Chapter 8 Study Guide

Question 1
Administrative agencies are created with the primary goal of:

A) Creating a body of professionals who are experts in a specific field.  
B) Alleviating the tax burden on the public.  
C) Creating distinct sets of law with a unique perspective.  
D) Alleviating the time constraints on the legislature.

Question 2
The delegation doctrine means that:

A) A state agency only has the power that its counterpart federal agency has delegated to it.  
B) Employees of federal agencies only have the power that their agency supervisors have delegated to them.  
C) Federal and state agencies only have the power that has been delegated to them by their authorizing legislation or executive orders.  
D) A federal agency only has the power that has been delegated to it by the director of the agency.

Question 3
A federal agency has all of the following delegated legislative powers except:

A) Statements of Policy.  
B) Substantive Rule Making.  
C) Interpretive Rule Making.  
D) Adjudicate determinations.

Question 4
When an agency conducts an inspection, the inspection is usually considered to be reasonable under the 4th Amendment when:

A) The party voluntarily agrees to the search.  
B) The business being searched is part of a hazardous industry for which statutes authorize nonarbitrary warrantless searches.  
C) All of the above.  
D) Not A and or B above.

Question 5
When an agency serves a complaint on someone the agency believes has violated a statute or administrative rule, the person is called the:
A) The defendant.
B) The respondent.
C) The complainant.
D) The appellee.

**Question 6** 0 / 2.5 points

All of the following are conditions that must be satisfied before a petitioner can appeal an action of an administrative agency to a reviewing court except:

A) The case must be ripe for review.
B) The administrative law judge’s decision must be written.
C) The petitioner must have exhausted all administrative remedies.
D) The agency’s decision must be final.

**Question 7** 0 / 2.5 points

A court may suspend the requirement that the administrative decision be final before it can be reviewed if:

A) The petitioner would suffer irreparable injury.
B) The petitioner would suffer economic hardship.
C) Either of the above.
D) None of the above.

**Question 8** 0 / 2.5 points

The law that allows the public to request access to most documents in the possession of federal agencies is known as the:

A) Freedom of Information Act.
D) Privacy Act.

**Question 9** 0 / 2.5 points

The agency that regulates food, drugs, and cosmetics is the:

A) FBI.
B) FTC
The statute that stipulates that federal administrative agencies can maintain only information about an individual that is relevant and necessary to accomplish a legitimate agency purpose is the:

B) Government in Sunshine Act
C) Freedom of Information Act.
D) Privacy Act.

Regulations that apply to business and industry are:

A) General government regulations.
B) Specific government regulations.
C) Delegated government regulations.
D) Reserved government regulations.

Law that established procedures as to how agencies must conduct business:

A) Government in the sunshine act.
B) Equal access to justice act.
C) Administrative procedures act.
D) Privacy act.

Administrative agencies have:

A) Executive powers
B) Legislative powers.
C) Judicial powers.
D) All of the above

Judicial powers of an administrative agency include power to:
A) Decide disputes that arise under their rules and regulations.
B) Issue subpoenas requiring witnesses to testify at trial.
C) Issue licenses.
D) All of the above.

Question 15

This act requires agency meetings be open to the public:

A) Freedom of Information Act.
D) Privacy Act.

Question 16

The Interstate Commerce Commission, which regulates railroad and trucking, is an example of:

A) General Government Regulations.
B) Specific Government Regulations.
C) Delegated Government Regulations.
D) Reserved Government Regulations.

Question 17

The doctrine of immunity says:

A) An agency and its employees are liable for their actions and decisions made while conducting agency business.
B) An agency is not liable but employees are liable for their actions and decisions made while conducting agency business.
C) An employee is not liable for actions and decisions made while conducting agency business.
D) None of the above

Question 18

The agency that enforces laws ensuring seller of goods use fair practices in advertising:

A) Federal Sales Commission.
B) Federal Advertising Commission.
C) Federal Buyer’s Rights Commission.
Food that is labeled with false or misleading information is:

- A) Misbranded.
- B) Mislabeled.
- C) Adulterated.
- D) All of the above.

Federal agencies may not make their own substantive rules because only legislatures have the power to make substantive law.

- A) True
- B) False