

PSC535
Professor Rothenberg
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Bureaucratic Politics
Spring 2017

Course Purpose: This course provides an overview of the literature on bureaucratic politics, particularly as it related to the American political system (however, we can build in a more comparative component if students care to explore). Emphasis is put on current major research areas, of which there are quite a few, as both the real-world importance of the American bureaucracy and scholarly interest has grown considerably in recent years.

Grading: Students will be graded on class participation (50 percent) and a research paper or proposal (50 percent).

I. Introduction (1/23)

II. Why Delegate to Bureaucrats and Create a Civil Service (1/30)

Fox, Justin, and Stuart V. Jordan. 2011. "Delegation and Accountability," *Journal of Politics* 73 (3): 831-844.

Ting, Michael M., James M. Snyder, Shigeo Hirano, and Olle Folke. 2013. "Elections and Reform: The Adoption of Civil Service in the U.S. States," *Journal of Theoretical Politics* 25 (3): 363-387.

Ujhelyi, Gergely. 2014. "Civil Service Rules and Policy Choices: Evidence from US State Governments," *American Economic Journal: Economic Policy* 6 (2): 338-380.

Pendergast, Canice. 2016. "Bureaucratic Responses," *Journal of Labor Economics* 34 (2): S183-215.

Huber, John D., and Michael M. Ting. 2016. "Civil Service and Patronage in Bureaucracies." http://www.columbia.edu/~mmt2033/politics_personnel.pdf

Some other Important Papers (not required);

Maskin, Eric, and Jean Tirole. 2004. "The Politician and the Judge: Accountability in Government," *American Economics Review* 94(4): 1034-1054.

Prendergast, Canice. 2007. "The Motivation and Bias of Bureaucrats," *American Economics Review* 97:180-196.

III. *The Informational Imperative* (2/6)

Epstein, David, and Sharyn O'Halloran. 1994. "Administrative Procedures, Information, and Agency Discretion," *American Journal of Political Science* 38 (3): 697-722.

Epstein, David, and Sharyn O'Halloran. 1996. "Divided Government and the Design of Administrative Procedures: A Formal Model and Empirical Test," *Journal of Politics* 58 (2): 373-397.

Huber, John D., Charles R. Shipan, and Madelaine Pfahler. 2001. "Legislatures and Statutory Control of the Bureaucracy," *American Journal of Political Science* 45 (2): 330-345.

Volden, Craig. 2002. "Delegating Power to Bureaucracies: Evidence from the States," *Journal of Law, Economics, and Organization* 18 (1): 187-220.

Gailmard, Sean, and John W. Patty. 2014. "Giving Advice vs. Making Decisions: Transparency, Information, and Delegation."

<https://dl.dropboxusercontent.com/u/4231163/GailmardPatty-TransparencyInformationDelegation-October2014.pdf>

Some Additional Background:

Bendor, Jonathan, and Adam Meirowitz. 2004. "Spatial Models of Delegation," *American Political Science Review* 98 (2): 293-310.

For an Innovative if Unfinished Approach to Measuring Delegation:

Fong, Christian. Nd. "Identifying Delegation in Congressional Bills."

<https://cs224d.stanford.edu/reports/christianfong.pdf>

IV. Bureaucratic Responsiveness (2/13)

Patty, John, and Sean Gailmard. 2012. *Learning while Governing*.

Anderson, Sarah E., and Matthew Potoski. 2016. "Agency Structure and the Distribution of Federal Spending," *Journal of Public Administration Research and Theory* 26 (3): 461-474.

V. Organization and Capacity (2/20)

Huber, John D., and Nolan McCarty. 2004. "Bureaucratic Capacity, Delegation, and Political Reform," *American Political Science Review* 98 (3): 481-494.

Callander, Steven. 2008. "A Theory of Policy Expertise," *Quarterly Journal of Political Science*. 3 (2): 123-140.

Gailmard, Sean, and John Patty. 2013. "Stovepiping," *Journal of Theoretical Politics* 25(3): 388-411.

Jo, Jinhee, and Lawrence Rothenberg. 2014. "The Importance of Bureaucratic Hierarchy: Conflicting Preferences, Incomplete Control, and Policy Outcomes," *Economics and Politics* 26 (1): 157-183.

Selin, Jennifer L. 2015. "What Makes an Agency Independent?" *American Journal of Political Science* 59 (4): 971-987.

VI. Appointment Processes I (2/27)

Lewis, David E. 2008. *The Politics of Presidential Appointments*, chs. 3-5.

McCarty, Nolan, and Rose Razaghian. 1999. "Advice and Consent: Senate Responses to Executive Branch Nominations, 1885-1996," *American Journal of Political Science* 43 (4): 1122-1143.

McCarty, Nolan. 2004. "The Appointments Dilemma," *American Journal of Political Science* 48 (3): 413-428.

Jo, Jinhee, and Lawrence Rothenberg. 2012. "Rational Incompetence," *Journal of Theoretical Politics* 24 (1): 3-18.

VII. Appointment Processes II (3/6).

Gallo, Nick, and David E. Lewis. 2012. "The Consequences of Presidential Patronage for Federal Agency Performance," *Journal of Public Administration Research and Theory* 2 (2): 219-243.

Hollibaugh, Gary. 2014. "Naïve Cronyism and Neutral Competence: Patronage, Performance, and Policy Agreement in Executive Appointments," *Journal of Public Administration Research and Theory* 25(2): 341-372.

Hollibaugh, Gary E., Jr., Gabe Horton, and David E. Lewis. 2014. "Presidents and Patronage," *American Journal of Political Science*
<http://onlinelibrary.wiley.com/doi/10.1111/ajps.12083/pdf>

Bonica, Adam, Jowei Chen, and Tim Johnson. 2015. "Senate Gate-Keeping, Presidential Staffing of "Inferior Offices," and the Ideological Composition of Appointments to the Public Bureaucracy," *Quarterly Journal of Political Science* 10 (1): 5-40.

Krause, George A., and Anne Joseph O'Connell. 2016. "Experiential Learning and Presidential Management of the U.S. Federal Bureaucracy: Logic and Evidence from Agency Leadership Appointments," *American Journal of Political Science* 60 (4): 914-931.

VIII. Putting Agencies in the Policy Space (3/20)

- Bertelli, Anthony M., and Christian R. Grose. 2011. "The Lengthened Shadow of Another Institution? Ideal Point Estimates for the Executive Branch and Congress," *American Journal of Political Science* 55 (4): 767-781.
- Bertelli, Anthony M., Christian R. Grose, David E. Lewis, and David C. Nixon. 2012. "Separated Powers in the United States: The Ideology of Agencies, Presidents, and Congress," *American Journal of Political Science* 56 (2): 341-354.
- Chen, Jowei, and Tim Johnson. 2015. "Federal Employee Unionization and Presidential Control of the Bureaucracy: Estimating and Explaining Ideological Change in Executive Agencies," *Journal of Theoretical Politics Journal of Theoretical Politics* 27 (1): 151-174.
- Bertelli, Anthony M., Dyana P. Mason, Dyana, Jennifer M. Connolly, and David A. Gastwirth. 2015. "Measuring Agency Attributes with Attitudes Across Time: A Method and Examples Using Large-Scale Federal Surveys," *Journal of Public Administration Research and Theory* 25 (2): 513-544.
- Richardson, Mark D., Joshua D. Clinton, and David E. Lewis. 2016. "Characterizing the Ideology of Federal Agencies: An Approach to Measuring Difficult-to-Observe Organizational Characteristics."
http://media.wix.com/ugd/dfd831_af47bccf9ae24f0ea3766eb1ec7b4fa2.pdf

Background Paper:

- Joshua Clinton and David E. Lewis. 2008. "Expert Opinion, Agency Characteristics, and Agency Preferences" *Political Analysis* 16 (1): 3-20.

IX. Rulemaking and Administrative Procedures I (3/27)

McCubbins, Mathew, Roger Noll, and Barry R. Weingast. 1987. "Administrative Procedures as Instruments of Political Control," *Journal of Law, Economics, and Organization* 3 (2): 243-277.

Balla, Steven J. 1998. "Administrative Procedures and Political Control of the Bureaucracy," *American Political Science Review* 92 (3): 663-673.

Gailmard, Sean, and John W. Patty. 2013. "Participation, Process, & Policy: The Informational Value of Politicized Judicial Review."

<http://johnwpatty.com/papers/NoticeAndComment-April-2013-1.pdf>

Doherty, Kathleen M., and Jennifer L. Selin. 2015. "Does Congress Differentiate? Administrative Procedures, Information Gathering, and Political Control." http://dornsife.usc.edu/assets/sites/741/docs/Panel_4a_paper1_DohertySelin_Does_Congress_Differentiate_SoCLASS_USC_2015.pdf

Acs, Alex. 2016. "Which Statute to Implement? Strategic Timing by Regulatory Agencies," *Journal of Public Administration Research and Theory* 26 (3): 493-506.

Follow up to McNollGast:

Rodriguez, Daniel B., and Barry R. Weingast. 2015. "The "Reformation of Administrative Law" Revisited," *Journal of Law, Economics, & Organization* 31 (4): 782-807.

X. Rulemaking and Administrative Procedures II (4/3)

- Yackee, Jason Webb, and Susan Webb Yackee. 2010. "Is Agency Rulemaking 'Ossified'? Testing Congressional, Presidential, and Judicial Procedural Constraints," *Journal of Public Administration Research and Theory* 20: 261-282.
- Nelson, David, and Susan Webb Yackee. 2012. "Lobbying Coalitions and Government Policy Change: An Analysis of Federal Agency Rulemaking," *Journal of Politics* 74(2): 339-353.
- Raso, Connor, and William West. 2013. "Who Shapes the Rulemaking Agenda? Implications for Bureaucratic Responsiveness and Bureaucratic Control," *Journal of Public Administration Research and Theory* 23 (3): 495-519.
- Raso, Connor. 2015. "Agency Avoidance of Rulemaking Procedures," *Administrative Law Review*. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2293455
- Potter, Rachel. 2016. "Slow-Rolling, Fast-Tracking, and the Pace of Bureaucratic Decisions in Rulemaking," https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2759117

XI. Rulemaking and Administrative Procedures III: OIRA and Regulatory Review (4/10)

- Acs, Alex, and Charles Cameron. 2013. "Does White House Regulatory Review Produce a Chilling Effect and "OIRA Avoidance" in the Agencies?" *Political Research Quarterly* 43 (3): 443-467.
- Bubb, Ryan, and Patrick L. Warren. 2014. "Optimal Agency Bias and Regulatory Review," *Journal of Legal Studies* 43 (1): 95-135.
- Rezaee, Janna. 2015. "Presidents' Pursuit of Policy in the Executive Branch," http://jannarezaee.com/uploads/5/0/9/2/50921389/rezaee_prespursuepolicy_oct2015.pdf
- Bolton, Alexander, Rachel Augustine Potter, and Sharece Thrower. 2015. "Organizational Capacity, Regulatory Review, and the Limits of Political Control," *Journal of Law, Economics, and Organization*.
- Carpenter, Daniel, and Jesse Gubb. 2014. "A Political Clearinghouse? Organizational and Presidential Effects in OIRA Review," http://paperroom.ipsa.org/app/webroot/papers/paper_33430.pdf

Some Background on OIRA:

- Sunstein, Cass R. 2013. "Commentary: The Office of Information and Regulatory Affairs: Myths and Realities," *Harvard Law Review* 126: 1838-1879.

XII. Separation of Powers/Congress/President (4/17)

Callander, Steven, and Keith Kreihbiel. 2014. "Gridlock and Delegation in a Changing World," *American Journal of Political Science* 58(4): 819-834.

Clinton, Joshua D., David E. Lewis and Jennifer L. Selin. 2014. "Influencing the Bureaucracy: The Irony of Congressional Oversight," *American Journal of Political Science* 58 (2): 387-401.

Pendergast, Canice. 2015. "Professionalism and Contracts in Organizations," *Journal of Labor Economics* 33 (3): 591-621.

Rezaee, Janna, Abby Wood, and Sean Gilmard. 2015. "Bureaucratic Agency Problems and Legislative Oversight,"
http://jannarezaee.com/uploads/5/0/9/2/50921389/legoversight_rezaewoodgilmard.pdf.

Wood, Abby K., and David E. Lewis. 2015. "Agency Performance Challenges and Agency Politicization."
<http://law.bepress.com/cgi/viewcontent.cgi?article=1316&context=usclwps-lss>

XIII. Interest Groups and Courts (4/24)

A. Interest Groups

Carpenter, Daniel P. 2004. "Protection without Capture: Dynamic Product Approval by a Politically Responsive, Learning Regulator." *American Political Science Review* 98 (4): 613-631.

Tai, Laurence. 2015. "Regulatory Capture and Quality,"
https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2452471.

B. Courts

Eskridge, William N., and Connor Raso. 2010. "Chevron as a Canon, Not a Precedent: An Empirical Study of What Motivates Justices in Agency Deference Cases," *Columbia Law Review* 110: 1727-1819.

Turner, Ian R. 2016. "Working Smart *and* Hard? Agency Effort, Judicial Review, and Policy Precision," *Journal of Theoretical Politics*
<http://journals.sagepub.com/doi/abs/10.1177/0951629816630430>

Bils, Peter, and Lawrence S. Rothenberg. 2016. "Bureaucrats, Judges, and Societal Welfare."

XIV. Student Presentations/Conclusions (5/1).

Some Data Sources:

<http://web.stanford.edu/~bonica/data.html> Adam Bonica's Ideal Points

<https://agencydata.wordpress.com/> Agency preference data

<http://www.tim-j.com/bureaucratic-ideal-points/> Chen-Johnson agency ideal point scores

<http://www.fedview.opm.gov/> Federal Employee View Survey; see also

<http://www.mrichardson.info/data>

<http://www.tim-j.com/feddata/> Federal Personnel Surveys

<http://www.performance.gov/> Government Assessments of Agency Performance

<http://epstein.wustl.edu/research/JCS.html>: Judicial common space scores

<http://georgewbush-whitehouse.archives.gov/omb/expectmore/part.html> PART scores

<http://www2.hawaii.edu/~dnixon/PIMP/index.htm> Political Ideology Measurement Project

<http://www.princeton.edu/~psrc/SFGS/> Survey of the Future of Government Service

<http://sunlightfoundation.com/tools/>: Various big data; **note the foundation just pulled the plug, but a number of the datasets have been farmed out (ask me)**

Review Papers that Might Be Helpful:

Ernesto Dal Bó. 2006. "Regulatory Capture: A Review," *Oxford Review of Economic Policy* 22 (2): 203-225.

Gailmard, Sean, and John W. Patty. 2012. "Formal Models of Bureaucracy," *Annual Review of Political Science*.

Krause, George. 2011. "Legislative Delegation of Authority to Bureaucratic Agencies," *Oxford Handbook of American Bureaucracy*.
<http://www.oxfordhandbooks.com/view/10.1093/oxfordhb/9780199238958.001.0001/oxfordhb-9780199238958-e-22>

Krause, George A., and Neal D. Woods. Nd. "Policy Delegation, Comparative Institutional Capacity, and Administrative Politics in the American States,"
<http://www.pitt.edu/~gkrause/comparative%20policy%20delegation.krause&woods.february%202012.pdf>

Lewis, David. 2011. "Presidential Appointments and Personnel," *Annual Review of Political Science*.

Moe, Terry M. 2013. "Delegation, Control, and the Study of Public Bureaucracy," in *Handbook of Organizational Economics*.