STRATEGY AND CONSEQUENCES OF THE "BROKEN" APPOINTMENTS PROCESS

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To Blake and Mom.

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Introduction

With administrative agencies at the core of policymaking in the United States (Yackee, 2019), presidents naturally seek to make agencies responsive to them (Moe, 1985). One of the key mechanisms by which all presidents assert control over the administrative state, comprised of hundreds of agencies and millions of employees (Lewis, 2019), is by getting their people into leadership positions of executive agencies (Moe, 1985; Lewis, 2008). Lewis asserts this clearly: "of course, the president's most important source of bureaucratic control is via personnel" (2008, p.7). Appointees head agencies, direct policy implementation, select priorities, make budgetary decisions, monitor civil servants, and convey the president's vision to the agency (Moe, 1985; Wood and Waterman, 1991; Lewis, 2008, 2012; Kinane, 2019, 2021; Resh et al., 2021).

Although agency heads are an important asset to the president, the government faces a long ongoing and worsening vacancy crisis (O'Connell, 2009, 2017; Dull and Roberts, 2009; Resh et al., 2021). PAS positions remained vacant 25 percent of the time on average between 1977 and 2005 (O'Connell, 2009). This trend continued through the Obama administration (Kinane, 2021). President Obama had higher levels of vacancies across his administration, compared to all of his most recent predecessors. This pattern only became more central to public and scholarly attention during the Trump administration, with Trump being criticized for "a cascade of . . . unfilled jobs [and] a vacuum of leadership" (Pettypiece, 2020).

The traditional nomination and confirmation process for presidential appointments, as enshrined in the Constitution, has long been costly to presidents. At every stage of the process to reach confirmation, from vetting to the final confirmation vote, presidents face costs. The vetting process alone requires hundreds of staff and includes hundreds of pages of materials, including an IRS waiver, a financial disclosure, and a detailed questionnaire (Wheaton et al., 2016; Service, 2018).[1] White House staff must then work on "greasing the wheels" of congressional committees and building support among key Senators to ensure a successful and timely confirmation.[2]

While these costs alone may make a president short on time and resources consider an alternate route of appointments, Senate delays and decreased confirmation rates have required presidents to further consider

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[1]Once in office, the White House Personnel Office takes over this work from the transition. This office is in charge of finding and vetting over 4000 appointees, with approximately 1200 requiring Senate confirmation, to place across the federal government. Under the most recent administrations before the Trump administration, the office has had a limited staff of just under 100 (O'Harrow Jr. and Boburg, 2018). Under president Trump, the office was further depleted. The staff decreased to roughly 30 and was comprised of individuals with little to no experience outside of their work on the president's campaign (O'Harrow Jr. and Boburg, 2018). Staff capacity places a constraint on how many nominations the president is able to make and how quickly they are able to make them.

[2]Senate committees, and particularly committee chairs, are the primary drivers of Senate confirmation delays (Krause and Byers, 2022). Therefore, presidents and their teams will be particularly focused on gaining the support of these influential gatekeepers.

alternatives (O'Connell, 2014). Confirmation delays and failures have consistently increased over time. Exemplifying this trend, delays of confirmation and confirmation failure rates doubled between the Reagan and Obama administration (O'Connell, 2017; Service, 2020). These trends persisted through the Trump administration and the beginning of the Biden administration. Despite having a Republican controlled Senate, it took the Senate 115 days on average to proceed from receiving a nomination to having a confirmation vote (Service, 2020). Similarly, one year into his administration, President Joe Biden had only gotten roughly three-quarters as many nominees confirmed as Presidents Obama and George W. Bush (Service, 2022).

With the traditional route made more demanding and less fruitful, confirmation is often only sought immediately for the most important positions (O'Connell, 2009). Presidents have increasingly left the remaining broad swath of PAS positions vacant for extended periods of time (O'Connell, 2009; Dull and Roberts, 2009; Resh et al., 2021). Presidents are selective in which positions they make nominations to and take extended periods of time before making a nomination, with the average delay of over one year during the first two years of the W. Bush, Obama, and Trump presidencies (Lewis and Richardson, 2021). Therefore, a large proportion of positions remain vacant with no nomination from the president for hundreds of days (Hollibaugh Jr and Rothenberg, 2017).

Further, for many positions, presidents never make a nomination once a position becomes vacant. Exemplifying this trend, between 1996 and 2016, only 60% of vacancies reported to the Government Accountability Office received subsequent nominations from the president (Kinane, 2021). President Trump continued this trend. At the end of his term, as of July 27, 2020, nearly 70 of 757 "key" presidentially appointed and Senate confirmed (PAS) positions had received no nomination from the president at any point in his administration (Post, 2020). Additionally, almost 200 more positions were vacant, with more than 70 having received no nomination for the current vacancy (Post, 2020). Presidents frustrated by the costs of vetting and selection (Hollibaugh Jr, 2015) and by the potential of delay and failure in the Senate frequently neglect the traditional appointments process.

1.1 Overview of Chapters

With increasingly long delays in the confirmation process, high rejection rates, and heightened selectiveness in presidential nominations, the consequences of the "broken" appointments process has become a highly salient topic in American political discourse. Scholars generally agree that vacancies in bureaucratic leadership positions are detrimental to presidents' ability to control administrative policymaking (see e.g., O'Connell, 2009; Bolton et al., 2015; Lewis et al., 2018). But if this assumption is true, why do presidents allow vacancies to persist? To address this puzzle, my dissertation presents a novel theory for how and when vacancies affect presidents' ability to steer administrative policymaking, and what strategies they deploy to

still assert control over the bureaucracy through the use of acting officials and other non-Senate confirmed appointees.

In my first substantive chapter (Chapter 2), "Presidential Strategy Amidst the 'Broken' Appointments Process" (published in *Presidential Studies Quarterly*), I examine when and how presidents actively take control of politically appointed positions once they become vacant. While the existing literature mostly focuses on nominations in isolation, I propose a unified theory of presidential appointments that fully incorporates their choices regarding both types of acting officials[3] and nominations. I explain how presidents focus their limited time and resources to use non-default acting officials in a select group of positions—particularly, for agencies that are ideologically opposed to the president or that work in areas related to presidential campaign priorities, and for the highest tier of leadership. These positions represent the core needed to ensure agency compliance with the administration's agenda. While Senate confirmation provides greater benefits in the long-run, presidents leave default and non-default acting officials in place for long periods of time for many less central positions. To evaluate my expectations, I use new data on vacancies, acting official service and backgrounds, and presidential nominations from the last three administrations. Estimates from Markov multistate models are in alignment with my expectations. Altogether, these findings demonstrate that presidents strategically use vacancies and that non-default acting officials are a readily available substitute for controlling agency operations, particularly to bypass a contentious Senate confirmation process.

In my second substantive chapter (Chapter 3), "Going for Goals: Presidential Appointments and Agency Goal Change" (published in *Presidential Studies Quarterly*), I explain how presidents influence agency goals, which determine how agencies allocate their time and resources in policymaking. While existing work highlights the importance of goals for the operation and performance of agencies, scholars have not yet investigated how presidents and their appointees might manipulate these goals to pursue presidential policy agendas. Further, few studies have examined the efficacy of presidential appointments for shaping bureaucratic outcomes. In this chapter, I argue that agencies that the president exerts greater control over through Senate-confirmed appointments will experience more goal change. To evaluate my expectations, I use new data on agencies' vacancies as well as their strategic and priority goals from the Obama and Trump administrations. I find that agencies without Senate-confirmed leadership will be less responsive to a new administration. Although this finding is consistent with conventional wisdom, it has not been widely proven empirically. This result suggests that any new administration must get their appointees in place immediately if they hope to achieve their policy goals and bring the long-term policy priorities of agencies in alignment with their agenda.

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[3]Unlike the limited research on the matter, I distinguish between individuals who are automatically next in line for the position (or what I call "default" acting officials) from those who the president actively selects to temporarily lead (i.e., "non-default" acting officials). This distinction is crucial for understanding how presidents use acting officials as a strategic tool, rather than as a standing procedure for the continuity of government.

Of course, presidents have other tools at their disposal to assert control outside of the traditional nomination and confirmation process, as I explore in my third chapter.

My third substantive chapter (Chapter 4), "Vacancies and Presidential Influence Over the Administrative State in the United States", explores the consequences of vacancies for presidential control over the bureaucracy. While some argue that vacancies limit presidential influence, recent scholarship contends they actually expand it. This chapter adjudicates these competing views by theorizing the conditions under which vacancies hinder or enable presidents' goals. Specifically, I argue that the effect of vacancies on presidential influence is contingent on the level of control the president has over the agency through other tools of politicization. I test the theory by merging data from a three-wave survey of federal executives with new data on agency leadership during the Bush, Obama, and Trump presidencies. Consistent with my expectations, I find that vacancies are less limiting to bureaucrats' perceptions of presidential influence for politicized agencies and those with multiple layers of political appointee oversight. These results suggest that through the unilateral placement of non-Senate confirmed appointees, presidents can assert control over agency policymaking despite constraint from the Senate in the appointments process.

Altogether, this dissertation showcases the resilience of the president in responding to the vacancy crisis. Presidents, despite increasing costs of the nomination and confirmation process and constraint from the Senate, continue to exert significant control over administrative policymaking. In fact, using the tools of acting officials and other non-Senate confirmed appointees, presidents are in some circumstances able to have even greater influence, without having to appease and deal with the checks of the legislative branch. This may serve to only further exacerbate the prominence and length of vacancies, with presidents strategically allowing vacancies to persist. As a result, the health and functioning of the administrative state will only stand to suffer (Piper and Lewis, 2022).

CHAPTER 2

Presidential Strategy amidst the "Broken" Appointments Process

2.1 Introduction[1]

In July 2019, President Donald Trump announced that he would replace Director of National Intelligence (DNI) Dan Coats, whom he had often clashed with (Welna, 2020), with an outspoken loyalist, Congressman John Ratcliffe (Haberman et al., 2019). Despite making this decision over a month before Coats would resign, this position, responsible for overseeing the nation's intelligence community and advising the president on matters of national security, remained vacant for over nine months (Post, 2020). While waiting for Congress to act on his nominee, the president had to decide how he would assert control over this important position. Rather than allow the principal deputy DNI, Susan Gordon, a career intelligence official with over four decades of experience, to serve as the "default" acting DNI, Trump selected Joseph Maguire and, later, Ambassador Richard Grenell (Welna, 2020). Even though Gordon was directly in line to serve in the position, Trump found her "disloyal[ty]" to be a disqualifying factor (Welna, 2020). Maguire, although initially thought to be more aligned with Trump, was similarly removed for exhibiting a lack of loyalty, having briefed members of Congress on potential Russian interference in the 2020 election (Cohen, 2020). Grenell, on the other hand, despite having no intelligence experience, was known for his "fierce loyalty" to the president (Neuman, 2020). During his short tenure, Grenell made several consequential decisions, including firing top officials in the agency and declassifying documents from the Obama administration to fuel the president's "Obamagate" conspiracy theory (Barnes et al., 2020; Marquardt et al., 2020).

With administrative agencies at the core of policy making in the United States (Yackee, 2019), presidents naturally seek to make agencies responsive to them (Moe, 1985). One of the key mechanisms by which all presidents assert control over the administrative state, comprised of hundreds of agencies and millions of employees (Lewis, 2019), is by getting their people into leadership positions of executive agencies (Lewis, 2008; Moe, 1985). Lewis asserts this clearly: "of course, the president's most important source of bureaucratic control is via personnel" (2008, p.7). Appointees head agencies, direct policy implementation, select priorities, make budgetary decisions, monitor civil servants, and convey the president's vision to the agency (Kinane, 2019, 2021; Lewis, 2008, 2012; Moe, 1985; Resh et al., 2021; Wood and Waterman, 1991). Through

personnel like Grenell and Ratcliffe, presidents are able to achieve the policy goals central to their ideological vision, reelection, and legacy.

Although agency heads are an important asset to the president, the government has faced longer and more frequent periods of vacancies over time, exacerbated by increasing periods of delay and confirmation failure rates (Dull and Roberts, 2009; O'Connell, 2009, 2017; Resh et al., 2021). Exemplifying this trend, delays of confirmation and confirmation failure rates doubled between the Reagan and Obama administrations (O'Connell, 2017; Service, 2020). These trends persisted through the Trump administration and the beginning of the Biden administration. Despite Trump having a Republican-controlled Senate, it took the Senate 115 days on average to proceed from receiving a nomination to having a confirmation vote, an average delay even longer than that faced by President Barack Obama (Service, 2020). Similarly, one year into his administration, President Joe Biden had only gotten roughly three-quarters as many nominees confirmed as Presidents Obama and George W. Bush (Service, 2022). These trends have led some experts to claim that the traditional route of appointments through presidential nomination and Senate confirmation is broken and that reform is needed to reduce the number and length of vacancies (Eilperin et al., 2019; Stier, 2021).

In the face of this slowed down and less deferential appointments process, presidents often abandon the traditional route of appointments. During the first two years of the last three administrations, presidents on average have only made nominations to approximately 70% of presidentially appointed and Senate-confirmed (PAS) positions, with the average time to nomination taking well over one year for each administration (Lewis and Richardson, 2021). Further, between 1996 and 2016, only 60% of vacancies reported to the Government Accountability Office received subsequent nominations from the president (Kinane, 2021). President Trump claimed some of the vacancies during his administration were intentional so that he could instead pursue a different route of appointments, via the use of acting officials. Trump stated that he "like[s] acting[s] because [he] can move so quickly" and they "give [him] more flexibility" (Samuels, 2019). His administration frequently had acting officials serve in the highest positions of agency leadership, from the Attorney General to the Secretaries of Defense and Homeland Security.

The approach of the Trump administration poses a puzzle for scholars of the presidency and presidential appointments. President Trump has brought attention to frequently neglected tools of presidential appointments. Existing scholarship often focuses exclusively on nomination and confirmation (see, e.g., Hollibaugh Jr et al., 2014; Hollibaugh and Rothenberg, 2017; O'Connell, 2009, 2014), omitting the president's ability to use acting officials in the interim or to leave positions in the hands of career civil servants. Presidents will increasingly use these neglected tools, as the traditional route for control becomes closed off to them.

Recent work by Kinane (2019, 2021) and O'Connell (2020) makes clear that presidents have long moved

outside of the traditional route of appointments. With key PAS positions remaining vacant roughly 25% of the time (O'Connell, 2009), temporary assignment of duties has been a staple of the continued functioning of agencies (Mendelson, 2020). Further, O'Connell (2020) and Kinane (2019, 2021) have highlighted the latitude presidents have in assigning or delegating the duties of PAS positions. With this flexibility, presidents are able to curb Senate confirmation authority and say over agency leadership.

However, existing work fails to account for key differences between the tools available to the president. Specifically, how an acting official enters the position has ramifications for the individual's accountability to the president. Crucial to understanding the use of acting officials as a strategic tool rather than a standing procedure for continuity of government is making this distinction. Further, existing theoretical accounts and empirical analyses have not assessed how presidents transition between the tools available to them. This has inhibited our ability to assess whether choices made in one stage (i.e., the use of an acting official) influence choices in a subsequent stage (i.e., the decision to make a nomination).

To advance our knowledge of presidential appointment strategy and to address these important limitations, I seek to answer the central research question: when and how do presidents actively take control over a position once it becomes vacant? Presidents face two decisions when presented with a vacancy in a PAS position. First, they must decide what to do in the interim. They can either allow the default acting official directly in line for the position to serve or they can select an alternative, or strategic, acting official. Second, they decide whether to pursue nomination and confirmation. I explain how presidents focus their limited time and resources to use strategic acting officials in a select group of positions. These positions represent the core of positions needed to ensure agency compliance with the administration's agenda. While confirmation provides greater benefits to presidents, the president leaves strategic and default acting officials in place for long periods of time for many less central positions.

To evaluate my expectations, I gathered novel data from *Federal Yellow Book*s, Leadership Connect, LinkedIn, agency websites, and the *Washington Post* on how key positions were filled. This includes data on nominations, confirmations, and acting officials who served in all significant PAS positions in all executive agencies during the first year of the Obama, Trump, and Biden administrations. Further, I collected data on the employment history of each acting official, with a focus on the position they served in directly prior to entering their acting role. This data set is comprised of 402 positions in 41 agencies, with a total of nearly 5,000 quarterly observations of 1,009 administration-position cases. A careful analysis of these data, using Markov multistate models, reveals that presidents use strategic acting officials more frequently in positions within ideologically opposed agencies, agencies connected to their campaign priorities, and the highest tier of leadership positions. In contrast to Kinane (2019, 2021), I find that presidents were less likely to leave positions in ideologically opposed agencies "empty" or in the hands of career civil servants. Further, presidents

pursued confirmation sparingly, focusing on getting the top leadership positions (e.g., cabinet secretaries) filled with confirmed appointees. However, for positions in agencies connected to their campaign priorities, presidents often opt to use strategic acting officials for extended periods of time rather than making a nomination. These results suggest that as presidents have an increasingly difficult time getting their nominees confirmed, the strategic use of vacancies and non-default acting officials is a readily available substitute for presidents seeking to gain control of agency operations. These tools give the president enormous discretion over the leadership of the executive establishment that is at odds with our separation of powers system of government and the Senate's constitutional role to advise on and consent to presidential appointees.

2.2 Addressing the "Broken" Appointments Process

Presidential appointments to federal agencies are one of the central tools by which all presidents exert control over bureaucratic policy making (Lewis, 2008; Moe, 1985). However, the traditional nomination and confirmation process for presidential appointments, as enshrined in the Constitution, has long been costly to presidents. At every stage of the process to reach confirmation, from vetting to the final confirmation vote, presidents face costs. The vetting process alone requires hundreds of staff to find and vet potential candidates for each position and includes hundreds of pages of materials for each candidate, including an IRS waiver, a financial disclosure, and a detailed questionnaire (Service, 2018; Wheaton et al., 2016). White House staff must then work on "greasing the wheels" of congressional committees and building support among key senators to ensure a successful and timely confirmation.

While these costs alone may make a president short on time and resources consider an alternate route of appointments, Senate delays and decreased confirmation rates have required presidents to further consider alternatives (O'Connell, 2014). With the traditional route made more demanding and less fruitful, confirmation is often only sought immediately for the most important positions (Lewis and Richardson, 2021; O'Connell, 2009). Presidents have increasingly left the remaining broad swath of PAS positions vacant for extended periods of time (Dull and Roberts, 2009; Hollibaugh Jr and Rothenberg, 2017; Lewis and Richardson, 2021; O'Connell, 2009; Resh et al., 2021).

However, when examining what occurs during vacancies in PAS positions, scholars have typically either neglected the existence of the acting officials who step into these roles on a temporary basis or have regarded them as one in the same as vacancies (e.g., O'Connell, 2009; Resh et al., 2021, but see also McCarty and Razaghian 1999). According to the Federal Vacancies Reform Act of 1998 (5 U.S.C. § 3345), commonly referred to as the Vacancies Act or the FVRA, there are two "types" of acting officials who can serve on an interim basis when a vacancy occurs. If there is an individual serving in the "first deputy" or "first assistant"

position below the PAS position, that individual will become the acting official by default (Brannon, 2020).[2] The president may also select a previously confirmed PAS official or a senior "officer or employee" within the agency[3] who is paid at the equivalent of the GS-15 pay level or above to serve in an acting capacity (Brannon, 2020). This provides the president with a high degree of discretion in who takes over the position on a temporary basis. By failing to account for the president's ability to use acting officials, scholars have missed a critical tool of presidential control.

Kinane (2019, 2021) and O'Connell (2020) have made strides in filling this gap in our knowledge, outlining the options available to the president and the prevalence of acting officials in a selection of agencies (Kinane, 2019, 2021) or positions (O'Connell, 2020) across administrations. More specifically, Kinane (2019, 2021) takes a yearly snapshot view of the status of positions in cabinet departments over more than 40 years, while O'Connell (2020) examines the service of acting cabinet secretaries for the Reagan through Trump administrations.[4] They show clearly that the use of acting officials, and other temporary assignments of duties, is not a new phenomenon (see also Mendelson, 2020). Instead, it has been a common practice over the last several presidential administrations. Kinane (2019, 2021) also provides a theoretical account of the president's use of acting officials, arguing that presidents will strategically use acting officials to maneuver around the costly Senate confirmation process and will use vacancies as a unilateral tool for restricting agency policy making. This research lays the foundation for understanding the prevalence of acting officials across administrations and a proof of concept for the use of vacancies and acting officials as a strategic tool.

However, existing work has failed to adequately account for key differences between default and strategic acting officials. Further, theoretical accounts and empirical analyses have not accounted for how presidents transition between the tools available to them. First, the literature has not distinguished between types of acting officials. Current scholarship has portrayed all acting officials as a homogenous group (Kinane, 2019, 2021).[5] This approach overestimates the degree to which presidents actively select acting officials and neglects key differences between acting officials based on how they entered their position. Instead of presidents always seeking to strategically maneuver around the Senate, acting officials are often career civil servants who enter the role by default (Mendelson, 2014; O'Connell, 2020).

If we care about the active assertion of control by the president, we need to distinguish between when the president is leaving positions in the hands of careerists in line for the position versus when they are taking action to select an alternative person. Senior career civil servants who are in line for the position

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[2]McCarty and Razaghian (1999) reference this type of acting official as setting the "reversion value," or the policy outcome associated with the absence of a confirmed nominee, for the Senate when deciding whether to confirm a presidential nominee: "[s]enior careerists serving in an 'acting' capacity giving more policy leverage to the career service often fill political vacancies" (p.1127).

[3]Senior "officer[s] or employee[s]" must be in the agency for a period of at least 90 days (Brannon, 2020).

[4]O'Connell (2020) also takes a snapshot view of cabinet departments and the Environmental Protection Agency as of April 15, 2019.

[5]O'Connell (2020) partially addresses this point by highlighting the class of prior position of acting officials who served in a selection of PAS positions.

will work to keep the agency functioning as usual, but their experience and stability will come at a cost to a president who expects loyalty and who desires to drastically change the course of agency policy making (Dull and Roberts, 2009; McCarty and Razaghian, 1999; Mendelson, 2014; O'Connell, 2009, 2020). These default acting officials have assurance that they cannot be fired and that they will return to their original position once their acting service ends. Non-default, or strategic, acting officials, in contrast, are under the complete, unilateral control of the president. The president can select anyone within the limits outlined above, allowing them to choose someone potentially less qualified or more ideologically consistent with their views. Additionally, because these officials are only moved into their position at the direction of the president and because they are often themselves non-PAS appointees without civil service protections, they are more beholden to the president's wishes.

Second, scholars have yet to theoretically or empirically account for how presidents transition between the use of acting officials and confirmed appointees. Presidents do not make choices about actings or nominations in a vacuum. Instead, we should expect that presidents will employ a broader politicization strategy that is conditional on who is currently occupying a vacant position. To gain a better understanding of when presidents will make a nomination, we need to consider their use of acting officials. Presidents may delay nominations, not out of neglect, but because they have asserted control over the position through another means.

2.3 Comprehensive Presidential Appointment Strategy

When vacancies occur in PAS positions, presidents have two decisions to make. First, they must decide how to handle the position in the interim. Second, they must decide whether they will make a nomination and pursue confirmation. These choices will be influenced by the agency's ideological alignment with the president, whether the policy area of the agency is a priority to the president, and where the position is in the agency's hierarchy.

2.3.1 Choice between Actings

When the president is presented with a vacancy, the president faces trade-offs between the available pool of acting officials. The Vacancies Act allows for two types of acting officials to serve on an interim basis, which I classify as "default" and "strategic" acting officials (Brannon, 2020).

Default acting officials provide extensive experience and stability. David G. Huizenga, a career civil servant in the Department of Energy who served as a default acting at the beginning of the Trump administration, is representative of the wealth of expertise, knowledge, and experience that the typical default acting

official brings to the position.[6] Huizenga became the acting Deputy Administrator for Defense Nuclear Non-proliferation in the National Nuclear Security Administration after serving as the Principal Assistant Deputy Administrator, a position he had held since 2014 (Connect, 2021). At the time of becoming the acting Deputy Administrator, Huizenga's career in the Department of Energy had already spanned over 20 years, with stints in a number of high-level positions (Connect, 2021). Senior career civil servants, like Huizenga, have extensive experience and subject area expertise, are ingrained in the culture and procedures of the agency, and command the respect of their civil servant peers. Further, they will be plugged into the agency's long-term projects and key interagency operations and cognizant of emerging problems facing the agency. As a result, these officials will work to keep the agency operating as usual. A president desiring to disrupt the status quo may need to select a "non-default"[7] appointee to lead the agency on a new course of policy making.

Of course, presidents have the flexibility to choose an acting official who is not the default. This option provides the president with greater flexibility, allowing the president to select an individual who is more aligned with their interests and will be more accountable. For example, President Trump named Matthew Whitaker, former chief of staff to Jeff Sessions and an outspoken critic of the Russia investigation, as Acting Attorney General over Deputy Attorney General Rod Rosenstein after Sessions resigned (Blake, 2018). Yet, this control is not without its own consequences. The search for an appropriate strategic acting official and the evaluation of the default acting official, in comparison, is costly. A resource-constrained president may not be willing to make this investment for an official who will only serve for a temporary period. Additionally, strategic acting officials suffer from a lack of legitimacy, and their service may cause harm to the president's public perception. Their continued service and repeated use may make it appear that the president is purposefully denying the Senate its say in the appointments process or that the president is not prepared to govern (Davidson, 2017).

The president's decision to use a strategic acting official will vary depending on agency- and position-level characteristics. To begin, the benefits and costs will vary depending on the ideological composition of the agencies. We can expect that agencies ideologically opposed to the president will be more resistant and will need oversight to prevent shirking (Hollibaugh Jr et al., 2014; Hollibaugh Jr and Rothenberg, 2017; Lewis, 2008). These agencies, like the EPA for the Trump administration and the Department of Homeland

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[6]While the principal default acting official is in some cases a political appointee (e.g., Deputy Secretaries and most Principal Deputy Assistant Attorneys General), at the beginning of the administration, the president often faces a choice between allowing a holdover from the previous administration to serve in the position on an acting basis (e.g., Lisa Disbrow, Elaine Duke, Thomas Shannon Jr., Sally Yates) or selecting an alternative acting. Like a career civil servant, these holdovers have experience in the agency and are less responsive to the incoming administration. These cases, however, represent only a small fraction of default acting officials who serve at the start of an administration. Among the default acting officials who served during the first year of the Trump administration, 90% were career civil servants, 7% were holdover Obama appointees, and 3% were Trump appointees. In the vast majority of cases where a politically appointed position is first in-line to be the default acting, the position is vacant at the beginning of the administration, making the careerist next in-line the default acting.

[7]The term "non-default appointees" is used throughout the article to refer to any appointee who falls outside of default acting officials, specifically strategic acting officials and confirmed appointees.

Security for the Biden administration, will need to have their activities adjusted to be more in-line with the president's policy views. Default acting officials in ideologically aligned agencies, in contrast, will naturally have policy preferences that match more closely with the president and will be relied upon more frequently.

Hypothesis 1: Presidents will be more likely to use strategic acting officials, rather than allow default acting officials to serve, for positions in ideologically opposed agencies, compared to positions in ideologically aligned agencies.

Presidents will also place an emphasis on agencies that are connected to their policy agenda (Hollibaugh Jr et al., 2014; Lewis, 2008). Therefore, presidents will reap greater rewards from having positions in these agencies filled with strategic actings. For example, President Biden's campaign promises to "Beat COVID-19" and "Build Back Better" should make him focused on taking control of the Departments of Health and Human Services and Transportation. Agencies that are off of the president's policy agenda will not be worthy of the president's immediate attention. These agencies, because their activities are commonly agreed upon or commonly garner ambivalence, are more likely to be left with persistent vacancies, filled by default actings or careerists provided with standing subdelegations of authority. The Office of Personnel Management and civil service reform, for instance, are almost never made a priority by a new administration.

Hypothesis 2: Presidents will be more likely to use strategic acting officials, rather than allow default acting officials to serve, for positions in agencies connected with policy priorities important to their campaign, compared to positions in agencies that are not connected to the president's agenda.

Finally, presidents will place priority on some positions more than others. Cabinet secretaries, their leadership teams, and other positions higher up in the agency hierarchy are essential to the functioning of the largest and most important agencies (O'Connell, 2009, 2014; Service, 2018). They also serve as key public-facing representatives of the president. Therefore, these positions will be sufficiently important to the president's policy agenda and will be sufficiently publicly visible that the president will want to ensure an individual is directly under his control. Lower-level positions, on the other hand, may not be as essential to fill, as the president will still be able to direct the activities of the agency from the top of the agency. For example, presidents are likely more concerned with the position of Secretary of Defense than the position of Assistant Secretary for Manpower and Reserve Affairs.

Hypothesis 3: Presidents will be more likely to use strategic acting officials, rather than allow default acting officials to serve, for senior leadership positions, compared to lower-level positions.

2.3.2 Decision to Nominate

After deciding whether to use the default acting official or choose an alternative strategic acting, the president must decide whether to make a nomination, in pursuit of confirmation. This is important to consider because

the president's nomination decision will be conditioned on their choice in the previous stage. There are two central benefits that presidents gain from confirmation, in comparison to the use of a strategic acting, that provide the president with greater control and the appointee a heightened ability to influence agency policy making. First, confirmation provides the appointee with the full legal authority and power of the office in which they serve. The individuals serving in acting roles or operating with delegated authority from vacant positions will be cautious about using the full authority of the position (Dull and Roberts, 2009; Mendelson, 2014; O'Connell, 2009, 2020) and will be, according to O'Connell, "perceived to have less authority, less stature, and less pull" (Lee and Dlouhy, 2020). Second, confirmed appointees have a longer time horizon, since they are not subject to the 210-day time limits imposed on acting officials.[8] Career civil servants in the agency will know that the individual serving in an acting capacity has a "ticking clock" on their service, whereas a confirmed appointee can serve indefinitely as long as the president is in office.

However, finding, vetting, and getting a nominee confirmed is a time- and resource-intensive process. Presidents and Senate committees will face opportunity costs when deciding which positions to focus on versus other priorities of the new administration and Congress (Ba et al., 2021). Therefore, presidents will be selective in the positions they push forward for confirmation.

The most senior leadership positions will be sufficiently important to the president to put forward a nominee quickly to replace a strategic acting official. For example, President Trump used former corporate attorney Stephen Vaughn as the acting U.S. Trade Representative only for the short period (74 days) in which he was working to get his nominee, Robert Lighthizer, confirmed (Palmer, 2017). Because these positions are closely followed by the media and the individuals serving in these positions are public-facing representatives of the administration, presidents may suffer from questions of legitimacy and harm to their public perception if they use strategic acting officials for too long in these positions. Therefore, we should observe shorter periods of strategic acting official service in these positions and higher rates of nominations. With presidents having their people confirmed to the top leadership positions within the agency, the rest of the appointee team will have less of a need for the additional sway and authority that comes with confirmation. Therefore, strategic acting officials, once in place, will be used for longer periods in positions of second-tier importance.

Hypothesis 4: Presidents will be quicker at making nominations to senior leadership positions, regardless of the type of acting official currently serving in the position, compared to lower-level positions.

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[8]Individuals placed in an acting position may serve for a temporary period of 210 days. This period will be extended if a presidential nomination to fill the position is made. In this instance, the acting official can serve as long as the nominee is pending Senate confirmation (Brannon, 2020). Further, if the nomination fails, a new 210-day period begins on the day of rejection, withdrawal, or return. This process is repeated for up to two nominations. Additionally, this period is extended by 90 days when the president first takes office. Therefore, President Trump, upon entering office, had a period from January 20, 2017, to November 16, 2017, to use acting officials without having to make a nomination (Brannon, 2020). Moreover, the Vacancies Act does not provide any provisions to enforce these limits on the length of service. Acting officials have on occasion remained in their positions longer than allowed by the Vacancies Act (Brannon, 2020).

In total, presidents need to assert control over certain important positions once they become vacant. First, they will use strategic acting officials more in ideologically opposed agencies, in agencies connected to their policy agenda, and for high-status leadership positions. Presidents will then decide whether to make a nomination and pursue confirmation, making this investment most frequently for high-status leadership positions.

2.4 Data, Variables, and Methods

To test these hypotheses, I collected data on all key positions in executive agencies covered by the Vacancies Act during the first year of the Obama, Trump, and Biden administrations. Focusing on this time period has three key benefits. First, by starting at the beginning of an administration, all of the PAS positions in my sample exogenously became vacant starting on January 20. Second, by only looking at the first year of a new administration, we do not have to be concerned with the acting "time clock" running out, and, therefore, the president had the ability to select a strategic acting at any point during this time period.[9] Third, the three most recent administrations are ideal for testing this generalized theory of presidential strategy. They best represent the current political environment and state of the nomination and confirmation process. Further, examining this time period ensures that the findings observed are not due only to the potentially disparate Trump administration.

I determined which positions to examine by taking a census of the 757 positions identified as "key" by the Partnership for Public Service (PPS) and *Washington Post* (Post, 2020). From this list, I eliminated all ambassadors and representatives to international organizations. Additionally, members of boards and commissions were eliminated, as the Vacancies Act does not apply to these positions.[10] I focus on the remaining 402 positions in 41 agencies that represent the most important and influential leadership positions across executive agencies within the administrative state.[11] This choice focuses my analysis on the essential core of PAS positions in executive agencies where we should expect the president to make the most strategic choices.

[9] Presidents have until November 16 of their first year to use an acting official, without needing to make a nomination.

[10] Boards and commissions typically do not allow for actings or delegations of duty (O'Connell, 2020). Instead, they may be "crippled" by vacancies that result in the loss of quorum (O'Connell, 2020).

[11] A complete list of the positions examined is available from the author upon request.

2.4.1 Key Dependent Variable

I track the occupant of each position using five quarters of the *Federal Yellow Book*[12] from the start of the Obama, Trump, and Biden administrations.[13] The *Federal Yellow Book* is a quarterly directory of executive officials, akin to a telephone book.

I code each position-quarter by five types of status: (1) vacancy or default acting with no nomination,[14] (2) vacancy or default acting with nomination, (3) strategic acting with no nomination, (4) strategic acting with nomination, and (5) confirmed. These states reflect all possible states of all executive PAS positions at the start of the administration.

To categorize acting officials, I looked up the employment history of each individual on Leadership Connect, the online edition of the *Yellow Book*, LinkedIn, and an additional online source, typically their biography page from the agency they served in or a news article. Individuals who served as a deputy or an assistant to the position immediately prior[15] to their service as acting were categorized as default actings.[16] Individuals with any other previous position were categorized as strategic actings.[17] During this time period, there were 949 acting officials serving in 355 positions. Of the individuals who served in an acting capacity in the first year of the Obama, Trump, and Biden administrations, more than 50% were the default acting in each administration.[18] The commonality of default actings demonstrates the importance of distinguishing between types of acting officials. Any analysis that does not account for this distinction will greatly overestimate the degree to which presidents are using acting officials as a strategic tool.

I used the Senate's appointments website to gather nomination and confirmation dates for the Obama administration and the PPS and *Washington Post*'s "Political Appointee Tracker" Post (2020) for the Trump and Biden administrations. By the end of the first year, across all three administrations, 536 (53.1%) positions

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[12]For the Biden administration, I used Leadership Connect, the online edition of the *Federal Yellow Book*. I gathered quarterly observations by looking up each position around the time that each quarterly volume of the Yellow Book was historically published.

[13]While the names and service dates of acting officials are required to be reported to the Government Accountability Office, in practice this information is often not reported (Haglund and Lewis, 2013). Therefore, ascertaining who served as an acting official and when they entered and left their position after the fact is extremely challenging. The *Federal Yellow Book* provides the opportunity to determine who was in the position at each point in time when the volume was published. As this is a quarterly publication, my analysis relies on tracking the status of these positions on a quarterly basis.

[14]This category, along with the second category, also implicitly includes any instance in which neither a confirmed nor an acting official serves, while the duties of the office are delegated to another office. Typically, these functions are subdelegated to career civil servants in the agency (Nou, 2017; O'Connell, 2020). This matches closely with my conceptualization of "default acting," as a career civil servant typically takes on the functions of the office in both cases.

[15]This does not include officials who were made the "first assistant" concurrently as they were made the acting official. While this is legally allowed by the Vacancies Act (Brannon, 2020), these appointees are instead classified as strategic actings because they would not have served as the acting official without action by the president.

[16]It is again worth noting that in some cases the default acting official is a political appointee. However, these positions are frequently vacant at the beginning of an administration, making the careerist next in line the default acting official. Those that are filled are typically occupied by a holdover from the previous administration. Matching with this description, among default acting officials in my sample who served during the first year of the Trump administration, 90% were career civil servants, 7% were holdover Obama appointees, and 3% were Trump appointees.

[17]Among strategic acting officials in my sample who served during the first year of the Trump administration, only 40% were career civil servants, less than half the percentage among default actings. This difference further validates my conceptualization of the types of acting officials.

[18]For the Trump administration, nearly 20% of acting officials in my sample had the term "first deputy" explicitly in their title, with an additional 45% being the "deputy" or "assistant" to the position.

in my sample were confirmed. Even this descriptive statistic showcases how presidents must navigate around an appointments process that leaves positions without a confirmed appointee for extended periods of time.

2.4.2 Key Independent Variables

To test the expectations above, we need measures of the ideological leaning of agencies, the president's policy priorities, and the status of positions. To measure ideological alignment, I use a measure of agency ideological reputation from a survey of federal executives across the administrative state (Richardson et al., 2018). The authors asked agency officials: "In your opinion, do the policy views of the following agencies tend to slant liberal, slant conservative, or neither consistently in both Democratic and Republican administrations?" (Richardson et al., 2018, p.304). They aggregated responses and generated ratings, after accounting for each respondent's conception of the general liberal–conservative ideological dimension and the respondent's experience with the agency.[19] The ratings vary from -2 to 2. I coded an agency as moderate if the estimate of the agency's ideology is statistically indistinguishable from 0. I coded an agency as liberal or conservative if the estimate of the agency's ideology is statistically distinguishable from 0 in either a liberal (negative) or conservative (positive) direction. Agencies are coded as opposed to the president (i.e., equal to 1 for "Ideologically Opposed") if their ideological group is in opposition to the president (e.g., Republican president–liberal agency) and are coded as aligned with the president (i.e., equal to 1 for "Ideological Ally") if their ideological group is aligned with the president (e.g., Republican president–conservative agency). Within my sample of 402 positions, 171 (42.5%) positions were in liberal agencies, 67 (16.7%) positions were in moderate agencies, and 141 (35.1%) positions were in conservative agencies.[20] Consistent with Hypothesis 1, I expect positions in agencies coded as ideologically opposed to the president to be filled quickly with strategic actings.

To determine the effect of priority on appointment strategy, I use a measure of priority to the president's campaign agenda. For the Obama administration, I coded agencies with a 1 if the agency was mentioned as responsible for a policy or an issue raised in the president's first address before a joint session of Congress (Hollibaugh Jr et al., 2014). For the Trump and Biden administrations, I coded a position with a 1 if the position is located within an agency that is responsible for carrying out an item on President Trump's *Contract with the American Voter*[21] or President Biden's "Build Back Better" or "Beat COVID-19" campaign plans.[22]

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[19] Although their measure was based on a single survey at one point in time, Richardson et al. (2018) have shown that agency ideology is stable, through comparison with earlier measures (Bonica et al., 2015; Clinton et al., 2012). They also included phrasing of "across Democratic and Republican administrations" to prompt respondents to think more generally about an agency's ideology over time. Additionally, based on our understanding of civil servant self-selection into agencies that align with their policy preferences (Clinton et al., 2012) and the longevity of the civil servants who work in agencies, we have additional reason to believe that agency ideology is stable over time.

[20] Twenty-three positions were located in agencies without an estimate of ideology from the Richardson et al. (2018) survey.

[21] https://assets.donaldjtrump.com/_landings/contract/O-TRU-102316-Contractv02.pdf.

[22] https://joebiden.com/build-back-better/;https://joebiden.com/covid19/

In my sample, 56.9% of position-administration observations were located in priority agencies. Consistent with Hypothesis 2, I expect positions within these agencies to get filled quickly with strategic actings.

To assess whether the president was more likely to use non-default appointees in leadership positions, I use a measure of position status. Following the approach of Resh et al. (2021), I coded the high-status variable with a 1 if the position is at Executive Pay Level 1 or 2. The executive schedule is the system of salaries provided to the appointed leadership of the executive establishment (5 U.S. Code § 5311). Positions at Executive Pay Level 1 or 2 include the secretaries of cabinet departments and the heads of large bureaus and independent agencies.[23] Sixty-four (15.9%) positions in my sample were high status. Consistent with Hypotheses 3 and 4, I expect that these positions will be filled quickly with strategic actings and that the president will prioritize nominations for these positions.

2.4.3 Control Variables

Of course, other factors are correlated with both the status of the position and key independent variables. To account for potential confounders, I include agency- and position-level controls as well as controls for confirmation dynamics in the Senate. To begin, I control for whether an agency is in the cabinet, where I code the "Cabinet" variable with a 1 if the position is within a cabinet department and 0 otherwise. Within my sample, 324 (80.6%) positions were located in cabinet departments. Cabinet departments are likely more important to the president, as they are the highest-profile and largest agencies. I also control for additional agency characteristics using a measure of agency decision-maker independence (Selin, 2015), which captures the level of autonomy actors in the agency have when making policy decisions. Existing work suggests that nominations to agencies with higher levels of decision-maker independence will take longer to be acted upon and will be less likely to reach confirmation (Hollibaugh Jr and Rothenberg, 2018).

Additionally, I control for characteristics of the Senate committee that is responsible for the referral and review of nominations to the position.[24] I measured "Chair Ideology" as the committee chair's DW-NOMINATE ideological rating (Lewis et al., 2021). Because each president faced a copartisan-controlled Senate, I use the absolute value of each ideological rating to measure the concept, with higher values representing ideological extremity in the direction of the president's party. Existing work suggests that nominees will be more quickly confirmed to agencies ideologically divergent from the committee chair (Resh et al., 2021).

Finally, I include presidential fixed effects, with the Obama administration as the baseline group. It is possible that each president, due to differing dynamics in the Senate or presidential preferences, may take a

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[23]The full list of these positions can be found under 5 U.S. Code § 5312-5313.

[24]Thirty-two of the 402 positions are referred to two committees. In these instances, an average of Chair Ideology is taken between the two committees.

slightly different appointment strategy.

2.4.4 Models

To properly model the president's use of each type of appointment, we need models that allow for the transition of observations through multiple states. Fortunately, there are a series of "Illness-Death" or "Disease Progression" Markov multistate models common in biostatistics useful for this purpose (e.g., Hougaard, 1999; Jackson, 2021; Jackson et al., 2003). These models are used to describe and understand processes in which an individual or a unit transitions through a series of clearly defined and mutually exclusive states in continuous time (Jackson, 2021). For example, this might include understanding the transitions of a patient through the stages of a disease or an illness and the factors that may affect those transitions. In my case, I track the status of each position-administration match across the first five quarters of the respective administration. Similar to the approach used in clinical trials, these five quarterly observations serve as "check-ups" to assess the status of the "patient," or position, at the time of observation. Each position is followed until it reaches the "absorbing state," the final state that, once entered, cannot be left. Typically, in the medical field, this is death. However, in our case, it is confirmation. As in the medical field with death, the time of the absorbing state is exact, whereas the transition times for the other states are assumed to be unknown. This allows us to deal with the lack of reporting of acting official service length while using the well-reported confirmation dates. For ease of comparison, I focus my analysis on the positions that did not have a confirmed holdover from the previous administration continue into the first period of the new administration. Therefore, each observation begins on the inauguration date with no confirmed official in the position.

Figure 2.1 is illustrative of the Markov multistate process being modeled for each position-administration match. First, Figure 2.1 highlights the five potential stages a position may be in at each "check-up." As shown, each position begins in State 1 (vacant or default acting with no nomination). At each subsequent "check-in," the position may transition into one of the three intermediate states or the absorbing state depending on whether the president has chosen a strategic acting official, the president has made a nomination, and the Senate has confirmed the president's nominee to the position. For this article, I am primarily interested in six different types of transitions, each represented with an arrow in Figure 2.1.[25] First, the transition from 1 (default, no nomination) to 3 (strategic, no nomination). Second, from 2 (default with nomination) to 4 (strategic with nomination). Third, from 1 (default, no nomination) to 2 (default with nomination). Fourth,

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[25]The model assumes that positions must transition along the arrows represented in Figure 2.1, even if each individual transition is not observed. For example, a position that from one "check-in" or observation to the other moved from State 1 to State 4 is assumed to have needed to be State 2 or State 3 before reaching State 4. In this case, the president either made a nomination and then selected a strategic acting official representing the transition from State 1 to 2 to 4 or selected a strategic acting and then made a nomination representing the transition from State 1 to 3 to 4. This modeling choice assumes that presidents are making sequential decisions and allows for the examination of the factors that influence each discrete choice. Further, it reduces the number of coefficients needed to be estimated in an already taxed model.

from 3 (strategic, no nomination) to 4 (strategic with nomination). Fifth, from 2 (default with nomination) to 5 (confirmed). Finally, from 4 (strategic with nomination) to 5 (confirmed).[26] The first and second types of transitions correspond with the president's decision to use a strategic acting official, and Hypotheses 1 through 3. The third and fourth transitions correspond with the president's decision to make a nomination, and Hypothesis 4. The fifth and sixth transitions correspond with the Senate's decision to confirm the president's nominee.

Figure 2.1: Stages of Progression
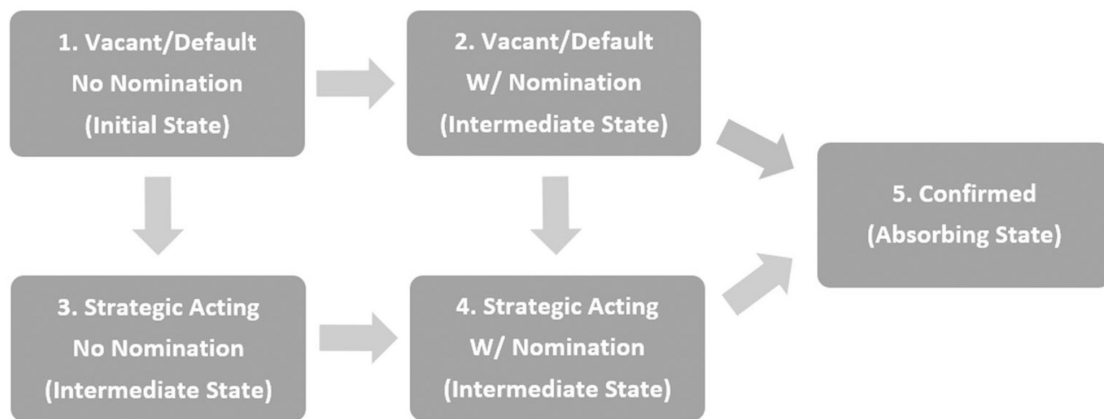
This modeling approach has several advantages. To begin, using the "Illness-Death" Markov multistate model, I can assess how the key independent variables influence the probability of transition from one state to another, given the fact that the transition may be conditional on its prior state. For example, what makes the president move outside of the default for a strategic acting official? This allows us to assess whether factors that influence one type of transition (e.g., default to strategic acting official) are the same for another type of transition (e.g., no nomination to nomination). Additionally, these models allow us to examine the factors that influence the pace at which presidents move from using strategic acting officials to making a nomination and getting the nominee confirmed. Finally, and most importantly, the Markov multistate model is a unified model that allows for the inclusion of all of the potential states that a position may be in and the examination of each type of transition. Rather than attempting to examine each type of transition in an isolated model, the multistate model fully incorporates the entire appointments process and the associated decisions made by the president and the Senate.

Results are presented in terms of hazard ratios for each coefficient on each type of transition. Hazard ratios of less than 1 mean that positions characterized by higher values of that covariate are less likely to

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[26]While these models could be used to assess the factors that predict the departure of an appointee (transitioning from State 5 to State 1), my expectations do not speak to the tenure of individual appointees (see e.g., Dull and Roberts, 2009; Wood and Marchbanks III, 2008).

experience that type of transition by the end of a given quarter compared to the baseline.[27] For example, a hazard ratio of 0.5 would mean that a one-unit increase in the covariate is associated with a half as likely transition than the baseline. Hazard ratios of greater than 1 mean that positions characterized by higher values of that covariate are more likely to experience that type of transition. For example, a hazard ratio of 2 would mean that a one-unit increase in the covariate is associated with a twice as likely transition than the baseline. All hazard ratios are presented with a 95% confidence interval. All confidence intervals that do not contain 1 are significant at the 0.05 p-value threshold.

2.5 Results

Several patterns are illuminated within the results of my models. First, presidents use strategic acting officials in the positions most crucial for gaining control of the administrative state, namely, those in ideologically opposed agencies, agencies connected to their campaign priorities, and high-status positions. Second, once in place, strategic acting officials in priority subunits were frequently used for extended periods as substitutes to their confirmed counterparts. Once a strategic acting was in place, presidents became less likely to pursue nomination and confirmation. These actings give presidents time to focus their efforts elsewhere or more carefully consider potential nominees to the position. Third, presidents pursue confirmation sparingly, focusing their efforts particularly on the highest levels of agency leadership. Finally, the Senate in some circumstances responds to the president's use of acting officials. The Senate under certain conditions slows down the pace of confirmation when the president has a strategic acting official in place, knowing that the president has already asserted control over these vacant positions.[28]

These results suggest that as the traditional route for control becomes costly, presidents will pursue an alternative route. The use of strategic actings allow presidents to be more selective in their pursuit of nomination and confirmation, focusing on places where confirmation has the greatest relative benefits. This puts presidents at a greater advantage in our separation of powers system, often cutting the Senate out of the process entirely. The Senate's own delays and amenability toward nominees only furthers the extent to which presidents will use these tools of unilateral control.

2.5.1 Choice between Actings

I proceed by examining when presidents used strategic actings. Consistent with my expectation from Hypothesis 1, presidents were most likely to use strategic acting officials in liberal agencies. Looking to the coefficient on the second (2 to 4) type of transition, we see that presidents were over five times more likely

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[27] For continuous control variables, results are presented as a one standard deviation increase from the mean value of the variable.

[28] The time period considered only includes occurrences of a copartisan-controlled Senate. It is likely that this relationship differs when the Senate is controlled by the opposition party.

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to use a strategic acting after a nomination was pending in ideologically opposed agencies. This result is significant at the 0.05 p-value threshold. However, presidents were not significantly more likely to use strategic acting officials in ideologically opposed agencies prior to a nomination being made. Examining Figure 2.2, we see that the effect size on the second type of transition is at least twice as large as that of the other main terms in the model. These results suggest that presidents are particularly focused on asserting control over ideologically opposed agencies while they wait on the Senate to process their nominees. This result is in direct contrast to Kinane (2019, 2021)'s finding that presidents will neglect positions in ideologically opposed agencies. Instead, these strategic acting officials served as a temporary stopgap measure for presidents concerned with a potentially opposed civil service.

Figure 2.2: Estimated Hazard Ratios (Model 1): Default Acting Officials to Non-Default Acting Officials, Conditional on Nomination Status.
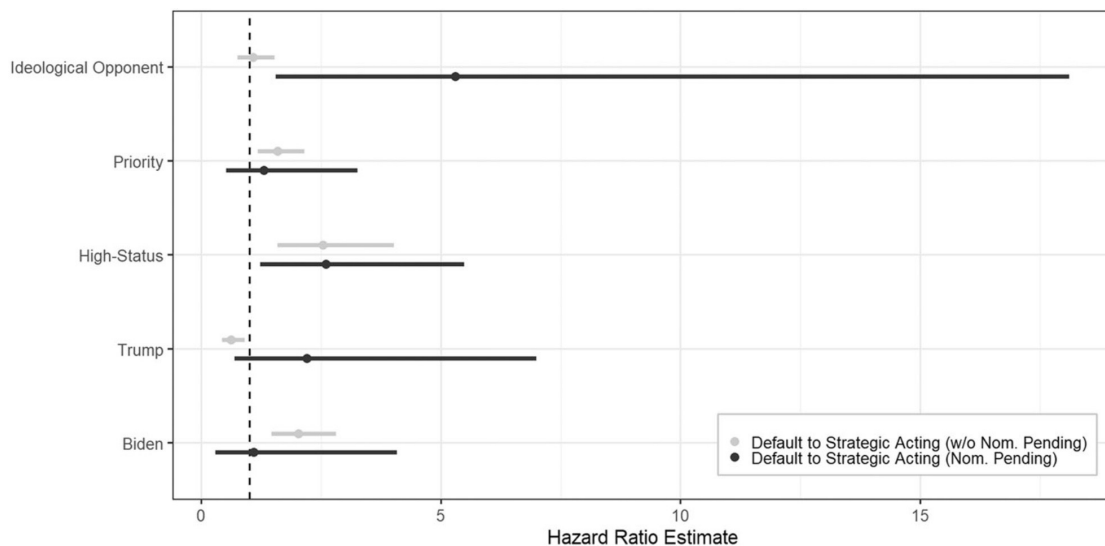
Note: Each dot represents the hazard ratio estimate, and each line represents the 95% confidence interval for the estimate. A vertical dotted line is placed at the value of 1. Hazard ratios of less than 1 mean that positions with that covariate are less likely to experience that type of transition compared to the baseline. Hazard ratios of greater than 1 mean that positions with that covariate are more likely to experience that type of transition. All confidence intervals that do not cross the dotted line are significant at the 0.05 p-value threshold.

Beyond ideology, presidents were significantly more likely to use strategic acting officials for positions connected to their policy agenda, matching with my expectation from Hypothesis 2. The hazard ratio for the first type of transition (1 to 3) in Table 2.1 of roughly 1.6 symbolizes a 60% higher chance of transition from default to strategic acting, holding the lack of nomination constant. Results are substantively similar when looking at the use of strategic actings after a nomination has been made (2 to 4), but the difference is not statistically significant. Here, we see presidents making a substantial effort to exert control by using acting officials both before making a nomination and while waiting on the Senate to act on their nominees. In

Table 2.1: Presidential Appointment Status Change Probabilities: Default Acting Officials to Non-Default Acting Officials to Confirmed Nominees

| | *Type of Transition* | | | | | |
| | Transition to Strategic Acting | | Transition to Nomination | | Transition to Confirmation | |
	1 to 3	2 to 4	1 to 2	3 to 4	2 to 5	4 to 5
Ideological Opponent	1.080 (0.761, 1.532)	5.299** (1.550, 18.117)	0.828 (0.644, 1.065)	1.171 (0.740, 1.852)	0.937 (0.693, 1.267)	1.142 (0.632, 2.065)
Ideological Ally	0.952 (0.669, 1.354)	3.153* (0.895, 11.106)	1.051 (0.827, 1.336)	0.966 (0.621, 1.501)	0.884 (0.660, 1.184)	1.741* (0.983, 3.084)
Priority Agency	1.594** (1.179, 2.154)	1.300 (0.519, 3.257)	1.285** (1.030, 1.603)	0.738 (0.500, 1.090)	0.911 (0.698, 1.188)	0.680* (0.433, 1.068)
High-Status	2.532** (1.596, 4.018)	2.595** (1.226, 5.492)	2.230** (1.614, 3.081)	2.122** (1.276, 3.529)	3.069** (2.378, 3.961)	2.608** (1.591, 4.274)
Cabinet	0.909 (0.512, 1.616)	1.765 (0.298, 10.464)	0.905 (0.615, 1.330)	0.870 (0.445, 1.703)	1.585* (0.929, 2.707)	1.323 (0.560, 3.125)
DM Independence	0.839 (0.677, 1.039)	0.954 (0.459, 1.983)	0.860** (0.745, 0.993)	0.875 (0.692, 1.105)	1.115 (0.899, 1.382)	1.003 (0.756, 1.331)
Chair Ideology	0.973 (0.851, 1.112)	0.776 (0.539, 1.117)	1.036 (0.934, 1.150)	1.027 (0.859, 1.228)	1.087 (0.953, 1.241)	0.809* (0.653, 1.003)
Trump	0.624** (0.429, 0.910)	2.203 (0.694, 6.997)	0.587** (0.461, 0.747)	0.770 (0.461, 1.286)	0.182** (0.130, 0.254)	0.522** (0.299, 0.911)
Biden	2.028** (1.460, 2.816)	1.096 (0.294, 4.081)	0.843 (0.667, 1.065)	0.950 (0.643, 1.404)	0.307** (0.233, 0.404)	0.385** (0.244, 0.605)
Observations	4,985	4,985	4,985	4,985	4,985	4,985

Note: I code each position-quarter by five types of status: (1) vacancy or default acting with no nomination, (2) vacancy or default acting with nomination, (3) strategic acting with no nomination, (4) strategic acting with nomination, and (5) confirmed. Hazard ratios are reported for each coefficient on each type of transition. For example, the column denoted "1 to 2" contains the effect of each covariate on the probability that an observation will transition from the first listed state (vacancy or default acting with no nomination) to the second listed state (vacancy or default acting with nomination) by the next quarterly transition. For example, the column denoted "1 to 2" contains the effect of each covariate on the probability that an observation will transition from the strategic acting with no nomination, (4) strategic acting with nomination, and (5) confirmed. Hazard ratios are reported for each coefficient on each type of observation. Below each hazard ratio, the 95% confidence interval is reported. Hazard ratios significant at the 0.1 p-value threshold are denoted with *, and those significant at the 0.05 p-value threshold are denoted with **.

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order to ensure agencies like the U.S. Immigration and Customs Enforcement were responsive to President Trump's immigration agenda, the president used strategic actings like Thomas D. Homan, described in a 2016 *Washington Post* article as "really good at [deporting people]" (Rein, 2016).

Finally, we can assess how presidents use strategic acting officials in high-status positions. Matching with my expectation from Hypothesis 3, presidents were significantly more likely to use strategic acting officials for these positions, regardless of the status of a pending nomination. The use of strategic acting officials is shown clearly with the hazard ratios of about 2.5 on the high-status coefficient for the transitions to strategic acting, with (2 to 4) or without a nomination (1 to 3), in Table 2.1. This represents these positions being roughly 2.5 times as likely, or at 2.5 times the risk, to receive a strategic acting prior to or after a nomination is made in any given three-month period at the start of the last three administrations. President Trump used strategic acting officials like Dana Boente to serve as the acting Attorney General, after he removed Sally Yates. Boente, unlike Yates, was willing to defend the president's travel ban (Zapotosky, 2020). President Trump then issued an executive order to change the line of succession in the Department of Justice to allow Boente to serve as the acting Deputy Attorney General, after Jeff Sessions was confirmed as Attorney General (Korte, 2017).

2.5.2 Decision to Nominate

Now, we can turn to the president's decision to nominate. Matching with my expectations, presidents are significantly more likely to make nominations to high-status positions, regardless of the type of acting official serving. How presidents approach nominations is showcased by the hazard ratios of roughly 2.2 on transitions to nomination from either acting state (1 to 2 or 3 to 4) in Table 2.1. Looking to Figure 2.3, we see that these positions were at starkly higher risk of reaching nomination (state 2 or 4) from the default, no nomination state (1), and the strategic, no nomination state (3). For high-status positions, presidents were much more likely to use either type of acting officials as a short-term placeholder while they pursued confirmation.

Presidents were not significantly more likely to make nominations to agencies that were ideologically opposed to the president. In fact, presidents were less likely to make a nomination to a position that was vacant or that had a default acting official. As shown in column 3 of Table 2.1, presidents were roughly 83% as likely to make a nomination to positions in ideologically opposed agencies when the default acting official was serving in any three-month period. However, this difference from ideologically moderate agencies is not statistically significant. This approach to nominations in ideologically opposed agencies stands in direct conflict with existing theories of presidential appointments (Hollibaugh Jr et al., 2014; Hollibaugh Jr and Rothenberg, 2017; Lewis, 2008). Instead, presidents might be exhibiting a pattern of intentional neglect toward these agencies.

Figure 2.3: Estimated Hazard Ratios (Model 1): No Nomination to Nomination, Conditional on Acting Status.
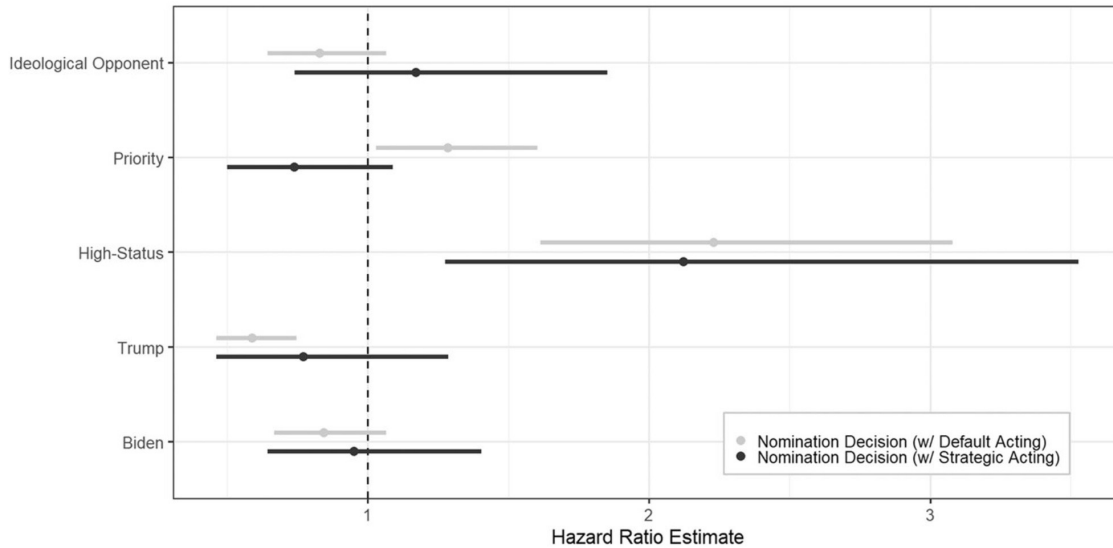
Note: Each dot represents the hazard ratio estimate, and each line represents the 95% confidence interval for the estimate. A vertical dotted line is placed at the value of 1. Hazard ratios of less than 1 mean that positions with that covariate are less likely to experience that type of transition compared to the baseline. Hazard ratios of greater than 1 mean that positions with that covariate are more likely to experience that type of transition. All confidence intervals that do not cross the dotted line are significant at the 0.05 p–value threshold.

In contrast, the approach of presidents to nominations in priority agencies was conditional on what type of acting official was being used. When a default acting official was serving, presidents were nearly 30% more likely to make a nomination (1 to 2). However, when the position was filled with a strategic acting, presidents were about three-quarters as likely to make a nomination (3 to 4). While the result is only statistically significant in the former case, these results suggest that presidents view strategic acting officials as a temporary substitute for a confirmed counterpart, allowing them to delay a nomination to the position. However, presidents are not satisfied with leaving positions in these important agencies in the hands of a default acting official. The conditional strategy of presidents further highlights the importance of distinguishing between types of acting officials.

These results suggest that strategic acting officials are used for different purposes depending on the position. For the most crucial, high-level positions, presidents use strategic acting officials only as a temporary measure to gain control until they got a confirmed appointee in place, for example, how President Trump used Stephen Vaughn while waiting for Robert E. Lighthizer to be confirmed as the U.S. Trade Representative. However, under other circumstances, presidents are more content to leave a strategic acting official in place compared to pushing toward nomination and confirmation. Once these strategic acting officials were in

place, the chances that an individual would be nominated to these positions declined. This differential use of acting officials makes it necessary to consider the president's full use of the tools of politicization rather than focusing on any one tool. The president's current use of an acting alone does not provide us with enough information to make a declaration of the president's preference between using an acting and a confirmed appointee.

Further, these results suggest that presidents weigh different criteria when using strategic acting officials compared to pursuing nomination and confirmation. This has important consequences for our understanding of the president's broad politicization strategy. Rather than emphasizing the same types of positions for both strategic actings and confirmed appointees, presidents target different positions with different types of appointees. Therefore, any theory of presidential appointments must carefully consider the trade-offs presidents face with each tool available to them.

2.5.3   Senate Cooperation with Presidential Strategy

Thus far, we have been primarily focused on presidential strategy. However, there remains an open question of how the Senate factors into the process. In particular, we need to consider whether the Senate's delays are conditioned on the president's use of acting officials. For example, does a copartisan Senate feel less pressure and exert less effort to confirm the president's nominee if the president has selected a strategic acting official to take over the position?

I find that the Senate does in some circumstances account for the president's use of acting officials. Specifically, the Senate significantly slowed down the confirmation process for positions in priority subunits when a strategic acting official was serving (4 to 5). In these circumstances, the Senate is about two-thirds as likely to confirm the president's nominee within a three-month period. Further, the strategic consideration of the president's acting choice becomes even stronger, as the chair of the committee responsible for the referral and review of nomination becomes more ideologically extreme in the direction of the president's party. Looking to the estimate for chair ideology on the sixth column (4 to 5), we see that a one standard deviation increase in chair ideology in the direction of the president's party is associated with about a 20% decreased likelihood of confirmation. This result is significant at the 0.1 p-value threshold. Ideologically aligned committee chairs appear to have felt less pressure to quickly confirm the president's nominees once they knew the president already had some level of control over the position through a strategic acting. This further suggests that strategic actings are viewed by both the president and the Senate as at least a temporary substitute for confirmation. Additionally, theories of the Senate's response to presidential nominations must consider the "reversion value" set unilaterally by the president's choice of an acting official.

2.5.4 Differences between Presidents

Finally, we can consider how the patterns observed above varied across presidential administrations. The results from Table 2.1 provide some evidence of how the presidents' broad approaches to appointment strategy compare to each other.[29] In contrast to conventional views held regarding the Trump administration, President Trump was not significantly more likely to use strategic acting officials compared to his predecessor. In fact, Trump was significantly less likely than the Obama administration to use strategic actings prior to a nomination being made. This suggests that President Trump, rather than attempting to intentionally navigate around the Senate, used actings in the face of long confirmation delays. President Biden, instead, was significantly more likely to use strategic acting officials compared to President Obama prior to making a nomination. The transition planning of the Biden administration and the available pool of officials from the Obama administration may have allowed Biden to exploit this tool of control more fully. President Biden, therefore, was able to take the use of acting officials to a new level, immediately asserting control over agencies, not just after his nominations had stalled in the Senate. Further, both Presidents Trump and Biden were more likely to use strategic actings once a nomination was pending, although not significantly so. Facing longer confirmation delays, Trump and Biden appear to have been more likely to use strategic acting officials in the interim. In regard to nominations, both President Trump and President Biden were slower than President Obama. Trump was particularly less likely to make nominations from the vacant or default acting state, at about 60% the likelihood as Obama. Coupled together, these results suggest that presidents are increasingly turning away from a more demanding and less fruitful nomination and confirmation process and instead acting unilaterally to a greater extent.

We may be concerned that the agency- and position-level determinants of appointment strategy presented above do not hold across each individual administration. However, the substantive results are largely similar across each administration, as shown in Appendix Tables 5.7 through 5.9, with two notable exceptions.[30] First, President Obama was much less likely than his successors to use strategic acting officials in ideologically opposed agencies or high-status positions after making a nomination (2 to 4). This may be due to the swifter Senate confirmation process faced by Obama that lowered the need to use an interim acting. Second, President Trump and President Obama differed significantly in their choice to make nominations to ideologically opposed agencies after a strategic acting was in place (3 to 4), with Obama being much more likely to make a nomination and Trump less likely. Here, we see each president using strategic acting officials for

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[29]In Appendix Tables 5.1 through 5.3, I also report transition frequency tables, outlining the number of transitions observed for each type of transition across all quarters for each president. In Appendix Tables 5.4 through 5.6, I report transition probability matrices for each president, showing the likelihood of transition from each state to another within one quarter's time (90 days). These tables provide further context for understanding broad differences between presidents.

[30]While most other results are substantively similar across specifications, the statistical significance of some of the results varies. This is to be expected, as the sample size for each administration is substantially smaller than the pooled sample.

a different purpose: Obama as a stopgap measure and Trump as a substitute for a nominee. This suggests that under different political environments, and potentially with different goals for agencies, presidents will change their approach to their appointment strategy.

2.6 Conclusion

The Trump administration brought the changing appointments process into full focus. Some observers noted the administration's frequent use of "Trump's band of temporary leaders" (Collins, 2019), while others have criticized the administration for "a cascade of ... unfilled jobs [and] a vacuum of leadership" (Pettypiece, 2020). While this is not a new phenomenon (Kinane, 2019, 2021; Mendelson, 2020; O'Connell, 2009, 2020), scholars have been slow to unpack the strategic decisions presidents make in this new world of frequent and lengthy vacancies. The fate of confirmation is uncertain, the costs of securing confirmation are increasing, and acting officials are playing a more important permanent role.

This article describes presidential appointment strategy in this new context, incorporating all of the tools available to presidents. It brought new data to bear to test the theoretical expectations. The results indicate that presidents use strategic acting officials where it mattered most for control: positions in ideologically opposed agencies, agencies connected with their campaign priorities, and high-status positions. Further, presidents pursue nomination and confirmation sparingly, making this decision based on the status of the position and the type of acting official currently filling the position. Presidents often appear to be content leaving strategic acting officials in place for extended periods of time, rather than pursue a costly and lengthy nomination and confirmation process.

Several implications emerge from this analysis. First, theories of presidential appointment strategy and Senate confirmation dynamics need to incorporate a broader view of presidential politicization strategy. Under the changing appointments process, with presidents waiting longer and having a harder time getting their nominees confirmed, the strategic use of vacancies and acting officials has emerged as a more common tool of presidential control. Further, only when examining all the tools of politicization in tandem can a broader view of the president's intentions be gained. Additionally, research on the effects of vacancies must consider who steps in to take over the functions of the office when no confirmed appointee is in place. Not all vacancies are equal. Who steps into these roles has critical implications for performance and accountability. Presidents often allow for the default acting official in line for the position to serve for extended periods. This puts an experienced career civil servant at the helm of the position, a potentially beneficial outcome for the performance of the agency. Therefore, any future attempt to restrict the service of acting officials or revise the Vacancies Act must consider how those restrictions would influence the ability of career civil servants to maintain agency operations in the presence of vacant leadership. Finally, and most critically, presidents have

a great deal of discretion in whom they select to lead the executive establishment. This provides presidents with enormous unilateral authority that is at odds with the principles of our separation of powers system of government.

CHAPTER 3

Going for Goals: Presidential Appointments and Agency Goal Change

3.1 Introduction[1]

When President Trump assumed office, agencies like the Environmental Protection Agency (EPA) had among their most important priorities to "reduce greenhouse gas emissions" and "strengthen environmental protections," even though Trump had said on the campaign trail that he would "get rid of [the EPA] in almost every form" and promised to "end intrusive EPA regulations" (EPA, 2016; Trump, 2017; Post, 2017). Attached to each priority goal was a high-level goal leader, the Deputy Assistant Administrator of the Office of Air and Radiation (OAR) and the Deputy Chief Financial Officer, whose job it was to ensure the achievement of the goal and report to agency leadership and outside stakeholders on the progress toward completion. The EPA mentioned these goals specifically in their FY 2016 and 2017 budget justifications and outlined how funds would be used to reach these goals (EPA, 2015, 2016).[2]For example, in FY 2017, the EPA requested over $200 million to support "regulatory activities and partnership programs to reduce [greenhouse gas] emissions domestically and internationally" (EPA, 2016, p.20).

For a president skeptical of the effect of greenhouse gases on climate change and who campaigned against the EPA, getting these goals changed presented an immediate challenge to the incoming Trump administration. Given the numerous mandates provided to the EPA and their many directives to do things like improving air quality, regulating the release of radioactive material, ensuring the quality of drinking water and safety of chemicals, preserving and restoring land and natural resources, and protecting the health of ecosystems, the agency has considerable discretion in what they will prioritize and how they will expend their limited time and resources. To get the EPA to direct their attention toward tasks more agreeable to the Trump administration and, more importantly, away from tasks the president was in direct opposition to, the agency's goals needed to be changed. The agency was set to begin determining its new short- and long-term goals in the spring of 2017, as part of the FY 2019 budget process. The president moved quickly to nominate Scott Pruitt, Susan Bodine, and Andrew Wheeler to help him change the direction of the agency (Post, 2020).

This example from the Trump administration raises the more general question of the president's influence

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[2]Furthermore, in a 2017 Government Accountability Office (GAO) survey, nearly two-thirds of managers within the EPA reported that performance information related to these goals is paid attention to by those they report to and that upper management demonstrates a strong commitment to achieving results toward the completion of their goals (GAO, 2018). Additionally, in a 2016 Office of Personnel Management (OPM) survey, nearly 85% of EPA employees agreed or strongly agreed that they knew how their work relates to their agency's goals (OPM, 2016).

over agency goals. Through the administration of policy programs, federal agencies are central in policymaking. With the authority delegated and direction provided by Congress, the president, and the courts, agencies prosecute violations of law, review claims for benefits, adjudicate disputes between individuals and the government, and promulgate binding regulations. However, with dozens of mandates, agencies have considerable discretion in how they focus their time and resources. Agencies must make decisions about what to prioritize. They do so by explicitly setting goals. Goals are a "guide to action" (Mohr, 1973), serving as the basis by which agencies make critical decisions about how they will allocate spending post-appropriations, what they will put on their limited rulemaking docket, and where to focus personnel. If agency policy change is to mean anything, it must include a change in the stated policy goals and priorities of agencies like the EPA. Furthermore, these goals ensure that both internal and external stakeholders have a common understanding of the mission and direction of the agency. By publicly committing to explicitly stated goals, external stakeholders can hold agencies accountable for reaching these goals. Therefore, presidents need to get control over goals first, in order to influence policymaking.

Unfortunately, we know very little systematically about how presidents influence agency goals and the factors that determine their success in doing so. Existing scholarship has illuminated the importance of goals for agency performance and the administration of federal policy programs (Jung, 2014, 2018; Jung and Lee, 2013; Meyers et al., 2001; Wilson, 1989). Presidency scholars have shown that presidents strategically select and place appointed personnel (Hollibaugh Jr et al., 2014; Hollibaugh Jr and Rothenberg, 2018; Kinane, 2019, 2021; Lewis, 2008), but their efforts to connect strategy to outcomes has focused on agency performance of specific tasks (e.g., Wood and Waterman, 1991; Bolton et al., 2015) or program assessment ratings (PART) (Gilmour and Lewis, 2006; Lewis, 2007, 2008) rather than the overall aims of agencies themselves. This is important because agency priority setting occurs prior to policy outcomes. A change in the priorities of an agency will have ramifications for how policy is pursued by the agency in the future. We are further limited in the policy outcomes we can empirically observe and compare across agencies. The stated priorities, or goals, of agencies provide a more direct and comparable measure of policy change within an agency. Additionally, one of the key functions of executive power is to drive the direction of the executive branch, given the many possible foci of any given agency. Fundamental to our understanding of democratic politics, the influence of elections on agency policymaking, and executive power is understanding executive influence over agency goals.

In this article, I explain how presidents influence agency goals, focusing on how appointee teams are essential to prioritizing and resetting agency goals. I use original data on federal agency goals from the end of the Obama administration to the beginning of the Trump administration. My analysis of strategic

and priority goals[3] across 56 agencies reveals that agencies experience a high degree of goal change across administrations. Additionally, I find that agencies in which the president has a higher percentage of key presidentially appointed and Senate-confirmed (PAS) positions filled experienced higher levels of long-term goal change. These findings suggest that agencies may struggle accomplishing long-term objectives, as they will experience frequent changes to their core directives. Further, they highlight the president's immediate need to get their appointee teams in place to alter the course of agency policymaking for their whole first term.

3.2 Agency Goals and Presidential Personnel

Important work has examined the key role that goals play in agency operations and management and presidential efforts to direct agency activities, but little work has examined how presidents change goals. While organizational goals are "indispensable to organization theory" (Simon, 1964, p.1), there is considerable debate regarding how to define or identify an organization's (often unstated) goals (Cyert and March, 1963; Mohr, 1973; Simon, 1964). As two scholars put it: "the concept of organizational goals is among the most slippery and treacherous of all those employed by organizational analysts" (Scott and Davis, 2015, p.183). Helping to provide clarity, Kotlar et al. (2018) offer a broad definition of organizational goals that accounts for this scholarly disagreement: "desired organizational outcomes that [are] used to guide action and appraise organizational performance (e.g., Mohr, 1973), but [are] distinct from measurable targets (March and Simon, 1958)" (p.84). Fitting with this definition, organizational goals have similarly been referred to as nonoperational goals (Vancouver and Schmitt, 1991; Wilson, 1989; Witt, 1998). A nonoperational goal, for example, would be to "reduce greenhouse gas emissions," while an operational goal would be to "decrease carbon dioxide emissions by 10%."

Despite differences in how the concept is defined, scholars generally agree that organizational goals are important for the operation and performance of an organization. In fact, the identification and communication of these goals is one of the essential roles of an organization's leadership (Colbert and Witt, 2009; Riccucci, 1995; Stogdill, 1950). Given the large number of possible intentions or foci of an organization, organizational goals impose order by creating a "collective intent" that is a "guide to action" for the organization and its members (Mohr, 1973). Among the many positive effects associated with organizational goals are an increase in individual and organizational performance (Colbert and Witt, 2009; Weldon and Weingart, 1993; Witt,

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[3]Strategic goals, set quadrennially, are "to identify 'general goals and objectives' for the major functions and operations of the agency." Strategic goals are further elaborated into objectives and objectives into performance goals. Objectives and performance goals provide more specific, quantifiable targets for agencies to report on the success of their more general strategic goals. A selection of agencies determines a small subset (typically 3–5) of their many performance goals to be identified as priority goals every two years. For further explanation of strategic goals, see the "Strategic Goals" subsection in the "Data, Variables, and Methods" section. For further explanation of priority goals, see the "Robustness Check Using Short- Term Goal Change" subsection in the "Results and Discussion" section.

1998), clarification of employee role requirements and task focus (Colbert and Witt, 2009; Mohr, 1973; Rainey and Steinbauer, 1999; Simon, 1964; Vancouver and Schmitt, 1991; Weldon and Weingart, 1993), improvement in employee morale (Kristof-Brown and Stevens, 2001; Meyers et al., 2001; Vancouver and Schmitt, 1991; Witt and Nye, 1992), the identification of the mission of the organization for both internal and external stakeholders (Campbell et al., 1992), and an increase in the profitability of the organization (Terpstra and Rozell, 1994).

At the federal level, scholars have confirmed the importance of goals for agency operations and management. Agency goals, or the explicitly stated priorities of the agency, are essential in the defining of the tasks, culture, and mission of an agency for personnel within the agency (Wilson, 1989). Chun and Rainey (2005) pioneered research in the area of federal agency goals.[4] The content of agency goals has been shown to affect agency performance and the administration of federal programs (GAO, 2014; Jung, 2014, 2018; Jung and Lee, 2013; Service, 2018). This work demonstrates the importance of goal setting for multiple internal and external stakeholders and for measuring and improving agency performance.

Given their importance for agency direction, agency goals should be a target for new administrations both to shift policy and engage the agency's workforce. As Krause explains, "a president's capacity to effectively coordinate the executive branch around policy goals is crucial for gaining effective influence over policy administration" (2009, p.76). Indeed, executives employ two primary strategies to control administrative policymaking—politicization and centralization (Moe, 1985). Presidents politicize by selecting loyal appointees to head agencies, direct policy implementation, select priorities, make budgetary decisions, monitor civil servants, reflect presidential ideology and policy priorities, and convey the president's vision to the agency (Kinane, 2019, 2021; Lewis, 2008; Moe, 1985; Resh et al., 2021). Presidents centralize by pulling key policy decisions (e.g., regulatory review) into the White House and inserting White House personnel in agency decision making (e.g., Bolton et al., 2015; Rudalevige, 2002). These tools provide the president with the access and the ability to influence the bureaucracy.

While existing literature has done a great job explaining the importance of agencies for policymaking and strategies for presidential control, it has failed to connect this work to goals, a central element of control. It also rarely recognizes key differences in agencies and has yet to catch up with new and increasing difficulties associated with the appointments process.

To begin with, scholars have yet to address presidential efforts to influence agency goals. Existing work has shown that appointees have influence over agency outputs (e.g., Bolton et al., 2015; Wood and Waterman,

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[4]Chun and Rainey (2005) created a measure of goal ambiguity made up of four components—mission comprehension, directive goal ambiguity, evaluative goal ambiguity, and priority goal ambiguity. The ambiguity of these goals has been used as a dependent variable, finding that goal ambiguity is heightened due to factors such as institutional age, complexity and political salience of the policy, routineness of the related tasks, and the regulatory status of the policy area (Chun and Rainey, 2005; Lee et al., 2009, 2010).

1991) and the performance of programs (Gilmour and Lewis, 2006; Lewis, 2007, 2008). However, variation in correlations between appointee placement and outputs (e.g., Wood and Waterman, 1991) has not been fully explained. One mechanism that would explain variation in success in changing outputs could be the details of goal change within agencies and differential success in the appointments process. Further, we know less about how the tool of politicization impacts agency priorities and the course of agency policymaking (O'Connell, 2009). The goal-setting process is the starting point at which agencies decide how they will focus their attention and limited resources. Therefore, meaningful policy change must start with the changing of agency goals. By only examining limited agency outputs, scholars have missed the bigger picture in which agency policymaking takes place.

Additionally, the literature neglects a key difference among agencies—that some are targets of ideological fights and others are not. We know that presidents target their appointments to agencies ideologically opposed to them (Hollibaugh Jr et al., 2014; Hollibaugh Jr and Rothenberg, 2017, 2018; Lewis, 2008) and appointees target and marginalize ideologically opposed civil servants and those who otherwise may resist presidential priorities (Bolton et al., 2015; Doherty et al., 2019; Mendelson, 2003; Richardson, 2019). However, less attention is given to the president's strategy toward ideological allies. While it is true that presidents will find a more welcome and compliant civil service in these agencies, these arguments neglect the remaining need of an appointee to direct the policymaking of the agency to be in line with the president's preferences. Allies of the incoming administration are commonly the ideological opponents of the previous administration. During the previous administration, these agencies were likely constrained from implementing their preferred policies. If the president hopes to institute new initiatives or reenergize an agency, especially after a previous administration of the opposing party, they must take control and have a unified vision channeled through an appointee.

In contrast, some agencies will not be a priority or a source of conflict across administrations. If an agency's activities are agreed upon by both parties or are never salient, presidents have little incentive to exert limited resources on gaining control over these agencies. Instead, the president will be content with leaving the agency on "autopilot."

Finally, scholars have rarely addressed the consequences of the changing appointments system for control. The Senate confirmation process, while long being a hurdle for incoming presidents, has become more challenging for and has brought increased scrutiny on presidents and their nominees. The process is increasingly slow-moving, and the long norm of Senate deference to presidential nominees has eroded O'Connell (2017). The inability of presidents to get confirmed appointees into key PAS positions, resulting in vacancies, is believed to negatively affect agency capacity and cause instability and inaction (Dull and Roberts, 2009; Mendelson, 2014; O'Connell, 2009). Furthermore, O'Connell argues that "vacancies undercut agency

accountability" to the president and Congress (2009, p.921). Unconfirmed officials serving in an acting capacity or delegated the duties of the office are believed to be less accountable, as they likely have not gone through the Senate confirmation process, were not selected by the president, and have civil service protection from removal. Therefore, we should expect that agencies in which the president cannot get "his people" confirmed will be both less able and less willing to respond to new directions from the White House.

3.3 How Presidents Go for Goals

Upon inauguration, every new president is faced with the managerial task of taking control of the administrative state. The executive branch of the federal government is comprised of more than 2.7 million civilian employees, hundreds of organizations and subunits, and a budget in excess of $4 trillion (Lewis, 2019; Selin and Lewis, 2018). Federal agencies are responsible for translating the authority delegated and direction provided by Congress, the president, and the courts into public policy (Lewis, 2003). With dozens of mandates to focus their attention on (e.g., Acs, 2016; Clouser McCann et al., 2020), agencies have considerable leeway. Agencies make decisions regarding where they will focus their attention and limited resources (e.g., Potter, 2019; Wilson, 1989), how they pursue policy goals and enforce the law (e.g., Herd and Moynihan, 2019; Potter, 2019; Wilson, 1989), and how they interact with and consider the views of external stakeholders (e.g., Wilson, 1989; Yackee and Yackee, 2006; Yackee, 2012, 2015, 2006). This presents a problem for an incoming president wanting to make administrative policymaking align with their political agenda, as the aims and policy views of the agency may differ from those of the new administration.

New presidents, especially those of competing partisanship of the outgoing president, will work to change agency goals, represented by the agency's stated priorities, to be in alignment with their preferences. Presidents are invested in creating "responsive competence" within the administrative state (Moe, 1985). New administrations will use the tools at their disposal to attempt to change the habits and course of action instilled by the previous administration. Changing the goals of the agency will serve as the first step by which new presidents can redirect the activities of the agency to be in alignment with the new administration, as goals inform and direct personnel within the agency on how they should make the types of discretionary decisions discussed above (Wilson, 1989).

Hypothesis 1: Agencies will experience more goal change across presidential administrations than within administrations.

To drive these changes, presidents need people to direct this work for them. Control requires that the agency focuses its goals around the president's agenda. Appointees in leadership positions are able to highlight and communicate presidential priorities to the agency. If left alone, careerists in the agency may be unsure of how to meet the demands of the new administration and arbitrate between various views of the

administration, as the White House may be internally divided on policy goals (Bressman and Vandenbergh, 2006). However, appointees can communicate a unified, narrow focus to center their goals around (Resh, 2017). These high-level appointees have direct say and involvement in the process of revising and altering goals.

Additionally, agencies filled with vacancies will be prone to inaction. The instability caused by a lack of stable, confirmed leadership will make careerists less likely to implement goal change, as a new appointee may come into the agency and change the direction of their policymaking O'Connell (2009). Confirmation also confers both the backing of the White House and of the Senate for the individual serving in the position. This provides the appointee with a certain level of prestige, allowing them to better bargain and engage with agency personnel.

While Office of Management and Budget (OMB) review of goals[5] can assist in gaining control over agency goals, their review alone is not enough. Despite having regular contact with external contacts during the goal making process, agencies have a high level of discretion over the goals they select (Kroll and Moynihan, 2020). With numerous potential goals the agency could select that are at least acceptable to the administration, OMB cannot micromanage an agency's goal selection process. OMB can serve more as a "backstop," preventing goals clearly contrary to the president's agenda from getting through, rather than a "pitcher," directing the selection and formulation of goals as a high-level appointee can.[6]

Therefore, presidents will be more successful at changing goals in agencies in which the president has been able to gain more control from inside the agency. Politicization provides the president with a direct connection within the agency and a role at the top levels of the organization (Lewis, 2008). Having more confirmed appointees in place will allow presidents to be more successful in changing agency goals.

Hypothesis 2: After a change in administration, agencies in which the president has more control through confirmed appointees will experience more goal change.

Of course, across the departments and agencies of government there are a large number of goals. Some goals are more or less consistent with the views of the president, and some are more or less important to their agenda. While presidents have interest in changing the goals of all agencies, they will focus their activities on particular agencies of interest.

Presidents will prioritize changing goals in ideological, or politically contentious, agencies. Certain agencies, such as the EPA and the Department of Education, are policy battlegrounds across administrations and foster debate between both parties. Further, personnel within these agencies have views of their own on

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[5]Agencies go through three rounds of OMB review of goals in the year prior to goals being published (once in June, September, and December) (OMB, 2020). This is highlighted in Figure 2.1.

[6]Kroll and Moynihan further note that, under GPRAMA, OMB "[was] not granted the power that [the Program Assessment Rating Tool (PART)] provided to closely question the goals that agencies pursued, the management processes employed, or the level of performance achieved" (2020, p.4).

how policy should be executed. These views often lead civil servants to self-select into agencies that align with their policy preferences, helping to create an ideological reputation for an agency (Clinton et al., 2012). When an agency handles politically contentious policy and is comprised of a workforce that is ideologically opposed to the president, we can expect that the presidents will target goal change to rein them in. These agencies, like the EPA for the Trump administration, will need to have their policy goals adjusted and moderated to be more in-line with the president's policy views. For example, a president who does not believe in climate change would not want the EPA to focus on greenhouse gas emissions. However, we should also expect that new presidents will be invested in changing goals for agencies that are home to ideological allies of the president. These agencies are likely to have seen their priorities and long-term planning conducted in opposition to their beliefs during the course of the previous administration. Therefore, presidents must also reinforce natural allies with more ambitious and targeted goal change after a change in administration. For example, the Biden administration will be focused on shifting the Department of Education's goals away from the subject of school choice.

Moderate or apolitical agencies are less likely to see their policy area politicized or become salient and will be less likely to change from administration to administration. In these cases, Republicans and Democrats more or less agree about the activities of the agency, and what disagreements do exist are generally muted. For example, the General Services Administration (GSA) and National Aeronautics and Space Administration (NASA) should not be as likely to see their goals change across administrations due to the nonpartisan activities of their agencies. One of NASA's strategic goals that remained substantively similar across the Obama and Trump administrations was to "expand the frontiers of knowledge" and to "expand human knowledge" (NASA, 2014, 2018). The pursuit of knowledge by the scientists at NASA is not subject to the same type of political debate as seen in agencies like the EPA.

Hypothesis 3: After a change in administration, ideological agencies (i.e., conservative/liberal agencies) will experience more goal change.

In total, presidents need to try to change agency goals to alter the course of agency policymaking. This is harder with the breakdown in the appointments system. Presidents naturally will focus on some agencies more than others, focusing particularly on ideological, or politically contentious, agencies that are both aligned with and distant from the president.

3.4   Data, Variables, and Methods

In order to test the expectations above, we need data on agency goals across a long enough period to observe changes across administrations. Federal agency goals present an ideal case. I have collected new data on all federal agency goals under the current goal process. Using these goals, I examine goal change across

the Obama and Trump administrations, using the administration change as an intervention. I then compare

treated agencies (i.e., those where appointees were quickly confirmed) to control agencies (i.e., those where

appointed positions were left vacant).

3.4.1 Strategic Goals

In federal agencies, the Government Performance and Results Modernization Act of 2010 (GPRAMA) and

its predecessor (the Government Performance and Results Act [GPRA] of 1993)[7] statutorily require agencies

to plan, evaluate, and report on the central activities of the agency. As part of the president's first budget,

agencies produce a strategic plan.[8] In these plans, the agency is "to identify 'general goals and objectives'

for the major functions and operations of the agency," defined as agency strategic goals, that they will focus

on for the subsequent four fiscal years. These strategic goals remain in place until a new strategic plan is

produced at the beginning of the next presidential term. For each subsequent year covered by the strategic

plan, agencies are required to publish an annual performance report that details their progress toward accom-

plishing their strategic goals. The timeline for the development and review of strategic plans at the beginning

of the Trump administration is outlined in Figure 3.1. This highlights the length of time that agencies spend

on the development of strategic goals and the reporting of progress toward those goals, the regularity of OMB

review, and the close connection of performance reporting with the budget process.

Strategic goals cover the very core of the activities, priorities, and direction of the agency. Emphasizing

this point, Sonny Perdue, President Trump's Secretary of Agriculture, stated that their strategic plan "serves

as a roadmap for everything the [Department of Agriculture (USDA)] family and I will do" and "will guide

the work of all of us at USDA in the coming years" (USDA, 2018). Agencies set between 2-10, typically 3–5,

of these goals for a period of four years. Strategic goals are further elaborated into objectives and objectives

into performance goals.[9] This elaboration takes the "what" of the agency's overarching goals and breaks it

down into the "how" for tasks and benchmarks the agency will use to guide specific action and allow for the

evaluation of performance (Gagné, 2018).

For the purposes of illustration, Figure 3.2 highlights an example from the Department of Education's

2018–2022 Strategic Plan. In this plan, the Department of Education identified four strategic goals. Figure

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[7]GPRAMA is one of a series of performance management reforms over the last few decades. However, GPRAMA has stood out from its predecessors, having been shown to be more effective at getting agencies to use performance data in their decision making and having been implemented in a nonpartisan way (Kroll and Moynihan, 2020).

[8]The process begins with agencies developing draft goals in the spring of the year prior to goals being reported (OMB, 2020). Agencies then continue the process of revising these goals for more than eight months (OMB, 2020). This process runs parallel with the formation of agency budgetary requests. Most agencies include long-term goals and outline specific allocation requests for each long-term goal in their budget requests. Agencies are also required to report on their performance of achieving their previous goals in accordance with their annual budget request. Evidence of good performance is used to convince political actors that they will see a return on their investment in the agency.

[9]Strategic plans contain four types of agency goals, each a subcategory of the previous type of goal: (a) strategic goals, (b) objectives, (c) performance goals, and (d) priority goals. Objectives and performance goals provide more specific, quantifiable targets for agencies to report on the success of their more general strategic goals.

Figure 3.1: Agency Strategic Goal Timeline

Timeline for the Development and Review of Strategic Goals	February 2017: Concurrent with the President's FY 2018 Budget, Agencies Publish FY 2016 Annual Performance Report (Reporting their Progress on their 2014-2018 Strategic Goals)
	Spring 2017: Agencies Conduct Annual Strategic Review of their Progress on their 2014-2018 Strategic Goals
	June 2, 2017: Deadline for Agencies to Submit Initial Draft of 2018-2022 Strategic Plan to OMB
	September 2017: Agencies Submit Full Draft of 2018-2022 Strategic Plan to OMB
	December 22, 2017: Agencies Submit Final Draft of 2018-2022 Strategic Plan to OMB for Clearance
	February 2018: Concurrent with the President's FY 2019 Budget, Agencies Publish 2018-2022 Strategic Plan and FY 2017 Annual Performance Report (Reporting their Final Progress on their 2014-2018 Strategic Goals)
	Spring 2018: Agencies Conduct Annual Strategic Review of their Progress on their 2014-2018 Strategic Goals
	February 2019: Concurrent with the President's FY 2020 Budget, Agencies Publish FY 2018 Annual Performance Report (Reporting their Initial Progress on their 2018-2022 Strategic Goals)

3.2 includes information on the first strategic goal and a subset of its objectives and performance goals. This first strategic goal had a total of four objectives and 22 performance goals, with each objective having connected performance goals.

This example highlights several features of the goal-making process—the broad nature of strategic goals, the narrowing of focus from strategic goals down to performance goals, the quantifiable nature of performance goals, and the large number of metrics the agency can focus their attention on. This example further accentuates the difficulty in changing strategic goals, as it is unlikely the Department of Education's commitment to P–12 education could be eliminated.

I focus my analysis on strategic goals because they speak to the core of the agency's mission and activities. Therefore, a change in a strategic goal will have a larger and more long-term effect on an agency than a change in a lower-level goal. Additionally, the broad nature of these goals makes them a hard test case. For example, it is unlikely for the Department of Homeland Security to not have a goal focused on preventing terrorism.

One natural question we may have about strategic goals is the degree to which they matter or represent tangible policy intentions. To answer this question, we may first look to managers within federal agencies that are responsible for carrying out these goals. In a 2017 GAO survey, approximately 70% of career Senior Executive Service (SES) managers reported that managers at their level are held accountable to a great or

Figure 3.2: Department of Education 2018–2022 Goal Levels
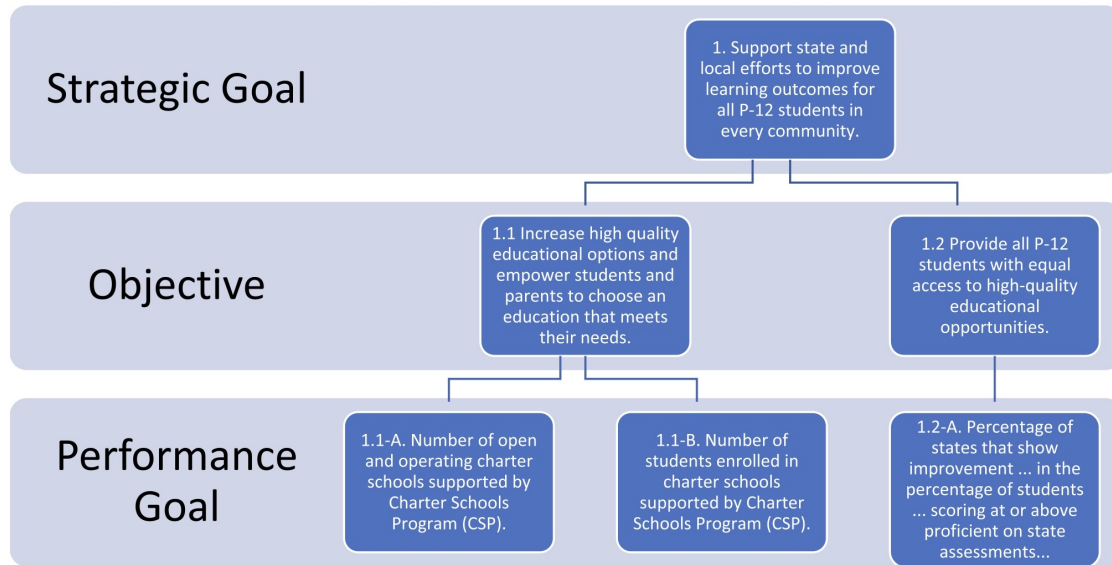
very great extent for accomplishing agency strategic goals and that they have the decision-making authority needed to help the agency accomplish those goals (GAO, 2017). We may also look to those who have overseen the goal process. Robert Shea, former associate director of OMB during the George W. Bush administration, stated that the administration attempted to make agency goal setting "represent[] the priorities the administration [was] trying to accomplish" (Beitsch, 2020). Shea further argued that performance measures provide the White House with "a lot of leverage" to hold agencies accountable (Beitsch, 2020). Finally, we can look to agency budgets to assess whether goal change is associated with changes in agency focus and budget allocations. When the EPA removed "Addressing Climate Change" from their strategic goals in their 2018–2022 strategic plan, they removed the roughly $200 million that had been allocated to achieving this goal annually over the last several years (EPA, 2018). Similarly, the agency's number of mentions of "climate change" in their budget justification decreased from 344 to 3 (one of which was to highlight the cutting of $16 million in funding for climate change research). Additionally, when the Department of Justice (DOJ) added the strategic goal of "Secure the Borders and Enhance Immigration Enforcement and Adjudication" in their 2018–2022 strategic plan, they highlighted an increase of $65.9 million in funding for "immigration-related program enhancements" (DOJ, 2018b). This included funding to hire 450 new immigration judges and support staff at the Executive Office for Immigration Review, 70 new immigration prosecutors at the Offices of the United States Attorneys, and 20 new paralegal support staff at the Office of Immigration Litigation (DOJ, 2018a). While this evidence is only suggestive, it all points to agency goals having a meaningful impact on the work of agency employees and goal change symbolizing significant policy and resource realignment.

3.4.2 Dependent Variables

In order to observe change across agencies in their strategic goals, I have gathered every agency strategic plan since the full implementation of GPRAMA. For each agency, I looked for every strategic plan in the Obama administration and their first strategic plan in the Trump administration. In total, I gathered 56 strategic plans from 56 agencies, including 219 goals from the end of the Obama administration (2014–2018) with subsequent strategic goals in the Trump administration (2018–2022).

By comparing goals in the Obama administration to the goals in the Trump administration, I coded an ordinal measure of goal change.[10] Specifically, I examine whether the policy area addressed by the goal continues in the next period and, if the subject is addressed, whether the substance of the goal changes. For each goal, I coded the policy area using the Comparative Agendas Project (CAP) subtopic codes. The CAP categorizes all areas of public policy into 21 broad areas (e.g., Agriculture, Health, Labor) and 220 subtopics that fall within those broad areas (e.g., Subsidies to Farmers, Health Care Reform, Worker Safety). The level of change variable is coded 2 if the topic or subject of the goal does not continue in the next period. This is coded by determining whether the CAP subtopic code of the goal does not remain in one of the sequential period's strategic goals. This level of change is indicative of a major modification of agency priorities, as described above in the case of the EPA's elimination of a strategic goal.[11] The variable is coded 0 if the goal remains exactly the same. This is coded by determining whether the text of the goal is an exact match or within a few words, while retaining the same meaning and substance, with a strategic goal in the subsequent period. Finally, the level of change is coded 1 when the topic or subject of the goal remains the same, while the meaning or substance of the goal changes. Therefore, in these instances the CAP subtopic code remains the same, while the text of the goal changes in a significant manner. Figure 3.3 highlights examples of each type of goal change.

Across the Obama and Trump administrations, there was considerable goal change. Approximately 15.5% of strategic goals were eliminated in the subsequent period, with an additional 45.7% experiencing some level of change between periods. The remaining 38.8% of strategic goals remained exactly or substantively the same across periods. These descriptive statistics provide support for Hypothesis 1, suggesting that agencies experience frequent changes to even their most core directives from one administration to the next.

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[10]I also coded and ran models with a bivariate dependent variable of goal elimination. These models provide substantively similar results and are reported in Appendix Table 5.12. They were excluded from the body of the article, as strategic goals are broad in nature and are unlikely to be eliminated.

[11]Because strategic goals are broad in nature, are often closely tied to a core component of an agency's directives, and have numerous connected performance metrics, it is unlikely that this level of change is indicative of the agency "accomplishing" the prior goal.

Figure 3.3: Examples of Types of Goal Change

Exact Same	
Federal Maritime Commission 2014-2018: Maintain an efficient and competitive international ocean transportation system.	Federal Maritime Commission 2018-2022: Maintain an efficient and competitive international ocean transportation system.
Homeland Security 2014-2018: Strengthen National Preparedness and Resilience.	Homeland Security 2018-2022: Strengthen Preparedness and Resilience.
Meaningful Change	
DOJ 2014-2018: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law.	DOJ 2018-2022: Reduce Violent Crime and Promote Public Safety.
Education 2014-2018: Continuous Improvement of the U.S. Education System.	Education 2018-2022: Support state and local efforts to improve learning outcomes for all P-12 students in every community.
Eliminated	
HUD 2014-2018: Meet the Need for Quality, Affordable Rental Homes.	HUD 2018-2022: Reimagine the Way HUD Works.
VA 2014-2018: Enhance and Develop Trusted Partnerships.	VA 2018-2022: Veterans Trust VA to be Consistently Accountable and Transparent.

3.4.3   Key Independent Variables

To assess the impact of presidential appointment control on goal change, I measure the degree to which key appointed positions were confirmed prior to when goals were reported. Specifically, for executive agencies, I measure the proportion of key presidentially appointed and Senate-confirmed (PAS) positions filled at the end of 2017. For boards and commissions, I measure the proportion of seats held by Trump appointees by the end of 2017. This variable measures the amount of control the president has over the agency through politicization. The Partnership for Public Service and Washington Post's "appointee tracker"[12] of President Trump's appointments was used to classify "key" PAS positions. This tracker was also used to observe the level of key appointee positions filled in executive agencies at the end of President Trump's first year in office. The Agency Spotlight project[13] from the Demand Progress Education Fund and the Revolving Door Project was used to track board and commission positions. Across the 56 agencies in my sample, 21.9% of

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[12]*The Washington Post* and the Partnership for Public Service, a nonpartisan nonprofit, created an "appointee tracker" to follow the status of roughly 700 PAS positions since the beginning of the Trump administration. The tracker has information on whether and when the president made a nomination, the appointee was referred to and reported out of a committee, the nominee was confirmed by the Senate or returned to the president, and the official left the position.

[13]The Demand Progress Education Fund, a nonprofit, and the Revolving Door Project, a project of the Center for Economic and Policy Research think tank, created the Agency Spotlight project to provide information on the leadership of independent agencies and their voting records. The project is home to information on the status of board and commission seats, the term length of positions and the expiration dates of current leadership, whether the agency requires partisan balancing, when the president made a nomination and when the individual in the position was confirmed, among a variety of other useful descriptive information on each of the 39 agencies they track.

an agency's key positions were filled on average at the end of Trump's first year in office.

To assess whether presidents focus goal change to ideological or politically contentious agencies, I use a measure of agency ideological reputation—liberal, moderate, or conservative. I use the Richardson et al. (2018) survey on perceptions of agency ideology from federal executives across the administrative state.[14] Agency officials were asked: "In your opinion, do the policy views of the following agencies tend to slant liberal, slant conservative, or neither consistently in both Democratic and Republican administrations?" (Richardson et al., 2018, p.304). Responses were then aggregated and estimates of ideological rating, from -1 (most liberal) to 1 (most conservative), were produced after accounting for each respondent's conception of the general liberal–conservative ideological dimension and the respondent's experience with the agency. Although their measure was based on a single survey at one point in time, they have shown that agency ideology is stable, through comparison with earlier measures (Bonica et al., 2015; Clinton et al., 2012). They also included phrasing of "across Democratic and Republican administrations" to prompt respondents to think more generally about an agency's ideology over time. Ideological group is coded as moderate if the estimate of the agency's ideology is indistinguishable from 0, meaning that the 95% confidence interval contains 0. It is coded as liberal or conservative if the estimate of the agency's ideology is distinguishable from 0 in either a liberal (negative) or conservative (positive) direction. Moderate agencies are used as the reference group to assess whether conservative and liberal agencies experienced more goal change.

3.4.4   Control Variables

Of course, other factors are correlated with both the dependent variable and potentially the independent variables. Therefore, I include two goal-level controls and three agency-level controls. The first control variable is a measure of priority to the president. The Trump priority variable is coded with a 1 if the topic of the goal is contained within President Trump's *Contract with the American Voter*[15] and 0 otherwise. It is expected that these goals were of heightened importance to the incoming administration and might experience a higher level of goal change. Additionally, it is possible that the president more quickly made nominations to the agencies connected to these goals. Therefore, by not controlling for priority, my measure of appointment fill could be picking up on the president's overall focus on the agency rather than his control over the agency through politicization.

The second control variable is a measure of the complexity of the goal. More specifically, I measure the

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[14]I used the Clinton and Lewis (2008) ideology measure to fill in ideological ratings for the Defense Nuclear Facilities Safety Board, Federal Mine Safety and Health Review Commission, Inter–American Foundation, and Railroad Retirement Board.

[15]This comes from https://assets.donaldjtrump.com/_landings/contract/O-TRU-102316-Contractv02.pdf. Individual goals from the EPA, Office of Government Ethics, International Trade Commission, and the Departments of Agriculture, Commerce, Education, Health and Human Services, Homeland Security, Interior, Justice, State, Transportation, Treasury, and Veterans Affairs were coded as priorities. The complete coding of priority topic areas with the agencies and bureaus connected to that policy area is reported in supporting information Appendix Table 5.13.

Simple Measure of Gobbledygook (SMOG) grade of the text of each goal (McLaughlin, 1969; Michalke, 2018). These grades estimate the number of years of education required to understand a text based on the number of polysyllables (words with three or more syllables) and the number of sentences. SMOG grades are a common measure of the readability of a text. This variable accounts for variation in how complex or generic a goal is. For example, the Department of Transportation's goal of "Quality of Life in Communities" was on the low end of SMOG grades, whereas the Equal Employment Opportunity Commission's goal of "Combat Employment Discrimination Through Strategic Law Enforcement" was on the high end of complexity. More general and simple goals may be less likely to change, as they are broader and more difficult to achieve in any one goal period. In contrast, goals that are more complex may be more specific and easier to accomplish.

The third and fourth control variables measure the structure of agencies. I code the "department" variable with a 1 if the goals are produced by a cabinet department and 0 otherwise. Cabinet departments are likely more important to the president, as they are the highest-profile and largest agencies. Additionally, I code the "board or commission" variable with a 1 if the goals are produced by a multimember board or commission and 0 otherwise. It is possible that these agencies are more independent from the president and will be less likely to experience goal change.

The fifth and final control variable measures the employment level of agencies. Specifically, I use logged employment, as reported by the Office of Personnel Management (OPM) in September 2017 on FedScope. It is possible the president was more focused on changing the goals of the largest agencies. Further, these agencies may be more resistant to change.

3.4.5 Methods

I estimate models to observe the determinants of goal change with individual agency goals as the unit of observation. Since the dependent variable, goal change, is ordinal, I estimate ordered logit models.[16] I estimate models with only the key independent variables of interest and then models with controls. The first model is on the entire sample of goals, and the remaining models remove any goals from agencies for which an ideological rating does not exist. I discuss substantive results in terms of the average marginal effect[17] of each independent variable on the probability of goal change (reported in Table 2).

We may be concerned that some of the same factors that influence goal change influence appointment fill. These models attempt to control for the most prominent potential omitted factors, namely, priority to the president and agency structure. Despite these efforts, some caution should be given in interpretation of the

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[16] I also estimate multinomial logit models and find substantively similar results. These models are reported in Appendix Table 5.11.

[17] This is done due to the difficulty in interpreting coefficients from logistic regression models. The marginal effect "communicates the rate at which y changes at a given point in covariate space, with respect to one covariate dimension and holding all covariate values constant" (Leeper, 2018, p.7). Average marginal effects "calculate marginal effects at every observed value of X and average across the resulting effect estimates" (Leeper, 2018, p.8). Average marginal effects are viewed as providing the most informative summary of the effect of an independent variable across its whole distribution (Bartus, 2005; Leeper, 2018; Norton and Dowd, 2018).

results, as it is hard to establish causation with the available data.

3.5   Results and Discussion

Several patterns are illuminated by the results of my models. To begin with, agencies experience a high level of goal change between administrations. Rather than see the aims of their agency remain consistent, agency officials are constantly faced with new directions to focus their work. Additionally, President Trump's success at altering agency goals was concentrated in particular agencies. Agencies in which the president had heightened control through politicization saw their goals change at significantly higher rates.

I start by examining the degree to which strategic goals were eliminated or changed across the Obama and Trump administrations: specifically, President Trump's success at eliminating or changing the Obama administration's strategic goals. As showcased in Figure 3.4, I find there is a substantial goal change that occurs between the transition period and that there is a high degree of variation across agencies. Furthermore, the distribution of change is bifurcated to the two poles of the distribution. Agencies either see most of their goals change or little to no change at all. This suggests that some agencies may be more stable than others. To examine this variation, I turn to my model results.

Figure 3.4: Histogram of Proportion of Goals Eliminated or Changed across Administrations
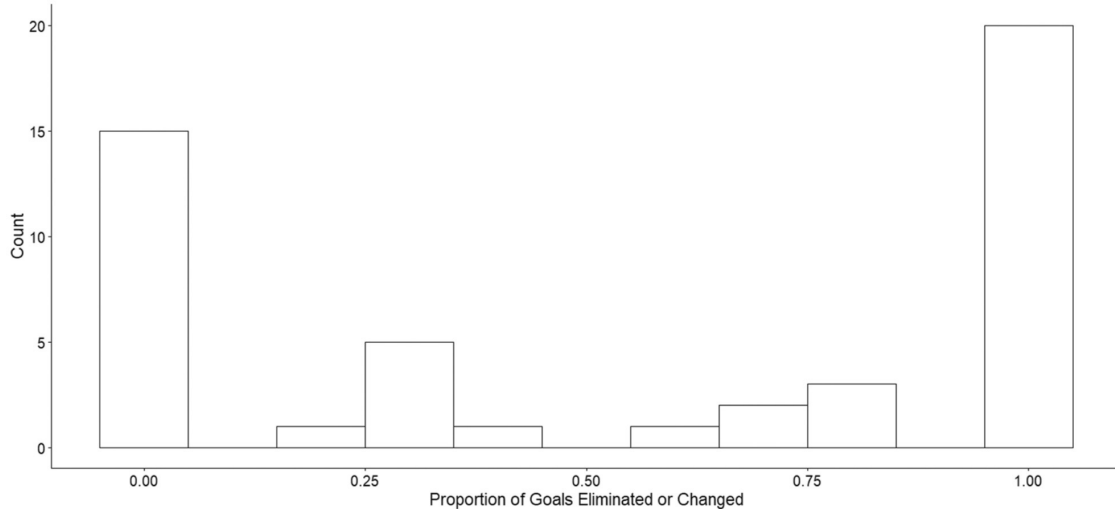
I next consider the effects of the president having significant PAS positions filled on the level of goal change accomplished. President Trump was considerably more successful at either changing or eliminating goals when he had individuals confirmed in the top positions of the agency. As shown in Figure 3.5, an increase in control over PAS positions has a strong, consistent effect on the probability of each type of goal change. Once accounting for potential confounders, moving from having 25% of key positions filled to 75% of positions filled decreases the likelihood of a goal remaining the same by more than 10%, while increasing

the probability of change and elimination by approximately 5% and 8%, respectively. Tables 3.1 and 3.2 further highlight this effect. On average, an agency moving from having no positions filled to all positions filled is 23% less likely to have their goals remain the same, 9% more likely to have their goals change, and 14% more likely to have their goals eliminated. These effects are significant at the 0.05 p-value threshold across model specifications. While the coefficient size decreases with the addition of controls, this is what we should expect. Without accounting for potential confounders, the effect of appointment fill will be inflated because of its correlation with other important factors (e.g., agency ideology, priority to the president, agency structure).

Figure 3.5: Predicted Probability of Level of Goal Change by PAS Fill (Model 4 of Table 1)
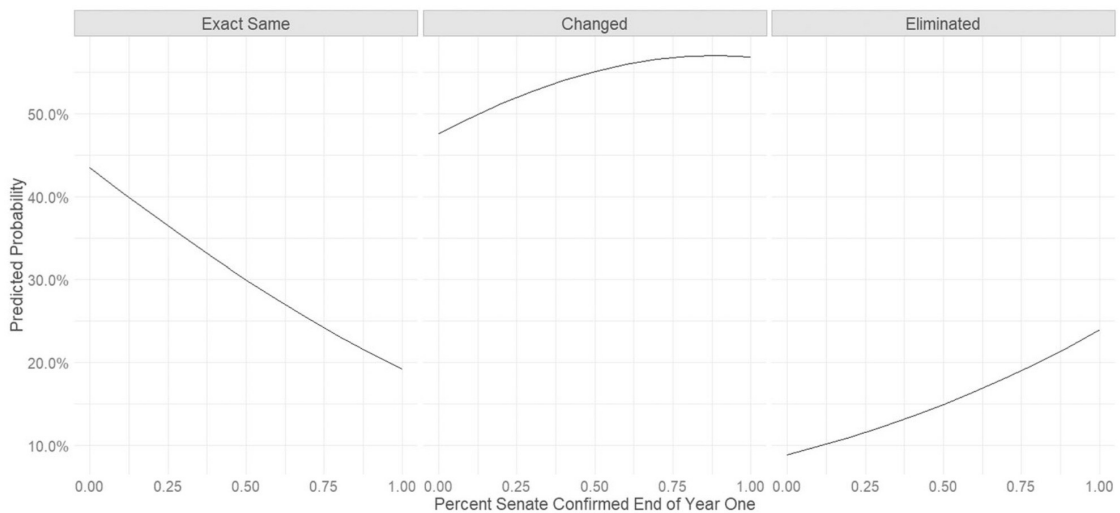
Matching with my second hypothesis, these results suggest that the president has a heightened need to have appointees in place to alter the long-term course of the agency. Appointees play a key role in channeling the views of the new president into the agency's goals. By ensuring the placement of these appointees, the administration will have a greater chance of altering the direction of the agency away from the course set by the previous administration and toward the incoming administration's vision for the agency.

Finally, I examine whether strategic goal change is focused to ideological agencies. Figure 3.6 show-cases the level of goal change across administrations for three ideological groups—liberal, moderate, and conservative. Both liberal and conservative agencies are shown to experience higher levels of goal change than moderate agencies. The difference is much starker in the case of conservative agencies, with the median proportion of goal change being nearly 75% higher for conservative agencies than moderate agencies. Liberal agencies, by contrast, have a median that is roughly 30% larger.

The results in Tables 3.1 and 3.2, however, provide limited support for my third hypothesis. While

Table 3.1: Models of Strategic Goal Change

	Dependent variable:			
	Goal Level of Change			
	(1)	(2)	(3)	(4)
% Confirmed End Y1	2.483***	1.989***	1.939***	1.175**
	(0.529)	(0.564)	(0.567)	(0.596)
Conservative		0.721*	0.656	0.363
		(0.404)	(0.409)	(0.449)
Liberal		0.380	0.316	−0.022
		(0.303)	(0.307)	(0.321)
Priority Goal			0.189	−0.440
			(0.436)	(0.477)
SMOG			−0.018	−0.008
			(0.013)	(0.013)
Department				0.712
				(0.454)
Board or Commission				−0.442
				(0.376)
Log Employment				0.121
				(0.086)
Observations	219	203	203	203
Note:			*p<0.1; **p<0.05; ***p<0.01	

Table 3.2: Average Marginal Effects on Goal Change (From Model 4 of Table 1)

	Average Marginal Effects on Pr(Outcome=Exact Same)		
Variable	AME	Standard Error	P-Value
% Confirmed End Y1	-0.2337	0.1144	0.0410
Conservative	-0.0712	0.0862	0.4086
Liberal	0.0045	0.0637	0.9443
Priority Goal	0.0886	0.0960	0.3560
SMOG	0.0015	0.0027	0.5719
Department	-0.1429	0.0898	0.1117
Board or Commission	0.0907	0.0790	0.2511
Log Employment	-0.0241	0.0169	0.1534

	Average Marginal Effects on Pr(Outcome=Changed)		
Variable	AME	Standard Error	P-Value
% Confirmed End Y1	0.0945	0.0471	0.0448
Conservative	0.0254	0.0269	0.3450
Liberal	-0.0018	0.0258	0.9443
Priority Goal	-0.0412	0.0500	0.4095
SMOG	-0.0006	0.0011	0.5708
Department	0.0527	0.0324	0.1036
Board or Commission	-0.0399	0.0382	0.2960
Log Employment	0.0098	0.0070	0.1621

	Average Marginal Effects on Pr(Outcome=Eliminated)		
Variable	AME	Standard Error	P-Value
% Confirmed End Y1	0.1392	0.0722	0.0537
Conservative	0.0458	0.0601	0.4461
Liberal	-0.0027	0.0380	0.9443
Priority Goal	-0.0474	0.0467	0.3100
SMOG	-0.0009	0.0016	0.5748
Department	0.0902	0.0612	0.1404
Board or Commission	-0.0508	0.0419	0.2255
Log Employment	0.0144	0.0103	0.1622

Figure 3.6: Proportion of Strategic Goals Changed in Next Period by Ideological Group
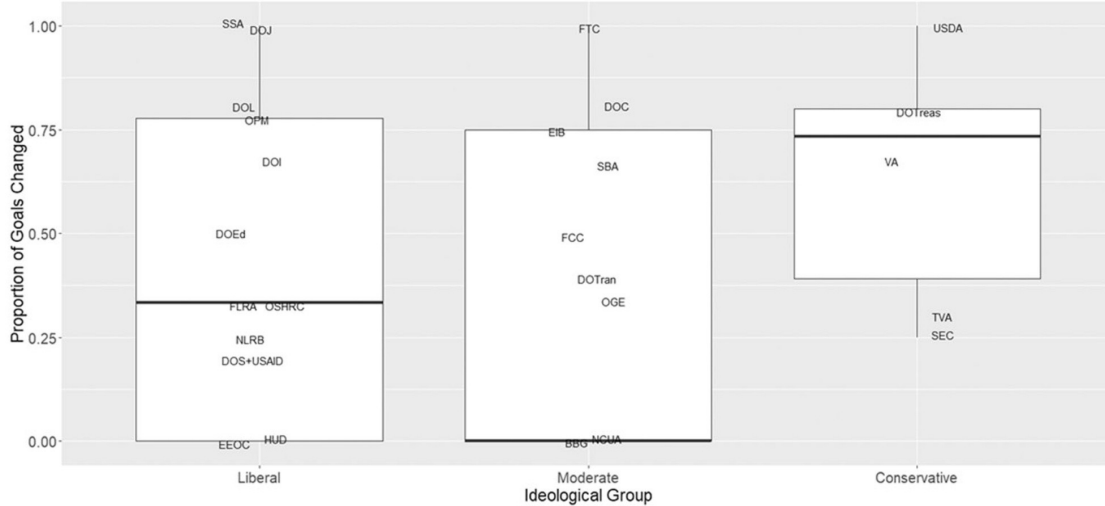
Note: Each box plot displays the distribution of agency-level proportion of goals changed for each ideological group.

ideology is not a significant predictor of goal elimination or change, conservative agencies are predicted to have a higher probability of both types of change. However, these results are not significant across models and the effect sizes are relatively small. Conservative agencies, on average, were 7% less likely to see their goals remain the same, were 2.5% more likely to see their goals change, and 4.6% more likely to see their goals eliminated compared to moderate agencies. In contrast, liberal agencies, on average, were less likely to experience either type of change, compared to moderate agencies. Therefore, President Trump seemed to have slightly more success in altering agency goals to be in alignment with his preferences in conservative agencies. These agencies may have been more receptive to aligning their goals with the incoming Trump administration.

3.5.1 Robustness Check Using Short-Term Goal Change

A more fine-grained case in the goal-making process is priority goals. GPRAMA requires that the most high-profile agencies[18] determine, in consultation with OMB,[19] a small subset (typically 3–5) of their many

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[18]Twenty–two of the most prominent agencies are required to produce priority goals. These are comprised of 22 of the 24 Chief Financial Officer Act (CFO Act) agencies. These include all cabinet-level departments, the Environmental Protection Agency (EPA), the General Services Administration (GSA), the National Aeronautics and Space Administration (NASA), the National Science Foundation (NSF), the Office of Personnel Management (OPM), the Small Business Administration (SBA), and the Social Security Administration (SSA).

[19]While both strategic and priority goals must go through multiple rounds of OMB review, priority goals have additional requirements that give OMB even greater influence. To begin with, OMB determines the number of priority goals provided to the agency. Additionally, agencies are explicitly instructed to select goals that advance priorities for agency leadership and the administration (OMB, 2020). They are further advised to take objectives set in the president's State of the Union Address and in presidential executive orders when deciding their priority goals (OMB, 2020). Finally, they oversee the performance of the agency in achieving their goals, with mandated quarterly reports. When agencies do not meet their goals, they are required to report to OMB on why they did not achieve their goal and how they will make improvements to reach the goal in the future.

performance goals to be identified as priority goals every two years. Recall that performance goals are two levels below strategic goals (as shown in Figure 3.2) and that any one strategic goal can have more than 20 performance goals connected to it.[20]

Priority goals are to "reflect the highest priorities of the agency" as decided by the head of the agency and informed by OMB's government-wide priority goals. In addition to identifying these goals on a biannual basis, agencies are required to select a high-level agency official, often a political appointee, to be a goal leader responsible for the oversight of the goal's completion and are required to report quarterly on their progress toward the completion of these goals.

Examining these goals has two key advantages. First, these goals allow for the observation of policy change at a lower level. Given the narrow, short-term focus of priority goals, a president focused on making a quick change in the direction of agencies' activities may look to target these goals. Second, these goals allow us to explicitly test whether goals change more across administrations than within, as these goals were set twice during the Obama administration (2014–2015 and 2016–2017) and twice during the Trump administration (2018–2019 and 2020–2021).

To observe the determinants of changes in priority goals, I collected every agency priority goal from the Obama administration and the first period of the Trump administration. In total, I collected 266 agency priority goals that span across three periods—2014–2015, 2016–2017, and 2018–2019.[21] I then used the same measures and ran comparable models for priority goals as I did for strategic goals.[22]

I find that priority goals, as expected from my first hypothesis, are more likely to change across administrations than within. Matching with Hypothesis 3, this is especially the case in ideological agencies. For example, goals in liberal agencies were more than 40% more likely to be eliminated between the Obama and Trump administrations compared to moderate agencies. Conservative agencies, on the other hand, were approximately 20% more likely to see their goals eliminated. However, these results are only significant for liberal agencies, as shown in Table 3.3. The president was particularly successful at changing goals in these ideologically opposed agencies, as opposed to ideological allies in the strategic goal case.

I also find that appointment fill had a positive effective on the likelihood of priority goal change and elimination across administrations. However, the effect does not approach statistical significance in any of the models. It is possible that the increased involvement of OMB and the emphasis on addressing presidential

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[20]Performance goals are subcomponents of objectives, which are subcomponents of strategic goals.

[21]Of the 22 agencies responsible for producing priority goals, 21 have reported three sets of priority goals. This provides a point of comparison for each agency, minus the Department of Energy. The Department of Energy has not reported priority goals for the 2018–2019 period. They are the only one of the other 22 statutorily required agencies that have not done so. I made numerous attempts to contact the agency to see whether these goals were in existence but had not been publicly reported. Overall, 183 agency priority goals have a subsequent comparison to observe how these goals change within and across administrations.

[22]I also ran binomial models of priority goal elimination, as I did for strategic goals. The results of these models are reported in supporting information Appendix Table 5.10.

Table 3.3: Models of Priority Goal Change

	Dependent variable:			
	Priority Goal Level of Change			
	(1)	(2)	(3)	(4)
Administration Change	1.492***	1.261	−0.672	−0.508
	(0.297)	(0.852)	(1.393)	(1.411)
% Confirmed End Y1		−0.095	−0.814	−0.600
		(1.045)	(1.375)	(1.429)
Conservative			0.472	0.821
			(0.656)	(0.755)
Liberal			−0.392	−0.347
			(0.608)	(0.619)
SMOG				0.008
				(0.020)
Department				0.175
				(0.393)
Log Employment				−0.187
				(0.158)
Administration Change:% Confirmed End Y1		0.536	1.460	1.395
		(1.425)	(1.713)	(1.725)
Administration Change:Conservative			1.071	0.955
			(0.949)	(0.955)
Administration Change:Liberal			1.901**	1.822**
			(0.835)	(0.840)
Observations	183	183	183	183
Note:			*p<0.1; **p<0.05; ***p<0.01	

priorities diminish the need for getting confirmed appointees in place. Therefore, for priority goals, it may not be as necessary to have confirmed leadership in place, as OMB will take on a larger role of imparting the voice of the White House. This may provide evidence that processes of centralization are sufficient substitutes to the need for control through politicization rather than a complement (Rudalevige and Lewis, 2005).

Comparing results across the models of strategic and priority goal change, there seem to be clearly distinguishable patterns of goal change. In particular, agencies that receive more direct presidential attention are more likely to experience goal change. This was shown in the strategic goal case, with the fill of significant PAS positions, and suggested in the priority goal case, due to the positive impact of PAS fill and the amount of OMB involvement in these types of goals. These results speak to the high level of influence presidents have in shifting the short- and long-term goals and activities of agencies following a change in administration. Furthermore, they provide strong support for the benefits presidents gain through the tools of administrative management.

3.6 Conclusion

As showcased in the case of the EPA, President Trump needed to alter the agency's goals that had been set under the Obama administration in order to change the policy direction of the agency to be in alignment with his agenda. Trump acted quickly by making nominations to all top leadership positions and to a number of key assistant administrator positions within the EPA (Post, 2020). By the end of his first year in office, 75% of the top leadership positions and nearly 40% of all key PAS positions in the agency were filled (Post, 2020). These appointees assisted the president in altering the goals of the agency to focus on things like "accelerat[ing] permitting-related decisions" and "accelerat[ing] the pace of cleanups" (EPA, 2018). Rather than taking on ambitious goals to combat climate change, the EPA was left with a restricted and narrow focus on issues of procedure and process. This type of goal change is representative of a larger pattern. Across administrative agencies, the president was particularly successful in altering the direction of agencies in which he had increased control through personnel. These results display President Trump's success in reaching policymaking success through the route of administrative control of the internal agency prioritization process.

Using agency goals, I have been able to make the connection between presidential appointment strategy and outcomes related to the overall aims of agencies. While agencies have immense authority and discretion, they must prioritize their activities. My analysis suggests that presidents are able to systematically change the direction of an agency's policymaking focus. Across administrations, agencies not only experience turnover in personnel (Richardson, 2019), but also experience changes to their core directives. This poses a problem for the performance of agencies, as they will not be able to commit to the same long-term goals over time.

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Further, it suggests that any analysis of federal agency goals must account for the influence of the changing political environment on the content and stability of goals. Additionally, I find the tools of personnel moderate how successful the president is at changing agency goals. Matching with existing descriptions of the consequences of vacancies, agencies without confirmed leadership will be less responsive to a new administration. Therefore, any new administration must get their appointees in place immediately if they hope to achieve their policy goals and bring the long-term policy priorities of agencies in alignment with their agenda. If presidents do not act quickly, they will find themselves working against the priorities and goals of the agency and unable to change them for two to four years.

This article takes the first step in incorporating agency goals into the analysis of presidential policymaking. However, there is room for future research using agency goals. To begin with, further analysis can be conducted to examine finer changes and types of changes in goals. Additionally, future research should further observe the outcomes related to goal change. Spanning from civil service personnel management to dynamics of agency rulemaking, change in agency goals can be informative to a wide span of issues. This research provides the opportunity to gain a better understanding of the internal processes of agencies and how they are driven by and affect politics.

CHAPTER 4

Vacancies and Presidential Influence Over the Administrative State in the United States

4.1 Introduction[1]

President Joseph Biden entered office having promised to "restore sensible [immigration] enforcement priorities" and to place "responsible, Senate-confirmed professionals" to lead Immigration and Customs Enforcement (ICE) (Biden, 2020). However, President Biden's nominee to head the agency, Texas Sheriff Ed Gonzalez, withdrew from consideration after waiting over a year and a half for Senate confirmation (Post, 2021). Without confirmed leadership, Biden's efforts to reform the agency from its status as the "public face of the Trump administration's hard-line immigration policies" have stalled and many in the agency's work force are resistant to the administration's changes in policy (Rose, 2021).

This case is representative of the larger pattern of appointments under the current state of the nomination and confirmation process. The United States government has faced longer and more frequent periods of vacancies in appointed positions over time, exacerbated by increasing periods of delay and confirmation failure rates (O'Connell, 2009, 2017; Dull and Roberts, 2009; Resh et al., 2021). Exemplifying this pattern, delays of confirmation and confirmation failure rates have more than doubled since the Reagan administration (O'Connell, 2017; Service, 2022). Over a year and a half into the Biden administration, roughly half of the 800 Senate-confirmed positions noted as "key" roles by the *Washington Post* and Partnership for Public Service remain vacant or filled by Trump holdovers.

The increased prevalence of vacancies in appointed positions raises the more general question of how vacancies influence the president's ability to direct the activities of the executive branch. Scholars generally agree that vacancies are detrimental to the president's ability to influence administrative policy (e.g., O'Connell, 2009; Bolton et al., 2015; Lewis et al., 2018; Piper, 2022a). Lewis et al. state that vacancies do "not allow the president to control the levers of administrative policy making" (2018, p.491) and O'Connell argues that "frequent and lengthy vacancies may make agencies less responsive to the elected branches of government" (2009, p.921).

However, the relationship between vacancies and presidential influence is not always as clear cut as the Biden Administration example suggests. For instance, President Trump waited over nine months for John Ratcliff to be confirmed as the Director of National Intelligence (DNI). In the period of delay, the president

was able to choose who would serve in the position in an acting capacity. Trump passed over the individual next in line for the position, Principal Deputy DNI Susan Gordon, a career intelligence official with over four decades of experience. Instead, Trump chose Joseph Maguire to serve as the acting DNI (Welna, 2020). Maguire, although initially thought to be more aligned with Trump than Gordon, was removed for being disloyal to the president by cooperating with Congress' investigations into Russian interference in the 2020 election (Cohen, 2020). Ambassador Richard Grenell, the next acting DNI, despite having no intelligence experience, was known for his fierce loyalty to the president (Marquardt et al., 2020). During his short tenure, Grenell made several consequential decisions, including firing top officials in the agency and declassifying documents to fuel the president's conspiracy theories (Marquardt et al., 2020). Overall, despite the prolonged vacancy, Trump was able to use acting officials to strategically advance his agenda in a way he likely could not achieve through the confirmation process, as someone with Grenell's lack of experience and extreme loyalty to the president may not have survived the Senate confirmation process.

Matching with the preceding case, some scholars have suggested that presidents may have an incentive to leave positions vacant because they provide the president the opportunity to unilaterally select an acting official to serve on an interim basis (Kinane, 2021; Piper, 2022b). The empirical trends back this up, showing that presidents use acting officials strategically and that their use has greatly increased even from the Obama to Biden administration (Piper, 2022b). Representing this pattern, President Trump claimed to "like acting[s] because [he could] move so quickly" and they gave "[him] more flexibility" (Samuels, 2019).

It has been difficult to arbitrate between competing views about the effect of vacancies because the moderating influence of contextual factors like acting officials or the presence of other appointees has been underappreciated and good measures of presidential influence over the administrative state are hard to find (Lewis and Waterman, 2013; Kinane, 2021; Piper, 2022b). More specifically, the broader management environment of the agency and the president's use of acting officials might moderate the effect of vacancies on presidential influence. This conditional relationship is important because presidents have unilateral tools, both the placement of non-Senate confirmed appointees[2] and the selection of acting officials,[3] at their disposal that may allow them to exert greater influence without needing Senate advice and consent. When presidents are able to use these tools, vacancies may matter very little for the president's ability to direct agency policymaking.

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[2]Both non-career members of the Senior Executive Service (SES) and Schedule C appointees are classes of appointees that do not require Senate confirmation. The SES is comprised of approximately 7,000 senior management officials that serve between presidentially appointed and Senate confirmed (PAS) officials and the civil service (Lewis, 2008). By law, political appointees cannot exceed 10 percent of the entire SES. Schedule C appointees are reserved for policy-supporting positions. Schedule C posts include advisors and assistants to PAS appointees, communications officials, and legislative liaisons (Lewis, 2008). In some agencies, the PAS official leading the agency is the only appointee in the agency, while in other agencies, there are large appointee teams of Senate confirmed, non-career members of the SES, and Schedule C appointees.

[3]According to the Federal Vacancies Reform Act of 1998 (5 U.S.C. § 3345), presidents can either allow the individual serving in the "first deputy" position below the PAS position to become the acting official or the president can select a previously confirmed PAS official or a senior "officer or employee" within the agency to serve in an acting capacity (Brannon, 2020).

Therefore, interpreting the average effect of vacancies may lead to false conclusions about whether vacancies are harmful to the president. This is particularly the case since scholars have had to rely largely upon detailed case evidence to support assertions.

In this paper, I reconcile the competing views about the impact of vacancies on presidential control of the administrative state by explaining why vacancies sometimes constrain presidential influence and at other times expand it, depending upon three factors. Vacancies in agencies with more non-Senate confirmed appointees in leadership positions within the agency and in agencies where the president uses politically appointed acting officials will have less of a detrimental effect on the president's ability to exert influence over administrative policy. These appointees, because they are selected unilaterally by the president without Senate consent, are typically more loyal to and more ideologically aligned with the president than their confirmed counterparts and are, therefore, more willing to ardently pursue the president's program (Lewis and Waterman, 2013; Bonica et al., 2015; Waterman and Ouyang, 2020; Kinane, 2021; Piper, 2022b). Further, when there are other Senate confirmed appointees overseeing the agency,[4] vacancies in the position most proximate to the agency will have a weaker effect on presidential influence. Appointees higher in the agency's hierarchy can provide oversight during vacant periods that lessens the need for appointee placement closer to the agency.

To evaluate the relationship between vacancies and presidential influence, I use new data on presidential influence in the bureaucracy from a three-wave survey of federal executives and new data on appointee vacancies during the Bush, Obama, and Trump administrations. A careful analysis of this data reveals that the effect of vacancies on presidential influence is conditional. Vacancies in agencies outside of cabinet department bureaus have a particularly detrimental effect on presidential influence. However, presidents gain influence over agency policymaking from lengthier vacancies when agencies are more highly politicized. These results suggest that vacancies in Senate-confirmed positions do not necessarily spell trouble for democratic accountability within the administrative state. Rather, through the unilateral placement of non-Senate confirmed appointees, presidents can assert control over agency policymaking despite constraint from the Senate in the appointments process.

4.2 Presidential Control and the Vacancy "Problem"

Presidents use the appointments process to assert control over the federal bureaucracy (Moe, 1985; Lewis, 2008). Yet, their ability to freely politicize the bureaucracy through Senate confirmed appointments has been complicated by increasingly delayed and failed confirmations by the Senate (O'Connell, 2009, 2017; Dull

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[4]Some agencies, such as the Transportation Security Administration (TSA) or the U.S. Census Bureau, are situated within larger cabinet departments and are, therefore, subject to oversight from multiple layers of political appointees within the department. However, other agencies, such as the Small Business Administration (SBA) and Social Security Administration (SSA), are located outside of cabinet department structures and have no overseeing appointee above the head of their agency.

and Roberts, 2009; Resh et al., 2021). Such obstacles have necessitated presidents to divert their attention to seeking confirmation immediately for the most important positions (O'Connell, 2009; Lewis and Richardson, 2021; Piper, 2022b). Presidents have increasingly left the remaining broad swath of PAS positions vacant for extended periods of time (O'Connell, 2009; Resh et al., 2021; Piper, 2022b).

Consequently, scholars generally conclude that vacancies inhibit the president's ability to control the bureaucracy for four reasons (e.g., O'Connell, 2009; Bolton et al., 2015; Lewis et al., 2018; Piper, 2022a). First, vacancies are believed to slow down agency activity, making it more difficult for the president's policy initiatives to be accomplished (O'Connell, 2009; Mendelson, 2014; Bolton et al., 2015; Kinane, 2021; Piper and Lewis, 2022). Second, vacancies may lead to a heightened role of career civil servants that might not share the president's policy views (Heclo, 1977; O'Connell, 2009; Mendelson, 2014; Bolton et al., 2015). Without appointees in place to channel the priorities of the president and shape policy formation, agency policymaking led by civil servants may be out of alignment with the president's agenda (Lewis, 2008; Piper, 2022a). Third, appointees are brokers that help resolve conflict between the White House and the agency (Heclo, 1977; Wilson, 1989; Mendelson, 2014). Without confirmed leadership, an adversarial relationship between the White House and agency may form, preventing agency cooperation with the president's desired policy change. Finally, vacancies create a leadership vacuum that may allow civil servants to resist the directives of other appointees or the president (Chang et al., 2001).

Despite the commonly held view that vacancies are detrimental to presidents, the prevalence of vacancies continues to grow, aided by a declining pace of presidential nominations and an increasing selectiveness in which positions receive nominations (O'Connell, 2009; Lewis and Richardson, 2021; Piper, 2022b). Why would presidents allow vacancies to persist if they were detrimental to their ability to control agency policymaking? Recent scholarship by Kinane (2021) and Piper (2022b) suggests that the neglect of nominations by presidents is strategic and that presidents may benefit from vacancies, or at least have developed new strategies to navigate around vacancies and to diminish their negative effects. Presidents may desire a contraction in agency policymaking that can be best achieved by leaving the agency leaderless (Kinane, 2021). Presidents may also seek to unilaterally select an individual to take over the position in an acting capacity (Kinane, 2021; Piper, 2022b).

Existing scholarship, however, tends to focus on whether or not vacancies are detrimental to presidential influence rather than when they are detrimental. It is likely that the effects of vacancies on presidential influence will depend on the context in which the vacancy occurs and the strategy that presidents pursue in the face of the vacancy. In some cases, vacancies may be detrimental to presidents, while in other instances vacancies will have minimal consequences for presidential influence. More specifically, existing scholarship often does not account for the management environment of the office in which the vacancy occurs or who in

the agency's leadership takes on a larger role during vacant periods. These shortcomings are representative of a larger trend in the literature to neglect lower-level appointees and acting officials that step into vacant PAS positions (Lewis and Waterman, 2013; Moore, 2018; Waterman and Ouyang, 2020; Kinane, 2021; Piper, 2022b). These appointees vastly outnumber Senate confirmed appointees and can be placed quickly and unilaterally by the president. As Lewis and Waterman argue, the literature's "primary focus on PAS appointments ... may provide a distorted picture of presidential appointment politics..." (2013, p.37). Therefore, if we are to understand the effects of vacancies more fully, we must take these broader contexts into account. Examining the context-dependent effects of vacancies may help to explain the rising prevalence of vacancies and the dearth of presidential nominations.

Further, these accounts have not systematically assessed their claims regarding the effects of vacancies, instead relying on evidence from individual agencies. For example, existing work has shown that appointees, when in place, have influence over agency outputs and that when appointees are absent, agency performance of individual tasks is slowed and agency responsiveness to the president declines (e.g., Wood and Waterman, 1991; Bolton et al., 2015). However, finding comparable tasks across administrative agencies that are central to the agency's mission or policymaking activities poses a significant challenge. This has prohibited existing work from taking a broad view of the effects of vacancies on a whole range of outcomes connected to the core of agency policymaking.

4.3 When Do Vacancies Matter?

With administrative agencies at the core of policymaking in the United States, presidents naturally seek to make agencies responsive to them (Moe, 1985). Presidents may seek to curtail or augment the activity of agencies in order to achieve their policy goals. For example, a Republican president may seek to constrain the regulatory activities of the Environmental Protection Agency (EPA), while bolstering the enforcement activities of ICE. Both desired outcomes require changes in agency agendas, priorities, and productivity. For these changes to occur, presidents need control. Without control, agencies are likely to stick to their status quo policy activities (Piper, 2022a; Piper and Lewis, 2022).

One of the key mechanisms by which all presidents assert control over the administrative state, comprised of hundreds of agencies, is by getting people aligned with their policy agenda and ideology into leadership positions of executive agencies (Moe, 1985; Lewis, 2008). Presidents target appointments to agencies where they most need control over agency activities, particularly in agencies connected to their policy priorities and agencies that are predisposed to favor policy contrary to the president's preferences (Lewis, 2008; Hollibaugh Jr et al., 2014; Hollibaugh Jr and Rothenberg, 2017; Piper, 2022b). Appointees in these agencies can serve multiple purposes, from agency "advocates," working to protect and bolster the agency, or "budget-

cutters," working to constrain the agency and cause a retrenchment in activities (Wilson, 1989).

While vacancies, on average, may or may not lead to the president having less influence, not all vacancies will have equally detrimental effects. Instead, vacancies will matter more for presidential influence in some contexts than others. While there are several, I focus on three key factors related to the president's use and placement of other political appointees: the presence of Senate confirmed appointees above the agency, the prominence of other appointees within the agency, and the occupant of the office during the vacancy. Rather than operating in isolation, appointees are often part of a team, with other Senate confirmed and non-Senate confirmed appointees working in tandem with them. The presence or absence of these other appointees will augment or constrain the effect of vacancies on presidential influence. Additionally, presidents have other, unilateral tools at their disposal that may alter their ability to influence agency policy during vacant periods. By neglecting these differences, scholars have made broad assertions that often do not apply across contexts.

First, the effect of vacancies will vary depending on the structure of the agency. Bureaus within cabinet departments are situated within hierarchies with many levels of political appointees. During vacant periods in the positions leading the bureau, the next appointee up in the departments' hierarchy will be able to fill in the gap left by the vacant position, providing direct oversight from their office and indirect oversight by using the other appointees at their discretion. For example, if the Assistant Secretary overseeing the Office of Energy Efficiency and Renewable Energy was vacant, the Under Secretary of Energy could take on a larger role in overseeing the agency. Indeed, as shown in Figure 4.1, the Under Secretary of Energy has four non-PAS appointees in their office and five other PAS assistant secretaries and office directors that they manage. However, non-cabinet department bureaus, such as independent executive agencies, have no level of political appointee oversight above the head of the agency. For example, the EPA (Figure 4.2), because it is outside of a cabinet department, has no appointee overseeing the agency above the administrator position. Therefore, vacancies within non-bureaus will be more harmful, as there are no appointees higher in the hierarchy to fill the gap left by the vacant leader.

Bureaus Hypothesis: Vacancies will diminish presidential influence less in cabinet department bureaus.

Of course, the impact of vacancies within Cabinet department bureaus will depend upon whether the Under Secretary position itself is filled with a Senate-confirmed appointee. If multiple levels of the hierarchy are vacant, then the agency will be left without any proximate political appointee above the agency to provide oversight of and direction to the agency. The closest remaining Senate-confirmed appointee would likely be the Department Secretary, individuals that are often far removed from the day-to-day activities of the agency and that have an already full plate of responsibilities. Therefore, when vacancies occur at multiple levels of the agency's leadership hierarchy, the effect of a vacancy in the position closest to the agency will be more detrimental to the president's ability to control the agency's policymaking.

Figure 4.1: Management Hierarchy of the Office of the Under Secretary of Energy (of Energy, 2022)
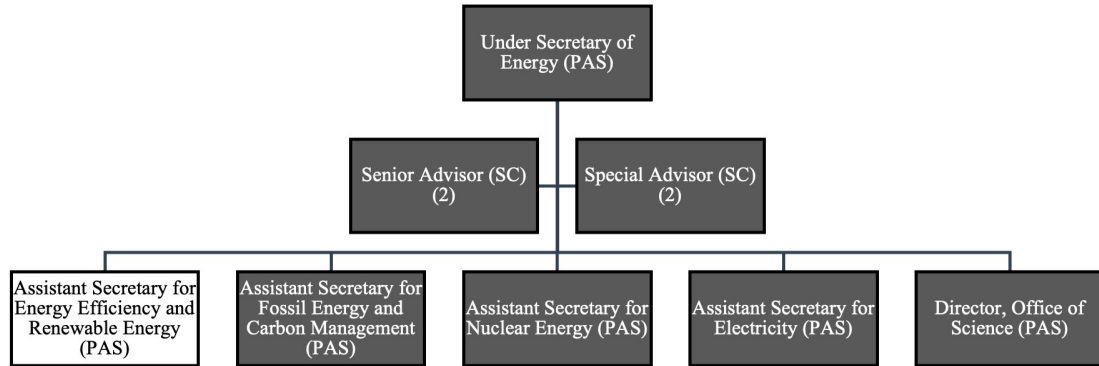
Note: White box indicates the position directly overseeing the Office of Energy Efficiency and Renewable Energy in the Department of Energy. Each position is listed with its classification in parentheses: PAS denotes presidentially appointed and Senate confirmed and SC denotes Schedule C (Book, 2020).

Figure 4.2: Management Hierarchy of the Environmental Protection Agency (EPA, 2020)
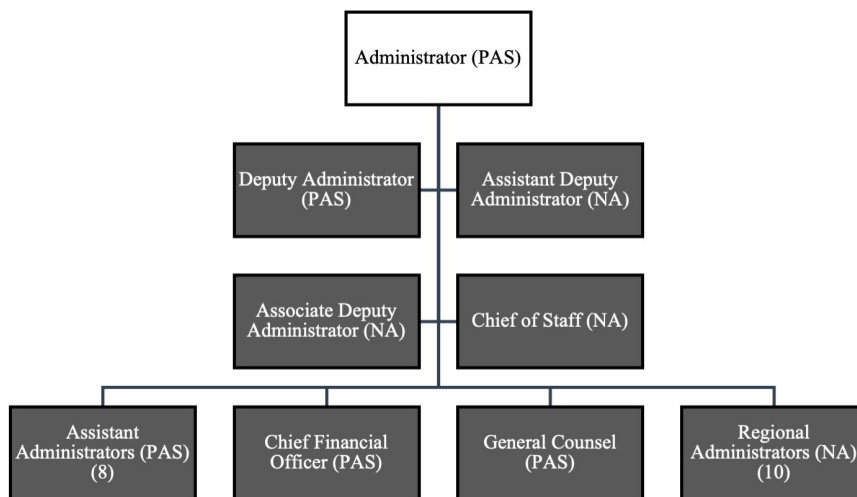
Note: White box indicates the position directly overseeing the EPA. Each position is listed with its classification in parentheses: PAS denotes presidentially appointed and Senate confirmed and NA denotes non-Career SES (Book, 2020).

Accumulation Hypothesis: Within cabinet department bureaus, vacancies will diminish presidential influence more when there are multiple vacancies in the agency's leadership hierarchy.

Additionally, the effect of vacancies will vary depending on the management environment within the agency, starting with the prevalence of other political appointees, or the level of politicization, in the agency. PAS agency heads do not operate in isolation, instead they are members of a team of appointees within an agency (Lewis, 2012). Members of these teams include other PAS officials, non-Career members of the SES, and Schedule C appointees. As shown in Figure 4.3, an agency such as the Economic Development Administration (EDA) has several "layers" of political appointees that operate in tandem. These additional appointees provide the president with a greater ability to influence agency policymaking (Light, 1995). Lewis and Waterman describe the increased use of these "invisible" appointees as "arguably the most important trend in the administrative presidency" (2013, p.37).

Figure 4.3: Management Hierarchy of the Economic Development Administration (Book, 2012)
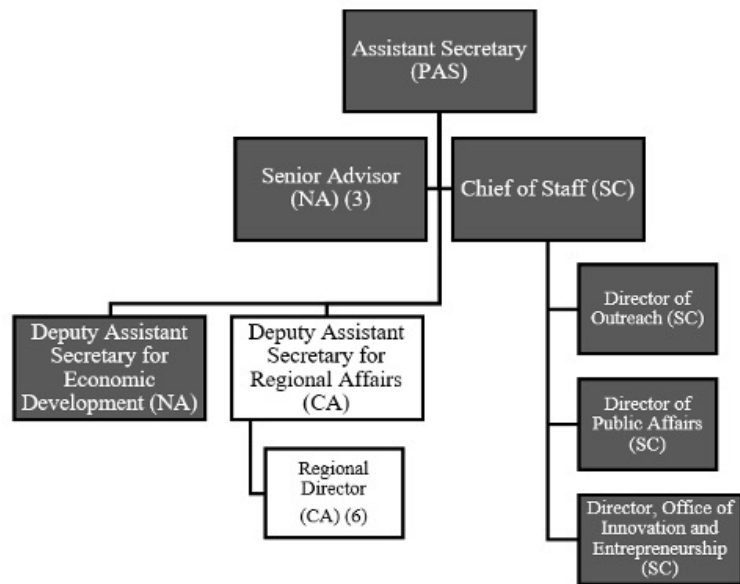
Note: Gray boxes indicate appointed positions, while white boxes indicate careerist positions. Each position is listed with its classification in parentheses: PAS denotes presidentially appointed and Senate confirmed, NA denotes non-Career SES, SC denotes Schedule C, and CA denotes career civil servant (Book, 2012).

Non-Career SES and Schedule C appointees will take on a greater role in the absence of confirmed leadership (Moore, 2018). For example, in the EDA, the Deputy Assistant Secretary for Economic Development and the Chief of Staff to the Assistant Secretary could take on a larger role when the Assistant Secretary position is vacant. The individuals filling these lower-level appointed positions do not have to appease a Senate majority to enter their positions and are more likely to be loyal to the president (Lewis, 2011; Lewis and Waterman, 2013; Waterman and Ouyang, 2020) and more ideologically extreme (Bonica et al., 2015),

compared to their confirmed counterparts. Therefore, because these appointees are more ardent supporters of the president and because they are less accountable to members of Congress, their increased role during periods of vacant PAS leadership will allow the president to have greater influence over the agency. However, an agency like the Indian Health Service (Figure 4.4), does not have a similar appointee team in place that could step in when the Director position is vacant. Instead, the three careerist deputy directors, with no ties to the president, would likely take on a greater role during vacant periods.

Figure 4.4: Management Hierarchy of the Indian Health Service (Book, 2012)
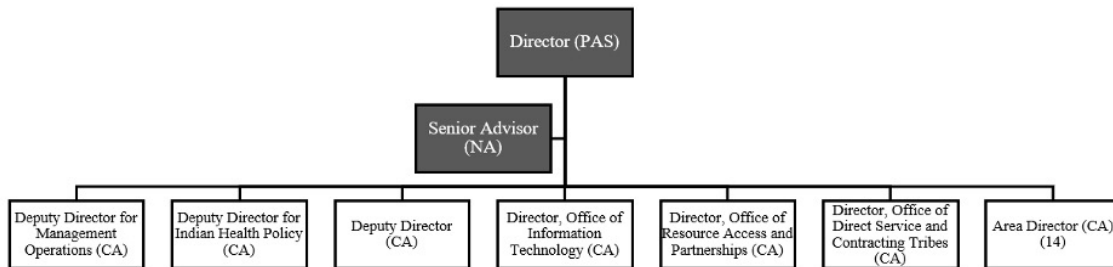
Note: Gray boxes indicate appointed positions, while white boxes indicate careerist positions. Each position is listed with its classification in parentheses: PAS denotes presidentially appointed and Senate confirmed, NA denotes non-Career SES, and CA denotes career civil servant (Book, 2012).

Politicization Hypothesis: Vacancies will diminish presidential influence less in more politicized agencies.

Finally, presidents have opportunities to unilaterally fill positions on an interim basis during vacant periods (O'Connell, 2009; Kinane, 2021; Piper, 2022b). According to the Federal Vacancies Reform Act of 1998 (5 U.S.C. § 3345), commonly referred to as the Vacancies Act or the FVRA, there are two "types" of acting officials that can serve on an interim basis when a vacancy occurs. If there is an individual serving in the "first deputy" or "first assistant" position below the PAS position, that individual will become the acting official by default (Brannon, 2020). The president may also select a previously confirmed PAS official or a senior "officer or employee" within the agency[5] to serve in an acting capacity (Brannon, 2020).

Senior career civil servants who are in line for the position will work to keep the agency functioning as usual, but their experience and stability will come at a cost to a president who expects loyalty and who desires a drastic change in the course of agency policymaking (McCarty and Razaghian, 1999; O'Connell, 2009, 2020; Mendelson, 2014; Piper, 2022b). These default acting officials have assurance that they cannot be fired and that they will return to their original position once their acting service ends.

Non-default acting officials and politically appointed deputies, in contrast, are under the complete, unilateral control of the president. The principal default acting official is in some cases a political appointee, either a Senate confirmed (e.g., Deputy Secretaries) or non-PAS appointee (e.g., most Principal Deputy Assistant

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[5]Senior "officer[s] or employee[s]" must be in the agency for a period of at least 90 days and be paid at the equivalent of the GS-15 pay level or above (Brannon, 2020).

Attorney Generals). These individuals, like other politically appointees, are agents of the president without civil service protection. The president can also select anyone within the limits outlined above, allowing them to choose someone potentially less qualified or more ideologically consistent with their views. Additionally, because these officials are only moved into their position at the direction of the president and because they are often themselves non-PAS appointees without civil service protections, they are more likely to be beholden to the president's wishes. Therefore, when vacant PAS positions are filled by politically appointed acting officials, we should expect that the president will exert more influence over the agency than if a careerist acting official was allowed to serve.[6]

Political Actings Hypothesis: Vacancies will diminish presidential influence less when the president uses political acting officials during the vacant period.

In total, we should expect that the effect of vacancies on the president's ability to influence administrative policymaking will be conditional on presence of overseeing political appointees, the management environment within the agency, and the president's use of acting officials. When presidents have larger appointee teams to rely on and when they use politically appointed acting officials, vacancies will have less of an effect on the president's ability to influence the agency. However, when there is no confirmed overseeing appointee above the agency, vacancies will have a larger, more detrimental effect on presidential influence.

4.4 Data, Variables, and Methods

To evaluate the impact of vacancies on presidential control of the executive branch, we need a measure of presidential influence in administrative agencies. Measuring influence over agency policymaking is difficult for two reasons. First, agencies conduct a breadth of activities that are typically not comparable across agencies (Wilson, 1989). Therefore, scholars have typically been limited to examining influence over activities unique to a particular agency (e.g., Wood and Waterman, 1991; Bolton et al., 2015). Second, parsing out influence over agency decision making observationally is extremely difficult. While we may observe changes in agency policymaking, it can be difficult to determine how much credit any individual actor deserves for the occurrence of those changes.

To overcome these challenges, I use the 2007, 2014, and 2020 Survey on the Future of Government Service (SFGS), an online and paper survey of US-based federal executives.[7] The respondents include all political appointees, career members of the SES, and senior Foreign Service officers serving domestically. The survey sample also includes other high-level managers who administered key programs or offices. Other

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[6]To validate proposed differences between types of acting officials, careerist and appointed, I gathered information on the background characteristics of acting officials. I find that appointed acting officials are more likely to have background characteristics that are associated with loyalty to and ideological alignment with the president (see e.g., Waterman and Ouyang, 2020). Summaries of the acting official background characteristics by acting official type are reported in Appendix 5.3.6.

[7]Full details of the survey, including information on response rates and survey weights are included in Appendix 5.3.1.

scholars have similarly used these surveys to assess the influence of political actors on administrative policy-making (Bertelli and Lewis, 2012; Clinton et al., 2014; Selin, 2015).

To measure the influence of the president, I use a question from the SFGS that asked: "In general, how much influence do you think the following groups [White House][8] have over policy decisions in [your agency]?" Respondents were given a scale from 0-None to 4-A great deal, or could select "Don't know."[9] The question asks federal executives to evaluate how much influence each actor has over policy decisions in their agencies by name.[10] Given that the hypothesized variation is at the agency level, I aggregate[11] weighted responses[12] by agency for all agencies with at least 5 respondents. In total, the sample includes 274 agency average observations from 144 executive agencies.[13] This includes 231 observations from 124 agencies within cabinet departments, 5 observations from three agencies within the Executive Office of the President, and 38 observations from seventeen independent executive agencies. There is significant variation in the influence measure across agency averages. White House influence averages vary from 0.96 to 4, with a mean value of 2.96 (SD 0.62).

Using these surveys to measure presidential influence has two key advantages. First, the observations are consistent across agencies and time, allowing us to draw generalizable conclusions about the effects of vacancies on administrative outcomes. In contrast, existing work has been restricted by the limited number of agency outputs that are observable, such as rulemaking review time (e.g., Bolton et al., 2015). Few agency outputs are comparable across agencies, and those that are (e.g., response time to FOIA requests, payment to contractors, etc.) may not be central to policy mission of the agency. Second, the survey-based measures employed here rely on senior executives' perceptions of influence over agency policymaking, ameliorating the inherent difficulties in observing the effects of political actors on outcomes. These respondents are appropriately positioned to judge policy influence within their agency.

At first glance, the agency average responses to questions about presidential influence look reasonable. For example, respondents in the Bureau of Consular Affairs within the State Department in 2020 reported one of the highest average levels of White House influence. This fits with reporting that highlighted the

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[8]Respondents were also asked to evaluate the policy influence of agents of the president, including political appointees and the Office of Management and Budget (OMB). I also estimated models using agency average responses to questions regarding the policy influence of political appointees and OMB as the dependent variable. Results, reported in Appendix Tables 5.19 and 5.20, are substantively similar to the main specifications with White House influence as the dependent variable.

[9]Respondents that responded "Don't know" were not included in the agency average and did not count towards the five-respondent threshold for inclusion into the sample.

[10]Respondents in the Office of the Secretary, however, were asked about the departments as a whole. In departments where I have at least 5 respondents from the Office of the Secretary, I include agency average White House influence for the entire department.

[11]Agency averages account for survey weights to ensure that survey responses are representative of the target population. For further information on weighting, see Appendix 5.3.1.

[12]I also estimate models on weighted agency averages calculated using only the responses of careerists since political appointees' evaluations of presidential influence may be biased. Results reported in Appendix Table 5.22 are substantively similar to the main model specification.

[13]A full list of included agencies and the surveyed years in which they were included is reported in Appendix 5.3.2.

administration's slashing of the bureau's budget and restrictions on its ability to issue visas (Richardson, 2021). Additionally, three of the highest averages for White House policy influence come from agencies within the Executive Office of the President (EOP).

In Figure 4.5, I graph the influence measures with another question from the 2020 survey dealing with perceptions of agenda change. Here, respondents were asked "Some agencies' policy agendas changed after the inauguration of President Trump. Other agencies' policy agendas stayed the same. In your experience, how much did the policy agenda of [your agency] change after the inauguration?" Respondents were given a sliding scale from 0-Did not change to 3-Changed significantly. They could also indicate a "I did not experience the change in administration" or "Don't know" response. As Figure 4.5 suggests, White House policy influence is strongly, positively correlated with agency policy agenda change. This provides further evidence that the influence measure is representative of tangible policy change.[14]

Figure 4.5: Comparison of 2020 White House Policy Influence with 2020 Agency Policy Agenda Change
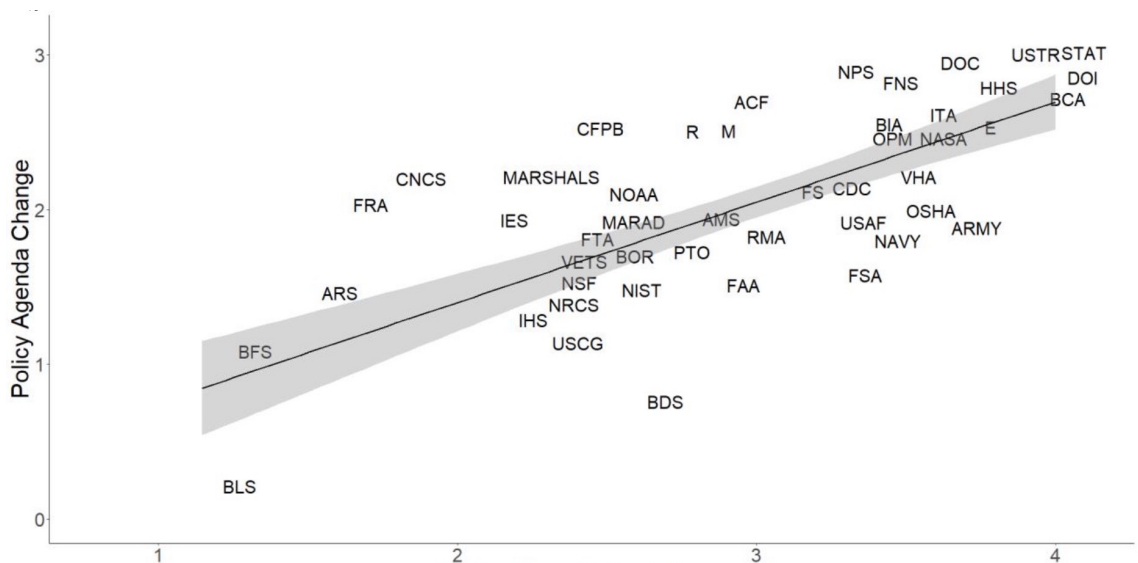
Note: Fitted lines estimated based upon all agencies with at least 5 respondents in the 2020 survey. Some agency acronyms are excluded from the figure to limit overlap among acronyms. Agency acronyms E (Economic Growth, Energy, and the Environment), M (Management), and R (Public Diplomacy and Public Affairs) indicate bureaus within the Department of State.

4.4.1 Key Independent Variables

To measure vacancies, I used the length of time the PAS position most closely overseeing the respondent's office[15] was vacant between the president's inauguration date and the date the SFGS survey was fielded.[16]

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[14]I also estimated models using agency average responses to the agenda change question as the dependent variable. Results, reported in Appendix Table 5.21, are substantively similar to the main specifications with White House influence as the dependent variable.

[15]I used the Plum Book to find the PAS position most proximate to the subunit. When the Plum Book was not clear, I used agency organizational charts to determine those positions.

[16]Vacancies were scaled to account for differences in the time from inauguration to when each survey was fielded. Specifically, vacancies in the Bush and Trump administration were scaled to be equivalent to those in the Obama administration.

For ease of interpretation, I report vacancies in terms of months.[17] The average most proximate PAS position was vacant for about 29% of the time between each president's inauguration and the time the survey was fielded.

To assess whether vacancies in cabinet department bureaus are less detrimental to presidential influence, I include an indicator for whether the agency is a bureau within a larger department. I code the "Bureau" variable with a 1 if the agency is a cabinet department bureau and 0 otherwise. About three quarters of agency observations are from cabinet department bureaus. I expect that vacancies within cabinet bureaus will have smaller effects on the president's ability to influence agency policymaking.

To assess whether vacancies in both positions overseeing the cabinet department hierarchy and positions most proximate to the cabinet department bureau are more detrimental to presidential influence, I measure the length of time the PAS position overseeing the PAS official most proximate to the respondent's office[18] was vacant between the president's inauguration date and the date the SFGS survey was fielded.[19] The same process for calculating vacancy length for the most proximate PAS position was used to measure the vacancy length of appointees higher in the agency hierarchy.[20] The average next-up PAS position was vacant for about 23% of the time between each president's inauguration and the time the survey was fielded. I expect that joint vacancies at both levels in the agency's hierarchy will be more detrimental to the president's influence over the cabinet bureau, compared to vacancies in only one level of the hierarchy.

To measure politicization, I calculated the percent of supervisors in an agency that were comprised of political appointees (Lewis, 2008). I gathered agency supervisor employment data for June of the surveyed year from the Office of Personnel Management's *FedScope*.[21] I counted the number of PAS, non-Career SES, Schedule C employees in the agency from the 2004, 2012, and 2020 editions of the Plum Book. The average agency had 3.62% of their supervisors comprised of political appointees. I expect that vacancies will be less harmful to presidential influence as the agency becomes more politicized.

To measure the president's use of acting officials, I track the occupant of each PAS position of interest using the four quarters of the *Federal Yellow Book* from the year prior to each survey's administration. The *Federal Yellow Book* is a quarterly directory of executive officials, akin to a telephone book. To categorize acting officials, I gathered the employment history of each individual on Leadership Connect, the online

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[17]For the 2007 and 2014 survey, I used vacancy data collected by Resh et al. (2021). I then supplemented their data with information on confirmation dates from Senate.gov and exit dates from agency websites and other external sources (e.g., news sources, Leadership Connect). For the 2020 survey, I used the PPS and *Washington Post*'s "Political Appointee Tracker" to gather confirmation and exit dates. Data for the positions not listed on their tracker was similarly gathered from Senate.gov for confirmation dates and from agency websites and other external sources for exit dates.

[18]I used the Plum Book to find the PAS position that was directly above the PAS official closest to the respondent's office. When the Plum Book was not clear, I used agency organizational charts to determine those positions.

[19]Cabinet departments as a whole, independent executive agencies, and agencies within the Executive Office of the President are excluded from any models with this measure, as there is no PAS official overseeing these agencies.

[20]These vacancies were similarly scaled to account for timing differences between surveys.

[21]June was selected because it was the closest observation of agency employment prior to the administration of each survey.

edition of the *Yellow Book*, LinkedIn, and an additional online source, typically their biography page from the agency they served in or a news article. Individuals who were in a politically appointed positions immediately prior to their service as acting were categorized as "political actings." I then created a dichotomous measure for whether a political acting served in the year prior to the survey's administration. This serves as a proxy for the president's use of political actings during the entire vacant period leading up to the survey. Twenty percent of agencies had a political acting serve in at least one of the 4 quarters prior to the survey's administration. I expect that vacancies will be less harmful to presidential influence when the president uses political acting officials during a vacant period.

4.4.2 Control Variables

To account for potential confounders, I include agency and survey-level controls. To begin, I control for whether the agency is a priority to the president.[22] For the 2007 and 2014 survey, I coded agencies with a 1 if the agency was mentioned as responsible for a policy or an issue raised in the president's first address before a joint session of Congress. For the 2020 survey, I coded agencies with a 1 if the agency is responsible for carrying out an item on President Trump's *Contract with the American Voter* and 0 otherwise. Agencies important to the president's policy agenda are less likely to experience lengthy vacancies and are more likely to be subject to other tools of presidential control (Hollibaugh Jr et al., 2014).[23]

Second, I control for the agency's location in either a cabinet department or the Executive Office of the President (EOP). I code the "EOP" variable with a 1 if the agency is within the EOP and 0 otherwise. I code the "Department" variable with a 1 if the agency is within a cabinet department and 0 otherwise. Therefore, the comparison group is independent executive agencies (e.g., EPA, Social Security Administration, etc.). Agencies in the cabinet and EOP are more likely to report presidential influence and are more highly politicized.[24]

Third, I control for whether the agency has an ideological reputation that is in opposition to the president. To measure ideological position in relation to the president, I use a measure of agency ideological reputation from the 2014 SFGS (Richardson et al., 2018). I code the "Ideological Opponent" variable with a 1 if the agency has an ideological reputation that is in opposition to the president (e.g., liberal agency-Republican president). Respondents from ideologically opposed agencies may be more or less likely to report policy influence by the president. Agency ideology may also influence the president's appointment strategy (Lewis,

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[22]I also estimate models on the subset of priority agencies. Results, reported in Appendix Table 5.23, are substantively similar across specifications. Additionally, I conducted mediation analysis to observe how much of the effect of presidential priority is direct and how much of the effect is mediated through vacancies. Results, reported in Appendix 5.3.7, show that almost none of the effect of priority is mediated through vacant months.

[23]Of course, presidential priorities may change over the course of an administration. This measure is recorded prior to treatment as one reason for changing presidential priorities is the level of control presidents have over agencies connected with a policy area.

[24]I also estimated models that control for agency independence (Selin, 2015). Results, reported in Appendix Table 5.24, are substantively similar across specifications.

2008; Hollibaugh Jr et al., 2014; Hollibaugh Jr and Rothenberg, 2017; Piper, 2022b).

Fourth, I control for the percentage of agency respondents that were political appointees. Ten percent of agency respondents were political appointees on average. Political appointees likely are biased in their evaluations of presidential influence and may inflate the degree to which the president influences administrative policymaking.

Finally, I include presidential fixed effects. I code the "Obama" variable with a 1 if the average was derived from the 2014 SFGS and 0 otherwise. I code the "Trump" variable with a 1 if the average was derived from the 2020 SFGS and 0 otherwise. It is possible that observations from one presidential administration are systematically different than in another administration.[25]

4.4.3 Models

I estimate models via Ordinary Least Squares to estimate the effect of vacancies in PAS positions on presidential influence over agency policymaking.[26] I begin by estimating models with only the measure of vacancy length to assess the average effect of vacancies on presidential influence. I then estimate models with each of the interaction variables. Because some unobserved agency characteristics may be correlated with their parent agency, I clustered standard errors at the cabinet level, with agencies within the EOP and independent agencies in separate clusters.[27]

4.5 Results

One central pattern is illuminated within the results of the models, namely that the effect of vacancies on presidential influence is conditional. The effect is conditioned on two key factors: the presence of an overseeing appointee above the agency and the level of politicization in the agency. Vacancies where there is no confirmed appointee overseeing the agency have more deleterious consequences for the influence of the president. In contrast, presidents do not suffer as severe of loses of influence when agencies are more politicized.

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[25]I also estimated models on the subset of observations from the Bush and Obama administration and the subset of observations from the Trump administration, as it might be possible that there were differences across presidents. Results, reported in Appendix Tables 5.25 and 5.26, are mostly substantively similar across subsets with one notable difference. Specifically, I find that, for the Trump administration, vacancies in bureaus were not less detrimental to presidential influence.

[26]To address how fragile my estimates are to potential omitted confounding variables, I also conducted sensitivity analysis. Results of the sensitivity analysis, reported in Appendix 5.3.8, show that the main results of the paper are robust to the effects of potential omitted confounders.

[27]We may be concerned that vacancies have different intended effects across agencies. For example, whether a president wants to augment or constrain the activities of an agency may influence their propensity to leave positions vacant (Kinane, 2021). If this neglect, or outright hostility towards an agency, is not perceived as influence, model estimates may be biased towards my hypothesized relationships. While the included model controls should at least partially address these concerns, I have also estimated models on a series of agency subsets that are presumably connected to the president's goals for the agency. Subsets include agencies connected with the president's policy priorities, agencies ideologically aligned with the president, and agencies ideologically opposed to the president. Agencies that are connected with the president's priorities and that are ideologically aligned with them are likely to be targeted for expansion. However, agencies that are ideologically opposed to the president are more likely to be subject to reduction efforts. If estimates are substantively similar across agency subsets, representing cases of differing presidential goals, our concerns should be attenuated. Indeed, I find that, across all subsets, vacancies are more harmful for presidential influence when there is no Senate confirmed appointee overseeing the agency and less harmful to presidential influence when the agency is more heavily politicized. Model estimates are reported in Appendix Tables 5.23, 5.27, and 5.28.

Instead, they may even gain influence at high enough levels of politicization.

These results suggest that, under certain circumstances, presidents benefit from the use of strategic vacancies. Once a vacancy occurs, rather than attempting to fill the vacancy with a nominee capable of appeasing a Senate majority, presidents can rely more heavily on the remaining PAS appointees overseeing the agency and lower-level appointees within the agency, agents that are more loyal to and more ideologically aligned with the president. This helps to explain the rising prevalence of vacancies and puts presidents at a greater advantage in our separation of powers system, allowing presidents to act unilaterally without Senate input. Further, the Senate's own delays and amenability to presidential nominees may only further incentive presidents to use non-Senate confirmed appointees.

I proceed first by examining the average effect of vacancies on presidential influence (Model 1). There is limited suggestive evidence supporting the common expectation that lengthier vacancies in the most proximate PAS position are associated with diminished presidential influence. The coefficient is negative but it is small and imprecise. Substantively, moving from the first to third quartile in direct vacant months (+19.43) is associated with a 0.05-point decrease in White House influence, or slightly less than one tenth of a standard deviation decrease in While House influence. The mixed evidence of an average effect is to be expected, given our expectation that the effect of vacancies is contextual.

4.5.1 Bureaus

Next, we can examine how the effect of vacancies is conditioned on the presence of other appointees overseeing the agency. Consistent with my expectation in the Bureaus Hypothesis, vacancies within cabinet department bureaus are less detrimental to presidential influence. As shown in Model 2 of Table 4.1, the interaction term is large and estimated precisely. Indeed, the coefficient on the interaction term is almost the same size as the main effect of "Most Proximate PAS Vacant Months." Its substantive effect is best seen in Figure 4.6 which shows the predicted level of White House influence. Here, we see that vacancies have basically no effect on presidential influence in cabinet department bureaus. For all other agencies, however, including Cabinet departments, agencies within the EOP, and independent executive agencies, vacancies are estimated to limit presidential influence and limit it more the longer the vacancy. For example, moving from the first to third quartile in vacant months, an increase of about the length of time the Social Security Administrator position was vacant in the lead up to the 2014 SFGS, is associated with a 0.20-point decrease in White House influence, or about one-third of a standard deviation decrease in White House influence. This effect size is more than twice the effect of an agency being connected to a priority on the president's policy agenda.

These results suggest the importance of agency structure and the broader appointee team in determining

Table 4.1: Base, Hierarchy Interaction, Politicization Interaction, and Acting Interaction Models

	Average Effect	Hierarchy		Teams	Actings
	Model 1	Model 2	Model 3	Model 4	Model 5
Most Proximate PAS Vacant Months	−0.0025	−0.0102***	0.0028	−0.0042	−0.0010
	(0.0031)	(0.0017)	(0.0039)	(0.0034)	(0.0038)
Most Prox. PAS Vacant Months:Bureau		0.0093***			
		(0.0027)			
Higher Up PAS Vacant Months			−0.0036		
			(0.0053)		
Most Prox. PAS Vacant Months:Higher Up PAS Vacant Months			−0.0001		
			(0.0002)		
Politicization %				0.0033	
				(0.0104)	
Most Prox. PAS Vacant Months:Politicization %				0.0009*	
				(0.0004)	
Political Acting (Yr. Prior)					0.2636**
					(0.1150)
Most Prox. PAS Vacant Months:Political Acting (Yr. Prior)					−0.0066
					(0.0052)
Priority	0.1131	0.0950	0.0999	0.1000	0.0952
	(0.1006)	(0.1005)	(0.1215)	(0.0926)	(0.0939)
EOP	0.8044***	0.6981***		0.2456	0.8204***
	(0.0901)	(0.0865)		(0.3740)	(0.0760)
Department	0.3927***	0.2617**		0.4697***	0.4128***
	(0.1318)	(0.1201)		(0.1209)	(0.1391)
Bureau	−0.4700***	−0.5364***		−0.6132***	−0.4891***
	(0.1435)	(0.1457)		(0.1187)	(0.1493)
Ideological Opponent	0.1113	0.1218	0.1146	0.0898	0.1091
	(0.0715)	(0.0718)	(0.1016)	(0.0677)	(0.0695)
Percent Appointee	0.4624*	0.4201*	0.4915*	0.1074	0.4588*
	(0.2311)	(0.2170)	(0.2468)	(0.1859)	(0.2419)
Obama	0.0438	0.0521	0.0270	0.0354	0.0238
	(0.0795)	(0.0840)	(0.0903)	(0.0906)	(0.0790)
Trump	0.1855*	0.1873*	0.2123	0.1778*	0.1789*
	(0.1007)	(0.0995)	(0.1454)	(0.0982)	(0.0958)
Constant	2.8693***	3.0325***	2.7865***	2.8981***	2.8342***
	(0.0716)	(0.0611)	(0.1195)	(0.0921)	(0.0756)
R^2	0.1678	0.1767	0.0458	0.2209	0.1794
N	225	225	162	195	225

Note: *** $p<0.01$; ** $p<0.05$; *$p<0.1$. Data: Survey on the Future of Government Service, 2007, 2014, and 2020. Dependent variable is weighted average agency response to question: "In general how much influence do you think the following groups [White House] have over policy decisions in [your agency]?" (0-4). Model estimated with Ordinary Least Squares and standard errors are clustered by department with independent agencies and agencies within the Executive Office of the President in separate clusters. Model 3 is estimated on the subset of cases from cabinet department bureaus.

Figure 4.6: Predicted Level of White House Influence Given Most Proximate PAS Vacancy Length and Agency Structure (Model 2 of Table 1)
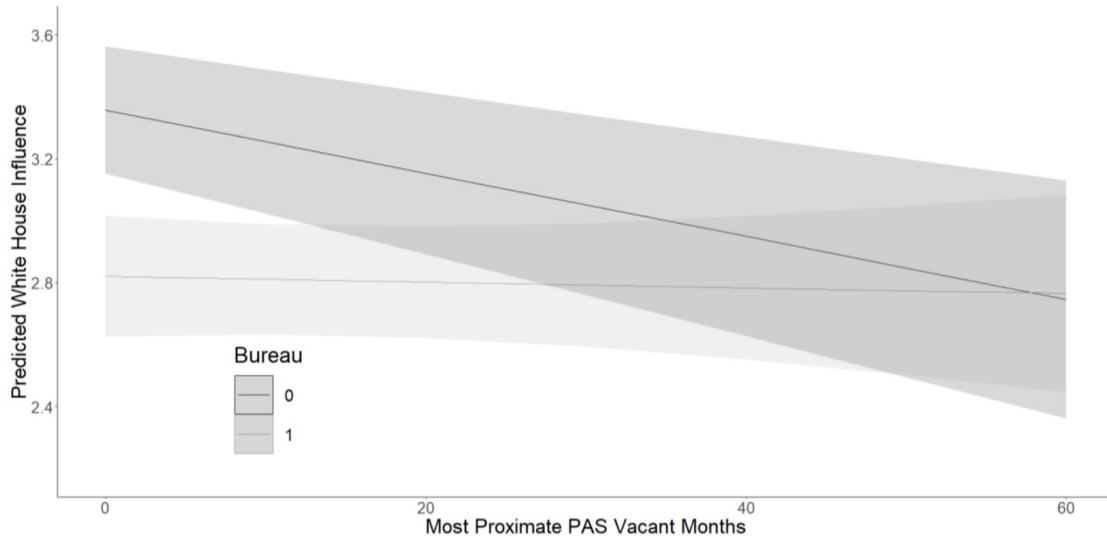
Note: Y-Axis truncated to the range of agency averages of White House Influence between the 10th and 90th percentiles.

presidential influence. Rather than individual appointees operating in isolation, appointees overseeing the cabinet department bureaus can step in when the position most proximate to the agency is vacant. However, when there is no higher up appointee to step in, vacancies have a more detrimental effect on presidential influence.

4.5.2 Accumulation

Given the differences between cabinet department bureaus and non-bureaus, it is important to consider whether vacancies in the most proximate position to bureaus have more harmful effects on presidential influence when the position overseeing the agency is also vacant. As shown on the interaction term on both measures of vacancies in Model 3 in Table 4.1, each additional month that one PAS position is vacant, increases the negative effect of a vacancy in the other PAS position. This provides suggestive evidence that, like non-bureaus, the absence of an overseeing appointee causes vacancies in the most proximate position to be more detrimental to the president's ability to control agency policymaking. However, the effect is small and imprecise. Only a two and a half standard deviation increase in higher up vacant months (about 30 months) reduces the coefficient on most proximate vacant months to zero.

4.5.3 Politicization

We can now examine how the effect of vacancies is conditioned on the level of politicization within the agency. Consistent with the Politicization Hypothesis, the level of politicization had a moderating influence on the effect of vacancies. As shown in Model 4 in Table 4.1, the coefficient on the main effect of politicization is positive (i.e., more politicization leads to more presidential influence) and the interaction is positive, suggesting vacancies are less consequential in more politicized agencies. The effect is statistically significant at the 0.1 p-value threshold. This effect is easiest to see in Figure 4.7, which shows the predicted level of White House influence based on the length of vacancy for two different kinds of agencies (high politicization—black, low politicization—gray). In more politicized agencies, vacancies are correlated with greater presidential influence. In less politicized agencies, vacancies are correlated with less influence.

Figure 4.7: Predicted Level of White House Influence Given Most Proximate PAS Vacancy Length and Fixed Level of Politicization (One-Standard Deviation Below and Above the Mean) (Model 4 of Table 1)
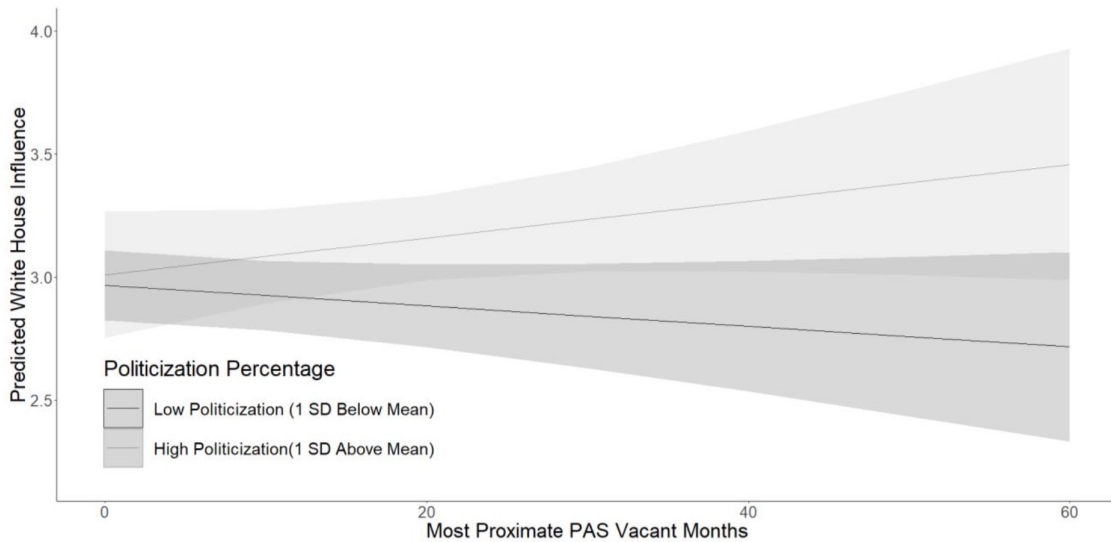
Note: The Y-Axis lower bound is truncated to the 10th percentile of agency average reported White House Influence. The Y-Axis upper bound is set to the maximum value of agency average reported White House Influence to account for the confidence intervals.

These results suggest that lower-level appointees play an important role in agency operations when Senate confirmed leadership is absent that is advantageous to presidents. The characteristics commonly associated with non-Career SES and Schedule C appointees, in particular loyalty and ideological alignment, make these appointees more responsive to the president and less concerned with appeasing Congress. Therefore, presidents may intentionally delay nominations to vacant positions in more politicized agencies.

4.5.4 Political Actings

Finally, we can examine how the effect of vacancies on influence is conditional on the president's use of political acting officials. The main effect of presidents appointing a political acting is positive and significant, suggesting that presidents gain influence through the choice of a political acting rather than allowing the default acting official serve. Interestingly, the use of political actings by the president during periods of vacant leadership did not significantly moderate the effect of vacancies on presidential influence. These effects are graphed in Figure 4.8. Agencies staffed with political acting officials initially report greater White House influence but this effect diminishes the longer a position is vacant. By contrast, vacancies have almost no effect on presidential influence in agencies staffed by temporary careerist officials. One reason why vacancies may appear to on average have little effect when careerists serve in temporary roles is because careerists themselves may have been selected by the president as acting officials and serve with the threat of removal from their interim role (Piper, 2022b). In these cases, presidents may gain influence like they would with a political acting. However, this is counterbalanced by cases in which the president simply allows the careerist next in line for the position to serve as the acting official and, therefore, has little leverage over the acting (Piper, 2022b).

This is not to say that presidents do not gain influence from the use of political actings. In fact, whether the president used a political acting in the year prior to the survey's administration had a strong, positive, and statistically significant effect on presidential influence. As shown in Figure 4.8, it is only after the most proximate position is vacant for a lengthy period, about 40 months, that the positive effect of political actings is nullified. Given the limitations on acting service,[28] it is highly unlikely that a political acting could serve for this length of time. Therefore, these results suggest that presidents, in the short term, can gain in influence over agency policymaking by selecting political acting officials during vacant periods. This provides confirmation of the efficacy of presidential acting strategy suggested by other scholars (Kinane, 2021; Piper, 2022b).

A few other results stand out across model specifications. First, President Trump's White House was significantly more influential than President Bush's. This stands in conflict with existing accounts of an ineffectual Trump administration. Second, agencies connected to the president's policy agenda and those ideologically opposed to the president consistently reported higher levels of White House policy influence. This provides further evidence that presidents are more focused on controlling agencies with an ideological bent against their own and may be more likely to neglect agencies that tend to perform non-ideological tasks and tasks that are off their agenda. The neglect of certain types of agencies by presidents should raise concerns

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[28]Individuals placed in an acting position may serve for a temporary period of 210 days. This period will be extended if a presidential nomination to fill the position is made.

Figure 4.8: Predicted Level of White House Influence Given Most Proximate PAS Vacancy Length and President's Use of Political Acting (Yr. Prior) (Model 5 of Table 1)
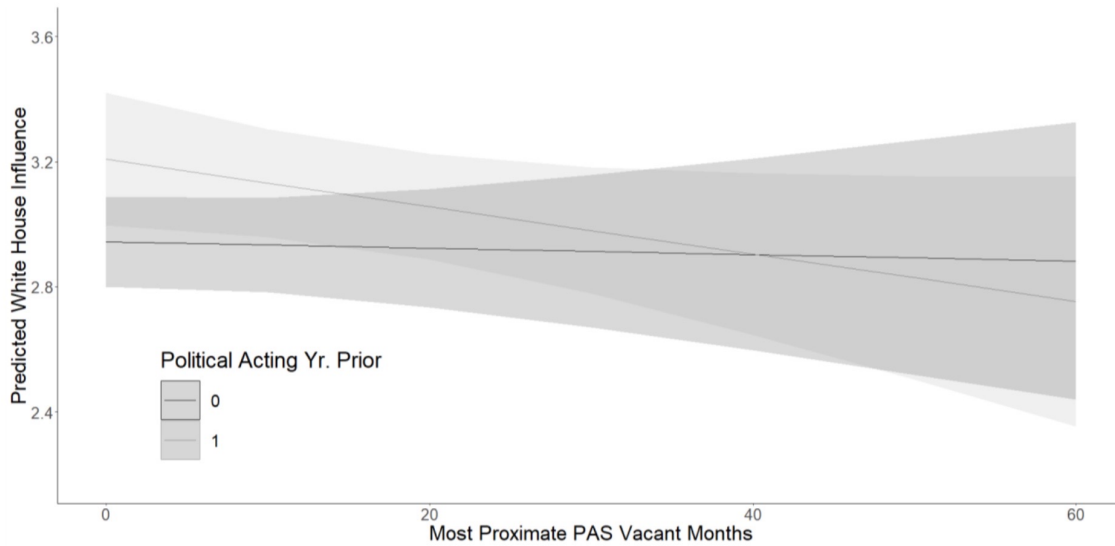
Note: Y-Axis truncated to the range of agency averages of White House Influence between the 10th and 90th percentiles.

for agency performance and the health of the administrative state (Piper and Lewis, 2022).

4.6 Conclusion

President Biden entered office knowing that his nominees to Senate confirmed positions would face significant confirmation delays (Pfiffner, 2021; Kumar, 2021). Therefore, rather than focusing solely on the selection of nominees to Senate-confirmed positions, the president's transition team prioritized the placement of non-Senate confirmed appointees, individuals that are selected unilaterally and that could take their positions on day one of the Biden administration (Pfiffner, 2021; Kumar, 2021). Biden, then, selected many of these non-Senate confirmed appointees to serve as acting officials in vacant Senate-confirmed positions (Piper, 2022b). Combined, these strategies allowed the incoming president to gain a foothold over the sprawling administrative state in the early days of his administration.

There is growing concern among scholars and the media about the increased prevalence of vacancies in PAS positions. These trends have led some experts to claim that the traditional route of appointments through presidential nomination and Senate confirmation is broken and that reform is needed to reduce the number and length of vacancies (Stier, 2021). Others worry that vacancies may diminish democratic accountability within the administrative state (O'Connell, 2009; Lewis et al., 2018).

The results in this paper indicate that the effect of vacancies for presidents is conditioned on the presence of other appointees overseeing the agency and the degree of politicization in the agency. When there is no

Senate confirmed appointee overseeing an agency, vacancies in the position closest to the agency are more harmful to presidential influence. In contrast, when an agency is highly politicized, vacancies are associated with increased presidential control. This suggests that Biden's politicization strategy should attenuate the effects of the large number of lengthy vacancies his administration continues to face.

Several implications emerge from this analysis. First and foremost, vacancies in Senate-confirmed positions are not necessarily problematic for democratic accountability within the administrative state. Instead, presidents have developed new strategies in the face of vacancies that allow them to assert as much or more control over administrative policymaking during vacant periods. Second, because presidents can garner greater influence over agency policymaking through the use of non-Senate confirmed appointees, presidents may have an incentive to delay nominations and to leave Senate-confirmed positions vacant for lengthy periods of time. This will especially be the case as the costs in time and resources of confirmation increase over time and helps to explain the declining pace at which presidents make nominations (Lewis and Richardson, 2021). Finally, presidents are resilient in their ability to assert control over administrative agencies in the face of constraint from the Senate. Rather than increased confirmation delays and decreased Senatorial deference in the appointments process shifting power away from presidents, presidents have found alternative means to exert influence. This provides presidents with enormous unilateral authority that is at odds with our separation of powers system of government.

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CHAPTER 5

Appendix

5.1 Chapter 2 Appendix

5.1.1 Transition Frequency Tables

Table 5.1: Obama Transition Frequency Table

		To				
		1	*2*	*3*	*4*	*5*
From	1	561	118	55	9	63
	2	0	36	0	4	108
	3	5	1	78	18	20
	4	0	1	0	14	18

Note: Each cell represents the number of transitions observed across all quarters from the Obama administration, with the origin state on the y-axis of the table and the destination state on the x-axis of the table. For example, there are 118 observations of the transition from State 1 to State 2 and 78 observations of positions remaining in State 3 across quarters.

Table 5.2: Trump Transition Frequency Table

		To				
		1	*2*	*3*	*4*	*5*
From	1	830	166	65	16	0
	2	1	218	0	24	109
	3	10	1	78	33	0
	4	0	6	0	50	40

Note: Each cell represents the number of transitions observed across all quarters from the Trump administration, with the origin state on the y-axis of the table and the destination state on the x-axis of the table. For example, there are 65 observations of the transition from State 1 to State 3 and 50 observations of positions remaining in State 4 across quarters.

Table 5.3: Biden Transition Frequency Table

		To				
		1	*2*	*3*	*4*	*5*
From	1	390	145	112	16	8
	2	0	110	2	11	111
	3	7	5	105	71	13
	4	0	2	0	64	48

Note: Each cell represents the number of transitions observed across all quarters from the Biden administration, with the origin state on the y-axis of the table and the destination state on the x-axis of the table. For example, there are 11 observations of the transition from State 2 to State 4 and 390 observations of positions remaining in State 1 across quarters.

5.1.2 Transition Probability Matrices

Table 5.4: Obama One-Quarter (90-Day) Transition Probability Matrix

		To				
		1	*2*	*3*	*4*	*5*
From	1	0.543	0.183	0.094	0.022	0.158
	2	0.001	0.295	0.001	0.023	0.680
	3	0.049	0.020	0.587	0.177	0.167
	4	0.005	0.025	0.005	0.404	0.561

Note: Each cell represents the probability of a position in the Obama administration being in a particular state in 90 days conditional on the origin state. The origin state is on the y-axis of the table and the destination state is on the x-axis of the table. For example, if a position is within State 1, there is a 9.4% chance that the position will be in State 3 in 90 days.

Table 5.5: Trump One-Quarter (90-Day) Transition Probability Matrix

		To				
		1	2	3	4	5
From	1	0.667	0.194	0.082	0.26	0.031
	2	0.001	0.711	0.001	0.065	0.223
	3	0.082	0.026	0.595	0.243	0.054
	4	0.008	0.064	0.002	0.634	0.292

Note: Each cell represents the probability of a position in the Trump administration being in a particular state in 90 days conditional on the origin state. The origin state is on the y-axis of the table and the destination state is on the x-axis of the table. For example, if a position is within State 1, there is a 66.7% chance that the position will still be in State 1 in 90 days.

Table 5.6: Biden One-Quarter (90-Day) Transition Probability Matrix

		To				
		1	2	3	4	5
From	1	0.539	0.201	0.163	0.048	0.049
	2	0.001	0.667	0.007	0.027	0.298
	3	0.036	0.026	0.559	0.306	0.072
	4	0.001	0.018	0.002	0.672	0.307

Note: Each cell represents the probability of a position in the Biden administration being in a particular state in 90 days conditional on the origin state. The origin state is on the y-axis of the table and the destination state is on the x-axis of the table. For example, if a position is within State 1, there is a 4.9% chance that the position will still be in State 5 in 90 days.

5.1.3 President Subset Models

Table 5.7: Presidential Appointment Status Change Probabilities (Obama Administration): Default Acting Officials to Non-Default Acting Officials to Confirmed Nominees

| | Type of Transition | | | | | |
| | Transition to Strategic Acting | | Transition to Nomination | | Transition to Confirmation | |
	1 to 3	2 to 4	1 to 2	3 to 4	2 to 5	4 to 5
Ideological Opponent	1.535	0.606	0.847	2.554**	0.996	0.996
	(0.873, 2.699)	(0.070, 5.217)	(0.590, 1.215)	(1.163, 5.606)	(0.684, 1.449)	(0.423, 2.344)
Priority Agency	1.303	1.974	1.502**	0.715	0.879	1.245
	(0.752, 2.258)	(0.244, 15.942)	(1.096, 2.059)	(0.331, 1.544)	(0.623, 1.240)	(0.526, 2.949)
High-Status	1.971	0.348	1.547*	1.920	3.685**	2.268
	(0.865, 4.490)	(0.002, 59.512)	(0.928, 2.578)	(0.630, 5.856)	(2.454, 5.533)	(0.542, 9.497)
Observations	1,400	1,400	1,400	1,400	1,400	1,400

Note: Due to the smaller number of observed transitions for each transition type and the large number of parameters that need to be estimated, the model would not converge with too many covariates. Therefore, this model only includes controls for Cabinet and Chair Ideology (not reported in table). Below each hazard ratio, the 95% confidence interval is reported. Hazard ratios significant at the 0.1 p-value threshold are denoted with *, and those significant at the 0.05 p-value threshold are denoted with **.

Table 5.8: Presidential Appointment Status Change Probabilities (Trump Administration): Default Acting Officials to Non-Default Acting Officials to Confirmed Nominees

	Type of Transition					
	Transition to Strategic Acting		Transition to Nomination		Transition to Confirmation	
	1 to 3	2 to 4	1 to 2	3 to 4	2 to 5	4 to 5
Ideological Opponent	1.272	4.077*	0.624**	0.795	0.940	0.789
	(0.667, 2.425)	(0.858, 19.364)	(0.416, 0.936)	(0.298, 2.124)	(0.507, 1.744)	(0.128, 4.851)
Ideological Ally	1.119	2.292	1.031	0.635	0.930	2.138
	(0.558, 2.246)	(0.492, 10.681)	(0.691, 1.538)	(0.200, 2.013)	(0.536, 1.614)	(0.411, 11.115)
Priority Agency	1.262	1.420	1.316	0.623	1.280	0.583
	(0.579, 2.752)	(0.384, 5.244)	(0.774, 2.236)	(0.194, 2.005)	(0.620, 2.642)	(0.197, 1.723)
High-Status	2.320*	2.115*	3.006**	6.896**	2.165**	2.151**
	(0.949, 5.671)	(0.876, 5.107)	(1.811, 4.990)	(2.634, 18.057)	(1.343, 3.489)	(1.048, 4.418)
Observations	2,005	2,005	2,005	2,005	2,005	2,005

Note: Due to the smaller number of observed transitions for each transition type and the large number of parameters that need to be estimated, the model would not converge with too many covariates. Therefore, this model only includes controls for Cabinet and Chair Ideology (not reported in table). Below each hazard ratio, the 95% confidence interval is reported. Hazard ratios significant at the 0.1 p-value threshold are denoted with *, and those significant at the 0.05 p-value threshold are denoted with **.

Table 5.9: Presidential Appointment Status Change Probabilities (Biden Administration): Default Acting Officials to Non-Default Acting Officials to Confirmed Nominees

	Type of Transition					
	Transition to Strategic Acting		Transition to Nomination		Transition to Confirmation	
	1 to 3	2 to 4	1 to 2	3 to 4	2 to 5	4 to 5
Ideological Opponent	1.003	7.711	1.078	1.250	1.121	1.729
	(0.604, 1.665)	(0.221, 269.229)	(0.667, 1.744)	(0.626, 2.493)	(0.649, 1.934)	(0.716, 6.245)
Ideological Ally	0.964	9.996	1.150	1.465	0.893	2.794**
	(0.590, 1.576)	(0.297, 335.876)	(0.725, 1.822)	(0.824, 2.604)	(0.522, 1.527)	(1.102, 7.087)
Priority Agency	1.758**	0.883	0.972	0.810	0.917	0.826
	(1.174, 2.633)	(0.192, 4.053)	(0.658, 1.436)	(0.461, 1.421)	(0.591, 1.422)	(0.392, 1.739)
High-Status	3.633**	5.448**	2.184*	1.724	3.447**	3.156**
	(1.788, 7.382)	(1.292, 22.968)	(0.991, 4.813)	(0.835, 3.558)	(2.208, 5.383)	(1.316, 7.567)
Observations	1,580	1,580	1,580	1,580	1,580	1,580

Note: Due to the smaller number of observed transitions for each transition type and the large number of parameters that need to be estimated, the model would not converge with too many covariates. Therefore, this model only includes controls for Cabinet and Chair Ideology (not reported in table). Below each hazard ratio, the 95% confidence interval is reported. Hazard ratios significant at the 0.1 p-value threshold are denoted with *, and those significant at the 0.05 p-value threshold are denoted with **.

5.2 Chapter 3 Appendix

5.2.1 Models of Priority Goal Elimination

Table 5.10: Models of Priority Goal Elimination

	Dependent variable:			
	Priority Goal Elimination			
	(1)	(2)	(3)	(4)
Administration Change	1.450***	1.740*	0.544	0.760
	(0.317)	(0.961)	(1.620)	(1.630)
% Confirmed End Y1		0.590	0.192	0.434
		(1.187)	(1.602)	(1.643)
Conservative			0.888	1.191
			(0.708)	(0.805)
Liberal			−0.097	−0.071
			(0.727)	(0.734)
SMOG				0.007
				(0.021)
Department				0.242
				(0.436)
Log Employment				−0.190
				(0.170)
Administration Change:% Confirmed End Y1		−0.269	0.407	0.247
		(1.535)	(1.917)	(1.925)
Administration Change:Conservative			0.280	0.186
			(0.994)	(0.998)
Administration Change:Liberal			1.255	1.173
			(0.937)	(0.939)
Constant	−0.916***	−1.327	−1.167	0.201
	(0.232)	(0.863)	(1.469)	(2.069)
Observations	183	183	183	183

Note: *p<0.1; **p<0.05; ***p<0.01

5.2.2 Multinomial Models of Strategic Goal Change

Table 5.11: Multinomial Models of Strategic Goal Change

	Dependent variable:							
	Changed	Eliminated	Changed	Eliminated	Changed	Eliminated	Changed	Eliminated
	Model 1		Model 2		Model 3		Model 4	
% Confirmed End Y1	2.942***	3.490***	2.237***	2.722***	2.076***	2.586***	0.633	1.489*
	(0.685)	(0.852)	(0.738)	(0.900)	(0.734)	(0.891)	(0.788)	(0.905)
Conservative			1.197**	0.912	1.127*	0.875	0.979	0.858
			(0.591)	(0.705)	(0.596)	(0.708)	(0.679)	(0.769)
Liberal			0.531	0.246	0.495	0.160	−0.071	−0.435
			(0.352)	(0.476)	(0.360)	(0.484)	(0.409)	(0.536)
Priority Goal					1.017	0.390	−0.002	−0.563
					(0.689)	(0.875)	(0.891)	(1.046)
SMOG					−0.014	−0.027	0.005	−0.010
					(0.015)	(0.022)	(0.017)	(0.022)
Department							1.165	2.414**
							(0.775)	(0.956)
Board or Commission							−0.959**	−0.276
							(0.440)	(0.602)
Log Employment							0.311***	0.051
							(0.108)	(0.141)
Constant	−0.427**	−1.678***	−0.612**	−1.613***	−0.322	−0.961	−2.217**	−1.450
	(0.199)	(0.301)	(0.275)	(0.383)	(0.476)	(0.640)	(0.959)	(1.195)

Note: $^{*}p<0.1$; $^{**}p<0.05$; $^{***}p<0.01$

5.2.3 Models of Strategic Goal Elimination

Table 5.12: Models of Strategic Goal Elimination

	Dependent variable:			
	Strategic Goal Elimination			
	(1)	(2)	(3)	(4)
% Confirmed End Y1	1.586**	1.295*	1.290*	1.162
	(0.669)	(0.719)	(0.719)	(0.797)
Conservative		0.118	0.122	0.082
		(0.543)	(0.548)	(0.601)
Liberal		−0.030	−0.101	−0.311
		(0.434)	(0.441)	(0.474)
Priority Goal			−0.366	−0.662
			(0.671)	(0.710)
SMOG			−0.020	−0.017
			(0.020)	(0.020)
Department				1.243*
				(0.707)
Board or Commission				0.254
				(0.564)
Log Employment				−0.117
				(0.130)
Constant	−2.126***	−1.980***	−1.482**	−0.968
	(0.281)	(0.358)	(0.588)	(1.093)
Observations	219	203	203	203

Note: *p<0.1; **p<0.05; ***p<0.01

5.2.4 Coding of Agency Priority, Trump Administration, 2017

Table 5.13: Coding of Agency Priority, Trump Administration, 2017

Policy Issue	Agency--Department Level	Agency--Bureau Level
Term limits	Department of Justice	
Hiring freeze	Office of Personnel Management	
Regulatory policy	Office of Management and Budget	Office of Information and Regulatory Affairs (OMB)
Ethics	Office of Government Ethics	
NAFTA	Office of the United States Trade Representative; Department of State	Economic Growth, Energy, and the Environment (STAT); Bureau of Economic and Business Affairs (STAT)
TPP	Office of the United States Trade Representative; Department of State	Economic Growth, Energy, and the Environment (STAT); Bureau of Economic and Business Affairs (STAT)
Currency Manipulation	Department of the Treasury	International Affairs (TREAS)
Trade Abuses	Department of the Treasury; Department of Commerce; Office of the United States Trade Representative; Department of State; US Agency for International Development, US International Trade Commission, US Trade and Development Agency, Department of Agriculture	International Trade Administration, Foreign Agricultural Service, Bureau of Industry and Security, U.S. Commercial Service, Trade Adjustment Assistance, Treasury (International), International Affairs (Energy), EPA (International Programs)
Energy production	Department of the Interior; Department of Energy	Office of Fossil Energy; Bureau of Ocean Energy Management; Office of Surface Mining and Enforcement; Bureau of Land Management; Land and Minerals Management
Keystone Pipeline	Department of State	
Climate Change	Environmental Protection Agency; Department of State; Department of Commerce; Council on Environmental Quality	National Oceanic and Atmospheric Administration
Executive Orders	Department of Justice	Office of Legal Counsel (DOJ)
Gorsuch Nomination	Department of Justice	Office of Justice Policy (DOJ)
Sanctuary Cities	Department of Justice	
Immigration enforcement	Department of Homeland Security	Immigration and Customs Enforcement; Citizenship and Immigration Services; Customs and Border Protection
Visas	Department of State; Department of Homeland Security	Bureau of Consular Affairs; Citizenship and Immigration Services
Tax Relief	Department of the Treasury; Council of Economic Advisers	Tax Section; Internal Revenue Service
Offshoring	Department of the Treasury	Internal Revenue Service
Infrastructure	Department of Transportation; Department of Defense; Environmental Protection Agency; Department of Veterans Affairs; Department of Agriculture	Federal Highway Administration, Federal Transit Administration, Federal Railroad Administration, Army Corps of Engineers; Federal Aviation Administration; Maritime Administration; Veterans Health Administration; EPA (Water Infrastructure); Rural Development (USDA)
School choice	Department of Education	Office of Elementary and Secondary Education
Obamacare	Department of Health and Human Services	Centers for Medicare and Medicaid Services
Childcare and eldercare	Department of Treasury	Internal Revenue Service
Border wall	Department of Homeland Security	Customs and Border Protection; Immigration and Customs Enforcement
Violent crime	Department of Justice	
Military Spending	Department of Defense	Comptroller; Department of the Army; Department of the Navy; Department of the Air Force
Veterans	Department of Veterans Affairs	Veterans Health Administration
Cyber security	Department of Defense; Department of Homeland Security; Central Intelligence Agency; Office of the Director of National Intelligence	National Security Agency
Red tape at FDA	Department of Health and Human Services	Food and Drug Administration
Medicaid	Department of Health and Human Services	Centers for Medicare and Medicaid Services

5.3 Chapter 4 Appendix

5.3.1 Additional Information on the Survey on the Future of Government Service

I use the results from the 2007, 2014, and 2020 Survey on the Future of Government Service (SFGS), an online and paper survey of US-based federal executive.[1] This includes all political appointees, career members of the SES, and senior Foreign Service officers serving domestically. The survey sample also included other high-level managers that administered key programs or offices. The response rates were 33% (2,225 of 6,690), 24% (3,551 of 14,698), and 9.1% (1,485 of 16,232) for the 2007, 2014, and 2020 surveys respectively. All analysis includes survey weights to ensure that survey responses are representative of the target population.[2]

Respondents were asked: "In general, how much influence do you think the following groups [White House; political appointees; OMB] have over policy decisions in [your agency]?" Respondents were given a sliding scale from 1-None to 5-A great deal. They could also indicate a "Don't know" response. Respondents selected a workplace from a dropdown menu at the start of the survey and this workplace replaced the [your agency] portion of the question above.

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[1] See sfgs.princeton.edu

[2] Survey researchers created post-stratification weights using iterative proportional fitting. They used the sample drawn from the Leadership Directories' Federal Government database to create population marginals. The characteristics they used for weighting are: 1) Whether a respondent worked in the DC area (the District of Columbia, Maryland, and Virginia); 2) Position type (political appointees, career members of the SES, member of the Senior Foreign Service, and career civil servant); 3) Workplace location in the executive branch (the Executive Office of the President, each cabinet department, and independent agencies (as a unit)).

5.3.2 Agency-Year Pairings Included in the Sample

Table 5.14: Agency-Year Pairings Included in the Sample Part 1

Cluster	Agency	2007	2014	2020
Department of Agriculture	Agricultural Marketing Service	X	X	X
Department of Agriculture	Agricultural Research Service	X	X	X
Department of Agriculture	Animal and Plant Health Inspection Service	X	X	
Department of Agriculture	Economic Research Service		X	
Department of Agriculture	Farm Service Agency	X	X	X
Department of Agriculture	Food and Nutrition Service	X	X	X
Department of Agriculture	Food Safety and Inspection Service		X	
Department of Agriculture	Foreign Agricultural Service		X	X
Department of Agriculture	Forest Service	X	X	X
Department of Agriculture	National Agricultural Statistics Service	X		
Department of Agriculture	National Institute of Food and Agriculture		X	
Department of Agriculture	Natural Resources Conservation Service	X	X	X
Department of Agriculture	Risk Management Agency		X	X
Department of Agriculture	Rural Housing Service		X	
Department of Agriculture	Department of Agriculture		X	
Department of Commerce	Bureau of Industry and Security		X	
Department of Commerce	Economic Development Administration		X	
Department of Commerce	Economic and Statistics Administration	X	X	
Department of Commerce	International Trade Administration	X	X	X
Department of Commerce	National Institute of Standards and Technology	X	X	X
Department of Commerce	National Oceanic and Atmospheric Administration	X	X	X
Department of Commerce	National Telecommunications and Information Administration		X	
Department of Commerce	U.S. Census Bureau			X
Department of Commerce	U.S. Patent and Trademark Office		X	X
Department of Commerce	Department of Commerce		X	X
Department of Defense	Air Force	X	X	X
Department of Defense	Army	X	X	X
Department of Defense	Defense Commissary Agency		X	
Department of Defense	Defense Contract Audit Agency		X	
Department of Defense	Defense Finance and Accounting Service		X	
Department of Defense	Defense Information Systems Agency	X		
Department of Defense	Join Chiefs of Staff	X	X	
Department of Defense	Navy	X	X	X
Department of Defense	Department of Defense		X	X
Department of Education	Institute of Education Sciences		X	X
Department of Education	Office of Elementary and Secondary Education	X	X	
Department of Education	Office of Federal Student Aid		X	

Table 5.15: Agency-Year Pairings Included in the Sample Part 2

Department of Education	Office of Postsecondary Education		X	
Department of Education	Office of Special Education and Rehabilitative Services		X	
Department of Energy	Energy Information Administration	X	X	
Department of Energy	National Nuclear Security Administration	X	X	X
Department of Energy	Office of Energy Efficiency and Renewable Energy	X		X
Department of Energy	Office of Environmental Management		X	
Department of Energy	Office of Nuclear Energy		X	
Department of Energy	Office of Science	X	X	X
Department of Energy	Department of Energy		X	
Department of Health and Human Services	Administration for Children and Families	X	X	X
Department of Health and Human Services	Agency for Healthcare Research and Quality		X	
Department of Health and Human Services	Centers for Disease Control and Prevention	X	X	X
Department of Health and Human Services	Centers for Medicare and Medicaid Services	X	X	X
Department of Health and Human Services	Food and Drug Administration	X	X	X
Department of Health and Human Services	Health Resources and Services Administration	X	X	
Department of Health and Human Services	Indian Health Service	X	X	X
Department of Health and Human Services	National Institutes of Health	X	X	X
Department of Health and Human Services	Substance Abuse and Mental Health Services Administration		X	
Department of Health and Human Services	Department of Health and Human Services		X	X
Department of Homeland Security	Coast Guard		X	X
Department of Homeland Security	Federal Emergency Management Agency	X	X	X
Department of Homeland Security	Transportation Security Administration		X	
Department of Homeland Security	U.S. Citizenship and Immigration Services		X	
Department of Homeland Security	U.S. Customs and Border Protection	X	X	
Department of Homeland Security	U.S. Immigration and Customs Enforcement		X	
Department of Homeland Security	Department of Homeland Security		X	
Department of Housing and Urban Development	Federal Housing Administration/Office of Housing			X

Table 5.16: Agency-Year Pairings Included in the Sample Part 3

Department of Housing and Urban Development	Government National Mortgage Association		X	
Department of Housing and Urban Development	Office of Housing	X	X	
Department of Housing and Urban Development	Office of Public and Indian Housing	X	X	X
Department of Justice	Bureau of Alcohol, Tobacco, Firearms, and Explosives		X	
Department of Justice	Bureau of Prisons	X		
Department of Justice	Drug Enforcement Administration		X	
Department of Justice	Executive Office for United States Attorneys		X	
Department of Justice	Federal Bureau of Investigation		X	
Department of Justice	Office of Justice Programs	X	X	X
Department of Justice	U.S. Marshals Service		X	X
Department of Labor	Bureau of International Labor Affairs		X	
Department of Labor	Bureau of Labor Statistics	X	X	X
Department of Labor	Employee Benefits Security Administration		X	
Department of Labor	Employment and Training Administration	X	X	
Department of Labor	Mine Safety and Health Administration		X	
Department of Labor	Occupational Safety and Health Administration	X	X	X
Department of Labor	Office of Federal Contract Compliance Programs		X	
Department of Labor	Veterans' Employment and Training Service			X
Department of Labor	Wage and Hour Division		X	X
Department of Labor	Department of Labor		X	
Department of State	Arms Control and International Security		X	X
Department of State	Bureau of Consular Affairs		X	X
Department of State	Bureau of Diplomatic Security		X	X
Department of State	Civilian Security, Democracy, and Human Rights		X	
Department of State	Economic Growth, Energy, and the Environment		X	X
Department of State	Management			X
Department of State	Political Affairs	X	X	X
Department of State	Public Diplomacy and Public Affairs	X	X	X
Department of State	Under Secretary for Democracy and Global Affairs	X		
Department of State	Under Secretary for Economic, Energy, and Agricultural Affairs	X		
Department of State	Department of State		X	X
Department of the Interior	Bureau of Indian Affairs		X	X

Table 5.17: Agency-Year Pairings Included in the Sample Part 4

Department of the Interior	Bureau of Land Management	X	X	
Department of the Interior	Bureau of Ocean Energy Management		X	
Department of the Interior	Bureau of Reclamation		X	X
Department of the Interior	Minerals Management Service	X		
Department of the Interior	National Park Service	X	X	X
Department of the Interior	Office of Surface Mining Reclamation and Enforcement		X	
Department of the Interior	U.S. Fish and Wildlife Service	X	X	
Department of the Interior	U.S. Geological Survey	X	X	X
Department of the Interior	Department of the Interior		X	X
Department of the Treasury	Bureau of Engraving and Printing		X	
Department of the Treasury	Bureau of the Fiscal Service		X	X
Department of the Treasury	Internal Revenue Service	X	X	X
Department of the Treasury	Office of the Comptroller of the Currency		X	
Department of the Treasury	U.S. Mint		X	
Department of the Treasury	Department of the Treasury		X	
Department of Transportation	Federal Aviation Administration	X	X	X
Department of Transportation	Federal Highway Administration	X	X	X
Department of Transportation	Federal Motor Carrier Safety Administration	X	X	
Department of Transportation	Federal Railroad Administration		X	X
Department of Transportation	Federal Transit Administration	X	X	X
Department of Transportation	Maritime Administration	X	X	X
Department of Transportation	National Highway Traffic Safety Administration	X	X	
Department of Transportation	Pipeline and Hazardous Materials Safety Administration		X	
Department of Transportation	Research and Innovative Technology Administration		X	
Department of Transportation	Department of Transportation		X	X
Department of Veterans Affairs	Veterans Benefits Administration	X	X	
Department of Veterans Affairs	Veterans Health Administration	X	X	X
Department of Veterans Affairs	Department of Veterans Affairs		X	X
Executive Office of the President	Office of Management and Budget		X	X
Executive Office of the President	Office of Science and Technology Policy		X	
Executive Office of the President	Office of the United States Trade Representative		X	X
Independent Agency	Consumer Financial Protection Bureau		X	X
Independent Agency	Corporation for National and Community Service	X	X	X
Independent Agency	Environmental Protection Agency	X	X	X
Independent Agency	Federal Mediation and Conciliation Service			X
Independent Agency	General Services Administration	X	X	X

Table 5.18: Agency-Year Pairings Included in the Sample Part 5

Independent Agency	Institute of Museum and Library Services	X		
Independent Agency	National Aeronautics and Space Administration	X	X	X
Independent Agency	National Archives and Records Administration	X	X	X
Independent Agency	National Science Foundation		X	X
Independent Agency	Office of Personnel Management	X	X	X
Independent Agency	Office of the Director of National Intelligence		X	
Independent Agency	Overseas Private Investment Corporation		X	
Independent Agency	Peace Corps	X	X	X
Independent Agency	Small Business Administration	X	X	
Independent Agency	Social Security Administration	X	X	X
Independent Agency	U.S. Agency for International Development	X	X	X
Independent Agency	U.S. Trade and Development Agency		X	

5.3.3 Models of Presidential Agent Influence

5.3.3.1 Models of Political Appointee Influence

Table 5.19: Models of Political Appointee Influence

	Average Effect	Hierarchy		Teams	Actings
	Model 1	Model 2	Model 3	Model 4	Model 5
Most Proximate PAS Vacant Months	0.0010	0.0016	0.0079	−0.0016	0.0017
	(0.0028)	(0.0009)	(0.0049)	(0.0023)	(0.0034)
Most Prox. PAS Vacant Months:Bureau		−0.0007			
		(0.0032)			
Higher Up PAS Vacant Months			0.0074**		
			(0.0029)		
Most Prox. PAS Vacant Months:Higher Up PAS Vacant Months			−0.0004*		
			(0.0002)		
Politicization %				0.0052	
				(0.0063)	
Most Prox. PAS Vacant Months:Politicization %				0.0004*	
				(0.0002)	
Political Acting (Yr. Prior)					0.1894*
					(0.1014)
Most Prox. PAS Vacant Months:Political Acting (Yr. Prior)					−0.0037
					(0.0038)
Priority	0.0910*	0.0924	0.0617	0.0725	0.0740
	(0.0507)	(0.0554)	(0.0663)	(0.0552)	(0.0520)
EOP	0.4313***	0.4397***		0.1167	0.4437***
	(0.0669)	(0.0431)		(0.2463)	(0.0642)
Department	0.2816***	0.2920***		0.2976***	0.2935***
	(0.0770)	(0.0693)		(0.0661)	(0.0916)
Bureau	−0.3676***	−0.3624***		−0.3932***	−0.3797***
	(0.0749)	(0.0855)		(0.0649)	(0.0871)
Ideological Opponent	0.0978	0.0970*	0.0898	0.0664	0.0958
	(0.0561)	(0.0549)	(0.0659)	(0.0597)	(0.0560)
Percent Appointee	0.1136	0.1170	0.1111	−0.1763	0.1119
	(0.2685)	(0.2679)	(0.2982)	(0.2088)	(0.2781)
Obama	−0.0976	−0.0982*	−0.1195*	−0.0659	−0.1148*
	(0.0562)	(0.0551)	(0.0576)	(0.0562)	(0.0576)
Trump	−0.0824	−0.0825	−0.0600	−0.0707	−0.0895
	(0.0610)	(0.0611)	(0.0883)	(0.0599)	(0.0592)
Constant	3.2065***	3.1935***	3.0274***	3.2509***	3.1878***
	(0.0640)	(0.0675)	(0.0671)	(0.0674)	(0.0666)
R^2	0.0999	0.1000	0.0645	0.1404	0.1113
N	230	230	167	198	230

Note: *** p<0.01; ** p<0.05; *p<0.1. Data: Survey on the Future of Government Service, 2007, 2014, and 2020. Dependent variable is weighted average agency response to question: "In general how much influence do you think the following groups [political appointees] have over policy decisions in [your agency]?" (0-4). Model estimated with Ordinary Least Squares and standard errors are clustered by department with independent agencies and agencies within the Executive Office of the President in separate clusters. Model 3 is estimated on the subset of cases from cabinet department bureaus.

5.3.3.2 Models of OMB Influence

Table 5.20: Models of OMB Influence

	Average Effect	Hierarchy		Teams	Actings
	Model 1	Model 2	Model 3	Model 4	Model 5
Most Proximate PAS Vacant Months	−0.0041	−0.0102***	−0.0007	−0.0071**	−0.0038
	(0.0025)	(0.0015)	(0.0046)	(0.0025)	(0.0033)
Most Prox. PAS Vacant Months:Bureau		0.0075***			
		(0.0020)			
Higher Up PAS Vacant Months			0.0053		
			(0.0054)		
Most Prox. PAS Vacant Months:Higher Up PAS Vacant Months			−0.0001		
			(0.0002)		
Politicization %				−0.0272***	
				(0.0086)	
Most Prox. PAS Vacant Months:Politicization %				0.0018***	
				(0.0003)	
Political Acting (Yr. Prior)					0.0634
					(0.0744)
Most Prox. PAS Vacant Months:Political Acting (Yr. Prior)					−0.0014
					(0.0036)
Priority	−0.0300	−0.0479	−0.1017	−0.0917	−0.0349
	(0.0752)	(0.0706)	(0.0798)	(0.0769)	(0.0766)
Department	−0.1742	−0.2782**		−0.1570	−0.1707
	(0.1366)	(0.1234)		(0.1075)	(0.1400)
Bureau	−0.0496	−0.1017		−0.0620	−0.0532
	(0.1297)	(0.1399)		(0.1098)	(0.1323)
Ideological Opponent	0.0175	0.0241	0.0796	−0.0414	0.0173
	(0.0647)	(0.0615)	(0.0621)	(0.0643)	(0.0674)
Percent Appointee	0.2901	0.2558	0.4028*	0.3488	0.2878
	(0.2324)	(0.2443)	(0.2001)	(0.2083)	(0.2327)
Obama	−0.2112**	−0.2066**	−0.2085**	−0.2286**	−0.2163**
	(0.0747)	(0.0756)	(0.0869)	(0.0818)	(0.0753)
Trump	−0.1021	−0.1023	−0.1343	−0.0713	−0.1031
	(0.1105)	(0.1079)	(0.1367)	(0.1014)	(0.1088)
Constant	3.4015***	3.5324***	3.0707***	3.4892***	3.3949***
	(0.0658)	(0.0517)	(0.1406)	(0.0732)	(0.0742)
R^2	0.1005	0.1106	0.0840	0.1548	0.1017
N	220	220	163	190	220

Note: *** $p<0.01$; ** $p<0.05$; *$p<0.1$. Data: Survey on the Future of Government Service, 2007, 2014, and 2020. Dependent variable is weighted average agency response to question: "In general how much influence do you think the following groups [OMB] have over policy decisions in [your agency]?" (0-4). Model estimated with Ordinary Least Squares and standard errors are clustered by department with independent agencies and agencies within the Executive Office of the President in separate clusters. Model 3 is estimated on the subset of cases from cabinet department bureaus.

5.3.3.3 Models of Agency Policy Agenda Change

Table 5.21: Models of Agency Policy Agenda Change

	Average Effect	Hierarchy		Teams	Actings
	Model 1	Model 2	Model 3	Model 4	Model 5
Most Proximate PAS Vacant Months	−0.0032	−0.0103***	−0.0005	−0.0038	0.0011
	(0.0027)	(0.0020)	(0.0069)	(0.0027)	(0.0046)
Most Prox. PAS Vacant Months:Bureau		0.0084**			
		(0.0030)			
Higher Up PAS Vacant Months			0.0040		
			(0.0080)		
Most Prox. PAS Vacant Months:Higher Up PAS Vacant Months			−0.0001		
			(0.0003)		
Politicization %				0.0069	
				(0.0199)	
Most Prox. PAS Vacant Months:Politicization %				0.0003	
				(0.0007)	
Political Acting (Yr. Prior)					0.0082
					(0.1725)
Most Prox. PAS Vacant Months:Political Acting (Yr. Prior)					−0.0069
					(0.0055)
Priority	0.3554**	0.3475**	0.3432*	0.3375**	0.4083**
	(0.1261)	(0.1278)	(0.1704)	(0.1354)	(0.1393)
EOP	0.7852***	0.6374***		0.3617	0.7923***
	(0.1196)	(0.0788)		(0.9492)	(0.1038)
Department	0.8429***	0.6779***		0.8444***	0.8797***
	(0.1054)	(0.1078)		(0.1077)	(0.1266)
Bureau	−0.9049***	−0.9881***		−0.9621***	−0.9637***
	(0.1329)	(0.1251)		(0.1332)	(0.1434)
Ideological Opponent	0.4315***	0.4470***	0.5529***	0.3596**	0.4598***
	(0.1005)	(0.0978)	(0.1319)	(0.1293)	(0.0864)
Percent Appointee	0.2378	0.2385	0.3183	−0.0137	0.2120
	(0.4129)	(0.3945)	(0.5073)	(0.4267)	(0.3978)
Constant	1.8345***	2.0330***	1.6157***	1.8729***	1.7657***
	(0.0886)	(0.0823)	(0.2409)	(0.0955)	(0.0782)
R^2	0.4482	0.4570	0.2394	0.5132	0.4839
N	64	64	45	56	64

Note: *** $p<0.01$; ** $p<0.05$; * $p<0.1$. Data: Survey on the Future of Government Service, 2020. Dependent variable is weighted average agency response to question: "Some agencies' policy agendas changed after the inauguration of President Trump. Other agencies' policy agendas stayed the same. In your experience, how much did the policy agenda of [your agency] change after the inauguration?" (0-3). Model estimated with Ordinary Least Squares and standard errors are clustered by department with independent agencies and agencies within the Executive Office of the President in separate clusters. Model 3 is estimated on the subset of cases from cabinet department bureaus.

5.3.4 Models of Careerist Only Perceptions of White House Influence

Table 5.22: Models of Careerist Only Perceptions of White House Influence

	Average Effect	Hierarchy		Teams	Actings
	Model 1	Model 2	Model 3	Model 4	Model 5
Most Proximate PAS Vacant Months	−0.0026	−0.0156***	−0.0038	−0.0043	−0.0006
	(0.0034)	(0.0016)	(0.0042)	(0.0038)	(0.0044)
Most Prox. PAS Vacant Months:Bureau		0.0151***			
		(0.0021)			
Higher Up PAS Vacant Months			−0.0119		
			(0.0077)		
Most Prox. PAS Vacant Months:Higher Up PAS Vacant Months			0.0002		
			(0.0002)		
Politicization %				0.0122	
				(0.0139)	
Most Prox. PAS Vacant Months:Politicization %				0.0009*	
				(0.0005)	
Political Acting (Yr. Prior)					0.3290**
					(0.1434)
Most Prox. PAS Vacant Months:Political Acting (Yr. Prior)					−0.0082
					(0.0056)
Priority	−0.0363	−0.0627	−0.0455	−0.1047	−0.0301
	(0.0796)	(0.0767)	(0.0750)	(0.0986)	(0.0828)
EOP	0.8463***	0.6961***		−0.1050	0.8458***
	(0.0570)	(0.0366)		(0.5738)	(0.0540)
Bureau	−0.0910	−0.3818***		−0.0928	−0.0915
	(0.0695)	(0.0869)		(0.0586)	(0.0656)
Ideological Opponent	0.0977	0.1140	0.0517	0.0656	0.1025
	(0.0772)	(0.0770)	(0.0924)	(0.0750)	(0.0750)
Obama	0.0496	0.0695	0.0988	0.0461	0.0229
	(0.0749)	(0.0820)	(0.0946)	(0.0868)	(0.0726)
Trump	0.1422	0.1592	0.2139	0.2022	0.1264
	(0.1144)	(0.1138)	(0.1576)	(0.1323)	(0.1064)
Constant	3.0041***	3.2456***	3.0190***	2.9628***	2.9493***
	(0.0665)	(0.0522)	(0.1294)	(0.0924)	(0.0815)
R^2	0.0843	0.1072	0.0372	0.1383	0.1033
N	196	196	178	168	196

Note: *** $p<0.01$; ** $p<0.05$; *$p<0.1$. Data: Survey on the Future of Government Service, 2007, 2014, and 2020. Dependent variable is weighted average agency response to question: "In general how much influence do you think the following groups [White House] have over policy decisions in [your agency]?" (0-4). Model estimated with Ordinary Least Squares and standard errors are clustered by department with independent agencies and agencies within the Executive Office of the President in separate clusters. Model 3 is estimated on the subset of cases from cabinet department bureaus.

5.3.5 Alternate Model Specifications and Robustness Checks

Table 5.23: Base, Hierarchy Interaction, Politicization Interaction, and Acting Interaction Models Priority Agency Subset

	Average Effect	Hierarchy		Teams	Actings
	Model 1	Model 2	Model 3	Model 4	Model 5
Most Proximate PAS Vacant Months	0.0031	−0.0006	0.0211***	−0.0012	0.0071
	(0.0055)	(0.0042)	(0.0050)	(0.0067)	(0.0043)
Most Prox. PAS Vacant Months:Bureau		0.0040			
		(0.0082)			
Higher Up PAS Vacant Months			0.0044		
			(0.0194)		
Most Prox. PAS Vacant Months:Higher Up PAS Vacant Months			−0.0009**		
			(0.0003)		
Politicization %				0.0082	
				(0.0154)	
Most Prox. PAS Vacant Months:Politicization %				0.0007	
				(0.0006)	
Political Acting (Yr. Prior)					0.2947
					(0.3107)
Most Prox. PAS Vacant Months:Political Acting (Yr. Prior)					−0.0097
					(0.0097)
EOP	0.6247***	0.5998***		−0.1658	0.6275***
	(0.0689)	(0.0949)		(0.6462)	(0.0742)
Bureau	−0.2253*	−0.2863		−0.2893*	−0.2316*
	(0.1277)	(0.2078)		(0.1592)	(0.1301)
Ideological Opponent	0.0964	0.1046	0.1611	−0.0248	0.1320
	(0.1159)	(0.1276)	(0.1270)	(0.1728)	(0.1182)
Percent Appointee	0.2762	0.2625	0.3870	−0.5941	0.2301
	(0.3450)	(0.3570)	(0.5933)	(0.9876)	(0.3547)
Obama	0.2013	0.2090	0.2118	0.2267	0.1882
	(0.1786)	(0.1861)	(0.2560)	(0.2502)	(0.1828)
Trump	0.5389***	0.5458**	0.8393***	0.5656***	0.4969**
	(0.1804)	(0.1873)	(0.2362)	(0.1740)	(0.1853)
Constant	2.8371***	2.8829***	2.3649***	2.9641***	2.7539***
	(0.1438)	(0.0935)	(0.3100)	(0.2510)	(0.1422)
R^2	0.2411	0.2419	0.2690	0.2926	0.2580
N	68	68	49	60	68

Note: *** $p<0.01$; ** $p<0.05$; *$p<0.1$. Data: Survey on the Future of Government Service, 2007, 2014, and 2020. Dependent variable is weighted average agency response to question: "In general how much influence do you think the following groups [White House] have over policy decisions in [your agency]?" (0-4). Model estimated with Ordinary Least Squares and standard errors are clustered by department with independent agencies and agencies within the Executive Office of the President in separate clusters. Model 3 is estimated on the subset of cases from cabinet department bureaus.

Table 5.24: Base, Hierarchy Interaction, Politicization Interaction, and Acting Interaction Models with P.R. Independence Control (Selin, 2015)

	Average Effect	Hierarchy		Teams	Actings
	Model 1	Model 2	Model 3	Model 4	Model 5
Most Proximate PAS Vacant Months	−0.0039	−0.0133***	0.0031	−0.0046	−0.0019
	(0.0029)	(0.0031)	(0.0048)	(0.0027)	(0.0033)
Most Prox. PAS Vacant Months:Bureau		0.0125***			
		(0.0042)			
Higher Up PAS Vacant Months			0.0030		
			(0.0070)		
Most Prox. PAS Vacant Months:Higher Up PAS Vacant Months			−0.0002		
			(0.0003)		
Politicization %				0.0019	
				(0.0057)	
Most Prox. PAS Vacant Months:Politicization %				0.0007*	
				(0.0004)	
Political Acting (Yr. Prior)					0.2420**
					(0.1109)
Most Prox. PAS Vacant Months:Political Acting (Yr. Prior)					−0.0077
					(0.0050)
Priority	0.1334	0.1219	0.1310	0.0674	0.1239*
	(0.0765)	(0.0789)	(0.1132)	(0.0811)	(0.0680)
P.R. Ind.	−0.2367**	−0.2174**	−0.1805	−0.1912**	−0.2436**
	(0.0904)	(0.0815)	(0.1553)	(0.0893)	(0.0911)
Bureau	−0.4288***	−0.6325***		−0.3941***	−0.4353***
	(0.1461)	(0.1543)		(0.1330)	(0.1467)
Ideological Opponent	0.1307	0.1389	0.1248	0.1014	0.1329
	(0.0880)	(0.0848)	(0.1137)	(0.0884)	(0.0838)
Percent Appointee	0.4898**	0.3525	0.3157	0.3786	0.5038**
	(0.2244)	(0.2056)	(0.1981)	(0.2260)	(0.2275)
Obama	0.1071	0.0983	0.0123	0.0898	0.0965
	(0.1022)	(0.1064)	(0.1034)	(0.0971)	(0.1006)
Trump	0.2820**	0.2548**	0.1896	0.2580**	0.2856***
	(0.1028)	(0.1041)	(0.1573)	(0.0919)	(0.0977)
Constant	3.0694***	3.2332***	2.6047***	3.0575***	3.0305***
	(0.1770)	(0.2021)	(0.1532)	(0.1665)	(0.1734)
R^2	0.2115	0.2321	0.0578	0.2302	0.2222
N	202	202	140	191	202

Note: *** p<0.01; ** p<0.05; *p<0.1. Data: Survey on the Future of Government Service, 2007, 2014, and 2020. Dependent variable is weighted average agency response to question: "In general how much influence do you think the following groups [White House] have over policy decisions in [your agency]?" (0-4). Model estimated with Ordinary Least Squares and standard errors are clustered by department with independent agencies and agencies within the Executive Office of the President in separate clusters. Model 3 is estimated on the subset of cases from cabinet department bureaus.

Table 5.25: Base, Hierarchy Interaction, Politicization Interaction, and Acting Interaction Models Bush and Obama Subset

	Average Effect	Hierarchy		Teams	Actings
	Model 1	Model 2	Model 3	Model 4	Model 5
Most Proximate PAS Vacant Months	0.0017	−0.0224***	0.0105	−0.0022	−0.0001
	(0.0056)	(0.0052)	(0.0072)	(0.0063)	(0.0053)
Most Prox. PAS Vacant Months:Bureau		0.0288***			
		(0.0070)			
Higher Up PAS Vacant Months			−0.0047		
			(0.0108)		
Most Prox. PAS Vacant Months:Higher Up PAS Vacant Months			−0.0003		
			(0.0006)		
Politicization %				0.0005	
				(0.0101)	
Most Prox. PAS Vacant Months:Politicization %				0.0012**	
				(0.0005)	
Political Acting (Yr. Prior)					0.0282
					(0.1936)
Most Prox. PAS Vacant Months:Political Acting (Yr. Prior)					0.0077
					(0.0113)
Priority	−0.0490	−0.0858	−0.0709	−0.0760	−0.0748
	(0.1462)	(0.1501)	(0.1889)	(0.1364)	(0.1453)
EOP	0.7798***	0.5869***		−0.0049	0.8013***
	(0.0879)	(0.1108)		(0.3696)	(0.0874)
Department	0.2387	−0.0604		0.3230**	0.2427
	(0.1656)	(0.1699)		(0.1421)	(0.1646)
Bureau	−0.3895**	−0.5486***		−0.5495***	−0.4026**
	(0.1665)	(0.1496)		(0.1386)	(0.1675)
Ideological Opponent	0.1011	0.0800	0.1454	0.0787	0.1098
	(0.0749)	(0.0852)	(0.0902)	(0.0561)	(0.0781)
Percent Appointee	0.4366	0.3412	0.4000	0.0558	0.4032
	(0.2649)	(0.2458)	(0.3389)	(0.2328)	(0.2839)
Obama	0.0545	0.0723	0.0394	0.0473	0.0341
	(0.0766)	(0.0830)	(0.0899)	(0.0895)	(0.0756)
Constant	2.9228***	3.3202***	2.7509***	2.9987***	2.9453***
	(0.1042)	(0.1237)	(0.1369)	(0.1222)	(0.1016)
R^2	0.1329	0.1781	0.0707	0.1821	0.1467
N	159	159	117	137	159

Note: *** $p<0.01$; ** $p<0.05$; *$p<0.1$. Data: Survey on the Future of Government Service, 2007 and 2014. Dependent variable is weighted average agency response to question: "In general how much influence do you think the following groups [White House] have over policy decisions in [your agency]?" (0–4). Model estimated with Ordinary Least Squares and standard errors are clustered by department with independent agencies and agencies within the Executive Office of the President in separate clusters. Model 3 is estimated on the subset of cases from cabinet department bureaus.

Table 5.26: Base, Hierarchy Interaction, Politicization Interaction, and Acting Interaction Models Trump Subset

	Average Effect	Hierarchy		Teams	Actings
	Model 1	Model 2	Model 3	Model 4	Model 5
Most Proximate PAS Vacant Months	−0.0067*	−0.0025	−0.0030	−0.0062*	−0.0024
	(0.0034)	(0.0021)	(0.0055)	(0.0035)	(0.0049)
Most Prox. PAS Vacant Months:Bureau		−0.0052			
		(0.0041)			
Higher Up PAS Vacant Months			0.0098		
			(0.0106)		
Most Prox. PAS Vacant Months:Higher Up PAS Vacant Months			−0.0002		
			(0.0003)		
Politicization %				0.0015	
				(0.0188)	
Most Prox. PAS Vacant Months:Politicization %				0.0001	
				(0.0009)	
Political Acting (Yr. Prior)					0.4097
					(0.3087)
Most Prox. PAS Vacant Months:Political Acting (Yr. Prior)					−0.0123
					(0.0076)
Priority	0.5236***	0.5311***	0.5363***	0.5285***	0.4834***
	(0.0929)	(0.0901)	(0.1366)	(0.1112)	(0.1125)
EOP	0.6610***	0.7551***		0.6027	0.6401***
	(0.1070)	(0.0750)		(0.7845)	(0.1054)
Department	0.5967***	0.7037***		0.6530***	0.6816***
	(0.1293)	(0.0796)		(0.1374)	(0.1419)
Bureau	−0.5416***	−0.4827**		−0.6682***	−0.6139***
	(0.1696)	(0.2038)		(0.1270)	(0.1843)
Ideological Opponent	0.2834	0.2736	0.3235	0.3283	0.3331**
	(0.1639)	(0.1686)	(0.2696)	(0.1865)	(0.1481)
Percent Appointee	1.1393***	1.1416**	1.1762**	0.8941**	1.1557***
	(0.3813)	(0.3971)	(0.4284)	(0.3601)	(0.3493)
Constant	2.8555***	2.7290***	2.7183***	2.8065***	2.7225***
	(0.1336)	(0.0633)	(0.3192)	(0.1478)	(0.1153)
R^2	0.3940	0.3980	0.2304	0.4480	0.4238
N	66	66	45	58	66

Note: *** $p<0.01$; ** $p<0.05$; *$p<0.1$. Data: Survey on the Future of Government Service, 2020. Dependent variable is weighted average agency response to question: "In general how much influence do you think the following groups [White House] have over policy decisions in [your agency]?" (0-4). Model estimated with Ordinary Least Squares and standard errors are clustered by department with independent agencies and agencies within the Executive Office of the President in separate clusters. Model 3 is estimated on the subset of cases from cabinet department bureaus.

Table 5.27: Base, Hierarchy Interaction, Politicization Interaction, and Acting Interaction Models Ideologically Aligned Agency Subset

	Average Effect	Hierarchy		Teams	Actings
	Model 1	Model 2	Model 3	Model 4	Model 5
Most Proximate PAS Vacant Months	−0.0047	−0.0376***	0.0042	−0.0114	−0.0087
	(0.0088)	(0.0039)	(0.0071)	(0.0103)	(0.0115)
Most Prox. PAS Vacant Months:Bureau		0.0406***			
		(0.0069)			
Higher Up PAS Vacant Months			−0.0113		
			(0.0124)		
Most Prox. PAS Vacant Months:Higher Up PAS Vacant Months			−0.0001		
			(0.0006)		
Politicization %				−0.0267	
				(0.0190)	
Most Prox. PAS Vacant Months:Politicization %				0.0016*	
				(0.0008)	
Political Acting (Yr. Prior)					0.0340
					(0.2427)
Most Prox. PAS Vacant Months:Political Acting (Yr. Prior)					0.0088
					(0.0119)
Priority	0.1843*	0.0746	0.0504	0.1992*	0.1105
	(0.0941)	(0.1101)	(0.1339)	(0.1054)	(0.0913)
EOP	0.9650***	0.4611***		1.4676**	1.0129***
	(0.2019)	(0.1295)		(0.5324)	(0.2041)
Department	0.3773	−0.1094		0.3044	0.3945
	(0.2571)	(0.1940)		(0.2927)	(0.2749)
Bureau	−0.1212	−0.4721**		−0.2047	−0.1255
	(0.2660)	(0.1699)		(0.2764)	(0.2712)
Percent Appointee	0.7203	0.4895	0.5568	0.8159	0.7067
	(0.5872)	(0.3607)	(0.4732)	(0.7067)	(0.4988)
Obama	0.1536	0.1123	0.2143	−0.0246	0.1693
	(0.1517)	(0.1616)	(0.1761)	(0.1391)	(0.1777)
Trump	0.1899	0.1655	0.4179	0.1549	0.1583
	(0.2131)	(0.2269)	(0.2941)	(0.2398)	(0.2589)
Constant	2.7262***	3.4956***	2.9506***	3.0374***	2.7336***
	(0.1822)	(0.1495)	(0.1414)	(0.1782)	(0.2106)
R^2	0.3455	0.5327	0.2307	0.4552	0.3933
N	53	53	37	46	53

Note: *** $p<0.01$; ** $p<0.05$; *$p<0.1$. Data: Survey on the Future of Government Service, 2007, 2014, and 2020. Dependent variable is weighted average agency response to question: "In general how much influence do you think the following groups [White House] have over policy decisions in [your agency]?" (0-4). Model estimated with Ordinary Least Squares and standard errors are clustered by department with independent agencies and agencies within the Executive Office of the President in separate clusters. Model 3 is estimated on the subset of cases from cabinet department bureaus.

Table 5.28: Base, Hierarchy Interaction, Politicization Interaction, and Acting Interaction Models Ideologically Opposed Agency Subset

	Average Effect	Hierarchy		Teams	Actings
	Model 1	Model 2	Model 3	Model 4	Model 5
Most Proximate PAS Vacant Months	−0.0017	−0.0045*	0.0004	−0.0024	0.0025
	(0.0030)	(0.0023)	(0.0046)	(0.0042)	(0.0024)
Most Prox. PAS Vacant Months:Bureau		0.0033			
		(0.0029)			
Higher Up PAS Vacant Months			−0.0136		
			(0.0146)		
Most Prox. PAS Vacant Months:Higher Up PAS Vacant Months			0.0001		
			(0.0003)		
Politicization %				0.0080	
				(0.0100)	
Most Prox. PAS Vacant Months:Politicization %				0.0004	
				(0.0004)	
Political Acting (Yr. Prior)					0.5823***
					(0.1787)
Most Prox. PAS Vacant Months:Political Acting (Yr. Prior)					−0.0158***
					(0.0040)
Priority	0.0699	0.0659	0.0404	−0.0082	0.0851
	(0.1244)	(0.1240)	(0.1312)	(0.1682)	(0.1207)
EOP	1.0025***	0.9502***		0.4001	1.1996***
	(0.1444)	(0.1527)		(0.3832)	(0.1483)
Department	0.6153***	0.5522***		0.5988***	0.6292***
	(0.1482)	(0.1392)		(0.1797)	(0.1527)
Bureau	−0.5353**	−0.5636***		−0.6004***	−0.4802**
	(0.1846)	(0.1878)		(0.1943)	(0.2149)
Percent Appointee	0.4904	0.4471	1.5733	0.2814	0.6435
	(0.5088)	(0.5128)	(0.9930)	(0.5397)	(0.5869)
Obama	−0.1912	−0.1820	−0.1445	−0.1205	−0.2601**
	(0.1217)	(0.1282)	(0.1420)	(0.1411)	(0.1078)
Trump	0.1491	0.1562	0.1035	0.1952	0.2311**
	(0.1365)	(0.1436)	(0.1214)	(0.1509)	(0.1032)
Constant	2.9301***	3.0066***	3.0292***	2.9190***	2.7339***
	(0.1220)	(0.1083)	(0.1813)	(0.1554)	(0.1276)
R^2	0.2400	0.2423	0.0994	0.2851	0.3318
N	79	79	54	69	79

Note: *** $p<0.01$; ** $p<0.05$; *$p<0.1$. Data: Survey on the Future of Government Service, 2007, 2014, and 2020. Dependent variable is weighted average agency response to question: "In general how much influence do you think the following groups [White House] have over policy decisions in [your agency]?" (0-4). Model estimated with Ordinary Least Squares and standard errors are clustered by department with independent agencies and agencies within the Executive Office of the President in separate clusters. Model 3 is estimated on the subset of cases from cabinet department bureaus.

5.3.6 Validation of Differences Between Acting Official Types

To validate proposed differences between types of acting officials, careerist and appointed, I gathered information on the background characteristics of acting officials. Following the work of prior scholars (see e.g., Krause and O'Connell, 2016; Krause and O'Connell, 2019; Waterman and Ouyang, 2020), certain background characteristics are associated with increased loyalty to the president and the president's ideological vision, while others are associated with increased competence for the role individuals will perform as an acting official. Specifically, characteristics such as prior service in Congress, for party organizations, and for the president's campaign are associated with increased loyalty and ideological alignment. Additionally, prior

internal agency experience is associated with increased competence.

To gather this information, I began with the dataset of acting officials that served during the first year of the Trump administration gathered by Piper (2022b). Then, by using Leadership Connect, LinkedIn, news articles, and agency biography pages, I coded the following variables based on the individual's career history:

- Congressional Service: Equal to 1 if the acting official previously worked in Congress (including individual members and committees).

- Party Service: Equal to 1 if the acting official previously worked for the party (including party organizations and individual campaigns).

    - Example of party organizations include DNC, Democratic Leadership Council, Democratic Congressional Campaign Committee, Democratic Senatorial Campaign Committee, Democratic Governors Conference, RNC, Log Cabin Republicans, Republican Liberty Caucus, House Republican Conference, National Republican Senatorial Committee, Republican Governors Conference, and state parties.

- Pres. Campaign Service: Equal to 1 if the acting official previously worked for the president's campaign.

- Prior Agency Service: Equal to 1 if the acting official worked in the agency prior to their service as an acting official.

- Years in Agency: Length of time in years the acting official worked in the agency prior to their service as an acting official.

Summaries of the acting official background characteristics by acting official type are reported in Table 5.29. As we can see, careerist acting officials are much less likely to have worked previously in Congress or for a party organization. Careerist actings are also less likely to have worked for the president's campaign, although appointed actings are not often drawn from the president's campaign staff either. Together, these summary statistics provides strong justification for my description of appointed acting officials as much more loyal and ideologically aligned with the president compared to careerist acting officials.

Table 5.29: Summary of Background Characteristics of Acting Officials that Served in the First Year of the Trump Administration by Acting Official Type

Acting Official Type	Congressional Service	Party Service	Pres. Campaign Service	Prior Agency Service	Years in Agency
Careerist	5.6%	0.0%	0.0%	100.0%	15.9
Appointed	27.0%	7.0%	2.0%	59.0%	6.0

5.3.7 Mediation of Presidential Priority through Vacancies

Presidential priority may explain both vacancies in appointed positions (e.g., presidents filling positions in agencies on their agenda) and presidential influence (e.g., presidents using other tools beyond appointments to control policymaking in agencies on their agenda). While I control for presidential priority in my OLS models, it is possible that the effect of presidential priority is mediated through vacancies. Therefore, I conducted mediation analysis to observe how much of the effect of presidential priority is direct and how much of the effect is mediated through vacancies.

Using the mediation package in R (Tingley et al., 2014), I find that almost none of the effect of priority is mediated through vacant months. This result is shown in the very small proportion mediated in Table 5.30. This result suggests that we should not be concerned that the observed effect of vacant months is being primarily driven by presidential priority.

Table 5.30: Causal Mediation Analysis with Presidential Priority (Treatment) and Vacant Months (Mediating Variable)

	Estimate	95% CI Lower	95% CI Upper	p-value
ACME	0.0005	-0.02	0.02	0.96
ADE	0.10	-0.04	0.26	0.34
Total Effect	0.10	-0.04	0.26	0.32
Prop. Mediated	0.005	-0.63	1.48	0.92

5.3.8 Sensitivity Analysis

It is possible that certain factors explain both vacancies in appointed positions and presidential influence over administrative policymaking. While I have included controls for the most likely culprits, it is possible that there remain other confounders that are not controlled for in my OLS models. To address how fragile my estimates are to potential confounding variables, I conducted sensitivity analysis.

Using the sensemakr package in R (Cinelli and Hazlett, 2020), I estimated the fragility of the direct effect of political acting officials on presidential influence. I also estimated the fragility of the effect of

vacancies on presidential influence for three subsets of agencies,[3] those that are non-cabinet department bureaus, those that are high in politicization (at or above the median level of politicization), and those that are low in politicization (at or below the median level of politicization). These analyses will allow me to assess the fragility of the interaction effects between bureau and vacant months and between politicization and vacant months on presidential influence. Examining the fragility of the interaction terms through subsets is required because current estimation techniques are designed to examine the direct effect of a single independent or treatment variable and other covariates are assumed to occur prior to treatment. The inclusion of an interaction term would violate this assumption, as an interaction term comprised partially of the treatment variable by construction would occur at the same time as treatment.

I began by examining the fragility of the direct effect of the president's use political acting officials on presidential influence. In this case, unobserved confounders would have to explain 11.1% of the residual variance of both the independent variable and of presidential influence to be sufficiently strong to explain away all the observed, positive effect. The entire model specification currently explains 17.9% of the variance in presidential influence. Therefore, confounders would have to explain about 51% as much of the variance in the influence measure as explained by the entire model. Further, I find that confounders several times as strong as priority or location in the Executive Office of the President are not sufficient to explain away the observed estimate.

Next, I considered the fragility of the effect of vacant months on presidential influence within non-cabinet department bureaus (e.g., cabinet departments, independent executive agencies, or the EOP). In this case, unobserved confounders would have to explain 29.7% of the residual variance of both the independent variable and of presidential influence to be sufficiently strong to explain away all the observed, negative effect. The entire model specification currently explains 44.1% of the variance in presidential influence among non-cabinet department bureaus. Therefore, confounders would have to explain about 37.6% as much of the variance in the influence measure as explained by the entire model. Further, I find that confounders several times as strong as priority or as strong as location in the Executive Office of the President are not sufficient to explain away the observed estimate.

Then, I explored the fragility of the effect of vacant months on presidential influence within agencies with high levels of politicization (at or above the median level of politicization). In this case, unobserved confounders would have to explain 8.1% of the residual variance of both the independent variable and of presidential influence to be sufficiently strong to explain away all the observed, positive effect. The entire model specification currently explains 25.6% of the variance in presidential influence among highly politi-

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[3]Of course, by subsetting the data, I lose statistical power and the observed coefficients will be less precisely estimated. Therefore, the fragility of the estimates in these cases may be overestimated.

cized agencies. Therefore, confounders would have to explain about 23.5% as much of the variance in the influence measure as explained by the entire model. Further, I find that confounders several times as strong as priority or location in the Executive Office of the President are not sufficient to explain away the observed estimate.

Finally, I examined the fragility of the effect of vacant months on presidential influence within agencies with low levels of politicization (at or below the median level of politicization). In this case, unobserved confounders would have to explain 11.0% of the residual variance of both the independent variable and of presidential influence to be sufficiently strong to explain away all the observed, negative effect. The entire model specification currently explains 13.7% of the variance in presidential influence among lowly politicized agencies. Therefore, confounders would have to explain about 69.3% as much of the variance in the influence measure as explained by the entire model. Further, I find that confounders several times as strong as priority are not sufficient to explain away the observed estimate.[4]

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[4]Location in the EOP could not be included as a reference confounder because no agency within the EOP had a low enough level of politicization to be included in the subset of agencies with low levels of politicization.