Chapter 13

The Federal Bureaucracy
The Federal Bureaucracy

- Understanding the Federal Bureaucracy
- Four Types of Federal Organizations
- Types of Federal Employees
- The Job of the Federal Bureaucracy
- Controlling the Federal Bureaucracy
- Does the Federal Bureaucracy Work?
Understanding the Federal Bureaucracy

Constitutional Controls

• Prohibit members from holding executive branch positions

• President has complete authority to nominate the senior offices

• President is responsible for requiring the opinions of the officer of each department
Understanding the Federal Bureaucracy

Defining Bureaucracy

• Specialization
• Centralization
• Rules
• Standardization
• Expertise
• Accountability
Roots of the Federal Bureaucracy

• The Civil War and the growth of government
  – Department of Agriculture (1862)
  – Pension Office (1866)

• From *spoils system* to *merit system*
  – *Pendleton Act* of 1883
  – Civil service system
Regulating Commerce

- Interstate Commerce Commission (1887)
- Independent regulatory commission
- Theodore Roosevelt
  - Growth
  - Department of Commerce and Labor
- Woodrow Wilson
  - Divided Department of Commerce and Labor
  - Federal Trade Commission
The World Wars and the Growth of Government

Events that led to the growth of government

- World War I
- The Great Depression
- World War II
- The Great Society
  - Civil Rights Act (1964)
  - Housing and Urban Development (1964)
  - Transportation (1965)
Federal Employees in the Executive Branch

This line graph tracks the number of federal employees in the executive branch of the U.S. government from the eighteenth to the twenty-first century. Review the figure, and then answer the questions.

- Between which years did the number of federal employees increase the most rapidly? What do you think were the principal reasons for the increase?
- Between which years did the number of federal employees decrease the most rapidly? What do you think were the principal reasons for the decrease?
- What might explain the modest declines in the number of federal employees after 1970 and after 1990?
- In the next five years, would you expect the number of federal employees to increase, decrease, or stay the same? Why? What sorts of factors might influence the number of federal employment positions in the future?

FIGURE 13–1 Measuring the Estimated Total Number of Federal Employees.

Why has there been such a dramatic increase in the number of contracted employees?

The Four Types of Federal Organizations

- Departments
- Independent Stand-Alone Agencies
- Independent Regulatory Commissions
- Government Corporations
FIGURE 13-2 The Department of Health and Human Services.

What are the benefits and drawbacks of having all of these organizations housed within the Department of Health and Human Services?

SECRETARY
DEPUTY SECRETARY

Administration for Children and Families (ACF)

Agency for Toxic Substances and Disease Registry (ATSDR)

Administration on Aging (AOA)

Centers for Disease Control and Prevention (CDC)

Centers for Medicare & Medicaid Services (CMS)

Food and Drug Administration (FDA)

Agency for Healthcare Research and Quality (AHRQ)

Indian Health Service (IHS)

Health Resources and Services Administration (HRSA)

National Institutes of Health (NIH)

Substance Abuse and Mental Health Services Administration (SAMHSA)
Types of Federal Employees

- Presidential Appointees
- Senior Executive Service
- Civil Service

The Hiring Process
Modern Bureaucracy

- Civil servants
  - Approximately 2.7 million
  - One-third are postal workers
- Appointive policy-making positions
- Independent regulatory commissioners
- Low-level, non-policy patronage positions
- Private contractors
Formal Organization

• Cabinet departments
  – 15 total

• Independent executive agencies
  – NASA, EPA

• Independent regulatory commissions
  – National Labor Relations Board (NLRB)
  – Federal Reserve Board
  – FCC, SEC, FEC, OSHA

• Government corporations
  – FDIC, Tennessee Valley Authority
Government Workers and Political Involvement

- **Hatch Act** of 1939
  - Prohibits civil servants from taking activist roles in partisan campaigns – federal employees cannot make political contributions, work for a particular party, or campaign for a particular candidate

- **Federal Employees Political Activities Act of 1993**
  - Liberalizes Hatch Act – federal employees can run for office in nonpartisan elections and contribute money to campaigns in partisan elections
Types of Federal Employees

Regulating the Civil Service
- 1939 Hatch Act
- 1993 Overhaul

The Role of Government Unions
What are the advantages and disadvantages of having so many more federal employees be civil service employees rather than presidential appointees?

- Military personnel: 1,400,000
- Postal workers: 800,000
- Blue-collar employees: 250,000
- Clerical and support employees: 700,000
- Professional and technical employees: 900,000
- Senior executives: 7,000
- Presidential appointees: 3,000
The Job of the Federal Bureaucracy

Job of the Federal Bureaucracy

• Implementation
  – Regulations
  – Spending

• Administrative discretion
Figure 9.1: Where do federal employees work?


Total Employed: 2,700,300

- Legislative: 29,400 (1.1%)
- Judicial: 33,700 (1.3%)
- U.S. Postal Service: 757,400 (28.0%)
- Executive: 1,879,700 (69.6%)
What are the characteristics of federal civilian employees?

**Gender Total**
- Male: 56.1 (49.3%)
- Female: 43.9 (50.7%)

**Gender/Rank (lowest grade) GS 1–4**
- Male: 35.8
- Female: 64.2

**Gender/Rank (lowest grade) GS 5–8**
- Male: 36.9
- Female: 63.1

**Gender/Rank (lowest grade) GS 9–12**
- Male: 46.0
- Female: 54.0

**Gender/Rank (lowest grade) GS 13–15**
- Male: 65.4
- Female: 34.6

**Race/Ethnicity**
- White: 67.9 (66.6%)
- Hispanic: 7.5 (15.4%)
- African American: 17.2 (11.4%)
- Asian and Pacific Island American: 5.3 (4.4%)
- American Indian: 2.1 (<2%)

**Other Characteristics**
- Disabled: 6.8 (unavailable)
- College Educated: 43.0 (27.4%)
- Veteran: 21.0 (10.1%)

*Percentages in parentheses indicate each group’s representation in the general population.*
How the Bureaucracy Works

• Max Weber and model bureaucracies
  – Chain of command, division of specialized labor, clear authority lines, goal orientation, treatment based upon merit, evaluation according to established rules

• Iron triangles

• Issue networks

• Interagency councils

• Making policy
  – Administration discretion
  – Rule making
  – The Federal Register
  – Administrative adjudication
What is an iron triangle?

Bureaucratic agency

Congressional committees, subcommittees, and staff

Interest groups, lobbyists, large corporations
FIGURE 13-4 Uncontrollable Spending in 1962 and 2010.

Why do you think there are so many federal programs today with uncontrollable spending?

Controlling the Federal Bureaucracy

Controlling the Bureaucracy

• Presidential Controls
• Congressional Controls
• Shared Controls

Can the Bureaucracy Regulate Itself?
Toward Reform: Making Agencies Accountable

- Executive control
  - Executive orders
- Congressional control
  - Constitutional authority
  - Funding
  - Oversight hearings
    - Police patrol
    - Fire alarm
- Judicial control
  - Injunctions
Does the Federal Bureaucracy Work?

Does the Bureaucracy Work?

• Bad execution
  – Taxpayer abuse by the IRS
  – Security breaches
  – Hurricane Katrina sluggish response
  – Gulf of Mexico oil spill
FIGURE 13-5 Trust in the Bureaucracy.

How much trust and confidence do you have at this time in the executive branch, headed by the president: a great deal, a fair amount, not very much, or none at all? What might explain the long-term decline in confidence in the federal bureaucracy? Why did confidence rise so dramatically in 2009?

What are the federal agency regions, and where are their headquarters located?

How is a regulation made?

1. Judicial Decision
2. New Legislation
3. Executive Branch Decision
4. Interest Group or Individual Petition
5. Media Pressure

New rules drafted for preliminary consideration
- Office of Management and Budget reviews objectives and evaluates costs
  - Disapproval: Stop
  - Approval (with or without modifications)

Advance notice of proposed rule-making issue
- Draft circulated to industry, affected groups; hearings held if necessary
  - Disapproval: Stop
  - Approval

Proposed regulations published in the Federal Register; 30–60 days allowed for comments

Comments evaluated; final draft written

Office of Management and Budget reviews final version
  - Disapproval: Stop
  - Approval (with or without modifications)

New regulation published in the Federal Register
What does the Federal Employees Political Activities Act of 1993 stipulate?

<table>
<thead>
<tr>
<th>Federal Employees May</th>
<th>Federal Employees May Not</th>
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<tbody>
<tr>
<td>■ Be candidates for public office in nonpartisan elections</td>
<td></td>
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<tr>
<td>■ Assist in voter registration drives</td>
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<tr>
<td>■ Express opinions about candidates and issues</td>
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<tr>
<td>■ Contribute money to political organizations</td>
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<tr>
<td>■ Attend political fund-raising functions</td>
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<td>■ Attend and be active at political rallies and meetings</td>
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<tr>
<td>■ Join and be active members of a political party or club</td>
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<td>■ Sign nominating petitions</td>
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<td>■ Campaign for or against referendum questions, constitutional amendments, and municipal ordinances</td>
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<td>■ Campaign for or against candidates in partisan elections</td>
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<td>■ Make campaign speeches for candidates in partisan elections</td>
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<td>■ Distribute campaign literature in partisan elections</td>
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<tr>
<td>■ Hold office in political clubs or parties</td>
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<td>■ Use their official authority or influence to interfere with an election</td>
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<td>■ Collect political contributions unless both individuals are members of the same federal labor organization or employee organization and the one solicited is not a subordinate employee</td>
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<td>■ Knowingly solicit or discourage the political activity of any person who has business before the agency</td>
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<td>■ Engage in political activity while on duty</td>
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<td>■ Engage in political activity in any government office</td>
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<td>■ Engage in political activity while wearing an official uniform</td>
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<td>■ Engage in political activity while using a government vehicle</td>
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<tr>
<td>■ Solicit political contributions from the general public</td>
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<tr>
<td>■ Be candidates for public office in partisan elections</td>
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Source: U.S. Special Counsel's Office.
How are agencies made accountable?

The president has the authority to:
- Appoint and remove agency heads and other top bureaucrats.
- Reorganize the bureaucracy (with congressional approval).
- Make changes in an agency’s annual budget proposals.
- Ignore legislative initiatives originating within the bureaucracy.
- Initiate or adjust policies that would, if enacted by Congress, alter the bureaucracy’s activities.
- Issue executive orders.
- Reduce an agency’s annual budget.

Congress has the authority to:
- Pass legislation that alters the bureaucracy’s activities.
- Abolish existing programs.
- Refuse to appropriate funds for certain programs.
- Investigate bureaucratic activities and compel bureaucrats to testify about them.
- Influence presidential appointments of agency heads and other top bureaucratic officials.
- Write legislation to limit the bureaucracy’s discretion.

The judiciary has the authority to:
- Rule on whether bureaucrats have acted within the law and require policy changes to comply with the law.
- Force the bureaucracy to respect the rights of individuals through hearings and other proceedings.
- Rule on the constitutionality of all challenged rules and regulations.