

“BUREAUCRATS” ARE NOT THE PROBLEM

Non-political Government Officials are Unsung, Under-appreciated, and Under-utilized

Criticizing “the government” is popular and few are more dismissively disdained as the so-called *government bureaucrat*. Through this article, I intend to illustrate why your business can benefit from revising this view if you engage with the government.

Government advocacy campaign strategies typically focus on either influencing a top-level decision maker or garnering broad based support. There are many valid versions of these approaches and sources to learn from—you may search the internet with “how to run a grassroots political campaign” or “how to lobby for change” for a start to learn more.

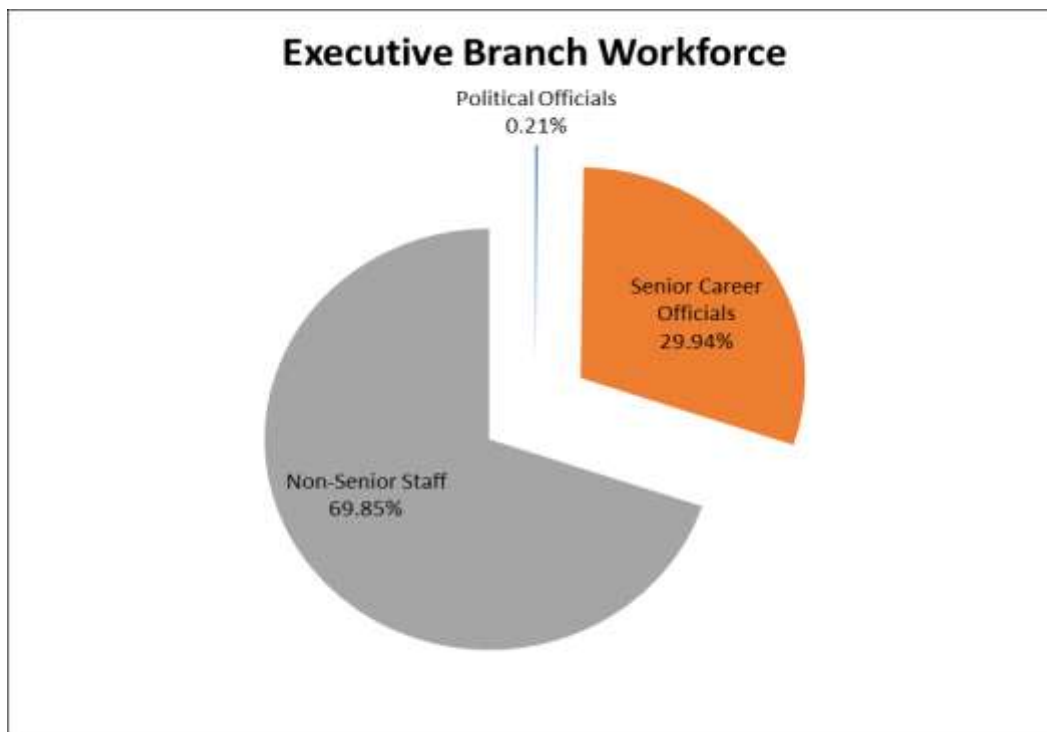
This article focuses on the third option. This involves the essential and incredibly influential supporting players to top-level, political officials: Non-Political Government Officials (NPGOs), often referred to as career staff or career federal officials.

For whatever reason, NPGOs are commonly over-looked and undervalued. If you are suspicious of their importance in the Federal decision-making process, you are not alone. The following are a few reasons to shift your thinking:

1. They’ve got the numbers.

The total pool of politically-appointed officials in the Executive Branch is fewer than 5,000. Of the approximately 1,200 potential appointees requiring Senatorial confirmation, fewer than 900 work under the Trump Administration.

Meanwhile, there are over 2,000,000 NPGOs working for the Executive Branch, based on data from the Office of Personnel Management (OPM).



The graphic above shows that almost a 1/3rd of the government is made up of Senior NPGOs vs. the 1/476th that are political appointees. That means there are about 150 Senior NPGOs for every Political Appointee. Furthermore, over two-thirds are non-Senior NPGOs whose jobs are critical and worthy of your attention.

2. If they're subordinates, they're enhanced subordinates.

It is a common mistake is to treat government hierarchy like that of the private sector.

In the private sector, when a director issues orders they generally understand the “how to” of what they are asking. Subordinates are expected to execute those orders without question and limited guidance in most circumstances. The apprentice-master relationship is a good example of the typical power dynamic.

In the public sector, political appointees are frequently placed in leadership positions without a thorough understanding of the machinations of government. They were elected, or picked by the person who was, on a public mandate to achieve policy objectives. When they arrive, the NPGOs have a dual role of (a) assisting in the execution of policy directions being issued by political officials while (b) serving in an educational role to articulate the potential paths forward. The latter of these disturbs the typical superior-subordinate power dynamic familiar in business and academia.

The following fictionalized dialogue is intended to illustrate this point:

Private Sector

Director: “I want to select Global Tech as our new IT services provider.”

*Subordinate: “I’ll get right on it.” *Executes due diligence**

Public Sector

Director: “I want to select Global Tech as our new IT services provider.”

NPGO: “Contracting without providing for full and open competition is a violation of statute, unless permitted by one of the following exceptions [...]”

In the latter scenario, the NPGO is not denying the director’s request but they are not saying “yes” either. The NPGO is educating the director on what is not permitted and the potential paths forward given their preferred outcome. Failing to fully appreciate this difference, very important and intelligent people often:

- over-estimate the formal authority of top-level decision makers to control outcomes, and
- under-estimate the importance of subordinate influence on decision-making.

3. They've got direct authority.

In addition to their enhanced role as a subordinate/educator, NPGOs also have direct authority. The following are just a few examples of NPGOs and their direct authority:

Department	Position	Appointment	Examples of Potential Actions
Energy	Director of the Office of Program Direction and Analysis	Senior General Schedule Staff	<ul style="list-style-type: none"> • direct resources to basic scientific research • initiate cutting edge research programs, such as machine learning • enter into partnerships with universities and other learning facilities • certify nuclear reference materials
Health and Human Services	Centers of Medicare and Medicaid Services, Office of the Actuary, Centers for Medicare, Hospital and Ambulatory Policy Group, Division of Acute Care Staff	Junior General Schedule Staff	<ul style="list-style-type: none"> • review and certify Medicare reporting submitted by hospitals
Interior	Deputy Assistant Secretary of Budget, Finance, Grants & Acquisitions	Senior Executive Service (SES)	<ul style="list-style-type: none"> • add/remove language from draft budget • interpret Departmental policy and guidance • inspect grant application reviews and awards

4. They're not going anywhere.

When the new Administration comes in, the political appointees leave. This typically results in turmoil for the private sector and its advocacy strategies. Wins become losses, sure-things become ghosts, and win-win opportunities die on the vine: A major safeguard against this threat is developing knowledge among the career staff who continue to work through transitions and into future Administrations.

5. They're the right place to start.

Let's suppose you were pulled over and ticketed for reckless driving but you are innocent. You call your attorney and ask for help and he says, "we need to take this to the Supreme Court!" If that happened, you'd rightly be incredulous. Your attorney is skipping a lot of steps!

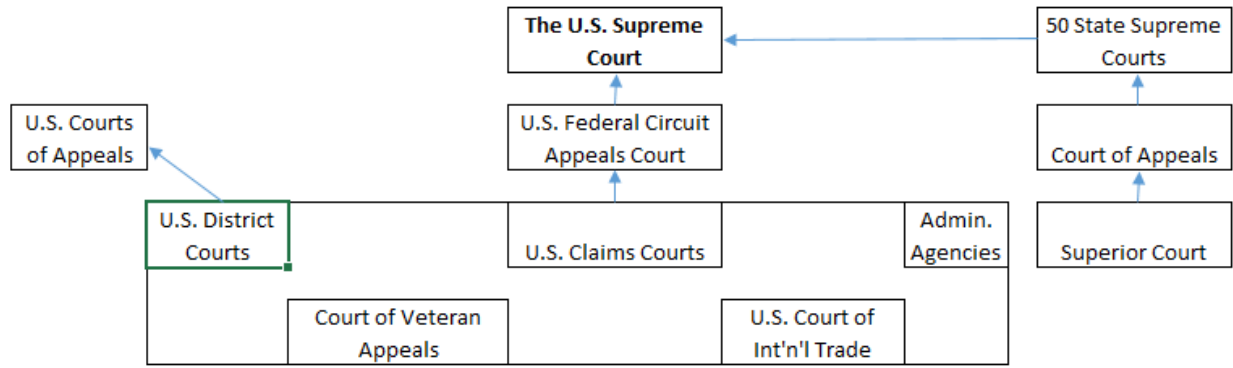


Figure 1: The organization of the U.S. court system contains several layers of appeal.

Similarly, the Executive Branch has many levels to appeal before the decision-maker of last resort:

Type	NPGO/ Political	Scope of Work	Notes	Favorable Action
Formal request review staff	NPGO	Review your application/request for compliance and clerical errors	These gatekeepers are often mistreated and abused. Kindness and due diligence increase your likelihood of success.	Approval without an appeal
Supervisory staff	NPGO	Oversee review staff and can clear actions outside review staff authority	How you engage with review staff is critical because that's who supervisory staff take their cues from—i.e. they are either talking with you because you have a problem they can solve, or <u>you</u> are the problem.	Identify and issue programmatic exceptions
Program managers	NPGO	These officials are responsible for the overall success of their program	Appeals to these officials may take on additional sophistication and nuance. There is some interpretive authority at this level—i.e. if the status quo interpretation of program objectives do not match with the intended policy outcome, then this official may adjust that interpretation within the bounds of the law	Enhanced ability to identify and issue programmatic exceptions

Type	NPGO/ Political	Scope of Work	Notes	Favorable Action
Agency/Office leadership	NPGO/ Political	Ensuring program compliance with the Departmental directives and Agency/Office mission	Appeals to these officials should be targeted to broader concerns. Engagement occurs either: (a) a program manager supports an action outside of their authority or (b) you are advocating to correct a program manager's flawed determination.	Correct previous decision or support extra-authority decision with higher authority
Departmental leadership staff	NPGO/ Political	Ensuring Agencies are performing in accordance with the even broader Departmental missions and political directives sent down from the White House	Engagement occurs either: (a) agency leadership supports an action outside of their authority or (b) you are advocating to correct agency leadership's flawed determination	Correct previous decision or support extra-authority decision with higher authority
Departmental leadership	Political	Implement political directives from the President and achieve Departmental missions	These officials receive guidance from NPGOs. Appeals for their support hinge on aligning your request with these priorities	Approval concomitant to a public mandate
Executive Office of the President	NPGO	Provide the backbone of institutional knowledge to ensure the regular business of government is executed and facilitate the implementation of political directives within normal process.	They are closely connected but distinct from the political directives. Appeals at this level require coordination with national-level concerns, such as creating jobs, maximizing GDP, and reducing waste	Facilitate approval of your appeal within the Departments or by the President
White House— The President	Political	Achieving campaign promises, Presidential legacy, the security of the American people, as well as addressing other hot-button political issues	Beware: Access does not necessarily equal action	Approval with a public mandate

This table provides a very generic, top-level view. Simply stated: If you are ignoring NPGOs, you reduce your opportunities to get what you want.

6. You optimize your return on investment.

The benefit of starting your advocacy at the lowest level feasible is your at-risk costs begin at the lowest level. Simply put, if you have a flat tire, the first thing to check is whether a plug can fix it. It's cheaper and easier and the fact that you checked doesn't stop you from getting a brand new tire if it turns out a plug won't work.

By the same token, if something can be fixed with a phone call to supervisory staff, it will be less expensive than a full campaign for a Presidential directive. Moreover, if it gets that far, you will have a much better case that a Presidential directive is needed when all other options were exhausted.