Setting the Administrative Agenda: Expert Perceptions of Influence in Pre-Proposal Rulemaking

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Abstract

Administrative rulemaking is among the most consequential stages of American policymaking. By some estimations, more than 90 percent of US law is of agency origin. Yet little scholarship is dedicated to bureaucratic organizations – and even less so, to bureaucratic policymaking. In particular, little research examines administrative agenda-setting – i.e., *pre-proposal rulemaking* – a shrouded stage of the regulatory process during which federal agencies decide which rules to issue, and how. We respond to this gap by applying theories of political control of the bureaucracy to data from an original survey of senior civil servants responsible for rulemaking. We find that appointees, the president, White House, and the Office of Information and Regulatory Affairs are perceived to be the most significant sources of agenda-setting influence; however, these perceptions are shaped by partisan conflict, agency insulation, and careerist expertise. Overall, our findings provide rare insight into this hard-to-observe stage of American policymaking.

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Federal agencies are responsible for the vast majority of American policymaking. Agents of the federal bureaucracy issue thousands of rules a year, regulating topics from patient privacy to financial markets to vehicle safety (Yackee 2020). By some estimations, more than 90 percent of US law is of agency origin (Warren 2018). As such, citizens' primary connections to government occur at the hands of the administrative state – in seeking, for instance, disaster relief, student loans, or healthcare for elderly relatives (Carpenter 2001; Redford 1969; March and Simon 1958). However, little scholarship is dedicated to bureaucratic organizations – and even less so, to the study of bureaucratic policymaking. This neglect "leaves the most important political outcomes – the impact of policies on citizens – understudied" (Carpenter 2001, p. 11). Indeed, among the most consequential and least understood aspects of bureaucratic organization is the process of *administrative agenda-setting*.

How do agencies decide which issues to regulate – and what rules to issue? These agenda-setting decisions occur during "pre-proposal rulemaking," a stage of administrative policymaking that precedes the initiation of the regulatory process. Pre-proposal rulemaking represents a crucial and highly shrouded stage of agency policymaking. Federal agencies enjoy substantial discretion over their policy agendas; only one-third of agency rules are mandated by congressional statute and there are no standardized guidelines that govern pre-proposal deliberations (Coglianese and Walters 2016; Yackee 2019). Moreover, agencies typically lack the resources to pursue all policy initiatives warranted by their legislative and legal mandates and agency proposals seldom change substantially during the notice and comment process (Coglianese and Walters 2016; West and Raso 2013; Yackee 2019). Thus, administrative agenda-setting decisions often reflect near-final determinations in favor of a particular policy action. These organizational and procedural realities underscore the importance of the administrative agenda in American politics.

And yet, administrative agenda-setting represents the least understood step in the regulatory process by scholars and elected officials alike. For instance, in a 2006 hearing before the US House of Representatives' Subcommittee on Commercial and Administrative Law, Chairman Chris Cannon decried, "critical decisions regarding proposed rules are often made in the months and perhaps even years before rules are published. Surprisingly, little is known about how agencies actually develop these rules."[1] Accordingly, a growing body of research has begun to explore the role of external actors, such as interest groups and regulated parties, in administrative agenda-setting (see West and Raso 2013; Yackee 2012; 2019; 2020). But agencies' agendas are also subject to significant pressures from *within* government – namely, from Congress, the White House, and the President's political appointees. However, to our knowledge, no existing research evaluates the relative influence of agency officials and government branches – i.e, agencies' political principals – over the pre-proposal process.

We respond to this knowledge gap by theorizing that the relative influence of government actors over administrative agenda-setting is moderated by partisan, policy, and institutional forces. We posit that conditions of partisan disagreement, policy-making complexity, and agency design intersect to govern the incentives and capacities of government officials and agency staff to shape the administrative agenda. We hypothesize that political leaders have greater influence over administrative agenda-setting under conditions of greater partisan disagreement; that more skilled civil servants generally have greater influence over this process, especially when the difficulty of agencies' policymaking is high; and that agencies characterized by greater policy insulation – most importantly, statutory exemption from rule review by the White House Office of Information and Regulatory Affairs (OIRA) – are subject to reduced influence by government officials.

We test our claims using data from an original survey of senior appointed and

[1] *The 60th Anniversary of the Administrative Procedure Act: Where Do We Go From Here?* Hearing before the Subcommittee on Commercial and Administrative Law, 2006.

career civil servants. We center our analysis on a series of survey questions that ask about respondents' perceptions of the sources of influence that shape their agencies' policy agendas. We find that appointees, the president, White House, and the Office of Information and Regulatory Affairs (OIRA) are perceived to be the most significant relative sources of agenda-setting influence; however, these perceptions are shaped by partisan conflict, agency insulation, and careerist expertise. Overall, our findings provide rare insight into this hard-to-observe stage of American policymaking; thus, they have important implications for scholarly understanding of American inter-branch relations, policy agenda-setting; executive politics, and regulatory policymaking.

Bureaucratic Control and Discretion

Federal agencies are manned by unelected leaders and staff who are neither directly accountable to the people nor directly managed by elected officials. Thus, in executing their duties, they must balance requirements for democratic accountability with mandates to produce neutral, rigorous, and well-informed policy designs (Limbocker et al. 2022; Thatcher 2002; Wilson 1887). This is a challenging balance to strike. Across contexts, scholars of bureaucratic politics highlight the incentives of politicians to "take hold of the administrative machinery of government" due to electoral and constituent concerns (Moe 1985, p. 235). Institutional and political conditions (such as agency design, workforce characteristics, and organizational capacity), however, limit these officials' abilities to exercise sweeping control (Bolton et al. 2016). Meanwhile, agency officials have strong incentives to insulate their policymaking from political interference using procedural tools (Potter 2019).

The Administrative Presidency

Modern presidents use two administrative tools, centralization and politicization, to influence agencies' operations (Moe 1985). Centralization involves shifting decision making from agencies into the Executive Office of the President (EOP), often the White House Office (Rudalevige 2002) which houses the President's most trusted advisors. Agency promulgation of proposed and final rules is also subject to a formal review by the Office of Information and Regulatory Affairs (OIRA) – housed in the White House Office of Management and Budget. OIRA maintains the authority to review proposed and final agency policy actions prior to issuance and, in doing so, often serves to align regulatory content with the priorities of the president (Golden 2000; Turner 2017). A burgeoning scholarship reports evidence of substantial OIRA influence over agency rulemaking: Haeder and Yackee (2015), for example, demonstrate that in cases of highly contentious rules, agencies' final rules changed, on average, *18 percent* following OIRA review. Thus, scholars of administrative politics contend that OIRA represents "the furthest extension of direct, centralized, and systematic presidential influence over agency policymaking" (West 2006, p. 441). By contrast, politicization involves using the appointment power – which grants presidents the authority to appoint federal officials, such as agency heads – to fill the senior leadership of federal agencies with people who are ideologically aligned with the president and loyal to the president's agenda (Lewis 2008). Prevailing scholarship reports, for instance, that when civil servants do not support this agenda, presidents increase the number of appointees in the agency – and these appointees marginalize civil servant's role in decision making to ensure agencies' actions are congruent with presidential priorities (Lewis 2008; Resh 2015).

Congress

The legislative branch holds its own set of unique tools for exerting control over agency rulemaking – largely through statutory control and oversight (Bawn 1995). The modern Congress's statutory authority can be traced back to standards set forth under the Administrative Procedure Act (1946), which standardized agency policymaking through its establishment of notice and comment rulemaking. Scholars contend that the APA's standardization of rulemaking – and specifically, its stipulation of formal public participation in rulemaking proceedings – is designed to control agency policymaking (McCubbins et al. 1987, 1989; Coglianese and Walters 2016). The notice and comment process forces agencies to publicize their proposed actions, allowing aggrieved constituents to pull a "fire alarm" before the policy is finalized. Public comments give agencies information about which constituencies oppose a proposed rule, allowing the agency to make changes to avoid a congressional sanction. Overall, administrative procedures' control of agency policymaking can be automatic, channeling agency decisions toward politically favored constituents without visible congressional oversight or sanctions (Coglianese and Walters 2016).

Congress's remaining mechanisms for statutory control include direct efforts at regulatory reform (such as the passages of the Regulatory Flexibility Act, Small Business Regulatory Enforcement Act, and Congressional Review Act) and the writing of specific statutory provisions that guide rule content and thereby reinforce congressional accountability. These latter efforts range from statutes that give agencies broad discretion to regulate and pace their own progress to provisions that require agencies to issue rules by specific dates and default rules that go into effect if a deadline is missed (Coglianese and Walters 2016; Yackee 2019). Congress also retains general oversight authority through its capacity to establish federal agencies, confirm presidential appointments to agency leadership roles, and set agency budgets. Notably, while scholars agree that Congress *can* play a significant agenda-setting role in agency policymaking beyond the above-mentioned mechanisms, it seldom does so (Yackee 2019). Congress's work, thus, does not translate into complete control over agency operations – West and Raso's 2013 study, for instance, reports that less than half of agency rules are mandated by congressional statute; the remaining rules respond to statutes that authorized, but did not require, agencies to take policy action.

Agency Leaders and Staff

Due to their close proximity to the regulatory process, agency staff enjoy the most direct control over rulemaking proceedings. Agency heads, in particular, can exert broad regulatory authority. As noted in earlier paragraphs, an expansive scholarship suggests that presidents strategically leverage political appointees to bolster their control over the bureaucracy (Lewis 2008; Moe 1985; Nathan 1983; Weko 1995) For instance, scholars report that new presidents seek appointees who will faithfully pursue their policy agenda, and that when presidents do not believe that civil servants share their policy goals, they increase the number of appointees, emphasize loyalty over policy expertise in agency leadership, and exclude career civil servants from policymaking during their tenures (e.g., Moe 1985; Lewis 2008; Richardson 2019).

Civil servants play markedly different roles (Carpenter 2001). They often have long time horizons; their careers typically far outlast those of their agency heads, representatives in Congress, and leaders in the White House. They enjoy privileges of the merit system, which protects civil servants from firings and retaliation[2]; thus, in the words of Nou (2017), "unsurprisingly [...] the federal bureaucracy takes the long view." Civil servants also typically have high managerial, substantive, and technical expertise – often far greater than that of their political principals (Carpenter 2001; Huber and Shipan 2002). They have strong motivations to pursue the best imple-

[2]Notably, in January 2025, the Trump Administration began unlawful firings of federal workers. Many of these illegal actions have been subject to appeals; as of March 2025, the Merit System Protections Board has reported a 2,100% increase in cases from federal employees appealing these dismissals.

mentation protocol for the provisions of law they have been tasked with regulating (Potter 2019; Redford 1969; West 1984). They are incentivized to ensure that their policy decisions are free from error, unlikely to trigger public scandal or critique from political principals, and insulated from the threat of judicial review (Chubb 1983; West 2004). A wealth of qualitative evidence supports the notion that civil servants are careful policy actors that seek wide-ranging information and perspectives in order to produce durable and justifiable regulations that adhere to their statutes (Kerwin and Furlong 1992; West 1984, 2004; Yackee 2019). For instance, in the words of an agency official with rulemaking duties, "more than anything, we care about getting it right" (Dwidar 2025, p. 145). Further, these policy actors are highly strategic. Potter (2019), for example, reports that bureaucrats often manipulate procedures – such as the clarity of regulatory language, the length of the comment period, and the timing of issuing final rules – to evade unfavorable oversight environments.

The Regulatory Process

Rulemaking has become "the most common and instrumental form of lawmaking" in modern American politics (Kerwin and Furlong 1992, p. 114). This trend can be traced back to the "great broadening" of the federal government – a period of substantial growth in the size and scope of government beginning in the early to mid-twentieth century (Jones et al. 2019). In response to agencies' growing policymaking responsibilities during this era, rulemaking became standardized with the 1946 passage of the Administrative Procedure Act (APA), which dictated the steps that agencies must follow in implementing new law.[3] Today, most agency policymaking occurs through notice and comment rulemaking, a process established under the APA.

Notice and comment rulemaking consists of three steps: first, agencies must draft "proposed rules;" second, these draft rules must be made public for specified notice and comment periods, during which time public entities (e.g., regulated parties, interest groups, private citizens, etc.) may submit written comments regarding the proposed rule; finally, upon the closure of the comment period, agencies must review all comments and issue final rules, which subsequently become legally binding.[4] Notably, as we described at the outset of this article, the APA does not stipulate parameters for the initiating stage of this process – the stage of tentatively deciding whether, and how, to write a new rule. This stage is known as *pre-proposal rulemaking*.

An agency can decide to write a new rule due to a variety of circumstances: Congress can pass a new law directing an agency to write a specific rule; the President can take executive action to direct agencies to write a specific rule; and agencies can initiate discretionary rules in response to observed policy needs. To initiate new regulatory policy, agencies begin by developing a draft proposal. This step represents one of the most consequential pre-proposal stages. Agencies have a strong incentive to "get it right the first time" in order to avoid reputational damage or legal consequences (Potter 2019). Thus, this period can be lengthy – West's 2004 study, for

[3] After the passage of the APA, rulemaking remained largely undisturbed until 1981, when President Ronald Reagan issued an executive order creating OIRA. OIRA, housed within the White House Office of Management and Budget (OMB), was tasked with reviewing agencies' draft and final regulations prior to issuance. While several key changes followed – such as the 1984 Supreme Court case *Chevron v. Natural Resources Defense Council*, which established the doctrine of Chevron deference, and a 1993 Executive Order limiting OIRA review to "significant" regulations – defined as those rules that have an annual effect on the economy of $100 million or more; create inconsistencies with the actions of other federal agencies; have budgetary impacts on entitlements, grants, user fees, or loan programs; or raise novel legal or policy issues arising of legal mandates or the president's priorities – the APA remains the backbone of the American regulatory process.

[4] Many commenters have high expertise in the subject of the regulated policy area; as such, public comments are an important source of information for agency policymakers.

instance, reports that the average duration of proposal development is approximately five years. At this stage, regulators begin by gathering information and writing the draft text of the proposed regulation. In some cases, agencies may be required to produce impact analyses or cost-benefit analyses. This process is costly and arduous; agency officials report the challenges of collecting the necessary information to generate feasible, rigorous, and factually sound proposed and final rules (Magat et al. 1986; Yackee and Yackee 2006; Yackee 2012). Thus, key actors can shape the direction of agencies' pre-proposal decisions by providing technical data, scientific studies, information about industry standards, and political information (e.g., suggestions for framing, information about opposition or support, flagging potential implementation problems, etc.) (West 2009; Yackee 2019).

A formal avenue for agencies to gather information during the pre-proposal period is through an Advance Notice of Proposed Rulemaking (ANPRM) – a notice published in the *Federal Register* formally requesting guidance. ANPRMs, however, are optional, and thus uncommon (Potter 2019). Agencies are more likely to gather information in a less public manner, through "informal and idiosyncratic" conversations with key leaders and invited groups (West 2009, p. 577). Crucially, while court rulings have led many federal agencies to ban or restrict ex-parte (off-the-record) conversations with outside actors and groups during the notice and comment period (see Lubbers 2006), no such restrictions exist during proposal development (Yackee 2019). Accordingly, scholars report that this stage can be a key setting for political activity and bargaining (Naughton et al. 2009; Wagner et al. 2011; West 2009). For instance, Wagner writes, "although proposed rules, on the surface, appear to be drafted by agency staff based on internal technical analyses, most of them are [...] the result of extensive negotiations with interested parties" (Wagner 2011, p. 1366). Recent studies lend empirical support to this observation: Yackee (2012) and Kamieniecki (2006) demonstrate that special interest groups often shape the direction of agency policy during this period through agenda building and blocking. Further, evidence suggests that most influence by political principals over agency policymaking occurs during the proposal development stage (Chubb 1983; Yackee 2019).

Setting the Administrative Agenda

Prevailing research suggests that agency officials and political leaders' relative influence over administrative agendas should be strongly moderated by political conditions. Scholars report that when the president and civil servants have similar policy goals – suggesting political alignment and minimal partisan disagreement – civil servants work *with* the president to achieve those goals. In contrast, in cases of highly contentious policy action, OIRA – at the direction of the president – is likely to use a heavier hand in agencies' regulatory process (Golden 2000; Haeder and Yackee 2015). Moreover, when presidents do not share the policy goals of civil servants, they strategically leverage their political appointees to exert control over agency actions (Golden 1998; Lewis 2008; Moe 1985; Waterman 1989; Weko 1995) Overall, policy conflict is an important factor in the degree to which political principals may seek to influence agency policy (Lewis 2008).

At the behest of the president, for instance, senior political appointees – who retain the authority to make key policy and personnel decisions – may work to reduce the policy influence of career civil servants determined to be "misaligned" with their agency (Richardson 2019). Political appointees may do so by excluding these career civil servants from key conversations; replacing these civil servants with appointees or more "acceptable" careerists; or adding appointed special assistants (typically Schedule C appointees) with significant informal authority above the civil servant in question in the organizational hierarchy (Lewis 2008). Existing research also suggests that administrative oversight by Congress is similarly driven by inter-branch political disagreements (see Farhang and Yaver 2016; cf. Lowande 2018), particularly in cases of high profile policy issues (see Shaffer 2022) – as an effort by the legislative branch to expand opportunities for oversight and reduce the possibility of undesirable policy implementations (Shaffer 2022).

In sum, the incentives of political principals suggest that conditions of political disagreement will moderate their hand in agency rulemaking; this behavior should extend to the agenda-setting stage of the regulatory process. Thus, we suggest that under conditions of partisan disagreement – defined, following Richardson 2024, as the degree to which Republicans and Democrats systematically disagree about what an agency should do – political leaders will exert greater perceived influence over administrative agenda-setting *(Hypothesis 1a)* and conversely, that career civil servants will exert lesser perceived influence *(Hypothesis 1b)*. Moreover, given that presidents politicize agencies where civil servants do not share their policy views (Lewis 2008), we suggest that when partisan disagreement is high, the relative difference in perceived influence between appointees and civil servants should be greatest in agencies that are ideologically misaligned with the president *(Hypothesis 1c)*.

Notably, much of the president's authority over agency policy action is exerted through OIRA. But not all federal agencies are subject to OIRA review (Selin and Lewis 2018b). Independent regulatory agencies – agencies established by Congress to regulate highly technical topics – such as the Consumer Financial Protection Bureau (CFPB), the Securities and Exchange Commission (SEC), and the Federal Energy Regulatory Commission (FERC), retain a substantial degree of insulation from presidential control relative to their executive branch agency counterparts (Lewis 2004; Selin 2015). Unlike these counterparts, certain independent regulatory commissions are exempt from OIRA review and are often governed by commissions or boards with members that serve fixed terms; these members cannot be removed from their appointments by the president without cause.[5]

These structures reinforce the independence of these agencies' policymaking. Thus, historically, these agencies' policy decision-making processes have been independent from presidential direction and oversight; instead, their policymaking derives from delegation by Congress through their enabling statutes. As such, we posit that political leaders/offices in the executive branch (i.e., the President and OMB/OIRA) will exert lesser perceived influence over administrative agenda-setting in federal agencies whose statutory structure insulates their policymaking from political control *(Hypothesis 2)*.

Finally, dynamics of policymaking enable civil servants to assume unique roles in agency agenda-setting. While career civil servants, by virtue of their roles, often have high substantive expertise and extensive management experience, political principals typically lack these qualities (Carpenter 2001). In particular, individuals situated at the top of an agency's hierarchy (i.e., political appointees) regularly assume their roles without extensive agency- and policy- specific knowledge or management experience (Lewis 2008). Thus, existing research suggests that bureaucratic autonomy increases under conditions of complex policymaking (Selin et al. 2022) and when civil servants possess high policy expertise (Bendor and Meirowitz 2004; Carpenter 2001). Indeed, scholars contend that in more technical policy areas, agency leaders prefer to rely on more professionalized career bureaucrats to manage the development and execution of regulatory policy (Heclo 1975; May et al. 2008; Nou 2017). Lewis (2008), for instance, demonstrates formally that when politicization harms an agency's competence, presidents will reduce their level of politicization, so as to balance the gain in control with the loss of expertise. This reasoning should extend to the agenda-setting

[5] In February 2025, President Trump issued an executive order imposing new constraints on independent agencies. These restrictions include the expansion of OIRA review to regulatory actions by independent agencies; the establishment of "performance standards and management objectives for independent agency heads," and a requirement that chairs of independent regulatory agencies "submit agency strategic plans [...] to the Director of OMB for clearance."

stage of agency policymaking. Thus, we posit that more expert civil servants will exert greater influence over administrative agenda-setting *(Hypothesis 3a)*, especially when the difficulty of agencies' policymaking is high (i.e., when expertise is needed to craft effective rules) *(Hypothesis 3b)*.

Data

We test our claims using data from an original survey of senior appointed and career civil servants in the federal government: the *Survey on the Future of Government Service* (SFGS).[6] The SFGS collected information about a range of topics relating to agency operations, including the factors that influence agency agenda-setting. The SFGS was fielded from June 15 to December 31, 2020 to approximately 16,000 senior appointed and career civil servants, identified using contact information acquired through Leadership Directories' Federal Government database. The sampling frame consisted of all presidential appointees, Schedule C appointees, members of the Senior Executive Service (career and non-career), members of the Senior Foreign Service, and all other senior federal employees (e.g., Under Secretaries; Assistant Secretaries; Chiefs of Staff, Chief Officers, etc.). See Appendix A for a detailed discussion of the sampling procedure. The response rate was 11.47 percent.[7] We subset these data to all respondents employed in *rulemaking-oriented positions* in their agency – defined as all respondents who answered "Yes" to a question asking whether their position deals with "Developing Notices of Proposed Rulemaking, summarizing related comments, [or] writing final rules" (see Appendix B for the full text of this question). We limit respondents to those whose positions deal with rulemaking because it is these individuals whose work experience yields expertise in regulatory agenda-setting at

[6]See Appendix A for a discussion of sampling procedures and IRB.

[7]Specifically, 1,861 of 16,232 individuals responded to the survey. 376 individuals partially completed the survey.

their agency.[8] In other words, the perceptions of individuals who work in rulemaking are most useful for measuring influence over the regulatory agenda.

These data and methodological approach are uniquely suited to evaluate our topic of study. Our survey respondents are directly responsible for policy decision-making in their agencies across administrations. From their positions, they can observe whose preferences prevail when appointees and civil servants disagree, when a call from the White House sets agency priorities, when a statute mandates ruelmaking, and when OIRA intervenes to direct agency policy. Moreover, these respondents' perceptions are formed by years of observing regulatory agenda-setting in their agency. Our respondents report, on average, 23 years of service in the federal workforce and 17 years of service in their agencies. As such, they hold unique and extensive knowledge about the inner-workings of their agencies – thus, their perceptions about the regulatory process offer meaningful insights. We leverage these insights to generate information about the factors that influence administrative agenda-setting – a highly shrouded process otherwise inaccessible to researchers.

Dependent Variable

We operationalize our dependent variable using a survey question in the SFGS asking about agencies' preparation for the *Unified Agenda* – a biannual publication of OMB that lists agencies' planned regulatory actions.[9] The Unified Agenda represents a uniform source of the administrative policy agenda; agencies are required submit all planned regulatory and deregulatory actions – including those planned to have an

[8]Additionally, we only include respondents who answered all questions regarding agenda influence to ensure that differences in estimated relationships across models are not due to changes in pools of respondents who answered a particular question.

[9]Section 4(b) of Executive Order 12866 requires "covered agencies" (cabinet departments, independent agencies, and independent regulatory agencies) to "prepare an agenda of all regulations under development or review, at a time and in a manner specified by the Administrator of the Office of Information and Regulatory Affairs [...] within the Office of Management and Budget (OMB)." To satisfy this requirement, agencies rely on the Unified Agenda of Federal Regulatory and Deregulatory Actions (Copeland 2008).

Advance Notice of Proposed Rulemaking (ANPRM), a Notice of Proposed Rulemaking (NPRM), or a Final Rule issued within the next twelve months – for publication in the Unified Agenda. Agencies may also list " long-term actions" – agenda items expected to have regulatory action more than twelve months after publication of the agenda.

The question reads: *"The number of issues that an agency needs to address via rulemaking often exceeds the agency's capacity to develop new proposed rules. We would like to understand how senior leaders in [your agency] decide which new proposed rules to place on the Unified Agenda (i.e., what is included in the Unified Agenda). In your experience, how much influence do the following groups have over which issues get included on the agency's Unified Agenda?"* The response categories were: political appointees in [your agency]; career civil servants in [your agency]; members of Congress and their staffs; the president/White House; OMB/OIRA; Courts (e.g., litigation settlements and consent decrees); private citizens (e.g., public petitions for rulemaking); regulated parties (e.g., private firms, trade organizations); public interest advocacy groups (e.g., non-governmental organizations). For each of these categories, respondents were asked to select one of the following: no influence; little influence; some influence; a good bit of influence; a great deal of influence; not applicable. See Appendix B for the full text of this question.

Predictor Variables

We measure partisan disagreement using the following statement and question from the SFGS: *"We would like to understand which agencies face challenges created by partisan disagreement. How strongly do Republicans and Democrats in Washington disagree over what [your agency] should do?"* The response categories were: no disagreement; low intensity disagreement; moderate intensity disagreement; high intensity disagreement; and don't know. To measure the difficulty of rulemaking, we examine responses to a survey question asking the following: *"Our regulatory system deals with public policies of varying complexity. As a result, our understanding of the cause and effect relationship between the content of a rule and the ultimate effects of the rule is better in some areas than others. Thinking about rules issued by [your agency], how easy or difficult is it to know the effects of these rules before they are implemented?"* The response options were: very difficult; difficult; somewhat difficult; somewhat easy; easy; very easy; and don't know. To avoid treating ordinal predictors as continuous while also avoiding a proliferation of indicator variables for every category, we dichotomize both above-mentioned measures (partisan disagreement, rulemaking difficulty) to isolate important distinctions. First, we code an indicator variable that takes a value of 1 if the respondent selected "High intensity" disagreement and 0 otherwise. Second, we code an indicator variable that takes a value of 1 if the respondent selected one of the categories stating rulemaking is difficult at her agency and 0 if they selected one of the categories suggesting rulemaking is easy at her agency. The full text of these questions is available in Appendix B. We measure agency insulation using Selin's estimates of latent personnel and policy insulation derived from indicators of whether agencies possess various insulating statutory characteristics (Selin 2015). Lastly, we use two additional measures of agency latent traits, namely estimates of agency ideology and workforce skill derived from a 2014 survey of senior civil servants (Richardson et al. 2018). We provide models that control for respondents partisanship and tenure in their agency in Appendix D, which show the point estimates of the coefficients and their standard errors are largely unperturbed relative the values reported in 2 below.

The Distribution of Influence

Table 1 provides the distribution of perceived influence in pre-proposal rulemaking; each row illustrates the distribution of influence for a given actor. Approximately 61 percent of respondents perceive that political appointees have a great deal of influence, compared to 48 percent who perceive the president/White House have a great deal of influence, and less than 34 percent of respondents who perceived that OMB/OIRA, Congress or Careerists have a great deal of influence. If we consider the percentage of respondents who perceive an actor has at least “a good bit” of influence, a clear rank ordering emerges. About 8 out of 10 respondents perceive that appointees are influential in setting agencies’ rulemaking agendas, with the fraction falling slightly to 7 out of 10 for president/White House, a bit further to 6 out of 10 for OMB/OIRA, and further still to about 5 out of 10 for careerists and Congress.

Table 1: Distribution of Influence

	None	Little	Some	A good bit	A great deal	N/A
Appointees	1.66	2.61	7.36	21.38	61.28	5.70
President/WH	2.14	8.55	15.68	21.62	47.74	4.28
OMB/OIRA	4.99	11.64	20.90	24.70	33.49	4.28
Careerists	3.56	9.50	29.93	30.17	23.99	2.85
Congress	2.85	14.25	27.32	28.98	22.80	3.80

Models of Influence

We fit a series of ordered probit models where the perceived influence of a given actor is a function of partisan disagreement, policy insulation, workforce skill, the difficulty of rulemaking, and agency ideology. We include an indicator variable for respondents who are political appointees to account for any systematic differences in their perceptions relative to the perceptions of career civil servants. Lastly, we clustered the standard errors by agency because many of the predictors of interest vary only at the agency level and to account for correlation of respondent’s perceptions within agencies.[10,11]

Partisan Disagreement

Per Model 1, the average predicted probability of appointees having a great deal of influence when partisan disagreement is not high is 63.09 percent, which increases by 14.02 percentage points – a 22 percent increase – when partisan disagreement is high. The 95 percent confidence interval on this difference is 0.04 percent to 28.00 percentage points, meaning differences compatible with the data range from a small increase to a very large one. Importantly, the point estimate suggests a substantively significant increase. Per Model 2, the average predicted probability of career civil servants having a great deal of influence when partisan disagreement is not high is 28.62 percent, which decreases by 13.46 percentage points – a 47 percent decrease – when partisan disagreement is high. The 95 percent confidence interval on this difference is -23.53 percentage points to -3.39 percentage points, meaning differences compatible with the data range from a very large decrease that would bring the average predicted probability below 10 percent to a more modest decrease.

Evaluating the other end of the scale, the average predicted probability of career civil servants having little or no influence when partisan disagreement is not high is 8.09 percent, which increases by 9.47 percentage points when partisan disagreement is high. The 95 percent confidence interval on this increase is 0.52 percent to 18.41 percent. In sum, partisan disagreement increasing from not high to high is associated with the average predicted probability of civil servants having a great deal of influence

[10] Given the novelty of these data on perceptions of pre-proposal influence, we consider these models to be explorations of conditional associations given the theory and hypotheses described above. We sometimes refer to "average marginal effects," but we do not mean to suggest we have estimated causal effects.

[11] To evaluate associations revealed by the models, we used an observed-case approach, meaning we manipulate the values of variables of interest – as described below – while using the observed values of other variable from the observations in each model to calculate predicted probabilities or marginal effects, which we then average across all observations. We provide the table for the interactive models presented below in Appendix C.

Table 2: Ordered Probit Models of Agenda Influence

Model	1	2	3	4	5
	App.	Car.	Pres.	Cong.	OMB/OIRA
High disagreement	0.42+	−0.48*	0.20	0.09	−0.14
	(0.22)	(0.19)	(0.20)	(0.19)	(0.17)
Agency ideology	−0.09	0.09	0.08	0.31***	−0.12+
	(0.12)	(0.09)	(0.09)	(0.07)	(0.07)
Workforce skills (2014)	−0.03	0.12	−0.06	0.12	−0.13
	(0.12)	(0.10)	(0.09)	(0.09)	(0.08)
Rulemaking difficult	−0.06	−0.14	−0.10	−0.15	−0.17
	(0.16)	(0.15)	(0.15)	(0.16)	(0.15)
Personnel insulation	0.07	0.05	0.01	0.12	0.01
	(0.11)	(0.09)	(0.11)	(0.14)	(0.14)
Policy insulation	0.09	0.11	−0.39***	−0.15	−0.42***
	(0.09)	(0.09)	(0.09)	(0.11)	(0.13)
Pol. Appointee	−0.33	0.34	0.07	0.06	−0.22
	(0.25)	(0.22)	(0.30)	(0.25)	(0.25)
None-Little|Some	−1.71***	−1.47***	−1.53***	−1.26***	−1.27***
	(0.18)	(0.16)	(0.19)	(0.13)	(0.16)
Some|A good bit	−1.20***	−0.36*	−0.82***	−0.33*	−0.52***
	(0.16)	(0.14)	(0.16)	(0.15)	(0.13)
A good bit|A great deal	−0.34*	0.54***	−0.14	0.47**	0.15
	(0.14)	(0.14)	(0.14)	(0.16)	(0.12)
Num.Obs.	243	243	243	243	243
Brier Score	0.24	0.35	0.31	0.36	0.35
Std.Errors	by: agency	by: agency	by: agency	by: agency	by: agency

+ p <0.1, * p <0.05, ** p <0.01, *** p <0.001;
Note: A Brier score for a multi-category prediction ranges from 0 to 2, with 0 indicating perfect prediction defined as assigning probability 1 to the realized outcome. The score is the mean sum of the squared errors (summed across outcomes and observations) where error is the difference between the probability assigned to an outcome and 1 if the outcome was realized and 0 if not.

nearly being cut in half – while the average predicted probability they have little or no influence more than doubles.

Agency Insulation

Models 3 and 5 yield a negative and statistically significant point estimate for the coefficient on policy insulation, suggesting that the President and OMB/OIRA have less influence on the regulatory agendas of agencies that possess statutory features that insulate them from interference by political principals. Specifically, per Model 3, a one unit increase in latent policy insulation is associated with an average decrease of 14.42 percentage points in the predicted probability that the President/White House have a great deal of influence (95 percent CI [-20.64, -8.20]). For instance, going from an uninsulated agency such as the Environmental Protection Agency (EPA) at 0.32 to a highly insulated agency such as the Federal Reserve at 3.82 is associated with a shift in the average predicted probability that the President/White House has a great deal of influence from 50.16 percent to 8.94 percent – an average decrease of 41.22 percentage points (95 percent CI [-52.06, -30.38]). Moreover, per Model 5, a one unit increase in latent policy insulation is associated with an average decrease of 14.66 percentage points in the predicted probability that OMB/OIRA has a great deal of influence (95 percent CI [-22.29, -7.04]). Moving from the policy insulation level of the EPA to that of the Federal Reserve is associated with a shift in the average predicted probability that OMB/OIRA has a great deal of influence from 34.40 percent to 3.16 percent, which is an average decrease of 31.25 percentage points (95 percent CI [-36.90, -25.58]).

In sum, higher levels of policy insulation are associated with decreased likelihood that the president/White House and OMB/OIRA will have a great deal of policy influence. If we consider the average decrease associated with increasing insulation from the level of the EPA to that of the Federal Reserve, the magnitude of the decline in the predicted probability for the President and OMB/OIRA is particularly large. Specifically, the average predicted probability that the President/White House has a great deal of influence decreases by 82 percent to a 9 percent chance while the same quantity for OMB/OIRA decreases by 91 percent to a 3 percent chance. Moreover, we are highly confident that the magnitude of the average decrease is indeed large given the upper bounds on the 95 percent confidence intervals are -30.38 percentage points and -25.58 percentage points for the President/WH and OMB/OIRA, respectively, which represent substantively large decreases.

Expertise

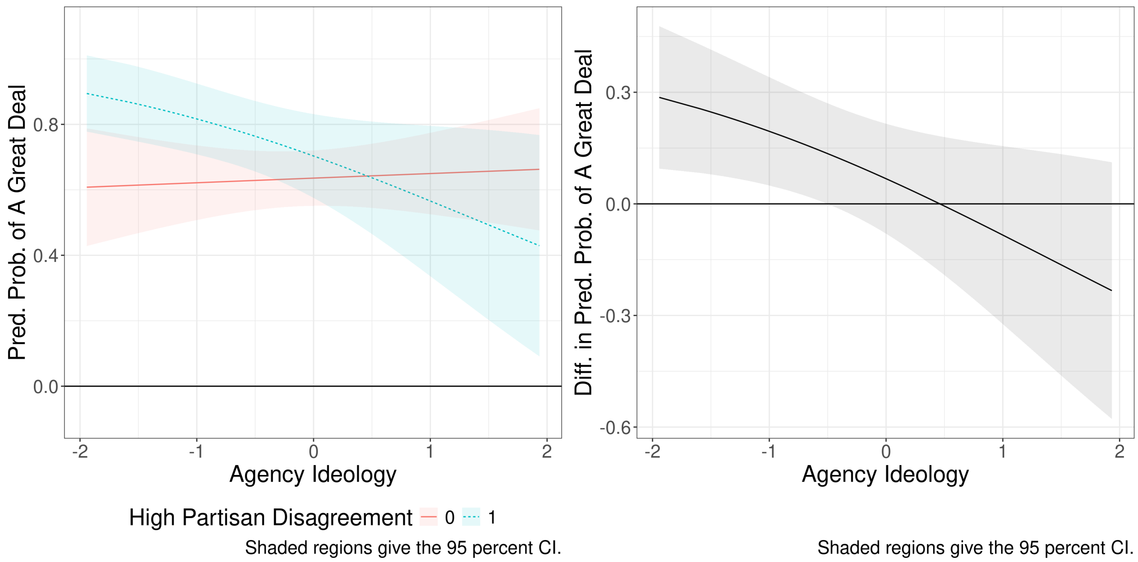
Model 2 suggests that higher levels of workforce skill are associated with greater influence for career civil servants. On average, a one unit increase in workforce skill is associated with 3.55 percentage point increase in the predicted probability that career civil servants have a great deal of influence (95 percent CI [-2.15, 9.25]) and a 2.17 percentage point decrease in the predicted probability that they have little or no influence (95 percent CI [-5.83, 1.48]). For instance, going from an agency with a skills rating near the center of the scale, such as the Department of the Interior at -0.02, to a highly skilled agency, such as the Federal Reserve at 1.80, is associated with the predicted probability that civil servants have a great deal of influence increasing from 24.12 percent to 30.98 percent, an increase of 6.86 percentage points (95 percent CI [-4.84, 18.57]) or about 28 percent. Additionally, the predicted probability that career civil servants have a great deal of influence at an agency near the bottom of the skills scale, such as the Office of Personnel Management at -1.58, is 18.96 percent. Increasing the skills rating to a highly skilled agency such as the Federal Reserve is associated with a 12.02 percentage point increase in the predicted probability of perceived influence (95 percent CI [-7.30, 31.35]), which is a 64 percent increase.

While we lack the statistical power to distinguish the average marginal effect and differences in predicted probabilities from zero with a high degree of confidence, the 95 percent confidence intervals range from large positive effects to small or modest negative effects. Therefore, the set of marginal effects consistent with these data tend to be positive. Moreover, the point estimates are positive and substantively large. Overall, these results provide suggestive evidence that a positive association between workforce skill and careerist influence is consistent with the data, though we cannot reject the null of no association or no difference with high levels of confidence.

Agency Ideology Conditional on Partisan Disagreement

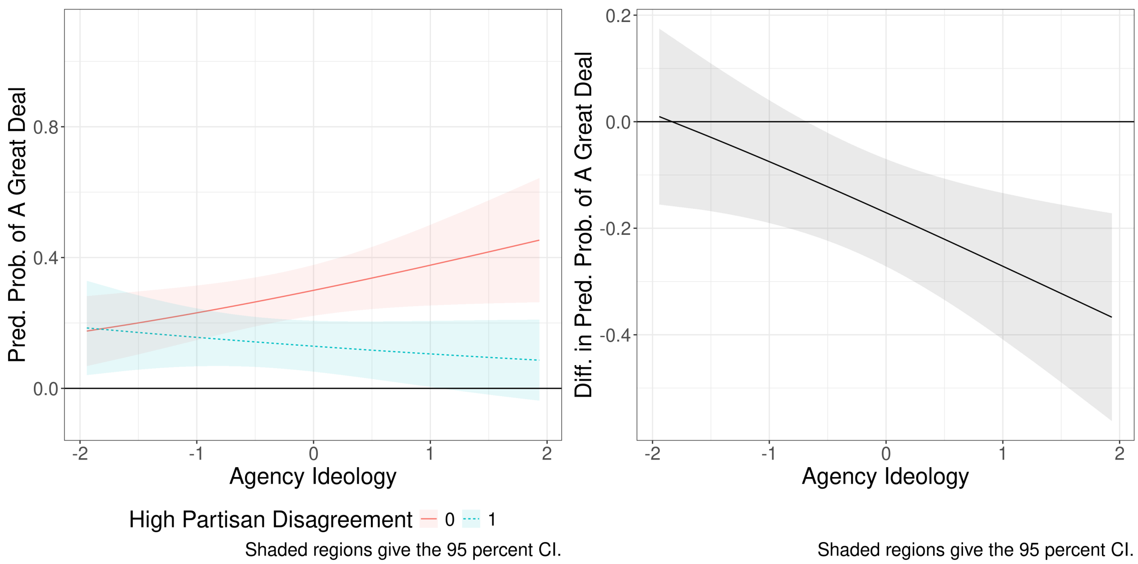
We now evaluate the associations between agency ideology and perceptions of influence conditional on partisan disagreement. The intensity of partisan disagreement tells us when agency ideology should matter most. For example, when partisan disagreement is intense, then we would expect conflict to be high between, say, a liberal agency and a Republican/conservative president. When partisan disagreement is low (or in our case, at least not high), we would not expect agency ideology to affect influence because Republicans and Democrats do not tend to disagree about how to accomplish the agency's mission. See Appendix C for a table of the corresponding models.

Figure 1: Influence of Appointees by Agency Ideology Conditional on Partisan Disagreement



The left panel in Figure 1 plots the average predicted probability that political appointees have a great deal of influence as ideology ranges from -1.94 to 1.93 (its observed range) when partisan disagreement is high (dotted line) and not high (solid line). When partisan disagreement is not high, the average predicted probability is essentially constant across the range of agency ideology. However, when political disagreement is high, the predicted probability declines from a high of about 89 percent for liberal agencies to about 43 percent for conservative agencies. The right panel plots the difference in the average predicted probabilities in the left panel. For liberal agencies with ideology of about -0.51 or less, the difference between the average predicted probabilities is statistically significant at the 95 percent confidence level. More importantly, for the most liberal agencies (e.g., ideology of the EPA at -1.51), the point estimate of the average difference is about 25 percentage points, a sizable difference in the likelihood that appointees have a high degree of influence. The right panel also shows that we do not find strong evidence that appointees are more likely to have a great deal of influence in conservative agencies when partisan disagreement is high than when it is not.

Figure 2: Influence of Careerists by Agency Ideology Conditional on Partisan Disagreement

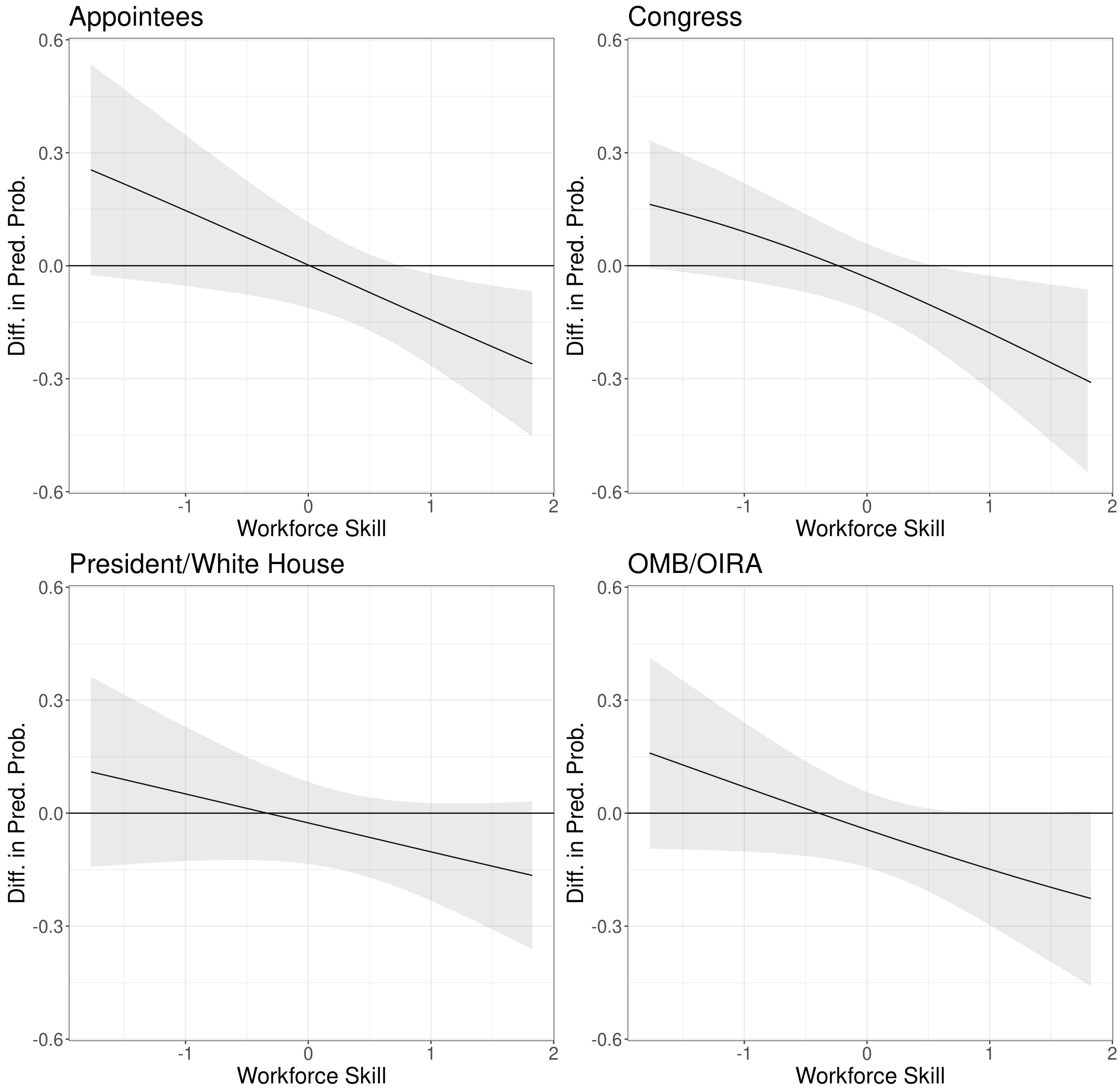


The left panel in Figure 2 plots the average predicted probability that careerists have a great deal of influence across the same range of agency ideology when partisan disagreement is high (dotted line) and not high (solid line). The left panel shows that when partisan disagreement is high, the average predicted probability that careerists have a high degree of influence is low and changes little across the range of agency ideology compared to when it is not high. For liberal agencies, the predicted probability that career civil servants have a great deal of influence is very similar regardless of the level of partisan disagreement. The right-side panel depicts differences in the two predicted probabilities, showing that as agencies become more conservative, the average predicted probability that career civil servants have a great deal of influence increases when partisan disagreement is not high – reaching a difference of about 37 percentage points when ideology is 1.9. Figure 2 is consistent with career civil servants being excluded from agenda-setting and policymaking when partisan disagreement is high, regardless of agency ideology. When partisan disagreement is not high, more conservative civil servants are better able to work with conservative appointees while more liberal civil servants remain sidelined.

Influence, Expertise, and Difficulty of Rulemaking

Finally, we evaluate the relationship between perceptions of influence and rulemaking difficultly conditional on workforce skills to discern whether demonstrated competence through workforce skill is associated with greater deference to career civil servants when it is difficult to determine the effects of rules (i.e., when expertise is more valuable). See Appendix C for a table of the corresponding models. See Appendix E for evidence that these results are robust to alternative coding of respondents' perceptions of difficulty, including accounting for the concern that less expert respondents will perceive rulemaking to be difficult, not because it is difficult for experts, but because the respondent is not an expert.

Figure 3: Effect of Rulemaking Difficulty Conditional on Expertise



Shaded regions contain the 95 percent CI.

Figure 3 plots the difference in predicted probabilities that each political principal has a high degree of influence when rulemaking is difficult and when it is easy across the observed range of workforce skill (-1.77 to 1.83). We begin with the predicted probability that appointees are perceived to have a high-degree of influence. The upper-left panel in Figure 3 shows that when agencies are highly skilled, defined as a skills rating above 1, moving from an agency where rulemaking is easy to one where it is difficult is associated with a decrease in the predicted probability that appointees have a high degree of influence. For example, consider again an agency whose workforce is as skilled as the civil servants at the Federal Reserve (skills rating of about 1.8). The predicted probability that appointees would have a high degree of influence at such an agency declines from 78.81 percent when rulemaking is easy to 53.09 percent when it is difficult, a decline of 25.72 percentage points (95 percent CI [-44.76, -6.69]), or about 33 percent. This corresponds to the point and shaded region just below 2 on the x-axis in the upper-left plot.

If we conduct the same simulation for the remaining political principals, we get the following results: (1) the predicted probability that Congress is perceived to have a great deal of influence declines from 51.33 percent to 20.74 percent or 30.59 percentage points (95 percent CI: [-54.87, -6.31]), (2) the predicted probability that the President/White House is perceived to have a great deal of influence declines from 55.56 percent to 39.21 percent or 16.34 percentage points (95 percent CI: [-35.76, 3.07], and (3) the predicted probability that OMB/OIRA is perceived to have a great deal of influence declines from 41.60 percent to 19.20 percent or 22.44 percentage points (95 percent CI: [-45.45, 0.57]). Overall, Figure 3 shows that difficult rulemaking, defined as difficulty in understanding the effect of a rule before it is implemented, is associated with decreased likelihood that political principals have a high degree of influence for highly skilled agencies. The point estimates suggest substantively large effects in all cases. We can reject the null hypothesis of no difference in predicted probabilities for highly skilled at the 95 percent level for political appointees and Congress and at the 90 percent level for President/White House and OMB/OIRA. While we are highly confident that the difference in predicted probabilities is not zero, we are not confident that they are large because the lower bounds on the 95 percent confidence intervals tend to be near zero.

Robustness

We executed three robustness checks, detailed in the appendix. Appendix F provides analysis that evaluates the sensitivity of our results to a hypothetical unobserved confounder. We find that a confounder far stronger than any observed in the data would be required to reduce our estimated effects to zero. Given the controls we include in our models, such a confounder is unlikely to exist. Appendix G addresses concerns arising from the clustering of civil servants in agencies. Appendix G.1 uses a leave-one-agency-out jackknife procedure to demonstrate that our results are not attributable to a single influential agency. Appendix G.2 applies a wild cluster bootstrap to demonstrate that the standard errors clustered on agency do not lead to materially overconfident statistical inference, even when some agencies contain few respondents or singletons, which preclude the calculation of intra-agency correlations.

Discussion

Our analysis yields five key findings. First, presidential appointees are perceived to be highly influential in administrative agenda-setting – indeed, the *most* influential actor within government. This finding reflects the American federal bureaucracy's organizational reality: appointees, as agency heads, have the most direct formal authority over agency decision-making and represent the most proximate point of political influence over intra-agency processes such as agenda-setting. While the president and White House officials' relative influence come at a close second to appointees, there is a notable drop in perceived influence from appointees to the president and OMB/OIRA and further, to Congress. In sum, our analysis finds that appointees are the most influential governmental actors over pre-proposal rulemaking, suggesting that politicization is the primary tool of the administrative presidency for setting the regulatory agenda.

Second, high partisan disagreement is associated with increased likelihood that political appointees have a great deal of influence and decreased likelihood that career civil servants have a great deal of influence (Models 1 and 2). Further, we find that when partisan disagreement is *not* high, the likelihood that appointees have a great deal of influence is largely constant across the range of agency ideology. However, when partisan disagreement *is* high, we find that appointees are especially likely to have a high degree of influence in liberal agencies (Figure 1). Meanwhile, for career civil servants, we find that high partisan disagreement is associated with a decreased likelihood of influence, regardless of agency ideology; conversely, low partisan disagreement is associated with an increased likelihood that careerists have a great deal of influence as agencies become more conservative (Figure 2). Overall, these findings support Hypothesis 1 as it relates to political appointees and career civil servants. Consistent with the broader literature on politicization, our findings demonstrate that policy disagreement leads to the marginalization of career civil servants and that this marginalization is greatest when career civil servants do not share the policy views of the president and the president's appointees. In sum, the administrative presidency argues that presidents use two tools – politicization and centralization – to control federal agencies. As discussed above, we find that partisan disagreement shapes politicization. However, we do not find evidence that partisan disagreement shapes the influence of the president/White House or OMB/OIRA. In other words, we do not find evidence that partisan disagreement shapes centralization.

Third, we find that higher levels of policy insulation are associated with decreased influence of the president/White House and OMB/OIRA. This finding suggests that agency insulation works as expected – it reduces the influence of political principals external to the agency and limits the influence presidents exert via OMB/OIRA. However, we do not find that personnel insulation is negatively associated with perceived influence of political principals. This disparity suggests that insulating mechanisms such as exemption from OIRA rule review reduce the influence of the president while limitations on the appointment power do not. This finding is intuitive. For instance, while fixed and staggered terms paired with for-cause protections may delay a president's ability to gain control via appointments, once a president secures a majority on the commission, those commissioners will faithfully pursue the president's agenda. Moreover, chairs of certain regulatory commissions are chosen by the president without Senate confirmation (Selin and Lewis 2018a). Chairs often have executive authority, meaning they direct agency staff and agenda power, meaning they determine which items are brought to the full commission for a vote. Therefore, "a commission majority cannot enact policy if its chair prohibits staff from drafting a rule or refuses to allow a vote to occur" (Phillips 2023, p. 277). The Equal Employment Opportunity Commission and the Federal Communications Commission are illustrative examples here. In both cases, the chair is selected by the president alone, the chairs have executive power and agenda control, and no protection from removal as chair (Phillips 2023). Indeed, President Trump named new chairs for both agencies on Inauguration Day 2025.[12] In short, our findings regarding agency insulation are consistent with presidents being able to direct agencies' regulatory agendas through politicization despite personnel insulation, while policy insulation creates a barrier to presidential efforts to direct agency rulemaking through centralization.

Fourth, we find suggestive evidence that higher levels of workforce skill are asso-

[12] URL: https://www.whitehouse.gov/presidential-actions/2025/01/designation-of-chairmen-and-acting-chairmen/

ciated with increased likelihood that career civil servants will have a high degree of influence over an agency's rulemaking agenda. Moreover, when agencies are highly skilled, rulemaking difficulty is associated with less influence of appointees, the President/White House, OMB/OIRA, and members of Congress and their staffs. This finding suggests that when civil servants possess expertise and that expertise is necessary for effective rulemaking, inexpert political principals defer to those expert civil servants.

Lastly, Congress is categorically different from the executive branch. As discussed in our first finding, political appointees and the president are perceived to be much more influential over administrative agenda-setting than Congress. We find, further, that the determinants of influence differ across the branches of government. Unlike presidential politicization, we do not find that congressional influence is shaped by partisan disagreement and, unlike presidential centralization, we do not find that congressional influence is shaped by policy insulation.[13] In total, these differences are consistent with theories of bureaucratic control in which Congress crafts administrative procedures to put agencies on autopilot, resulting in agencies responding to Congress's favored constituencies without visible actions by Congress. Moreover, these differences are also consistent with existing research on administrative agenda-setting; West and Raso's 2013 study reports that while Congress *can* play a significant agenda-setting rule in agencies' rulemaking, it often does not – in fact, as we noted in earlier sections, less than half of agency rules (approximately 34 percent) are mandated by congressional statute; the remainder respond to statutes that authorized, but did not require, agencies to take action. Together with extant research (see Wood and Waterman 1994, McCubbins et al. 1987 and 1989, McCubbins and Schwartz 1984,

[13]The AME of policy insulation on the predicted probability of that Congress has a great deal of influence is -4.66 percentage points (95 percent CI: [-10.89, 1.56]), which is about 1/3 the size of the corresponding AME for the president/White House. Overall, the congressional AME suggests a modest negative effect, but we do not have a high degree of confidence that the effect is indeed negative.

Epstein and O'Halloran 1996 and 1996, Rourke 1984, Carpenter 2001, Huber and Shipan 2002, Yackee 2012, and others), this dynamic suggests that congressional influence over administrative agenda-setting may primarily operate through organized interest groups empowered by administrative procedures. Due to this disposition of roles, civil servants may not perceive Congress to be a significant source of influence over regulatory agenda-setting – rather, Congress may be acting to control the regulatory agenda through organized interests. This possibility highlights the need for greater research on special interest influence in regulatory agenda-setting.

Conclusion

Existing scholarship has long ignored the study of administrative agenda-setting (West and Raso 2013). By our estimation, fewer than five papers published in political science journals address this subject in last century (see West and Raso 2013; West 2004; 2009; Yackee 2012). Moreover, due to the hidden nature of the pre-proposal process, this small body of work is limited by descriptive and small-n explorations. This neglect – alongside these data limitations – has substantial knowledge consequences. We have little to no systematic understanding about how the content of agency rules are generated and who, if anyone, influences proposal development (Kerwin 2003; West 2004; Yackee 2012). Indeed, existing research has largely "overlooked the informal process through which the most important [regulatory] decisions are...made" (West 2004, p. 655). Our work addresses this gap at a natural starting point: investigating how agency policymakers and government branches intersect to shape the regulatory agenda. We offer foundational insights about this process by leveraging unprecedented data documenting expert perceptions of agenda-setting influence through an original survey of senior civil servants.

Overall, we find that our standard understanding of political control of the bureaucracy applies to the pre-proposal setting. Intense partisan disagreement over agency direction increases the influence of appointees and decreases the influence of career civil servants, particularly when an agency is ideologically misalinged with the president. Further, insulating mechanisms reduce the influence of external political principals, namely the president and presidential efforts to centralize policymaking in the EOP. Finally, when civil servants possess expertise and that expertise is particularly valuable for effective policymaking, career civil servants are more influential and appointees and OMB/OIRA are less so, consistent with the president trading control for expertise. These findings illustrate both how the tools of the administrative presidency influence agencies' administrative agendas, and how these tools are limited by statutory design and the need for expertise in policymaking.

There is a great deal of room for future research. First, the nature of agenda-setting necessitates that some policy issues advance while others are sidelined. Understanding why certain issues may be left off the administrative agenda – alongside changes in the scope and diversity of agencies' pre-proposal agendas – is an important area for future study. Second, some policy domains are surely subject to greater interference or uncertainty than others, and this behavior may affect agencies' pre-proposal deliberations. Thus, future research should explore patterns of perceived influence under conditions of crisis, budgetary uncertainty, or presidential priority. Finally, existing research suggests that interest groups and stakeholders represent a significant source of influence in pre-proposal development. How might the intensity of interest group involvement interact with partisan and political forces to affect administrative agendas? This, too, represents an important area for future study.

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Appendices

A Survey Methodology

A.1 Discussion of Research Ethics

The survey was approved by the Institutional Review Boards (IRB) at the principal investigators' home institutions. Potential respondents were provided a detailed consent form that explained the goals of the survey, an assessment of risks and benefits, explanations of data security protocols and how researchers would use the data, and contact information should they have questions, concerns, or complaints. Consent was obtained electronically via the online survey platform. Specifically, the first screen was the consent form and respondents could not proceed with the survey without giving consent. Individuals were selected for the survey because they were senior government officials in the United States executive branch, as described below, and were not considered members of vulnerable or marginalized populations. The survey did not differentially benefit or harm particular groups. Respondents were not compensated for their participation.

The only risks associated with participation are consequences that might result from unauthorized use or theft of the survey responses. The research team took all necessary precautions to minimize the risk of accidental disclosure or theft of confidential data. The principal investigators established rigorous data security protocols to prevent unauthorized access to the survey data and data use protocols to ensure that data are reported at sufficient levels of aggregation to preserve respondent anonymity. Furthermore, each member of the research team signs a confidentiality pledge detailing ethical use of the data and is required to maintain current human subjects research training.

Congruent with IRB protocols regarding respondent anonymity, individual-level survey responses are not made available as part of the replication materials for this paper. Respondents could suffer harm to their careers in public service if their confidential responses about their employer were made public. Moreover, scholars' ability to survey this population would be harmed by the loss of trust should any such breach of confidentiality occur.

A.2 Sampling Frame

The sample frame is drawn from Leadership Directories' Federal Government database.[14] This database contains contact information for department and agency heads in the executive branch, including up to 15 levels of management hierarchy within departments and agencies. The contact information includes names, titles, mailing addresses, telephone numbers, and email addresses. The database also identifies individuals in the following types of positions: Presidential Appointments with Senate Confirmation, Presidential Appointments without Senate Confirmation, Schedule C Appointments, Non-Career Senior Executive Service positions, Career Senior Executive Service positions, and Senior Foreign Service positions.

A.3 Sampling Procedure

Census sample

The sample is a census of Presidential Appointees with Senate Confirmation, Presidential Appointees without Senate Confirmation, Schedule C Appointees, members of the Senior Executive Service (both career and non-career), and members of the Senior Foreign Service.

Senior federal employees who do not hold a position listed above were identified by title. Specifically, the sample includes a census of employees whose titles are variants

[14] A list of employees in the agencies included in the sample was downloaded on March 25, 2020 with one exception- the list for the United States Agency for International Development was downloaded on March 28, 2020 due to an oversight in the initial download.

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,[15] 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.

Sample addition to produce reliable agency-level inferences

We also identified prominent subagencies in the executive departments about which we wanted to make agency-level inferences.[16]

Heterogeneity in title usage across agencies makes it difficult to identify a set of titles that reliably identifies senior employees at every agency. Moreover, variants of Chief, Manager, and Supervisor are common among senior employees in subagencies of executive departments, meaning that the titles used to construct the census sample may not produce a large enough sample to yield a sufficient number of responses to make reliable subagency-level inferences. Therefore, for EOP agencies, subagencies in executive departments, and independent agencies that had at least 100 employees in the sample frame (i.e., enough potential respondents to yield a reliable agency-level estimate give our expected response rate), we executed the following sampling procedure:

1. For each agency with at least 100 people in the sample frame and the titles Administrator, Director, Chief,[17] Manager, and Supervisor (in that order),

a. Calculate the number of additional respondents needed to reach a sample size of 100 for the agency b. Select people in the sample frame not already selected by the census procedures c. From step b, identify all individual whose title includes

[15] Because we restrict the sample to certain agencies, searches derived from the root word "President" would not return the President of the United States or the Vice President of the United States.

[16] An employee did not have to work in a subagency to be included in the census above.

[17] We executed the process for titles that begin with "Chief" first, then searching for titles that contain "Chief" if the conditions for stopping the procedure were not met.

"Administrator" d. If adding all individuals from step c would cause the sample size to exceed 100, take a simple random sample from the set of individuals such that the sample size for that agency will be 100 and proceed to the next agency e. Otherwise, add all individuals from step c to the sample and repeat step c for the next title f. If all titles have been searched and the sample size remains below 100, proceed to the next agency

In total, this procedure yielded a sample of 23,824 individuals of whom 2,984 were not part of the census sample. Names and addresses were submitted to a vendor for mail service processing. There were 22,819 records (out of 23,824) that had a mailing address or building location in the directory. About 96% of these addresses were found to be valid delivery points in the USPS delivery sequence file. Through additional editing and research, nearly all of the remaining 4% were validated. The file was also inspected for duplicate names and email addresses. Because the survey is administered online, we then eliminated individuals with no email address resulting in a sample of 17,792 individuals. Elimination of invalid email addresses and individuals deemed ineligible during the field period (e.g., retirees) resulted in a final sample of 16,232 individuals.

B Survey Questions

Figure B1: Rulemaking Questions: Unified Agenda Influence and Difficulty of Rulemaking

[Display Q41 - 42 if respondent selected "Yes" their job deals with "Developing Notices of Proposed Rulemaking, summarizing related comments, writing final rules".]

Q41. The number of issues that an agency needs to address via rulemaking often exceeds the agency's capacity to develop new proposed rules. We would like to understand how senior leaders in [your agency] decide which new proposed rules to place on the Unified Agenda (i.e., what is included in the Unified Agenda).

In your experience, how much influence do the following groups have over which issues get included on the agency's Unified Agenda?

[Display order randomized.]

	No influence	Little influence	Some influence	A good bit of infuence	A great deal of influence	Not applicable
Political appointees in [your agency]	○	○	○	○	○	○
Career civil servants in [your agency]	○	○	○	○	○	○
Members of Congress and their staffs	○	○	○	○	○	○
The President/White House	○	○	○	○	○	○
OMB/OIRA	○	○	○	○	○	○
Courts (e.g., litigation settlements and consent decrees)	○	○	○	○	○	○
Private citizens (e.g., public petitions for rulemaking)	○	○	○	○	○	○
Regulated parties (e.g., private firms, trade organizations)	○	○	○	○	○	○
Public interest advocacy groups (e.g., non-governmental organizations)	○	○	○	○	○	○

Q42. Our regulatory system deals with public policies of varying complexity. As a result, our understanding of the cause and effect relationship between the content of a rule and the ultimate effects of the rule is better in some areas than others.

17

Thinking about rules issued by [your agency], how easy or difficult is it to know the effects of these rules before they are implemented?

Very difficult	Difficult	Somewhat difficult	Somewhat easy	Easy	Very easy	Don't know
○	○	○	○	○	○	○

Figure B2: Partisan Disagreement Question

Q45. We would like to better understand which agencies face challenges created by partisan disagreement.

How often do Republicans and Democrats in Washington disagree over what [your agency] should do?

Never	Rarely	Sometimes	Often	Always	Don't know
○	○	○	○	○	○

Q46. How strongly do Republicans and Democrats in Washington disagree over what [your agency] should do?

○ No disagreement
○ Low intensity disagreement
○ Moderate intensity disagreement
○ High intensity disagreement
○ Don't know

C Models with Interaction Effects

Table C1: Models of Influence

Model	C1	C2	C3	C4	C5
	App.	Car.	Pres.	Cong.	OMB/OIRA
High disagreement	0.19	−0.62**	0.14	−0.09	−0.21
	(0.22)	(0.21)	(0.19)	(0.21)	(0.19)
Agency ideology	0.04	0.22*	0.09	0.39***	−0.11
	(0.12)	(0.10)	(0.11)	(0.11)	(0.07)
High Dis. x Ideology	−0.42*	−0.34*	−0.06	−0.23	−0.03
	(0.18)	(0.16)	(0.16)	(0.18)	(0.17)
Workforce skills (2014)	0.21	0.06	0.06	0.38*	0.06
	(0.16)	(0.12)	(0.14)	(0.17)	(0.16)
Rulemaking difficult	0.01	−0.16	−0.07	−0.10	−0.13
	(0.17)	(0.15)	(0.15)	(0.15)	(0.15)
Skills x Difficulty	−0.42*	0.09	−0.21	−0.44*	−0.32+
	(0.18)	(0.14)	(0.15)	(0.18)	(0.18)
Personnel insulation	0.08	0.08	0.00	0.12	−0.01
	(0.11)	(0.10)	(0.11)	(0.14)	(0.14)
Policy insulation	0.12	0.09	−0.37***	−0.13	−0.40**
	(0.08)	(0.09)	(0.10)	(0.11)	(0.13)
Pol. Appointee	−0.29	0.31	0.10	0.11	−0.18
	(0.27)	(0.22)	(0.30)	(0.26)	(0.25)
None-Little|Some	−1.74***	−1.53***	−1.52***	−1.26***	−1.25***
	(0.19)	(0.16)	(0.19)	(0.15)	(0.16)
Some|A good bit	−1.21***	−0.40**	−0.80***	−0.32*	−0.49***
	(0.16)	(0.14)	(0.17)	(0.15)	(0.13)
A good bit|A great deal	−0.33*	0.50***	−0.13	0.50**	0.18
	(0.15)	(0.14)	(0.15)	(0.17)	(0.12)
Num.Obs.	243	243	243	243	243
Std.Errors	by: agency	by: agency	by: agency	by: agency	by: agency
Brier Score	0.23	0.35	0.31	0.35	0.35

+ p <0.1, * p <0.05, ** p <0.01, *** p <0.001

D Models Controlling for Partisanship and Tenure

Model	D1	D2	D3	D4	D5
	App.	Car.	Pres.	Cong.	OMB/OIRA
High disagreement	0.49*	−0.47*	0.30	0.15	−0.02
	(0.24)	(0.21)	(0.20)	(0.21)	(0.18)
Agency ideology	0.01	0.11	0.10	0.36***	−0.03
	(0.12)	(0.09)	(0.10)	(0.08)	(0.09)
Workforce skills (2014)	−0.11	0.09	−0.21+	0.15	−0.19*
	(0.16)	(0.12)	(0.11)	(0.12)	(0.09)
Rulemaking difficult	0.19	−0.18	0.14	−0.05	−0.12
	(0.19)	(0.16)	(0.18)	(0.17)	(0.18)
Personnel insulation	0.13	0.03	0.05	0.14	0.02
	(0.13)	(0.10)	(0.12)	(0.16)	(0.15)
Policy insulation	0.08	0.09	−0.42***	−0.14	−0.46**
	(0.10)	(0.09)	(0.11)	(0.12)	(0.14)
Pol. Appointee	0.12	0.13	0.05	0.22	0.00
	(0.31)	(0.33)	(0.41)	(0.34)	(0.31)
Democrat	−0.09	0.01	−0.38*	−0.41**	0.08
	(0.20)	(0.18)	(0.16)	(0.15)	(0.17)
Republican	−0.14	0.09	−0.20	−0.44	0.33
	(0.28)	(0.28)	(0.27)	(0.28)	(0.24)
Agency Tenure	0.01	−0.01	0.02*	0.00	0.01
	(0.01)	(0.01)	(0.01)	(0.01)	(0.01)
None-Little|Some	−1.52***	−1.75***	−1.42***	−1.58***	−1.14***
	(0.29)	(0.22)	(0.28)	(0.21)	(0.23)
Some|A good bit	−0.92***	−0.69**	−0.59*	−0.47*	−0.35+
	(0.25)	(0.24)	(0.26)	(0.20)	(0.20)
A good bit|A great deal	−0.07	0.19	0.10	0.37+	0.38+
	(0.26)	(0.25)	(0.25)	(0.21)	(0.19)
Num.Obs.	200	200	200	200	200
Std.Errors	by: agency	by: agency	by: agency	by: agency	by: agency

+ p <0.1, * p <0.05, ** p <0.01, *** p <0.001

Model	D6	D7	D8	D9	D10
	App.	Car.	Pres.	Cong.	OMB/OIRA
High disagreement	0.18	−0.66**	0.18	−0.14	−0.01
	(0.22)	(0.23)	(0.20)	(0.24)	(0.20)
Agency ideology	0.14	0.26*	0.13	0.51***	−0.08
	(0.14)	(0.12)	(0.14)	(0.12)	(0.11)
High Dis. x Ideology	−0.46*	−0.38+	−0.11	−0.41*	0.09
	(0.18)	(0.19)	(0.18)	(0.20)	(0.18)
Workforce skills (2014)	0.22	0.06	0.04	0.40*	−0.06
	(0.19)	(0.18)	(0.15)	(0.19)	(0.17)
Rulemaking difficult	0.31	−0.19	0.21	0.01	−0.09
	(0.21)	(0.16)	(0.18)	(0.16)	(0.18)
Skills x Difficulty	−0.57*	0.04	−0.43*	−0.42*	−0.20
	(0.24)	(0.20)	(0.18)	(0.19)	(0.22)
Personnel insulation	0.12	0.08	0.02	0.16	−0.01
	(0.13)	(0.11)	(0.13)	(0.17)	(0.15)
Policy insulation	0.12	0.06	−0.39***	−0.13	−0.44**
	(0.09)	(0.09)	(0.10)	(0.13)	(0.14)
Pol. Appointee	0.14	0.10	0.10	0.22	0.03
	(0.34)	(0.33)	(0.41)	(0.35)	(0.32)
Democrat	−0.14	0.03	−0.43**	−0.45**	0.06
	(0.20)	(0.19)	(0.16)	(0.17)	(0.17)
Republican	−0.17	0.13	−0.22	−0.44	0.30
	(0.26)	(0.27)	(0.26)	(0.27)	(0.24)
Agency Tenure	0.01	−0.02+	0.02*	0.00	0.01
	(0.01)	(0.01)	(0.01)	(0.01)	(0.01)
None-Little|Some	−1.64***	−1.87***	−1.43***	−1.69***	−1.10***
	(0.30)	(0.24)	(0.29)	(0.24)	(0.23)
Some|A good bit	−1.02***	−0.79**	−0.58*	−0.55*	−0.31
	(0.27)	(0.25)	(0.27)	(0.22)	(0.21)
A good bit|A great deal	−0.14	0.10	0.12	0.31	0.42*
	(0.27)	(0.27)	(0.26)	(0.23)	(0.20)
Num.Obs.	200	200	200	200	200
Std.Errors	by: agency	by: agency	by: agency	by: agency	by: agency

+ p <0.1, * p <0.05, ** p <0.01, *** p <0.001

E Sensitivity to Coding of Difficulty

This appendix evaluates the sensitivity of results to alternative coding of respondents' perceptions of the difficulty of rulemaking, defined as the difficulty of knowing the effects of a rule before it is implemented.

Table E1 gives the distribution of responses to the difficulty question for the observations in the models in the main text. About 72% of respondents selected the "somewhat" categories with only 7% selecting the more extreme "very" categories. The primary conclusion is that extreme perceptions are rather rare – most respondents perceive rulemaking to be either somewhat easy or somewhat difficult.

Table E1: Distribution of Perceptions of Difficulty

	Very difficult	Difficult	Somewhat difficult	Somewhat easy	Easy	Very easy
Frequency	10	25	100	75	25	8
Percentage	4%	10%	41%	31%	10%	3%

Figure E1: Expertise and Perceptions of Difficulty

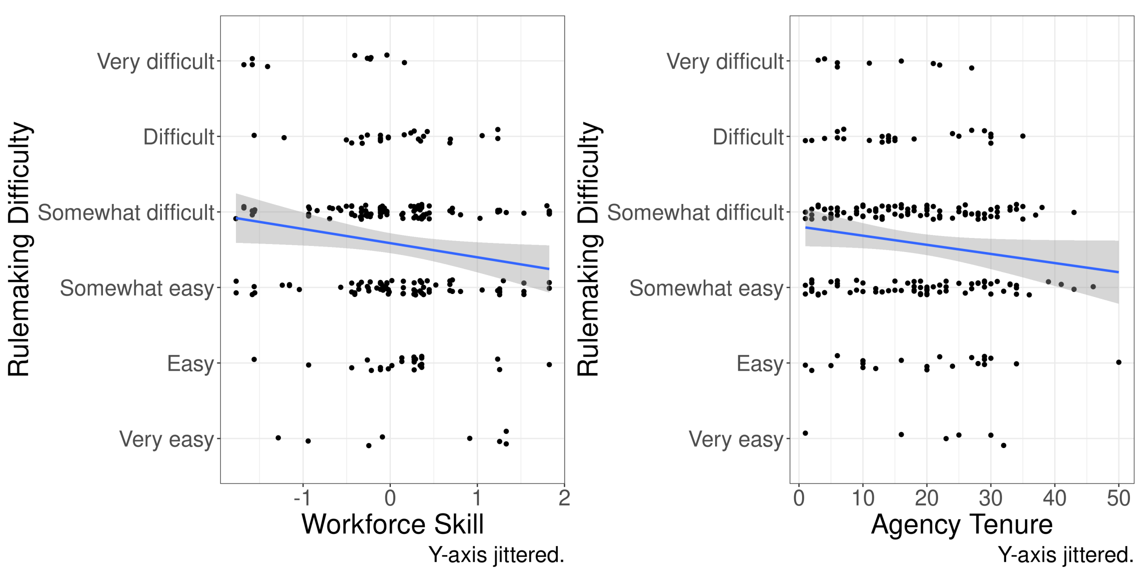


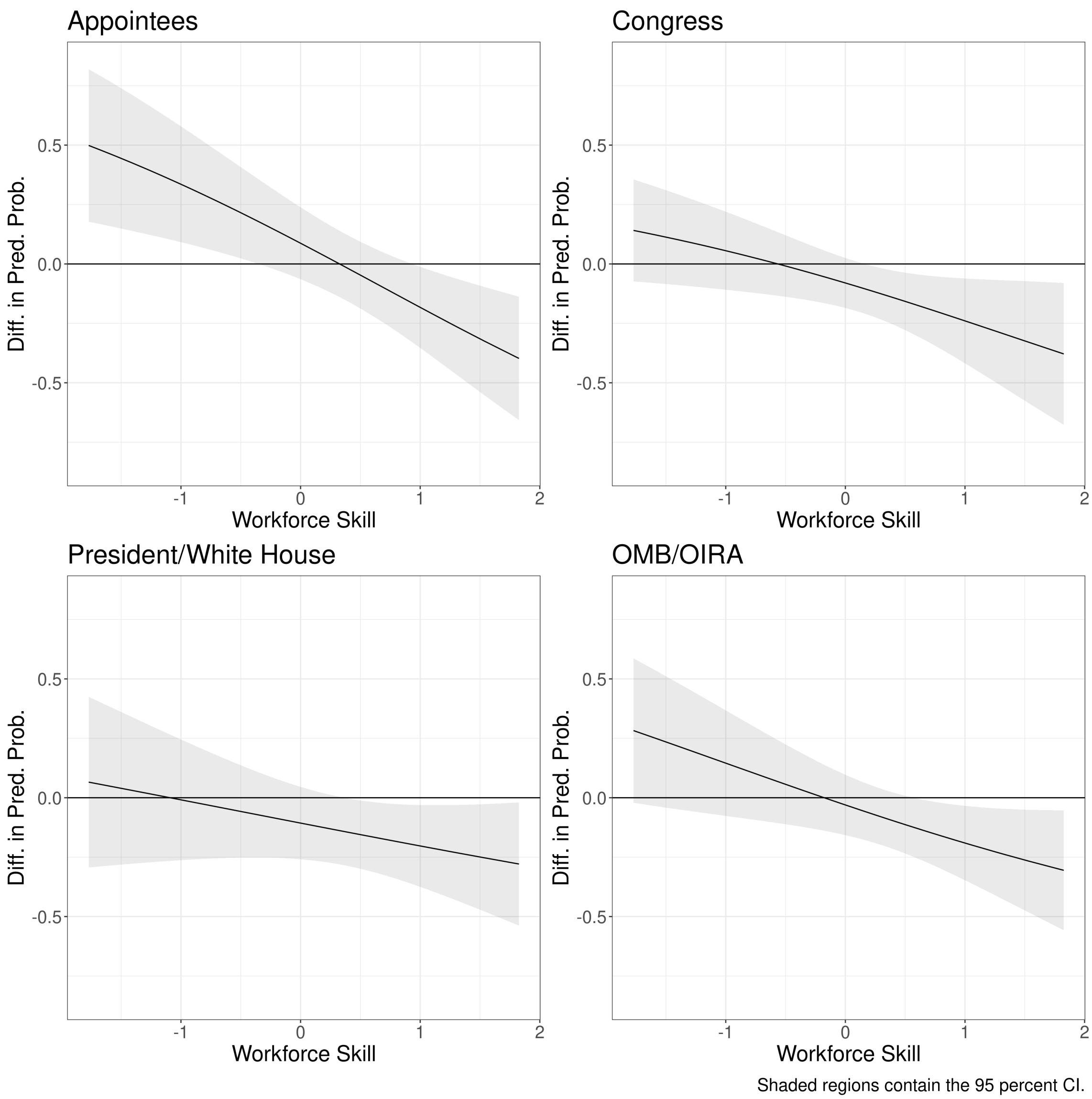
Figure E1 plots the relationship between two measures of expertise – workforce skill and civil servant tenure in their agency – and perceptions of difficulty. Both higher workforce skill and greater agency tenure are associated with perceptions that rulemaking is less difficult.

In particular, respondents in agencies with lesser-skilled workforces (i.e., a workforce skills estimate below 0) or civil servants with lower agency tenures are more likely to perceive that rulemaking is "very difficult." This relationship raises concerns that respondents selecting "very difficult" and perhaps "difficult" perceive rulemaking to be difficult because they lack expertise, not because an expert would perceive that rulemaking is difficult. This inaccurate perception in turn creates concern about our conclusion that political principals defer to expert civil servants when rulemaking is difficult. Thus, to evaluate the robustness of our finding, we execute two analyses. First, we subset the data to only responses of "somewhat" difficult and "somewhat" easy to eliminate the problematic perceptions. Second, we subset the data to more-skilled workforces (i.e., a workforce skills estimate above 0) and less-skilled workforces (i.e., a workforce skills estimate at or below 0). Our results are robust to both cases. We provide discussion and analysis below.

E.1 Subset to "Somewhat" Responses

This subsection re-estimates the models evaluating the effect of rulemaking difficulty conditional on skill of the workforces with the data subset to only respondents that reported that rulemaking is "somewhat" easy or "somewhat" difficult. Figure E2 recreates Figure 3 from the main text using only "somewhat" responses. This Figure shows that for high-skilled agencies (i.e., a workforce skills estimate of 1 greater), the marginal effect of going from "somewhat easy" to "somewhat difficult" is negative, supporting the conclusion that political principals tend to defer to expert civil servants when rulemaking is difficult. Table E2 contains the ordered probit models. The estimated coefficients on the interaction effect between skills and difficulty are larger when the data are subset to "somewhat" responses than in the full dataset (i.e., appointees: -0.42 to -1.30, president: -0.21 to -0.44, Congress: -0.44 to -0.78, and OMB/OIA: -0.32 to -0.85). Overall, this analysis demonstrates the robustness of our conclusion to removing extreme perceptions.

Figure E2: Effect of Rulemaking Difficulty Conditional on Expertise - “Somewhat” Responses



E.2 Split-Sample: More- and Less-Skilled Agencies

This subsection demonstrates the robustness of our conclusions regarding skill and difficulty of rulemaking to splitting the sample into more- and less-skilled agencies, defined as agencies with a workforce skills estimate greater than 0 and a workforce skills estimate less than or equal to zero. The workforce skills estimates are locally identified to be distributed N(0,1). Therefore, zero is the center of the latent scale, and agencies with estimates above

Table E2: Models if Influence - "Somewhat"

	App.	Car.	Pres.	Cong.	OMB/OIRA
High disagreement	0.13	−0.92*	0.19	−0.29	−0.43
	(0.48)	(0.41)	(0.33)	(0.37)	(0.37)
Agency ideology	−0.02	0.19	−0.03	0.41*	−0.37**
	(0.26)	(0.19)	(0.23)	(0.18)	(0.13)
High Dis. x Ideology	−0.64	−0.20	−0.05	−0.15	0.12
	(0.48)	(0.32)	(0.30)	(0.32)	(0.33)
Workforce skills (2014)	0.58+	0.31	0.11	0.60+	0.27
	(0.35)	(0.30)	(0.34)	(0.36)	(0.30)
Rulemaking difficult	0.42	−0.07	−0.47	−0.44	−0.15
	(0.38)	(0.33)	(0.36)	(0.29)	(0.32)
Skills x Difficulty	−1.30**	0.01	−0.44	−0.78*	−0.85*
	(0.46)	(0.36)	(0.35)	(0.37)	(0.36)
Personnel insulation	0.23	−0.09	−0.12	−0.01	−0.09
	(0.22)	(0.20)	(0.21)	(0.26)	(0.30)
Policy insulation	0.10	0.32+	−0.67***	−0.12	−0.68*
	(0.16)	(0.19)	(0.19)	(0.17)	(0.29)
Pol. Appointee	−0.25	1.14*	−0.07	0.47	−0.10
	(0.64)	(0.49)	(0.63)	(0.57)	(0.50)
None-Little—Some	−2.72***	−2.44***	−2.89***	−2.26***	−2.07***
	(0.39)	(0.37)	(0.42)	(0.31)	(0.33)
Some—A good bit	−1.87***	−0.28	−1.57***	−0.53*	−0.81**
	(0.32)	(0.28)	(0.36)	(0.26)	(0.26)
A good bit—A great deal	−0.42	1.30***	−0.35	0.69*	0.47*
	(0.27)	(0.32)	(0.28)	(0.28)	(0.22)
Num.Obs.	175	175	175	175	175

+ p <0.1, * p <0.05, ** p <0.01, *** p <0.001

zero have above-average relative skill. Figure E3 replicates Figure 3 in the main text using data subset to more-skilled agencies. Consistent with findings in the main text and when the data are subset to “somewhat” responses, this Figure shows that the estimated average marginal effect of going from “easy” to “difficult” rulemaking is negative when workforce skills are above 1. This finding is consistent with political principals tending to defer to these expert civil servants when their expertise is most valuable. Tables E3 through E7 contain the models estimated on the full sample (All), estimated on the more-skilled agencies (More sk.), and the less-skilled agencies (Less sk.). Again, the estimated interaction effect between skills and difficulty is larger in the models subset to the more-skilled agencies than the less-skilled agencies. This finding suggests that the negative estimated coefficient in the pooled models is mostly attributable to the more-skilled agencies, where civil servants’ perceptions of the difficulty of rulemaking are more likely to indicate difficult policy areas rather than the inaccurate perceptions of less-expert civil servants.

Figure E3: Effect of Rulemaking Difficulty Conditional on Expertise - High Skills

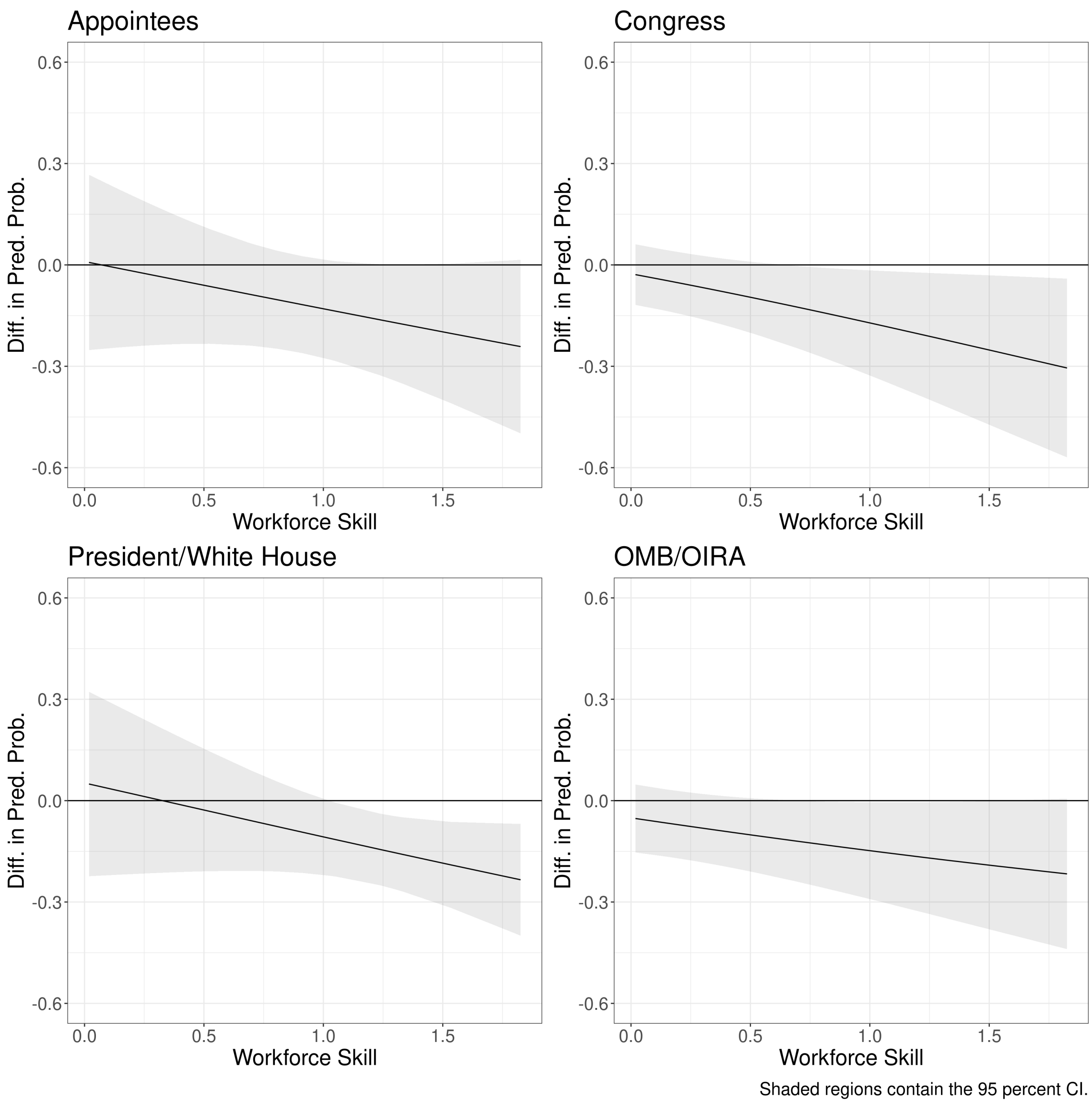


Table E3: Perceptions of Influence: Appointees

	All	More sk.	Low sk.
High disagreement	0.39	0.37	0.51
	(0.37)	(0.49)	(0.67)
Agency ideology	0.07	0.32	−0.38
	(0.19)	(0.29)	(0.39)
High Dis. x Ideology	−0.72*	−0.79+	−0.18
	(0.30)	(0.43)	(0.55)
Workforce skills (2014)	0.31	0.32	0.16
	(0.27)	(0.56)	(0.62)
Rulemaking difficult	0.05	0.04	0.37
	(0.30)	(0.60)	(0.58)
Skills x Difficulty	−0.69*	−0.63	−0.15
	(0.33)	(0.57)	(0.78)
Personnel insulation	0.17	0.52+	−0.12
	(0.17)	(0.27)	(0.20)
Policy insulation	0.17	−0.11	0.26
	(0.15)	(0.25)	(0.24)
Pol. Appointee	−0.55	−0.32	−0.51
	(0.46)	(1.29)	(0.50)
None-Little—Some	−3.13***	−3.21***	−2.78**
	(0.39)	(0.51)	(0.93)
Some—A good bit	−2.06***	−2.23***	−1.59*
	(0.30)	(0.46)	(0.76)
A good bit—A great deal	−0.50*	−0.42	−0.28
	(0.24)	(0.50)	(0.65)
Num.Obs.	243	120	123

+ $p < 0.1$, * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$

Table E4: Perceptions of Influence: Congress

	All	More sk.	Less sk.
High disagreement	−0.22	0.16	−0.30
	(0.36)	(0.41)	(0.69)
Agency ideology	0.63**	0.96**	0.70+
	(0.20)	(0.34)	(0.37)
High Dis. x Ideology	−0.40	−1.03*	−0.12
	(0.31)	(0.51)	(0.47)
Workforce skills (2014)	0.64*	1.94**	0.66
	(0.31)	(0.61)	(0.52)
Rulemaking difficult	−0.15	0.78	−0.19
	(0.26)	(0.54)	(0.57)
Skills x Difficulty	−0.73*	−1.79*	−0.50
	(0.33)	(0.73)	(0.56)
Personnel insulation	0.19	0.33	0.22
	(0.26)	(0.27)	(0.33)
Policy insulation	−0.20	−0.64**	−0.07
	(0.18)	(0.23)	(0.16)
Pol. Appointee	0.20	0.91	−0.13
	(0.42)	(0.98)	(0.54)
None-Little—Some	−2.10***	−1.50**	−2.38***
	(0.26)	(0.45)	(0.59)
Some—A good bit	−0.52*	0.45	−0.93+
	(0.26)	(0.34)	(0.53)
A good bit—A great deal	0.83**	2.31***	0.21
	(0.29)	(0.43)	(0.54)
Num.Obs.	243	120	123

+ p <0.1, * p <0.05, ** p <0.01, *** p <0.001

Table E5: Perceptions of Influence: President/White House

	All	More sk.	Less sk.
High disagreement	0.22	0.52	0.11
	(0.31)	(0.45)	(0.56)
Agency ideology	0.17	0.60*	−0.41
	(0.19)	(0.25)	(0.36)
High Dis. x Ideology	−0.14	−0.47*	0.79
	(0.26)	(0.22)	(0.57)
Workforce skills (2014)	0.04	0.50	0.36
	(0.24)	(0.51)	(0.60)
Rulemaking difficult	−0.18	0.25	0.39
	(0.26)	(0.66)	(0.58)
Skills x Difficulty	−0.30	−0.76	0.52
	(0.25)	(0.51)	(0.74)
Personnel insulation	−0.01	0.30	−0.27
	(0.19)	(0.22)	(0.28)
Policy insulation	−0.63***	−1.07***	−0.52**
	(0.17)	(0.22)	(0.17)
Pol. Appointee	0.09	−0.60	0.49
	(0.54)	(0.77)	(0.67)
None-Little—Some	−2.67***	−2.34***	−2.92***
	(0.36)	(0.67)	(0.72)
Some—A good bit	−1.39***	−0.86	−1.67*
	(0.29)	(0.53)	(0.67)
A good bit—A great deal	−0.26	0.23	−0.35
	(0.25)	(0.48)	(0.61)
Num.Obs.	243	120	123

+ p <0.1, * p <0.05, ** p <0.01, *** p <0.001

Table E6: Perceptions of Influence: OMB/OIRA

	All	More sk.	Less sk.
High disagreement	−0.30	−0.63	−0.01
	(0.32)	(0.55)	(0.49)
Agency ideology	−0.20+	−0.17	−0.03
	(0.11)	(0.20)	(0.36)
High Dis. x Ideology	−0.03	−0.05	0.34
	(0.29)	(0.56)	(0.44)
Workforce skills (2014)	0.05	0.61	0.00
	(0.25)	(0.55)	(0.45)
Rulemaking difficult	−0.24	−0.22	−0.11
	(0.25)	(0.66)	(0.53)
Skills x Difficulty	−0.50+	−0.54	−0.14
	(0.28)	(0.71)	(0.55)
Personnel insulation	0.01	0.46*	−0.22
	(0.23)	(0.22)	(0.29)
Policy insulation	−0.70**	−1.39***	−0.52*
	(0.21)	(0.31)	(0.20)
Pol. Appointee	−0.37	−0.66	−0.34
	(0.41)	(0.43)	(0.60)
None-Little—Some	−2.13***	−2.05***	−2.15***
	(0.27)	(0.48)	(0.54)
Some—A good bit	−0.82***	−0.46	−0.98*
	(0.21)	(0.44)	(0.42)
A good bit—A great deal	0.28	0.83+	0.04
	(0.18)	(0.42)	(0.42)
Num.Obs.	243	120	123

+ p <0.1, * p <0.05, ** p <0.01, *** p <0.001

F Sensitivity to Unobserved Confounders

This section uses methods developed by Cinelli and Hazlett (2020) to evaluate the sensitivity of our results to a hypothetical unobserved confounder. The confounder is characterized in terms of its partial R^2 value with both the treatment variable and the outcome variable. A partial R^2 value measures the additional explanatory power that would be gained by adding a variable to a regression model. Formally, consider a matrix of covariates $\mathbf{X}$ (including a constant), a treatment variable D, an unobserved confounder Z, and an outcome Y. Then the partial R^2 of D with respect to Y after controlling for $\mathbf{X}$, denoted $R^2_{Y\sim D|\mathbf{X}}$, is the percentage of variation in Y left unexplained by $\mathbf{X}$ that would be explained by adding D to the regression model.

Sensitivity is developed for OLS regression, so we use a linear probability model predicting the probability an actor has "a great deal of influence." Additionally, the sensitivity analysis does not accommodate robust standard errors, so the robustness values regarding statistical significance discussed below assume heteroskedasticity. Because we are considering very strong confounders, we focus on the strength of a confounder necessary to reduce our results to zero, rather than the strength necessary to eliminate statistical significance.

If we fit an LPM predicting the probability that appointees have a great deal of influence using the specification in Model 1 in Table 2 in the main text, the R^2 is about 0.046. Estimating the model with *High Disagreement* excluded yields an R^2 of about 0.028. Therefore, $R^2_{Y\sim D|\mathbf{X}} = \frac{0.046-0.028}{1-0.028} \approx 0.018$. In other words, adding *High Disagreement* to the model explains 1.8 percent of the residual variation in the likelihood that appointees have a high degree of influence. It follows that $R^2_{Y\sim Z|D,\mathbf{X}}$ is the additional explanatory power gained by including the confounder, Z, in a regression model that includes *High Disagreement* and the other independent variables. Analogously, $R^2_{D\sim Z|\mathbf{X}}$ is the additional explanatory power gained by including the confounder, Z, in a regression of *High Disagreement* on the other independent variables in the Model 1.

Cinelli and Hazlett (Cinelli and Hazlett 2020) provide a set of summary statistics to characterize how strong a confounder must be to eliminate the estimated effect of a treatment variable on an outcome or reduce it sufficiently to render it no longer statistically significant. First, the Robustness Value ($RV_{q=1}$) is the partial R^2 a confounder must have with respect to the treatment *and* outcome variables to reduce the coefficient on the treatment variable to 0. Table F1 shows that a hypothetical confounder must explain 12.66 percent of the unexplained variation in both *High Disagreement* and *Appointee Influence* to reduce the estimated effect of *High Disagreement* to zero. However, that confounder would have to explain only 0.66 percent of the unexplained variation in both *Appointee Influence* and *High disagreement* to result in a coefficient that is no longer statistically significant at the 95% confidence level (given by the $RV_{q=1,\alpha=0.05}$ term).

Cinelli and Hazlett (2020) provide an "extreme scenario" test that assumes the potential confounder explains 100 percent of the remaining variation in the outcome and then determines how much of the remaining variation in the treatment the confounder must explain to eliminate the estimated effect. We do not consider the extreme scenario test because we are analyzing linear probability models that tend to have low R^2 values because we are fitting a line to a binary outcome. Continuing with Model 1 in Table 2, such a confounder would explain the remaining 95 percent of the variation in Model 1 not explained by the included covariates. Rather than consider these "extreme" tests, we use benchmark covariates to characterize the sensitivity of our results to hypothetical unobserved confounders. We do consider confounders three times as strong as these benchmark variables to provide an "extreme" test that, while often implausible, is grounded in observed relationship in our data.

Lastly, it is important to note that this analysis assumes a single unobserved confounder. Fortunately, sensitivity analysis using a single unobserved confounder provides an upper bound on the case of multiple unobserved confounders, including non-linear relationships between confounders (Cinelli and Hazlett 2020, p. 54-55). Therefore, the summary statistics provided below are upper bounds on corresponding summary statistics for multiple unobserved confounders.

F.1 Sensitivity of Main Effects in Table 2

Table F1 provides the corresponding point estimate for the estimated effect of high partisan disagreement on the likelihood that appointees and careerists have a great deal of influence and the estimated effect of policy insulation on the likelihood that the president/White House and OMB/OIRA have a great deal of influence. The direction of effects are identical to those in the main text and the magnitudes are similar, indicating that the LPMs recover similar results to the ordered probit models. The $RV_{q=1}$ values range from 12.66 percent to 22.50 percent. For example, $RV_{q=1} = 0.1716$ for policy insulation's estimated effect on the influence of OMB/OIRA. Therefore, an unobserved confounder must explain 17.16 percent of the unexplained variation in both policy insulation and the likelihood that OMB/OIRA has a great deal of influence.

Table F2 benchmarks the sensitivity analysis against unobserved confounders three times as powerful as our most predictive controls. When high partisan disagreement is our treatment variable of interest, we evaluate its sensitivity to an unobserved confounder three times as strong as agency ideology. We selected agency ideology because of its strong relationship with partisan disagreement. The $R^2_{D\sim Z|\mathbf{X}}$ column shows that such a confounder would explain 12.02 percent of the unexplained variation in high partisan disagreement, which is below the threshold necessary to reduce our estimate to zero for both appointees and careerists. The Adjusted Estimate and Adjusted CI columns provide the estimated effect and the corresponding upper and lower bounds on a 95 percent confidence interval after adjusting for a confounder three times the strength of agency ideology. The adjusted estimates in the first two rows of Table F2 are similar to the estimates from the first two rows of Table F1 because the partial R^2 for this confounder is low for the outcome variables (see the $R^2_{Y\sim Z|D,\mathbf{X}}$ column). Importantly, if we consider the covariates with the highest partial R^2 for the models of the influence of appointees and careerists, unobserved confounders three times as strong as each would yield $R^2_{Y\sim Z|D,\mathbf{X}}$ values of 2.65 percent and 6.40 percent, respectively – well below the robustness values necessary to reduce the estimated effects to 0.

The third and fourth rows of F2 use personnel insulation as a benchmark covariate to evaluate the sensitivity of our findings regarding policy insulation to an unobserved confounder three times as strong as personnel insulation. We selected personnel insulation for its strong relationship with policy insulation. The $R^2_{D\sim Z|\mathbf{X}}$ column shows that such a confounder would explain 41.37 percent of the unexplained variation in policy insulation, which is above the threshold necessary to reduce our estimate to zero. However, because a confounder three times as strong as personnel insulation would not explain enough unexplained variation in the influence of the President/White House or OMB/OIRA (see the see the $R^2_{Y\sim Z|D,\mathbf{X}}$ column), the adjusted estimates are not reduced to zero. If we consider the covariates with the highest partial R^2 for the models of influence of the President/White House and OMB/OIRA, unobserved confounders three times as strong as each would yield $R^2_{Y\sim Z|D,\mathbf{X}}$ values of 1.29 percent and 3.21 percent, respectively – well below the robustness values (see the see the $RV_{q=1}$ column in Table F2) necessary to reduce the estimated effects to 0.

Table F1: Robustness Value for Table 2

Var.	Actor	Estimate	$RV_{q=1}$	$RV_{q=1,\alpha=0.05}$
Pty. Dis.	Appointees	0.1435	0.1266	0.0066
Pty. Dis.	Careerists	-0.1582	0.1508	0.0342
Policy Ins.	Pres./WH	-0.1298	0.2250	0.1190
Policy Ins.	OMB/OIRA	-0.0939	0.1716	0.0580

Table F2: Benchmark Covariates for Table 2

Var.	Actor	Benchmark	$R^2_{D\sim Z\|\mathbf{X}}$	$R^2_{Y\sim Z\|D,\mathbf{X}}$	Adjusted Estimate	Adjusted Lower CI	Adjusted Upper CI
Pty. Dis.	Appointees	3× Ideology	0.1202	0.0104	0.1036	-0.0411	0.2483
Pty. Dis.	Careerists	3× Ideology	0.1202	0.0020	-0.1424	-0.2750	-0.0097
Policy Ins.	Pres./WH	3× Pers. Ins.	0.4137	0.0021	-0.1101	-0.1954	-0.0248
Policy Ins.	OMB/OIRA	3× Pers. Ins.	0.4137	0.0067	-0.0597	-0.1432	0.0238

F.2 Sensitivity of Interaction Effects in Table C1

This subsection evaluates the sensitivity of the interaction effects using LPMs predicting the probability an actor has a high degree of influence. The sensitivity methods developed by Cinelli and Hazlett Cinelli and Hazlett (2020) are designed to evaluate the sensitivity of a single coefficient. Therefore, we re-center the continuous variables in our interactions so that the coefficient on the indicator variable is an effect of interest for our estimated conditional average effect. For example, the LPM predicting a great deal of appointee influence yields: $\frac{\partial P(Y=1)}{\partial \text{High Disagreement}} = 0.056325 - 0.142477 \times \text{Agency Ideology}$. We want to evaluate this estimated conditional average marginal effect at Agency Ideology $= -1.51$, which corresponds to the ideology of the EPA. If plug in that value for Agency Ideology, we get $\frac{\partial P(Y=1)}{\partial \text{High Disagreement}} = 0.056325 - 0.142477 \times (-1.51) \approx 0.2715$ To use sensitivity analysis to evaluate this estimated effect, we create a new variable: $\text{Agency Ideology}_c = \text{Agency Ideology} - (-1.51)$. We then re-estimate the LPM, and we get $\frac{\partial P(Y=1)}{\partial \text{High Disagreement}} = 0.2714655 - 0.142477 \times \text{Agency Ideology}_c$ because the coefficient on the indicator variable for high disagreement gives the estimated conditional average marginal effect when $\text{Agency Ideology}_c = 0$ which occurs when Agency Ideology $= -1.51$

Row 1 of Table F3 provides the results of the sensitivity analysis of the estimated effect of partisan disagreement conditional on agency ideology (of -1.51) on the influence of appointees. The robustness value ($RV_{q=1}$) of 16.29 percent means that an observed confounder must explain at least 16.29 percent of the unexplained variation in the partisan disagreement and appointees influence to reduce the estimated effect to zero. Row 1 of Table F4 benchmarks this analysis against an unobserved confounder three times as strong as agency ideology. Such a confounder explains 18.78 percent of the unexplained variation in partisan disagreement, which is above the robustness value of 16.29 percent. Nonetheless, the adjusted estimate remains close to 20 at 19.69 percentage points because this hypothetical confounder only explains 1.03 percent of the variation in appointee influence ($R^2_{Y\sim Z|D,\mathbf{X}}$ column). Importantly, a confounder three times as strong as the covariate most predictive of appointee influence would explain only 4.25 percent of the unexplained variation, which is below the robustness value.

Row 2 of Table F3 provides the results of the sensitivity analysis of the estimated effect of partisan disagreement conditional on agency ideology on the influence of careerists. We center agency ideology at 1.51 because Figure 2 in the main text shows a negative effect of partisan disagreement at more conservative (i.e., larger) values of agency ideology. (The $RV_{q=1,\alpha=0.05}$ is zero here because the estimated effect is not statistically significant at the 95 percent level.) The robustness value ($RV_{q=1}$) of 7.76 percent means that an observed confounder must explain at least 7.76 percent of the unexplained variation in the partisan disagreement and careerist influence to reduce the estimated effect to zero. Row 2 of Table F4 benchmarks this analysis against an unobserved confounder three times as strong as a confounder that is a composite of policy and personnel insulation. We use this composite confounder because personnel insulation is the continuous variable with the largest partial R^2 for partisan disagreement. However, personnel insulation explains essentially none of the unexplained variation in careerist influence, while policy insulation has the largest partial R^2 for careerist influence. This hypothetical confounder would explain only 0.72 percent of the unexplained variation in partisan disagreement and 6.22 percent of the unexplained variation in careerist influence, both below the robustness value of 7.76 percent.

Rows 3 through 4 of Tables F3 and F4 contain the sensitivity analysis and benchmark results estimated effect of rulemaking difficulty conditional on workforce skill on the influence of appointees, President/White House, Congress, and OMB/OIRA. We center workforce skill at 1.5 which corresponds an agency estimated to be as skilled as the Centers for Disease Control and Prevention. Such a workforce would be more skilled than the National Aeronautics and Space Administration (at about 1.3) and less skilled than the Federal Reserve or the National Institutes of Health (at about 1.8). We continue to use the composite insulation variable because it creates a confounder that has a strong relationship with both the treatment variable and outcome variables. For the models of appointee influence, congressional influence, and OMB/OIRA influence, this hypothetical confounder is not powerful enough to reduce the estimated effects to zero. However, the estimated effects are significantly reduced, particularly for appointees and OMB/OIRA. The estimated effect for the influence of the President/White House is the least robust – it has the lowest robustness value (i.e., 6.34 percent) and the partial R^2 of three times the composite insulation confounder is 23.95 percent, which is sufficient to, not only reduce the estimated effect to zero, but flip its sign.

To put the strength of this hypothetical composite confounder in context, Table F5 gives the largest observed partial R^2 values for both the treatment variable and the outcome variables. The observed partial R^2 values are well below the corresponding partial R^2 values for the hypothetical composite insulation confounder, which provides evidence that our results would require confounding far stronger than any observed in the data to be eliminated. For example, the observed partial R^2 for the estimated effect of rulemaking difficulty is 2.88 percent, which is less than 1/3 the strength of the hypothetical confounder evaluated in rows 3-6 of Table F4 and below the robustness value for every actor in Table F3. Rows 7 to 9 of Table F4 evaluate a hypothetical unobserved confounder only as strong as the composite insulation confounder. The partial R^2 values for this more plausible confounder more similar to the observed R^2 values and, importantly, the estimated effects remain negative and, except for the President/White House, remain large in the presence of such confounding. Even an implausibly large confounder, like that evaluated in rows 3-6 of Table F4, is not strong enough to reduce the estimated effects to zero for appointees, Congress, and OMB/OIRA.

Table F3: Robustness Value for Table C1

Var.	Actor	Estimate	$RV_{q=1}$	$RV_{q=1,\alpha=0.05}$
Pty. Dis.	Appointees	0.2715	0.1629	0.0475
Pty. Dis.	Careerists	-0.1713	0.0776	0
Rule. Diff.	Appointees	-0.1747	0.0896	0
Rule. Diff.	Pres./WH	-0.1292	0.0634	0
Rule. Diff.	Congress	-0.2252	0.1228	0.0018
Rule. Diff.	OMB/OIRA	-0.2106	0.1041	0

Table F4: Benchmark Covariates for Table C1

Var.	Actor	Benchmark	$R^2_{D\sim Z\|\mathbf{X}}$	$R^2_{Y\sim Z\|D,\mathbf{X}}$	Adjusted Estimate	Adjusted Lower CI	Adjusted Upper CI
Pty. Dis.	Appointees	3× Pers. Ins.	0.1878	0.0103	0.1969	-0.0208	0.4146
Pty. Dis.	Careerists	3× Insulation	0.0072	0.0622	-0.1261	-0.3927	0.1405
Rule. Diff.	Appointees	3× Insulation	0.0986	0.0386	-0.0539	-0.3023	0.1946
Rule. Diff.	Pres./WH	3× Insulation	0.0986	0.2395	0.1896	-0.0444	0.4237
Rule. Diff.	Congress	3× Insulation	0.0986	0.0647	-0.0808	-0.3071	0.1455
Rule. Diff.	OMB/OIRA	3× Insulation	0.0986	0.0959	-0.0146	-0.2626	0.2333
Rule. Diff.	Appointees	1× Insulation	0.0329	0.0128	-0.1359	-0.3789	0.1072
Rule. Diff.	Pres./WH	1× Insulation	0.0329	0.0795	-0.0268	-0.2754	0.2218
Rule. Diff.	Congress	1× Insulation	0.0329	0.0215	-0.1788	-0.4023	0.0446
Rule. Diff.	OMB/OIRA	1× Insulation	0.0329	0.0318	-0.1477	-0.3954	0.1001

Table F5: Observed Partial R^2 Values for Rows 3-6 of Table F4

Var.	Actor	Observed $R^2_{D\sim Z\|\mathbf{X}}$	Observed $R^2_{Y\sim Z\|D,\mathbf{X}}$
Rule. Diff.	Appointees	0.0288	0.0186
Rule. Diff.	Pres./WH	0.0288	0.0567
Rule. Diff.	Congress	0.0288	0.0631
Rule. Diff.	OMB/OIRA	0.0288	0.0282

G Cluster Robustness

This section evaluates the robustness of our models and results to concerns created by the hierarchical structure of the data. We have 243 individuals clustered in 81 agencies. Cluster sizes range from 1 to 19 with an inter-quartile range of 1 to 4 and a median of 2. Therefore, we have two primary concerns. First, the presence of agencies with many more observations than others raises concerns that our results are largely attributable to a single influential agency. Second, the large number of agencies with only 1 observation raises concerns that the clustered standard errors in the main text are too small, resulting in statistical inference that is overconfident.

G.1 Leave-One-Agency-Out Agency Jackknife

This section uses a leave-one-agency-out jackknife design to ensure our results are not attributable to a single influential agency. We re-estimated the models in the main text excluding each agency. For each of these 81 models, we calculate the average marginal effect (AME) that corresponds to findings in the main text. We report the mean, minimum, and maximum AME, the proportion of models that return a correctly signed AME, and the proportion of models that return an AME that is statistically significant at the level reported in the final column.

Table G1 contains the AME's for partisan disagreement's estimated effect on the influence of appointees and careerists and the AME's for policy insulation's estimated effect on the influence of the president/White House and OMB/OIRA. Table G2 contains the AME for the interaction effects that estimate the effect of partisan disagreement conditional on agency ideology and the effect of difficulty of rulemaking conditional on workforce skill. Agency ideology is set at -1.51, corresponding to an agency about as liberal as the Environmental Protection Agency, for the appointee model and at 1.51 for the careerist model, about as conservative as U.S. Customs and Boarder Protection. Workforce skill is set at 1.5 to estimate the effect of difficulty conditional on skill, which corresponds to an agency estimated to be as skilled as the Centers for Disease Control and Prevention. Such a workforce would be more skilled than the National Aeronautics and Space Administration (at about 1.3) and less skilled than the Federal Reserve or the National Institutes of Health (at about 1.8).

Overall, these results indicate our findings are not attributable to a single influential agency. The AME's are always correctly signed. The average AME is very near the AME for the full sample and in no case would the minimum or maximum AME lead to substantively different conclusions. Except for the estimated effect of difficulty conditional on skill on the influence of the president/White House, the AME's are statistically significant 98 percent of the time or better. The AME for the president/White House in Table G2 is always correctly signed and the range of the AME does not lead to different substantive conclusions; however, we are highly confident that the effect is not zero in 44 percent of the models. Given the robustness of the estimated effects for other political principals and the consistency of the sign of the president/White House AME, the lack of statistical significance does not call into question our overall conclusion that political principals tend to defer to expert civil servants when rulemaking is difficult. At worst, it suggests this conclusion may not apply to the president; however, the magnitude of the AMEs suggests a model with a larger N would be able to reject the null of no effect with a high degree of confidence. In other words, the lack of statistical significance is due to limited statistical power rather than an AME that is small and near zero.

Table G1: AME's from Table 2

Var.	Actor	AME	Mean	Min.	Max.	Sign	Sig.	α
Pty. Dis.	Appointees	14.02	14.00	10.75	16.81	1	0.98	0.10
Pty. Dis.	Careerists	-13.46	-13.45	-15.50	-12.05	1	1	0.05
Policy Ins.	Pres./WH	-14.42	-14.42	-17.07	-12.98	1	1	0.01
Policy Ins.	OMB/OIRA	-14.66	-14.67	-18.99	-12.94	1	1	0.01

Table G2: AME's from Table C1

Interaction	Actor	AME	Mean	Min.	Max.	Sign	Sig.	α
Pty. Dis. × Ideology	Appointees	24.79	24.74	20.10	29.05	1	1	0.05
Pty. Dis. × Ideology	Careerists	-32.35	-32.37	-35.70	-28.46	1	1	0.05
Rule. Diff. × Skill	Appointees	-21.51	-21.49	-27.14	-17.32	1	0.99	0.05
Rule. Diff. × Skill	Pres./WH	-14.08	-14.07	-17.24	-10.19	1	0.44	0.10
Rule. Diff. × Skill	Congress	-25.77	-25.77	-29.94	-17.45	1	0.99	0.05
Rule. Diff. × Skill	OMB/OIRA	-19.71	-19.70	-23.47	-11.62	1	0.99	0.10

G.2 Wild Cluster Bootstrap

This section uses the wild cluster bootstrap method to generate confidence intervals and p-values to address the concern that small cluster sizes result in overconfident inference. While we have 81 clusters, 32 clusters have only one respondent. Within-cluster correlation cannot be calculated for these clusters, which can result in standard errors that are too small and statistical inference that is overconfident. The wild cluster bootstrap generates bootstrap samples that mimic the distribution from which the actual sample was obtained, preserving the within-cluster (i.e., within-agency) correlations. The bootstrap p-value is the proportion of bootstrap statistics that are more extreme than the one from the original sample (Roodman et al. 2019). The wild cluster bootstrap method is developed for OLS regression; therefore, we fit linear probability models (LPMs) predicting the probability that an actor has "a great deal of influence."

Table G3 provides estimated effects for the key conclusions in the paper and p-values and 95 percent confidence intervals from the wild cluster bootstraps. We evaluate the marginal effect of partisan disagreement conditional on agency ideology at agency ideology of -1.51 and 1.51 for appointees and careerists, respectively, corresponding to approximately the EPA and U.S. Customs and Border Protection. We evaluate the effect of the difficulty of rulemaking condition on skill at workforce skill of 1.5, which corresponds an agency estimated to be as skilled as the Centers for Disease Control and Prevention. Such a workforce would be more skilled than the National Aeronautics and Space Administration (at about 1.3) and less skilled than the Federal Reserve or the National Institutes of Health (at about 1.8). We use 10,000 bootstrap samples and Rademacher weights.[18] The estimated effects are identical in direction and similar in magnitude to the average marginal effects reported in Tables G1 and G2 above, which indicates the LPM's are recovering similar relationships to the ordered probit models. Moreover, the estimated effects are statistically significant at the 90-percent level or better using two-tailed tests, except for five of the interaction effects.

To further evaluate these five interaction effects, we calculated wild cluster bootstrap one-sided p-values. We use the boottest command in Stata 19 because Stata's wildbootstrap command does not support one-sided tests. We continue to use Rademacher weights. We use 9,999 simulations because the boottest command performs best when $0.05(B + 1)$ is an integer as opposed to the wildbootstrap command which performs best when $0.25(B)$ is an integer, where B is the number of simulations.

Table G4 contains the results of these tests. The bootstrap p-values are statistically significant at the 90-percent level in a one-tailed test for three of the five interactions. The

[18]We use Stata 19's wildbootstrap command to execute the resampling and calculate quantities of interest.

remaining two (President/White House and OMB/OIRA) have point estimates that are correctly signed and substantive in magnitude, but lack sufficient precision to reach conventional levels of statistical significance. (The OMB/OIRA p-value is a knife's-edge result of $p = 0.1041$.) The 90-percent confidence intervals include 0, ranging from small positive effects to large negative effects. Importantly, the point estimates suggest large negative effects. Overall, our results are consistent with the conclusion that political principals, particularly appointees, Congress, and OMB/OIRA, defer to expert civil servants when rulemaking is difficult, and the estimate for the president/White House is consistent with that conclusion in direction and magnitude. These findings provide important suggestive evidence, though additional data would improve the precision of estimates and level of confidence in our conclusion.

Overall, the results of the wild cluster bootstrap suggest that our results in the main text are not materially overconfident. In all but two cases, we are able to reject the null hypothesis of no effect for our key findings at a high degree of confidence when placed against an alternative hypothesis consistent with our theoretical expectations.

Table G3: Results from Wild Cluster Bootstraps

Var./Effect	Actor	Est.	p-value	95% CI
Pty. Dis.	Appointees	14.35	0.073	[-1.74, 29.18]
Pty. Dis.	Careerists	-15.83	0.006	[-25.71, -5.32]
Policy Ins.	Pres./WH	-12.98	0.001	[-19.83, -5.76]
Policy Ins.	OMB/OIRA	-9.39	0.099	[-19.21, 2.28]
Pty. Dis. × Ideology	Appointees	27.15	0.016	[6.44, 47.09]
Pty. Dis. × Ideology	Careerists	-17.13	0.176	[-43.09, 8.37]
Rule. Diff. × Skill	Appointees	-17.47	0.163	[-42.18, 10.42]
Rule. Diff. × Skill	Pres./WH	-12.92	0.308	[-34.84, 16.96]
Rule. Diff. × Skill	Congress	-22.52	0.179	[-54.49, 11.61]
Rule. Diff. × Skill	OMB/OIRA	-21.06	0.207	[-60.48, 14.29]

Table G4: Wild Cluster -One-Tailed Tests

	Est.	p-value	90% CI
Pty. Dis. $\times$ Ideology - Careerist	-17.13	0.0886	[-38.13, 3.42]
Rule. Diff. $\times$ Skill - Appointees	-17.47	0.0776	[-36.81, 4.29]
Rule. Diff. $\times$ Skill - Pres./WH	-12.92	0.1509	[-31.32, 10.95]
Rule. Diff. $\times$ Skill - Congress	-22.52	0.0905	[-47.10, 6.29]
Rule. Diff. $\times$ Skill - OMB/OIRA	-21.06	0.1041	[-51.37 , 7.27]

Appendix References

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