

5 Congress I

Legislatures and Legislative Branches 立法机关和立法部门

Legislature 立法机关

A body created with the authority to work on behalf of the nation-state to make laws.

Legislative Branches 立法部门

How is executive determined? 执行官如何确定

Parliamentary versus **Presidential** 议会制 / 总统制

- **Parliamentary** 议会制
 - The executive is drawn from the *parliament*.
 - The executive is *connected* to the legislative system.
 - Executive is allegiant to the *majority party* in the parliament.
 - *Low independence* between executives and legislatives.
- **Presidential** 总统制
 - People *directly* elect the president.
 - The president is *separated* to the legislative.
 - President is allegiant to the *national electorate*.
 - *High independence* between executives and legislatives.

How many chambers are there? 有多少个议院

Bicameral versus **Unicameral** 两院制 / 一院制

- **Speed of Action**
 - **Bicameral** is *slower*.
 - **Unicameral** is *faster*.
- **Clarity or Confusion of Responsibility**
 - **Bicameral** has:
 - *More access for interest groups.*
 - *More pluralism and more reflective.*
 - **Unicameral** has:

- More clarity of responsibility.
- **Level of Representation**
 - **Bicameral**
 - It depends.
 - *More broad*, harder to determine which legislative is representative.
 - Representation is held by the group.
 - **Unicameral**
 - *More specific*.
- **Amount of Public Opinion Allowed**
Amount of public opinion / Degree of influence.
 - **Bicameral**
 - More opinion, but less influential.
 - **Unicameral**
 - Less public opinion, but far more impactful on policies.
- **Cost**
 - **Bicameral**
 - Inefficient, take up a lot of money / time.
 - **Unicameral**
 - Less costly.
- **Full time / Part time**
Part time is most common in state level .
 - Enhance representation.
 - Lower cost.
 - Better connection to the general public.

What about Congress?

The legislative authority necessarily predominates. -Madison Fed#51

立法权必然占主导地位。

Legislative Branch is the Most Powerful Branch.

- Enumerated Powers.
- Implied Powers.

Founders are largely influenced by the time.

- **Senate** are Selected by State Legislatures
 - Traditionalists: Privileged Elites.
 - Utilitarian: Just do enough govern.

- **House** are Meant to represent the People
 - Only branch in the Government representing people in *Very narrow way*.
- Reflection of **Class Culture**.
 - **Senates** are elected by the popular for Senators Vote. (*17th Amendment in 1913*)
 - Result: Lead to the conflict between *Broad and Specific*.
 - Shift from *Collective good* to *Individual good*.
 - Senates shift from *Adults in the Room* to *Same direction as the House*.
 - *Broad representatives* to *Specific Representatives*.
 - *Broad interest of the Country* to *Narrow interest of States and Individuals*. "Best for me."

Difference of House and Senate

- **Length of Term and Constituencies**
 - House *Specific to Voters, More rules*
 - 435 Members, each from equally populated districts.
 - All of them reelect in 2 year term.
 - Senate *Prestige, More Important, Less rules*
 - 100 Members, 2 from each states.
 - Reelection in 6 year term.
 - 1/3 of them are up for reelection in 2 years.
- **Prestige levels**

Depend on the number of Individuals in the room.

 - **House** More people, Less power, representation of specific votes.
 - **Senate** Less people, More power, representation of control and understandings.

Functions of Congress

- **Lawmaking**
- **Constituent Service**
- **Representative**
- **Oversight**
- **Public Education**
- **Conflict Resolution**

Lawmaking

- Determining **Broad National Policies and Budget**.
- The Intended purpose of Congress.

- Not all proposal immediately become laws. \
- Many bills come from other sources including:
 - **Interest Groups**
 - Provide money to *support* the members of the Congress.
 - Provide help as an expertise. *Information*
 - **Political Parties**
 - Legislative agendas. 立法议程
 - Getting members on board.
 - **Executive Branch**
 - President's office.
 - Portion of Bureaucracy.

Constituent Service 选民服务

Also referred as *Casework*.

Activities that elected officials, like members of Congress or state legislators, do to **help individual constituents (voters) with problems or requests**.

Representation

Two roles at the same time.

- Trustee. *Use their own judgement to make decisions.*
- Instructed Delegate. *Act according to the wishes of their constituents.* .

Oversight

Where there might be new policies.

- Of the Executive and Enacted legislations.

Public Education

- Agenda Setting

Conflict Resolution

Release Valve

Releasing pressure between the different viewpoints.

- Accommodation at all times to conflict issues.

Congressional Structure

Formal Leadership

- **House**

- Speaker of the House 众议院议长
 - From the Majority party.
 - Most power person in the Congress.
 - Elected.
 - Complete control over the Congress.

- **Senate**

- President of Senate 参议院议长
 - The Head of Senate.
 - Cast the deciding vote in case of a tie.
 - Required to be at any Joint of Congress. 国会联席会议
- President Pro Tempore 参议院临时议长
 - Longest Serving consecutive member of Majority Party.

- **Both Chambers**

- Majority Leaders. 多数党领袖 & Minority Leaders. 少数党领袖
 - Most powerful member of the House.
- Majority Whips. 多数党党鞭 & Minority Whips. 少数党党鞭
 - Pull the Party in shape.

Committee Structure

- **Standing Committees** 常设委员会

- Permanent
- Most Famous

- **Select Committees** 特别委员会

- Created to accomplish specific jobs.
- Dissolve when mission accomplished.

- **Joint Committees** 联席委员会

- Special type of Committees.
- Selected from both house and parties.

- **House Rules Committees** 规则委员会

- Only House.

- Standing that all pieces of legislation refer to.

6 Congress II

How does a Bill become a Law?

1 House 众议院

1.1 Introduction 提案

Introduction to the House of Representatives as a **resolution**.

- Bill **cannot** die at this stage (assuming everything have done right).

1.2 Committee Stage 委员会

Bill is referred to the **appropriate** committee.

- Power of the **Speaker of the House**
 - **Assign** the Bill to specific committees.
 - May go to **multiple** standing committees. *Multiple Referral*
- The more people involved, the more **likely** the Bill could die.
- It is up to the committee how to handle the Bill.
 - A lot of different outcomes and paths.
- **Most legislation die at this stage**
 - **Never** called for.
 - **Loses** in a vote.

1.3 Rules Committee 规则委员会

Set **rules** to the debate around the legislation.

- Rules include:
 - How **long** does each member get to speak?
 - **Who** is allowed to discuss?
 - What issues are relevant and *Germane*?
- Not all people get to speak.
 - It has to come out of the **Rules Committee**.
 - Involve of **Speaker of the House**.

1.4 Floor Action 全院辩论

Bills and Amendments are debated. Each Separately.

- Where all the rules get into place.
- Limited time to resolve the issue.
- Scheduling matters.
 - Earlier: More discussion of the Bill.
 - Later: Less discussion of the Bill.
- May add amendments to the Bill during floor action.
 - Additional Fundings...
- Voting process
 - First: Vote on each amendment **separately**.
 - Then: Vote on the **whole** Bill. (which is different on the initial)
 - Can kill the Bill on this point.

2 Senates 参议院

Adults in the Room

2.1 Introduction 提案

Similar process with the House process.

2.2 Committee Stage 委员会

Similar process with the House process.

- Effectively refer to the discussion group.
 - Multiple referral (single person crossing between multiple groups) may occur.
- May amend or add subsections to the Bill.
 - Subsections: New things that are not directly related to the original Bill.
- Vote on the amended Bill.

2.3 Scheduling 日程安排

Scheduling is made by **Majority Leading in the Senate**. 参照多数党领袖安排。

- Speeding or Slowing the process of the Bill may alter the likelihood of success.

2.4 Floor Action 全院辩论阶段

- May add amendments to the Bill. (Could be Non-Germane)
 - Can have nothing to do with the Bill that's being discussed.

- Create a shortcut.
- No Time Limit.
 - Also may hold the Bill as long as they want.
- Vote of Closure. 终止辩论动议
 - 60% Vote to close the debate.
 - Goes to an immediate final vote.
 - Used to kill a Bill immediately.
 - Provide background dealing.

3 Conference Committee 协商委员会

Selected committees which acts as a **joint** when difference occurs in the House version and the Senate version. 协调众议院和参议院版本的不同。

- Attempt to find compromise.
 - No compromise, no law.
 - The Bill may die here.
- **Speaker of the House** appoint the members of Conference Committee from House.
- **Majority / Minority leaders** appoint members of Conference Committee from Senate.
 - House first, then Senate.
 - The Bill may die here.
- Vote on the final Bill
 - Nothing can be changed.

4 Presidential Action

President has various choice toward the final Bill.

1. Sign it.
 - Becomes a law.
2. Veto: Give reason why they're vetoing.
 - Signal to the Congress what to change.
 - Can be override by Both chamber of 2/3 vote.
3. No action: Doing nothing.
 - Have 10 business days to sign.
 - If Congress is still in session. *Let sit*
 - Become a law. *With political protest from the President*
 - If Congress come out of session. *Pocket Veto*
 - Dies. Cannot be returned.

- Doesn't signal the Congress what to amend.

7 The Budget

Begin 18 month prior to each fiscal year. (Oct. 1st - Sept 30th)

- Incoming president does **not** have control for their first year;
- Need to go through both chambers of Congress and signed by the President.

Process of Budget

Executive Budget 行政预算

March

A formal proposal provided by the Executive Branch.

- President giving the Congress a picture about what they're going to vote on.
- Attempt is conducted as an inform in March of what they're looking for from a budget coming from Congress.

First Budget Resolution 第一次预算决议

May

Similar to a traditional Bill in the Congress.

- Get a picture about how the Budget would look like.
 - How much Deficits and Surpluses;
 - What programs are important to the Congress;
 - Snapshot of what we are actually going to look at.

Second Budget Resolution 第二次预算决议

Before Sept. 30th

- Need 60 votes from the Senate to be locked-up.
- Goes into the **Continuing Resolutions** if not passed before Sept. 30th.

Continuing Resolutions 临时拨款案 (CR)

A *short-term* funding mechanism to keep the government open in *1 to 2 weeks*.

- Getting to be more complex.

- Incorporate more than they're supposed to be. (Couple of years)
- What Federal Government is depending on since May.

Recent Budget 最近的预算

- Trump 45
 - Year 2009: \$3.1 trillion (budget); \$3.9 trillion (actual)
 - Year 2021: \$6.82 trillion (budget).
 - Reaching \$2.77 trillion total deficit. (New record)
- Biden 46
 - Year 2024: \$6.9 trillion.
 - Year 2025: \$7.1 trillion.
 - CR is triggered and ends on Oct. 1st.
- Trump 47
 - Discretionary budget (可自由支配预算) proposed by Trump (*Not Executive Budget*) as of right now.
 - Just talking CRs and none yet.

How to Cut Spending?

Pork Barrel Politics

The politics, spending, amendments, etc. that are extensively **localized** benefits tacked onto larger, *must pass* bills.

带有强烈**地方性利益导向**的政治操作、开支或修正案等，通常被附加在更大、必须通过的法案之中。

- Targeted to Wasteful Spending
 - **Argument** It takes away from what is best for the national interests.
 - Citizens Against Government Waste (NAGA)
 - Year 2022: 5138 projects, \$18.9 billion.
 - Year 2006: \$29 billion.
 - Year 2005: 13997 projects.
 - Wasteful or Necessary Spending?

Only covers 0.003% of total Federal Spending

DOGE

"*Savings*" = \$206 billion.

Reality

- **Math is not really adding up.** Over 10k projects cut, but the real reduction in the \$35 billion range.
- **Cutting programs not always spending.** Spent budgets still count as saved budget.

Realities

- All of the above would be 2.9% of total spending.
 - Not repeatable, means no more savings in future years.
 - Equivalent to \$10880 payment to a \$375183 credit balance.
- 50% is a yearly savings moving forward, takes us to 25 years.
 - New debt could be even more expensive.
- 12% of federal workforce.
 - \$336 billion total in 2025.
 - So \$40.32 billion.
 - About 0.57% maybe could be laid off.

Permanent Large-Scale cut or Massive Increases in revenue is needed.

Massive increases in revenue

- Raise Tax: Not practical, Congress **cut** taxes.

Cutting spending

- **Defense**
 - Calling for 13.4% increase of over 1 trillion. Cuts are not likely.
- **Social Welfare** (Medicaid / Medicare / Social Security)
 - Most Likely
 - Stereotype of what it covers.
 - Most people are not covered by.

Why not cutting defense?

1. Requires Congress. People at the Congress are not willing to cut the budget.
 - Loss of local job.
 - Unwillingness of general public.
2. Some large bills coming due.
 - Shelf life for any technology.
 - Most money are spent on upkeep. (Replacement, maintenance)

3. Investment in Navy and Air Force

- Power projection is expensive. Navy / Air Force act as tools.
 - Shift from Control Territory to Influence Territory.
 - Stretch out farther to do more things.

Reasons of cutting social welfare

- Medicaid
 - Stereotype of what it covers.
 - Most people won't be covered by.
- Medicare
 - Most people will be impacted.
- Social security.
 - Mostly are borrowed fund. Currently operating at huge deficit.
 - People are living longer.
 - "Exempt" "Not allowed" Jobs are not participating in Social Security.

Tough road. Likely only taken when it is too late unfortunately.

8 The President and Executive Branch

Reality of Becoming a President

How is the Executive determined?

- Parliamentary versus Presidential. 议会制 / 总统制
- Determines Allegiances and Constituencies. 政治忠诚 / 选民基础

Starting Point

- President is an innovation of Government.
- Power of the President has fluctuated.

Becoming President

- Article II Section I
 - More than 35 years old.
 - Natural Born citizen of United States.
- Common Characteristics.

Roles of the President

Chief of the State

- Symbol of the Country.

Chief Execute

Primary Purpose

- Head of Bureaucracy;
- Appointees;
- Budget;
- Enforcement.

Commander-in-Chief

- Increasingly important over time.
- Attempt to reign in power.

Military is the largest within the bureaucracy.

Chief Diplomat

- Direct **foreign** policy.
- Symbol of the US. *Speak on behalf of the Country*
- Sign Treaties.
 - Require a 2/3 vote from Senate.
- Executive Agreements.
 - Not Permanent.
 - Ways of foreign policies.
 - More than 13 thousand issued.
 - Bypass Congress / Senate.
 - May counteract via legislative process.

Commander-in-Chief and *Chief Diplomat* have impacted presidential power over time the most.

Chief Legislator

- Sets the **Agenda**. "Singular"
- State of the **Union**.

Party Chief and Politician

Occurs by Default

- **Domestic** versus **Foreign Policy**
 - Dramatically different skillsets.
 - **Domestic** Work with the Congress;
 - **Foreign Policy** Convince with the public.
 - Congressional versus Public support.
- Chief **Campaigner** / Fundraiser (*Bring fund to Campaigns*)
 - "Go on the Stump"

Other uses of Presidential Power

Emergency Power

- National Crisis.
 - Has the right to define.

- Specific code of power using regulated by law.

Executive Orders / Memorandum / Proclamation

- **Executive Orders**
 - Rules and regulations created by the President that has the same effect with *law*.
 - *Same power as law*
 - Has to be within the Congressional Area.
 - Constitutional defined.
 - Two Hundred to Three Hundred Executive orders per 8-year period.
 - Go down the same way as the Treaty.
- **Memorandum**
 - Not similar to *Executive Orders*:
 - Not printed into the *Federal Registry*.
 - Not have to be *Justified*.
 - Must be in previous legislative areas in *Constitution*.
 - ***Internal Issues***. Inside policy of the Government.
 - Ex. Remote working policy of the Government.
- **Proclamation**
 - Always deals with *private individual*.
 - Not the power with law.

Executive Orders, Memorandum and Proclamation are **Separate** and **Distinct** actions of the President.

Ex. Memorandum Pausing Federal Funding

"Must pause temporarily all activities related to obligation or disbursement of all Federal financial assistance."

The memorandum is related with *Executive orders* and *Proclamations*.

Is it legal?

- Constitutional Questions: All the funds are already approved, where Congress has control on.
- Impoundment Control Act: Use fund for greater good immediately.
- Definitional: Separation of *Executive Orders / Memorandum / Proclamation*.

The **Strategic use** of the powers ⇒ Expanding of Presidential Power.
Reshaping the way that the Government works.

Executive Privilege

Nixon refused to provide the recordings according to *Executive Privileges*.

Most clearly commitment of *Crime. (Caught on tape about the Crime)*

Not protected by **Executive Privilege**

- Each branch of United States are able to operate in their own *Confidentiality*.
- Cannot claim executive privilege related with *Crime*.
- Most of the time, it is around *National Security*.
- Members in the Congress are not brought to the same level of *Security Information*.

Inherent Power

Being leader of their States

- **Diplomatic Immunity** Automatically get when becoming President.

Impeachment

What happens when power strays too far?

- Documented in *Article I, Section 2 and 3* and *Article II, Section 4*.
- Happens when **Treason, Bribery or other high crimes and misdemeanors** occur.
 - Subjective definition of crime ⇒ Area for negotiation.
 - Does NOT mean automatic removal.
- Twenty-one (*Twenty-two*) in history. (*Trump twice*)
 - 8 were removed.
 - 3 resigned.
 - 8 acquitted.
 - 1 dismissed because of Jurisdiction.
 - 1 left office
- Most were judges, only *three presidents*.
 - Who were they?
 - Johnson
 - Trump
 - Clinton
 - Could Trump be impeached again?
 - Depend on midterm election ⇒ Can be impeached as many times as possible.

Steps of removal

- **House** have the power of impeachment.
 - **Senate** conducts the trial.
1. *Lower banner* Impeachment conducted by House.
 2. *Higher banner* Removal trial conducted by Senate. (60% banner)

Vice President

The Vice Presidency. *The Usual Suspect.*

How are they chosen?

- Have *success* in their career.
- Accomplished. *In many aspects.*

How they *balance* Presidency

- Balance the ticket.
- **Geographical Balance** Often from different area compared to President.
- **Ideological Balance** Often have different political personality with President.

Function in the Government

- **Very little involvement** in the Executive Process.
- **Replacement** is the main purpose.
 - Documented in 25th Amendment. *Way and Who will be replaced as new President.*
 - Established line of succession.

Neustadt - Power to Persuade

- Politicians need more than *Formal Powers*.
- Must win over the *Washingtonians*
 - **Washingtonians** Fund Raisers, Sponsors.
 - How to convince:
 - Directly persuade them.
 - Persuade the people.

How to Persuade the People?

Rhetorical Skills

Speak Well

- "Canned remarks"
- "Off-the-cuff remarks"

Presidents are usually good at only one of them.

Resources of the Office

- High-end activity all the time.
- Home court advantage.

The Washington Bazaar

- The **Media** is most powerful.
- **Evolution** with the policy.

Going forward

- **Presidential Powers**
 - Unless drastic changes, it will only increase.
- Arthur Schlesinger **The Imperial President**
 - Did we already get there?
- Advantages of Presidency
 - **Energy** See them on the **focal point**, connect in some regard.
 - To tell the people **what to do, what's the right thing to do**.

Presidency versus Parliamentary

What about the comparative side?

Independence

- **Presidency** President is an *Independent Branch*
 - Independent check on power to *both* side. (Congress President)
- **Parliamentary** Prime Minister is responsible to *Legislative Branch*
 - Direct reflection of majority in the Congress.
 - Not independent.
 - Increased *oversight* and enhanced *reflection* of the majority and public.

Responsibility

- **Presidency** President only responsible to the *People*.
 - Not responsible to the Legislative Branch.
 - *People* have different degree of reflection.
 - Best: Electoral public.
 - Worst: Political Party.
 - Usually the *Small Majority* of the population.
- **Parliamentary** Prime Minister is responsible to the *Legislative Branch* and their *Party*.
 - *Proportional Representation*.
 - The proportion of society voted for them.
 - Usually the *Large Majority* of the public.

Power

- **Presidency** Power is divided and diffused.
 - Slowing down the process.
 - Work are based on compromise.
- **Parliamentary** Power is concentrated to the majority party.
 - In timely, making it more timely and efficient.

| Doesn't mean it always work this way. ⇒ Totality of Presidency / Parliamentary.

Tenure

- **Presidency** Tenure is *fixed*.
 - Society may change dramatically, but they only have *one-chance* for the election.
 - *Re-election* is required for the change in presidency.
- **Parliamentary** Tenure is not *fixed*. (mostly)
 - No limitation to the time in office.
 - Reflection of the party ⇒ Can call removal by the party ⇒ Can have a new election to replace the Prime Minister.
 - Prime Minister *may resign*.
 - Believing the mission of the Party but not the right person to do the job.
 - Reflection of a larger society.

| To Wrap up:

Presidency is

- Way more slower.
- Bigger check on power.
- Not see the oppression of minority opinions.

Parliamentary is

- Country may move dramatically on one direction.
- Society may pull back if went too far. *Proportional Representation*

Proportional Representation Get corresponding seat amount.

Presidency	Parties	Parliamentary
1 seat		60 seats
No seat		25 seats
No seat		15 seats

9 The National Security Policy Making in Real Time

Departments in Federal Government

- **Defense** First Largest.
- **Veteran Affairs** Second Largest.
- **Homeland Security** Third Largest.

National Security Council (NSC)

Principal forum for consideration and integration of national security policy issues requiring presidential determination.

Members

- **Statutory President**, Vice President, Secretary of State, Secretary of War.
 - **法定成员** 总统，副总统，国务卿，国防部长，能源部长。
- **PPD-1** Treasury Attorney General, Homeland Security, US Representative in UN, President's Chief of Staff, National Security Advisor, Secretary of Energy.
 - **总统政策指令规定的常驻成员** 财政部长，司法部长，国土安全部长，美国驻联合国代表，白宫幕僚长，国家安全顾问。
- **Statutory Advisors** CJCS, DNI.
 - **法定顾问** 参谋长联席会议主席（军事顾问），国家情报总监（情报顾问）。
 - Statutory Advisors are *Not involved in the voting process*.

Also called the *Star Chamber*

National Security Policy-Making Process

Two Strategies: *Top-down* and *Bottom-up*

- **Principals Committee (PC)**
 - Senior interagency forum for national security policy issues.
- **Deputies Committee (DC)**
 - Recommends actions to the PC and reviews work of Department and Agency.
- **Interagency Policy Committees**
 - Main day-to-day office for interagency coordination of national security policy.
- **Sub-IPCs**

Since 2025, the *Trump 47 National Security Council* imposed policies with *Top-down* process only.

How US develop National Security Policies

1. **Decide and Act** President / PC level.
2. **Guidance and Intent** NSC / DC level.
3. **Authority and Capability** Department / Agency level.
4. **Orders / Policies / Law** Sub-IPCs / Staff level.

Limiting factors during decision making

Pre-Trump Administration

- Rules of Engagement.
- Fiscal Authorities.
- Non-Kinetic Activities
- Exquisite Capabilities.

Trump Administration

- Lower Court Challenges
- Supreme Court
- Public Opinion

US Guiding Principles

America First

- Affecting various policies in different branches.
 - Transactional strategies.
 - Multilateral / Bilateral Strategies.

10 The Bureaucracy

Nature of Bureaucracy

Bureaucracy: A large organization that is structured hierarchically to *efficiently* carry out specific functions. (Ideally)

- Government is a *Service Industry* (Massive)
 - Three million⁺ employees (almost double 2nd place (Walmart) in US)

Differences between Public and Private Bureaucracy

Public Bureaucracy The Government.

Private Bureaucracy All others.

Bad Leadership bring down the organization

- **Private Hierarchy** Leadership is *Earned*.
 - Based on Knowledge and Experience ⇒ Expertise.
- **Public Hierarchy** Anyone could be appointed.
 - Expertise is *not* required to become leaders in the Government.

Motivation and Incentives for Performance

- **Private Hierarchy** For profit, bonus and structure.
 - Motivation is based on performance.
 - Profitability get people to do things.
- **Public Hierarchy** Not based on performance.
 - May reduce the quality of service.
 - *Perfect storm for failure*.

Three models of Bureaucracy

Weberian Model

Typical in Private Hierarchy.

- Hierarchically with formal *rules* and *regulations*. (Ideally)
 - Top-down model.

- Technical in nature.
- Rational and Neutral.
- **Government** tend to work differently. ⇒ No competitions.

Acquisitive Model

- Protecting the *turf*, self-serving motivations.
 - *Limited resources available, divided entities.*
 - Each individual do more in *protection of the turf, self-serving.*
 - Think more of *themselves* instead of the people.
- Government tend to work this way.

Monopolistic Model

- Model of most *Inefficiency*.
- **Government** is the *only* one to provide specific services.
 - Monopoly ⇒ No incentive to improve.
 - Tend to be very *inefficient*.
- They will *always* keep their job.

Organizations of the Federal Bureaucracy

- **Cabinet level Service Organizations**
 - 60% of civilian workers.
- **Independent Executive Agencies**
 - Not direct report to *Department of <certain area>*.
 - Ex. NASA
- **Government Corporations**
 - Organized like Private Firms. *USPS*
- **Independent Regulatory Agencies**
 - Implementing and Making *Rules* to protect the public.
 - *Nuclear Regulatory Commission, Federal Communication Commission*

Where does regulation begin and where it ends?

- *Overregulation*
- 41000 regulation to make a single burger.
- Most service a purpose.
- Regulations are not Cheap!
- 8 to 11 cents added to each burger.

- Some may be a little extreme.
- Some of the guidelines could be scary.

Modern Attempts of Bureaucratic Reform

Sunshine Laws

Require Government Agencies to *conduct sessions in public*.

- *People don't know what's going on inside*
- Shed ***light*** on the darkness.

Sunset Laws

Congress review existing program and determine if they are effective / under the law.

- If not, the program ***go dark***.

Privatization

Built in greater efficiency in specific fields.

- Private sector could do *better* or *only* private sector can do so.
- ***Contracts*** are created at get ***bid*** on.
 - Private sectors came up proposals related with the contracts.
 - Government chooses the ***best*** bid.
 - ***Lowest-price*** bid may not always win:
 - Related to specific contracts.
 - Some could be too time-costly.
 - ***Money*** have to be spent on the job.
 - Getting paid no matter how much is ***actually*** cost.
 - Contractors know that money will be towed into the industry.
 - Ex. Ashtrays on Submarines. Develop *Mini Monopolies* on these items / industries.

Performance and Results Act

How do we know a bid is a *good bid*?

Effectiveness

- Allow each Agency to create the standards by which they will be judging on.
 - Create the rules to let the Congress judge themselves.

- The **Bar** may change.
 - Bar is set for *sunset*.
 - The *floor* and the *ceiling* of the performance are both limited by the bar.

Internet

Allow the consumers to *connect* to the Government.

- Before the Internet. *IRS, Tax form by hand, thick booklets.*
- Better response to the need of the people.

Whistle-Blower's Protection Act

Prevention of Waste and Fraud within the Government.

- Blower remain protected and anonymous.
- Actually diminished within last 10 years. Blowers are no longer protected.

How do we staff the Bureaucracy?

Two main categories

- Political Appointees
 - President Nominates.
 - Senate approves the individual. (Required)
 - Importance of the Political Party. (Overwhelmingly Ideology)
 - *Political Plums* Certain jobs that are the best.
 - People in these positions for reason.
 - Managing Crisis Situations.
- Civil Servants
 - Established by the Pendleton Act.
 - Replacing Government to own party cannot be based on political leaning.
 - *Can do it, don't say it.*
 - Based on Merit but not political party.
 - Hatch Act
 - Civil Servants cannot be actively involved in a campaign.
 - Political Freedom limited for the *Greater Good*.

How does US Bureaucracy Compare?

US has a Negativity to public sectors' job.

- Hate Government more than any other country.

France

Grand Corps. National School of Administration

- Common Training, common language, same goals.
- It is *Elitist*. Primarily upper class, 40% with family background involved in Government.
- *These Princes who govern us*. In some ways *Sovereign*.
Pretrained Represent the Elitist part of the society.
- Higher Level - Financial Status - Education

Germany

- Combination of a **Moral** sense and a **Legalistic** nature.
- Mostly lawyers, highly trained and professional.
- Like France, loyalty is to the State, not to the Agency / themselves.
- Hierarchy, ethical driven purpose.
- Reckoning of Germany ⇒ Greater moral purpose.
 - Protection of the People, done through legalistic.

Japan

- Attracting Youth, very competitive.
- Graduation with honors is a must, helps if Tokyo University.
- Regimented schedule and criteria for promotion and advancement.
- Abnormally high level of political influence.
 - 90% of all legislation passed come from them.
 - 50% elected serve within the Government.

Reality

Although they may be more professional, Admired, They all have their problems, just like the US.

- Original Homogenous population influenced by *Infuse of Immigration*
 - Designed as *Static Systems* is hard to face a wider cloth of society.
- **None of them will perfectly fit the Weberian Model.**