

T H I R D   E D I T I O N

Congress,  
the Bureauocracy,  
and Public Policy

RANDALL B. RIPLEY

GRACE A. FRANKLIN

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THIRD EDITION

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*Congress,*

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*the Bureaucracy,*

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*and Public Policy*

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*and Public Policy*

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## **The Dorsey Series in Political Science**

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## *Preface*

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We expect a student using this text to come away with an understanding of the critical nature of the relationship between Congress and the federal bureaucracy. The examples we have used should give the student a feel for part of the substantive business of the United States government and should also give the student a better sense of how and where to seek additional examples of that business. We also think the student who uses this book will be able to use simple English to explain to herself or himself and to others a number of patterns in American policymaking.

Public policymaking at the national level in the United States is both important and complicated. It is important because it affects the daily lives of all residents of the United States and sometimes affects the lives of people in other nations. It is complicated because of the vast number of substantive areas on the agenda of the national government and because of the large number of individuals and institutions that get involved in decisions about public policy.

Central to the complex and important business of public policymaking is the interaction between Congress and the federal bureaucracy. Existing books about public policy usually either ignore this relationship or merely allude to it, implying that it is too mysterious

to be comprehended. In fact, it is comprehensible and—happy thought!—there are patterns in the relationship that help reduce the confusion surrounding national policymaking. We have sought to portray those patterns in clear terms. And, above all, we have sought to give concrete, interesting, and timely examples of the relationships that illustrate the patterns rather than produce a sense of confusion of their own.

A further word is necessary about our choice of examples. Because of the necessities of the publishing process, we could have no examples later than early spring, 1983. But, even more important, we have sought to sprinkle our examples over the last few decades rather than concentrate them all in the last few years or, worse yet, only in the Reagan years. And we feel no necessity in bringing every example up to the minute. We seek to describe and explain patterns of behavior. To be sure, every short period of time—whether measured by president, by Congress (two years), or annually—will have its own variations. But the patterns we observe transcend all of these artificially created time periods. Reagan brought different values and styles to the presidency. But so did every other president. And the president, as an institutional figure, only has so much weight and, by definition, vanishes from a future scene. The continuities in the patterns we discuss are more important than variations introduced by any given policy actor or any given dominant ideology in the United States government. Where Reagan (or any other president or policy actor) seems to have made an important difference in terms of introducing change, we say so. But the popular, journalistic proclivity to proclaim “new eras” is alien to this volume. In fact, we think such proclamations are almost always false and misleading, especially to any serious student of American politics.

We do not intend to describe all that either Congress or the bureaucracy does with regard to public policy. Our focus is on those areas and activities in which constant interaction occurs between them and has at least the potential for major substantive results. Our attention, therefore, is primarily directed to *policy formulation and legitimation*. The *implementation* of policy by bureaucracy is a vast and important topic by itself. We do not address implementation in the present volume because the patterns are substantially different in terms of actors (although not in terms of what is at stake). We systematically analyze implementation in a companion volume to this one, *Bureaucracy and Policy Implementation* (Dorsey Press, 1982).

It would also be ideal if we could systematically contrast the experience in U.S. policy formulation and legitimation with that of other nations. Only through comparison can we know what is unique to the United States, what is common to politics of all Western devel-

oped nations with relatively open political systems, or what is common to politics of all nations, regardless of openness or level of economic development. Both space and relative knowledge on our part prohibit such comparison in this book.

We are grateful to the Mershon Center at Ohio State University for providing a good location in which to write and think and interact with other people interested in public policy. This book stems both from a number of projects on policymaking sponsored in part by Mershon, in which we have been involved since 1970, and from our teaching—both formal and informal and to a number of audiences—about public policy.

In preparing this third edition we had the benefit of thoughtful reviews of the revised edition by Bert A. Rockman and David W. Brady.

***Randall B. Ripley***

***Grace A. Franklin***



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## *Chapter 1*

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# *The nature of policy and policymaking in the United States*

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*Policy* is a common word, one that you encounter frequently—you hear it on the radio and TV, you use it in conversation, you read it in the press—but it is a difficult concept to define, despite its familiarity. Political scientists have filled many pages defining and arguing about the meaning of policy and its relatives—policymaking and policy process. That policy is complex, both conceptually and substantively, is undeniable. Nor should the importance of government policies be underestimated; one reason you hear about policy so frequently in the news is that the policies of government are pervasive in their direct and indirect impact on you and all citizens.

To help sort out the complexities, we offer the following very simple statements, based on our reading of the literature and our empirical research:

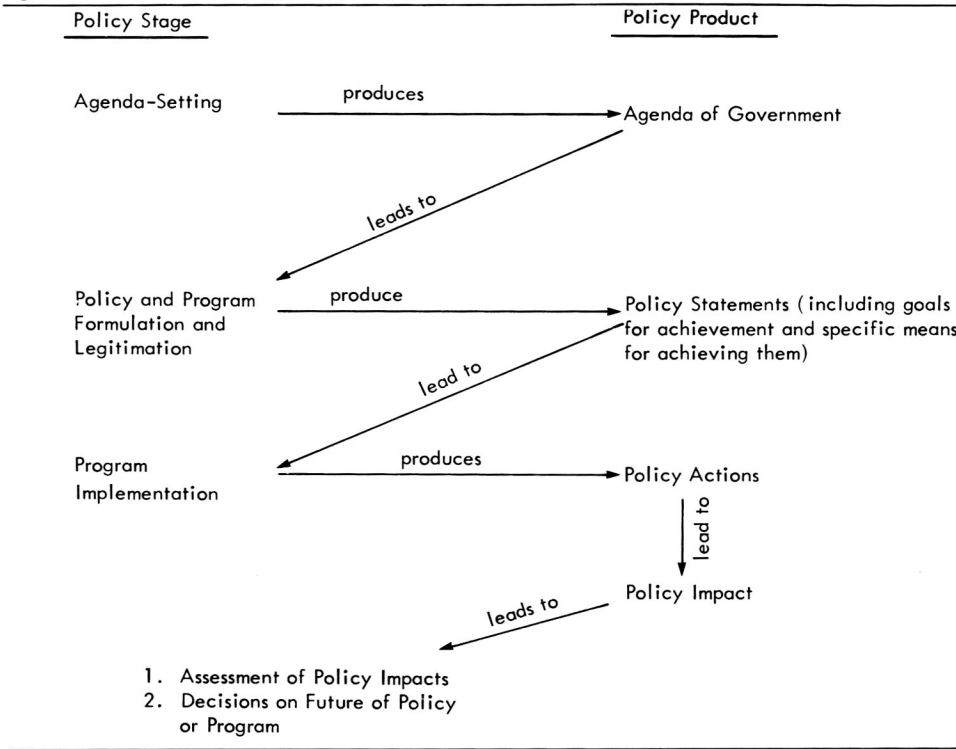
Policy is what the government says and does about perceived problems.

Policymaking is how the government decides what will be done about perceived problems.

Policymaking is a process of interaction among governmental and nongovernmental actors; policy is the outcome of that interaction.

Figure 1–1 presents a highly simplified model of the policy process, the chain of activities in the making and implementation of policy.

Figure 1–1 □ An overview of the policy process



In the first stage of the policy process—*agenda setting*—a problem exists in society, and through various means it comes to the attention of government actors, who perceive it to be an issue that should be addressed by government. In short, in agenda setting some parts of the government recognize that an issue or problem should receive attention. The agenda of the government can be thought of as the sum of all the issues and problems that the government is addressing at any given time. In the 1970s, for example, some of the issues on the government agenda included environmental preservation, energy resources, unemployment, and inflation. In the 1980s the most visible issues changed. Unemployment remained, but new emphasis was also given to defense spending, tax policy, and how far to go with deregula-

tion and assignment of federal responsibilities to states or the private sector.

Having acknowledged that a problem deserves governmental attention, government must say what it is going to do, and specify how it plans to accomplish its goals. In the stage of *formulation and legitimation*, government and nongovernment actors propose alternative methods of problem solution, and they choose a course of planned action. The presence of competition among often vehemently different points of view necessitates negotiation and compromise if a decision is to be reached in formulation and legitimation. The typical product of this stage of policy process is a congressional statute creating a new program or amending an existing one.

Once a plan of action has been selected, the decisions must be *implemented* by responsible individuals and agencies. The agencies must acquire resources, interpret the legislation, write regulations, train staff, and deliver services to carry out the purposes of the legislation.

The actual operation of a program designed to address a problem will have some kind of *impact* on society. It may achieve its intended purposes or not (assuming those were clear), or it may achieve other purposes. Several kinds of assessment of policy impact are always undertaken. Political considerations dominate these assessments, and the assessments are usually informal. Sometimes more formal analysis by those either inside or outside the government may be undertaken. The results of such formal analysis may become incorporated into the adversarial process. Often the governmental users are primarily looking for support for positions they already hold rather than considering more-or-less objective analyses on their own terms. The results of assessment, regardless of type or number, can lead to changes in the operation of the program or to additional formulation and legitimation as revised programs are debated. They can occasionally, but very rarely, lead to termination of existing programs. However, the result most often is no change, or only minor change, in the existing policies.

A full treatment of the entire policy process is beyond the scope of this book (see Jones, 1977, for an excellent introduction to the policy process). We are going to focus on one part of the policy process—the formulation and legitimation of public policies and programs. At the heart of the policymaking process lies the relationship between Congress and the bureaucracy, a relationship that is not usually given sustained attention in the literature on American government and policymaking. That relationship is the focus of this book. In order to set the relationship in perspective, we will first describe policymaking

in American national government in terms of major actors, relationships, and characteristics.

Before turning to that discussion, we should offer a few of our personal observations about the policy process. The model portrayed in Figure 1–1, the definitions of policy, and the brief description of the policy process we presented above must, of necessity, vastly simplify the rich variety of the real world. Our scheme offers generalizations about and imposes an order on a very complex world whose activities and interactions are not as neat and orderly as a model suggests. In short, they should be treated as a starting point, but not as the ultimate description of reality.

Furthermore, there are many facets of the policy process that cannot be captured in any model but that are important nonetheless to an understanding of public policy. Charles Jones (1977: 7–8) has produced a list of propositions that accurately characterizes many elements of the policy process in the United States. We repeat his propositions here, both because we feel they are important and true and because an understanding of them helps to provide a context for understanding the interaction of Congress and the bureaucracy in shaping public policy.

1. Events in society are interpreted in different ways by different people at different times.
2. Many problems may result from the same event.
3. People have varying degrees of access to the policy process in government.
4. Not all public problems are acted on in government.
5. Many private problems are acted on in government.
6. Many private problems are acted on in government as though they were public problems.
7. Most problems aren't solved by government though many are acted on there.
8. Policymakers are not faced with a *given* problem.
9. Most decision making is based on little information and poor communication.
10. Programs often reflect an attainable consensus rather than a substantive conviction.
11. Problems and demands are constantly being defined and redefined in the policy process.
12. Policymakers sometimes define problems for people who have not defined problems for themselves.
13. Many programs are developed and implemented without the problems ever having been clearly defined.
14. Most people do not maintain interest in other people's problems.
15. Most people do not prefer large change.
16. Most people cannot identify a public policy.



17. All policy systems have a bias.
18. No ideal policy system exists apart from the preferences of the architect of that system.
19. Most decision making is incremental in nature.

## AN OVERVIEW OF THE GOVERNMENT POLICY PROCESS

### *Actors and relationships*

The core of the American national governmental policy process is located in Congress and in the executive branch. These public institutional entities and actors are often supplemented by nongovernmental institutions and actors. Especially important among the latter are the great variety of interest groups active in American politics and policymaking. They are important and influential in many cases, but it is essential to note that their importance is not all-encompassing. One of the principal contributions of the present volume, in fact, is to specify when, where, and how interest groups are important in shaping policy. There is an interactive relationship between interest groups and official institutions and actors. The importance of each varies systematically in ways that will occupy us in considerable detail throughout this book. It is also worth noting that the relationship between interest groups and policies can flow in both directions. That is, interest groups can sometimes help shape policy. But, equally important, the creation of policies often involves the identification and specification of interests that help generate groups to perpetuate and “refine” those policies.

Despite the presence and importance of interest groups in some cases, and despite the partially blurred line between public and private actors and policies, in examining formulation and legitimation activities a focus on Congress and on the executive branch is warranted. Each of these institutional entities can be understood in terms of key component parts. In Congress there are party leaders, committee and subcommittee leaders (typically, committee and subcommittee chairpersons and ranking members), and rank-and-file members of the House and Senate. In the executive branch there are the president personally, the presidency collectively in the form of the Executive Office of the president and the presidential appointees, and the civil servants throughout all of the agencies.<sup>1</sup> Each of these six component

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<sup>1</sup>That part of the federal bureaucracy in which we are most interested comprises those career officials—both civilian and some military equivalents—who are high enough in grade or rank to be considered as involved in national policymaking. Typically, this would mean individuals who are supergrades (GS 16, 17, or 18) or equivalents in other career services, including the military.