

1745 words
5 pages

ACHIEVEMENTS IN PERIL:
CREATING A GOVERNMENT WELL EXECUTED

Paul C. Light
Robert F. Wagner School of Public Service
New York University

JOHN BRADEMAS CENTER FOR THE STUDY OF CONGRESS
2008 LIBRARY OF CONGRESS LECTURE

OCTOBER 20 2008

Senators John McCain and Barack Obama could not be asked a more important question during this campaign than what they will do to maintain government's greatest achievements of the 20th century.

If a society is judged by the problems it has tried to solve, Americans can be proud, indeed. Name an international or domestic problem, and the federal government has been asked to do something about it.

It is easy to blame the Bush administration for the reverses, from the 2007 Minneapolis bridge collapse to the current economic crisis, ballooning budget deficit, sluggish response to Hurricane Katrina, and intransigence toward global warming. But the disinvestment has involved Congress, too. Both branches have ignored their responsibilities to create an administrative infrastructure equal to extensive and arduous enterprises.

It is no longer clear, for example, that the Food and Drug Administration can assure safe food and drinking water, let alone protect the nation from counterfeit drugs. Neither is it clear that the Federal Highway Administration can keep the interstate highway system running smoothly, the Social Security administration can manage its disability programs, the Veterans Benefits Administration can quickly process veterans claims, or the Federal Aviation Administration can maintain a safe airspace.

Imagine for a moment the worst possible circumstances for building a federal service with the aptitude and tendency for a government well executed, which Alexander Hamilton juxtaposed against the dangers of a "government ill executed."

First, the federal service would have an agenda of staggering reach that would barely keep pace with the resources for faithful execution. Carved from the hopes and dreams of past and present administrations, the federal service would be overwhelmed with the accumulated endeavors of government, but would be starved for resources.

Second, the federal service would be governed by a chain of command that would defy clarity. Built upon the notion that more leaders somehow equals more leadership, the chain of command would be filled with needless layers of management and increasing numbers of leaders at each layer. Guidance would flow downward through a patchwork of political and career executives, each one of whom would hold the guidance just long enough to produce a cascade of delay, while information would flow upward at sub-glacial speed in a bureaucratic version of the childhood game of gossip.

Third, the federal service would be led by presidential appointees selected through a process that guarantees delays, vacancies, and exhaustion. The appointments process would be nasty, brutish, and not at all short. It would demand answers to more than 250 questions contained in 60 pages of forms, asking each appointee to look back fifteen years and list every job, home, publication, medical condition, current and past political affiliations, domestic employees, and

short trips to Canada and Mexico. And it would process nominations so slowly that an administration would not be in place until the middle of its second year.

Fourth, the federal government would create a civil service system that fails at virtually every task it is designed to do. The system would be slow and confusing in hiring, ultra-permissive in promoting and rewarding, reluctant in disciplining, and unwilling to provide the technology, information, employees, and training to do jobs well. Created to celebrate merit, the civil service system would tolerate favoritism, foment labor-management conflict, stifle whistle-blowing, and deny the chance to accomplish something worthwhile.

Fifth, the federal service would discourage young Americans from taking federal jobs. Although it would have an advantage as the place to go for serving the country during times of patriotic need, even its most committed future employees would reject the government's thirty-year careers as a destination of choice.

Sixth, Congress and the president would batter the bureaucracy with one reform after another. These reforms would often conflict with one another, reflecting competing philosophies of just how to make government work. Presidents would sweep away their predecessor's agenda within days of their inaugurations, while Congress would further confuse agencies with a pastiche of poorly rationalized reform.

Finally, the federal service would share accountability with a vast, growing, and mostly hidden workforce of contractors, grantees, and state and local government employees who work for the federal government under mandates. This blended workforce would often be unaccountable for what goes right or wrong in the execution of the laws. It would grow larger with the expanding government mission, but be nearly impossible to measure because of resistance from those who want to hide the true size of government with promises to deliver more for less.

This is not just the worst case for creating a government that Hamilton would have called "ill executed"; it is the prevailing case. Unless the next president takes the lead in promoting reform at all levels of the bureaucracy, government's greatest achievements will continue to erode, while past disappointments will never be rectified.

Big problems demand big answers, which is why tinkering will no longer suffice. Although there may be benefits in taking on one problem at a time and building momentum toward government-wide action on many of the threats of further harm, such efforts have stalled repeatedly in past Congresses.

It is time, therefore, to think about how to build consensus on a package of reforms that would offer trade-offs among the three reform philosophies that hold hope for progress—First, scientific management toward pay for performance; second, liberation management toward a flattening of the hierarchy; and third, watchful eye toward greater public awareness of the true size of government. Congress and presidents will not reach agreement, however, without a bit of Hamilton and Jefferson blended together to create needed consensus built around cuts in the total

workforce and reduction in the number of presidential appointees. And cuts in the number of appointees will not produce consensus without greater presidential authority to shape the overall package, as suggested later in this section.

Reversing the erosion itself is no small task. It involves debate across all seven signposts of the erosion, including the mission, thickening, appointments, the workforce, hyper-reform, the true size of government, and student interest. Driven by analysis of the existing government mission, the reversal effort must first decide just how big the federal mission should be, then ask what the federal government needs to protect its past achievements and convert its past disappointments into success.

With little room for new spending or tax cuts, McCain and Obama have become ardent bureaucrat busters. McCain has proposed sweeping cuts in government spending, whether through spending freezes on discretionary programs, earmark reform, or another war on waste, while Obama has promised to eliminate poorly performing programs and discipline poorly performing employees, attack duplication and overlap, and create a Chief Performance Office to oversee the bureaucracy. Both clearly want government to do more with less.

If McCain and Obama truly want radical change, the question is how to design and pass it. The answer is to revitalize the president's fast-track authority to submit reorganization plans to Congress.

Presidents had just such authority from 1932 to 1983, and used it frequently. Nothing was off limits. Presidents submitted more than 200 plans during the period to create, merge, or terminate agencies, streamline administrative procedures, establish new management titles, and even raise federal employment ceilings. Congress had a legislative veto for disapproving plans, but presidents had the benefit of the doubt.

By the time the Supreme Court declared legislative vetoes unconstitutional in 1983, however, the reorganization authority was no longer worth restoring. Pressed by "iron triangles" composed of congressional committees, departments, and interest groups, Congress steadily diluted the process until it applied to mostly mundane issues. This iron triangles may be passé in political science, replaced in contemporary scholarship by the concept of issue networks in which allies and opponents come together around an issue such as health care, and then break apart. But iron triangles still exist in bureaucratic life.

It is precisely because of the continued power of these iron triangles that the next president needs a new variation on the old reorganization authority.

Modeled on the military base closing process, the first element of the new authority would be a bipartisan reorganization commission. Given a fixed amount of time to do its work, the commission would draft the reorganization plans and submit them to the president. Blessed by the commission, the president would then forward the plans to Congress with the usual fanfare.

The second element of the new authority would be a fast-track process for a legislative response. Congress could easily amend its rules to act within 45 days of receiving a plan, which is precisely what Congress does with each list of military base closings and realignments. The longer reorganization plans linger on Capitol Hill, the longer interest groups have to tear them apart.

The third element would be a perfectly constitutional up-or-down vote on each reorganization plan, no amendments allowed. The president cannot allow Congress to pick and chose among the mergers, break-ups, transfers, terminations, and administrative reforms that will be packed into a single plan. Otherwise, each plan will fall like a house of cards.

The commission would be especially useful in rebuilding the president's institutional capacity to manage government. After decades of cutbacks, the once-proud administrative management division at the president's Office of Management and Budget (OMB) is now gone. OMB now has so little knowledge about management that its "M" should be in subscript. How ironic that an agency created through a reorganization plan no longer has the capacity to develop one.

The odds in Washington favor business as usual, not radical reform. But radical reform is the only option if the next president wants to create a government well executed. Revitalizing the reorganization authority is the best way to push forward. If the president can restore the "M" in OMB along the way, so much the better. How ironic that an agency created by a reorganization plan with responsibility to administer reorganization plans no longer had the capacity to draft one.

McCain and Obama should be asked what they intend to do about this crisis, and should not be permitted to slough off the question with further rhetoric about wasteful bureaucracy and the need for change. It is time for them to get serious about the disinvestment that has imperils America's past achievements.