

10. Bureaucracy

1. Nature of Bureaucracy

- Called 4th branch of gov
- **Bureaucracy**
 - : Large organization that is structured hierarchically to carry out specific functions
 - : Handling complex problems
 - : division of labor

2. Models of Bureaucracy

1) Weberian Model

- Modern life has been increasingly complex + demanding gov involvement
- : Modern bureaucracy should be apolitical organization.



Max Weber

German sociologist and political economist

(21 April 1864 - 14 June 1920; aged 56)

(http://en.wikipedia.org/wiki/Max_Weber)

2) Acquisitive Model

- Top-level bureaucrats will always try to avoid any reduction & **expand** in size of staffs + budget

3) Monopolistic Model

- Bureaucracies have **no competitors** & act accordingly.
- : Not penalized for chronic inefficiency
- : No reason to adopt cost-saving measures

3. Size of Bureaucracy

1) Minuscule in 1789

- Treasury Dept (39 employees)
- State Dept (9 employees)
- War Dept (2 employees)

2) Now

- 2.8 million federal gov employees excluding soldiers

4. Organization of Federal Bureaucracy

1) Cabinet Departments

- 15 departments
- Line organizations
- : Directly responsible to president for performing gov functions
- : State Dept (1st created)
- : Homeland Security Dept (last created in 2002)
- : Creating a new dept or abolishing needs Congress approval
- : Secretary → Undersecretary → Assistant secretary

2) Independent Executive Agencies

- Organizations **not** located within department
- : Report directly to president
- : Environment Protection Agency

3) Independent Regulatory Agencies

- Agencies **outside** major executive departments
- : Making **rules** + regulations to protect public interest
- : Interstate Commerce Commission (ICC; 1887)
[Control over rapidly growing business sectors]
- : Federal Communications Commission,
Federal Election Commission

- **Agency Capture**

- : Industries that are being regulated control directly/indirectly agency staff.
- : Less competition rather than more competition
- : Higher price rather than lower price

- **Deregulation + Re-regulation**

- : Civil Aeronautics Board (CAB) regulating airline fares + routes was eliminated (Reagan).
- : Interstate Commerce Commission eliminated (Clinton).
- : Extensive regulation to protect environment

- **Gov Corporations**

- : Administers a quasi- business enterprise
- : Activities are usually commercial

- : Board of directors + managers + no stockholders
- : United States Postal Service (USPS),
Federal Deposit Insurance Corporation (FDIC)

5. Staffing Bureaucracy

1) Political Appointees

- Policy and Supporting Position ([Plum Book](#))
- : Published each presidential election
- : President makes political appointments to most of top jobs.
- : Paying off outstanding **political debts** based on work experience + intelligence + political affiliation + personal characteristics
- : Political appointees occupy positions for 2 years.
- : Professional civil servants not usually compelled to carry out current boss's directives quickly.
- : Less than 0.1% of civil servants fired for incompetence



Cover of Plum Book

(http://en.wikipedia.org/wiki/Plum_Book)

2) Federal Civil Service

- Natural Aristocracy

: Society's best citizens, based on birth + wealth + ability

: **Thomas Jefferson** fired about 100 officials + appointed posts with members of natural aristocracy.

: After experience + expertise, they stayed in office regardless of different presidents.

- Spoils systems

: Awarding of gov jobs to political supporters

: When President Andrew Jackson became president, he fired federal officials + appointed posts with friends.



In memoriam--our civil service as it was,
a political cartoon by Thomas Nast showing statue of
Andrew Jackson on pig, which is over "fraud," "bribery,"
and "spoils," eating "plunder." in *Harper's Weekly*, 1877 April 28, p. 325.
(http://en.wikipedia.org/wiki/Spoils_system)

- **Merit System**

- : Job appointments based on competitive examinations
- : Size of bureaucracy increased by 300% between 1851-1881.
- : Followed European countries

- **Pendleton Act (1883)**

- : Civil Service Reform Act
- : End of **Jacksonian** spoils
- : Open + competitive examinations
- : Created Civil Service Commission to administer personnel system
- : Only 10% of federal employees → 90% covered later
- : Not fire gov officials for not being supporters of ruling political party
- : Exception permitted for senior policymaking positions

- **Hatch Act (1939)**

: Political Activities Act

: Federal employees shall not actively participate in campaign management & not use federal authority to influence nominations + elections.

- **Civil Service Reform Act (1978)**

: Abolished Civil Service Commission

: Created **Office of Personnel Management (OPM)**

to recruit + interview + test potential gov workers + hire

: OPM chooses top 3 applicants for position + recommend to agency

: Created **Merit Systems Protection Board (MSPB)**

to evaluate charges of wrongdoing + hears employee appeals

from agency decision + order corrective action

against agencies + employees.

- **Federal Employees Political Activities Act (1993)**

: Reflected **1st Amendment** of freedoms of speech + association

: Lessened harshness of the 1939 act

: Allowed federal employees to

① run for office in nonpartisan elections

② participate in voter registration drives

③ make campaign contributions to political organizations

④ campaign for candidates in partisan elections

6. Modern Attempts at Bureaucratic Reform

1) Gov in Sunshine Laws (1976)

- All federal agencies headed by 2 or more individual members should hold meetings regularly **in public session**.

: Meeting defined as almost any formal/informal gathering including conference telephone calls.

: Related to **Freedom of Information Act** (FOIA 1966)

: Exceptions

[Information related to ① national defense

② internal personnel rules + practices

③ accusing a person of a crime

④ breach of privacy ...]

2) Sunset Laws

- Unless Congress specifically reauthorizes a particular federally operated program at end of designated period, it would be terminated automatically.

3) Privatization

- Gov services replaced by services from private sectors
 - ex) Contract with private firms to operate prisons
- Offer **vouchers** to citizens instead of services
 - ex) People use vouchers to pay for housing

4) Helping out Whistleblowers

- Blows whistles on gross gov inefficiency or illegal actions
 - : Many federal agencies have toll-free hot lines

- : Employees can use **anonymously** to report bureaucratic problems
- : 35% of all calls result in agency action or follow-up
- : Provides **cash incentives** to whistleblowers
- : Civil Service Reform Act (1978) prohibits reprisals against whistleblowers by their superiors.
 - Whistle Blower Protection Act (1989)
 - Office of Special Counsel (OSC)

7. Bureaucrats as Politicians & Policymakers

1) Enabling Legislation

- : Congress delegates power to implement legislation to agencies
- : Enabling legislation specifies name + purpose + composition + functions + powers of agency

ex) Federal Trade Commission (1914) created by
Federal Trade Commission Act

ex) Equal Employment Opportunity Commission (1964) created by
Civil Rights Act

2) Federal Register

- Daily gov publications

: Proposed Congress regulation published in book.

: Interested parties would have opportunity to comment on it.

: May support or oppose all or part of regulation.

ex) Environment Protection Agency (EPA) may consider
their comments in drafting final version of regulation.

- **60 day waiting period**

- : Once final regulation has been published in Federal Register, rules can be enforced in 60 day period.
- : Business, individuals + state/local govs can ask Congress to overturn it during 60 days.
- : After 60 day period, regulation may be challenged **in court**.

3) Bureaucrats Are Policymakers

- Iron Triangles

: 3-way alliance among ① legislators, ② bureaucrats, ③ interest groups

: When making or preserving policies, their perspectives are considered.

: Many interest groups **lobby Congress** to develop policies that benefit their interest.

: Members of Congress cannot ignore their wishes because they are potential sources of voter support + campaign contribution.

ex) When developing **agricultural policy**, many groups concerned

- ① House Committee on Agriculture
- ② Senate Committee on Agriculture, Nutrition & Forestry
- ③ Department of Agriculture (100,000 employees)
- ④ American Farm Bureau Federation + National Cattleman's Association + Corn Growers' Association

- **Issue Network**

: Iron triangles still exist, but now often inadequate as powerful as ever.

: Many scholars use term “issue network” to describe **current policy making process**.

: Consists of individuals/organizations that support particular policy position on environment, taxation, consumer safety etc.

ex) Legislators + staff members + interest groups + bureaucrats + scholars + experts + representatives from media etc