

# PRESIDENTIAL INVESTMENT IN THE ADMINISTRATIVE STATE<sup>1</sup>

Nicholas R. Bednar, Vanderbilt University

David E. Lewis, Vanderbilt University

Version 2.0

Comments welcome

A central function of government is to resolve collective-action problems that would otherwise harm the public. Pursuant to this goal, Congress and the president have enacted programs to deliver benefits to the poor and elderly, prevent economic and environmental harms, and defend the country from national-security threats. Yet these politicians lack the time and capacity to perform the day-to-day tasks associated with implementing these programs. As a result, they have delegated implementation authority to a massive administrative state of more than 250 major agencies and 2.8 million civilian employees (see, e.g., Epstein and O’Halloran 1999; Huber and Shipan 2002). Collectively, this administrative state manages a large number programs created by congressional majorities—most of which are overwhelmingly popular with the American public.<sup>2</sup>

Implementation of these programs necessitates administrative capacity. Capacity is the ability of an agency to perform the tasks assigned to it by Congress and the president (Huber and McCarty 2004; Williams 2021).<sup>3</sup> Agencies require expert workforces, competent leaders, and efficient management to accomplish their missions and prevent government failures. They cannot generate this capacity alone. The political principals who control the appropriations, appointments, and programs of the agency must invest time and resources to build and maintain this capacity. Neglect can lead to the decay of capacity and, eventually, produce conditions amenable to failure. Sometimes capacity building means larger budgets and employee rosters. Other times, it means automation and restructuring, leading to reductions in both budgets and staffing. Students of the American presidency and bureaucracy have long assumed that the fear of failure incentivizes presidents to build capacity within the federal bureaucracy. When crisis befalls the American public or scandal engulfs an agency, the public blames the president (Achen and Bartels 2016; Malhotra and Kuo 2008; Neustadt 1960). As Moe (1990) states, “[a]ll presidents are acutely aware of this, and they respond by trying to build and deploy an institutional capacity for effective governance” (237).

Two phenomena should give us pause before continuing to endorse this assumption. First, systematic review suggests that the health of the bureaucracy and civil service is declining and the pace of administrative failure is increasing (Fukuyama 2014; Light 2008; Verkuil 2017). Countless failures—from the mismanagement of Hurricane Katrina to the uncontained spread of COVID-19—trace their roots to poor management in starved agencies (D. Lewis 2008; M. Lewis 2018). If presidents truly invest in the entire administrative state, we should not observe such frequent failures attributable to a lack of capacity. Second, the vow of President Donald Trump to “deconstruct the administrative state” suggests that presidents, at times, have political incentives to undermine capacity. Some may hope that current trends of decline stem from these anti-administrativist ideologies, which may dissipate

---

<sup>1</sup> We thank George Krause and audiences at the University of Chicago American Politics Workshop, the University of North Carolina, the University of Pennsylvania Workshop on Power in the Administrative State, and the Center for the Study of Democratic Institutions for their comments.

<sup>2</sup> John Gramlich, “Few Americans support cuts to most government programs, including Medicaid,” Pew Research, May 26, 2017 (<https://www.pewresearch.org/fact-tank/2017/05/26/few-americans-support-cuts-to-most-government-programs-including-medicaid/>);

<sup>3</sup> This definition is consistent with definitions offered in other institutional contexts (Bolton and Thrower 2021).

overtime (see e.g. Metzger 2017; Moynihan and Roberts 2020). That explains part of the puzzle. However, if *all* presidents lack the incentives necessary to spur investment—even those without anti-administrativist tendencies—then neglect will likely continue regardless of which party remains in control of the White House.

We argue that presidents strategically invest in administrative capacity but have few incentives to build capacity in most agencies. Presidents have three choices when it comes to managing a particular agency: build, neglect, or deconstruct. But electoral incentives encourage presidents to pursue substantive policy over management. Accordingly, neglect has become the norm rather than the exception. Presidents have the greatest incentives to build capacity in agencies that (1) implement policies central to the president's agenda, (2) share the president's ideological leanings, or (3) face a high risk of experiencing a publicly salient failure. Relatedly, deconstruction should prove quite rare. Presidents only deconstruct agency capacity when the consequences of failure do not jeopardize their goals and when the act of deconstruction sends an ideologically-motivating signal to their base.

We test our account with two analyses using novel observational and survey data. First, we examine the time it took for the last three presidents to nominate individuals to appointed positions. We find that presidents prioritize appointments to policy positions over management positions and that nominations occurs sooner in agencies that implement presidential priorities. Second, we examine the responses of appointed and career federal executives to the 2020 Survey on the Future of Government Service to see whether perceptions of investment match those anticipated by our predictions. We find that federal executives perceive higher levels of investment when the agency is a priority of the president and when the agency shares the president's ideological leanings.

Our research offers three contributions to the presidency and bureaucracy literatures. First, our explanation bridges the gap between extant theories of presidential investment to better explain empirical trends of neglect. Second, we introduce a new measure of presidential investment that better captures presidents' overall attention to particular agencies. Third and finally, our empirical analysis employs two novel datasets and explains variation of capacity within agencies.

### **Presidents and Administrative Capacity**

Congress and the president entrust the implementation of various welfare, national security, and regulatory programs to the administrative state. Most of these programs—and the agencies that administer them—have emerged from lobbying efforts by constituents, interest groups, and other political actors for federal intervention in an ongoing problem (Arnold 1979; Moe 1989). As head of the executive branch, presidents have an obligation (and electoral incentives) to ensure the successful implementation of these programs by the agencies who oversee their day-to-day functions.

Expansion of the administrative state has had two consequences for the presidency. Continuous delegation has endowed presidents with new tools of policymaking (Howell 2003; Kagan 2001; Moe 1985). These tools allow agencies to promulgate legally-binding regulations, adjudicate claims between the government and private actors, distribute grants and benefits, and prosecute violations of law (e.g., Kriner and Reeves 2015; Potter 2019). Although presidents cannot exercise this authority alone, they steer the agencies who wield these tools toward their policy priorities—with or without the assistance of Congress (see, e.g., Haeder and Yackee 2018; O'Connell 2008; Potter 2020).<sup>4</sup>

---

<sup>4</sup> Numerous examples exist of presidents pursuing policy creation through administrative rather than legislative channels. President Bush instructed the Environmental Protection Agency to ease enforcement of certain provisions of the Clean Air Act (Deacon 2010). President Obama authorized Homeland Security to provide certain undocumented immigrants

Yet this expansion comes at a cost. The president is entrusted to manage the executive branch and, accordingly, has been vested with powers to build capacity. Presidents appoint leaders to these agencies (Mackenzie 1981), propose budgets (Pasachoff 2016), develop networks between agencies to increase coordination (Freeman and Rossi 2012), and take other actions to improve the management of the administrative state.<sup>5</sup> With sufficient investment of effort and attention, the administrative state proves capable of great and mundane accomplishments alike. Agencies and their career employees have produced some of the most significant scientific advancements in history, including the creation of the Internet, the moon landing, and evidence pinning the dinosaur extinction to a meteorite impact.<sup>6</sup> The administrative state performs the most mundane activities—the activities Americans care about the most—with little disruption. The Postal Service delivers 173 million pieces of first-class mail per day;<sup>7</sup> the Social Security Administration deposits monthly benefits for 69 million people;<sup>8</sup> and the Internal Revenue Service processes over 250 million tax returns annually.<sup>9</sup> Viewed as a single institution, the federal government remains among the highest capacity organizations in the world.

But presidents' foci on policy *creation* over *implementation* leads to persistent neglect of agencies that contribute little to presidents' policy priorities. For example, the Affordable Care Act—President Obama's signature legislative accomplishment—necessitated the creation of insurance marketplaces. Yet the Administration invested greater effort into creating the policy than ensuring that the Department of Health and Human Services (HHS) had sufficient capacity to deliver an efficacious rollout. In the end, the rollout proved disastrous (Herd and Moynihan 2019). Despite periodic investment, administrative capacity writ large has remained stagnant and, in some cases, has receded (DiIulio 2014; Lewis 2019).

Persistent neglect causes poor performance. Increased workloads in understaffed agencies lead to delays in the processing of key activities (Bolton, Potter, and Thrower 2016). Inexperienced leadership prevents agencies from reacting quickly to catastrophe (Lewis 2008). Lack of expertise hinders the attainment of policy goals (Skocpol and Finegold 1982). Even the highest-performing agencies may slip into poor performance absent occasional investment. At one time, the Postal Service exhibited high levels of both capacity and performance (Carpenter 2001). But years of decreasing revenues, growing expenses, and cost-cutting measures led to delays in mail delivery (Powell and Wessel 2020). Similar failures and scandals emerge every several years, tainting the reputations of agencies like the Department of Veteran Affairs, the Federal Emergency Management Agency, and the Internal Revenue Service.

---

with protection after Congress failed to pass the DREAM Act (Wadhia 2012). President Trump ordered the Department of Justice to promulgate rules banning bump-stock devices in the wake of the 2017 Las Vegas shooting. We could point to hundreds of other examples within these three administrations and others.

<sup>5</sup> In other cases, the White House diminishes capacity by increasing procedural demands on agencies (McGarity 1992), delaying approval of agency actions (Bolton, Potter, and Thrower 2016, Heinzerling 2014), appointing ineffective leaders (Hollibaugh, Horton, and Lewis 2014; Lewis 2008), leaving leadership positions vacant (Kinane 2021; O'Connell 2020), allowing the agency's workforce to wither (Iafolla 2020; Richardson 2019), and actively dismantling agency capacity (Benn 2019; Moynihan and Roberts 2020).

<sup>6</sup> Department of Energy. "75 Breakthroughs by America's National Laboratories." <https://www.energy.gov/downloads/75-breakthroughs-americas-national-laboratories>.

<sup>7</sup> USPS. "One Day in the Life of the U.S. Postal Service." *USPS*, <https://facts.usps.com/one-day>.

<sup>8</sup> Social Security Administration. "Monthly Statistical Snap Shot, January 2021." [https://www.ssa.gov/policy/docs/quickfacts/stat\\_snapshot/](https://www.ssa.gov/policy/docs/quickfacts/stat_snapshot/).

<sup>9</sup> IRS. 2019. "Returns Filed, Taxes Collected & Refunds Issued." <https://www.irs.gov/statistics/returns-filed-taxes-collected-and-refunds-issued>.

Widespread neglect poses a puzzle for existing theories of presidential investment. Why would presidents neglect much of the administrative state? Existing explanations of presidential investment proffer that either presidents engage in continual assessment and regular investment or invest in capacity based largely on ideological considerations. Neither account proves fully satisfactory.

The first explanation assumes that presidents uniquely care about ensuring high capacity across the executive branch. Presidents occupy a unique position as the only elected officials with a national constituency (Dearborn 2021). Poor government performance threatens presidents' electoral prospects and legacies (Achen and Bartels 2016; Malhotra and Kuo 2008). Accordingly, adherents of this view argue that presidents' unique national perspective, legacy concerns, and electoral concerns create sufficient incentives for presidents to work to improve governance (Arnold 1998; Lewis 2003; Moe 1990; Neustadt 1960). Although presidents may disagree about how the federal government should perform its job, no president should want the bureaucracy to fail (Lewis 2008; Moe 1985). All presidents should build capacity throughout the administrative state to implement policy effectively or change policy in a liberal or conservative direction.

The second explanation assumes that presidents make strategic choices about agency capacity based on ideological and partisan considerations. Scholars in this tradition predict that presidents will work to increase capacity in agencies implementing policies the president likes and decrease capacity in agencies implementing policies the president opposes (Durant 1992; Herd and Moynihan 2019; Richardson 2019). Republican presidents pursue a vision of free-market environmentalism by diminishing the Environmental Protection Agency's capacity, while Democratic presidents pursue humanitarian immigration policies by constraining the ability of Immigration and Customs Enforcement to remove undocumented immigrants. Moreover, we should observe a greater willingness to deplete capacity during Republican administrations due to conservative preferences for deregulation and small governance (Benn 2019).

Both extant accounts of presidential investment assume that presidents take an active role in building (or deconstructing) administrative capacity. Under the first theory, presidents should always be attentive to capacity to ensure effective policy implementation and avoid failure. If there is neglect, it would be in the highest-performing agencies because these agencies perform well without presidential attention. Under the second theory, partisanship and ideology determine whether presidents build or deplete capacity. Sometimes these arguments hold true. Yet these accounts fail to account for the neglect that persists across administrations and partisan lines, whether in the Federal Emergency Management Agency or the Centers for Disease Control (Lewis 2008; Roos 2013; Friedersdorf 2020). A better explanation attributes the persistence and prevalence of neglect to the lack of electoral incentives for presidents to devote time and energy to building capacity within the administrative state.

### **When Do Presidents Invest in Capacity?**

We turn now to explaining what motivates presidents to invest in administrative capacity. By "investment," we mean presidents' investment of time and energy to build bureaucratic capacity. Investment costs presidents effort that could be expended elsewhere, most notably on the creation of substantive policy. Of course, presidents may also expend effort to decrease agency capacity (i.e., "deconstruct"). Increasing agency capacity requires identifying an agency's needs and instituting serious reforms targeted at those needs. Presidents and their staff must expend time identifying capable leaders, advocating for targeted appropriations, and mitigating procedural constraints that

impact agency performance.<sup>10</sup> Deconstruction may require finding ways to circumvent civil-service laws, push for budget cuts in Congress, or flood an agency with busywork (Freeman and Jacobs 2021; Skowronek et al. 2021).<sup>11</sup> Ultimately, presidents are limited in how much effort they can expend to build capacity across the sprawling administrative state.

Although presidents head the administrative state, their central motivations do not stem from an inherent desire to ensure good governance. Rather, reelection is a first-order concern for all presidents. Presidents behave strategically to increase the likelihood of reelection for themselves and their co-partisans in their first terms and approximate this behavior in their second terms (Kriner and Reeves 2015). Although presidents care about specific policies and their legacies (Cohen 2012; Moe 1985; Neustadt 1960), these motivations depend on voters returning the president and/or their co-partisans to office. Of course, presidents will maximize their chances of implementing policy priorities whenever electorally feasible. But presidents have finite resources and short time-horizons to convince voters to return their party to office. Presidents can only afford to take the actions that provide the greatest marginal returns toward securing reelection and implementing their policy agendas. Building administrative capacity often provides a lower return on investment than substantive policymaking.

These electoral incentives create two constraints on presidents' actions. First, presidents must respond to the preferences of voters and interest groups in ways that lead the electorate to return their party to office. Voters, however, are too preoccupied with their own economic security and physical safety to concern themselves with public administration (Achen and Bartels 2016). Most voters have only a vague sense of the operations of major institutions—let alone obscure agencies like the Marine Mammal Commission, the Food Safety and Inspection Service, or the Agricultural Marketing Service—within the federal government or how benefits they receive connect to the work of the federal government (Delli Carpini and Keeter 1996; Howard 2007; Mettler 2011). They may respond favorably to initiatives that address afflictions to their economic and physical wellbeing but provide no electoral reward for initiatives that prevent those problems from happening in the future (Healy and Malhotra 2009). Management of the administrative state proves too disconnected from the minds of voters to warrant presidents' utmost attention.

Instead, voters concern themselves with specific policy issues rather than something as remote as agency management. This creates incentives for presidents to expend effort working on substantive policy issues like taxes, immigration, and climate change through legislation and executive action rather than actions that build prospective capacity or prevent problems from happening. The time and effort presidents and their administrations expend on management and governance are hard to connect to these policy issues except in an indirect and episodic way. Voters understand the benefits they obtain from new tax credits but do not see, for example, how replacing the Internal Revenue Service's antiquated computer system would affect their tax returns.<sup>12</sup>

Second, short electoral time horizons discourage presidents from pursuing management over policy. Administrative capacity is a concern about *future* performance (Williams 2021). Presidents that

---

<sup>10</sup> Presidents have at their disposal the staff of the Executive Office of the President and the ability to name thousands of federal executives to run these agencies. Most presidential candidates work aggressively in the period prior to the election preparing a transition (Kumar 2015; Pfiffner 1996). Still, a number of factors mitigate against presidents spending much time worrying about administrative capacity.

<sup>11</sup> We do not address whether deconstructing capacity proves easier than building capacity. That may be true. For purposes of our theory, it is sufficient that both building and deconstructing capacity necessitate some level of effort from the president.

<sup>12</sup> Konkel, Frank R. "The IRS System Processing Your Taxes is Almost 60 Years Old." *Nextgov*. 19 March. <https://www.nextgov.com/it-modernization/2018/03/irs-system-processing-your-taxes-almost-60-years-old/146770>.

invest in administrative capacity expend effort now for potential benefits in the future. Upon assuming office, a set of pressing deadlines immediately confront presidents. They must rework the previous president's budget for submission in February. They must take advantage of the window left open by the Senate to push through a large number of nominees. And, they must have a demonstrable record of accomplishment in the first 100 days, usually through the enactment of legislation or consequential unilateral actions. Before they know it, presidents are up against pressures related to midterm elections. When presidents decide to devote some of this precious time to management, they may not realize the returns on investments until late in their term or until after they have left office. In this context, presidents are strongly incentivized to prioritize immediate tangible accomplishments because voters are more likely to respond to these accomplishments in the forthcoming election.

The lack of electoral incentives and delayed payoffs leads us to predict that presidents obtain greater marginal benefits from investing time and effort into policymaking over management.<sup>13</sup>

**Hypothesis 1. Management:** Presidents will invest more effort in substantive policy than bureaucratic management.

Of course, there are cases where reelection concerns and the administrative state are intertwined and presidents must invest scarce time and effort in building capacity. If they choose to invest, where should they focus their attention? Presidents will invest in capacity to maximize their return from the substantive policies that can be sold as accomplishments to the electorate. Accordingly, we offer three predictions.

First, the marginal returns on investment are highest when an agency implements a presidential priority. These priorities are often those the president discussed during the campaign but can also include other items forced on to the president's agenda by events during the president's term. Presidents tout these policies as accomplishments to voters and, therefore, have significant incentives to ensure their success. Agencies with insufficient capacity may bungle the implementation of presidents' priorities, marring the president's electoral chances and legacy. Therefore, presidents build capacity within agencies implementing priorities to increase the likelihood that these programs succeed.

**Hypothesis 2. Priority:** Presidents will invest more effort to build capacity in agencies implementing policies central to the president's electoral agenda.

Second, presidents' decisions to invest in building capacity also depend upon whether agencies share the policy views of the president. Agencies, by virtue of their statutes, histories, and previous choices have missions that align more easily with some elected officials than others (Downs 1964; Clinton and Lewis 2008). Presidents of different parties are more or less enthusiastic about agencies depending upon what they do. Ideologically-congruent agencies tend to implement policies that align with presidents' preferences and the preferences of their voters. More liberal agencies tend to regulate and provide social welfare. More conservative agencies provide national security and serve clients in the business community. Therefore, presidents build capacity in these agencies to ensure the continued success of their programs in the future.

---

<sup>13</sup>Neglect usually stems from disinterest rather than malice. It is not that presidents disagree with the tasks the agency performs. In fact, presidents may even agree that the agency produces positive outcomes for society. Rather, presidents may determine that building capacity within these agencies fails to further their electoral motivations because voters are relatively disinterested in the agency's policies.

On the other hand, presidents express ambivalence—or, in some cases, skepticism—toward the policies implemented by ideologically-divergent agencies. Presidents find fewer reasons to build capacity in these agencies. This is not to suggest that presidents never prioritize ideologically-divergent agencies or would never benefit from building capacity within them.<sup>14</sup> However, they struggle to ensure that an investment in capacity will go toward the president’s priorities. Federal employees in these agencies are themselves unenthusiastic about presidents’ efforts to change the direction of their policies (Potter 2019; Brehm and Gates 1999). Admittedly, most agencies lack any ideological tenor. But many significant and salient agencies, like the Environmental Protection Agency (EPA), the Department of Defense (DOD), or Immigration and Customs Enforcement (ICE), have clear ideological leanings. Accordingly, all else equal, investments in ideologically-divergent agencies offer little marginal returns relative to their ideologically-congruent counterparts.

Interest groups play an important role here. Although individual voters may not care about the efficacy of individual agencies, groups do. Interest groups understand that achieving their substantive interests requires ensuring that implementing agencies have sufficient capacity. For example, the American Association of Retired Persons (AARP) has lobbied for increases in Social Security Administration capacity to address its “service logjams.”<sup>15</sup> Interest groups mobilize in favor presidents who protect these interests and against presidents who fail to promote these interest (Arnold 1990). Presidents have the greatest incentive to cater to ideologically-aligned interest groups because these interest groups can animate the presidents’ base through media and get-out-the-vote campaigns.

At the same time, these groups may constrain presidents from investing in certain agencies. Presidents may occasionally have incentives to build capacity in ideologically-divergent agencies. However, interest groups may misinterpret the investment as the president taking a position antithetical to the group’s preferences. For example, immigration advocates disfavor building capacity in ICE because such investments are viewed as promoting greater enforcement.<sup>16</sup> Yet greater funding may provide ICE with the resources it needs to care for detained children at the U.S.-Mexican Border.

**Hypothesis 3. Ideology:** Presidents will invest more effort building capacity in agencies that share the president’s policy views.

Third, low-performing agencies create liabilities for presidents. Sometimes performance issues break through to the public’s consciousness. Presidents do not want to enact a program and stumble in implementation. They do not want a large problem to emerge and be unprepared. No president wants their electoral prospects or legacy tainted with government failures like those surrounding Hurricane Katrina, the VA Scandal, or the COVID-19 Pandemic. Accordingly, presidents expend greater effort to build capacity in the low-performing agencies, where failure is most likely to occur. In contrast, high-performing agencies have already demonstrated their ability to implement policies

---

<sup>14</sup> Presidents often promise to undo the actions of previous administrations. For example, Republicans often campaign to reduce regulations within the Environmental Protection Act. Yet deregulation often requires the same capacity as regulation. Agencies must undergo an arduous rulemaking process to repeal previously enacted rules. At times, the rulemaking process can require agencies to temporarily hire hundreds of employees and rent additional office space (Potter 2019). If presidents hope to accomplish these sorts of priorities in an ideologically-divergent agency, they may need to make additional investments in the agency’s capacity.

<sup>15</sup> Terrell, Kenneth. 2018. “Don’t Shortchange Social Security Funding.” *AARP*. <https://www.aarp.org/politics-society/advocacy/info-2018/social-security-budget-funding-fd.html>.

<sup>16</sup> National Immigration Justice Center. “Defund Hate.” <https://immigrantjustice.org/issues/defundhate>.

without additional investments and, therefore, presidents may trust that these agencies will continue to perform without much attention.<sup>17</sup>

Of course, presidents occasionally depart from this heuristic. At times, presidents build capacity in high-performing agencies because these agencies produce accomplishments that presidents gloat about on the campaign trail. Many low-performing agencies never receive an investment because their failures have little chance of reaching voters. But these are exceptions and not the rule. All else equal, however, presidents receive a greater marginal return from investing in low-performing agencies than high-performing agencies.

**Hypothesis 4. Performance:** Presidents will invest less effort to build capacity in agencies with higher levels of performance.

Thus far, we have predicted when presidents are likely to *build* capacity. What about deconstruction? A corollary to our theory suggests that deconstruction should be quite rare. Voters rarely elect presidents to break government, particularly since most programs and agencies are popular. Presidents may advocate for smaller government, but they seek deregulation through policy change rather than diminishment of government performance. The most cost-effective route for presidents who disagree with a particular program is to neglect the implementing agency. Two conditions must hold for presidents to actively deconstruct agency capacity. First, deconstruction cannot produce a government failure that would result in voters punishing the president. Therefore, presidents have few incentives to actively deconstruct agencies that distribute benefits, engage in national security, or mitigate disasters. Second, the active deconstruction of the agency must serve to ideologically motivate presidents' voters. If the president simply disagrees with the agency's programs, the most cost-effective route is to neglect the implementing agency. However, presidents may take an ideological position by deconstructing certain salient agencies.

Presidents' reelection incentives consistently push presidents away from broad-based investments in administrative capacity. While there have been some exceptions, presidentially-driven reforms like President Nixon's focus on super-cabinet agencies or President Clinton's focus on Reinventing Government have been episodic, partly symbolic, and often short-term in focus. Instead, when presidents and their teams invest, they focus on a subset of the larger executive establishment, namely agencies implementing policies that are a priority to the president and policies that align with the president's own views. And, they do so when it is most impactful.

## **Evaluating White House Investment: Data Analysis**

An empirical evaluation of presidential investment requires observing where presidents build capacity, but observing these investments proves challenging. We can observe outputs like budgets or performance but neither is a measure of presidential effort or attention. Presidential investment can be obscure, even to White House insiders because their work is often siloed. Agency outputs and

---

<sup>17</sup> We must emphasize that the important factor is presidential perception of performance and not the agency's latent ability. Presidents may underestimate the capabilities of an agency when tasking it with a new program. Indeed, throughout the years, presidents have forced upon agencies new programs that they were unequipped to handle. Yet it often takes time for the cracks in agency capacity to show and programmatic failure to begin. By the time the president and the public realize that poor management hindered success, the president may have already left office, allowing the failures to be attributed to the successor.

outcomes result from the actions of diverse political actors throughout government, and it can be difficult to disentangle the influence of presidents amidst this complexity.

Given the difficulty of identifying investment, we perform two separate analyses using novel datasets. First, we track how long it took presidents Bush, Obama, and Trump to send their *first* nominee to the Senate for each position. The length of time to nomination is a means of measuring the time and priority the White House is placing on individual agencies across government, making it a useful way to evaluate where presidents are making capacity investments. As certain positions are tied to either policymaking or management, it also provides us a way of testing our first hypothesis.

While our first analysis uses observational data, our second analysis examines whether federal executives perceive presidential investments in a way that comports with our theory. To assess the perception of investment in capacity, we use the 2020 *Survey on the Future of Government Service*, a survey of thousands of federal executives in the United States Government. The survey data provide a unique opportunity to systematically examine the unobserved behavior of the White House from the perspective of those that have the ability to observe it—agency leaders. The responses of federal executives provide insight across hundreds of agencies in the executive establishment.

### *Presidential Nominations: Bush, Obama, Trump*

The U.S. Constitution empowers presidents to appoint “officers of the United States” with the advice and consent of the Senate.<sup>18</sup> Agency leadership (or the lack thereof) has significant implications for agency performance (Kinane 2019). Agencies with persistent vacancies or regular turnover tend to perform worse overall (Lewis 2008). But presidents and their staff must invest significant time into pairing the right nominees with the right agencies. Accordingly, presidential nominations provide one source of data to examine questions surrounding where presidents invest time into building agency capacity. We assume that quicker nominations reflect greater presidential concern for agency capacity.

The nominations data come from a U.S. Government publication called *Policy and Supporting Positions* (i.e., the *Plum Book*),<sup>19</sup> a regular Congressional Research Service publication called *Presidential Appointee Positions Requiring Senate Confirmation and Committees Handling Nominations*,<sup>20</sup> and the congressional website *congress.gov*.<sup>21</sup> Starting from the master list derived from the three sources, we removed several classes of positions from the data. These include judicial positions on the Superior Court of the

---

<sup>18</sup> U.S. Const. art. II, § 2, cl. 2.

<sup>19</sup> The United States House of Representatives and the Senate have alternated publishing this document every election year since 1960. The *Plum Book* lists all of the key policy positions in the executive establishment, both those filled by political appointees and those filled by career professionals. It also includes key staff positions of a policy or confidential nature that support these key policy making positions. From this document we extracted all positions requiring nomination by the president and confirmation by the Senate (i.e., PAS positions). We focus specifically on *Plum Book* data from the 2000, 2008, and 2016. We supplement the Plum Book with the other sources because it omits some Senate confirmed positions. In total, about 17% of all PAS positions are omitted from the *Plum Book*.

<sup>20</sup> The CRS first published this report in 2003 and updated it regularly through 2017 (Hogue 2003, Hogue et al. 2008, Davis and Greene 2017). The different versions are available on EveryCRSReport.com. *Presidential Appointee Positions Requiring Senate Confirmation and Committees Handling Nominations* (everycrsreport.com/reports/RL30959.html, accessed June 17, 2020). This document provides a useful supplement to the *Plum Book* since the *Plum Book* includes some errors and omits many minor boards and commissions.

<sup>21</sup> When using official Senate data on nominations we found a few additional positions omitted from the *Plum Book* and CRS reports. Some of these positions were positions created after the publication of the *Plum Book* and the CRS report. Others were semi-discretionary positions in the State Department. Finally, neither document included the Marine Mammal Commission and each missed a few other positions. For a full discussion of the nominations for which no positions were listed in either the *Plum Books* or CRS reports see the nominations data appendix.

District of Columbia, positions in the *Plum Book* listed as requiring Senate confirmation that no longer require Senate confirmation<sup>22</sup>, duplicates<sup>23</sup>, and positions included in the *Plum Book* that no longer existed by Inauguration Day.<sup>24</sup> We also excluded positions that are filled automatically when persons receive another Senate confirmed position. For example, the Secretary of the Treasury assumes a role on the Financial Stability Oversight Council automatically upon confirmation as Secretary of the Treasury.

Transitions that result in a change of the party in the White House—either from Democrat to Republican or Republican to Democrat—provide a useful way of evaluating presidential priorities since each president begins their term needing to fill hundreds of vacant positions. We examine three such periods of transition: 2000, 2008, and 2016. Prior to the inauguration of the new president, all appointees not serving fixed terms (e.g., a five or seven-year term) resign, leaving each new president a clean slate of positions to fill starting on January 20th.<sup>25</sup> Presidents have over 1,000 Senate-confirmed positions to nominate and must invest time to identify competent leaders who can realize their agendas within each agency. Yet the sheer number of vacancies requires presidents to prioritize nominations to some agencies over others.

To connect executive nominations to specific positions, we used data from *congress.gov* during the first two years of the president's term.<sup>26</sup> We matched nominations to the list of vacant positions, noting that a nomination had been made and the number of days since Inauguration Day.<sup>27</sup> As a general rule, positions that receive their first nominations long after Inauguration Day are a lower priority for the president than positions that receive nominees closer to Inauguration Day.<sup>28</sup> So, for

---

<sup>22</sup> Occasionally, Congress will remove the confirmation requirement for certain PAS positions. For example, Congress enacted the Presidential Appointment Efficiency and Streamlining Act in 2012. This law removed the confirmation requirement from more than 150 positions. Positions no longer requiring Senate confirmation in 2016 that were still listed as PAS in 2016 included the following positions: John F. Kennedy Center for the Performing Arts (36); National Museum and Library Services Board (14); National Council on Disability (5); Director, Selective Service System (1); Assistant Secretary for Administration, USDA (1); Assistant Secretary for Public Affairs, HUD (1); Assistant Secretary for Administration and Management, DOL (1); Assistant Secretary for Budget and Programs/CFO, DOT (1); Alternate Federal Co-Chairman, Appalachian Regional Commission (1); Administrator, United States Fire Administration, FEMA/DHS (1); Office of Navajo and Hopi Indian Relocation, Commissioner (1).

<sup>23</sup> All of the *Plum Books* include some minor errors. For example, the 2016 *Plum Book* includes the following duplicates: Director, Institute of Museum and Library Services; Chief Financial Officer, Department of Labor; Inspector General, Small Business Administration; and Inspector General, Social Security Administration.

<sup>24</sup> Since the *Plum Book* is published during the election year, some legislative changes occur after data has been collected.

<sup>25</sup> One appointed official customarily stays over into a new administration to ease the transition. Similarly, some other positions like ambassadors or U.S. attorneys customarily serve into the next administration. These positions, however, are effectively vacant in the sense that these appointees expect to be replaced and presidents treat them as vacant.

<sup>26</sup> Specifically, we downloaded all formal nominations to civilian positions from the Congress seated during the first two years of the president's term. This means collecting all civilian nominations during one congress and part of another. This means we collected all nominations from January 20<sup>th</sup> until the seating of a new Congress two years later, either January 3<sup>rd</sup> for the 111<sup>th</sup> and 115<sup>th</sup> congresses or January 7<sup>th</sup> for the 107<sup>th</sup> Congress. We also downloaded nominations to civilian positions between January 3 and January 20<sup>th</sup> for the 112<sup>th</sup>, and 116<sup>th</sup> congresses and January 7 and January 20 for the 108<sup>th</sup> Congress.

<sup>27</sup> For each position we include only the first nomination to a position. While presidents make new nominations to replace failed nominations or to replace appointees that have departed, we are interested here in using the time to first nomination as an indicator of importance or priority.

<sup>28</sup> For some commissions, presidents must nominate and the Senate must confirm a chair from among the members of the commission. Other commissions select their chairs in different ways. This dataset excludes nominees for chair positions unless the nominee is taking the commission slot held by the former chair. For example, there were three such cases in 2017-2018. These cases include: Ann Marie Buerkle, of New York, to be Chairman of the Consumer Product Safety Commission, replacing Elliot F. Kaye; J. Christopher Giancarlo, of New Jersey, to be Chairman of the Commodity

example, most cabinet secretary positions receive nominations on Inauguration Day but positions on many minor boards and commissions are left without a nominee well into a president’s second year or longer.

**Table 1. Positions Requiring Senate Confirmation, Vacancies, and Nominations, First Two Years of Bush, Obama and Trump Presidencies.**

President	Positions	Vacancies	Nominations	%Nominated	Average Days
President Bush	1,358	1,093	835	0.76	384
President Obama	1,416	1,092	801	0.73	390
President Trump	1,317	1,132	723	0.64	466
<b>Total</b>	4,091	3,317	2,359	0.71	414

Note: These numbers do not include judgeships or positions automatically filled when other Senate confirmed positions are filled. It excludes nominations to chair positions on multi-member bodies that are distinct from nominations to these multimember bodies. Average days are calculated by assuming vacant positions received a nominee at the end of the president’s second year.<sup>29</sup> *Source:* Plum Book 2000, 2008, 2016; Congressional Research Service Report by Hogue 2003, Hogue et al. 2008, Davis and Greene 2017; Nominations data from Congress.gov.

In Table 1 we include summary data across the three transitions. When President Bush assumed office on January 20, 2001, there were 1,358 Senate confirmed positions and of these positions, 1,093 were available for appointment (i.e., formally vacant or filled by a person invited to stay on temporarily). Over the course of two years, President Bush nominated persons for 835 of the 1,093 positions, or 76%. This means that 24% of positions vacant on January 20<sup>th</sup> still did not have a nominee two years later. Indeed, if we optimistically assume that positions without vacancies all received a nominee at the end of two years, the average position did not receive a nominee until 384 days into the presidency, more than one year after Inauguration Day. Just receiving a nominee is no guarantee of confirmation. About 20% of the nominations were withdrawn or returned to the president, meaning the actual success in filling positions was much lower.

One feature of Table 1 worth recognizing is that the number of positions and vacancies has remained relatively stable across the years. The number of vacancies at the start of these administrations varies by fewer than 40 positions, with President Obama having the fewest and President Trump the most. The number of nominations made by presidents during their first two years has declined over time, with President Trump nominating persons to only 64% of all vacant positions during his first two years.

We test our hypotheses by estimating the time it takes presidents to nominate an official to a particular position. Our dependent variable measures the number of days it took the president to nominate his first nominee to a given position (Mean 413.89; SD 251.56). The measure ranges between 0 to 730 days, where 0 days indicates that the nomination took place on Inauguration Day and 730 days indicates that the nomination took place after the two-year window in which we tracked the position (if at all). Accordingly, the data exhibits both left and right censoring. Presidents begin to announce some (2.17%) of their choices for key positions shortly after the election, allowing for

---

Futures Trading Commission, replacing Timothy G. Massad; Jerome H. Powell, of Maryland, to be Chairman of the Board of Governors of the Federal Reserve System for a term of four years, replacing Janet L. Yellen.

<sup>29</sup> Specifically, a vacant position is assumed to have been filled on January 20 two years after Inauguration (i.e., 2003, 2011, 2019) and is given a value of 730 days. This underestimates the actual average days to nomination since 24-36% of vacant positions have no nominee at the end of the first two years.

smoother transitions come inauguration day. At the other end of the spectrum, many positions (28.88%) do not receive a nominee within the first two years.

Our hypotheses lead to several predictions. First, presidents use appointees to advance their agendas within certain agencies (Lewis 2008), but these appointees differ in their responsibilities. We include two indicators that allow us to test whether presidents prioritize nominees for positions that focus on policymaking versus management. Some positions like the secretary of an executive department have positions that include substantial policy and management responsibilities. Other positions are focused more specifically on policy or management. To evaluate our claims about policy versus management, we examine these positions. We coded positions that primarily concern legislative affairs, policy planning, or legal as key policy positions (4.4%).<sup>30</sup> In contrast, we coded positions whose functions primarily concern management, finances, acquisition, or personnel as key management positions (4.1%).<sup>31</sup> We expect that presidents will nominate individuals to key policy positions sooner than key management positions.

Second, appointees play a central role in managing presidents' agendas and priorities within agencies. We expect that positions within agencies that implement presidents' priorities will receive nominees sooner than positions in other agencies. To measure presidential priority we coded all respondents with 1 if their agency implemented a policy listed in President Trump's *Contract with the American Voter* and 0 otherwise (28%).<sup>32</sup> Since neither President Obama nor President Bush had similar documents, we use President Obama's first televised address to Congress and President Bush's first televised address to Congress to identify agencies implementing policies central to each president's agenda.<sup>33</sup> Although we use different sources for each administration, we observe no significant difference in the number of priority positions across the three administrations.<sup>34</sup> We expect that positions within agencies that implement presidents' priorities will receive nominees sooner than positions in other agencies.

Our third hypothesis predicts that presidents invest more effort to build capacity in ideologically-congruent agencies. We rely on Richardson et al. (2018) for measures of agency ideology. Political actors perceive that some (but not all) agencies have ideological leanings due to their missions and the kinds of personnel they attract. Richardson et al. measured durable agency ideological leaning when they asked federal executives in 2014 "In your opinion, do the policy views of the following

---

<sup>30</sup> For purposes of coding both key policy and key management positions, we assessed the functions of the position based on its title. We adjusted our coding for certain positions based on feedback from former career bureaucrats and other academics. Examples of key policy positions include Assistant Administrator for Legislative and Public Affairs, Assistant Secretary for Policy Development and Research, and Chief Counsel.

<sup>31</sup> Examples of key management positions include Under Secretary for Management, Chief Financial Officer, or Comptroller.

<sup>32</sup> See <https://assets.donaldjtrump.com/landings/contract/O-TRU-102316-Contractv02.pdf>, accessed March 13, 2021. This variable, like agency ideology, is measured at the bureau level. Respondents working in an agency without bureaus were coded with a 1 if their agency carried out a policy mentioned in the president's campaign document. Respondents working in the Office of the Secretary in one of the executive departments were also coded with a 1 if their department or a subcomponent carried out a policy listed in the President's document.

<sup>33</sup> The measure we use in our analysis looks at whether the specific bureau administers a policy related to the presidents' priorities. Subcomponents are not categorized as priorities simply because the president classifies the larger department as a priority.

<sup>34</sup> In the Bush Administration, 69 (6.3%) positions are coded as priorities. In the Obama Administration, 71 (6.5%) positions are coded as priorities. In the Trump Administration, 66 (5.8%) positions are coded as priorities. Performing a One-Way ANOVA test, we cannot reject the null hypothesis that the number of priority positions in each administration is the same.

agencies tend to slant liberal, slant conservative, or neither consistently in both Democratic and Republican administrations?”<sup>35</sup> They provided executives a list comprised of five to eight agencies related to the respondent’s work experience. Respondents rated agencies from 1-Liberal to 5-Conservative, and Richardson et al. used a Bayesian item-response model to aggregate responses. Since our data includes nominees from both Republican and Democratic presidents, we rescale the measure to reflect ideological distance (Mean 2.0; Min 0 – Max 3.87). The larger the value, the further away the agency is from the president.<sup>36</sup> We expect that positions within agencies that align more closely with presidents’ ideological preferences will receive nominations sooner. Since the effect of ideology may be influenced by whether the agency implements a policy on the president’s agenda, we also include an interaction of presidential priority and agency ideology.

Fourth and finally, in some cases, a lack of competent leadership creates an environment amenable to government failure (Lewis 2008). Seeking to avoid these situations, presidents may nominate individuals to lower capacity agencies sooner. However, the lack of time-series measures of workforce skills constrains our ability to assess this relationship. Accordingly, we are only able to estimate the relationship between workforce skills and nominations for the Trump Administration. To measure the level of agency capacity at the start of the Trump Administration, we use a measure of workforce skills from Richardson et al. (2018). The authors asked federal executives at the end of 2014 to answer the following question for five to eight agencies: “How skilled are the workforces of the following agencies?” using a five-point scale from “not at all skilled” to “very skilled.” These evaluations were also aggregated via a Bayesian item-response model to adjust for differences in the use of the scale by raters (Mean 0.15; SD 0.85; Min -1.99; Max 1.83). Our expectation is that presidents will invest less time and effort in agencies with high levels of existing skills.<sup>37</sup>

Other characteristics of specific positions or agency structure may influence the time it takes for a president to nominate an individual to a vacant position. We control for agency structure using binary indicators for whether the agency is a subcomponent of the Executive Office of the President (Mean: 0.02), part of a cabinet department (Mean: 0.68) or an independent commission (Mean: 0.16). In most models, we also include department-level fixed effects. We control for whether a commission nominee is also being nominated as chair (Mean: 0.02). Given their unique nature, we control for whether the position is an inspector general position (Mean: 0.03). To account for seniority, we include a control for position pay level using the Executive Schedule. The measure ranges from 0–5, where zero indicates that the position’s pay does not follow the Executive Schedule and five indicates the highest level of pay under the Executive Schedule (i.e., EX1; Mean 1.11; SD 1.34). Relatedly, we include an indicator for whether the position is a part-time position (Mean: 0.19; see Hogue et al. 2008). We also include indicators for positions requiring a great number of appointees such as ambassadors, U.S. marshals, and U.S. attorneys.<sup>38</sup> Since presidents may vary their nominations based on expectations

---

<sup>35</sup> Respondents were also provided a “Don’t know” option. Richardson et al. demonstrate that their measure is highly correlated with other measures across time, indicating the stability theorized to exist.

<sup>36</sup> Unfortunately, we lack common measures of presidential preferences that scale with agency preferences. This is a common problem with ideal-point measures in the bureaucracy literature (Clinton et al. 2012). Our configuration assumes that the lowest negative values are the closest to the presidents’ preferences and the highest positive values are the furthest from the presidents’ preferences. In the appendix, we test other configurations to demonstrate the robustness of our results.

<sup>37</sup> We have also estimated models with different functional forms for this measure and an interaction between this measure and presidential priority. In none of the cases could we reject the null that the inclusion of these extra terms improved the fit of the models.

<sup>38</sup> The dataset includes 540 ambassadors, 281 U.S. marshals, 279 U.S. attorneys, and 93 inspectors general.

about the capabilities and preferences of the congressional committees charged with confirming the nominees, we include fixed effects for congressional committees. Finally, we include indicators for the different presidential administrations (Proportion Bush: 0.33; Proportion Obama: 0.33).

The censoring of the dependent variable necessitates the use of Tobit models. We report robust standard errors adjusted for clustering at the department level. We include model estimates in Table 2. A negative coefficient in the table implies a quicker nomination and a positive coefficient should be interpreted as a nomination that takes a longer time. Model 2 is the primary specification. Given the time-to-nomination nature of the data, we also estimate Cox proportional hazard models. We report the Tobit model estimates in the text given ease of interpretation and similarity of the estimates but include the Cox model estimates in Appendix A.

Consistent with Hypothesis 1, we find evidence that presidents prioritize nominations to policy positions over management positions. In all three models, *Policy Position* reduces the time it takes for presidents to nominate an individual by approximately four months. This effect is the largest of the hypothesized relationships. In contrast, presidents take an additional month to nominate individuals to key management positions. This supports our theory that presidents prioritize substantive policymaking over managing the administrative state. Presidents want their appointees to begin drafting new pieces of legislation and changing internal agency policies as soon as possible. Although administrative capacity necessitates support from managers who understand finance, acquisitions, and personnel, presidents do not view these managers as valuable to their electoral goals. Nominations to these positions, therefore, get pushed to the backburner.

*Presidential priority* also has a significant effect on the time it takes a president to nominate an individual to fill a vacant position. The coefficient is negative and significant in all three models. The size of the coefficient varies across specifications but, even at its lowest, the average position in a priority agency receives a nomination more than 40 days sooner than positions in non-priority agencies. Consistent with our expectations in Hypothesis 2, presidents appear to prioritize filling leadership positions in agencies that implement their priorities.

The results are less clear for ideological distance. In the main specification, the estimates reveal that presidents take longer to nominate individuals to positions in agencies that are more ideologically distant. As Figure 1 illustrates, moving from an ideologically close agency to an ideologically distant agency increases the time to nomination by more than two months. For example, President Obama took an average of 134 days to nominate individuals to positions in the Environmental Protection Agency compared to an average of 191 days in the Department of Homeland Security.<sup>39</sup> In contrast, President Trump took an average of 384 days to nominate individuals to positions in the Environmental Protection Agency compared to an agency of 250 days in the Department of Homeland Security. The findings in these models comport with our expectations. However, we cannot reject the null of no effect in the final model where we control for agency skills and estimate the model on the subset of cases from the Trump Administration. Additionally, we find little evidence of a meaningful interaction between *Presidential Priority* and *Agency Ideology*.

---

**Table 2. Estimated Days to First Nomination, 2000-2016**

---

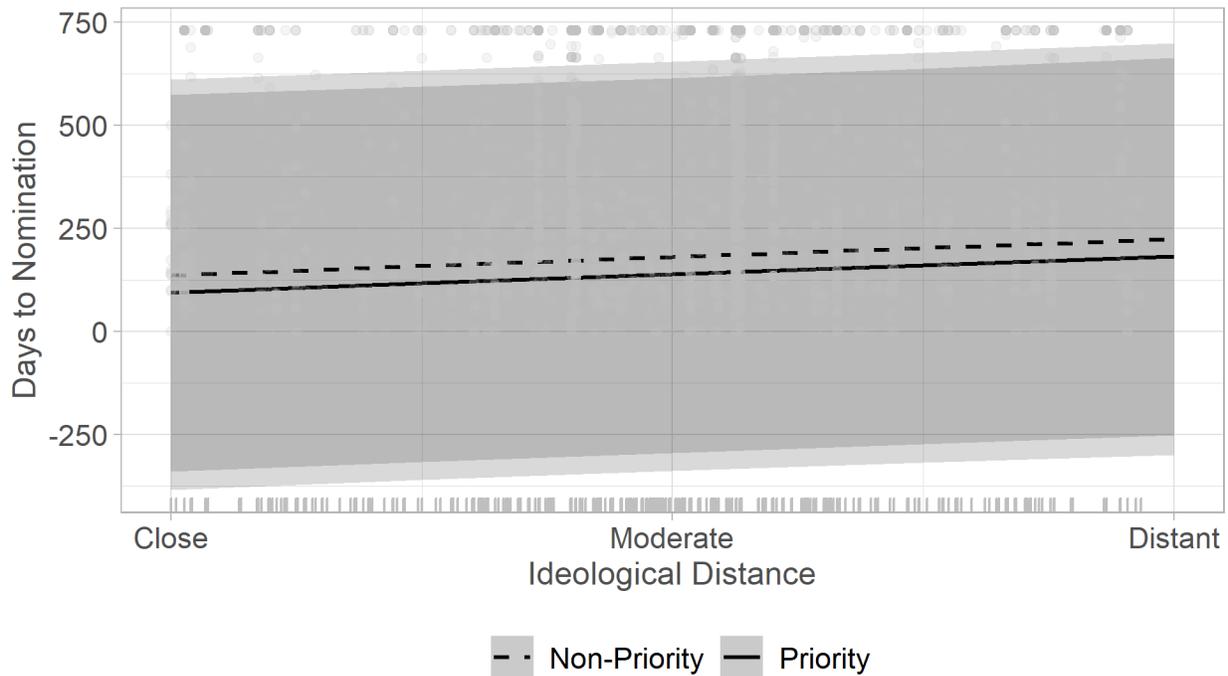
---

<sup>39</sup> In both the Obama and Trump Administrations, we coded EPA and DHS as priority agencies. The EPA had 13 vacant positions at the start of the Obama Administration and 14 at the start of the Trump Administration. DHS had 21 vacant positions at the start of the Obama Administration and 17 at the start of the Trump Administration.

	(1)	(2)	(3)
<b>Variable</b>			
<i>Hypothesized Relationships</i>			
Policy Position (0,1)	-138.71** (17.32)	-125.31** (19.96)	-121.82** (39.73)
Management Position (0,1)	24.27 (18.98)	48.98** (19.61)	60.63 (43.26)
Presidential Priority (0,1)	-69.17** (29.54)	-41.68 (33.03)	-164.15** (43.62)
Agency Ideology (0.00,3.87)	18.77** (8.54)	21.85** (9.72)	-0.39 (51.98)
Presidential Priority*Agency Ideology	3.12 (15.09)	-0.05 (15.54)	25.65 (20.81)
Agency Skills (-1.99,1.82)			71.67** (34.39)
<i>Agency Level Controls</i>			
EOP (0,1)	61.38** (15.33)	429.49** (33.00)	13.38 (41.73)
Commission (0,1)	-14.64 (35.67)	318.27** (38.18)	-435.10** (32.23)
<i>Position Level Controls</i>			
Inspector General (0,1)	410.78** (47.70)	435.18** (105.78)	114.43 (218.20)
Pay Level (0-5)	-100.15** (6.96)	-103.28** (7.46)	-128.70** (16.02)
Part Time (0,1)	226.19** (84.94)	169.94** (80.05)	220.59** (110.62)
<i>Administration Controls</i>			
Bush (0,1)	-113.60** (19.85)	-118.80** (17.30)	0.00 (0.00)
Obama (0,1)	-91.28** (15.24)	-92.68** (15.64)	0.00 (0.00)
Constant	570.38** (30.64)	299.06** (50.98)	864.71** (114.29)
Estimator	Tobit	Tobit	Tobit
Position-Type Controls	Yes	Yes	Yes
Department Level Fixed Effects	No	Yes	Yes
Committee Fixed Effects	No	Yes	Yes
N	2867	2867	937
Psuedo-R2	0.12	0.13	0.17

*Note:* \*significant at the 0.05 level ; +significant at the 0.10 level in two-tailed tests. All estimates use type HC0 standard errors clustered at the department level. Position-type controls include indicators for ambassadors, U.S. marshals, and U.S. attorneys. Goodness-of-fit for tobit models reported as McFadden's Pseudo-R2 (McFadden 1974).

**Figure 1. Predicted Effect of Ideological Distance on Days to First Nomination**



Note: Estimated impact of presidential priority and agency ideology based upon estimates from Model 2 in Table 2. Source: Nominations Data.

Our expectation was that the speed of nominations would be influenced by the overall capacity of the agency when the president assumed office. We find a positive relationship between *Agency Skills* and the number of days it takes for presidents to nominate an individual to the position. Presidents nominate individuals to the lowest skilled agencies four months sooner than an agency with average skills. Likewise, presidents take four months longer to nominate individuals to the highest skilled agencies.

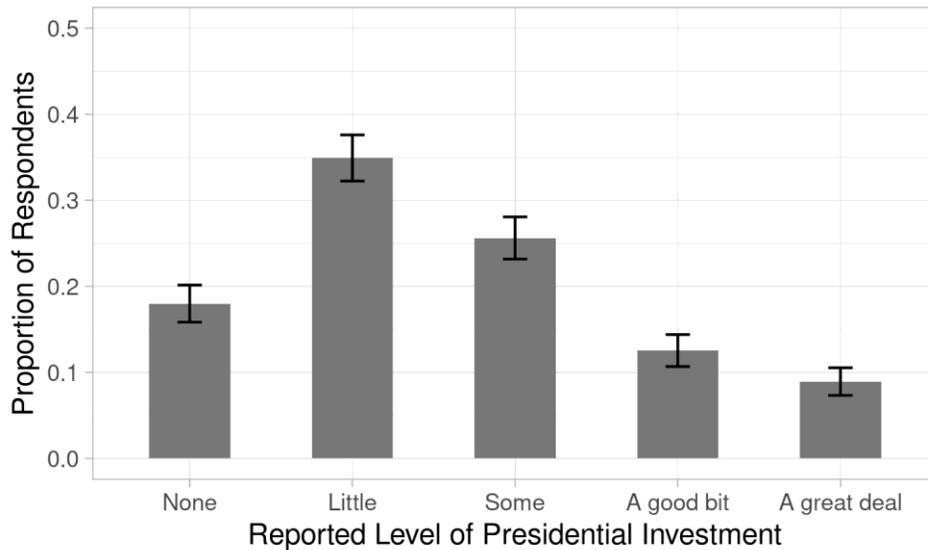
Our analysis of nominations suggests that policymaking drives presidents' investment decisions. Presidents strongly prioritize key policymaking positions over all other positions. Relatedly, they neglect management positions that have the potential to build capacity from within the agency. Ideological divergence appears to increase the time it takes for presidents to nominate an individual but further research is necessary to understand under what contexts ideology matters. Presidents also wait longer to fill positions in high-performing agencies or positions that perform managerial functions within an agency. In sum, presidents prioritize nominations to positions that provide them with the greatest utility in terms of policymaking. Are these kinds of investments perceived by agency leaders? We now turn to data to help us answer this question.

*2020 Survey on the Future of Government Service*

To evaluate perceptions of White House investment in capacity building, we use new data from a survey of agency leaders. This online survey was opened in June 2020 and completed in December 2020. The target population included all appointed and career federal executives. Specifically, it included all political appointees, all career members of the Senior Executive Service, Washington, DC based members of the Senior Foreign Service, and other high level career

professionals (e.g., GS14, GS15) with titles indicating key management responsibilities.<sup>40</sup> The survey included questions that measure concepts like capacity investments and degrees of political disagreement over agencies that are nearly impossible to measure with other existing data.<sup>41</sup> All analysis includes survey weights to adjust for differences between respondents and the target population (Keeter et al. 2017).<sup>42</sup>

**Figure 2. “How much effort do the following groups [White House] spend to ensure that [your agency] has what it needs to carry out its mission?”**



Note: N=1,216. Error bars show 95% confidence intervals. Source: 2020 *Survey on the Future of Government Service*.

To measure investment from the White House in agency capacity we use a question from the survey that asked respondents, “How much effort do the following groups spend to ensure that [your

<sup>40</sup> The sample is a census of Presidential Appointees with Senate Confirmation (PAS), presidential appointees without Senate confirmation (PA; excluding the immediate White House), Schedule C appointees (SC), members of the Senior Executive Service (both career and non-career; CA, NA), and members of the Senior Foreign Service (SFS). Senior federal employees included in the survey who do not hold a position listed above were identified by title. Specifically, the sample includes a census of employees whose titles are variants of Administrator, Commissioner, Secretary (e.g., Under Secretary, Deputy Secretary, Assistant Secretary), Chief or General Counsel, Chief of Staff, Chief Officers (e.g. Chief Executive Officer, Chief Financial Officer), Controller, President, Director (e.g., Deputy Director). The agencies included in the sample comprise the 15 executive departments, 7 agencies in the Executive Office of the President, and 68 independent agencies.

<sup>41</sup> The response rate of the survey was 9.1% (1,485 completed surveys out of 16,232) and 11.5% participation rate (1,861 complete or partial surveys out of 16,232). This is comparable to most public opinion surveys. Response rates for Gallup telephone surveys average about 7% (Marken 2018).

<sup>42</sup> The survey researchers created post-stratification weights using iterative proportional fitting, more commonly called raking. We used the sample drawn from the *Leadership Directories’* Federal Government database to create population marginals because the sample is primarily a census sample, meaning the sample is our best estimate of the population. The characteristics we used for weighting are: 1) Whether a respondent worked in the DC area (defined as the District of Columbia, Maryland, and Virginia); 2) Position type defined as political appointees, career members of the Senior Executive Service, member of the Senior Foreign Service, and career civil servant; 3) Workplace location in the executive branch defined as the Executive Office of the President, each executive department (separately), and independent agencies (as a whole).

agency] has what it needs to carry out its mission?” Each respondent’s self-identified workplace replaced “[your agency]” in the question wording. The response categories were “None,” “Little,” “Some,” “A good bit,” “A great deal,” and “Don’t know.” The survey asked respondents about the White House, congressional committees, political appointees, Republicans in Congress, and Democrats in Congress. Figure 2 includes the weighted responses to the question on White House efforts.

Respondents report very little White House effort to make sure that their agencies have what they need. More than half of federal executives report that the White House is exerting no effort or little effort to make sure the agency has what it needs. About 21 percent report that the White House is doing a good bit or a great deal to make sure the agency has what it needs to carry out its mission. By comparison, a little more than half of federal executives report that congressional committees are exerting a good bit or a great deal of effort. But there is variation across the executive establishment. For example, the average response in the International Trade Administration is 0.79 (Range: 0 to 4) compared to 3.4 in the Farm Service Agency. Nevertheless, this descriptive data reinforces the idea that the White House exerts little effort overall.

Our expectation is that the same factors that influence presidential priorities in nominations will be reflected in perceptions of White House attention and investment. We use the same measures of key independent variables for presidential priority (28%),<sup>43</sup> agency ideology,<sup>44</sup> and agency workforce skills as we did in the nominations analysis. We also include agency and individual-level controls appropriate for analysis of survey data. We include binary indicators for whether the respondent works in an agency in the Executive Office of the President (2%), part of an executive department—the Office of the Secretary (6%), a discrete bureau (61%), or other part (12%)<sup>45</sup>—or an independent commission (8%). The base category is a respondent working in an executive agency that is not a cabinet department. We control for distributive agencies by including an indicator for whether *usaspending.gov* reports the agency as having awarded any project grants in the year prior to the survey (59%). We include this control because presidents may pay more attention to agencies that give out particularistic benefits. In some specifications we also include fixed effects for the executive departments.

The respondents are also have individual characteristics that could affect access to the White House and perceptions about the president’s efforts. We include an indicator for whether the respondent is a political appointee (9%). We also measure party identification as a continuous variable ranging from 0 (Democrat) to 2 (Republican) (Mean 0.74; (0) Democrat: 47%; (1) Independent: 35%; (2) Republican: 18%). Our expectation is that appointees and Republicans are more likely to report White House support for the agency because the survey was fielded during a Republican administration.<sup>46</sup> As the respondent’s position and years of experience may shape their perception of White House effort, we also include controls for scope of responsibility for agency management and

---

<sup>43</sup> This variable, like agency ideology, is measured at the bureau level. Respondents working in an agency without bureaus were coded with a 1 if their agency carried out a policy mentioned in the president’s campaign document. Respondents working in the Office of the Secretary in one of the executive departments were also coded with a 1 if their department or a subcomponent carried out a policy listed in the President’s document.

<sup>44</sup> Since we have only one administration, there is no need to recode the original measure of agency ideology from Richardson et al. (2018).

<sup>45</sup> Within larger agencies, there are many respondents that work in parts of the agency that are neither part of a large bureau nor the Office of the Secretary or the Office of the Administrator or Chair. Rather, they work in small offices or divisions like the Office of the Chief Financial Officer, the Board of Appeals, or the Office of the Deputy Secretary.

<sup>46</sup> We have also estimated models controlling for the respondent’s self-reported ideology on a 7-point scale and the results are similar.

years of experience. We measure scope of responsibility with a question from the survey that asks respondents whether they “deal directly deal with decisions” regarding eight different managerial responsibilities.<sup>47</sup> We count the number of “yes” answers to these questions and assume that respondents with more responsibility will have a greater understanding of the role of the White House (Mean 3.36; SD 1.75; Min 0; Max 7). To measure experience, we include responses to a question asking respondents “how many years, in total, have you been employed” in federal government (Mean 22.90; SD 10.94; Min 0, Max 50).

Given the data structure, we estimate different types of models.<sup>48</sup> First, given the data are ordered and categorical, we estimate ordered logit models. Second, given the nature of this survey data, there are respondents nested within agencies. We hierarchical ordered logit models for workplaces.<sup>49</sup> We report robust standard errors adjusted for clustering on workplace.

We include model estimates in Table 3. The estimates reveal robust relationships between agency ideology and investment. The effect of *Presidential Priority* depends partly upon whether the agency shares the president’s views about policy or not. We cannot reject the null that *Agency Skills* has no influence on presidential investment choices. Thus, the estimates suggest that presidents are strategic in their investments, although not necessarily attentive to the existing capacity of agencies when making their choices.

---

<sup>47</sup> The responsibilities included in the question are: (1) Information management (e.g., Information Technology, Database Management); (2) Grants to state or local governments, other organizations, or individuals; (3) Deciding what enforcement responsibilities to prioritize; (4) Human resources; (5) Budget formulation/proposals; (6) Setting overall priorities in [your agency]; (7) Procurement and contract management; and (8) Developing Notices of Proposed Rulemaking, summarizing related comments, and writing final rules.

<sup>48</sup> In addition, we note that the scale may be censored since it does not provide a way for federal executives to report that the White House was doing less than nothing to ensure the agency had what it needs to fulfill its core mission (i.e., actively working against the agency). While there does not appear to be any clustering of responses in the end categories, we also estimate Tobit models assuming censoring at 0 on the dependent variable. It is also important to remember that the important variation is at the agency-level rather than respondent-level.

<sup>49</sup> The ICC for hierarchical model is 0.00, suggesting it may not be much of an improvement over the model if individual level responses.

**Table 3. Ordered Logit Models of Federal Executive Responses to Question, "How much effort do the following groups [White House] spend to ensure that [your agency] has what it needs to carry out its mission?", 2020**

Variable	(1)		(2)		(3)	
	B	SE	B	SE	B	SE
<i>Hypothesized Relationships</i>						
Presidential Priority (0,1)	0.14	0.25	0.36	0.20+	0.42	0.26
Agency Ideology (L-C)	0.46	0.15*	0.69	0.17*	0.47	0.16*
Presidential Priority*Agency Ideology	0.28	0.22	0.40	0.20*	0.52	0.25*
Agency Skills (Low to High)	0.07	0.12	0.12	0.14	0.05	0.12
<i>Agency Level Controls</i>						
Executive Office of the President (0,1)	0.66	0.35+	0.79	0.50	1.16	1.13
Executive Department						
Office of the Secretary (0,1)	-0.30	0.35	-0.59	0.48	-0.32	0.28
Distinct Bureau (0,1)	-0.72	0.25*	-1.19	0.28*	-0.49	0.22*
Independent Commission (0,1)	-0.78	0.40+	-0.85	0.49+	-0.13	0.42
Agency Giving Grants (0,1)	0.43	0.22+	0.37	0.24	0.55	0.20*
<i>Individual Level Controls</i>						
Appointee (0,1)	1.34	0.36*	1.43	0.36*	0.99	0.48*
Party ID (D, I, R)	0.59	0.11*	0.58	0.11*	0.28	0.13*
Scope of Responsibility (0 to 7)	0.08	0.04+	0.09	0.05+	0.05	0.05
Years of Government Experience	0.01	0.01	0.01	0.01	0.01	0.01
Constant					1.04	0.35*
Estimator	Logit		Logit		Logit	
Department Level Fixed Effects	No		Yes		No	
Random Intercepts for Agency	No		No		Yes	
Sampling Weights	Yes		Yes		No	
Wald Test for Interaction (1 df)	1.66		3.91*		4.18*	
N	866		862		905	
Number of Groups	143		143		143	
Wald Test (13, 28, 13 df)	91.96*		244.9*		47.8*	

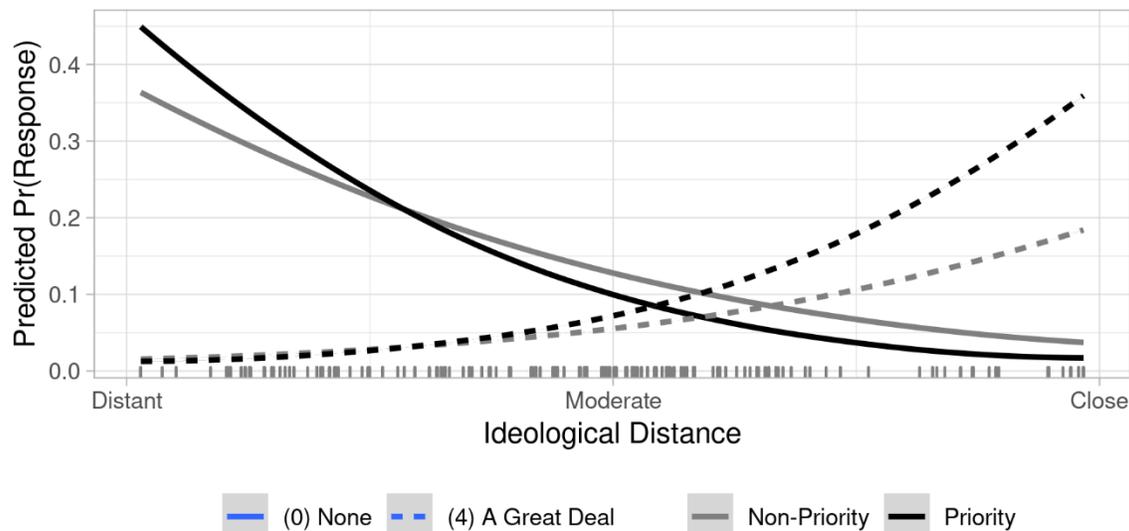
Note: \*significant at the 0.05 level; +significant at the 0.10 level in two-tailed tests. Response categories: None (0), Little (1), Some (2), A good bit (3), A great deal (4). All models estimated with robust fixed effects adjusted for clustering on agency. Cutpoint estimates omitted. The ICC for hierarchical model is 0.00. Source: 2020 Survey on the Future of Government Service.

As a face validity check, we note that the estimates suggest that presidents invest less effort in independent commissions. Appointees, Republicans, and those with the greatest responsibilities perceive the most presidential effort to support their agencies. Model estimates suggest that respondents in independent commissions are about 11 percentage points less likely to report “a good bit” or “great deal” of White House effort to make sure their agencies had what they need to carry out their mission. Appointees are close to 18 percentage points more likely to report this level of support from the White House and Republicans 15 percentage points. Each additional managerial responsibility is estimated to increase the probability a respondent gives a “good bit” or “great deal” response by 1 percentage point.

While executives in the departments dealing with the military and veterans reported more presidential involvement, other agencies implementing policies that were presidential priorities during the campaign did not do so as consistently. While all of the coefficients on presidential priority are positive, they are not estimated precisely. The effect becomes clearer when we disentangle the impact of priority by the policy views of different agencies. The effect of priority was different for liberal and conservative agencies. If an agency had a reputation for being conservative, implementing a policy

that was a presidential priority was estimated to *increase* the perception of presidential investment. By contrast, presidential priority *decreased* perceptions of White House investment for respondents in the most liberal agencies.

**Figure 3. Predicted Effect of Agency Ideology and Priority**



Note: Figure uses the specification from Model 2 to estimate predicted probabilities.

This is seen most clearly in Figure 3 which graphs the estimated impact of agency ideology and priority. Federal executives in a high priority liberal agency (e.g., USAID) are estimated to report about 0.10 *less* White House support than executives in liberal agencies that are not a priority for the president (e.g., Wage and Hour Division). By contrast, an executive in a high priority conservative agency (e.g. Navy) is estimated to report about 0.60 more White House support on average than a respondent in a conservative agency that is a lower priority for the president (e.g., National Nuclear Security Administration). The interaction of presidential priority and ideology highlights the fact that just because something is a priority of the president does not mean the president wants to build capacity. In some cases, as with President Trump and the Environmental Protection Agency, an agency being a presidential priority meant less support for capacity building rather than more.

Our expectation was that presidents’ investment choices would be influenced by the overall capacity of the agency when the president assumed office. We find no relationship between *Agency Skill* and White House effort. The coefficient estimates are consistently near 0 and estimated imprecisely. The estimates suggest that investment choices are driven more by political considerations than measures of workforce capacity.<sup>50</sup>

Overall, the survey data suggests that the White House is doing very little investing overall. Where they invest depends upon the policy views of the agencies and whether the agency is a presidential priority. The impact of getting on the president’s agenda, however, differs depending upon

<sup>50</sup> This finding also raises the question of how much the White House itself knows about which agencies are working well or poorly given the poor quality of data on performance and workforce skill collected by the U.S. government (Lewis 2019; Resh et al. 2021).

the ideology of the agency. The president also was marginally less likely to invest effort in building capacity in agencies that were the subject of regular partisan fighting.

## Discussion

In the past century, Congress and presidents have created an immense administrative state to deliver benefits to the elderly and the poor, mitigate natural hazards, and protect American citizens from national-security risks. Managing these programs requires effective leaders, skilled careerists, sufficient budgets, and efficient organizations. As head of the executive branch, presidents are the natural choice to build capacity across the agencies of the administrative state. Overall, however, we find little evidence that presidents spend significant time investing in capacity. Instead, presidents prioritize investment in agencies capable of producing policy relevant to their agendas.

Our empirical analysis suggests that presidents build capacity in the agencies with the greatest chance of contributing to presidents' primary goals: ensuring reelection for themselves and preserving a historical legacy. Presidents prioritize nominations for policymaking over management positions, suggesting that concerns about substantive policymaking influence presidential behavior more than general management of the administrative state. Additionally, we observe that presidents nominate individuals sooner in agencies that implement policies related to presidential priorities and in agencies that share presidents' ideological preferences.

Federal executives report similar beliefs about where presidents invest time in building capacity. Executives in agencies related to presidential priorities and those in agencies ideologically closer to the president report higher levels of investment. Both sets of findings are consistent with our description of how presidents strategically build capacity when these investments advance their own electoral interests.

Our findings have significant implications for extant theories of the presidency and the bureaucracy. As we described, existing theories assume that presidents either engage in persistent monitoring and investment (Lewis 2003; Moe 1990; Neustadt 1960) or make investment decisions based primarily on ideological considerations (Durant 1992; Herd and Moynihan 2019; Richardson 2019). Our findings challenge these assumptions by asserting an alternative: Neglect—not investment—is the norm. Of course, certain elements of the previous theories remain. Presidents want to avoid public failures (Achen and Bartels 2016), and ideological incentives *do* play a role in whether they exert effort building capacity within a particular agency (Benn 2019). However, most agencies receive no attention from the White House and, therefore, lack the capacity to implement the tasks entrusted to the executive branch by Congress.

One hopeful interpretation of these results is that presidents invest little time and effort because other actors are investing significant time and effort themselves, whether political appointees or members of Congress. For example, do presidents select appointees with an eye toward performance and charge them with securing the necessary capacity? Federal executives do report higher levels of investment from these actors but the current political dysfunction in the United States affects investments by these actors as well. Appointees, if nominated and confirmed—a big if—have sufficient opportunities to streamline processes and advocate for investments within the agency. Yet we do not observe presidents appointing individuals to the management positions most capable of investing in capacity. Moreover, the appointments process is broken, characterized by delayed nominations and slow confirmations. Once confirmed, appointees prioritize what the president prioritizes and this is substantive policymaking over management. Appointees also have even shorter time horizons than the president and this influences their incentives and ability to invest in capacity

building. Appointees serve about two years on average and enter with 2-3 goals they hope to accomplish during their short tenure. Rarely do those goals include capacity building.

Between budgeting, oversight, and lawmaking, members of Congress have perhaps the greatest ability and obligation to build capacity. And, in times past, members of Congress with secure electoral prospects and majorities devoted greater attention to building agency capacity. But polarization, slim majorities, and regular transitions have diminished this trend. Members of Congress are allocating less time to the work of day-to-day oversight and are reluctant to cooperate to accomplish shared goals for fear that such cooperation will impact the electoral prospects of themselves and their party.

Normatively, the lack of investment raises questions about the role of government and representation. A traditional justification of the state concerns its ability to resolve collective-action problems and mitigate harms facing the public. Congress and the president may appease interest groups and the voting public by creating programs that target their concerns, but the passage of these policies is merely symbolic if the implementing agency lacks the capacity to achieve the desired outcomes. Although the existence of a program may create the appearance of protection from a particular harm, neglect and decay within the agency may hinder its implementation in the event of a disaster. Indeed, the COVID-19 pandemic has recently revealed the cracks in America's public-health agencies. If presidents invest effort into policymaking but not into building capacity the implementing agencies need to manage the programs, then we may question whose interests presidents truly represent.

## **Conclusion**

The American administrative state exists to manage a portfolio of risks (M. Lewis 2018). Article II of the Constitution sets up presidents as chief executives, providing them authority to nominate principal officers, request their opinions in writing, and do whatever “chief executives do” to ensure that federal bureaucracy has sufficient resources to implement the program designed to protect citizens from harm. Yet, our findings suggest that presidents devote little time and effort to building and preserving the infrastructure of the administrative state and many agencies are persistently neglected.

Many questions surround the politics of bureaucratic capacity in the American context. This paper only addresses a few of them. We note several possible questions that merit additional attention. The first question concerns presidents' intent with respect to neglect. Most neglect likely stems from presidents' disinterest in a particular agency rather than an active desire to undermine the agency's performance. Yet our findings suggest that presidents may engage in greater neglect of priority agencies with ideologically-divergent preferences. Additional theorizing and testing may provide greater insights into when neglect stems from ambivalence versus malicious efforts to undermine agency capacity.

The second question concerns the actions of agency officials. Although federal executives play a central role in our story, our narrative of presidential investment provides them little autonomy. How do career executives advocate on behalf of their agency to protect capacity? In times of diminished capacity, how do these officials decide which programs will receive the greatest resources? These questions acknowledge that long-serving career professionals play a role in both preserving their capacity and distributing it between the many programs they manage (Carpenter 2001). Indeed public management curricula regularly include discussions of the “political management” necessary to secure support from key stakeholders, including elected officials (Long 1949; Moore 1995).

Understanding these phenomena may further help understand why federal executives either allow or cannot prevent failure.

The third and final question concerns investments by other government actors. Members of Congress seek to claim credit by encouraging the bureaucracy to procure goods from their constituents, to begin projects in their districts, and to expedite processing on constituents' cases. Do these incentives encourage members of Congress to build capacity in agencies that deliver particularistic goods over those that deliver collective goods? We would expect so. Courts also play a role in preserving capacity. Agency activities must comport with constitutional and statutory obligations. When a lack of agency resources infringes on individual rights—particularly in contexts involving prisoners and detained immigrants—courts rule against agency action. Additional research would uncover the linkages between courts, the Constitution, and capacity.

## Bibliography

- Achen, Christopher H., and Larry M. Bartels. 2016. *Democracy for Realists: Why Elections Do Not Produce Responsive Government*. Princeton, NJ: Princeton University Press.
- Arnold, R. Douglas. 1979. *Congress and the Bureaucracy: A Theory of Influence*. New Haven, CT: Yale University Press.
- Arnold, Peri E. 1998. *Making the Managerial President: Comprehensive Reorganization Planning, 1906-1996*. 2d ed. Lawrence, KS: University Press of Kansas.
- Benn, Annie. 2019. "Tying Hands: Strategic Incentives to Undermine Bureaucratic Capacity." Manuscript, UC Berkeley.
- Bertelli, Anthony, and Sven E Feldmann. 2007. "Strategic Appointments." *Journal of Public Administration Research and Theory* 17(1): 19–38.
- Brehm, John, and Scott Gates. 1999. *Working, Shirking, and Sabotage: Bureaucratic Response to a Democratic Public*. Ann Arbor, MI: The University of Michigan Press.
- Bolton, Alexander, Rachel Augustine Potter, and Sharece Thrower. 2016. "Organizational Capacity, Regulatory Review, and the Limits of Political Control." *Journal of Law, Economics, and Organizations* 32(2): 242–71.
- Bolton, Alexander, and Sharece Thrower. 2021. *Legislative Capacity, Executive Power, and the Dynamics of Separation of Powers Politics*. Forthcoming.
- Brehm, John, and Scott Gages. 1999. *Working, Shirking, and Sabotage*. Ann Arbor: University of Michigan Press.
- Carpenter, Daniel P. 2001. *The Forging of Bureaucratic Autonomy: Reputations, Networks, and Policy Innovation in Executive Agencies, 1862-1928*. Princeton, NJ: Princeton University Press.
- Chertoff, Michael, James Loy, John Pistole, and Christian Marrone. 2017. "Trump's Unbalanced Homeland Security Budget." *The Atlantic*. March 23, <https://www.theatlantic.com/politics/archive/2017/03/trump-budget-department-of-homeland-security/520512>.
- Clinton, Joshua D. and David E. Lewis. 2008. "Expert Opinion, Agency Characteristics, and Agency Preferences." *Political Analysis* 16(1): 3-20.
- Clinton, Joshua D., Anthony Bertelli, Christian R. Grose, David E. Lewis, and David C. Nixon. 2012. "Separated Powers in the United States: The Ideology of Agencies, Presidents, and Congress." *American Journal of Political Science* 56(2): 341–54.
- Cohen, Jeffrey E. 2012. *The President's Legislative Policy Agenda, 1789-2002*. New York, NY: Cambridge University Press.

- Davis, Christopher M., and Michael Greene. 2017. *Presidential Appointee Positions Requiring Senate Confirmation and Committees Handling Nominations*. CRS Report RL30959, May 3, 2017 (<https://fas.org/sgp/crs/misc/RL30959.pdf>, accessed December 16, 2019).
- Deacon, Daniel T. 2010. "Deregulation Through Nonenforcement." *New York University Law Review* 59: 795–828.
- Dearborn, John A. 2021. *Power Shifts: Congress and Presidential Representation*. Chicago: University of Chicago Press.
- Delli Carpini, Michael X., and Scott Keeter. 1996. *What Americans Know About Politics and Why It Matters*. New Haven, CT: Yale University Press.
- DiIulio, John J. Jr. 2014. *Bring Back the Bureaucrats: Why More Federal Workers Will Lead to Better (and Smaller!) Government*. West Conshohocken, PA: Templeton Press.
- Downs, Anthony. 1964. *Inside Bureaucracy*. Boston, MA: Little, Brown, and Company.
- Durant, Robert F. 1992. *The Administrative Presidency Revisited: Public Lands, the BLM, and the Reagan Revolution*. Albany, NY: State University of New York Press.
- Epstein, D. and S. O'Halloran. 1999. *Delegating Powers*. New York, NY, Cambridge University Press.
- Gailmard, Sean, and John W. Patty. 2013. *Learning While Governing: Expertise and Accountability in the Executive Branch*. Chicago, IL: University of Chicago Press.
- Freeman, Jody, and Sharon Jacobs. 2021. "Structural Deregulation." *Harvard Law Review* 135: 585-665.
- Freeman, Jody, and Jim Rossi. 2012. "Agency Coordination in Shared Regulatory Space." *Harvard Law Review* 125(5):1131-1211.
- Friedersdorf, Conor. 2020. "Trump Defended Cuts to Public-Health Agencies, On Video." *Government Executive*. May 18, <https://www.govexec.com/management/2020/03/trump-defended-cuts-public-health-agencies-video/163872>.
- Fukuyama, Francis. 2014. "America in Decay: The Sources of Political Dysfunction." *Foreign Affairs*. September/October 2014, <https://www.foreignaffairs.com/articles/united-states/2014-08-18/america-decay>.
- Haeder, Simon F, and Susan Webb Yackee. 2018. "Presidentially Directed Policy Change: The Office of Information and Regulatory Affairs as Partisan or Moderator?" *Journal of Public Administration Research and Theory* 28(4): 475–88.
- Healy, Andrew, and Neil Malhotra. 2009. "Myopic Voters and Natural Disaster Policy." *American Political Science Review* 103(3):387-406.

- Heinzerling, Lisa. 2014. "Inside EPA: A Former Insider's Reflections on the Relationship Between the Obama EPA and the Obama White House." *Pace Environmental Law Review* 31(1): 325–69.
- Herd, Pamela, and Donald P. Moynihan. 2019. *Administrative Burden: Policymaking by Other Means*. New York, NY: Russell Sage Foundation.
- Hogue, Henry B. 2003. *Presidential Appointee Positions Requiring Senate Confirmation and Committees Handling Nominations*. CRS Report RL30959, October 27, 2003 ([https://www.everycrsreport.com/files/20031027\\_RL30959\\_dfd4157bf54c3547fc8a715c2b4854e44f75bf4f.pdf](https://www.everycrsreport.com/files/20031027_RL30959_dfd4157bf54c3547fc8a715c2b4854e44f75bf4f.pdf), accessed May 23, 2020).
- Hogue, Henry B., Maureen Bearden, and Terrence L. Lisbeth. 2008. *Presidential Appointee Positions Requiring Senate Confirmation and Committees Handling Nominations*. CRS Report RL30959, March 18, 2008 ([https://www.everycrsreport.com/files/20080318\\_RL30959\\_e8d2689f3bc242b49ac39eaf01db4de564fba6a9.pdf](https://www.everycrsreport.com/files/20080318_RL30959_e8d2689f3bc242b49ac39eaf01db4de564fba6a9.pdf), accessed January 26, 2020).
- Hollibaugh, Gary E. Jr, Gabe Horton, and David E. Lewis. 2014. "Presidents and Patronage." *American Journal of Political Science* 58(4):1024-42.
- Howard, Christopher. 2007. *The Welfare State Nobody Knows: Debunking Myths about U.S. Social Policies*. Princeton, NJ: Princeton University Press.
- Howell, William G. 2003. *Power Without Persuasion: The Politics of Direct Presidential Action*. Princeton, NJ: Princeton University Press.
- Huber, John D., and Nolan M. McCarty. 2004. "Bureaucratic Capacity, Delegation, and Political Reform." *American Political Science Review* 98(3):481-94.
- Huber, John D., and Charles R. Shipan. 2002. *Deliberate Discretion?* New York: Cambridge University Press.
- Iafolla, Robert. 2020. "More than Half of NLRB Regional Offices Have Top-Level Vacancies." *Bloomberg Law*. March 4, <https://news.bloomberglaw.com/daily-labor-report/more-than-half-of-nlrb-regional-offices-have-top-level-vacancies>.
- Kagan, Elena. 2001. "Presidential Administration." *Harvard Law Review* 114:2245-2385.
- Katz, Eric. 2019. "Mulvaney: Relocating Offices is a 'Wonderful Way' to Shed Federal Employees." *Government Executive*. Aug. 5, <https://www.govexec.com/workforce/2019/08/mulvaney-relocating-offices-wonderful-way-shed-federal-employees/158932>.
- Kent, Andrew, Ethan J. Leib, and Jed Handelsman Shugerman. 2019. "Faithful Execution and Article II." *Harvard Law Review* 132(8): 2111–92.
- Kinane, Christina M. 2021. "Control without Confirmation: The Politics of Vacancies in Presidential Appointments." *American Political Science Review*: 1–16.

- Kriner, Douglas L., and Andrew Reeves. 2015. *The Particularistic President: Executive Branch Politics and Political Inequality*. New York: Cambridge University Press.
- Kumar, Martha Joynt. 2015. *Before the Oath: How George W. Bush and Barack Obama Managed a Transfer of Power*. Baltimore: Johns Hopkins University Press.
- Lewis, David E. 2019. "Deconstructing the Administrative State." *Journal of Politics* 81(3): 767–89.
- 2008. *The Politics of Presidential Appointments*. Princeton, NJ: Princeton University Press.
- 2003. *Presidents and the Politics of Agency Design: Political Insulation in the United States Government Bureaucracy, 1946-1997*. Palo Alto, CA: Stanford University Press.
- Lewis, Michael. 2018. *The Fifth Risk*. New York, NY: W.W. Norton & Company.
- Light, Paul C. 2008. *A Government Ill Executed: The Decline of the Federal Service and How to Reverse It*. Cambridge, MA: Harvard University Press.
- Long, Norton E. 1949. "Power and Administration." *Public Administration Review* 9(4):257-64.
- Mackenzie, G. Calvin. 1981. *The Politics of Presidential Appointments*. New York: Free Press.
- Malhotra, Neil, and Alexander G. Kuo. 2008. "Attributing Blame: The Public's Response to Hurricane Katrina." *Journal of Politics* 70(1): 120–35.
- McGarity, Thomas O. 1992. "Some Thoughts on 'Deossifying' the Rulemaking Process." *Duke Law Review* 41(6): 1385–1462.
- Mettler, Suzanne. 2011. *The Submerged State*. Chicago, IL: University of Chicago Press.
- Metzger, Gillian E. 2017. "1930s Redux: The Administrative State Under Siege." *Harvard Law Review* 131: 1-95.
- Moe, Terry M. 1990. "Political Institutions: The Neglected Side of the Story--Comment." *Journal of Law, Economics, and Organization* 6(Special): 263–66.
- 1989. "The Politics of Bureaucratic Structure." In *Can the Government Govern?*, eds. John E. Chubb and Paul E. Peterson. Washington, DC: The Brookings Institution, 267–329.
- 1985. "The Politicized Presidency." In *The New Direction in American Politics*, eds. John Chubb and Paul E. Peterson. Washington, DC: The Brookings Institution, 235–71.
- Moore, Mark H. 1995. *Creating Public Value: Strategic Management in Government*, Revised ed. Cambridge, MA: Harvard University Press.
- Moynihan, Donald, and Alasdair Roberts. 2020. "Dysfunction by Design: Trumpism As Administrative Doctrine." *Public Administration Review* 81(February): 152–56.

- Neustadt, Richard E. *Presidential Power and the Modern Presidents: The Politics of Leadership from Roosevelt to Reagan*. New York, NY: The Free Press.
- O’Connell, Anne Joseph. 2008. “Political Cycles of Rulemaking: An Empirical Portrait of the Modern Administrative State.” *Virginia Law Review* 94(4): 889–986.
- 2020. “Actings.” *Columbia Law Review* 120: 613–728.
- Pasachoff, Eloise. 2016. “The President’s Budget as a Source of Agency Policy Control.” *Yale Law Journal* 125: 2182–2290.
- Pfiffner, James P. 1996. *The Strategic Presidency: Hitting the Ground Running, 2<sup>nd</sup> Revised Edition*. Lawrence: University Press of Kansas.
- Potter, Rachel Augustine. 2019. *Bending the Rules: Procedural Politicking in the Bureaucracy*. Chicago, IL: University of Chicago Press.
- Potter, Rachel Augustine. 2020. “Providing Political Guidance? Agency Politicization and ‘As If’ Policymaking.” *Journal of Political Institutions and Political Economy* 1(1): 1–26.
- Powell, Tyler, and David Wessel. 2020. “How is the U.S. Postal Service Governed and Funded?” *Brookings*. August 26, <https://www.brookings.edu/blog/up-front/2020/08/26/how-is-the-u-s-postal-service-governed-and-funded>.
- Resh, William, Tima Moldogaziev, Sergio Fernandez, and Colin Angus Leslie. 2021. “Reversing the Lens: Assessing the Use of Federal Employee Viewpoint Survey in Public Administration Research.” *Review of Public Personnel Administration* 41(1):132-162.
- Richardson, Mark D. 2019. “Politicization and Expertise: Exit, Effort, and Investment.” *Journal of Politics* 81(3): 878–91.
- Richardson, Mark D., Joshua D. Clinton, and David E. Lewis. 2018. “Elite Perceptions of Agency Ideology and Workforce Skill.” *Journal of Politics* 80(1):303-8.
- Roos, Robert. 2013. “CDC Preparedness Funds Take Hit in Proposed 2014.” *Center for Infectious Disease Research and Policy*. April 10, <https://www.cidrap.umn.edu/news-perspective/2013/04/cdc-preparedness-funds-take-hit-proposed-2014-budget>.
- Skocpol, Theda, and Kenneth Finegold. 1982. “State Capacity and Economic Intervention in the Early New Deal Author.” *Political Science Quarterly* 97(2): 255–78.
- Skowronek, Stephen, John A. Dearborn, and Desmond King. 2021. *Phantoms of a Beleaguered Republic: The Deep State and the Unitary Executive*. New York: Oxford University Press.
- Thrower, Sharece. 2018. “Policy Disruption Through Regulatory Delay in the Trump Administration.” *Presidential Studies Quarterly* 48(3): 517–36.

- Verkuil, Paul R. 2017. *Valuing Bureaucracy: The Case for Professional Government*. New York: Cambridge University Press.
- Wadhia, Shoba Sivaprasad. 2012. "In Defense of DACA, Deferred Action, and the DREAM Act." *Texas Law Review* 91: 59–71.
- Williams, Martin J. 2021. "Beyond State Capacity: Bureaucratic Performance, Policy Implementation and Reform." *Journal of Institutional Economics* 17: 339-57.
- Yackee, Jason Webb, and Susan Webb Yackee. 2010. "Administrative Procedures and Bureaucratic Performance: Is Federal Rule-Making 'Ossified?'" *Journal of Public Administration Research and Theory* 20(2): 261–82.

## Appendix A: Estimated Days to First Nomination, 2000-2016, Cox Models

	(1)	(2)	(3)
<i>Hypothesized Relationships</i>			
Policy Position (0,1)	2.17* (0.14)	1.97* (0.15)	1.59* (0.19)
Management Position (0,1)	0.87 (0.11)	0.69* (0.12)	0.52* (0.20)
Presidential Priority (0,1)	1.42+ (0.19)	1.13 (0.18)	2.34* (0.17)
Agency Ideology (0.00, 3.87)	0.94 (0.03)	0.90* (0.04)	1.04 (0.25)
Presidential Priority*Agency Ideology	0.96 (0.07)	0.98 (0.06)	-0.38* (0.17)
Agency Skills (-1.99,1.82)			0.78+ (0.15)
<i>Agency Level Controls</i>			
EOP (0,1)	0.74* (0.11)		
Commission (0,1)	0.92 (0.10)		
<i>Position Level Controls</i>			
Inspector General (0,1)	0.18* (0.22)	0.10* (0.75)	1.17 (0.88)
Pay Level (0-5)	1.58* (0.03)	1.79* (0.08)	1.87* (0.14)
Part Time (0,1)	0.52+ (0.35)	0.65 (0.32)	0.35 (0.73)
<i>Administration Controls</i>			
Bush (0,1)	1.61* (0.10)	1.87* (0.10)	
Obama (0,1)	1.42* (0.06)	1.48* (0.06)	
Estimator	Cox	Cox	Cox
Position-Type Controls	Yes	Yes	Yes
Department Level Strata	No	Yes	Yes
Committee Strata	No	Yes	Yes
Observations	2,867	2,867	937
LR Test	956.60* (df = 15)	658.81* (df = 13)	199.60* (df = 12)

*Note:* \*significant at the 0.05 level ; +significant at the 0.10 level in two-tailed tests. Coefficients reported as hazard ratios. All estimates report standard errors clustered at the department level. Position-type controls include indicators for ambassadors, U.S. marshals, and U.S. attorneys.

**Appendix B. Tobit Models of Federal Executive Responses to Question, "How much effort do the following groups [White House] spend to ensure that [your agency] has what it needs to carry out its mission?", 2020**

Variable	(1)		(2)		(3)	
	B	SE	B	SE	B	SE
<i>Hypothesized Relationships</i>						
Presidential Priority (0,1)	0.07	0.17	0.23	0.12 <sup>+</sup>	-0.03	0.15
Agency Ideology (L-C)	0.30	0.10*	0.46	0.11*	0.28	0.09*
Presidential Priority*Agency Ideology	0.21	0.15	0.29	0.13*	0.23	0.12 <sup>+</sup>
Agency Skills Rating (Low to High)	0.03	0.08	0.07	0.08	-0.05	0.09
<i>Agency Level Controls</i>						
Executive Office of the President (0,1)	0.46	0.25 <sup>+</sup>	0.47	0.32	0.44	0.18*
Executive Department						
Office of the Secretary (0,1)	-0.22	0.22	-0.39	0.29	0.04	0.22
Distinct Bureau (0,1)	-0.53	0.16*	-0.78	0.17*	-0.46	0.12*
Independent Commission (0,1)	-0.51	0.26 <sup>+</sup>	-0.54	0.30 <sup>+</sup>	-0.46	0.20*
Agency Giving Grants (0,1)	0.33	0.15*	0.28	0.15 <sup>+</sup>	0.29	0.12*
<i>Individual Level Controls</i>						
Appointee (0,1)	0.86	0.23*	0.88	0.22*	0.41	0.52
Party ID (D, I, R)	0.38	0.07*	0.36	0.07*	0.44	0.14*
Scope of Responsibility (0 to 7)	0.05	0.03 <sup>+</sup>	0.05	0.03 <sup>+</sup>	0.05	0.07
Years of Government Experience	0.01	0.01	0.01	0.01	0.00	0.01
Number of Agency Resp.					0.01	0.00 <sup>+</sup>
Constant	1.02	0.20*	1.11	0.24*	1.22	0.38*
Estimator	Tobit		Tobit		OLS	
Department Level Fixed Effects	No		Yes		--	
Unit of Analysis	Indiv.		Indiv.		Agency	
Sampling Weights	Yes		Yes		Yes	
Wald Test for Interaction (1 df)	2.10		5.35*		3.52 <sup>+</sup>	
N	866		866		140	
Number of Groups	143		143		--	
F-Test (13, 28, 14 df)	8.09*		12.08*		4.85*	

Note: \*significant at the 0.05 level; <sup>+</sup>significant at the 0.10 level in two-tailed tests. Response categories: None (0), Little (1), Some (2), A good bit (3), A great deal (4). All models estimated with robust fixed effects adjusted for clustering on agency. There were 163 left-censored cases in both Model 1 and Model 2. Model (3) of agency averages includes the number of respondents making up the average both as a covariate and as analytic weights to account for the fact that the number of elements that create the averages varies across agencies. We use the *aweights* command in Stata and weight by the number of observations from each agency. Source: 2020 Survey on the Future of Government Service.

**Appendix C. Alternative Models of Federal Executive Responses to Question, "How much effort do the following groups [White House] spend to ensure that [your agency] has what it needs to carry out its mission?", 2020**

Variable	Executive Agencies		Careerists Only	
	B	SE	B	SE
<i>Hypothesized Relationships</i>				
Presidential Priority (0,1)	0.39	0.20 <sup>+</sup>	0.33	0.21
Agency Ideology (L-C)	0.81	0.18*	0.70	0.17*
Presidential Priority*Agency Ideology	0.37	0.21 <sup>+</sup>	0.45	0.19*
Agency Skills Rating (Low to High)	0.24	0.13 <sup>+</sup>	0.17	0.14
<i>Agency Level Controls</i>				
Executive Office of the President (0,1)	0.63	0.48	0.46	0.62
Executive Department				
Office of the Secretary (0,1)	-0.57	0.48	-0.21	0.50
Distinct Bureau (0,1)	-1.21	0.26*	-1.08	0.29*
Independent Commission (0,1)			-0.73	0.49
Agency Giving Grants (0,1)	0.36	0.22	0.33	0.26
<i>Individual Level Controls</i>				
Appointee (0,1)	1.60	0.35*		
Party ID (D, I, R)	0.60	0.12*	0.51	0.11*
Scope of Responsibility (0 to 7)	0.11	0.05 <sup>+</sup>	0.09	0.05 <sup>+</sup>
Years of Government Experience	0.01	0.01	0.02	0.01 <sup>+</sup>
Estimator	Logit		Logit	
Department Level Fixed Effects	Yes		Yes	
Sampling Weights	Yes		Yes	
Wald Test for Interaction (1 df)	3.15 <sup>+</sup>		5.33*	
N	799		821	
Number of Groups	124		143	
Wald X <sup>2</sup> (27, 28, 14 df)	247.1*		216.5*	

Note: \*significant at the 0.05 level; +significant at the 0.10 level in two-tailed tests. Response categories: None (0), Little (1), Some (2), A good bit (3), A great deal (4). All models estimated with robust fixed effects adjusted for clustering on agency. Cutpoint estimates omitted. Source: 2020 Survey on the Future of Government Service.