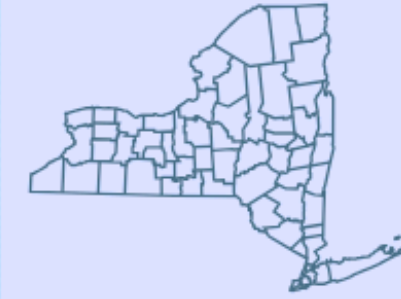
Identifies and apprehends
any person who may be
subject to removal from
the U.S.

Customs and Border
Protection (CBP) &
Border Patrol **(BP)**

Enforces immigration
laws at a U.S. port of
entry / border and
within close proximity
to the border.

Immigration Agencies: Who's Who?

U.S. Department of State



Bureau of Consular Affairs

Grants applications for U.S. visas required to seek admission to the United States.

[Bureau of Consular Affairs website](#)

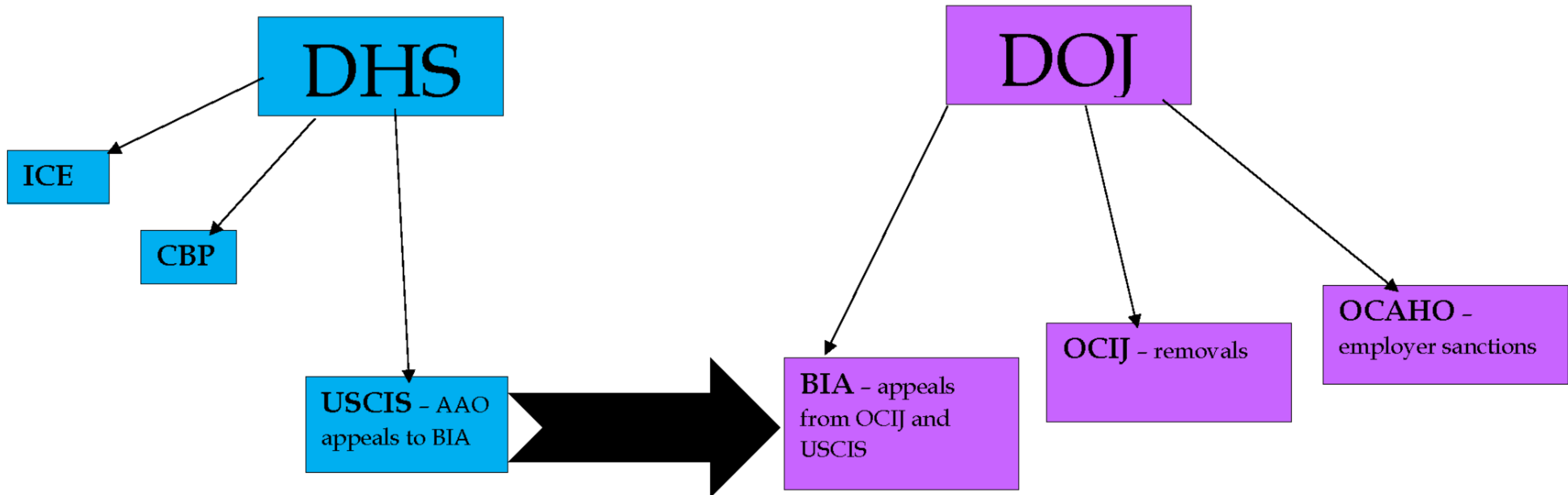
Bureau of Population, Refugee & Migration

Oversees refugee programs.

Administers programs for unaccompanied minors.

[PRM website](#)

Department of Homeland Security and Department of Justice – Immigration Administrative Structure



IMMIGRATION JUDGES ARE UNDER THE EXECUTIVE BRANCH

““IMMIGRATION JUDGES ARE EMPLOYEES OF THE EXECUTIVE BRANCH, NOT THE JUDICIARY, AND OFTEN APPROVE THE HOMELAND SECURITY DEPARTMENT’S DEPORTATION EFFORTS.” THE IMMIGRATION JUDGES FOLLOW THE DIRECTIVES OF THE ATTORNEY GENERAL.

POWERS AND LIMITS ON IMMIGRATION JUDGES

- **Power:** Make determinations of removability, deportability, and excludability
- **Limit:** No jurisdiction over visas, naturalization, or determinations by Homeland Security involving safe third country agreements

U.S. Citizenship & Immigration Services (USCIS)

Agency Officers
Officers determine eligibility for immigration benefits.



Administrative Appeals Office
Agency adjudicates appeals



U.S. District Courts

U.S. Courts of Appeals

U.S. Supreme Court

Executive Office of Immigration Review (EOIR)

Immigration Court
Immigration judges preside over immigration proceedings ('removal proceedings') to determine if a person should be removed from the U.S.



Board of Immigration Appeals
Agency adjudicates appeals



U.S. District Courts

U.S. Courts of Appeals

U.S. Supreme Court

Federal Courts have limited judicial review authority.

INDEPENDENT AGENCIES



INDEPENDENT AGENCIES

- **Formed in 1887/1889** - Interstate Commerce Commission to regulate railroads was the first
- **Core mission:** Safeguarding the well-being of all Americans
- **Examples:** Protection from unsafe products, travel protection, protection of workers' rights, protection from inflation/unemployment, soft power in foreign relations, etc.

INDEPENDENT AGENCIES

- These agencies are **not** “supposed” to be under the President’s direct control
 - Also not supposed to be under the direct control of the Office of Management and Budget
- **Theoretically** insulated from politics
- Some refer to these agencies as “**the administrative state**”

INDEPENDENT AGENCIES

- Often **created and funded** by Congress
- **Exception:** the US Post Office was created in the Constitution (Art I Section 8 Clause 7), funded through sales NOT taxes
- **Agency heads** can only be removed for incompetence, negligence of duty, incapacity or “cause”

**There are
approximately
150 independent
agencies in the
Executive
Branch.**

3 Independent Agencies*

Central Intelligence Agency
Commission on Civil Rights
Commodity Futures
Trading Commission
Consumer Product Safety
Commission
Corporation for National and
Community Service
Environmental Protection Agency
Equal Employment Opportunity
Commission
Export-Import Bank of the U.S.
Farm Credit Administration
Federal Communications
Commission
Federal Deposit Insurance
Corporation
Federal Election Commission
Federal Housing Finance Board
Federal Maritime Commission
Federal Mediation and Conciliation
Service

Federal Reserve System
Federal Trade Commission
General Services Administration
Merit Systems Protection Board
National Aeronautics and Space
Administration
National Archives and Records
Administration
National Labor Relations Board
National Railroad Passenger
Corporation
National Transportation Safety Board
Nuclear Regulatory Commission
Office of Personnel Management
Peace Corps
Securities and Exchange Commission
Selective Service System
Small Business Administration
Social Security Administration
Tennessee Valley Authority
U.S. Postal Service

*Altogether, there are some 150 independent agencies in the executive branch.



INSTITUTE of
Museum and Library
SERVICES

Defend the Institute of Museum
Library Services—Take Action Now

 **AASLH** AMERICAN ASSOCIATION
for STATE and LOCAL HISTORIES

cpb

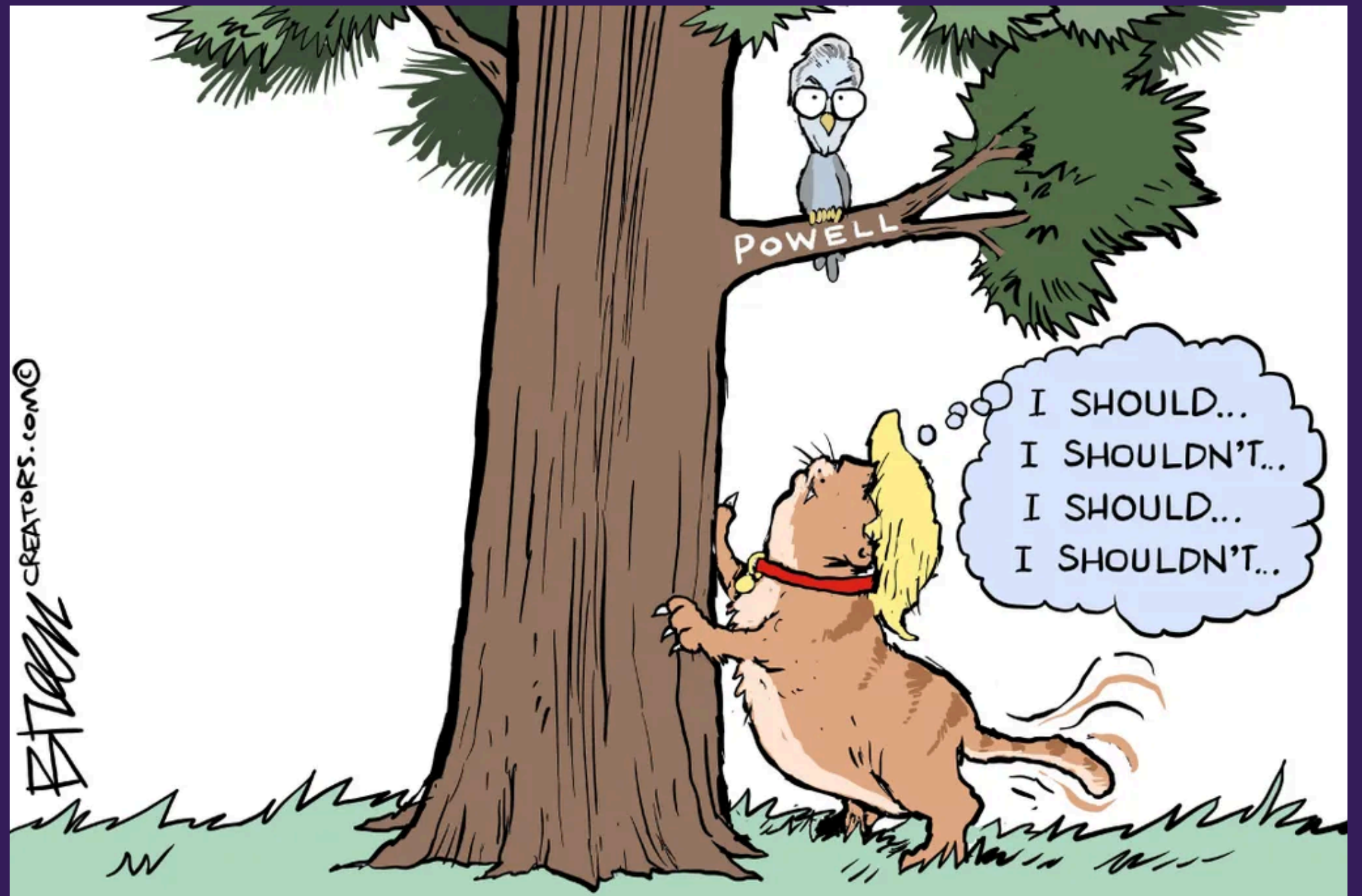


UNITED STATES
INSTITUTE OF PEACE

Making Peace Possible



THE FEDERAL RESERVE

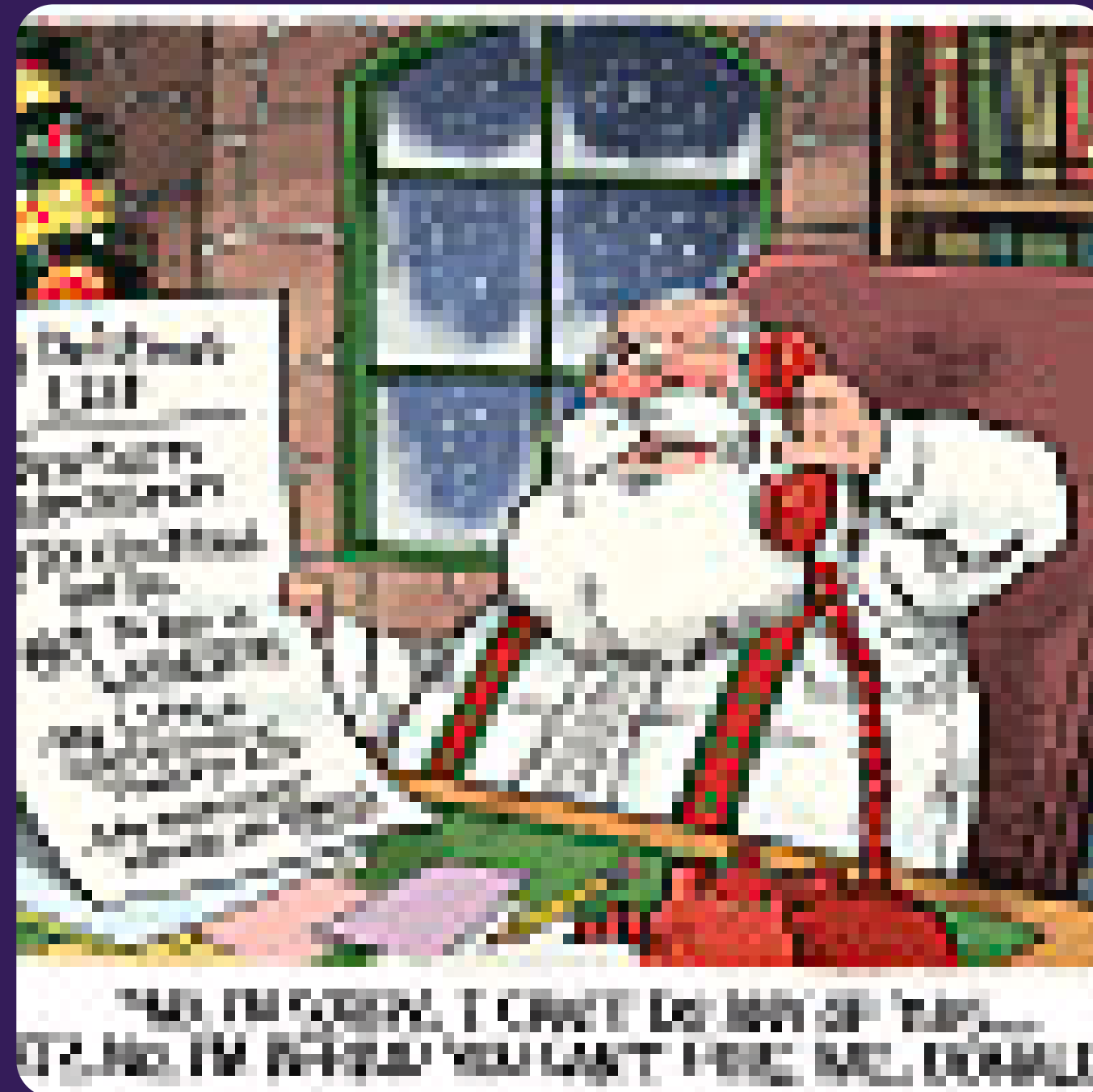


POWERS OF EXEC. DEPT. OF PRESIDENT, DEPARTMENTS AND AGENCIES

- **Write the regulations that enforce the laws written by Congress (may stringently or loosely enforce)**
- **Enforce the laws passed by Congress (using fines, law suits) - stringently or not**

POWERS OF EXEC. DEPT. OF PRESIDENT, DEPARTMENTS AND AGENCIES

- The Executive Office of the President, the Executive Department and the Independent Agencies are **independent of public opinion** (theoretically) and loyal to the US Constitution



NO, I'M SORRY, I CAN'T DO ANY OF THIS....
WHAT?... NO, I'M AFRAID YOU CAN'T FIRE ME,
DONALD...

LIMITS ON THE POWERS OF THE EXECUTIVE BRANCH

- **Public opinion**
- **Funding from Congress that can be reduced or eliminated**
- **Rulings by the federal courts can declare regulations unconstitutional**

LIMITS ON THE POWERS OF THE EXECUTIVE BRANCH

- *Relentless v Dept of Commerce, 2024* - overruled *Chevron v Natural Resources Defense Council* which held courts would defer to the Executive Branch agencies' interpretations of their own regulations
- NOW **courts** “should decide all relevant questions of law” when reviewing agency actions. This case increased the power of the Courts over Executive Departments

LIMITS ON THE POWERS OF THE EXECUTIVE BRANCH

THE HATCH ACT

- A FEDERAL LAW *PASSED IN 1939* LIMITING CERTAIN POLITICAL ACTIVITIES OF FEDERAL EMPLOYEES
- THE LAW'S PURPOSE IS TO ENSURE THAT FEDERAL PROGRAMS ARE ADMINISTERED IN A *NONPARTISAN FASHION*, TO PROTECT FEDERAL EMPLOYEES FROM POLITICAL COERCION IN THE WORKPLACE, AND TO ENSURE THAT FEDERAL EMPLOYEES ARE ADVANCED BASED ON MERIT AND NOT BASED ON POLITICAL AFFILIATION

HATCH ACT RESTRICTIONS

EXAMPLES

- ***MAY NOT BE A CANDIDATE IN A PARTISAN ELECTION***
- ***MAY NOT USE OFFICIAL AUTHORITY TO AFFECT THE RESULT OF AN ELECTION***
- ***MAY NOT ENGAGE IN ANY POLITICAL ACTIVITY (INCLUDING POSTING ON SOCIAL MEDIA) WHILE ON DUTY, IN UNIFORM***

LIMITS ON THE POWERS OF THE EXECUTIVE BRANCH

- ***EXECUTIVE ORDERS FROM WITHIN THE EXECUTIVE BRANCH ITSELF TO REDUCE FUNDING, FIRE EMPLOYEES, OR ELIMINATE A DEPARTMENT OR AGENCY***
 - ***AN EXAMPLE: THE RECENT ORDERS IMPACTING THE DEPARTMENT OF EDUCATION, USAID, AND THE CORPORATION FOR PUBLIC BROADCASTING***

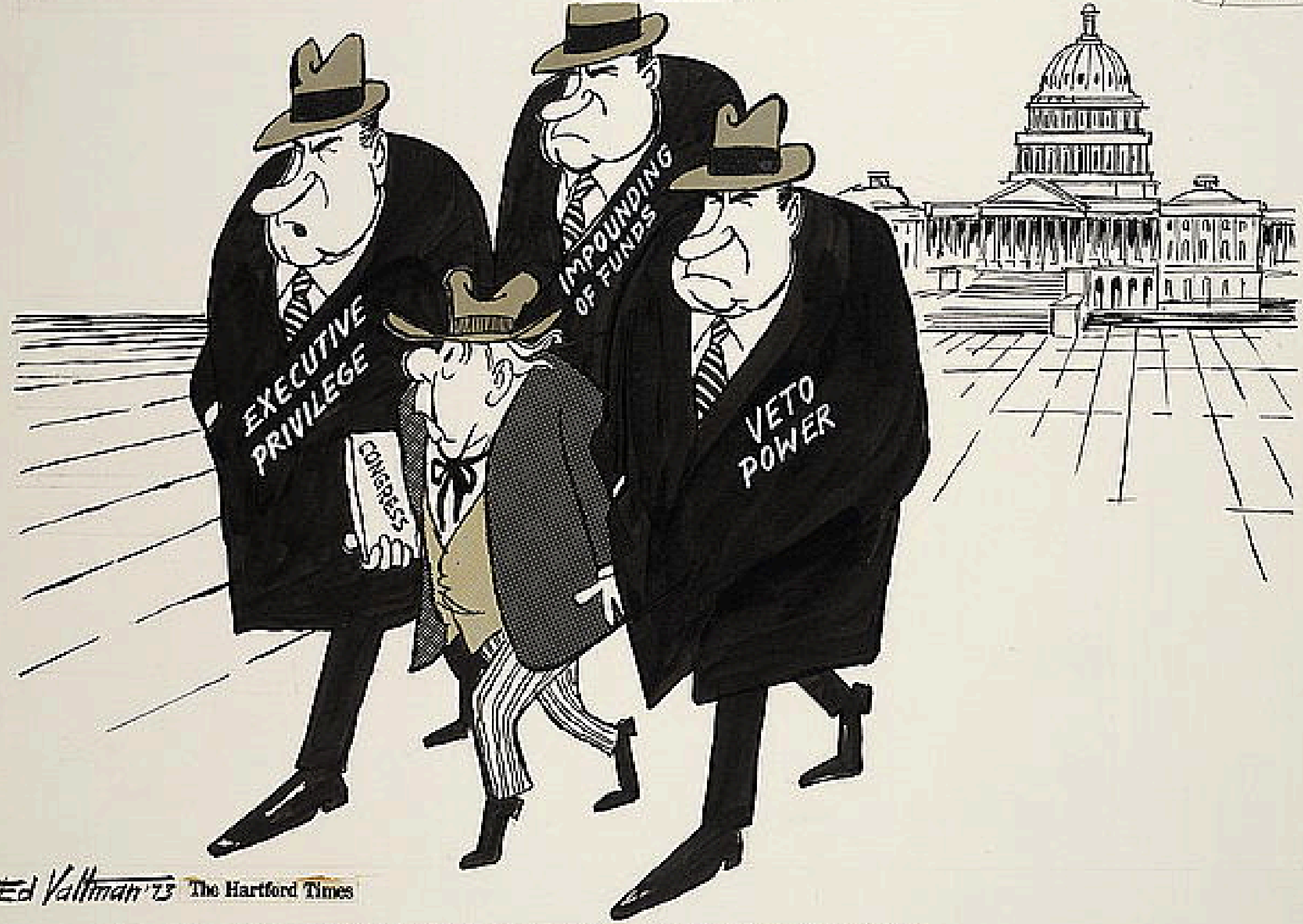
METHODS TO ENFORCE EXECUTIVE ORDERS

- ***IMPOUNDMENT OF FUNDS: THE PRESIDENT WITHHOLDS CONGRESSIONALLY APPROPRIATED FUNDS***
- ***RESCISSION OF FUNDS: A SPECIFIC TYPE OF IMPOUNDMENT THAT INVOLVES CANCELLATION OF PREVIOUSLY APPROPRIATED FUNDS. CONGRESS HAS 45 DAYS TO APPROVE, MODIFY OR REJECT BY SIMPLE MAJORITY VOTE (NO FILIBUSTER IN THE SENATE ALLOWED)***

'CONGRESS'

4 COL.

April 13.

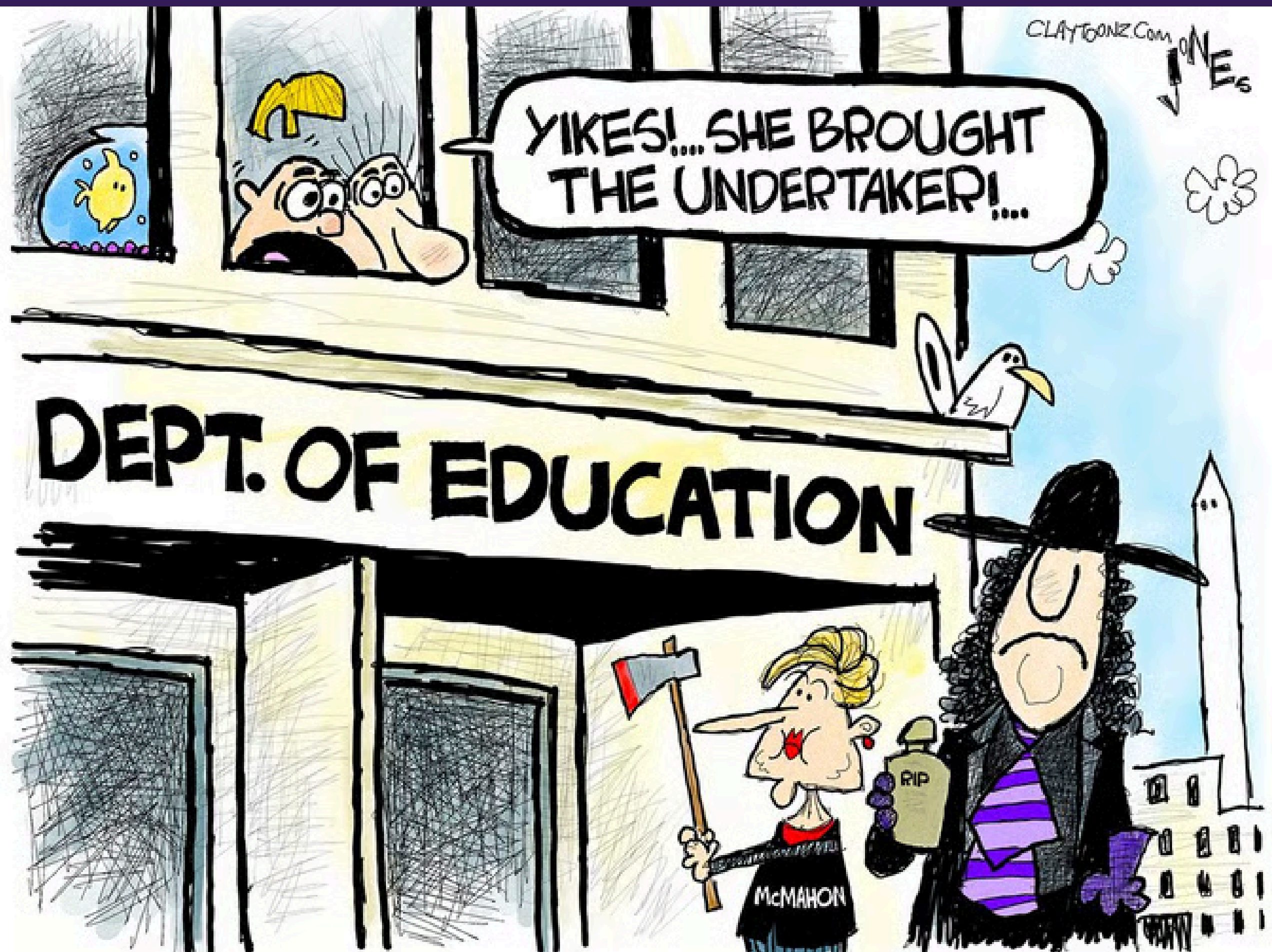


Ed Vallman '73 The Hartford Times

'DON'T PUT UP ANY RESISTANCE! JUST KEEP IN STEP'

LONG TERM CONSEQUENCES OF CURRENT EXECUTIVE ORDERS

- ***WEAKENING OF CHECKS AND BALANCES PROVIDED BY
THE TRADITION OF NON-PARTISAN CIVIL SERVANTS
WITHIN THE EXECUTIVE DEPARTMENTS***
- ***LOSS OF INSTITUTIONAL KNOWLEDGE AND BRAIN DRAIN
ASSOCIATED WITH LOSS OF EMPLOYEES AND THE
DEFUNDING OF RESEARCH AT UNIVERSITIES***



*"Nothing Can Stop
The Power of
A Committed
And Determined
People
To Make A Difference..."
- John Lewis*





Q&A Time!

