

# UNIT TWO

## THE FEDERAL BUREAUCRACY

## BUREAUCRACY

### FEATURES OF A BUREAUCRACY

FEATURE	DESCRIPTION
<b>Hierarchical Authority</b>	Structure in which one person at the top is in charge and there are subsequent levels with less power.
<b>Job Specialization</b>	People are experts in particular fields.
<b>Formalized Rules</b>	There is system for hiring and firing each bureaucrat.
<p>-<b>Bureaucracy</b>: a large complex administrative structures that handles the everyday business of an organization.                      -The bureaucracy is sometimes referred to as the "fourth branch" of our government. It is really departments and agencies that are part of the executive branch, headed by the President, that carries out the laws that Congress passes.                      -Our bureaucracy has grown over time, especially with the New Deal during the Great Depression.</p>	

### SPOILS SYSTEM TO MERIT SYSTEM

SYSTEM	GENERAL DESCRIPTION	SPECIFIC DESCRIPTION WITH TERMS
<b>Spoils System</b>	Friends & supporters get jobs	This system existed in the United States, legally starting in 1820 with the <b>Tenure Office Act</b> . The new president could fire the old president's appointments and select friends that helped get them elected.
<b>Merit System</b>	Qualified people get jobs because due to their education and/or experience.	Congress passed the <b>Pendleton Civil Service Act</b> in 1833 to prevent the constant rewarding of party members. This included written exams for application and created the bipartisan <b>Civil Service Commission</b> to oversee the process. This coincided with specialization needed to regulate an economy during the Industrial period. In 1939 and 1940 Congress passed the Hatch Act which prohibited federal workers from being directly
<p>-"To the victor belongs the spoils" Andrew Jackson liked the spoils system.                      -In 1881, Charles Guiteau tried to persuade President Garfield for job. After Garfield refused, he shot him to death. The renewed reformers desire for government jobs to be given based on merit, skill, and experience                      -In 1939 &amp; 1940 Congress passed the <b>Hatch Act</b> which prohibited federal workers from being directly involved with campaigns. This interfered with first amendment. Now they can express opinions but they cannot use their influence of their position on elections.                      -<b>Bureaucrat</b> is generally referred to an appointed official. They are selected by President and confirmed by the Senate. Only top government positions are selected by this. Most go through the <b>Civil Service Commission</b>. Other bureaucrats include anyone in the executive branch (including bureaucracy) that carry out some decision or apply some law (administrators, lawyers, doctors, educators, plumbers, carpenters, drivers).                      -The <b>competitive service</b> includes jobs that require some type of exam or competitive hiring process.                      -The <b>excepted service</b> include all the the others, providing hiring options when the competitive service is not practical.</p>		

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	<b>OVERALL DESCRIPTION</b>	<b>EXAMPLES</b>
<b>WHITE HOUSE OFFICE</b>	President's closest assistants with offices in the White House. The president can pick whoever they want for the jobs.	<ul style="list-style-type: none"> <li>• Staffers in include: Press secretary, chief of staff, chief legal counsel, congressional liaisons, national security advisor</li> </ul>
<b>THE EXECUTIVE OFFICE OF THE PRESIDENT</b>	Agencies report to the President and perform staff services for but are not located in the White House. The president picks top officials but the Senate must confirm them.	<ul style="list-style-type: none"> <li>• Office of Management and Budget</li> <li>• The National Security Council</li> <li>• Council of Economic Affairs</li> </ul>
<b>THE CABINET</b>	The heads of the federal departments. The president picks but the Senate must confirm.	<ul style="list-style-type: none"> <li>• Secretary of State</li> <li>• Secretary of Treasury</li> <li>• Secretary of Defense</li> <li>• Attorney General</li> </ul>
<b>INDEPENDENT AGENCIES</b>	<b>Independent Executive Agencies:</b> Functions much like Cabinet but are smaller.	<ul style="list-style-type: none"> <li>• Environmental Protection Agency</li> </ul>
	<b>Independent Regulatory Commissions:</b> Regulate aspects of economy.	<ul style="list-style-type: none"> <li>• Federal Reserve System</li> <li>• Federal Communications Commission</li> </ul>
	<b>Government Corporations:</b> Carry out business like activities in order to provide service.	<ul style="list-style-type: none"> <li>• Federal Deposit Insurance Corporation</li> <li>• U.S. Postal Service</li> <li>• Amtrak</li> </ul>
<p>-<b>Staff Agencies</b> service in a support capacity by offering advice and assistance.                      -<b>Line Agencies</b> actually perform the tasks for which the organization exists.                      --The president is the head of the bureaucracy which essentially is the agencies and departments that make up the executive branch which has the primary function of enforcing laws created by Congress.</p>		

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**WHITE HOUSE OFFICE**

STAFF POSITIONS	DESCRIPTION
<b>Chief of Staff</b>	<ul style="list-style-type: none"> <li>• They are responsible for the smooth operation of the White House, acting as a gatekeeper for the President.</li> <li>• Some do the firing, clear up misstatements and corrects errors.</li> </ul>
<b>Chief Legal Counsel</b>	<ul style="list-style-type: none"> <li>• This job exists because the Attorney General is busy managing a department with more than 100,000 people.</li> <li>• Available to give President advice on constitutionality of program ideas</li> <li>• Reviews legislation, treaties or executive agreements and pardon recommendations</li> </ul>
<b>Communications Staff</b>	<ul style="list-style-type: none"> <li>• Press secretary: expresses presidents opinions</li> <li>• Also speechwriters &amp; public relations experts.</li> </ul>
<b>Congressional Liaisons</b>	<ul style="list-style-type: none"> <li>• A team to draft bills and assist in gaining support in Congress for the legislation the President wants.</li> </ul>
<b>National Security Adviser</b>	<ul style="list-style-type: none"> <li>• This person oversees the National Security Council.</li> <li>• They coordinate information coming from the CIA, the military, and the State Department.</li> </ul>
-Some books describe the White House office as the nerve system of the Executive Office of the President.	

**EXECUTIVE OFFICE OF THE PRESIDENT**

OFFICE	DESCRIPTION
<b>Office of Management and Budget</b>	<ul style="list-style-type: none"> <li>• Assemble and analyze the figures that into the budget the President submits to Congress</li> <li>• Studies organization and operations of executive branch</li> <li>• Helps the President write executive orders</li> </ul>
<b>National Security Council</b>	<ul style="list-style-type: none"> <li>• Consists of the president's principal advisers on matters of national security, defense, intelligence, and war. (Today has 250 people working as support)</li> </ul>
<b>Council of Economic Advisers</b>	<ul style="list-style-type: none"> <li>• Assists the president in preparing an annual economic report for Congress.</li> <li>• Assesses federal government spending</li> </ul>
<b>Office of U.S. Trade Representation</b>	<ul style="list-style-type: none"> <li>• Negotiates treaties regarding international commerce.</li> <li>• Connects with business interests and works to formulate international law.</li> </ul>

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**THE DEPARTMENTS**

DEPARTMENT	PRINCIPAL FUNCTION	IMPORTANT AGENCIES
<b>State (1789)</b>	-Advises the President of foreign policy -Negotiates agreements with foreign countries -Represents the United States abroad & international organizations	-Foreign Service -Bureau of Diplomatic Security -Bureau of Consular Affairs
<b>Treasury (1789)</b>	-Produces coins and bill -Collects Taxes -Borrows money & manages public debts	-Internal Revenue Service (IRS) -US Mint -Bureau of Public Debt
<b>Defense (1789)</b>	-Provides military forces to deter war and provides security	-Joint Chiefs of Staff -Army -Navy -Air Force
<b>Justice (1870)</b>	-Prosecutes those accused of violating federal law -Enforces federal laws & operates federal prisons -Represents the U.S. in court	-Federal Bureau of Investigation (FBI) -Bureau of Prisons
<b>Interior (1849)</b>	-Manages public lands, indian lands, and national parks	-National Park Service -Bureau of Land Management
<b>Agriculture (1889)</b>	-Manages nation's forests -Inspects food	-Food & Safety Inspection Service -Farm service Agency
<b>Commerce (1903)</b>	-Conducts census -Promotes international trade -Grants patents & registers trademarks	-Bureau of Census -Patent and Trademark Office -Economic Development Admin
<b>Labor (1913)</b>	--Enforces federal laws on minimum wage, maximum hours, and working conditions	--Occupational Safety and Health Administration (OSHA) -Bureau of Labor Statistics
<b>Health &amp; Human Services (1953)</b>	-Enforces pure food and drug laws -Administers Medicare & Medicaid -Conducts programs to prevent and control disease	-Food and Drug Administration --Centers for Disease Control and Prevention
<b>Housing and Urban Development (1965)</b>	-Operates home-financing & public housing programs	--Office of Fair Housing and Equal Opportunity -Office of Housing
<b>Transportation (1967)</b>	--Administers programs to promote and regulate highways, mass transit, railroads, waterway, air travel, and oil and gas pipelines	-Federal Highway Admin -Maritime Administration
<b>Energy (1977)</b>	-Promotes production of renewable energy, fossil fuels & nuclear energy	--Regional Power Admin
<b>Education (1979)</b>	-Administers federal aid to schools & conducts educational research	-Office of Postsecondary Ed.
<b>Veterans Affairs (1988)</b>	-Administers benefits, pensions, and medical programs to veterans	-Veteran Benefits Administration -National Cemetery Admin
<b>Homeland Security (2002)</b>	--Emergency preparedness and response for chemical, biological, radiological & nuclear defense	-Coast Guard -U.S. Citizenship and Immigration Services

The **cabinet**: is a nickname for the 15 departments that advise the President. They are considered important and have numerous agency within them. **Department** is the only name or label of importance. The other terms (like: commission, administration, bureau) are fancy names for **agency**.

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**INDEPENDENT AGENCIES**

TYPE OF AGENCY	DESCRIPTION	EXAMPLES	EXAMPLE DESCRIPTIONS
<p><b>Independent Executive Agency</b></p>	<p>Functions much like Cabinet but are smaller</p>	<p>Environmental Protection Agency (EPA)</p>	<p>Writes and enforces regulations to protect the environment.</p>
		<p>General Services Administration (GSA)</p>	<p>The construction and operation of public buildings</p>
		<p>National Aeronautics and Space Administration (NASA)</p>	<p>Scientific research and in charge of civilian space program</p>
<p><b>Independent Regulatory Commissions</b></p>	<p>Regulate aspects of economy</p> <p>Quasi Legislative (create regulations) (discretionary authority)</p> <p>Quasi-Judicial (Decide disputes over regulations)</p> <p>Largely beyond the reach of President</p>	<p>The Federal Reserve Board (The Fed)</p>	<p>Supervises banking system; regulates money supply, use of credit in economy</p>
		<p>Securities and Exchange Commission</p>	<p>Regulates securities, other financial markets, investment companies, brokers</p>
		<p>Federal Communications Commission</p>	<p>Regulates interstate and foreign communications by radio, television, satellites, and cable</p>
<p><b>Government Corporations</b></p>	<p>Carry out business like activities in order to provide service</p> <p>President does have more control</p>	<p>U.S. Postal Service</p>	<p>Deliver mail</p>
		<p>Federal Deposit Insurance Corporation (FDIC)</p>	<p>Insure bank deposits</p>
		<p>National Railroad Passenger Corporation (Amtrak)</p>	<p>Provide intercity rail passenger service</p>

--Independent Agencies are located outside of the Departments. They are separate because 1) They do not fit into one well 2) They are outside to protect them from partisan and pressure politics 3) on accident.  
 -There are over 150 agencies outside of the cabinet departments. They were all created by Congress with a purpose.

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**BUREAUCRATIC PATHOLOGIES**

PATHOLOGY	DESCRIPTION
<b>RED TAPE</b>	Complex rules and procedures leads to fills and wait times before action can take place.
<b>CONFLICT</b>	Agencies work at cross-purposes with one another
<b>DUPLICATION</b>	Two agencies may be given the same tasks from Congress.
<b>IMPERIALISM</b>	Agencies grow without regard to benefits or costs.
<b>WASTE</b>	Some agencies spend more than they need. (They are not worried about keeping costs down because it is just the government's money)

-When people are concerned with government waste they put in rules and procedures to monitor it, thus creating red tape. if they want to speed up time and efficiency they have to cut rules and procedures which leads to waste. Paradox!!!

**IRON TRIANGLES**

The diagram illustrates an Iron Triangle with three vertices: a Congressional Committee (Subcommittee on tobacco) at the top, a Bureaucracy (Department of Agriculture) at the bottom left, and an Interest Group (Tobacco Growers) at the bottom right. Arrows show the following relationships: 
 

- From Bureaucracy to Committee: 'Help with constituents complaints' and 'Appropriation bills'
- From Committee to Interest Group: 'Help write legislation (act as lobbyist)' and 'Create favorable policy'
- From Interest Group to Bureaucracy: 'Pressure congress to give agency \$'
- From Bureaucracy to Interest Group: 'Dispenses grants'

- **Congressional Committee**
- **Interest Group**
- **Agency in Bureaucracy**

Iron Triangles is the name for when the three members (listed above) stabilized and helped one another.

**Issue Networks:** include members of iron-triangle and lawyers, consultants, academics, public relations specialists, and the courts. They have broken the power of Iron Triangles. (Pluralism Elite View: in which competitive groups stop each other from obtaining constant control in the government)

## BUREAUCRACY

### BUREAUCRACY MAKES POLICY

TERM	ALSO KNOWN AS	DESCRIPTION
<b>Rule Making</b>	Quasi-Legislative Power	--Many agencies can make <b>Regulations</b> (which have force of law) (like the FCC makes regulations on what cannot be said on the air)
<b>Administrative Adjudication</b>	Quasi-Judicial Power	--Bureaucratic agency settle <b>disputes</b> (much like a court) (such as when FCC ruled Timberlake broke rules on TV)
<p>--<b>Administrative Discretion</b> (or discretionary authority): The ability to make choices concerning the best way to implement congressional or executive intentions. This can be done on formal and informal levels. IRS agents make decisions during personal audits and Department of Justice lawyers make decisions about whether or not prosecute someone.</p>		

### CONTROL OF BUREAUCRACY

BRANCH	DESCRIPTION
<b>EXECUTIVE CONTROL</b>	<ul style="list-style-type: none"> <li>● Appoint and remove agency heads</li> <li>● Reorganize the bureaucracy (with congressional approval)</li> <li>● Make changes in the agency's annual budget proposals (Congress has the final say)</li> <li>● Issue executive orders</li> </ul>
<b>CONGRESSIONAL CONTROL</b>	<p>All of these are referred to as <b>oversight function</b>:</p> <ul style="list-style-type: none"> <li>● Pass Legislation that alters activities</li> <li>● Abolish existing programs</li> <li>● Refuse to appropriate certain funds</li> <li>● Investigate bureaucratic activities</li> <li>● Force bureaucrats to testify at hearings</li> <li>● Influence presidential appointments for top bureaucratic positions.</li> <li>● Write legislation to limit the bureaucracy's discretion</li> </ul>
<b>JUDICIAL CONTROL</b>	<ul style="list-style-type: none"> <li>● Rule on whether bureaucrats have acted within the law and require policy changes to comply with law</li> <li>● Force the bureaucracy to respect the rights of individuals through hearings and other proceedings.</li> <li>● Rule on constitutionality of all challenge rules and regulations.</li> </ul>
<p>The bureaucracy is usually considered part of the executive branch. But some agencies are far removed from the President. So it is also considered "the fourth branch" of our government. That is why this chart is showing some power the president possesses over the bureaucracy.</p>	

