**Partisanship and Support for the Administrative State in the U.S. Senate**

**Abstract:** While Congress is charged with overseeing the performance and conduct of the executive branch, individual legislators have broad discretion over the amount of effort they dedicate to making sure federal agencies are effectively managed and well-run. Extant research provides limited perspective on the level of effort different legislators allocate to oversight, in large part because much oversight activity, such as attending briefings and conducting site visits, occurs in private, making it difficult to measure systematically. We utilize a novel measure of senators’ oversight effort—impressions shared by respondents in a survey of federal executives—to assess how senators’ partisanship, together with the ideology and distributive character of the agencies they oversee, influence the effort senators expend on oversight. We find that agency executives perceive Democratic senators to exert more oversight effort than Republicans, but that Republican senators are more involved in overseeing more conservative agencies.

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In 2018, Senator Lamar Alexander (R-TN) announced his retirement from the United States Senate. Former Senator Judd Gregg (R-NH) had this to say about Alexander: “Lamar is the opposite [of the party extremists]. He is a governing person. He’s in a difficult position” (Scott 2018). Gregg noted Alexander prioritized making sure programs were reauthorized, funded, and effective, implicitly contrasting Alexander with other Republican senators who neglected governing or attempted to *disrupt* the effective working of federal agencies. The contrast Gregg drew between Alexander and other Republicans raises the question of how partisanship influences legislative support for the administrative state—the agencies, people, and processes of the executive branch.

Scholars have documented an increasing unease among Republicans with the administrative state (Teles 2008). Conservatives, at least since the 1970s, have expressed concerns about administrative policymaking, specifically government regulations (see, e.g., Lowi 1979). In this view, bureaucrats empowered with vague statutory mandates from Congress promulgate rules infringing on the rights of individuals and groups in violation of the Constitution and good policy. In addition, many administrative agencies exercise a combination of legislative and judicial powers, which raises concerns under a strict vision of separation of powers (Skowronek et al. 2021). Along with legal concerns, conservatives prefer (and believe the Constitution imagines) a smaller, more limited national government. At the same time, however, scholars highlight that most government programs are popular with the American public, particularly those that distribute benefits to key constituencies (see, e.g., Fiorina 1977; Gramlich 2017). This should motivate legislators to ensure these programs are effective. It has been hard to empirically assess how partisanship influences support for the administrative state since this kind of support is hard to observe (see, e.g., Aberbach 1990; Zegart 2011). While supportive oversight includes legislators’ public activities like committee hearings, it also encompasses considerable private action by members and staff including reading materials, holding meetings, making telephone calls, and conducting site visits.

In this paper, we assess how partisanship influences the effort senators invest in making sure the administrative state works well. We examine senators’ behavior using novel data from a survey of federal executives, which includes questions about the support individual senators provide to different agencies. Our results reveal federal executives observe Democratic senators invest more effort in ensuring agencies work well, though Republicans invest more effort in more conservative agencies. We also find that Republican executives perceive Republican senators to exert more effort than Democratic and Independent executives. These results have important implications for the health of the administrative state and agencies’ ability to carry out their core missions.

**Partisanship and the Administrative State**

Article I of the Constitution charges Congress with responsibility for reviewing and supervising the actions of administrative agencies (Oleszek 2010). However, members of Congress have few incentives for engaging in constructive oversight (Lee 2016; but see Evans 1994). Voters typically know little about federal agencies and tend to hold negative views, partly due to the media’s overwhelming focus on government failures or scandals rather than successes (Goodsell 2015; Yackee and Lowery 2005). Members try to secure support in their districts or states by adopting their constituents’ views, including the priority placed on oversight and whether the bureaucracy works well. Further, because much of the work of effective oversight—e.g., reauthorizing programs, reviewing personnel and policies, determining budgets, and catching problems before they emerge—is hard to observe and credit to specific legislators, this activity provides electorally-minded legislators scant opportunities for credit-claiming (Aberbach 1990; Zegart 2011).

Absent strong electoral incentives, partisan and ideological preferences exert strong influence over members of Congress’ oversight behavior. Polarization has increasingly aligned partisanship and ideology such that Democrats and Republican members of Congress are reliably liberal and conservative, respectively (Theriault 2008). This has shaped their views of the administrative state, with Republicans increasingly critical of the departments, people, and processes of the executive branch (Teles 2008). Democrats, by contrast, tend to be more constructive because they have long advocated for many of the programs federal agencies administer, including environmental, health, and social welfare programs. Given these polarized perspectives on the administrative state, we expect Republican legislators to exert less effort on average to ensure the effective functioning of federal agencies than Democratic legislators (H1).

Of course, the administrative state is not a monolith, and Republican legislators may exert effort to oversee agencies more consonant with their policy and electoral goals. Some agencies have missions that are more consistent with each legislator’s preferences (Richardson et al. 2018). For example, the mission of the largely conservative defense agencies aligns more closely with the ideology of a Republican legislator than the mission of the Environmental Protection Agency. While Democratic legislators are generally supportive of the administrative state’s policy goals, Republican legislators may be more willing to invest time and effort to support agencies whose ideological leanings make them more likely to produce conservative policies. Therefore, we expect Republican members of Congress to exert more supportive oversight for conservative agencies (H2).

 Additionally, some agencies focus on providing federal resources to key constituencies through grants, contracts, and other distributive actions. This can create opportunities for members of Congress to secure and claim credit for goods directed to their states (Fenno 1978; Mayhew 1974). While Democratic legislators may support the administrative state even when distributive goods are not at play, the potential to extract electorally beneficial federal resources from agencies may reduce the differences in party support for administrative agencies (H3).

**Data, Variables, and Methods**

Evaluating the time and effort individual legislators and their staffs allocate to make sure federal agencies are effective is difficult because much oversight activity is hard to observe (Lowande 2018; Lowande, Ritchie, and Lauterbach 2019). Some oversight activities occur in public view and are easy to measure, such as committee hearings. However, effective oversight requires extensive work behind closed doors, including reading materials, holding meetings, making telephone calls, and conducting site visits (Zegart 2011), and these activities are difficult to systematically catalog.[[1]](#footnote-1) To measure the overall effort legislators put into oversight, we utilize federal executives’ perceptions of senatorial oversight. As the targets of legislators’ collective public and private oversight, these agency leaders possess unique knowledge of the time and effort legislators allocate to making sure their agencies are well-run across the myriad types of oversight activities in which they engage.

We obtained these perceptions of senators’ supportive oversight using responses to questions on the 2020 Survey on the Future of Government Service (SFGS), a survey of career and appointed federal executives.[[2]](#footnote-2) Within the survey, researchers asked federal executives which Senate “committee’s jurisdiction overlaps most with the work of [your agency].” Researchers then presented executives with a set of 5 randomly selected senators sitting on the committee they chose.[[3]](#footnote-3) The survey asked them to indicate the extent to which each senator prioritizes “making sure [your agency] is an effectively managed, well-run organization” using a slider that allowed them to choose a continuous value from 1 (“No priority”) to 5 (“High priority”). In total, 660 respondents provided 2,000 ratings for 98 senators, and the mean and standard deviation of those ratings were 2.96 and 1.26, respectively.[[4]](#footnote-4) Notably, these ratings reveal that most federal executives perceive senators exert

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**Figure 1. IRT Estimates of Senators’ Supportive Oversight of Agencies, 2020**

moderate effort on oversight but with substantial variation, suggesting that electoral or partisan incentives may push legislators to allocate their effort in different ways. In Figure 1, we use our respondents’ ratings to calculate Bayesian item response theory (IRT) estimates of each senators’ oversight effort.[[5]](#footnote-5) These estimates provide preliminary support for H1, as Democratic senators (in blue) tend to have higher estimates than Republican senators (in red).[[6]](#footnote-6) These ratings, measured at the respondent-senator-committee level, constitute our measure of senators’ supportive oversight.

Given the strong theoretical and empirical correlation between party affiliation and ideology in the modern Congress, especially concerning legislators’ perspectives on the administrative state, we measure senators’ preferences using a binary indicator for whether a senator caucuses with the Democrats (0) or Republicans (1).[[7]](#footnote-7) We measure agency ideology with estimates from Richardson et al. (2018), which drew on federal executives’ ideological placement of other agencies in a 2014 survey.[[8]](#footnote-8) The coefficients on these variables and their interaction allow us to evaluate H1 and H2. We use the logged number of federal project grants agencies awarded in the year prior to the survey (i.e., June 15, 2019 to June 14, 2020) to measure agencies’ capacity to provide distributive goods, and we interact this with senator partisanship and use that interaction term’s coefficient to evaluate H3.[[9]](#footnote-9)

Because other factors can influence both how much effort senators allocate to oversight and the senator- and agency-level characteristics implicated by our expectations, we include a series of control variables to account for important sources of confounding.[[10]](#footnote-10) Since senators up for reelection, and particularly those up for reelection in competitive states, may focus their effort on campaigning rather than oversight, we account for senators’ electoral environments with a binary indicator for whether the senator ran for re-election in 2020, the proportion of the two-party vote share the senator received in her last election, and the interaction of these two measures.[[11]](#footnote-11) Further, given that senators with more institutional influence and knowledge, such as more senior members and committee chairs, have more resources with which to conduct oversight, we account for senators’ institutional standing with binary indicators for whether the senator chairs a standing committee and the number of congresses the senator has served. We also account for the possibility that respondents’ own partisan predilections influenced their perceptions of senators’ oversight effort by interacting the respondents’ self-reported party affiliation with that of the senator rated.

**Results**

 We assess the relationships between respondents’ perceptions of senators’ oversight effort and the partisan dynamics we described using Bayesian multilevel linear regression.[[12]](#footnote-12) Unfortunately,

since the federal government does not report project grants for some agencies, such as government corporations (e.g., Tennessee Valley Authority) and those in smaller units of large departments, including our grants measure drops some observations from our analysis. Consequently, we present 6 models, some of which include our grants measure and interactions and some which do not.

Our estimates indicate partisanship influences the oversight effort senators put forth. First, we find in Model 1 that Republican senators offer less supportive oversight than Democrats, with the average Republican senator estimated to be 0.42 units lower on the five-point oversight scale

**Table 1. Bayesian Multilevel Models of Senators’ Oversight Effort, 2020**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | **(1)** | **(2)** | **(3)** | **(4)** | **(5)** | **(6)** |
| *Key Explanatory Factors* |  |  |  |  |  |  |
| GOP Senator (0,1) | -0.42\*(0.10) | -0.38\*(0.10) | -0.33\* (0.11) | -0.30\*(0.11) | -0.22 (0.13) | -0.28\* (0.13) |
| Agency Ideology (L, C) | 0.09(0.06) | -0.04(0.07) | 0.12 (0.07) | -0.03(0.07) | 0.11 (0.07) | -0.03 (0.07) |
| GOP Sen\*Agency Ideology | - | 0.28\*(0.05) | - | 0.32\* (0.06) | - | 0.32\* (0.06) |
| Ln(# of Project Grants) | - | - | 0.01 (0.02) | 0.01 (0.02) | 0.02 (0.02) | 0.01 (0.02) |
| GOP Sen\*Ln(# of Project Grants) | - | - | - | - | -0.02 (0.01) | -0.00 (0.01) |
| *Controls?* | Y | Y | Y | Y | Y | Y |
| Respondents (N,$σ$) | (599, 0.79) | (599, 0.79) | (438, 0.79) | (438, 0.78) | (438, 0.79) | (438, 0.79) |
| Agencies (N,$σ$) | (130, 0.30) | (130, 0.31) | (105, 0.29) | (105, 0.31) | (105, 0.28) | (105, 0.30) |
| Senator/Committee Dyads (N,$σ$) | (299, 0.18) | (299, 0.17) | (277, 0.22) | (277, 0.18) | (277, 0.21) | (277, 0.18) |
| Senators (N,$σ$) | (96, 0.22) | (96, 0.22) | (96, 0.23) | (96, 0.23) | (96, 0.23) | (96, 0.23) |
| Committees (N,$σ$) | (16, 0.06) | (16, 0.07) | (15, 0.08) | (15, 0.08) | (15, 0.07) | (15, 0.07) |
| Total N | 1771 | 1771 | 1283 | 1283 | 1283 | 1283 |
| Residual $σ$ | 0.76 | 0.76 | 0.77 | 0.76 | 0.77 | 0.76 |

Note: Cells contain coefficient estimates and standard errors. Asterisks indicate that the coefficients’ 95% credible intervals do not include zero. Model estimates from multilevel linear regression with observations at the respondent-senator-committee level. All models also include control variables to account for senators’ electoral environments and institutional positions as well as respondents’ own party identification (see Table SI.1 for full results). Models estimated using the **brms** package in **R** with 4 chains per model with 2000 iterations per chain (1000 iterations for warm-up, 1000 iterations for sampling). All models report no divergent transitions and $\hat{R}$<1.10 for all parameters.

relative to the average Democrat (H1). Second, when we interact senators’ partisanship with agency ideology in Model 2, this difference in oversight effort between Democrats and Republicans diminishes as agencies grow more conservative (H2). As we show in Figure 2, while Democrats exert stable levels of effort across agencies of all ideological stripes, Republicans offer much lower levels of supportive oversight for liberal and moderate agencies, only matching Democrats’ levels of oversight for more conservative agencies. These effects identified in Models 1 and 2 persist when we include agency grant activity for agencies whose activity is reported in Models 3 and 4, respectively.

**Figure 2: Effect of Senator Party Affiliation and Agency Ideology on Supportive Oversight**

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This figure uses Model 2 in Table 1 to present the marginal effect of agency ideology on respondents’ perceptions of senators’ provision of supportive oversight of their agencies given senators’ affiliation with the Democratic (solid lines) or Republican (dotted lines) Party. Thick lines represent fitted values, and thin lines represent 95% credible intervals. Ticks at the bottom of the figure represent the distribution of agency ideology. In calculating marginal effects, all other covariates were held to their mean or median values, where appropriate. The difference between perceived supportive oversight provided by Democratic and Republican senators is statistically distinguishable at the 95% level (i.e., the credible interval for the difference does not include zero) for all values of agency ideology less than or equal to 0.60.

However, our estimates do not support the expectation that agency grant activity moderates

the relationship between senators’ partisanship and oversight effort. To the contrary, when we interact senators’ party affiliation with agency project grants and omit the interaction between senators’ partisanship and agency ideology in Model 5, the interaction term coefficient is negative, though not statistically distinguishable, implying Republican senators exert less oversight effort on agencies who offer more distributive goods. When the interaction between senators’ party affiliation and agency ideology in added in Model 6, the coefficient on the interaction term for senators’ partisanship and project grants tends closer to zero and remains statistically indistinguishable. Thus, while Republican senators’ lower baseline levels of supportive oversight increase when they interact with more conservative agencies, agencies’ more pronounced distributive offerings do not lead Republican senators to commit more effort to making sure those agencies are well-run.

Finally, we also find that the partisanship of our federal executive respondents informs their perceptions of senators’ oversight effort. Specifically, while respondents of all partisan persuasions evaluate the effort put forth by Democratic senators similarly, Republican respondents indicate that Republican senators allocate more effort to oversight than do Democratic and Independent respondents (see Table SI.1). It is unclear whether Republican respondents report more Republican effort because they are better able to observe Republican senators’ effort or because they interpret constructive oversight differently, and we encourage future studies to consider these mechanisms.

**Discussion and Conclusion**

In 2020, Republican Bill Hagerty replaced Lamar Alexander. While it is difficult to predict what kind of senator Hagerty will be, this research leads to a few predictions. First, it would be surprising if Hagerty spent significant time on agency oversight. Federal executives report that few senators put in high levels of effort to support the administrative state. Second, as a Republican, Senator Hagerty is less likely to prioritize the effective management of federal programs and agencies than his Democratic colleagues, except perhaps for agencies with conservative tendencies.

These findings have important implications for the healthy functioning of the administrative state. If senators expend little effort on oversight and concerns for effective governance are colored by partisanship, this could jeopardize the implementation of laws enacted and programs created by Congress itself. Federal agencies help Americans prepare for and respond to disasters, protect federal lands, and ensure open and efficient markets. They provide equal access to education, voting, and economic opportunity. They protect Americans from domestic and foreign threats. Legislators play a key role in providing political support and oversight and they help agencies integrate the different views of diverse stakeholders into agency planning and activities. The priority legislators place on ensuring the effective performance of federal agencies has broad consequences for the voters that support these programs and elected representatives to put them into place.

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1. While a few impressive recent studies have managed to measure such private oversight activity using administrative records, they can only do so for a subset of agencies from which records could be obtained and can only account for a few types of activities, such as emails, letters, and phone calls made by legislators and their staffers to agencies (Lowande 2018; Lowande, Ritchie, and Lauterbach 2019). [↑](#footnote-ref-1)
2. The Princeton University Research Center fielded the SFGS from June to December of 2020. Of the 16,232 executives in the sampling frame, 1,485 (9.1%) completed surveys. See Supplemental Information Section A for more details. [↑](#footnote-ref-2)
3. The 2020 SFGS focused on members of the US Senate in asking respondents about senators’ oversight activity because its smaller membership made it more likely that each legislator would receive multiple evaluations than had it focused on the US House of Representatives or both chambers of Congress collectively. These multiple evaluations for each senator allow us to account for variation across senators and committees. [↑](#footnote-ref-3)
4. No respondents provided ratings for two senators: Charles Schumer (D-NY), who did not serve on any committees, and Pat Toomey (R-PA), who only served on two committees in 2020. Each of the remaining 98 senators received between 4 and 50 ratings (mean=20.41, standard deviation=9.61). [↑](#footnote-ref-4)
5. Our model is parameterized to center our latent trait of interest—senators’ oversight effort—at zero, such that positive (negative) values indicate that senators are perceived to exert more (less) effort than the mean level of oversight effort. Please see Supplemental Information Section B for details on the estimation of our Bayesian IRT model. [↑](#footnote-ref-5)
6. A formal hypothesis test supports this visual evidence, as the 95% credible interval for the differences between the mean ratings among Democratic and Republican senators from each of the 20,000 sampling iterations excludes zero. [↑](#footnote-ref-6)
7. We obtain similar results when using senators’ DW-NOMINATE scores to measure their ideology (see Table SI.2). [↑](#footnote-ref-7)
8. 61 respondents were employed by agencies for which Richardson et al. (2018) do not provide ideology scores; consequently, their 209 respondent-senator-committee observations are omitted from our analysis. [↑](#footnote-ref-8)
9. Usaspending.gov tracks four types of grant spending: formula, block, project, and cooperative agreement. We focus on project grants since these are the most discretionary. We log our measure of grants due to substantial skewedness. [↑](#footnote-ref-9)
10. Our control variables come from the Center for Effective Lawmaking (<https://thelawmakers.org/data-download>). [↑](#footnote-ref-10)
11. Because two then-current senators—Kelly Loeffler (R-GA) and Martha McSally (R-AZ)—had been appointed to serve out the remainder of their predecessors’ terms, we lacked a measure of the support they received in a previous Senate election and excluded the 22 respondent ratings which involved them. [↑](#footnote-ref-11)
12. We use multilevel models to account for non-independence of observations, as each respondent-senator-committee observation is nested within the agency in which the respondent’s agency is housed, a dyad for the committee assignments of each senator, the senator for whom the rating was provided, and the committee which the respondent indicated has primary oversight authority for their agency. This multilevel approach enables us to both include varying intercepts for each unique agency, senator, and committee that account for variation attributable to them and to incorporate the nesting structure in the estimation of our measures of uncertainty (Gelman and Hill 2006). [↑](#footnote-ref-12)