

Bureaucracy

The Development of the Bureaucracy

- “Fourth branch” of government
 - Size
 - Power
 - Scope of power
- Early years of the Republic
 - George Washington established the civil service system
 - Andrew Jackson
 - “Rotation in office”
 - Rotating people in office often
 - “Spoils system”
 - To the winner goes to spoils

The Evolution of the Bureaucracy

- Full bureaucracy emerged after the Civil War
 - Emerging industrial economy
 - 1881 assassination of President Garfield
 - Calls for reform
- The Pendleton Act
 - Beginning of putting bureaucratic jobs under a merit system

Cabinet Departments

- Department of War
- Department of Treasury
- Department of Navy
- Department of Defense (1947)
- Department of the Interior (1849)
- Department of Justice (1870)
- Department of Energy (1977)
- Department of Homeland Security (2002)

The Structure of the Bureaucracy

- Cabinet-level departments
- Agencies that fall under one of the 15 Cabinet departments
- Independent agencies

- Regulatory commissions
- Government corporations

Why Does Congress Delegate Power?

- The bureaucracy is focused on regulation
- Regulations have the force of law
- Congress doesn't have time to deal with regulations
- Congress doesn't have the expertise to deal with regulations
 - NASA
 - Scientists designing rockets
 - NHTSA
 - Civil engineers designing highways
 - EPA
 - Environmental scientists
- The Congress can place blame on the agencies
 - They don't want the electoral blame
 - The bureaucracy has to enforce unpopular decisions/regulations

Political Control Over Agencies by Congress

- Can create agencies and departments as part of their powers
 - Enabling acts
 - Food and Drug Act
 - Established Food and Drug Administration
- Legislative oversight
 - Keeping an eye on the agencies and departments
 - Make sure the bureaucracy doesn't overstep their power/responsibilities
 - Police patrol
 - Ask bureaucracy to file reports, testify before Congress, explain spending
 - Checking often to make sure things are going properly
 - More likely to be engaged in
 - Give electoral advantages
 - Fire alarm
 - Waiting for something to go wrong within a bureaucratic department
 - E.g. E. coli outbreak during Obama administration
 - E. coli entered the food system via bad slaughtering practices
 - Was found that food safety inspection service wasn't inspecting enough

- Budgeting
 - Budget cuts when bureaucratic agency doesn't follow Congress's vision
 - Control them by taking away some money
 - Presidential control
 - Can control the agencies via the OMB
 - Nomination
 - OMB
 - Executive orders
 - Can give executive orders to agencies
 - These have the force of law
 - Can be gotten rid of by same president or a different president
 - Can be struck down by the supreme court
 - Reagan
 - "Cost-benefit analysis"
 - Trump
 - "One-in, two-out"
 - Judicial review of agencies decisions
- Bureaucratic leaders
- Less discretion given to agencies

The Administration Procedures Act

- Tried to make these bureaucracies more accountable, more democratized, etc
- 1946
- "Runaway" bureaucracies
 - Period of many agencies being established
 - People didn't know about the regulations being established and didn't have a say
 - But they had knowledge and a say of laws via Congress
 - There is a citizen role in the process
- Federal Register
 - Publication of every single proposed regulation by every proposed agency
- Public comment period
 - Opportunity to comment on it