

## HOW BUREAUCRATS DO STUFF

When Congress creates some subdivision of the executive branch, it can charge that subdivision with certain powers in order to accomplish niche tasks. When it's the ability to create and interpret laws, it is called **delegated discretionary authority**. This can be explicit (as in a law clearly charging a subdivision with some power), or interpreted (someone read the law, claimed it meant something, and everyone agreed).

The powers that these subdivisions are charged with include:

- [1] Legal channels in which federal dollars may flow into grant programs for states and whatnot,
- [2] Allowing subdivisions to grant subsidies or otherwise use money to pay someone,
- [3] Creating fair and specific regulations and enforcing them.

Of course, bureaucrats cannot just do something without studying and consulting experts before moving. One of the key values is transparency and fairness within the bureaucracy, therefore, there are a number of procedures in place to ensure those values are enacted. **The 1948 Administrative Procedures Act** is an example of this; it defines somewhat the process of making using the DDauth and most importantly ensures that citizens and stakeholders have input before decisions are made.

Once the law is made, there is usually a grace period during which the regulation is published but is unenforceable. The regulation is then placed in the U.S. Code of Federal Regulations and in the Federal Register; both of which describe the history of the regulation and provide the regulation text for the public to see.

## KEY TERMS

Administrative Procedures Act - defined above

Code of Federal Regulations - defined above

delegated discretionary authority - defined above

Federal Register - defined above

notice and comment opportunity - **the ability for members of the public and stakeholders to share their comments on a certain regulation before its passage. usually mandated by law.**

independent regulatory agencies - **a regulatory authority created independent from any Big 15 Departments and charged with the power to create specific regulations amongst other powers**

US Securities and Exchange Commission (SEC) - **Congress-created agency designed to protect the market from manipulation**

Federal Elections Commission (FEC) - **Congress-created agency designed to enforce rules about campaign financing and other election rules**