

CHAPTER 14 - The Bureaucracy

OVERVIEW

Federal bureaucracies are beset with several problems that have created an image of inefficiency. This image began in the early years of the republic with the development of the spoils system. Beginning in 1883, the merit system (Civil Service) began to replace this system. There are still about three thousand top executive positions that are appointed.

Although bureaucrats work in the executive branch, Congress has several means of controlling them. Recognizing this, they often form alliances with congressional committees and interest groups (iron triangles). Elections also influence the bureaucracy. On the plus side, they keep agencies from becoming too secretive and coercive. On the negative side, they make them too cautious or force them to operate under laws that undermine their effectiveness. Most agencies seek to survive by merely muddling through.

OUTLINE

I. The Role of the Bureaucracy

- Bureaucracies, organizations designed to perform a particular set of tasks, have administrative discretion. The agency is the basic organizational unit of the federal government. Some agencies stand alone and others are grouped into departments.

II. The Bureaucracy Problem

- Bureaucracies face impossible tasks, their performance is difficult to measure, they have an urge to expand, are slow to change, and are often mired in red tape.

A. Impossibility of Tasks

- Most of the tasks taken on by government are complex and unlimited. They have a tendency to be given tasks that may be beyond their ability to perform thus the impossibility of accomplishing tasks.

B. Difficulty Measuring Performance

- Due to the difficulty of accurately measuring how well bureaucracies are doing their job, when things go wrong, the bureaucracy gets blamed.

C. Expansionary Tendencies

- Government agencies almost always feel they need more money, more personnel, and more time to perform their tasks effectively. After all, many bureaucrats have worked in an agency for a good number of years, so they are advocates for the programs they execute.

D. Slow to Change

- Standard operating procedures, which are essential to any organization, make bureaucracies slow to change and slow to adapt to new circumstances.

E. Red Tape

- Everyone complains about red tape, but at the same time, many people often make demands on the bureaucracy that causes the red tape.

III. American Bureaucracies: Particularly Political

- American bureaucracies have special characteristics rooted in their country's political history.

A. Difficult Beginning

- Unlike the situation in other countries, those working early on for the bureaucracy in America did not come from elite groups. Even the location of the nation's capital in Washington discouraged people from working for the government.

B. Mountains of Patronage

- An early practice followed in the federal bureaucracy was giving jobs to individuals who had helped get one elected. This is called patronage or the spoils system. Andrew Jackson made a regular practice of it.
- Some scholars think the spoils system was a good idea. It helped assimilate immigrants into American culture, politics, and society. And Americans boasted that they would rather have people in office whom they could spit upon rather than a caste of officials who spat upon them.
- Eventually, the spoils system was replaced by the civil service: government employees chosen according to their educational qualifications, performance on examinations, and work experience.
- The image of bureaucrats as political hacks has carried over from the era of the spoils system to Americans' image of bureaucrats today.

C. Advantages of the Spoils System

- The spoils system helped incorporate immigrants into American urban life.

D. Disadvantages of the Spoils System

- The system, by not stressing qualifications, contributed to the negative image of bureaucrats as incompetent.

E. Erosion of the Spoils System

- In the 1880s, a group of professors, journalists, clerics, and businessmen (called mugwumps) advocated hiring bureaucrats on the basis of what they knew (merit) rather than whom they knew (political connections).
- In 1883, Congress passed the Pendleton Act, which created a Civil Service Commission to set up qualifications, examinations, and procedures for getting many government jobs. In 1939, Congress passed the Hatch Act, which prohibited federal employees from political campaigning and solicitation.

F. Political Appointees Today

- There are still about three thousand top officials in the executive branch who are appointed. Most are members of the White House staff, the heads of most departments and agencies, and the members of most government boards and commissions. They are also friends of the president.
- There are advantages and disadvantages to these presidential appointments. It allows new people with innovative ideas to get into government. It also helps presidents introduce their political agendas with minimal resistance. On the other hand, it complicates government coordination. The average appointee leaves office after about two years of service (resulting in what has been called a government of "inners and outers"). This high turnover rate in personnel leaves government without the continuity necessary for sustained policy focus.

- Another disadvantage is that it makes these positions less attractive as a career for intelligent, ambitious young people.

IV. The President and the Bureaucracy

- Presidents oversee the federal bureaucracy but even they are frustrated by the bureaucracy problem.

A. The Cabinet

- The secretaries of the departments, along with a few other top-ranking officials constitute the cabinet. The four original departments (State, Defense, Treasury and Justice) are known as the inner cabinet because their secretaries typically have easy access to the president. The remaining departments are known as the outer cabinet. These departments provide interest-group access into the Executive branch.
- For example, on March 1, 2003, approximately 180,000 personnel from 22 different organizations around the federal government became part of the new Department of Homeland Security. This new cabinet completed the largest government reorganization since the beginning of the Cold War. The Department of Homeland Security was created with one single overriding responsibility: to make America more secure.

B. Independent Regulatory Agencies

- These agencies, generally headed by several members appointed by the president following Senate confirmation, have quasi-judicial regulatory responsibilities, which are to be carried out in a manner free of presidential interference (hence the name independent).
- Most of these agencies were created by public demand to protect workers and consumers from negligent or abusive business practices.
- Over time, some of these agencies became friendly with the very groups they were designed to regulate (similar to the practice found in iron triangles).

C. Office of Management and Budget

- Before 1921, every federal agency sent its own budget to Congress to be examined by an appropriations subcommittee. No one was responsible for adding up all these requests to see if the government was taking in enough tax money to pay for them all.
- The Office of Management and Budget (originally called the Bureau of the Budget) was created to oversee the president's budget proposal. It also sets personnel policy and reviews every piece of proposed legislation submitted to Congress to see if it is consistent with the president's agenda.
- Agencies are still capable of making end-runs around OMB by appealing to their allies on Capitol Hill.
- To check OMB's growing power, Congress created the Congressional Budget Office in 1974. It evaluates the president's budget as well as the budgetary implications of all other legislation.

V. Congress and the Bureaucracy

- Although, officially, federal bureaucrats have one boss (the president), actually they are also bossed by many in Congress.

A. Senate Confirmations

- Congress influences the bureaucracy through the exercise of its constitutional advice and consent function. An informal rule that operates within this function is senatorial courtesy.
- The media have come to play an important role in this process in recent years. Due to increasing media coverage, Senators are more concerned today that those nominees take the correct political positions. There have been several notable nominations that resulted in the president's nominee not being confirmed or the individual withdrawing his nomination.
- Still, Senate rejections of presidential nominees are the exception, not the rule.
- Although the Constitution gives the president the power to make recess appointments, since Congress has denied pay to those who are appointed in this fashion, it is rarely used today.

B. Agency Reorganization

- One reason presidents don't reorganize the bureaucracy to make it more efficient is because members of Congress, whose committees oversee certain segments of the bureaucracy, resist such changes.

C. Legislative Detail

- Congress usually modifies bureaucratic proposals. In addition, due to judicial precedent, Congress can control bureaucracies somewhat by committee reports accompanying legislation.

D. Budgetary Control

- Congress passes the budgets for agencies. Thus, agencies don't like to upset members of Congress.
- Congress also earmarks some money, leaving agencies no discretion on how it can be spent.

E. Legislative Oversight

- Congress can hold hearings on bureaucratic practices. Such hearings have quadrupled since the 1960s. The hearings can be used to revise existing legislation or modify agency budgets.

F. Iron Triangles and Issue Networks

- Iron triangle is the name for connections among government agencies, interest groups, and congressional committees. Each provides a benefit to the other. The relationship is said to be iron because the connections among the three groups are very stable.
- Some iron triangles have weakened in recent years due to the rise of issue networks.

VI. Elections and the Bureaucracy

- For more than a century, reformers have tried to separate politics from administration.
- Such reforms seem right-headed because when politics interferes with the bureaucracy, the results are often inefficiency and ineffectiveness. Furthermore, many of the more effective federal bureaucracies are less politically charged.
- Still, it is not entirely possible to separate politics from administration. Bureaucrats still report to politicians, and, as long as they do, electoral pressures will affect their decisions.
- Below are some general rules concerning the relationship between elections (politics) and the bureaucracy.

A. Bureaucracy Secrecy

- Bureaucracies generally like to protect their secrets, but electoral pressures have sharply curtailed the amount of secrecy in American government.
- For example, the Freedom of Information Act (1967) gives citizens the right to inspect unprotected government documents – though in 2004, the Court ruled that since the legislature created the 9/11 Commission, the public has no right to inspect their records. The Sunshine Law (1976) requires federal government meetings to be held in public (with some exceptions).
- Even for actions that can be legally kept a secret, bureaucracies find that information is often leaked to the public.

B. Bureaucratic Coercion

- Bureaucratic abuses are less frequent because agencies are held accountable to the electorate.

C. Curbing Agency Expansion

- Though agencies generally try to increase their budgets, elections break such tendencies. Hence, Congress has in recent years cut expenditures on all domestic programs other than Social Security and Medicare.

D. Administrator Caution

- Agencies don't get attention for success, but they do for blunders. Thus, the mentality often surrounding the bureaucracy is not one of managing for success, but merely of preventing blunders.

E. Compromised Capacity

- For legislation to pass Congress, it is necessary to build a broad coalition of support. To do this, proponents must strike deals with those who are at best lukewarm to the idea. Such compromise can cripple a program at birth. Thus, ironically, agency effectiveness is often undermined by the very terms of the legislation that created it.

F. Muddling Through

- Most American bureaucracies, if graded by those who have a personal encounter with them, would earn a B-minus. Agencies have learned that if they try to be too imaginative they become controversial and then politicians will react. So the best course is to merely muddle through.