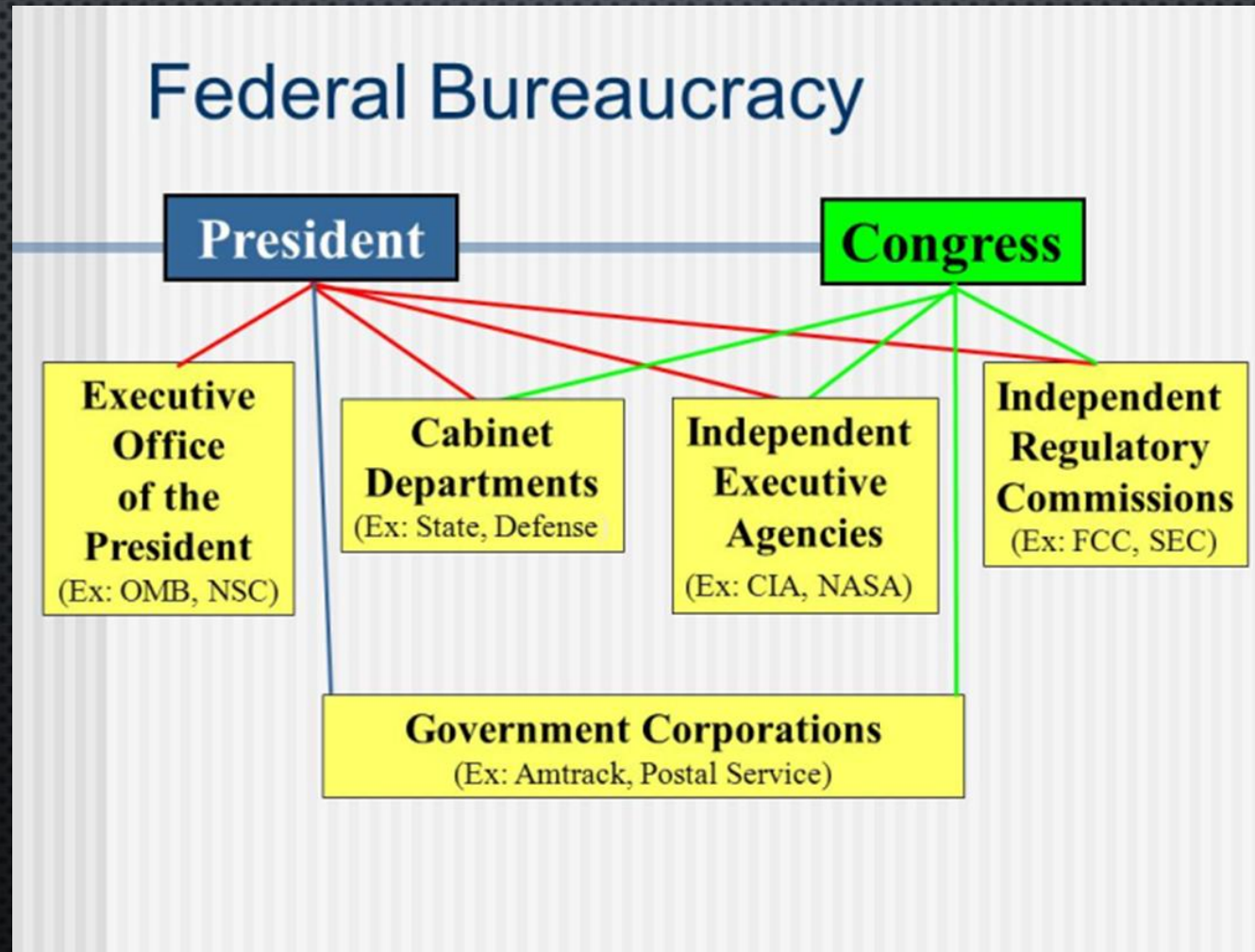


THE BUREAUCRACY

2.12-2.15

WHAT DOES THIS TELL YOU ABOUT THE FEDERAL BUREAUCRACY?



I. THE BUREAUCRACY

HOW DOES THE BUREAUCRACY CARRY OUT THE RESPONSIBILITIES OF THE FEDERAL GOVERNMENT

A. STRUCTURE OF THE BUREAUCRACY

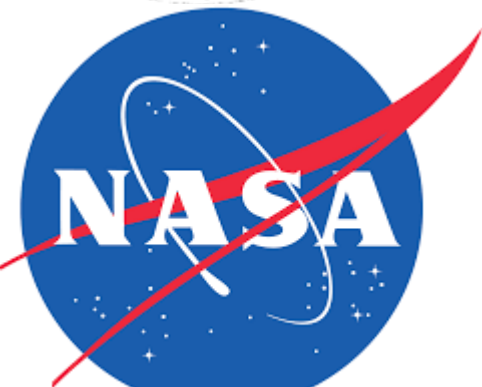
- CABINET SECRETARIES- WHO ARE THEY?
- DEPARTMENTS: 15
- AGENCIES
- COMMISSIONS AND GOVERNMENT CORPORATIONS
 - WHAT ARE THEY?

B. TASKS OF THE BUREAUCRACY

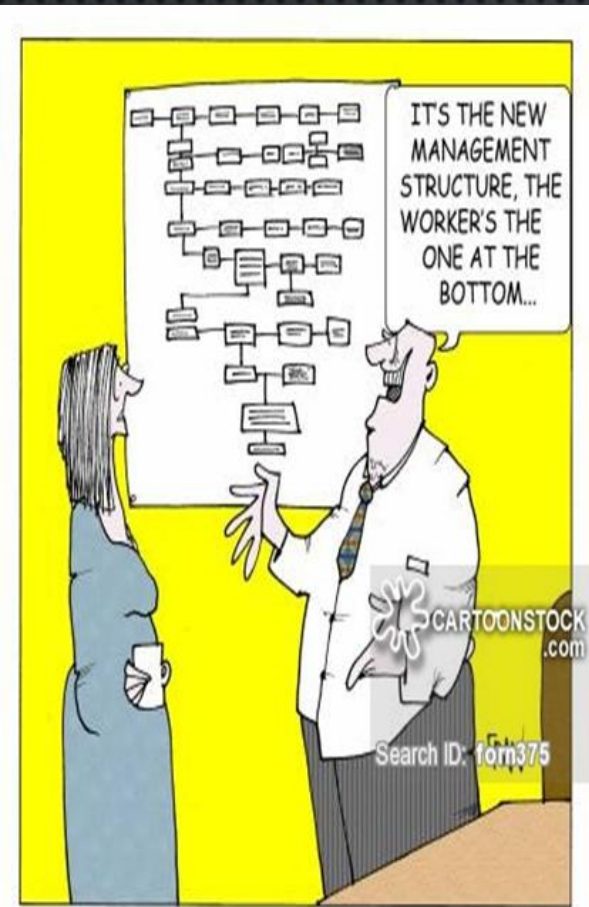
- WRITING AND ENFORCING REGULATIONS
- ENFORCEMENT AND FINES: COMPLIANCE MONITORING
- TESTIFYING BEFORE CONGRESS



WHAT IS THE DIFFERENCE BETWEEN THESE TWO THINGS?



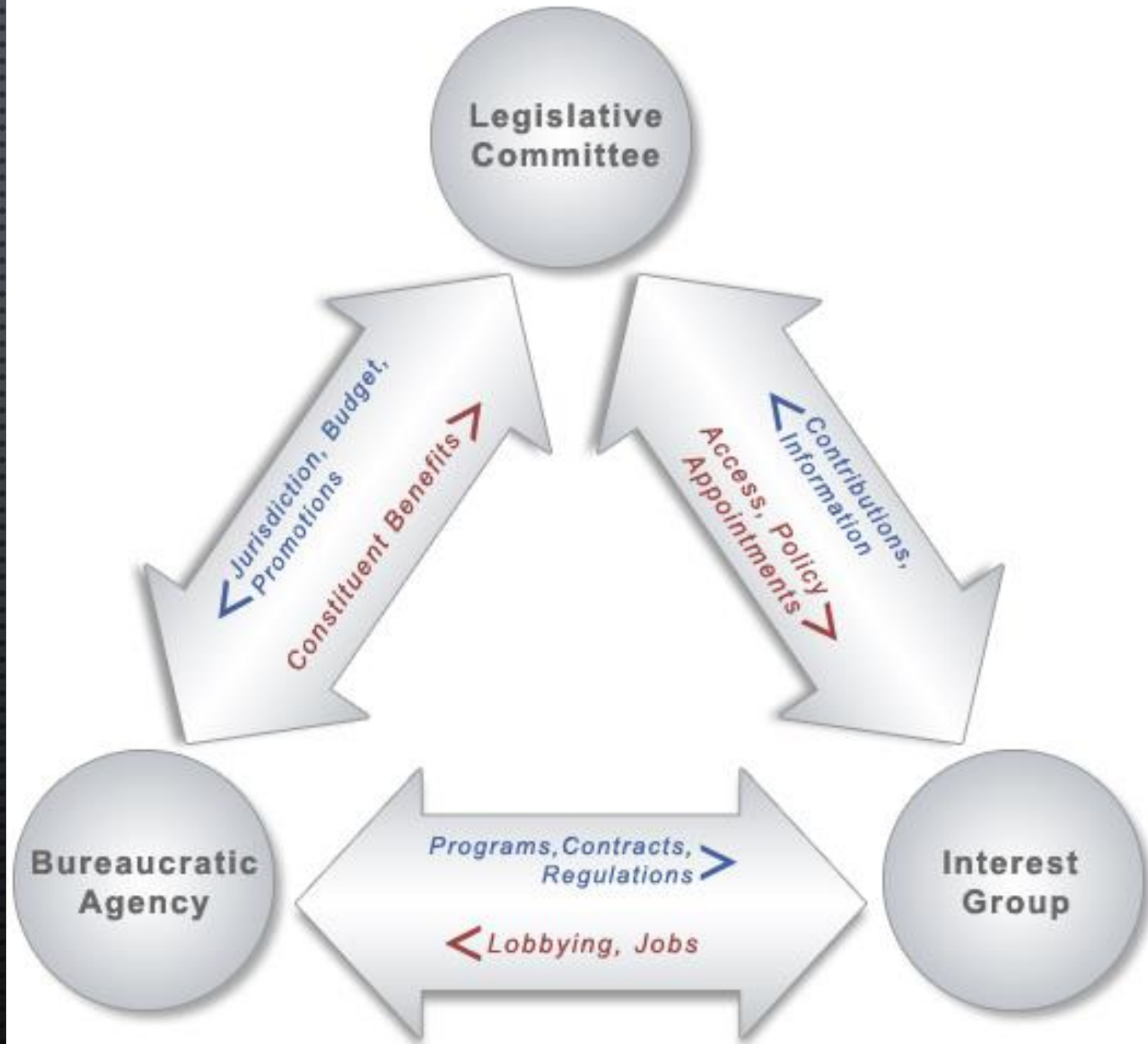
WHAT DO THESE CARTOONS SAY ABOUT PERCEPTION OF THE BUREAUCRACY?



IRON TRIANGLES

Describe a real life scenario of an iron triangle.

Iron Triangles, aka Subgovernments



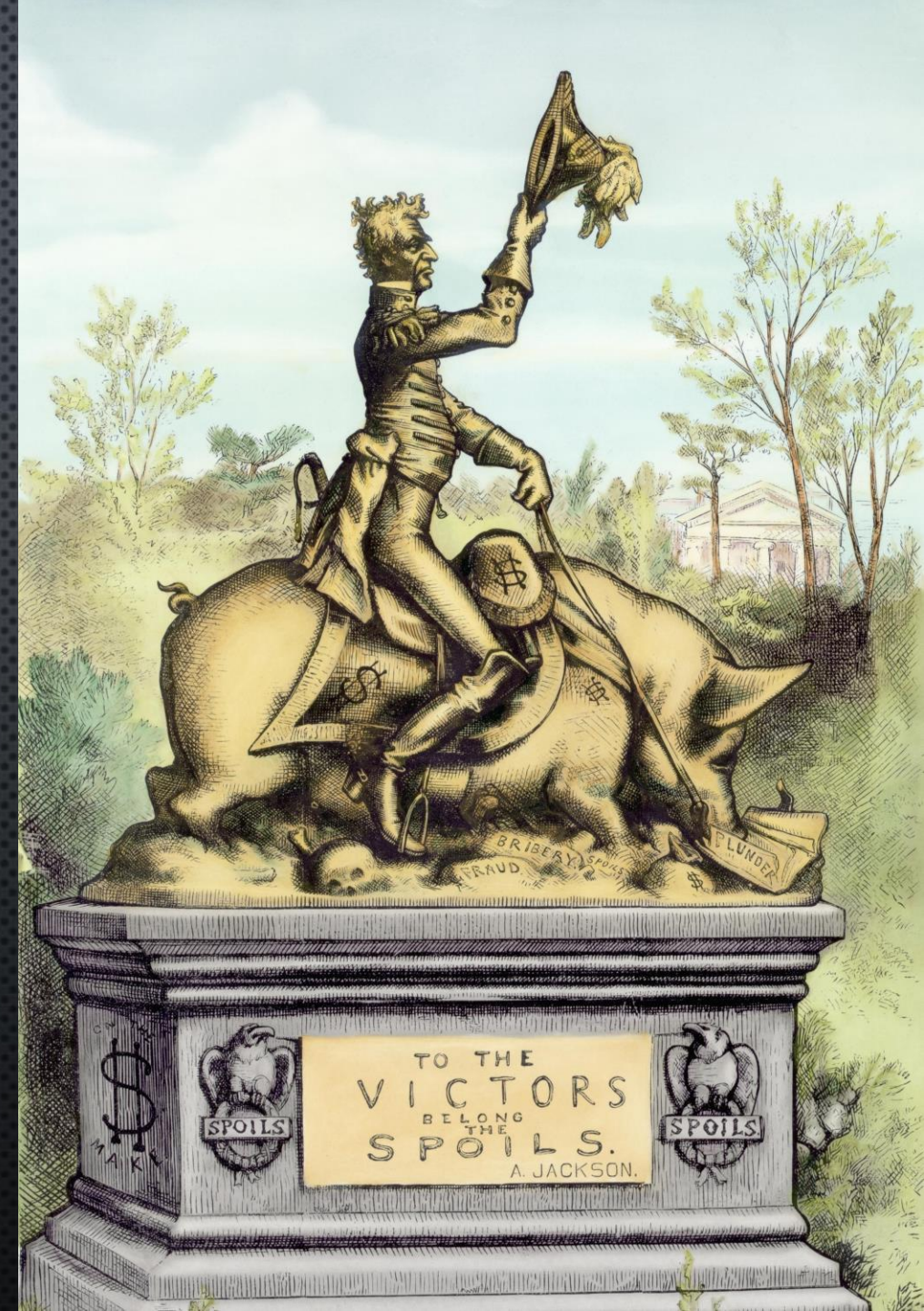
WHAT'S GOING ON HERE?



I. THE BUREAUCRACY

C. PATRONAGE TO MERIT

- PATRONAGE TO THE SPOILS SYSTEM
- CIVIL SERVICE REFORM
 - * PENDLETON CIVIL SERVICE ACT
 - * CIVIL SERVICE COMMISSION
 - * CIVIL SERVICE REFORM ACT
 - * OFFICE OF PERSONNEL MANAGEMENT



Pre-Rulemaking

Project Initiation: Rulemaking Plan*



- Required for most new rulemakings
- Defines scope, approach, resource needs
- Ensures early Commission engagement before significant resource expenditures
- Delegated signature authority*

*Requires Commission Approval

Rulemaking Approach Notice and Comment Rulemaking

Informing the Rulemaking

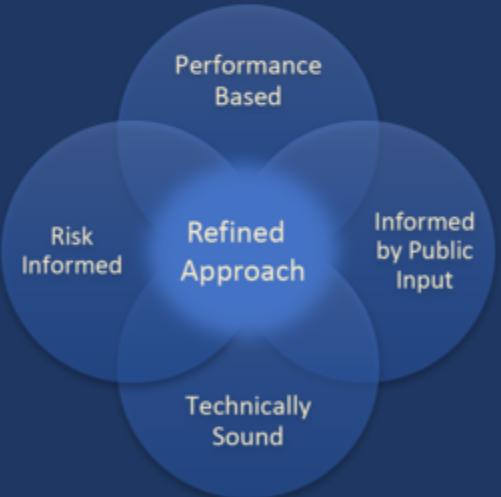


Public Involvement

- Preliminary Rule Text*
- Advanced Notice of Proposed Rulemaking*
- Public Meeting(s)
- Regulatory Basis*

Note: Tools may be selected depending on issue complexity

- Changes are non-controversial
- Significant Adverse Comments Are Not Anticipated

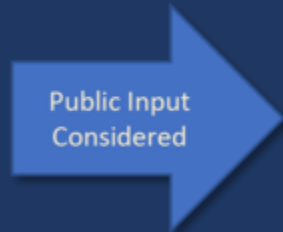


Consider

Proposed Rule*



- Published for public comment
- Presents basis for proposal and explains how/why it resolves the identified need
- Includes a Regulatory Analysis



Direct Final Rule*

Final Rule*



- Amends the Code of Federal Regulations and establishes the implementation date
- Responds to all in-scope public comments
- Explains any changes in the final rule from the proposed rule and why those changes were made.

II. DISCRETIONARY AND RULE MAKING AUTHORITY

HOW DOES THE FEDERAL BUREAUCRACY USE DELEGATED DISCRETIONARY AUTHORITY FOR RULE MAKING AND IMPLEMENTATION

A. DELEGATED DISCRETIONARY AUTHORITY- WHAT DOES THIS MEAN?

B. RULE MAKING PROCESS

- TRANSPARENT AND PUBLIC- ADMINISTRATIVE PROCEDURES ACT 1946
- CONGRESSIONAL RESPONSIBILITY: WHY DOES CONGRESS GIVE UP POWER TO THE BUREAUCRACY?
- IMPLEMENTATION OF THE LAW
 - AGENCIES PAY SUBSIDIES, DISTRIBUTION OF GRANTS, ENFORCE REGULATIONS

C. INDEPENDENT REGULATORY AGENCIES



Transportation
Security
Administration



III. HOLDING THE BUREAUCRACY ACCOUNTABLE

EXPLAIN HOW CONGRESS USES ITS OVERSIGHT POWER IN RELATIONSHIP TO THE EXECUTIVE BRANCH

EXPLAIN HOW THE PRESIDENT ENSURES THAT EXECUTIVE AGENCIES AND DEPARTMENTS CARRY OUT THEIR RESPONSIBILITIES IN CONCERT WITH THE GOALS OF HIS ADMINISTRATION

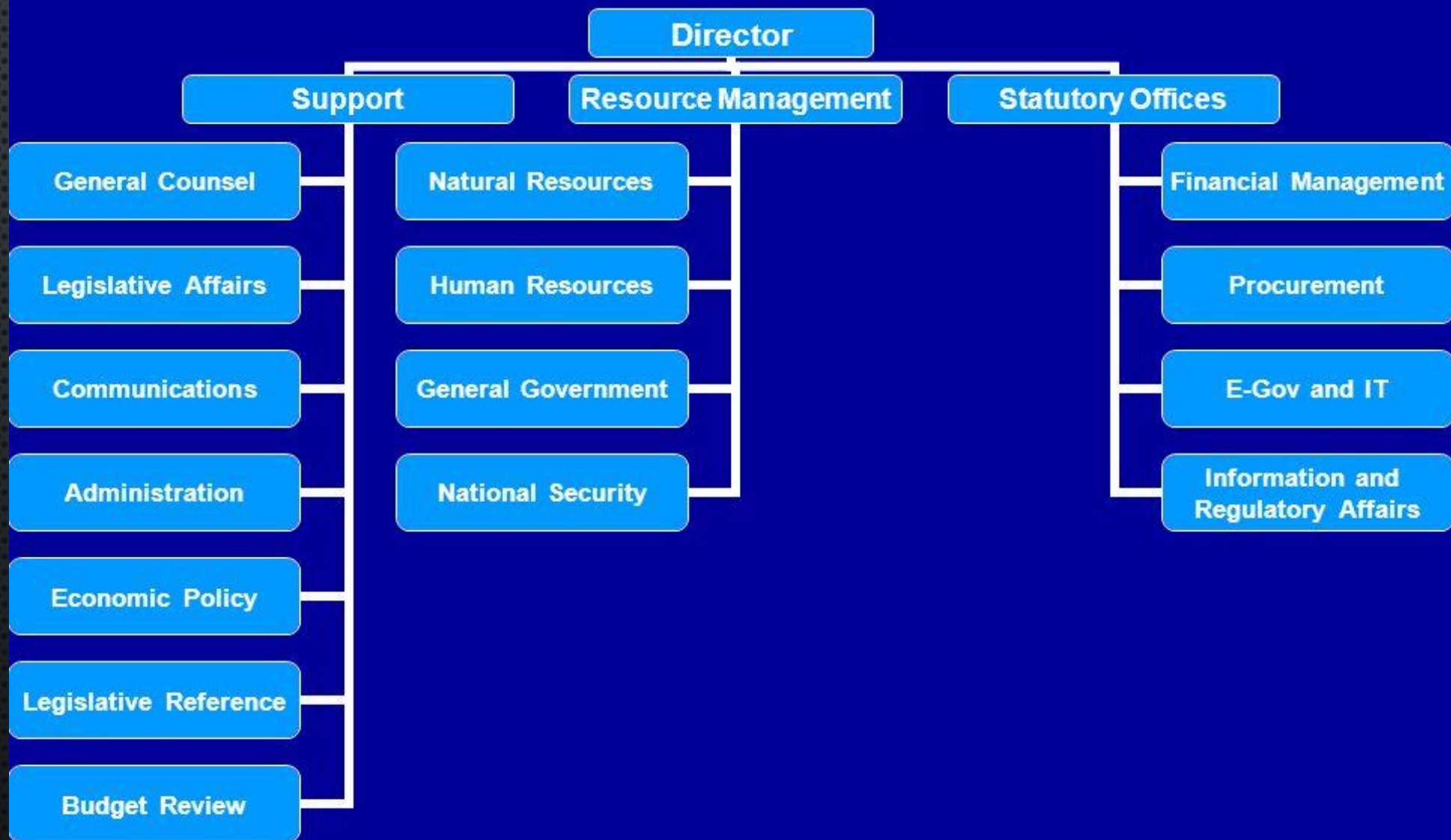
A. CONGRESSIONAL OVERSIGHT

- OVERSIGHT HEARINGS
- AUTHORIZATION SPENDING, APPROPRIATIONS COMMITTEE

B. THE PRESIDENT AND THE BUREAUCRACY

- OFFICE OF INFORMATION AND REGULATORY AFFAIRS (PART OF THE OFFICE OF MANAGEMENT AND BUDGET)

Office of Management and Budget (OMB)



IV. POLICY AND THE BRANCHES OF GOVERNMENT

TO WHAT EXTENT CAN GOVERNMENTAL BRANCHES HOLD THE BUREAUCRACY ACCOUNTABLE GIVEN THE COMPETING INTERESTS OF CONGRESS, THE PRESIDENT, AND THE FEDERAL COURTS.

A. COMPETING INTERESTS

A. CONGRESS

- COMMITTEE CLEARANCE, LEGISLATIVE VETO,
- FREEDOM OF INFORMATION ACT, SUNSHINE ACT, WHISTLEBLOWER PROTECTION ACT

B. EXECUTIVE

- GOING NATIVE, WHISTLEBLOWING,

C. THE COURTS

