

# *Differentials in Agency Power*

## INTRODUCTION

A resurgence in interest in natural resources issues characterizes the last decade of the twentieth century. From the May 1994 signing of an international agreement to protect wildflowers at the Botanical Gardens in Washington, D.C., to the September 1994 world conference on population control in Cairo, worldwide attention is focused on how well we humans have carried out our stewardship role on this planet.

This is by no means a novel concern. Such an interest can be traced back to biblical times, to classical Greece, to Confucius' China. A reading of the great books and the great philosophers of recorded history shows that the relationship between humans and nature has been of concern to virtually all societies. So it is with the United States. But it has been a fluctuating and cyclical concern. As Anthony Downs stated some twenty years ago, public issues in modern media-driven societies go through an "issue-attention cycle."<sup>1</sup> In the United States, in this century alone, there have been four distinct periods when citizens and their governments grappled with conservation and environmental concerns: during the presidency of Theodore Roosevelt (1901–9), during FDR's New Deal (1933–39), during the tumultuous ten years of the Johnson and Nixon presidencies (1964–74), and most recently during the Bush-Clinton regimes.

It is when public attention is at its most intense that the opportunity for enacting new legislation is maximized. It is, however, a relatively narrow window of opportunity, since public attention to any given issue is generally short-lived. To take the example of the 1964–74 period, there occurred a flurry of legislative activity in response to off-shore oil

spills, smog-producing temperature inversions, and tension-filled summers in overcrowded metropolitan centers. Washington's response included enactment of the 1964 Wilderness Act, more stringent clean air and water legislation, the National Environmental Policy Act of 1969 (NEPA), and the Endangered Species Act of 1973. Taken together, it was an impressive statutory record.

As interest in environmental quality issues inevitably began to wane during this period, a new, albeit related, issue came to the forefront of national attention. Uncertainty over the adequacy of energy supplies was dramatically felt by many Americans during the winter of 1973–74, as drivers waited in long stationary lines at local gasoline stations.

Familiar themes were reiterated during this latest crisis: Were we running out of oil and other valuable energy resources? Had our natural resources been grossly mismanaged, possibly squandered away by short-sighted entrepreneurs operating in both the public and private sectors? Was it necessary to devise more rational policies for the coming worldwide era of frugality? One presidential ship of state was largely wrecked on the shoals of the energy crisis, and another was swept into office by the tide of popular sentiment favoring fiscal conservatism—particularly as it pertained to the federal government. Scarcity and frugality were the key political concepts of the 1970s, and by the middle of the decade the environmental crisis had evolved almost imperceptibly into the energy crisis. As had been the case with the environmental issue, the federal government acted on the public's concern over energy shortages by passing several pieces of legislation designed to alleviate the energy crunch.<sup>2</sup> And, again, resource-managing agencies found themselves the foci for much of this public attention.

The formulation of new public policies through the legislative process and by executive order is by no means the end of the story, however. In fact, the scholarly and journalistic attention accorded the implementation stage of policymaking since Pressman and Wildavsky's seminal book on the subject makes it appear as though new federal legislation is virtually the beginning of the process rather than, as we used to think, its conclusion. In some respects this is so: How policies get twisted, changed, modified, distorted, and even at times successfully executed has become the subject matter of a flourishing subfield within the disciplines of political science and public administration.

Even a single piece of legislation—for instance NEPA—is subjected to microscopic analysis by students of the policy process. (It was possible to refer to oneself in the 1970s as a “NEPA specialist”.) At least as important a step as deciding on a goal or objective is, then, how it gets implemented in the policy process.

When the focus is on implementation one is inevitably drawn into the milieu of the federal bureaucracy, for it is a bureaucratic organization(s) that nearly always is given the responsibility of executing federal laws.<sup>3</sup> In a book on the presidency Francis Rourke noted, “It is important also to remember that while the White House staff may be very good at designing broad-gauge programs, these programs must be carried out by some bureaucratic organization.”<sup>4</sup> Whether policies succeed or fail in their objectives is largely dependent upon the nature of the organization mandated to carry out those policies. Those natures differ. The flora and fauna of what is commonly referred to as “the federal bureaucracy” is actually rich in its diversity and complexity. Although it appears monolithic when viewed from the outside, or from a distance, that vast executive branch establishment headquartered in Washington, D.C. and its environs is actually a collection of hundreds of agencies, bureaus, departments, councils, and commissions. By one count, the executive branch is composed of something like eighteen hundred of these subunits.<sup>5</sup>

It is the thesis of this study that the characteristics that distinguish one organization from another in the federal bureaucracy can be as significant as those elements that they hold in common. By and large, the scholarship on bureaucracy has stressed, beginning with the influential work of Max Weber, the common features of bureaucratic organizations. Without trying to minimize these important generalizations, this study will emphasize the idiosyncratic. We wish to examine what accounts for the performance differences that exist among certain federal agencies—for that which makes one agency rich, powerful, and influential in the governmental process and another one impoverished, impotent, and inconsequential. Our intention is thus to provide a detailed examination of what Rourke has called “differentials in agency power,”<sup>6</sup> and to discuss why these differentials are important in the policy process.

The scholarship on NEPA is a good illustration of how agency differences come into play in policymaking and policy implementation.

Once enacted in 1969, NEPA quickly became a celebrated and much-studied piece of legislation. Because one of its principal intentions was to force agencies to change established patterns of behavior (through Section 102(2) (c) of the act), the statute provided an uncommon opportunity for social scientists to observe the dynamics of organizational change. Several things were discovered. First, it was learned that the discipline lacked universal indicators of organizational change. A measurement problem surfaced. What yardsticks could be used to assess the extent of change within an organization? Many had to admit that such measures did not exist, and so they had to be constructed. Observation thus became intertwined, as is inevitable in the social sciences, with evaluation. The result was that to a certain extent the units of measurement varied from study to study.

A second important discovery, though, had to do with the fact that federal agencies did not respond in a uniform manner to the new NEPA goals and objectives. Notwithstanding a certain degree of imprecision, as we just mentioned, in the measurement techniques being used, most observers discerned rather clear differences among agencies with respect to their willingness to change. Some agencies simply responded more quickly, more effectively, and more thoroughly than did others. Many wondered why.

Third, certain paradoxes emerged with respect to the bureaucratic response to NEPA. All who studied the act admitted that it contained a pro-environment, pro-conservation, and hence an anti-development or anti-public works bias. A good guess would have been that those agencies whose missions were most congruent with the basic philosophy of the act would have been the agencies with the best, or better, response records. Agencies like the National Park Service and the U.S. Fish and Wildlife Service ought to have responded more quickly to NEPA than, for example, pro-development agencies like the Corps of Engineers and the U.S. Forest Service. This was found not to be the case. In three separate studies on the implementation of NEPA, the researchers found little or no correlation between the nature of the agency's mission and its response to new environmental requirements. For example, Allen F. Wichelman, in his study of NEPA,<sup>7</sup> found the Corps of Engineers to have as good a response record as the U.S. Forest Service, and a better track record than the National Park Service. A study done by Richard Andrews, *Environmental Policy and Administrative Change*,<sup>8</sup>

compared the Corps of Engineers with the Soil Conservation Service (SCS) in the Agriculture Department; the former agency came out far ahead of the SCS. Finally, Richard Liroff's book evaluated the Corps of Engineers' implementation record and labeled it "extremely well" to "best of all."<sup>9</sup> Other agencies did not fare so well: The Bureau of Reclamation did poorly, and the National Park Service and the Fish and Wildlife Service both were "slow" to implement requirements that, ostensibly, fit in nicely with their existing programs and policies.

The point to be emphasized is that there exist observable and significant differences in how federal resource managers perform under similar circumstances. This is seen not only in the implementation of NEPA, but in the way agencies have responded to a whole series of changes in their immediate external environments; it must be remembered that the ecology movement not only produced NEPA and its EIS (Environmental Impact Statement) requirement, but scores of other new requirements as well. The energy crisis of the 1970s, for instance, had several impacts on agency behavior, from stepped-up minerals exploration on the public lands to a renewed interest in and funding for the energy benefits derived from federal hydroelectric projects. We argue in this study that what accounts for these performance differences is a set of organizational and political conditions that have produced different types of agencies within the executive establishment. Consequently, these varying types of organizations manifest different patterns of response to essentially the same stimuli, and so there is produced a situation wherein certain organizations have what amounts to "favored agency status" relative to other agencies. The adage that nothing succeeds like success thus has a certain relevance and even poignancy to the world of bureaucratic politics, especially as that world has become more populated, more complex, and more differentiated in the twentieth century.<sup>10</sup>

What exactly are these political and organizational factors that act as sources of agency power? And what kinds of agencies have been produced as a result? In answer to the first question, the literature on bureaucratic behavior suggests that organizations have two primary sources of power. In *Bureaucracy, Politics, and Public Policy* Francis Rourke noted that agency resources include (1) the expertise, knowledge, and information an agency has at its disposal, and (2) the clientele and other external support an agency can muster in support of its programs.<sup>11</sup>

The classic research by Weber stressed the element of expertise as the bureaucracy's primary source of power:

Under normal conditions, the power position of a fully developed bureaucracy is always towering. The 'political master' finds himself in the role of the 'dilettante' who stands opposite the 'expert,' facing the trained official who stands within the management of administration. This holds whether the 'master' whom the bureaucracy serves is a 'people,' equipped with the weapons of 'legislative initiative,' the 'referendum,' and the right to remove officials, or a parliament, elected on a more aristocratic or more 'democratic' basis and equipped with the right to vote a lack of confidence. It holds whether the master is an aristocratic, collegiate body, legally or actually based on self-recruitment, or whether he is a popularly-elected president, a hereditary and 'absolute' or a 'constitutional' monarch.<sup>12</sup>

Our own research into the histories and behavior of seven federal resource agencies corroborates these analyses. The display of expertise and the mobilization of political support are crucial to an analysis of agency behavior. However, we also found that for purposes of comparing one agency's power base and performance with others, it is necessary to look at the several dimensions that go to make up expertise and political clout. In other words, these two broadly defined resources can be broken down into their constituent parts. We see the first resource, expertise and the control of information, as being composed of: (1a) the nature of the mission originally given the agency; (1b) the extent to which the agency embodies a highly-regarded profession; (1c) the degree to which the leadership of the agency can capitalize on the knowledge base of the organization; and (1d) whether a sense of esprit de corps permeates the organization. The second variable, political support, includes such characteristics as: (2a) the existence of an optimal-size constituency on which the agency generally can count; (2b) the extent to which the agency's mission is linked to identifiable economic interests in society; (2c) whether it is a service or regulatory agency; and (2d) the organization's position vis-à-vis its executive branch superiors and the U.S. Congress. These characteristics are displayed in table 1.1.

Each of these factors has been extensively studied elsewhere, so we wish here to simply summarize what is meant by each of them, why they are significant determinants of agency behavior, and how they

relate to our seven-agency study. In the three chapters that follow, we expand upon the argument presented here by tracing the historical development of each of these seven resource-managing agencies, with emphasis on how the agency's power base has molded its subsequent behavior.

Table 1.1 Sources of Agency Power

1. Expertise/Control of Information			
1a Nature of Mission	1b Dominant, Established Profession	1c Astute leadership	1d <i>Espirt de Corps</i>
+pro-development; multiple-use; utilitarian values +created by an organic act +contains a mission that is expandable	+scientific, legal, military bases of expertise  -interdisciplinary; melting pot or professions	+scientific, legal or military leadership +strong founder +recruitment from within  -political appointments to head agency	+coherent public image +well-defined agency character +integrated organization  -servile attitude; inferiority complex -lack of a competitive edge
0 age of organization			
-the product of executive orders or re-organizations -narrow or esoteric mission; dominant use; preservationist values			
2. Political/Constituency Support			
2a Constituency Size	2b Linkages to Majoritarian Interests	2c Service or Regulatory	2d Intra-governmental Support
+large; evenly distributed +well-educated, well-funded  -narrow exotic interest -broad, amorphous interest	+concrete, economic interests +defense contractors  -the poor; ethnic minorities	+service orientation and functions  -regulatory functions	+congressional support +presidential support  -judicial oversight

Note: + = positive influence or characteristic; - = negative influence or characteristic; 0 = no discernible effect.

## THE EXPERTISE FACTOR AND ITS CONSTITUENT PARTS

It is often observed that “knowledge is power,” and bureaucracies in the modern state are the acknowledged repositories of vast amounts of data and expertise. For Weber, as well as for more contemporary students of organizational behavior, collecting and using information are the *sine qua non* of all bureaucracies. (In some ways even our second broad variable, constituency support, can be viewed as flowing from the first.)

But not all agencies share equally in this power source. As sociological research has shown, some professions or areas of expertise are more valued by members of society than are others. Generally speaking, the most highly regarded professions today are those of science, engineering, medicine, and the law. Hence, if an agency’s mission substantially involves any of these areas, its advantage in the political process is enhanced. Rourke summarizes this point:

As a source of power, expertise reaches its fullest development in those organizations which have skills related to the survival of society. Scientists and military officers, for example, are in a highly advantageous position today to command respect for their particular talents.<sup>13</sup>

These generalizations must be qualified by the recognition that Americans have become less enamored with experts and professionals of all kinds than they once were. To employ Ellis and Wildavsky’s terminology, an anti-leadership mood developed out of the Vietnam and Watergate crises of the 1960s and 1970s. It has gathered momentum since then, and it now touches virtually all societal institutions.<sup>14</sup> The result is a crisis in governance, abundantly evident to even the casual newspaper reader or television news viewer.

Public cynicism poses particular problems for bureaucracies, for their very existence is linked to expertise. There is no question that bureaucrats in the 1990s have a much harder time convincing people that they know best, whether it is the forester making decisions on the Flathead National Forest in Montana, or the hydrologist redesigning water flows on Florida’s Kissimmee River. As we discuss in detail later, officials in all of the seven agencies examined in this book are grappling with this changed environment. However, despite all of the challenges



to the traditional bases of bureaucratic authority, it is hard to imagine American society without bureaucrats and experts of some sort making decisions for the collective good. All things being equal, resource managing agencies still need, and benefit from, a competent professional workforce, even though those professionals may reflect newly emerging disciplines. As a top official in the Forest Service told us recently, "The agency needs a new dominant profession."

The skills of a particular bureau are inextricably intertwined with its mission. Some organizations are blessed with having an original purpose (in most concrete terms, an "organic act") which is highly valued and/or in accord with dominant societal values. For example, both the Army Corps of Engineers and the U.S. Forest Service derive much of their potency from espousing a multiple-use, utilitarian philosophy that allows them to contribute in a material way to the economic development of the nation. This kind of mission contrasts sharply with one that is so broad that it is supposed to control everything—for example, the Environmental Protection Agency<sup>15</sup>—or so narrow that it is perceived to be at best peripheral and at worst a hindrance to our national well-being. Such has been the fate of the U.S. Fish and Wildlife Service for a good part of its one-hundred-twenty year history.

Linked to an agency's mission are the conditions surrounding its creation. For instance, was the agency originally set in motion by a legislative statute—an organic act—or through an executive order? One might think this distinction slight, but according to some of Kaufman's research a statutory base is a more secure foundation for an agency than is creation by departmental or executive order.<sup>16</sup> The latter can more easily be repealed. Also, some agencies do evolve from an executive order to a statutory base but often are the objects of several reorganizations along the way. Frequent reorganizations sap strength. Whatever the benefits to presidents and congresspersons of them, there is little doubt that from an agency's point of view their costs outweigh their benefits. Thus the evidence seems to favor, as we show in the succeeding chapters, agencies which are given a statutory base at the time of their creation, or shortly thereafter. It tends to extend their longevity as well as enhance their influence in the political process by giving them a definite identity to work with and from.

Just as having Congress “present at the creation” is an advantage to an agency, so is having a mission that is flexible enough to allow the agency room to grow. Agencies that have grown powerful over the years are those that slowly but surely add on new functions, without completely sacrificing old ones, as they move along in life. These organizations actively sniff out new opportunities to expand their missions by continuously monitoring their external environment, in hopes of finding problem areas which might conceivably fall under their original flexible purpose. There has been considerable criticism of such a concept as “multiple use,” but from the organization’s standpoint, it is a wonderfully flexible management philosophy. Other agencies may get trapped by having a contradictory mission, one that is fulfilled in a relatively short time, or one that is so narrow that the organization finds little room for maneuvering in the bureaucratic jungle.

As Rourke noted above, deference is accorded to military and scientific experts in this society. Our research amplifies this observation by arguing that resource-managing agencies which have a dominant, scientifically-based profession develop into stronger organizations. The classic illustration is the Army Corps of Engineers, an organization that is able to capitalize both on the military and engineering mystiques. Until quite recently, professional forestry also served the Forest Service well. Agencies that are interdisciplinary—a melting pot of professions—generally encounter greater difficulties in developing into a cohesive organization. One may find our argument here somewhat contradictory in that we claim that a flexible mission leads to greater success while the dominance of a single profession within an agency also contributes to its stature. Though at first glance it might appear illogical, we believe that the historical records of our seven-agency sample bear out these assertions. A multiple-use mission, together with a well-established profession, is a potent combination.

Agencies that have a strong sense of their own identities and of their mission—often referred to as organizational zeal or *esprit de corps*—have an edge over those that do not. Just as we can sense when we are in the presence of a particularly strong, charismatic personality, so, too, are there agencies which know so well what they are about that they exude a sense of self-confidence in their relationships with others. Though it is a difficult factor to quantify, it is nonetheless a real source

of power for an organization. For political power is as much a matter of reputation as it is budget size, size of work force, and other more easily measurable indicators. The agency with *esprit de corps* can both better maintain the loyalty of its members and the support of its outside constituencies.

Along these lines, much was written in the 1980s comparing the U.S. automobile industry with that of the Japanese, and it was concluded that the latter's success could be attributed in great part to the community spirit actively cultivated by Toyota, Nissan and other Japanese car manufacturers with respect to their labor forces. Governmental organizations are no different in this regard.

Finally, leadership of the organization must be considered as a part of its information base. Astute or far-sighted leadership is never guaranteed to an agency throughout its existence, yet there do exist certain conditions pertaining to its top management that aid an agency rather than hinder it. Those agencies that can recruit to their leadership positions from within the organization rather than have a political appointee thrust upon them have an advantage. Also there is some evidence to suggest that a strong founder, who starts an agency off on the right foot, is a power source for the agency later on. Something like a "founder's myth" does exist and does give organizational benefits. For example, the exalted status of the Federal Bureau of Investigation from its inception in the 1920s to the late 1960s was due in large part to the leadership of its one director, J. Edgar Hoover, during that entire period of time. Hoover was not only instrumental in creating the bureau, but in capitalizing on the public's continual concern about crime control by fashioning and maintaining a cohesive organizational unit to combat a highly visible social ill.

#### THE SEVERAL DIMENSIONS OF CONSTITUENCY SUPPORT

Like expertise, political support can be conceived of as being a composite of several factors. A review of the existing literature combined with our own research into the histories of these seven agencies yield four clusters of factors which are most important to understanding differentials in bureaucratic power in this area. They concern the size of the constituency, the nature of the interests clustering around the

organization, the nature of the agency's mission, and the extent of intragovernmental support for the organization.

The simplest taxonomy of federal organizations divides them into two types: service and regulatory. Service-oriented agencies are those which generate "benefits rather than restrictions on the public";<sup>17</sup> regulatory agencies have the essentially thankless task of restricting some economic, social, or political activity. It is quite evident that service-oriented bureaus are advantaged vis-à-vis those whose purpose in life frequently puts them in a position to incur the wrath of influential segments of the public as well as influential policymakers in Washington. Regulatory agencies thus face budget cuts, personnel reductions, and diminutions in their scope and authority more frequently than do their service-oriented cohorts. During the Carter and Reagan administrations we witnessed an increase in the level of dissatisfaction with governmental regulation, both among the American public and among our national leaders, with the result that several regulatory bureaus fell by the wayside in an effort to whittle down the power of the federal bureaucracy.

Regulators like the Environmental Protection Agency (EPA), the Federal Trade Commission, and the Occupational Safety and Health Administration must continuously face a critical environment. Their support is diffuse while their opposition is better organized and better funded. The EPA in this regard is an interesting case, and at first glance it appears as the exception to the rule. It managed to survive a hostile environment under former President Reagan to become a "major player" in the Bush and Clinton administrations. It did so, we think, at least in part because it transformed itself from a regulatory agency to a service-oriented one: One that services predominantly white, middle-class lawyers who have earned a lot of money from litigating environmental clean-up efforts. The EPA also dispenses a great deal of research money.

Among the sample of agencies which we discuss in this study none is of the pure regulatory variety, although some agencies are a mixture of both. In actuality, most federal agencies do some of both: They regulate certain activities, like the Corps' disposal permit program, while at the same time providing benefits to others—the design and construction of new municipal wastewater treatment facilities. The generalization still

holds, however; the more regulating an organization does, the less popular it will be. Most organizations thus try to keep their regulatory activities to a minimum in order to avoid being perceived, as has been the case at times with the Fish and Wildlife Service, as a producer of bureaucratic red tape.

The size, nature, and type of interest group support are critical variables affecting an agency's power base. A broad-based, but organized, clientele is preferable to either a distinctly narrow constituency (historic preservationists, bird watchers) or to a constituency that is so broad that it cannot be mobilized easily. The fate of the nationwide consumers' movement is illustrative of what happens with an amorphous clientele. Since it includes virtually everyone in American society, it has proven to be exceedingly difficult to organize either a permanent interest group or a bureaucracy around it. To date, congress has hesitated before launching a Consumer Protection Agency whose mandate conceivably would be broader, more abstract, and more open to administrative interpretation and discretion than are existing statutes which have created similar federal regulatory agencies.

But optimal size is only one factor to consider in measuring constituency support. What also must be considered is how evenly distributed, both in a geographic and a socioeconomic sense, is the agency's interest group support. Organizations that are spatially limited, like the Bureau of Reclamation, whose organic act allows it to operate only in the seventeen Western states of the nation, find themselves competing with a handicap. This holds also for those agencies like the now-defunct Office of Economic Opportunity, whose clientele happened to consist of the most economically disadvantaged groups in American society.

Compared with the education lobby, for instance, or the forest products industry, these more limited constituencies can offer an agency little real support. We turn again to Rourke to provide a summary of the ideal association from an agency's viewpoint:

it can be said that the ideal administrative constituency is large and well distributed throughout all strata of society or in every geographical section of the community. It should include devoted supporters who derive tangible benefits from the services an agency provides. However, an administrative

agency should not be excessively dependent upon the support of any segment of its constituency, nor should it carry on activities that threaten the interests of substantial outside groups. Finally, the economic or social activities in which a constituency engages should be in accord with the most highly-ranked values in society.<sup>18</sup>

Federal agencies not only cultivate interest group support for their activities, but they must also jockey for position among the power centers in the nation's capital. Like it or not, political executives must continuously seek congressional and/or presidential support for their programs in an increasingly competitive and populated bureaucratic milieu. For a variety of reasons, some agencies are better at this than are others and so they have the budgets, workforce, and prestige associated with intragovernmental support.

Generally speaking, agencies may look to the president, to Congress, or even sometimes to both for protection and assistance. There are some agencies that have been the darlings of presidents, like Kennedy's Peace Corps in the early 1960s, Johnson's Office of Economic Opportunity (OEO) and the Civil Rights Division in the Justice Department, and Reagan's Defense Department. When chief executives take a special interest in a particular organization it usually fares well in the policymaking and budget process; generally the Congress will defer, at least for a time, to the president's pet programs. However, the other side of the coin is that presidents come and go with greater frequency than do members of Congress, and so being a favorite son or daughter of the president is a relatively less secure position than being a Congressional favorite. Consider, for example, the fate of the Peace Corps and the OEO—organizations that were, for a while, in the lime-light but which have since faded into obscurity or have been abolished. The OEO survived less than ten years.

Those tight little iron triangles that presidents and their top administrators rail against are, of course, an agency's best hedge against bad times. Former Secretary of Health, Education and Welfare Joseph Califano called it "molecular government," and it is the bane of anyone wishing to make significant changes in the existing power structure. The three-cornered triangle of agency, congressional committee or subcommittee, and lobby proves highly resistant to intrusion and influence even from the president of the United States.

The classic example of this relationship has been the Army Corps of Engineers, described by Arthur Maass in 1951 as the construction and engineering arm of the U.S. Congress.<sup>19</sup> The Corps' unusually close association with Congress allowed it to fend off harsh criticism, bad publicity, and attacks to its sovereignty by even presidents and Supreme Court justices. And, as our research will show, the agency flourished in the process.

Over the last two decades the influence of the judicial branch of government on the bureaucracy has grown. Whereas at one time the federal courts had minimal impact on executive branch agencies and bureaus, those happy days for bureaucrats have disappeared. Judicial review of administrative decision-making is a key feature of the contemporary political process, and some scholars even have posited the existence of a "judicial iron triangle," composed of district court, federal agency, and interest groups, to rival the influence of the congress-based iron triangle.

Litigation is a weapon often used today by all sides in environmental disputes. For agency officials, the usual result of judicial review is delay and/or stalemate. Although few challenge the legitimacy of the courts micro-managing the bureaucracy, their involvement clearly has been frustrating to the majority of resource managers. They see it as contributing to the pathological condition known as governmental gridlock. For these reasons we have labelled judicial oversight in table 1.1 as having an overall negative influence on an agency's power base. Having federal judges constantly looking over one's shoulder is not a comfortable situation.

## SUMMARY

Our purpose in this chapter has been to discuss briefly the several sources of power which agencies can exploit, and further to suggest that, over time, different kinds of organizations have been produced as a result of this continuous interaction between the agency and its environment. Our research into the histories of seven federal resource-managing agencies has uncovered three fairly distinct types of organizations, each of which displays a characteristic mode of behavior. Our sample of agencies consists of: The U. S. Army Corps of Engineers,

the Bureau of Land Management, the Bureau of Reclamation, the U.S. Fish and Wildlife Service, the U. S. Forest Service, the National Park Service, and the Soil Conservation Service, which in 1994 became the Natural Resources and Conservation Service. Four are Department of the Interior agencies, two are housed in the Agriculture Department, and one is located in the Department of Defense. But their formal position in the executive branch is a less important determination in molding agency behavior than are the factors which we discussed above.

What are the types of agencies which this research has discovered? We posit three categories:<sup>20</sup> What we call bureaucratic superstars; agencies that muddle through; and organizational shooting stars. Two agencies, whose histories we discuss in chapter 2, fall into the first category. They are the Corps of Engineers and the Forest Service. Next, those agencies which have found a relatively secure niche in the bureaucratic environment, and which show only modest variations in behavior from year to year, are discussed in chapter 3. To borrow a concept from Lindblom, they "muddle through."<sup>21</sup> These agencies are the National Park Service, the Natural Resources and Conservation Service, and the Fish and Wildlife Service. Our third category includes the Bureau of Reclamation and the Bureau of Land Management, the shooting stars of the federal establishment. They are the agencies that burn brightly for short periods of time; they rise quickly only to face a relatively precarious future. We discuss them in chapter 4.

In the following three chapters, we expand upon the ideas and the model presented here. Chapter 5 presents further measures of agency power. Chapter 6 contains our conclusions, in which we speculate about the future of these federal agencies and environmental policy generally as we approach the new millennium.