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The Administrative Conference of the United States: Perspective

Recommendations to Advance Cross-Agency Collaboration under the GPRA Modernization Act

The interplay between law and public administration was perhaps best described by Woodrow Wilson, who once said that “[p]ublic administration is detailed and systematic execution of public law. Every particular application of general law is an act of administration.” Wilson’s words still ring true today at the Administrative Conference of the United States (ACUS), where principles of public administration and management are intertwined with the work of ACUS. Accordingly, readers of *Public Administration Review* are invited to learn more about the Administrative Conference and assist in fulfilling its mission. One path to do so may lie in a recent study conducted by Jane E. Fountain for ACUS titled “The GPRA Modernization Act of 2010: Examining Constraints to, and Providing Tools for, Cross-Agency Collaboration” (Fountain 2013).

The Administrative Conference of the United States

Established by the Administrative Conference Act in 1964, ACUS is an independent federal agency dedicated to improving the administrative process through consensus-driven applied research, providing nonpartisan expert advice, and adopting recommendations for the improvement of federal agency procedures. Its 101-member body is composed of senior federal officials representing more than 200 government agencies and private sector and academic experts with diverse views and backgrounds.

ACUS was dormant for 15 years, beginning in 1995, when Congress eliminated its funding. The agency resumed operations with the confirmation of its tenth chairman, Paul R. Verkuil, in March 2010. In July of that year, President Barack Obama appointed ACUS’s 10-member council and called ACUS “a public–private partnership designed to make government work better.” ACUS is committed to promoting improved government procedures, including fair and effective dispute resolution and wide public participation and efficiency in the rulemaking process by leveraging interactive technologies and encouraging open

communication with the public. In addition, ACUS’s mandate includes fostering improvements to the regulatory process by reducing unnecessary litigation and improving the use of science.

Since its inception, ACUS has made more than 200 recommendations aimed at improving agency decision making, enhancing judicial oversight of the administrative process, and making valuable statutory proposals. Since the agency’s revival in 2010, ACUS has issued more than 20 recommendations, some of which involve public administration and management issues, in addition to administrative law issues. Examples include making recommendations to improve the use of cost–benefit analysis by independent regulatory agencies, highlighting a number of innovative practices undertaken by federal agencies in their use of science in regulatory decision making, and recommending ways to improve the Social Security disability benefits adjudication process.

Cross-Agency Collaboration: Constraints and Tools

Expanding on this growing body of work is an ACUS recommendation adopted in December 2013 focused on highlighting tools to help agencies address (real and perceived) legal barriers to cross-agency collaboration under the Government Performance and Results Act (GPRA) Modernization Act of 2010 and encouraging agency attorneys and other agency staff to aid such collaboration. The underlying study for this recommendation examines institutional, legal, and managerial challenges to collaboration across agencies in the federal government and with their partners in state and local governments. For example, among the case studies is an examination of veteran homelessness, where collaboration across an array of federal, state, and local agencies, in addition to their nonprofit and private partners, is essential for reducing homelessness among the nation’s veterans and their families.

Cross-agency collaboration holds promise as a powerful lever for performance improvement reform in

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Public Administration Review, Vol. xx, Iss. xx, pp. xx–xx. © 2014 by The American Society for Public Administration. DOI: 10.1111/puar.12175. Published 2014. This article is a US Government work and is in the public domain in the USA.

government. Greater interagency coordination within the federal government and intergovernmentally is increasingly viewed as essential to meeting complex policy challenges, wicked problems, that lie inherently across agency boundaries and jurisdictions. Streamlining through some carefully framed cross-agency initiatives is a means to increase efficiency, effectiveness, and accountability by reducing unnecessary overlap, redundancy, and fragmentation. The important and extensive amendments to the Government Performance and Results Act of 1993, enacted in the GPRA Modernization Act of 2010, require by statute that the Executive Office of the President and federal agencies establish cross-agency performance goals. The legislation details a set of directives toward their advancement, use, review, and measurement. While the law is federal, the importance of cross-agency collaboration extends across all levels of government as public administrators seek to gain efficiencies, effectiveness, and partnerships to solve intractable and complex policy challenges. For example, in another case study, the Partnership for Sustainable Communities—a collaboration among the Departments of Transportation and Housing and Urban Development and the Environmental Protection Agency—works closely with state, local, nonprofit, and private counterparts to develop affordable housing and transportation sustainably.

The study introduced here focuses on a series of institutional challenges to cross-agency coordination. Moreover, it examines the use

of various tools—new practices, legal and administrative vehicles, technologies, and other devices—by government officials and career civil servants to overcome and work within these challenges to collaborate across boundaries. The study sketches recommendations to encourage wider use of such tools to advance cross-agency collaboration in federal agencies. The broader implications extend to state and local governments as well.

We hope that, as a *PAR* reader, you will take time to learn about this ACUS study and recommendation and how it may be relevant to the important work being done by public administrators and managers at federal agencies, as well as in state and local governments, where federal policies ultimately are implemented. We also hope that your interest and involvement in ACUS will not end there. ACUS welcomes public participation on any of its projects, all varied but all aimed at improving the administrative process. Learn more about ACUS's work and events by visiting <http://www.acus.gov>.

Reference

Fountain, Jane E. 2013. The GPRA Modernization Act of 2010: Examining Constraints to, and Providing Tools for, Cross-Agency Collaboration. Report for the Administrative Conference of the United States, December 2. <http://www.acus.gov/report/gpra-modernization-act-2010-examining-constraints-and-providing-tools-cross-agency> [accessed December 3, 2013].