The Diversity of Delegation and Consequences for Bureaucratic Responsiveness

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ABSTRACT

In the past 50 years, Congress has delegated an increasing amount of policy to the bureaucracy. While important scholarship examines the amount of discretion and the number of constraints placed on agencies, these studies tend to overlook the diversity of delegated policy. The number of distinct policy areas delegated to an agency has important consequences for bureaucratic responsiveness to political principals. Because all agencies face resource constraints in the form of time, money, and personnel, an agency facing multiple missions must prioritize some policies over others. Agencies look to political principals for direction on which policies take precedence and the structure of congressional oversight makes it difficult for Congress to communicate cohesive direction. An examination of federal executives' own perceptions about their agencies' responsiveness to political principals reveals that an agency faced with multiple missions will prioritize presidential policy demands over those of Congress.

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In a recent oversight hearing, the House Judiciary Committee criticized the Department of Homeland Security for failing to respond in a timely manner to congressional inquiries sent to the agency. Addressing this criticism, DHS Secretary Janet Napolitano acknowledged while taking nearly a year to answer questions is not ideal, there are well over 100 committees and subcommittees that submit questions to DHS at one time.[1] Not only does the sheer number of committees and subcommittees overwhelm the agency, but the wide variety of topics covered by submitted questions makes it difficult for DHS to respond to all in a timely manner.

Congressional critics of the agency suggest that DHS has "resisted oversight"[2] and generally failed to respond to congressional policy direction or requests for information. While, as Napolitano suggests, the internal organization of Congress can affect how responsive an agency is to political direction, congressional organization may not tell the full story. Instead, the number of policies delegated to an agency might also affect how responsive an agency is to Congress and the president. For example, in the 110th Congress, DHS Officials appeared before Congress to testify 464 times, discussing a wide variety of topics - from preventing nuclear terrorism[3] and to flood insurance reform,[4] from international fishery protection[5] and oil spill regulation[6] to diversity in the Senior Executive Service.[7] Because all agencies face resource

[1] Department of Homeland Security Hearing. Committee on the Judiciary, House of Representatives. 112th Congress, 2nd Session. Serial No. 112-136 at pg 36.
[2] "Investigative Report Criticized Counterterrorism Reporting, Waste at State and Local Intelligence Fusion Centers." Senate Committee on Homeland Security and Governmental Affairs, Investigations Subcommittee. October 3, 2012.
[3] Vayl Oxford, Director, Domestic Nuclear Detection Office, Department of Homeland Security. "Preventing Nuclear Terrorism: Hard Lessons Learned from Troubled Investments." Testimony before the Senate Homeland Security and Governmental Affairs Committee. September 25, 2008.
[4] Edward L. Connor, Deputy Assistant Administrator for Insurance, Federal Emergency Management Agency. "The Flood Insurance Reform and Modernization Act of 2007." Testimony before the House Financial Services Committee, Housing and Community Opportunity subcommittee. June 12, 2007.
[5] Arthur Brooks, Rear Admiral, Coast Guard. "International Fisheries: Management and Enforcement." Testimony before the Senate Commerce, Science, and Transportation Committee. April 3, 2008.
[6] James Watson, Rear Admiral, Coast Guard. "Oil Spill in New Orleans in July 2008 and Safety on Inland River Systems." Testimony before the House Homeland Security Committee, Border, Maritime, and Global Counterterrorism Subcommittee. September 16, 2008.

constraints in the form of time, money, and personnel, a large number of agency policies means

that agencies must prioritize some policies over others – the more policy areas Congress

delegates to an agency, the more likely the agency is to perform some and neglect others.

This paper explores whether agencies implementing programs across multiple policy

areas respond to policy direction from one principal over direction from another.   Are agencies

whose programs cover multiple policy areas more responsive to Congress or the president? The

administrative state's critical role in policy-making gives bureaucrats an important voice in the

political arena. When unelected administrators implement policies under delegated authority, we

hope that these administrators are responsive to direction from democratically elected officials

like members of Congress or the president. While important scholarship explores the connection

between bureaucratic responsiveness and delegation decisions with respect to the amount of

discretion and the number of constraints placed on agencies, there is little empirical work on the

diversity of delegated policy.

Using federal employees' own perceptions about their agencies' responsiveness to

political principals, I examine the effects of the diversity of delegated policy on bureaucratic

responsiveness. The number of policy areas covered by an agency's programs has important

consequences for responsiveness. When an agency implements multiple policy goals, that

agency may not have the ability or incentive to respond to the demands of both the president and

Congress across all policies. The number of policy areas delegated to an agency affects the

amount of information needed for a political principal to successfully direct agency policy and

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[7] Bray Barnes, Acting Chief Human Capital Officer, Civil Rights and Civil Liberties, Department of Homeland Security. "Diversity in the Senior Executive Service at the Department of Homeland Security." Testimony before the House Homeland Security Committee, Federal Workforce, Postal Service and the District of Columbia Subcommittee. April 3, 2008.

may also influence the effectiveness of political tools of control. I find that the more policy areas delegated to an agency, the less responsive that agency is to Congress relative to the president.

This paper first considers delegation of policy to the bureaucracy and examines how and why agencies prioritize some policies over others. Second, this paper discusses my use of the survey to explore whether agencies delegated many policy areas are more responsive to the president or Congress. Next, I examine responsiveness to presidential and congressional policies at the agency level, concluding that the number of policy areas delegated to an agency affects the perceived responsiveness of both political appointees and senior level career civil servants. I then analyze responsiveness at the individual level to show that the number of policy areas also affects bureaucratic responsiveness within agencies. Finally, I conclude by summarizing my findings and exploring their implications.

Delegating Multiple Policy Tasks

Delegation of policymaking authority to the bureaucracy involves a choice between control and expertise, and legislators look to maximize their political goals and protect future policy outcomes from political threat (e.g., Banks and Weingast 1992; Bawn 1995, 1997; Epstein and O'Halloran 1999; Huber and Shipan 2000; Bendor, Glazer, and Hammond 2001). Scholarly work on delegation tends to focus on two issues – the decision to delegate or not and, in the event of delegation, the level of discretion given to an agency.

For example, all else equal, when preferences between the legislative and executive branch diverge, Congress delegates less and places constraints on discretion (e.g., Epstein and O'Halloran 1999; Huber and Shipan 2000; Volden 2002). Congress is more likely to delegate as uncertainty between policy and outcomes increases (e.g., Epstein and O'Halloran 1999; Bendor and Meirowitz 2004). Congressional opportunities for ex post monitoring and sanctions and the

capacity of an agency may affect the level of discretion given to an agency (e.g., Epstein and

O'Halloran 1994; Huber, Shipan, and Pfahler 2001; Huber and McCarty 2004).

While this work has given us important insight into when and how much Congress

delegates, there has been little attention to the delegation of multiple policies to a single agency.[8]

Scholarship on delegation generally looks at each policy in isolation, as opposed to considering

that, in most cases, an agency must balance the implementation of multiple policies at once.

Given that agencies face time, money, and personnel constraints, it stands to reason that agencies

are unable to accomplish all policy goals delegated to them; agencies almost always have too

much to do and too few resources available to accomplish everything. Thus, agencies implement

delegated authority in terms of specific and immediate goals, and will prioritize some missions

over others (see Dixit 2002; deShazo and Freeman 2005).

How do agencies decide what to prioritize? First, agencies tend to overproduce on

policies that are complements, as opposed to substitutes (Holmstrom and Milgrom 1991; Biber

2009). For example, it is easier for the Federal Emergency Management Agency to focus on

disaster recovery and response, which are both related to disaster relief, than to direct

simultaneous efforts at disaster recovery and infrastructure protection, which is part of the

agency's national security mandate.

Second, over time agencies develop a culture that recognizes some tasks as more

important than others (see Kaufman 1960; Carpenter 2001). For example, federal employees in

the Forest Service prioritize nonpartisan and professional management of the national forests

above all other goals. Similarly, the Central Intelligence Agency traditionally has prioritized

intelligence missions over counterintelligence missions. Agencies like the Forest Service and

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[8] But see Epstein and O'Halloran 1999 (suggesting that Congress balances discretion and the number of policy areas given to an agency); Biber 2009 (addressing the challenges of multiple goal agencies).

CIA tend to direct resources and effort to their preferred mission and tend to underperform on policies not central to that mission (see Wilson 1989).

Finally, agencies tend to overproduce on policies that are easily measured by principals (Holmstrom and Milgrom 1991; de Mesquita and Stephenson 2007; Biber 2009). Put simply, agencies have an incentive to perform well on policies Congress and the president observe and about which they care. Because the sheer volume of policymaking in the bureaucracy limits the monitoring capacity of the bureaucracy's political principals, Congress and the president will oversee and seek to direct some delegated policies much more vigorously than others (see Spence 1997; deShazo and Freeman 2005). Political direction of agency policy-making rarely centers on the agency's general mandate, but rather focuses on specific aspects of delegated authority. For example, members of the House Energy and Commerce Committee may issue press releases and hold hearings protesting the EPA's treatment of the Texas Flexible Permit Program,[9] rather than on the EPA's general protection of the environment.[10] This type of particularistic oversight shapes the incentives of agencies in prioritizing tasks and agencies are more likely to invest resources in programs on which presidents and Congress center their attention.

Responsiveness in Multiple-Policy Agencies

While prior research has demonstrated that agencies prioritize policy goals that are complementary, central to their cultural mission, and easily measured, little empirical research has explored whether agencies faced with multiple policies prioritize one principal's policy

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[9] The program allows refineries, power plants, and similar industrial companies to escape regulation if total emissions fall below the established limit.

[10] House Energy and Commerce Committee. "Energy and Commerce Members Welcome Court's Decision Curbing EPA's Overreach." August 14, 2012 Press Release.

direction over another's. All else equal, are agencies delegated multiple policy areas more responsive to the president or Congress?

The number of policy areas delegated to an agency should influence bureaucratic responsiveness in two ways. First, the number of policy areas delegated to an agency affects the amounts of information political principals require to successfully direct agency policy. Political principals need much more information in order to monitor and direct an agency's activities over multiple policy areas as opposed to just one. For example, directing an agency like the Federal Law Enforcement Training Center requires knowledge of the agency's law enforcement programs. However, directing an agency like the Environmental Protection Agency requires knowledge of a wide range of policies – from the environmental programs that affect agriculture to the agency's transportation programs to the EPA programs associated with homeland security. In the case of agencies like the EPA, whose programs cover a wide variety of policy areas, political principals must acquire much more information to determine the extent to which the agency is pursuing presidential or congressional goals. Without that information, political principals' ability to affect responsiveness across all policies is limited.

When compared to Congress, the president should be more successful in acquiring information across all agency policy areas. While both Congress and the president employ methods of obtaining information about agency activities, the president is able to centralize the information and effectively communicate policy priorities for the administration. For example, the Executive Office of the President regularly receives information about a wide range of agency activities. Through the regulatory review process agencies must submit information to OMB regarding important regulatory activities. In addition, all information an agency sends to

Congress (testimony, reports, etc.) usually must first go to OMB.[11] Information gathering tools like these make it much easier for the president to obtain information across a wide range of policy areas.

In contrast, congressmembers rarely have information on all agency activities. Instead, because of the structure of the committee system, congressmembers focus on particular aspects of agency performance. For example, members of the House Energy and Commerce committee may be well versed in the EPA's implementation of renewable fuel provisions of the Energy Independence and Security Act[12] and the members of the House Transportation and Infrastructure Committee may be very familiar with the agency's permitting activities with respect to commercial vessels,[13] but few members have an incentive to acquire information on both programs. [14] And, unlike in the White House, there is no central repository for information collected by congressional subunits. This division of labor among congresssmembers and committees is beneficial if the information gained through the actions of multiple committees allows Congress as a whole to direct an agency cohesively. However, if the division of labor results in multiple congressional interests acting on their own policy-specific information, then no one group of congressmembers has information about all agency activities.

Second, even if Congress has information on what an agency is doing, Congress may be relatively less successful than the president in directing an agency on what to prioritize. The

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[11] OMB Circular A-19 requires agencies to submit proposed legislation and other communications to Congress to OMB for review prior to submitting them to Congress. For further discussion of the agencies excluded from OMB review of budgets, rulemaking, and legislation, see Lewis and Selin 2012.

[12] E.g. Robert J. Meyers, Principal Deputy Assistant Administrator, Office of Air and Radiation. "Implementation of Renewable Fuel Provisions of the Energy Independence and Security Act." Testimony before the House Energy and Commerce Committee. May 6, 2008.

[13] E.g. James A. Hanlong, Director, Office of Wastewater Management. "NPDES Permitting Activities with Respect to Commercial Vessel Discharges." Testimony before the Water Resources and Environment subcommittee of the House Committee on Transportation and Infrastructure. June 12, 2008.

[14] In fact, committees may be less likely to focus on agency policies that cross committee jurisdictions because oversight is costly and there is an incentive for committees to free ride (see Gailmard 2009).

president has several tools he may employ in attempting to influence bureaucratic policymaking.

Presidents can use political appointees nominated on the basis of loyalty, ideology, or

programmic support in an attempt to focus an agency on certain policy goals (see e.g. Heclo

1977; Moe 1985b; Lewis 2008). Presidents can also influence agency priorities through the

regulatory and budget review process. Because OMB reviews the economically significant rules

promulgated by most agencies, presidents have some influence over agency rulemaking.[15]

Furthermore, Congress has delegated, and presidents have assumed, substantial control over the

formation of agency budgets. Given his responsibility for collecting agency estimates and

formulating a unified national budget, the president can use this power to control agencies

through budget proposals to Congress. The budget review process allows presidents to influence

which agency policies are prioritized over others through the allocation of more money to the

president's favored policy missions. While Congress is responsible for enacting appropriations,

the president's proposals carry weight because of presidential knowledge of agency programs

and activities. In addition, the president can use his veto power as leverage in negotiating over

contents of appropriations bills.

Of course, Congress also has tools to employ in influencing bureaucratic policymaking.

The Senate must confirm many presidential appointments, leaving the president to account for

congressional preferences in making his various appointments. While the president puts together

budget proposals, Congress appropriates the money. As Congress holds the exclusive power to

appropriate money, most federal agencies may only spend revenues or funds if Congress has

appropriated them.[16] Congress uses funding as an instrument to reward and punish agencies in

order to exert influence over agency decisions. In addition, Congress monitors agency

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[15] Executive Order 12,291 established centralized OMB review of proposed agency rules.
[16] Eleven federal agencies are exempt from the appropriations process (see Note 2012). Several other agencies have statutes that provide sources of funding other than appropriations. See Lewis and Selin 2012 for further discussion.

performance and has developed extensive networks to support its oversight efforts (Aberbach 1990). Agencies must routinely provide Congress and its committees with reports and testimony detailing agency policymaking.

However, whereas the effectiveness of presidential tools should not change with the number of policies delegated to an agency, the effectiveness of congressional tools may. For example, presidents can place political appointees across all policy areas, write the budget to prioritize some policies over others, and OMB reviews budget requests and rules across all policies. In contrast, congressional tools are much more limited in the face of multiple policies because Congress rarely speaks with one coherent voice. An agency wishing to respond to congressional direction must discern whether to follow the direction of the initial congressional majority that created a program, the preferences of the coalition that reauthorized the agency, or the voices of the many committees who oversee the agency and appropriate its funds (Arnold 1987). If these congressional actors disagree on what they want an agency to do, then it becomes difficult for Congress as an institution to influence agency policy (e.g. Dahl and Lindblom 1953; Woolley 1993; Bawn 1995; Balla 2000; Hall and Miler 2008). The bicameral nature of the legislature only exacerbates these problems. Agencies that disagree with one chamber or committee may be able to protect themselves by responding to those that share the agencies' preferences (Wilson 1989; Hammond and Knott 1996).

If individual legislators would like an agency to respond to Congress in a particular way, legislators tend to want their own committees to give the direction (Baumgartner, Jones, and Macleod 2000). This leads to multiple committees being involved in a single agency policy, but providing the agency with varying views on that policy (see deShazo and Freeman 2003). Disagreement among committees may disadvantage Congress relative to the president, who can

speak with a single voice (e.g., Ferejohn and Shipan 1990; Steunenberg 1992; Wood and Waterman 1993; King 1997; Whitford 2005). Furthermore, this type of disagreement is much more likely when an agency deals with multiple policy areas. Multiple policy areas increases the number of committees who are likely to get involved and, as committees themselves are organized around policies, increases the likelihood that these committees view agency policymaking from different perspectives. As all of the congressional actors try to reconcile their differences, the president may have an opportunity to exert influence (Moe 1984, 1985a, 1987).

Even if everyone in Congress agrees on the same course of action, Congress may still be at a disadvantage. Just like agencies, committees have scarce resources in time, effort, and staff to commit to overseeing agency policymaking, and committees may be motivated to let others bear the costs of initiating a collective response. The incentive to free-ride likely increases as the number of committees increases (Laffont and Tirole 1993; Gailmard 2009), making it less likely that Congress as a whole can compete with the president in influencing agency policy. In addition, the increased transaction costs resulting from the time and resources needed to influence agency behavior collectively, such as information gathering and dissemination, coalition building, and vote-buying, further disadvantage Congress (Dodd and Schott 1979; Miller and Hammond 1990; Hammond and Knott 1996; Gailmard 2009).

In summary, the president should have an advantage over Congress when agencies juggle multiple policy areas. Whereas the structure and interests of Congress make it hard for the legislative branch to direct agencies to prioritize some policies over others, the president's information gathering tools and instruments of control allow him to acquire information across all agency policy areas and more effectively communicate policy priorities for the

administration. This results in multiple goal agencies being more likely to prioritize the president's policies over those of Congress.

Data, Variables, and Methods

I explore the relationship between the diversity of policy delegated to an agency and the relative responsiveness of agencies to the policy decisions and pronouncements of Congress and the president using a 2007-2008 survey of nearly 2,400 appointed and career federal executives from across the federal bureaucracy. [17] Many scholars examine bureaucratic outputs to determine how responsive an agency is to its political principals. For example, if Congress exerts control over the bureaucracy, then bureaucratic outputs should change in response to the interests of Congress or its oversight committees (see Weingast 1984; Weingast and Moran 1984). Yet, examining whether changes in agency outputs correlate with changes in congressional or presidential preferences requires comparing the preferences of the bureaucracy and relevant political actors and is limited to agencies with comparable and measurable outputs (e.g. Sholz and Wood 1998; Snyder and Weingast 2000; Bertelli and Grose 2009).

By using a survey measure of responsiveness instead of examining outputs, I am able to examine the relative amount of responsiveness to congressional and presidential policies across the entire bureaucracy. The executives surveyed are the individuals responsible for implementing the agencies' policies, and thus the executives' perceptions provide insight into responsiveness. If an executive perceives responsiveness among certain employees within his agency, those perceptions are likely to affect how he implements policy. For example, an

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[17] The Woodrow Wilson School of Public and International Affairs of Princeton University conducted this survey in the fall-winter of 2007-2008. The survey was sent to 7,448 federal administrators and program managers in the various departments and agencies of the federal executive establishment. While the overall response rate was 33% (2,398 respondents), the response rate was higher among career professionals than among appointees. There are responses from 259 political appointees (102 appointees confirmed by the Senate) and 2,021 careerists. An evaluation of public voter registration information revealed that the sample is representative of the population of federal executives with regard to partisanship. See Clinton et al 2012 for more details and appendix for screen shots.

executive who believes the appointees in his agency are highly responsive to the White House will likely act in a way that corresponds with this belief. In addition, the survey allows me to explore the responsiveness of different types of executives within agencies to determine if political appointee responsiveness differs from senior career civil servant responsiveness.

To measure the responsiveness of agency employees to the policies of the president and Congress, I use the following survey questions: "Thinking about the personnel in your agency, how responsive are these different groups to the policy decisions or pronouncements of Congress?" and "Thinking about the personnel in your agency, how responsive are these different groups to the policy decisions or pronouncements of the President and his political appointees?" These questions then ask about "political appointees" and "senior career civil servants." Federal executives answered the questions relating to both Congress and the president on the same screen, using a grid that listed all of the groups being rated.[18] The perceived responsiveness of each group to the policy decisions of its political principals in the executive's agency ranges from 0 ("Not responsive at all") to 4 ("Very responsive").

Because Congress should be disadvantaged relative to the president when an agency deals with multiple policy areas, I difference the measure of responsiveness to Congress from the measure of responsiveness to the president. This also allows me to account for the possibility that executives may use the scales differently because of how individuals interpret the meaning of the response categories (e.g. if some respondents choose higher or lower values than others). The resulting measure of relative responsiveness can range from -4, indicating complete responsiveness to Congress, to 4, indicating complete responsiveness to the president.

Figure 1 presents the distribution of the individual level difference in perceived responsiveness for appointees and senior career civil servants. While the modal response

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[18] See Appendix for screen shots from survey (Figure 1a) and descriptive statistics (Tables 1a and 2a).

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suggests relatively equal responsiveness of both appointees and senior career civil servants, on

average more federal executives report agency employee responsiveness to the policy demands

of the president than to Congress. Not surprisingly, executives report that the relative

responsiveness of federal appointees to the president is much greater than the relative

responsiveness of senior career civil servants.

Figure 1. Distribution of Relative Federal Executive Responsiveness to Presidential Policies: Higher values indicate more responsiveness to the president
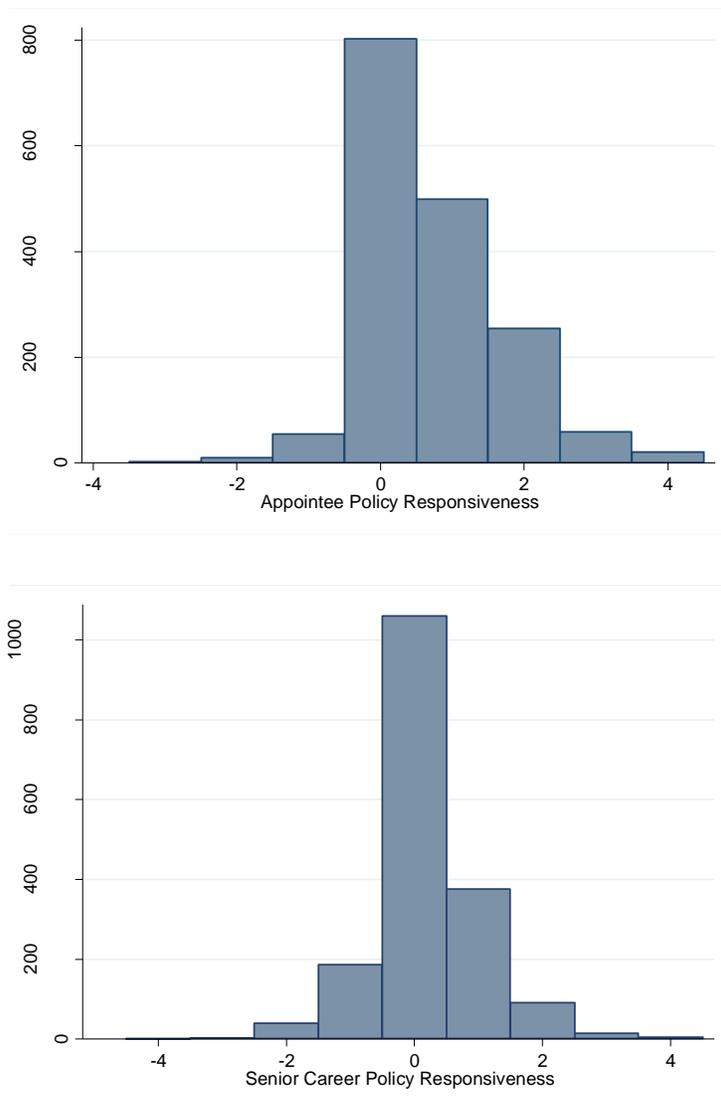
In order to explore whether the number of policy areas is correlated with responsiveness, I use a measure of policy areas taken from the Office of Management and Budget (OMB). As part of the budget preparations during the Bush Administration, OMB categorized all federal programs into 17 policy areas. For each agency, I counted the number of different policy areas covered by programs implemented by the agency. [19] The number of policy areas for an agency ranged from 1 to 13, with a mean of 3.891. Agencies with more specific missions cover few policy areas and agencies with broad missions, including many cabinet departments, cover many more. For example, while the Federal Deposit Insurance Corporation's programs cover one policy area, the Environmental Protection Agency's and the Department of Commerce's programs each cover eleven.

Figure 2 graphs the bivariate relationship between the number of policy areas and relative policy responsiveness aggregated at the agency level. This figure suggests that, with respect to both appointee and senior career civil servant responsiveness, as the number of policy areas covered by an agency's programs increases, so does the president's advantage over Congress.

Figure 2. Agency Responsiveness to the White House Relative to Congress

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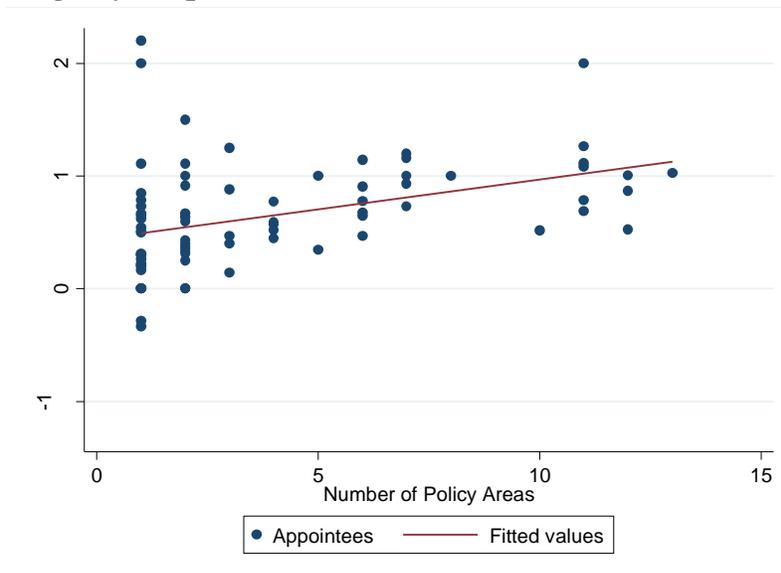
[19] Programs could pertain to more than one policy area.
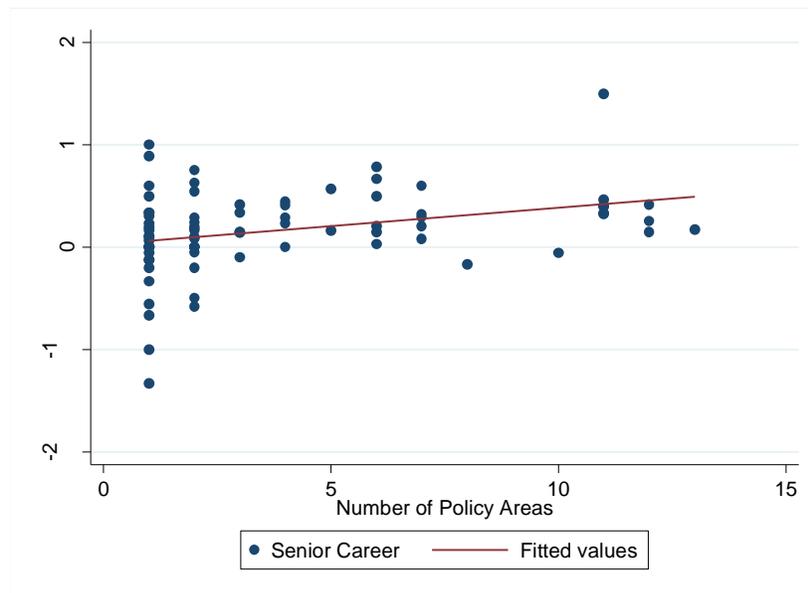
Of course, it is possible that this relationship between policy areas and responsiveness is the result of alternative explanations or confounding characteristics that produce the noted correlation. To examine this relationship further and account for possible rival explanations, I first explore how the relationship varies across agencies and then explore variation in the individual experiences of federal executives.

Estimating Agency Responsiveness to Presidential and Congressional Policies

As the discussion above indicates, the number of policy areas covered by an agency's programs may place Congress at a disadvantage because an agency delegated multiple policy areas is likely to cross the jurisdictions of multiple committees. When more committees are involved in monitoring and potentially directing agency policymaking, Congress is less influential than the president for determining agency policy (see Clinton, Lewis, and Selin 2012). Increasing the number of committees undercuts the ability of Congress to respond collectively to the actions of the president and the bureaucracy.

However, it is possible that a large number of committees overseeing an agency delegated multiple policy areas may help Congress overcome the information and monitoring

problems associated with many different policies. Whereas one committee overseeing an agency that deals with eleven different policy areas may not be able to monitor effectively all eleven, the presence of multiple committees that focus on different types of oversight and examine distinct aspects of agency performance may be much more successful (see Aberbach 1990; Bendor 1985; King 1997; O'Connell 2006).

To account for the possibility that the number of committees modifies the effect of policy areas on responsiveness, I include a measure of the number of committees actively overseeing an agency and interact that measure with policy areas. To measure committee oversight, I use daily issues of the Congressional Record of the 110th Congress to identify each hearing at which an executive branch official testified.[20] There were a total of 5,819 unique hearing appearances by agency officials from agencies represented in the survey. The Department of Homeland Security stands out as having one of the highest numbers of unique committees – 26 committees and 60 subcommittees heard testimony from DHS officials.

I expect certain agency characteristics to influence the executives' perceptions of responsiveness. First, it may that the overall ideology of executives within an agency biases perceptions of responsiveness. For example, executives in conservative agencies may be more likely to say appointees or senior level career civil servants respond to the policy decisions or pronouncements of a Republican president than a Democratic Congress. I therefore control for the ideology of the agency (Clinton and Lewis 2008) to account for the possibility that an

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[20] One problem with this measure is that it relies on observable oversight. As a check on the validity of this measure, I estimate a model using federal executives' self-reports of committee oversight from the SFGS question "How many congressional committees would you estimate exercise active oversight for your agency? (0; 1-2; 3-4; 5-6; 7-8; 9+). This question allows me to capture all forms of oversight, not all of which are observable. The correlation between the two measures is 0.47. The model using this survey measure is included in the appendix (Tables 5a and 6a).

agency's ideology either affects the actual responsiveness of the agency or else influences

executives' perceptions of responsiveness.

In addition, the basic structural features of an agency should affect the responsiveness of

that agency's executives.[21] Because independent commissions have several structural features

designed to place them outside of political influence, I expect executives in independent

commissions to be less responsive to presidential influence than in other agencies. I also control

for agencies located within one of the 15 cabinet departments.

I estimate models of agency responsiveness using ordinary least squares regression

analysis.[22] Table 1 provides the agency level regression results for the effect of policy areas on

relative appointee and senior career civil servant responsiveness.

Table 1. Bureaucratic Responsiveness to Presidential Policies Relative to Congressional Policies (Agency Level)

	Relative Appointee Responsiveness to President		Relative Senior Career Responsiveness to President	
	Coefficient	Std. Err.	Coefficient	Std. Err.
Policy Areas	0.099**	(0.027)	0.081**	(0.028)
Number of Committees	0.019	(0.012)	-0.003	(0.012)
Policy * Committees	-0.004*	(0.002)	-0.002	(0.002)
Cabinet	-0.055	(0.088)	-0.032	(0.091)
Indep. Commission	-0.374**	(0.111)	-0.240*	(0.114)
Agency Ideology	-0.122**	(0.041)	-0.014	(0.042)
Constant	0.387**	(0.123)	0.049	(0.127)
Observations	77		77	
R^2	0.437		0.241	

Notes: Dependent variable is the difference between the responsiveness of political appointees to the policy decisions or pronouncements of White House and the responsiveness of political appointees to the policy decisions or pronouncements of Congress.
*$p \leq 0.05$, **$p \leq 0.01$

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[21] Due to the small number of observations at the agency level (77), I only include controls for basic agency characteristics. The appendix (Tables 3a and 4a) contains a set of models of appointee and senior career civil servant responsiveness at the agency level which include controls for the characteristics of employees in each agency sample (competence, percent of career civil servants, percent who work in a field office).
[22] Regression diagnostics verify the data meet the assumptions of OLS regression.

The more policy areas delegated to an agency, the more responsive to the president's policies that agency's appointees are relative to congressional policies. For example, Table 1 suggests that, when there is one oversight committee, increasing the number of policy areas from one to four increases relative responsiveness by 0.285, nearly one half of a standard deviation. The difference in relative appointee responsiveness to the president for an agency delegated one policy area (minimum) compared to an agency delegated thirteen (maximum) is nearly two standard deviations.

However, the number of committees associated with the agency conditions that effect.[23] The number of policy areas delegated to an agency has a significantly positive effect on the relative responsiveness of the agency's appointees to White House policies when there are few congressional oversight committees. Yet, this effect declines as the number of committees increases. Once there are more than 15 congressional committees overseeing an agency, policy areas no longer have a statistically significant effect. Twelve agencies in the sample fall within this category, most of which are cabinet departments:[24] the Departments of Agriculture (23 committees), Commerce (22 committees), Defense (29 committees), Energy (24 committees), Interior (17 committees), Health and Human Services (26 committees), Homeland Security (26 committees), Transportation (17 committees), Treasury (18 committees); Army (24 committees); the Centers for Disease Control and Prevention (17 committees); and Navy (17 committees).

Table 1 suggests that the number of policy areas delegated to an agency not only affects political appointees, but also affects the perceptions of senior level career civil servants. The

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[23] The appendix contains two graphs which illustrate how the marginal effect of policy areas changes across the observed range of congressional committees for both perceived appointee responsiveness and senior career civil servant responsiveness (Figures 2a and 3a).

[24] Most of these agencies' programs also cover a large number of policy areas. The appendix contains a model estimated without the cabinet departments in the sample (Tables 7a and 8a). Similar to the relationship examined in Table 1, this model reveals that as the number of policy areas increases, so does the agency's relative responsiveness to the president.

more policy areas delegated to an agency, the more that agency's senior career civil servants are responsive to presidential policies relative to congressional policies. For example, with one oversight committee, increasing the number of policy areas from one to four increases relative responsiveness by 0.235, which is approximately one half of a standard deviation. The difference in relative senior career civil servant responsiveness to the president for an agency delegated one policy area (minimum) compared to an agency delegated thirteen policy area (maximum) is about two standard deviations.

Just as the number of committees performing active oversight on an agency modifies the effect of policy areas on appointee responsiveness, the number of oversight committees conditions the effect of policy areas on senior career civil servant responsiveness. The effect of the number of policy areas declines as the number of committees increases. Again, like with appointees, once there are more than 15 congressional committees overseeing an agency, the number of policy areas no longer has a significant effect.

The control variables in Table 1 generally perform as expected. While being located in the cabinet does not significantly affect responsiveness, federal executives in independent commissions report significantly less appointee and senior career civil servant responsiveness to presidential policies relative to congressional policies. There is a significant negative correlation between agency ideology and relative appointee responsiveness to presidential policies. This suggests that respondents in the liberal agencies report the most appointee responsiveness to the president relative to Congress. This may be because the White House targets appointees these agencies in some way or because executives in liberal agencies are the most likely to perceive appointee responsiveness to a conservative White House.

In summary, when considered at the agency level, the number of policy areas covered by an agency's programs can place Congress at a disadvantage relative to the president. Agencies delegated more policy areas report both appointees and senior civil servants to be less responsive to congressional policies than to presidential policies.

Estimating Individual Responsiveness to Presidential and Congressional Policies

While my agency-level analysis demonstrates that the number of policy areas delegated to an agency affects the responsiveness of that agency's employees as a whole, it cannot account for variation in the amount of responsiveness that may exist within an agency. Just as various structural and agency features have different effects on the responsiveness of political appointees when compared to senior career civil servants, federal executives who work within the various offices of a single agency may have different experiences or be of a different type.

To examine this possibility, I estimate the relationship between the number of policy areas delegated to an agency and relative responsiveness to the White House at the individual level. In addition to the characteristics of the agency in which an executive works that I included in my agency-level analysis (competence, independent commission, cabinet, agency ideology), I expect several individual level variables to correlate with responsiveness. Just as the overall ideology of executives within an agency may bias perceptions of responsiveness, the ideology of the respondent may also bias perceptions. Thus, I control for the individual's ideology (Clinton et al 2012). Because an executive who deals directly with decisions about grants to state and local governments, other organizations, or individuals may have different experiences with an agency's political principals than an executive who does not, I control for whether the executive's position deals directly with decisions about grants. Similarly, to account for possible systematic differences in either actual or perceived influence, I also control for whether the

respondent is a careerist as opposed to a political appointee, whether the respondent works in a

field office as opposed to the agency's headquarters, and the number of years the respondent has

worked in the agency.

Table 3 reports relative agency responsiveness to presidential policies for both political

appointees and senior career civil servants.

Table 3. Relative Agency Responsiveness to the President (Individual Level)

	Relative Appointee Responsiveness to President		Relative Senior Career Responsiveness to President	
	Coefficient	Std. Err.	Coefficient	Std. Err.
Policy Areas	0.072**	(0.017)	0.045**	(0.014)
Number of Committees	0.013	(0.008)	- 0.007	(0.007)
Policy * Committees	- 0.002**	(0.001)	- 0.002*	(0.001)
Cabinet	- 0.036	(0.072)	- 0.104	(0.061)
Indep. Commission	- 0.466**	(0.114)	- 0.437**	(0.100)
Agency Ideology	- 0.050	(0.027)	0.003	(0.023)
Appointee Competence	- 0.134**	(0.018)		
Senior Competence			- 0.026	(0.022)
Individual Ideology	- 0.141**	(0.033)	0.013	(0.027)
Careerist	0.058	(0.074)	0.022	(0.063)
Field Office	- 0.064	(0.064)	0.019	(0.054)
Years in Agency	0.000	(0.002)	0.002	(0.002)
Deal with Grants	- 0.118*	(0.054)	- 0.099*	(0.046)
Constant	1.068**	(0.156)	0.239	(0.165)
Observations	1372		1447	
R^2	0.132		0.034	

Notes: Dependent variable is the difference between the responsiveness of political appointees/senior career civil servants to the policy decisions or pronouncements of White House and the responsiveness of political appointees/senior career civil servants to the policy decisions or pronouncements of Congress.
*$p \leq 0.05$, **$p \leq 0.01$

For both appointee and senior career civil servant responsiveness at the individual level,

as the number of policy areas delegated to an agency increases, so does the responsiveness of

agency employees to the president relative to Congress. However, the magnitudes of the effects

are smaller at the individual level than at the agency level reported in Table 1. For example, at

the individual level with one oversight committee, the difference in relative appointee responsiveness to the president moving from one policy area (minimum) to thirteen (maximum) is close to one standard deviation. The difference in relative senior career responsiveness moving from one to thirteen policy areas is a little over one half of a standard deviation. A comparison of these effects with those of the agency level models suggests that the relationship between policy areas and responsiveness is stronger across agencies than within agencies. However, in both cases, the more policy areas an agency's programs cover, the more responsive that agency is to the president's policies relative to Congress.

Like at the agency level, the number of committees conditions the effect of policy areas.[25] The number of policy areas delegated to an agency has a significantly positive effect on the relative responsiveness of the agency's appointees to White House policies when there are few congressional oversight committees. However, this effect declines as the number of committees increases. Once there are more than 19 committees overseeing an agency, policy areas no longer has a statistically significant effect on appointee responsiveness. Once there are more than 17 oversight committees, policy areas no longer has a statistically significant effect on senior career civil servant responsiveness at the individual level.

Conclusion

The American political system increasingly relies on bureaucratic governance. While there are many justifications for this reliance, there is an underlying assumption that the delegation of policymaking authority to bureaucratic officials is permissible because the bureaucracy is accountable to elected officials. If unelected administrators implement policy, then they do so under the direction of democratically elected officials like the president and

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[25] The appendix contains two graphs which illustrate how the marginal effect of policy areas changes across the observed range of congressional committees for both perceived appointee responsiveness and senior career civil servant responsiveness (Figures 4a and 5a).

Congress. But as the bureaucracy grows increasingly complex, questions emerge about the level of federal agency responsiveness to democratically elected officials.

Scholarship on the relationship between responsiveness and delegation has focused on the decision to delegate and the level of discretion given to an agency. While this scholarship provides extensive analyses of initial delegation decisions, it often fails to consider policies in the aggregate. Yet, as my analysis shows, the number of policies delegated to an agency has important consequences for responsiveness. Focusing on the variation among and within agencies in the 110th Congress, I offer some important conclusions about the relative responsiveness of agencies to the policy decisions and pronouncements of Congress and the president. I demonstrate a strong relationship between the number of policy areas covered by an agency's programs and the lack of appointee and senior career civil servant responsiveness to congressional policies relative to presidential policies. This relationship is evident both at the agency and individual level.

However, increasing the number of committees involved in overseeing an agency can modify the effect of policy areas on responsiveness. While the number of policy areas delegated to an agency has a significantly positive effect on the relative responsiveness of agency employees when there are few oversight committees, this effect declines as the number of oversight committees increases. This suggests that oversight committees may help Congress overcome the information and monitoring problems associated with many different policies. When an agency's programs cover many policy areas, multiple committees that focus on different types of oversight and examine distinct aspects of agency performance may eliminate the advantage the president has over Congress with respect to policy responsiveness.

When considered with the existing literature on congressional oversight, my results have interesting implications. Increasing the number of committees with access to an agency can not only increase the ability of members to secure electorally valuable private goods for their constituents (e.g. Fenno 1973; Mayhew 1974; Fiorina 1977; Shepsle 1978) but also increase the responsiveness of agencies with multiple policy missions. Of course, increasing the number of committees can also bring a host of other problems for Congress, from increased transaction costs resulting from the time and resources needed to influence agency behavior (Dodd and Schott 1979; Miller and Hammond 1990; Hammond and Knott 1996; Gailmard 2009) to a greater chance of disagreement within Congress over what policies are important (see Ferejohn and Shipan 1990; King 1997; Whitford 2005; Clinton, Lewis, and Selin 2012). Thus, concerns about responsiveness must be balanced against the challenges resulting from congressional organization.

Given that the delegation of multiple policies to a single agency has important effects on bureaucratic responsiveness, scholars would benefit from further consideration of the other ways in which the number of policy tasks assigned to an agency affect performance. Whereas assigning only a few policy tasks to one agency can allow the agency to focus on a single mission and cultivate expertise, some tasks are so connected that creating and overseeing a myriad of specialized agencies is not as attractive as creating one large agency to coordinate all related policies. However, the possibility for coordination also means the agency will prioritize some tasks over others. The more tasks an agency performs, the more likely the agency is to perform some and neglect others. To the extent that the bureaucracy is responsive to the policy decisions and pronouncements of elected officials, agency decisions on what to prioritize tend to favor the president relative to Congress.

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To assess the opinions of executives on the responsiveness of political appointees and senior career civil servants to the policy decisions or pronouncements of Congress and the president, I analyze the questions captured in the survey screen shot in Figure 1a.

Figure 1a. Screen Shot of Responsiveness Questions from Survey

Table 1a presents the agency level variables that result from aggregating executive opinions or collecting agency level data and Table 2a presents the variables used in the individual-level analysis.

Table 1a. Agency Level Summary Statistics

	Obs.	Mean	Std. Dev.	Min	Max
App. Responsive	115	0.570	0.609	-1.333	2.200
S. Career Responsive	115	0.133	0.511	-2.000	1.500
Policy Areas	83	3.831	3.526	1.000	13.000
Committees	118	6.661	6.588	0.000	29.000
Cabinet	118	0.559	0.499	0.000	1.000
Indep. Commission	119	0.185	0.390	0.000	1.000
Agency Ideology	102	0.135	1.098	-1.720	2.400

Table 2a. Individual Level Summary Statistics

	Obs.	Mean	Std. Dev.	Min	Max
App. Responsive	1704	0.696	0.994	-3.000	4.000
S. Career Responsive	1777	0.195	0.845	-4.000	4.000
Policy Areas	5918	6.191	4.313	1.000	13.000
Committees	6685	12.449	8.217	0.000	29.000
Cabinet	6687	0.768	0.422	0.000	1.000
Indep. Commission	6687	0.073	0.260	0.000	1.000
Agency Ideology	6505	0.231	1.114	-1.720	2.400
Appointee Comp.	1766	4.845	1.479	1.000	7.000
Senior Comp.	1869	5.918	0.972	1.000	7.000
Individual Ideology	1874	-0.025	0.818	-1.507	1.793
Careerist	2157	0.819	0.385	0.000	1.000
Field Office	2107	0.206	0.404	0.000	1.000
Years in Agency	2119	18.516	11.790	0.000	58.000
Deal with Grants	2050	0.333	0.471	0.000	1.000

While Table 1 of the main text controls for basic agency characteristics (cabinet, independent commission, agency ideology), aspects of the employees within the agency may also affect agency responsiveness. I therefore estimate models controlling for (a) the perceived competence of the employees an agency using a survey question that asks executives to rate the competence of both appointees and senior career civil servants in their agency on a 7 point scale (1 "Not Competent at All" to 7 "Extremely Competent"); (b) the percent of careerists in the agency sample; and (c) the percent of agency employees in the sample who work in a field office as opposed to agency headquarters. Table 3a presents the models of relative appointee responsiveness and Table 4a presents the models of relative senior career civil servant responsiveness.

Table 3a. Appointee Responsiveness to White House Policies Relative to Congressional Policies (Agency Level)

	Model 1		Model 2		Model 3	
	Coefficient	Std. Err.	Coefficient	Std. Err.	Coefficient	Std. Err.
Policy Areas	0.093**	(0.027)	0.809**	(0.027)	0.101**	(0.025)
Number of Committees	0.018	(0.012)	0.021	(0.012)	0.024**	(0.011)
Policy * Committees	-0.004*	(0.002)	-0.004*	(0.002)	-0.004**	(0.002)
Cabinet					-0.078	(0.080)
Indep. Commission	-0.361**	(0.110)	-0.295*	(0.012)	-0.266*	(0.109)
Agency Ideology	-0.124**	(0.041)	-0.130**	(0.042)	-0.093*	(0.039)
Appointee Competence					-0.216**	(0.054)
Careerist			0.313	(0.225)	0.155	(0.209)
Field Office			0.059	(0.166)	0.073	(0.150)
Constant	0.367**	(0.119)	0.072	(0.229)	1.227**	(0.353)
Observations	78		78		77	
R^2	0.423		0.441		0.561	

Notes: Dependent variable is the difference between the responsiveness of political appointees to the policy decisions or pronouncements of White House and the responsiveness of political appointees to the policy decisions or pronouncements of Congress.
*p ≤ 0.05, **p ≤ 0.01

Table 4a. Senior Career Civil Servant Responsiveness to White House Policies Relative to Congressional Policies (Agency Level)

	Model 1		Model 2		Model 3	
	Coefficient	Std. Err.	Coefficient	Std. Err.	Coefficient	Std. Err.
Policy Areas	0.078**	(0.027)	0.072**	(0.027)	0.072**	(0.027)
Number of Committees	-0.003	(0.012)	0.000	(0.012)	0.004	(0.012)
Policy * Committees	-0.002	(0.028)	-0.002	(0.002)	-0.002	(0.001)
Cabinet					-0.036	(0.090)
Indep. Commission	-0.234*	(0.112)	-0.147	(0.119)	-0.110	(0.125)
Agency Ideology	-0.015	(0.042)	-0.024	(0.041)	-0.022	(0.041)
Senior Competence					-0.144	(0.110)
Careerist			0.0514*	(0.223)	0.612*	(0.235)
Field Office			-0.000	(0.165)	0.025	(0.167)
Constant	0.038	(0.120)	-0.410	(0.227)	0.347	(0.616)
Observations	78					
R^2	0.238					

Notes: Dependent variable is the difference between the responsiveness of senior career civil servants to the policy decisions or pronouncements of White House and the responsiveness of senior career civil servants to the policy decisions or pronouncements of Congress.
*p ≤ 0.05, **p ≤ 0.01

Figure 2a presents a graph of the marginal effect of policy areas on appointee responsiveness to White House policies relative to congressional policies at the agency level across the observed range of congressional committees. Figure 3a presents a graph of the marginal effect of policy areas on senior career civil servant responsiveness.

Figure 2a. Marginal Effect of Policy Areas on Relative Appointee Responsiveness to White House Policies (Agency Level)
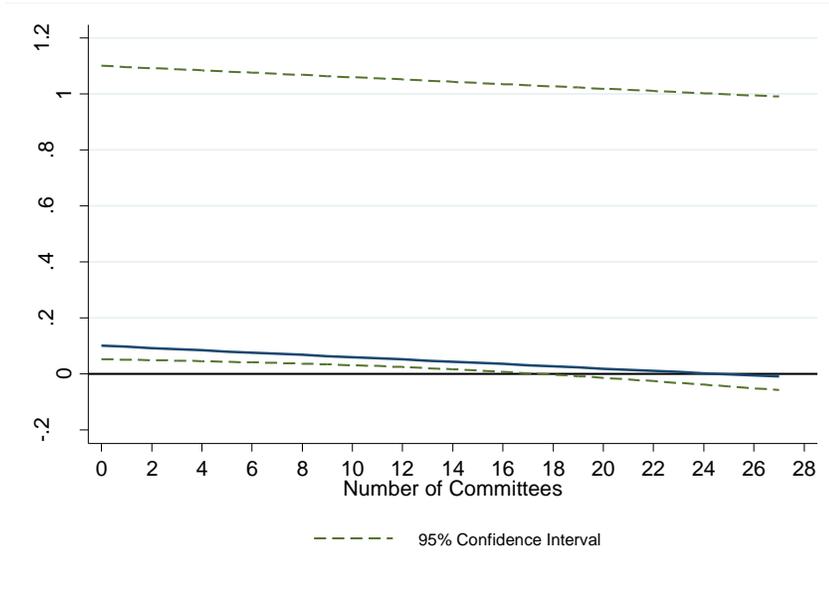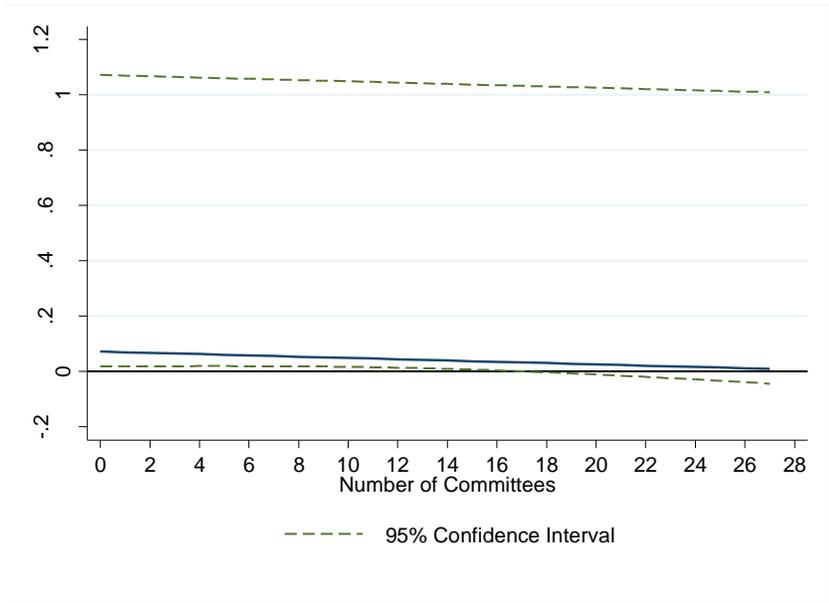

Figure 3a. Marginal Effect of Policy Areas on Relative Senior Career Civil Servant Responsiveness to White House Policies (Agency Level)

As a check on the validity of my committee measure, I estimate a model using federal executives' self-reports of committee oversight from the SFGS question "How many congressional committees would you estimate exercise active oversight for your agency? (0; 1-2; 3-4; 5-6; 7-8; 9+). Table 5a presents this analysis at the agency level and Table 6a presents this analysis at the individual level.

Table 5a. Responsiveness to White House Policies Relative to Congressional Policies (Agency Level)

	Relative Appointee Responsiveness to President		Relative Senior Career Responsiveness to President	
	Coefficient	Std. Err.	Coefficient	Std. Err.
Policy Areas	0.193*	(0.085)	0.240**	(0.085)
Number of Committees	0.147	(0.135)	0.245	(0.136)
Policy * Committees	-0.045	(0.025)	-0.064*	(0.026)
Cabinet	-0.028	(0.090)	-0.021	(0.090)
Indep. Commission	-0.394**	(0.115)	-0.201	(0.116)
Agency Ideology	-0.126**	(0.042)	-0.047	(0.043)
Constant	0.101	(0.423)	-0.673	(0.426)
Observations	77		77	
R²	0.419		0.245	

Notes: Dependent variable is the difference between the responsiveness of political appointees to the policy decisions or pronouncements of White House and the responsiveness of political appointees to the policy decisions or pronouncements of Congress.
*p ≤ 0.05, **p ≤ 0.01

Table 6a. Responsiveness to White House Policies Relative to Congressional Policies (Individual Level)

	Relative Appointee Responsiveness to President		Relative Senior Career Responsiveness to President	
	Coefficient	Std. Err.	Coefficient	Std. Err.
Policy Areas	0.050*	(0.020)	0.016	(0.017)
Number of Committees	0.062	(0.047)	0.035	(0.039)
Policy * Committees	-0.005	(0.006)	-0.001	(0.004)
Cabinet	-0.022	(0.072)	-0.105	(0.062)
Indep. Commission	-0.481	(0.115)	-0.450**	(0.100)
Agency Ideology	-0.065*	(0.026)	-0.015	(0.022)
Appointee Competence	-0.137**	(0.018)		
Senior Competence			-0.028	(0.022)
Individual Ideology	-0.140**	(0.033)	0.013	(0.028)
Careerist	0.067	(0.075)	0.034	(0.063)
Field Office	-0.060	(0.064)	0.031	(0.054)
Years in Agency	-0.001	(0.002)	0.002	(0.002)
Deal with Grants	-0.109*	(0.055)	-0.099*	(0.047)
Constant	1.050**	(0.199)	0.234	(0.197)
Observations	1361		1438	
R^2	0.129		0.032	

Notes: Dependent variable is the difference between the responsiveness of political appointees/senior career civil servants to the policy decisions or pronouncements of White House and the responsiveness of political appointees/senior career civil servants to the policy decisions or pronouncements of Congress.
*$p \leq 0.05$, **$p \leq 0.01$

Because many of the cabinet departments implement programs across a large number of policy areas and are typically overseen by a large number of committees, there may be some concern that these departments exert undue influence on the coefficients in my models of responsiveness. In Table 7a I therefore remove the cabinet departments from my analysis at the agency level and estimate models of appointee and senior career civil servant responsiveness. Similarly, in Table 8a I remove all observations from the cabinet departments and estimate models of appointee and senior career civil servant responsiveness at the individual level.

Table 7a. Relative Appointee Responsiveness to Presidential Policies without Cabinet Agencies (Agency Level)

	Relative Appointee Responsiveness to President		Relative Senior Career Responsiveness to President	
	Coefficient	Std. Err.	Coefficient	Std. Err.
Policy Areas	0.076*	(0.038)	0.085*	(0.038)
Number of Committees	0.014	(0.015)	-0.002	(0.016)
Policy * Committees	-0.001	(0.004)	-0.002	(0.005)
Indep. Commission	-0.357**	(0.120)	-0.231	(0.122)
Agency Ideology	-0.137**	(0.050)	-0.029	(0.051)
Constant	0.386**	(0.135)	0.018	(0.138)
Observations	63		63	
R^2	0.411		0.257	

Notes: Dependent variable is the difference between the responsiveness of political appointees to the policy decisions or pronouncements of White House and the responsiveness of political appointees to the policy decisions or pronouncements of Congress.
*$p \leq 0.05$, **$p \leq 0.01$

Table 8a. Relative Agency Responsiveness to the President without Cabinet Employees (Individual Level)

	Relative Appointee Responsiveness to President		Relative Senior Career Responsiveness to President	
	Coefficient	Std. Err.	Coefficient	Std. Err.
Policy Areas	0.039	(0.034)	0.060*	(0.028)
Number of Committees	-0.002	(0.011)	0.006	(0.009)
Policy * Committees	0.003	(0.003)	-0.002	(0.002)
Indep. Commission	-0.422**	(0.106)	-0.345**	(0.091)
Agency Ideology	-0.008	(0.037)	-0.004	(0.031)
Appointee Competence	-0.168**	(0.023)		
Senior Competence			-0.063*	(0.029)
Individual Ideology	-0.099*	(0.044)	0.083*	(0.037)
Careerist	0.109	(0.100)	0.145	(0.084)
Field Office	-0.136	(0.083)	0.007	(0.070)
Years in Agency	-0.002	(0.003)	-0.002	(0.002)
Deal with Grants	-0.091	(0.077)	-0.105	(0.065)
Constant	1.305	(0.200)	0.339	(0.212)
Observations	757		807	
R^2	0.157		0.067	

Notes: Dependent variable is the difference between the responsiveness of political appointees/senior career civil servants to the policy decisions or pronouncements of White House and the responsiveness of political appointees/senior career civil servants to the policy decisions or pronouncements of Congress.
*$p \leq 0.05$, **$p \leq 0.01$

Figure 4a. Marginal Effect of Policy Areas on Relative Appointee Responsiveness to White House Policies (Individual Level)
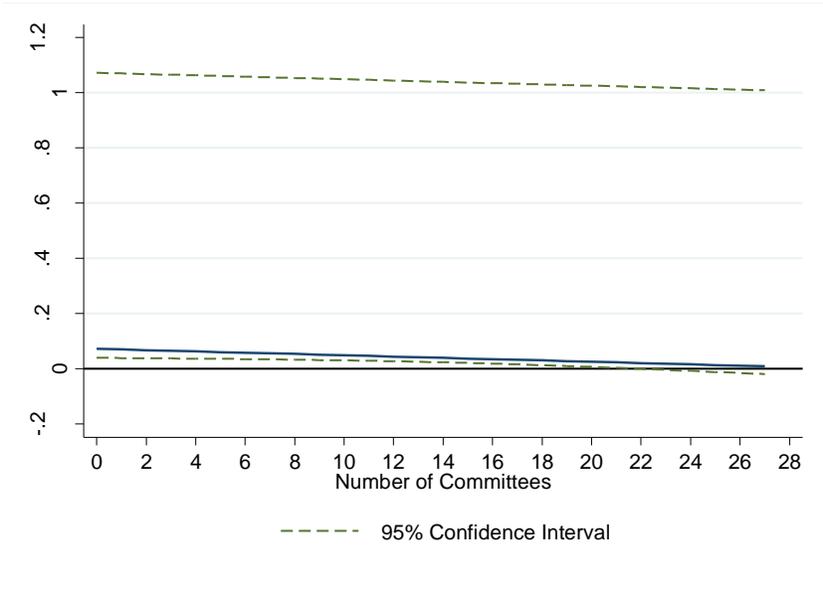

Figure 5a. Marginal Effect of Policy Areas on Relative Senior Career Civil Servant Responsiveness to White House Policies (Individual Level)