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## **POLITICAL DECISION-MAKING PROCESS: THE CASE OF AMERICAN AGRICULTURAL POLICY**

When the Founding Fathers devised the American government, their main purpose was to provide for an efficient political system which would secure the nation's well-being and immune it to any particular *faction's* interests. Since the word *democracy* in the post-British colonies of the 18<sup>th</sup> century in America was primarily associated with *mob rule*, the political system and its procedures needed to be arranged in such a way as to elevate a public interest over specific groups' interests. Only clearly defined rules of political system could secure the achievement of that goal.

The main source of the American political decision-making process is the country's federal Constitution. It provides clear rules according to which the system of American government has been organized. The rules name the participants and the procedures of the process. Since the Constitution is the *supreme law of the land*, it stands above all other laws which must conform to it. Otherwise, they are declared *unconstitutional*, thus void. Together with other governmental acts, the Constitution forms the so called *statutory* law and has a binding force for any other written regulations. Another source providing guidelines for the political process is the *common law*.<sup>1</sup> It has developed on the basis of old customs and traditions as well as past decisions made by judges. Therefore, in its essence it is the non-parliamentary (i.e. non-congressional) law and takes either the spoken form (political traditions and customs) or the written one (courts' rulings). The two sources collectively provide for a flexible system of law in which political decisions reflect interests of either *formal* (constitutional) and *informal* (customary or resulting from political practice) political participants.

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<sup>1</sup> The American system owes its presence to the English, where common law constitutes the foundation of the legal system in absence of the constitution.

The Constitution of the USA provides for three branches in the system of government: the legislative (the Congress) which enacts law, the executive (the President) who enforces law, and the judiciary (the courts) with the task of interpreting the law.<sup>2</sup> In this way the three political key players interact with one another in the system known as *checks and balances*. The system ensures stability of the political process since no branch is likely to gain excessive power over the other two. Apart from the constitutional framework, informal rules of political procedure secure room for other participants willing to affect the decision-making process, namely various interest groups. As in any other policy area, it is the interaction between the governmental branches on the one hand and farm and consumer interest groups on the other hand, which warrant proper proposal, enactment, execution and appropriation of funds for agricultural policy programs. A general model of farm policy-making process, as suggested by Pasour (1990), showing its different participants and their functions, is presented in Figure 1 on the following page.

Table 1. Agricultural congressional committees<sup>3</sup>

The House of Representatives' Committee on Agriculture	The Senate's Agriculture, Nutrition, and Forestry Committee
Subcommittees	
<ul style="list-style-type: none"> <li>- Department Operations, Oversight, Nutrition and Forestry</li> <li>- Livestock and Horticulture</li> <li>- Specialty Crops and Foreign Agriculture Programs</li> <li>- Conservation, Credit, Rural Development and Research</li> <li>- General Farm Commodities and Risk Management</li> </ul>	<ul style="list-style-type: none"> <li>- Production and Price Competitiveness</li> <li>- Marketing, Inspection, and Product Promotion</li> <li>- Forestry, Conservation, and Rural Revitalization</li> <li>- Research, Nutrition, and General Legislation</li> </ul>

The foundation of American agricultural policy is laid in farm bills (the most recent is the *Farm Security and Rural Investment Act of 2002*) which formulate federal policy for four to six-year periods. Its adoption crowns a

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<sup>2</sup> The power of American courts to interpret laws is, however, not explicitly stated in the Constitution. It was inferred from the text and structure of the Constitution and claimed by the courts themselves. In 1803, in *Marbury vs. Madison*, the Supreme Court assumed the power of judicial review in the words: *It is emphatically the province and duty of the judicial department to say what the law is* (Urofsky 1994). The case is surely the most notable example of the American-made common law with its far-reaching and profound consequences for the American system of government.

<sup>3</sup> It refers to the 107th Congress.

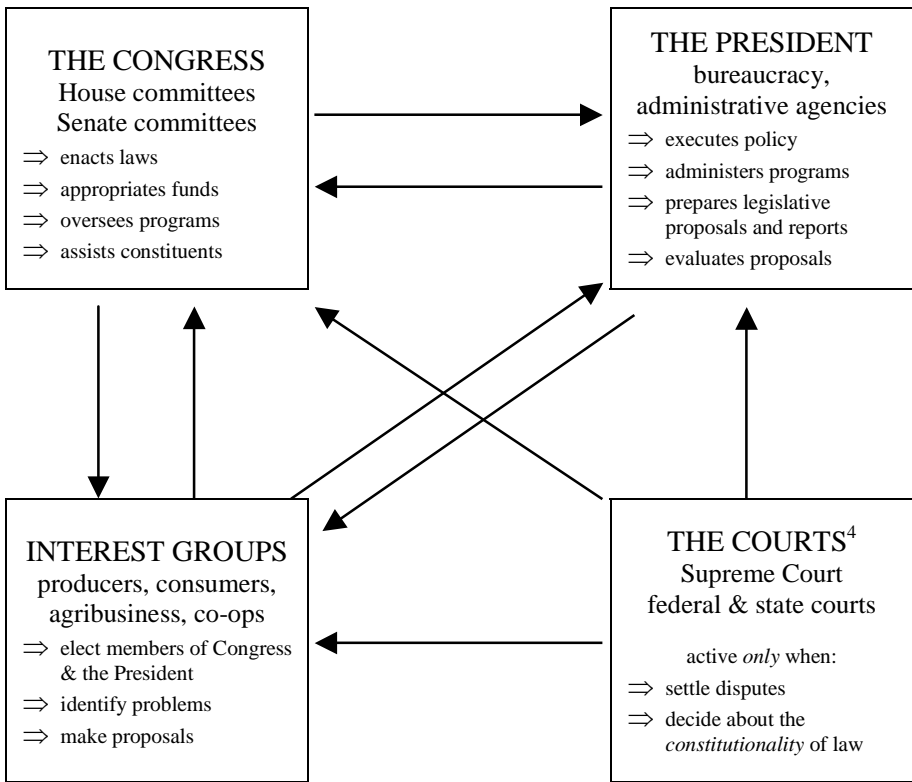


Figure 1. Model of agricultural policy-making process

common effort of all political players interested in its passage. Formulation of each farm bill draft rests on the executive branch. Before it is proposed to Congress by the executive, it is prepared by the Department of Agriculture on behalf of the president. After his authorization, it is submitted to Congress for approval. At this point, a process of time-consuming legislative effort starts. As any other projected law, the farm bill must be accepted by both houses before its submission to the president. The legislative route may start in any house. The

<sup>4</sup> Independence of American courts is guaranteed by the Constitution and frees them of any political and popular influence (by protecting and preventing them from active participation in the political process). Yet, the other two branches occasionally have some effect on them. The president nominates justice candidates to federal courts, including the Supreme Court, when the posts are vacated and the nominations are subject to the Senate's approval. Moreover, it is Congress which decides on both the range of appellate jurisdiction of the Supreme Court and the number of federal courts and justices of the Supreme Court. However, apart from judicial nominations, it is rare that the legislative and executive branches challenge the system of checks and balances (cf. e.g. Lineberry *et al.* (1994:606) or Michałek (1993:334)).

bulk of work is done by committees and subcommittees, in particular. Congressional subcommittees tend to be organized along commodity profiles in the House and along functional profiles in the Senate (Table 1). After having been assigned to an agricultural committee in a given house, the farm bill is referred to several subcommittees. As Table 1 shows, each of them deals with a different aspect of the farm policy and the subcommittee members debate the provisions of the farm bill with regard to its specific framework. In order to develop the most desirable policy, subcommittees may also hold public hearings among those mostly affected by the bill. At this particular stage of the political process, various interest groups, including farmers, agribusiness and consumers make an effort not to fail to voice their opinion about the proposed bill. Once the bill has been approved by the subcommittees, it goes to an agricultural committee where it is considered. If the committee accepts it, it usually becomes the subject of debate in the full House or Senate.<sup>5</sup> The committee stage of the legislative process is also affected by work of Budget Committees in both houses. In the case of any discrepancies between the drafts of the two houses, they are discussed by a Conference Committee presided by the Chairman of the House Agricultural Committee and selected members of the congressional subcommittees. The farm bill goes back to the House and the Senate where, once again, it is subject to debates and voting. Finally it is sent to the president for approval: if the president signs the bill, it becomes law; otherwise the presidential veto has to be overridden by a two-thirds majority in every house to remain in force.<sup>6</sup> However, it is important to remember that, like any other bill, the farm bill can fail at any stage because of a lack of support. The whole process takes about a year, and its outcome results in compromises among various political and interest groups.

## The legislative branch

The constitutional goal of the legislative branch is to pass laws. However, the dominant force prompting congressional members to act is the desire to

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<sup>5</sup> Before the bill comes up for action on the floor by the full House of Representatives, it is referred to the House Committee on Rules, which assigns it a *rule*. The rule imposes a time limit on the full House debate, specifies whether the bill can or cannot be amended and the number of amendments. The procedure is not used in the Senate, where there is the opportunity of unlimited debate which is called a *filibuster*.

<sup>6</sup> As a matter of fact, the president does not have to physically sign a bill to make it law. The bill does become law after ten working days, anyway. There is only one condition: the Congress must remain in session within that time. Otherwise, the president's failure to sign the bill within the period kills it and the whole legislative process is either wasted or has to be restarted. This specific power of the president is called a *pocket veto*.

remain in office. Pasour (1990:38) indicates that it is not ideological considerations but the chance of being reelected that is most highly valued and pursued by members of Congress. It has a profound effect on the way policy is made and there are several means to that end. The first one is called *advertising*, where basically a congress person works hard to get him/herself known within their constituency. The goal of staying visible is usually achieved through frequent trips to the home constituency. Another way to strengthen one's chances of reelection is through the activity of *credit claiming*, which boils down to personal and district service. A member of Congress can service its constituency through *casework*, while assisting individual citizens in solving their problems related to local government or, as the members themselves declare it "to cut through the red tape of bureaucracy". He/she must also take care of the *pork barrel*, which is a list of federal projects, grants and contracts that benefit the economy and institutions of a members' district. The time spent in Congress is used by its members to secure as much pork barrel as possible for their constituents. In that respect, "bringing home the bacon" often constitutes the main advantage of congressional incumbents over challengers. Finally, members of Congress must also get involved in *position taking* on matters of public policy while voting and addressing their constituent's questions on specific policy issues. Altogether, the three informal political practices emphasize the importance of work for specific needs of the member's constituency.

Members of Congress are not likely to engage in activities not related to their district interests because they do not get credit for them. Since "all politics is local", only those policy programs and their results which improve the economy of the member's districts are likely to be supported by them, consecutively improving the members' reelection chances. This practice is enhanced by the congressional committee system. In other words, members of a particular subcommittee in the House of Representatives represent regions where given commodities are grown and their subcommittee involvement gives them opportunity to work for their potential voters. That happens at all stages of decision-making process: enactment, appropriation and administration. Even after the policy, e.g. a farm bill, has been enacted, making sure that government agencies also provide benefits for their constituents, as appropriated, remains a short-term but central political interest of a given member of Congress. In return for electoral support, a congressional member of the Appropriations Committee or a commodity related subcommittee is motivated to use the farm program for political purposes, i.e. providing his constituents with an inflow of benefits from governmental agencies such as the United States Department of Agriculture. For that reason, members of Congress play a key role in the decisions of governmental agencies and are likely to introduce unfavorable measures to those who fail to provide congressional benefits to their constituency. Furthermore, a number of authors examining the political process in American agriculture (cf.

e.g. Tracy (1997) or Pasour (1990)) indicate that only those political activities which tend to uphold current policies and secure benefits and status of main interest groups, i.e. farmers, agribusiness, etc., among them the local constituents, are likely to be enacted into law. All changes are viewed with distrust since they might have a negative effect on current beneficiaries. The above dependencies between members of Congress and their constituents provide an informal, though very effective means of influencing the political process.

Since the committee system performs a fundamental role in the legislative decision-making process, the committee membership is a matter of careful planning by congressional party leaders. Newly elected members of Congress are assigned to serve on a particular committee and their assignment is, above all, to enhance their chances of reelection. It does, when the profile of a particular committee reflects the profile of the member's constituency or when his/her district has not been represented on this committee yet. Consequently, agricultural committees consist mostly of legislators from agricultural areas who tend to stay on the committee as long as they are members of Congress. Furthermore, the committee system is enhanced by a *seniority system*, another informal political practice within Congress. According to the *seniority rule*, the committee or subcommittee chairman is usually the person serving the longest on the committee from the majority party. Needless to say, it is a position of high political prestige, whose expertise and function can easily affect the course of legislative action within the committee. It is also not a mere coincidence that the chairmen of agricultural committees and subcommittees are likely to come from states where agriculture is an important industry. As Pasour (1990:39) indicates, agricultural committee chairmen used to come from the South because of the Democratic Party dominance there. However, changes in congressional procedures and the political landscape in the South (it is not longer an exclusively "democratic" region) have caused a decline in the political importance of southern congressmen on agricultural committees. Moreover, urban members of Congress have been increasingly interested in agricultural legislation following the expansion of food assistance programs administered by the USDA in the 1960s.

Apart from the committee and seniority systems, internal congressional political practice includes another informal custom affecting the policy-making process. A commonly used practice is *logrolling*, i.e. trading of votes. It occurs when a member votes along with a colleague in the expectation that in future the colleague will back up his vote for a measure about which the member is concerned. In that respect, logrolling builds a coalition across party lines and is often employed by members of Congress who come from different types of constituencies. Pasour (ibid.) points out that this practice, in terms of agricultural

politics, has gained in importance as a result of the development of food assistance and other transfer programs supported by urban lobbies.

## The executive branch and the bureaucracy

The main task of the executive branch is to enforce the laws approved by Congress. The head of the executive branch is the president who has the constitutional right to influence the legislative process by making bill proposals to Congress, public approval or disapproval of a piece of legislation and the use of a veto. In practice, as the chief administrator, he heads American bureaucracy in general and is assisted by the Cabinet with various executive departments,<sup>7</sup> and the United States Department of Agriculture specifically (the USDA, as the highest ranking executive agency, is charged with the responsibility of executing the law and overseeing the activities of other agencies within agriculture). The top administrators of the USDA, likewise other departments, agencies or bureaus, are appointed by the president (being subject to the Senate's confirmation) and are likely to face dismissal when, as a result of a presidential election, the top government administration changes.<sup>8</sup> In practice, however, agricultural programs are administered by the bureaucracy, which remains in office, unaffected by the course of political events.

It is the USDA's top administrators (i.e. the Secretary of Agriculture, aided by its Under Secretaries and other staff) who, on the president's behalf, decide about general direction of American agricultural policy. Nevertheless, it is the bureaucrat who is the key decision-maker in the final stage of implementation of agricultural legislation. He/she acts like a professional public servant employed by the government, in charge of enforcing policy decisions, not making them. Moreover, it is the bureaucrat, sometimes called a *street-level bureaucrat*,<sup>9</sup> that an individual citizen most frequently reaches when he/she wants to talk to a government official. Unlike top administrators, civil servants are obliged to remain apolitical and nonpartisan and cannot be easily removed from their office.

Implementation of public policy is the most important task of the bureaucracy. In practical terms, however, enforcing laws passed by Congress is often reduced to maintaining authority and expansion of agricultural programs. It happens as a result of absence of clear guidelines about the way a legislative act should be put into action: the ones stated by Congress are usually too vague and

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<sup>7</sup> The existence of the Cabinet, and consecutive departments, agencies and bureaus making up the bureaucracy has been a matter of political custom since the Constitution does not provide for it.

<sup>8</sup> The president handles more than 4,000 top executive nominations, whereas only the US federal bureaucracy employs 3 million civilian workers (*Statistical Abstract of the USA 2001*).

<sup>9</sup> The term refers to those bureaucrats who are in constant contact with the public and have considerable discretion (cf. Lineberry *et al.* (1994:557)).

general to be followed; those which promote the *public interest* do not provide a bureaucrat with the necessary information on available resources, production possibilities and consumer or farmer preferences. Pasour (ibid.) notes that even if a civil decision-maker could verify what actions advanced the public interest, he/she is not motivated to pursue that goal due to the inherently anti-motivational structure of bureaucracy.

Keeping a low profile is a key strategy in minimizing the risk of criticism, which could eventually lead to, e.g. an agency's closure. To maintain its discretionary powers, it is most practical for an agency to institute the policies which offer immediate benefits instead of ones which bring higher, though more distant or long-term gains. In that respect, the bureaucratic concentration on short-term policies and their goals draws close parallels with the way policy is pursued by members of Congress: the short-term goal of winning the next congressional election overshadows any ideological considerations. In both cases, those political goals, whose outcomes are more distant regardless of their social or economical justifications, are deemed less politically attractive, hence, have little chance to affect the political decision-making process. Moreover, the two groups, i.e. members of Congress and an agency, as the final executor of law, come into interaction with each other within the provided political system. Since Congress, apart from its primary constitutional legislative function, also holds the *oversight power*, it is entitled to question executive branch officials (agencies, bureaus, etc.) to see if their agency is complying with the wishes of the Congress and handles its programs in an efficient manner. Thus, the agency's performance (and the bureaucrats employed there) is subject to scrutiny by a group of congressional members sitting on the relevant oversight committee. They evaluate the performance on the grounds of their constituents' complaints. Therefore, as it is implied by Weingast (1984:149), agencies are pressed to comply with congressional interest. The agency's failure in doing so may bring cuts in congressional appropriations for the agency's operations or even the agency's end. In this interaction, compliance with the constituents' interests turns out to secure the short-term interests of all the participants of the process, the bureaucracy and members of Congress on the one hand, and the constituents on the other.

Eventually, apart from staying in power, a bureaucratic department, like the USDA, is vitally interested in its growth. This goal can be achieved either by expansion of agricultural legislation, which may be counteracted by the general public, or by increasing the demand for an agency's output. Passour (1990) notes three general ways in which an agency can stimulate the demand for its products:

- The agency's service is offered to the public below the cost necessary to provide it. This ostensible *dumping* of prices is possible only because certain activities have been heavily subsidized previously. A typical example of these kinds of services are those provided by the Agricultural Extension Service (e.g. farmers are supplied with information on results of agricultural research free of



charge). A high demand on those services is conditioned by their below-cost prices;

– An agency may effectively resist reductions in its size by sacrificing the services most highly valued by consumers. Threat of cuts in the agency’s budget prompts the agency’s officials to reduce the scope of its services. However, the cuts do not affect the agency’s own welfare but the services most needed by the public. Bennett and Dilorenzo (1983:5) comment on this pattern of action, which easily explains why even in periods of financial dire straits, bureaucratic administrators are not likely to curb their expenditure:

*Typically the immediate response of a public agency to proposed budget cuts is some variant of ... the ‘Washington Monument syndrome’. When faced with a budget reduction, the National Park Service immediately announced that such cuts could only be accommodated by closing the Washington Monument, the most popular tourist attraction in the nation’s capital.*

– An agency may expand its jurisdiction or even maintain a no longer needed service. Bureaucratic agencies are staffed with people who collectively, irrespective of how many employees there are, hold significant power. In 1999, the US Census Bureau counted nearly 20 million workers employed in all levels of government administration which makes the total civilian workforce at 139 million (the USDA alone employed over 106 thousand civilian workers). This makes the bureaucrats, and the USDA employees in terms of agricultural policy, a particularly large, thus strong and effective, interest group. The USDA’s personnel, including the top officers, will combine all their efforts to maintain and expand government programs in agriculture.

Despite its statutory goal of implementing laws, the bureaucracy enjoys a significantly large range of informal powers. All the above examples show that bureaucracy is difficult to control. Another example can be seen in the strong ties of bureaucratic agencies to both interest groups and congressional committees. Because agencies, groups and committees all depend on one another, in its most advanced form of interaction, they form *iron triangles*. In agriculture, congressional committees and subcommittees on farm policies, farmers and agricultural producers, and the USDA with its agricultural agencies are likely to agree on the need for more agricultural support. Their decisions affect political decisions of the Congress and the White House, contributing to the decentralization of the policy-making process in agriculture.

## **Interest groups**

Informal procedures of the political decision-making process create opportunities for different interest groups who want to affect farm policies. As a matter of fact, the agenda for agricultural legislation is to a large extent

determined by them because they are the final beneficiaries of the enacted legislation. The model of the agricultural policy-making process shown in Figure 1 emphasizes a vital role of the farm lobby. Interest groups bring together people of similar interests in order to express their opinions to legislators and to win legislation favorable to them: in other words, their main activity is *lobbying*. Farm associations and commodity groups often lobby in favor or against legislation influencing agriculture. They may also, by legal means, provide financial support to their legislators. Finally, interest groups also perform an important informative role: its members testify in front of agricultural committees in the Senate and the House of Representatives during public hearings on intended farm legislation.

Currently, a vast spectrum of agricultural interest groups contribute their opinions and influence the agricultural policy framework. Firstly, there is a large, though not homogenous, group of food producers, i.e. individual farmers who are interested in maintaining price support, production control, and other farm programs which originated in the New Deal era. They tend to organize themselves either in the form of individual commodity groups (e.g., the American White Wheat Producers Association) or farm organizations (e.g., the American Farm Bureau, the National Farmers Organization, the Grange). Both groups constitute the most traditional and long-standing core of the agricultural lobby and are continually involved in lobbying activities; moreover, the agricultural agenda may become subject to influence by a large range of food processing companies whose development is associated with the increasing role of agribusiness and the declining participation of farmers in the final food value (cf. Pyrkosz (2002)).

On the governmental side of the process, apart from the USDA itself, a group notably affecting the agricultural policy process is made up of institutions related to research and education. In particular, public institutions based on the federal and state extension service, land grant colleges, state experiment stations and the USDA provide support for the continuation and development of government research, education and extension policy in agriculture.

Finally, an influential and large interest group consists of the general public and consumers, *de facto* unrelated to agricultural activities, though still shaping the agricultural agenda. It is probably the least homogenous group of all and several subgroups, often with contradictory goals, can easily be distinguished (here, however, with respect to the participants of the agricultural policy-making process, it is considered as a whole). It includes people concerned with food stamps, environmental controls and general consumer issues. It has favored the large increase in public spending on consumer, environmental and poverty programs during the past twenty years. On the other hand, another part of the group, representing the general public, has opposed the increase in governmental involvement in agricultural programs, and more specifically, the cost of farm

commodity programs which benefit producer groups at the expense of consumers and taxpayers.

## Conclusions

A sound and efficient political process is mainly to ensure a responsible participation and protect the general public from the dominance of any specific factions and their particular interests. The American political process is determined by a number of formal and informal participants and procedures used by them to influence the process. Each policy related to a specific sector of American economy has its own set of participants, affected mainly by a changing composition of interest groups. With regards to the agricultural policy, the main purpose of the process is to provide an effective agricultural legislation benefiting the country and interest groups. Decisions related to the political process have to comply with general goals of agricultural policy – which are usually defined as, among others, providing for the country's food security, stabilization of the farm producers' income and the harmonious development of rural areas. However, many of the goals of agricultural policy have not been achieved and have brought disillusionment to both the general public and the farmers themselves (cf. Pyrkosz (2002)). One of the causes can certainly be attributed to the complexities of the American political decision-making process within agriculture itself. In respect to that, the concentration on short-term political goals creates a window of opportunity for abuse of the system and the promotion of a faction's particular interest at a cost to the general public. The results have been evident for at least forty years – agricultural interest groups have effectively managed to exert pressure on the legislative and executive branches to enact legislation in their favor and at the expense of the public. The agricultural policies of the last several decades, contrary to publicly declared governmental intentions, have confirmed to food producers that their well-being has depended mainly on governmental assistance, not the effects of their economic activities. This and other facts have given rise to a number of negative economic and political phenomena like iron triangles within agriculture or those mentioned by Tomczak (1990).

The continued predominance of the interests of agriculture-related groups, mainly farm producers, have biased the political process in their favor and brought an unprecedented expansion of agricultural policies. The present farm legislation forms a maze of programs often contradicting each other. Their beneficiaries have put those programs to their best use at a cost to the American taxpayers. In doing that, they have concentrated on those activities (e.g. growing a specific commodity) which are most heavily subsidized and yield the largest government payments. This selective participation of farmers in federal farm programs has

ensured maximization of their profits and is referred to as a *rent-seeking* activity. Though the term's origin is economic, the above analysis of the agricultural policy process reveals that similar activities are characteristic of other political participants, e.g. members of Congress focus on the activities appealing to their constituents in expectation of reelection; civil bureaucrats are careful to comply with the congressional interest lest the congressional appropriations do not secure the agency's *status quo*; the president would inevitably be more susceptible to that influence if it were not for the 22<sup>nd</sup> constitutional amendment limiting the number of presidential terms to two. With regards to the president, it is symptomatic that the core of political rationale and the bulk of today's agricultural legislation has been inherited from the administration of president Franklin Delano Roosevelt who himself was elected the president of the USA for four consecutive terms (the 22<sup>nd</sup> amendment was not enacted until 1951). Although those policies were passed mainly to counteract effects of the Great Depression, it soon turned out that agricultural subsidy policies once instituted were later difficult to abandon since agriculture-related groups managed to exert political pressure to continue and extend these programs even though the original reasons for their institution had long since disappeared.

The political decision-making process in American agriculture is hard to evaluate in terms of efficiency. The system, as provided for by the framers of the Constitution, has generally exemplified its efficiency and stood the test of time. However, the present design of the system and its informal political procedures have created a ground for its abuse as well. Agricultural policies have proved that once enacted in favor of American farmers, were later particularly difficult to abandon and agricultural iron triangles were virtually impossible to break. As a result, new policies have only widened the range of agricultural programs and proved unable to stop the vicious upward spiral of cost. The system has sanctioned the situation in which expensive agricultural policies continue to be legislated regardless of the fact that they have failed to solve problems in this sector. This situation has its roots in the presence of the informal rent-seeking political procedures which emphasize the significance of short-term interests of the political contributors. The informality of those procedures, however, makes them particularly resistant to change.

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