

Supporting Information

Who Polices the Administrative State?

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A Data

A.1 Agency Selection into Sample

In October 2014, I submitted FOIA requests to 72 agencies listed by `foia.gov`. The template text for these requests is included below. After an initial request, it was common for FOIA officers to claim that the request was too broad, and thus, several had to be amended to include a shorter time series. It was also common for agencies to claim that records from certain periods had been destroyed or were otherwise unavailable. I indicate these time-series in the Table A1. Correspondence files for MPSB, FLRA, EEOC, NRC, CPSC, USAID, FDIC, GSA, HUD, FED, Energy, and EPA were obtained through this set of FOIA requests. The logs for the departments of Labor, Transportation, Homeland Security, and the USDA come from Mills, Kalaf-Hughes, and MacDonald (2015)—and were generously provided by the authors. These authors also obtained their logs through similar FOIA requests. Table A1 below lists all agencies queried along with the result of the request and data coverage (if any).

Overall, agencies provide (or do not provide) usable data for reasons that are highly idiosyncratic. Some agencies indicate that they do not keep such records. In these cases, the lack of systematized informal communications likely indicates that they do receive many contacts from members of Congress—and are thus, outside the scope conditions for this study. Two agencies provided records that were handwritten and illegible. One initially indicated the records did not exist until a follow up request—then indicated that the records would require in excess of \$3,000 in fees to produce. In some cases, agencies that do keep records did not provide them to the author, but responded to other researchers requesting similar records (e.g. Mills et al 2015, Ritchie N.d.)—suggesting that FOIA responsiveness is inconsistent even *within agency*. Some agencies who provided records had to be excluded because of the unavailability of measures of agency preferences for the relevant time series. Again, the fact that prior researchers excluded this agencies from their studies provides some indication of their theoretical relevance. Many agencies who have yet to respond fall into this category.

FOIA Request Template:

I am seeking a list of correspondences between the [agency] and members of Congress and their offices.

Specifically, I would like to know what Congressional offices contacted the [agency] from January 1, 2007 to November 1, 2014. An entry in such a log generally includes:

- *The name of the member of Congress who contacted the [agency]*
- *The date the [agency] was contacted*
- *The subject of the inquiry. (i.e. What did kind of information did the member request? Or what was the correspondence about?)*
- *When (and if) the request was completed*

Table A1 – FOIA Request Outcomes

Result	Agency	Data Coverage
<i>Complete log provided</i>	Board of Governors of the Federal Reserve	Jan. 2008 - Jan. 2012
	Consumer Product Safety Commission	Jan. 2007 - Jan. 2014
	Department of Energy	Jan. 2007 - Sept. 2014
	Department of Housing and Urban Development	Jan. 2007 - Jan. 2014
	Department of Interior	Jul. 2009 - Dec. 2012
	Department of Veterans Affairs	Mar. 2010 - Nov. 2014
	Environmental Protection Agency	Jan. 2005 - Dec. 2015
	Equal Employment Opportunity Commission	Jan. 2007 - Nov. 2014
	Federal Communications Commission	Jan. 2011 - Nov. 2014
	Federal Deposit Insurance Corporation	Jan. 2007 - Nov. 2014
	Federal Labor Relations Authority	Jan. 2007 - Dec. 2013
	Federal Trade Commission	Jan. 2008 - Dec. 2009
	General Services Administration	Jan. 2008 - Jan. 2010
	Merit Systems Protection Board	Jan. 2007 - Nov. 2014
	National Labor Relations Board	Jan. 2011 - Sept. 2014
	National Science Foundation	Jan. 2008 - Jun. 2015
	Nuclear Regulatory Commission	Jan. 2007 - Jan. 2014
	US Agency for International Development	Jan. 2007 - Jan. 2014
<i>Complete log provided by Mills et al (2015)</i>	Department of Agriculture	Jan. 2007 - Dec. 2010
	Department of Homeland Security	Jan. 2007 - Dec. 2010
	Department of Labor	Jan. 2007 - Dec. 2010
	Department of Transportation	Jan. 2007 - Dec. 2010
<i>Complete log provided Excluded due to missing covariates/limited time series</i>	Armed Forces Retirement Home	Jan. 2007 - Nov. 2014
	Administrative Conference of the United States	Jan. 2007 - Nov. 2014
	Corporation for National and Community Service	Jun. 2009 - Nov. 2014
	Legal Services Corporation	Jan. 2007 - Jan. 2014
	Office of Government Ethics	Jan. 2013 - Jan. 2014
	Office of Personnel Management	Jan. 2012 - Jan. 2014
	Office of Science and Technology Policy	Jan. 2013 - Dec. 2013
	US Postal Service	Jan. 2007 - Jan. 2014
<i>Incomplete log provided</i>	US Trade Representative	Mar. 2013 - Nov. 2013
	International Trade Commission*	Unknown
	National Archives and Records Administration*	Unknown
	Institute of Museum and Library Services	Jan. 2013 - Dec. 2015
<i>Letters provided</i>	Farm Credit Administration	Mar. 2008 - Jun. 2013
	Federal Election Commission	Oct. 2010 - Dec. 2010
<i>No records responsive (denial)</i>	National Indian Gaming Commission	Jan. 2010 - Jan. 2014
	Amtrak	
	Consumer Financial Protection Bureau	
	Department of State	
	National Endowment for the Arts	
<i>Response pending</i>	Securities and Exchange Commission	
	US Commission on Civil Rights	
	Central Intelligence Agency, Council on Environmental Quality,	
	Court Services and Offenders Supervision Agency, Department of	
	Commerce, Department of Education, Department of Health and,	
	Human Services, Department of Justice, Department of Treasury,	
	Federal Housing Finance Agency, Federal Maritime Commission,	
	Federal Mine Safety and Health Review Commission,	
	Federal Retirement Thrift Investment Board, International	
	Boundary and Water Commission, National Aeronautics	
	and Space Administration, National Endowment for the Humanities,	
	National Mediation Board, National Transportation Safety Board	
<i>Records publicly available</i>	Occupational Safety and Health Review Commission, Office of Special Council,	
	Office of the Director of National Intelligence, Selective Service System,	
<i>Records exist</i>	Small Business Administration, Social Security Administration,	
	Surface Transportation Board, Tennessee Valley Authority,	
	US Commodity Futures Trading Commission, US Copyright Office	
	Department of Defense	
	Federal Energy Regulatory Commission	
	Export-Import Bank of the US*	

Note: Initial requests made Oct. 2014. Records for the Export-Import Bank exist but require a cost-prohibitive fee to obtain. Publicly available records may exclude categories of requests. In cases where letters were provided, FOIA officers indicated that such letters were an incomplete record of all inquiries. The ITC and NARA provided photocopies of logs handwritten in illegible cursive. IMLS/FCA provided logs that excluded categories of requests and were missing numerous dates.

FOIA Performance:

One relevant concern is that agency responsiveness to FOIA will be systematically related to oversight and limit generalizability. That is, one might be concerned that the agencies that select into sample may be “high performers” on transparency, and therefore be less likely to require systematic oversight on the part of political principals.

To investigate this concern, I compared the mean and median response times of agencies in the sample with those in the broader population of agencies who could have provided logs from FY 2014-2017. I summarize this with the differences reported in Table A2. The Table reports days to response for simple, complex and expedited requests. Agencies assign these categories based on their own determinations of the relative difficulty of a request. In general, there are few detectable differences across the samples, regardless of the type of request. But most importantly, the agencies included do not appear to be consistent high performers on the task of responding to FOIA requests.

Table A2 – FOIA Response Time (Days) by Request Type, FY 2014-2017

	Stat.	Population	Sample	Difference
Simple	Mean	23.7	24.2	+0.5
	Median	17.2	11.9	-5.3
Complex	Mean	119.6	98.2	-21.4
	Median	81.0	49.8	-31.2*
Expedited	Mean	53.4	73.3	+19.9
	Median	44.5	49.1	+4.6

Note: * $p < 0.05$; $n = 114$. Source: foia.gov.

A.2 Coding Contacts

Agency-provided descriptions of contacts were coded using the following rules. In some cases, subject descriptions were too brief for coding, and required follow-up inquiries. In the rare situation in which no description was present (see FDIC), contacts are coded as missing. Prior to coding, contacts related to committee business (such as questions for the record or hearing scheduling), as well as irrelevant queries that do not require a response (happy birthday wishes, thank you’s) were removed via keyword searches. Requests then subset to those made by single legislators. Several hundred “group” requests required collective action, and are thus, beyond the scope of this study.

Definitions:

“Casework” is any request for information or services on behalf of a *particular constituent*. Examples of casework include grant support letters, equal employment status inquiries, complaints about public housing authorities, and requests for assistance acquiring visas.

“Constituents” are persons or groups within-district who request assistance from their representative. They most often include (but are not limited to) redacted names, in-district businesses or interest-groups, and state-level politicians. National interest groups or organizations (such as Planned Parenthood, ACORN, or the NRA) are excluded as constituents. Inquiries on behalf of these groups are counted as policy related requests.

“Policy” requests demand information, actions, or communicate the preferences of legislators beyond the scope of a particular constituent. These include general requests for agency records, comments on proposed rules, requests for in-person briefings.

“Lobbying” requests recommend policies, agency action, or communicate preferences. Examples include comments on proposed rules, demands for spending, and voicing of “concerns” about pending actions.

Rules:

“Casework” and “Policy” are mutually exclusive and exhaustive categories.

“Lobbying” can be either “Casework” or “Policy.”

Procedure:

1. FDIC removed due to description missingness. MSPB removed because, per agency officials, all contacts are “casework.” USDA removed and keyword-coded (see below).
2. A stratified (by agency), random sample of 10% of contacts (training set) drawn from complete sample. Recent reviews suggest that as few as 500 training observations are sufficient (see Grimmer and Stewart 2013). Minimum number of hand-coded training contacts per agency set to 50.
3. Training set hand-coded by the author and a research assistant to obtain inter-coder reliability statistics.
4. For each agency:
 - (a) Clean corpus and prune document term matrix.
 - (b) Train model (L2 regularized logistic regression via Liblinear()).
 - (c) Classify remaining contacts.
 - (d) Perform k -fold cross-validation to obtain out-of-sample accuracy.

Results:

I report coding diagnostics from this procedure in Table A3. In general, inter-coder reliability (for hand-coding) and out-of-sample accuracy (within training sets) is moderate to high across agencies. Logs typically re-use keywords (such as “constituent”), which can often label contacts deterministically. Agencies with lower out-of-sample accuracy tend to use more proper nouns. The NRC’s three model-coded observations were predicted correctly—the low out-of-sample accuracy is related to the smaller training set. Note also, that even for this agency, the out-of-sample accuracy is higher than the rates typically reported by other classification models (e.g. Hopkins and King 2010; Grimmer and Stewart 2013).

Table A4 reports the proportion of each agencies contacts that fall into a given category, along with agency-specific examples of each type. For each agency, the first two entries are mutually exclusive and sum to one. The second two are always a subset of the two above—so they are strictly less than the overall proportions of casework/policy. In every case, the proportion is the number in a given category over the total number of contacts.

Table A3 – Coding Diagnostics

Agency	Hand coded	Cohen's κ		Model coded	Mean Char. Length	Out-of-Sample Accuracy	
		Casework	Lobbying			Casework	Lobbying
Energy	451	0.71	0.60	4,049	148	0.87	0.88
Labor	1,277	0.49	0.53	11,490	43	0.94	0.94
DHS	1,327	0.74	0.60	12,089	133	0.91	0.85
DOT	367	0.61	0.51	3,299	122	0.85	0.92
HUD	684	0.62	0.48	6,171	214	0.94	0.95
EPA	475	0.69	0.67	4,263	89	0.79	0.87
USAID	67	0.82	0.77	600	151	0.75	0.85
FED	50	0.88	0.52	418	192	0.90	0.58
NRC	50	0.59	0.69	3	158	0.68	0.72
CPSC	50	0.96	0.51	198	31	0.90	0.82
GSA	50	0.65	0.66	144	227	0.94	0.96
EEOC	254	1.00	0.94	1,882	26	0.99	0.99
FLRA	37	1.00	0.68	0	55	–	–
Total	5,139			44,933			

Note: All contacts to the MSPB are casework and non-lobbying (all request status updates), so it has been excluded; in addition, the majority of contact subject descriptions for the FDIC are missing, so it is excluded from analyses subsetting by contact type. For information on how contacts were coded for the USDA, see the following section. Mean out-of-sample accuracy from 10-fold cross-validation reported.

Department of Agriculture:

The USDA correspondence log contains subject descriptions that are pre-coded. All contacts are assigned 1 of roughly 500 keywords. Whereas there is no additional error from coding through machine learning or research assistants, this means that coding “casework” and “lobbying” is more difficult and subject to more researcher judgement. For example, contacts labeled simply “Poultry” may conceivably span all of the definitions above. Other labels, such as “information,” and those that request GAO reports, outlays, or grants are more clear cut. Ultimately, without viewing the actual correspondence, it is impossible to be certain about the correct coding. In general, keywords that reference constituent services were coded as casework, whereas policy keywords were most often names of programs and commodities. Most contacts were assumed to be lobbying unless they explicitly reference information gathering. To mitigate this potential error, I include robustness checks that exclude the USDA in Appendix B. The lists below indicate keywords assigned to each category.

Casework: APPEALS, APPLICANT, APPROPRIATION, ASSISTANCE, AWARDS, BUDGET, Catfish Inspection, CERTIFICATION, CLOSING, CONTRACTING, CONTRACTS, DISAS-

TER ASSISTANCE, DISASTER PYMT, DISCRIMINATION, ETHANOL LOAN, EXTENSION, FARM SUBSIDY, FISH INSPECTION, FOIA, FOOD INSPECTION, FARMER, FORUM, FRAUD, FUNDING, GRAIN INSPECT, HOUSING, Idaho, IMPORT INSPECT, INDEMNITY PYMT, INSPECTION, INSPECTOR, LAND GRANT UNIV, LOAN, MEAT INSPECTION, NOMINATION, Nutrition Assistance, NY, OFFICE CLOSING, PARTNERSHIP, PAYMENT, PERMIT, PERSONNEL,POULTRY INSPECT, PRICE SUPPORT, REQUEST, RULING, SECTION 504, STAFFING, State Inspection, SUMMIT, TARIFFS, TAXES, TRADE, TRADE BARRIER, VETERANS PREFERENCE

Policy: 4-H, ACREAGE REDPRGM, ACT, ADV COMMITTEE, AFRICA, AGREEMENTS, AIRCRAFT, ANIMAL DISEASE, ANIMAL ID, ANIMAL PROD, ANIMAL RESEARCH, ANIMAL WELFARE, ANIMALS, APHIS, APPLES, AQUACULTURE, ARBORETUM, ATACC, ATACS, AUDIT, AUDITS & INVESTIGATIONS, AUTHORIZATION, AUTOGRAPH, AVOCADO, BEANS, BEEF, BEEKEEPING, BIOFUELS, BIOMASS FUELS, BISON, BLACK FARM AID, BOARD, BSE, CANADA, CATFISH, CATTLE, CCC, CHECK-OFF, CHEMICALS, CHERRIES, CHILD CARE PRGM, CHILD HUNGER, CHILD NUTRITION, CHINA, CHRONIC WASTING DISEASE, CITRUS, CIVIL RIGHTS, COLLOCATION, COMMENTS, COMMERCE, COMMODITY, COMMUNITY DEVEL, COMPLAINT, CONSER PROGRAM, CONSER RES PRGM, CONSERVATION, CONTAMINATION, COOL, COOPERATION, CO-OPERATIVE, CORN, COST, COTTON, CREP, CROP, CROP INSURANCE, CROPS, CRP, DAIRY, DAIRY PROD, DAIRY PRODUCTS, DAIRY PROGRAMS, DAIRY SUPPORTS, DEIP, Diet and Health, DIET GUIDELINES, DISEASE, DISTANT LEARN, DOWNED ANIMALS, Downers, DRAINAGE, DROUGHT, DRUGS, DRY BEANS, E COLI BACTERIA, ECONOMIC OPPRTY, ECONOMICS, EDUCATION, EGGS, ELECTRIC, Emerald Ash Borer, EMERG DISASTER, EMERG LIVESTOCK, EMPLOYMENT, ENERGY, ENVIRONMENT, EQIP, ERADICATION, ETHANOL, EXPORTS, FARM, FARM BILL, FARM CREDIT, Farm Economy, FARM LAND, FARM LOANS, FARM PROGRAM, FARMERS' MARKETS, FARMING, FARMS, FCIC, FED REGISTER, FEED, FEES, FERTILIZER, FIBER, FINANCE, FIRE, FIREFIGHTING EQ, FLOOD CONTROL, FLOODING, FLOWERS, FOOD, FOOD AID, FOOD DISTRIBUTE, FOOD DRIVE, FOOD PRODUCTS, FOOD PROGRAMS, FOOD SAFETY, FOOD STAMP PRGM, FOODBORNE DIS, FOOT AND MOUTH DISEASE, FOREIGN, FOREIGN ASST, FOREIGN INVEST, FOREIGN PRODUCT, FOREIGN REL, FOREIGN TRADE, FOREST FIRE, FOREST MGMT, FOREST SVC PRGM, FORESTLAND, FREE TRADE, FRESH FRUIT VEG, FRUIT, FRUIT DISEASE, FSMIP, FUEL, GAO REPORT, GENETICALLY MODIFIED ORG, GLOBAL CHANGE, Government Affairs, GRAIN, GRAIN REPORT, GRAIN STORAGE, GRANT, GRAPES, GRASSLANDS, GRAZING, GSM-102, HACCP, HAWAII, HAY, HEALTH, HOMELAND SECURITY, HONEYBEES, HORSE TRANSPORT, HORSES, Humane Slaughter, HUNGER, HUNGER AMERICA, IDP, IMPORTS, INFORMATION, INQUIRY, INSECTS, INVASIVE SPECIES, INVESTIGATION, INVESTMENT, IRRIGATION, KOREA, LABELING, LABELS, LAND, LAND EXCHANGE, LAND FORESTRY, LAND MANAGEMENT, LEGISLATION, LICENSES, LIST, LITIGATION, LIVESTOCK, LIVESTOCK ASSISTANCE PRGM, LIVESTOCK INDEMNITY PROGR, LIVESTOCK, PRICE, LOANS, MANAGEMENT, MARKET PROGRAMS, MARKETING, Marketing, MARKETING ORDER, MEAT, MEAT INSP PLANT, MEETING, METEOROLOGY, METHYL BROMIDE, MILK, MILK INCOME LOSS CONTRACT, MILK MARKETING, MINING, MINORITY, MINORITY FARMER, MOU, NAFTA, NAP, NATIONAL DEFENSE, NRCS, NRN, NUTRITION, NUTS, ORGANIC, ORGANIC FARMING, ORGANIC FOOD, OUTREACH, PACK STKYD ACT, PEANUTS, PEST CONTROL, PESTICIDE, PESTS, PHOTOGRAPHY, PHYTOSANITARY, PLANT DIS-

EASE, PLANT QUARTNE, PLANTS, POLICY, POLLUTION, PORK, PORT OF ENTRY, POTATOES, POULTRY, POWER, PRESERVATION, PRICES, PRODUCTS, PROGRAM, PROJECTS, PROPERTY, PROPOSAL, PUB REL, PUBLIC LANDS, PURCHASE, QUARANTINE, QUOTA, RC&D, Recalls, RECLAMATION, RECOMMEND, RECORDS, RECREATION PRGM, REGULATIONS, RELOCATION, REORGANIZATION, RESEARCH, RICE, RIGHT-OF-WAY, RISK MANAGEMENT, ROADLESS, ROADS, RULE, RURAL DEVELOPMT, RURAL-URBAN DEV, SAFETY, SALMONELLA, SCH LUNCH PRGM, SECTION 32, SECURITY, SERVICES, SEWER, SLAUGHTERHOUSE, SMALL BUSINESS, SNAP, SOIL-WATER, SPACE, SPECIAL CROPS, SPOTTED OWL, SPRAYING, STEWARDSHIP, STORAGE, SUGAR, SUGGESTION, SUMMER FOOD SVC, SUPPORT, SYSTEMS, TECHNOLOGY, TEFAP, TELECOM, TERRORISM, TIMBER, TOBACCO, TOMATO, TONGASS, TRANSFER, Transportation, TRAVEL, TREES, TUBERCULOSIS, VACCINE, VEGETABLES, WASTE MGMT, WATER BANK, WATERSHED, WEATHER, WETLAND, WETLAND RES PGM, WHEAT, WIC, WILDERNESS, WILDFIRE, WILDLIFE, WOOD, WORKPLAN, WORLD TRADE ORGANIZATION, WRP, YOUTH PROJ.

Keywords (from above) not coded as *Lobbying*: FOIA, FORUM, SUMMIT, AUDIT, AUDITS & INVESTIGATIONS, ECONOMIC OPPRTY, ECONOMICS, ECONOMY, FED REGISTER, GAO REPORT, INFORMATION, INQUIRY, INVESTIGATION, LIST, MEETING, RECORDS, REPORTS, REPORTS/GAO, RESEARCH

Table A4 – Informal Contacts in Agencies, 110-111th Congress

Agency	Type	Proportion	Example
CPSC	<i>Casework</i>	0.31	Constituent question about Chinese drywall
	<i>Policy</i>	0.69	Comment on GE Lightbulb recall
	<i>Casework (lobbying)</i>	0.31	Constituent reports problem with gas wall oven
	<i>Policy (lobbying)</i>	0.44	Comment on Cadmium regulations
DHS	<i>Casework</i>	0.80	Requesting status update on immigration case
	<i>Policy</i>	0.20	Requests update on naturalization reduction efforts
	<i>Casework (lobbying)</i>	0.66	Requests grant for local fire station
	<i>Policy (lobbying)</i>	0.20	Requests national guard be sent to the border
DOT	<i>Casework</i>	0.75	Requests status update on grant proposal
	<i>Policy</i>	0.25	Requests any new developments on ITI program
	<i>Casework (lobbying)</i>	0.67	Requesting contract extension for constituent
	<i>Policy (lobbying)</i>	0.11	Expressing concerns about FY budget
EEOC	<i>Casework</i>	0.98	Requesting copy of constituent case
	<i>Policy</i>	0.02	Inquiry regarding age restrictions in federal employment
	<i>Casework (lobbying)</i>	0.35	Constituent alleges disability discrimination
	<i>Policy (lobbying)</i>	0.00	–
Energy	<i>Casework</i>	0.74	Asks why constituent security clearance was denied
	<i>Policy</i>	0.76	Requests information on all grants awarded by the dept.
	<i>Casework (lobbying)</i>	0.63	Requests consideration of federal loan guarantee for constituent
	<i>Policy (lobbying)</i>	0.09	Comments on energy conservation standards for water heaters
EPA	<i>Casework</i>	0.73	Questions regarding superfund site in district
	<i>Policy</i>	0.27	Questions regarding Deepwater Horizon oil spill dispersants
	<i>Casework (lobbying)</i>	0.50	Include funding for Lake Tahoe in your budget requests
	<i>Policy (lobbying)</i>	0.18	Concerned about the EPA modification of coal combustion regulations
FDIC	<i>Casework</i>	NA	–
	<i>Policy</i>	NA	–
	<i>Casework (lobbying)</i>	NA	–
	<i>Policy (lobbying)</i>	NA	–
FED	<i>Casework</i>	0.20	Constituent having difficult modifying mortgage
	<i>Policy</i>	0.80	Questions about investigations of financial institutions
	<i>Casework (lobbying)</i>	0.13	Expedite constituent loan modification request
	<i>Policy (lobbying)</i>	0.44	Commenting on Truth in Lending regulations
FLRA	<i>Casework</i>	0.86	Request status of pending case
	<i>Policy</i>	0.14	Question regarding agency administrative matters
	<i>Casework (lobbying)</i>	0.41	Inquiry after case resolution
	<i>Policy (lobbying)</i>	0.00	–
GSA	<i>Casework</i>	0.92	Constituent eligibility for Fed. Surplus Property program
	<i>Policy</i>	0.08	Regarding the implementation of the ARRA
	<i>Casework (lobbying)</i>	0.88	Support of contract proposal from constituent
	<i>Policy (lobbying)</i>	0.04	Comment on the Capital Investment program for FY 2008
HUD	<i>Casework</i>	0.79	Regarding the audit of local housing authority
	<i>Policy</i>	0.21	Provide list of all corrective actions taken after GAO report
	<i>Casework (lobbying)</i>	0.67	Constituent requests assistance obtaining a mortgage
	<i>Policy (lobbying)</i>	0.12	Comment on mortgage originator standards rule
Labor	<i>Casework</i>	0.85	Requests constituent retirement information
	<i>Policy</i>	0.15	Inquiry regarding labor certification backlog
	<i>Casework (lobbying)</i>	0.83	Request approval of TAA application
	<i>Policy (lobbying)</i>	0.14	Concerned About the Administering of DINAP Funding
MSPB	<i>Casework</i>	1.00	Constituent requests assistance
	<i>Policy</i>	0.00	–
	<i>Casework (lobbying)</i>	1.00	Constituent requests assistance
	<i>Policy (lobbying)</i>	0.00	–
NRC	<i>Casework</i>	0.30	Questions about tritium contamination at Oyster Creek
	<i>Policy</i>	0.70	Questions about the process for plant security clearances
	<i>Casework (lobbying)</i>	0.23	Concerns about security measures at Peducah
	<i>Policy (lobbying)</i>	0.51	Concerns about low-level radioactive streams
USAID	<i>Casework</i>	0.65	Constituent organization asks if they are eligible for any grants
	<i>Policy</i>	0.35	Requests all memos and correspondence with the Center for a Free Cuba
	<i>Casework (lobbying)</i>	0.53	Encourages agency to meet with constituent organization
	<i>Policy (lobbying)</i>	0.21	Asks that the agency help to rebuild Haiti
USDA	<i>Casework</i>	0.12	–
	<i>Policy</i>	0.88	–
	<i>Casework (lobbying)</i>	0.12	–
	<i>Policy (lobbying)</i>	0.85	–

B Additional Results

B.1 Alternate Measures of Oversight

Table B1 – Oversight and Ideology (Lobbying)

	<i>Dependent variable:</i>	
	Lobbying (1)	Policy Lobbying (2)
Committee	0.050 (0.009)	0.053 (0.009)
Chair	0.135 (0.059)	0.137 (0.069)
Ranking	−0.0003 (0.059)	0.105 (0.065)
Commonspace Distance	0.005 (0.020)	0.007 (0.017)
Constant	0.793 (0.449)	1.468 (0.426)
Legislator FE	✓	✓
Agency FE	✓	✓
Congress FE	✓	✓
N	16,455	16,455

Linear probability estimates of dichotomous indicator for informal legislator oversight of agency; robust standard errors clustered by legislator in parentheses; all models include over-time controls (agency budget and legislator seniority).

Table B2 – Oversight and Ideology: Cabinet-Rank Departments

	<i>Dependent variable:</i>		
	Casework (1)	Policy (2)	Both (3)
Committee	0.631 (0.140)	0.473 (0.065)	1.535 (0.231)
Chair	1.288 (0.788)	2.024 (0.760)	4.834 (1.522)
Ranking Member	0.726 (0.672)	1.797 (0.619)	3.608 (1.787)
Commonspace Distance	-0.218 (0.291)	0.011 (0.142)	-0.149 (0.460)
Legislator FE	✓	✓	✓
Agency FE	✓	✓	✓
Congress FE	✓	✓	✓
N	7,679	7,679	7,679

Marginal increase in the count of informal legislator oversight of agency; controls set at means; robust standard errors clustered by legislator in parentheses; all models include over-time controls (agency budget and legislator seniority); subset to cabinet-rank agencies with most frequent contact: Energy, Labor, USDA, Homeland Security, HUD, and the EPA.

B.2 Alternate Measures of Agency Preferences

Table B3 – Oversight and Ideology (Ideological Alignment)

	<i>Dependent variable:</i>					
	Casework (1)	Policy (2)	Both (3)	Casework (4)	Policy (5)	Both (6)
Committee	0.037 (0.009)	0.053 (0.009)	0.053 (0.009)	0.039 (0.009)	0.064 (0.009)	0.064 (0.009)
Chair	0.034 (0.048)	0.082 (0.047)	0.038 (0.047)	0.053 (0.050)	0.099 (0.058)	0.064 (0.068)
Ranking Member	−0.012 (0.049)	0.129 (0.047)	0.035 (0.047)	−0.006 (0.055)	0.154 (0.062)	0.048 (0.069)
Ideologically Aligned (C&L)	−0.008 (0.006)	−0.008 (0.006)	−0.001 (0.006)			
Ideologically Aligned (R, C&L)				−0.021 (0.007)	−0.009 (0.006)	−0.014 (0.006)
Constant	−0.054 (0.013)	0.014 (0.012)	0.005 (0.013)	−0.052 (0.010)	−0.004 (0.010)	0.006 (0.011)
Agency FE	✓	✓	✓	✓	✓	✓
Congress FE	✓	✓	✓	✓	✓	✓
N	15,358	15,358	16,455	16,455	16,455	17,552

Linear probability estimates of dichotomous indicator for informal legislator oversight of agency; robust standard errors clustered by legislator in parentheses; all models include controls (party, chamber, agency budget and legislator seniority); ideological alignment is a dichotomous indicator for whether the legislator and agency either have spatial positions both greater than (or both less than) the median in the distribution; C&L and R, C&L refer to scores developed by Clinton and Lewis (2008) and Richardson, Clinton, and Lewis (N.d.), respectively.

Table B4 – Oversight and Ideology (Ideological Alignment)

	<i>Dependent variable:</i>					
	Casework (1)	Policy (2)	Both (3)	Casework (4)	Policy (5)	Both (6)
Committee	0.037 (0.009)	0.053 (0.009)	0.053 (0.009)	0.039 (0.009)	0.064 (0.009)	0.064 (0.009)
Chair	0.034 (0.048)	0.081 (0.047)	0.038 (0.047)	0.053 (0.050)	0.099 (0.058)	0.064 (0.068)
Ranking Member	−0.013 (0.049)	0.130 (0.047)	0.034 (0.047)	−0.006 (0.054)	0.154 (0.061)	0.048 (0.069)
Ideological Distance (C&L)	0.006 (0.004)	0.009 (0.004)	0.003 (0.004)			
Ideological Distance (R, C&L)				0.005 (0.004)	0.003 (0.004)	0.002 (0.004)
Constant	−0.062 (0.013)	0.003 (0.012)	0.003 (0.013)	−0.063 (0.009)	−0.010 (0.011)	−0.001 (0.011)
Agency FE	✓	✓	✓	✓	✓	✓
Congress FE	✓	✓	✓	✓	✓	✓
N	15,358	15,358	16,455	16,455	16,455	17,552

Linear probability estimates of dichotomous indicator for informal legislator oversight of agency; robust standard errors clustered by legislator in parentheses; all models include controls (party, chamber, agency budget and legislator seniority); ideological distance is the absolute difference between agency and legislator terciles {0, 1, 2}; C&L and R, C&L refer to scores developed by Clinton and Lewis (2008) and Richardson, Clinton, and Lewis (N.d.), respectively.

Table B5 – Oversight and Ideology (CF Scores)

	<i>Dependent variable:</i>		
	Casework (1)	Policy (2)	Both (3)
Committee	0.042 (0.012)	0.053 (0.011)	0.040 (0.011)
Chair	0.084 (0.062)	0.105 (0.060)	0.087 (0.061)
Ranking Member	0.020 (0.065)	0.136 (0.062)	0.016 (0.063)
CFscore Distance	−0.016 (0.006)	−0.007 (0.006)	−0.012 (0.006)
Constant	0.303 (0.808)	0.613 (0.777)	0.709 (0.785)
Legislator FE	✓	✓	✓
Agency FE	✓	✓	✓
Congress FE	✓	✓	✓
N	11,498	11,498	11,498

Linear probability estimates of dichotomous indicator for informal legislator oversight of agency; robust standard errors clustered by legislator in parentheses; all models include over-time controls (agency budget and legislator seniority); CFscore Distance is the absolute distance between legislator (Bonica 2013) and agency (Bonica et al 2015); its within-member standard deviation is 0.595; FDIC, NRC, DHS, Fed, and MSPB omitted due to appointment missingness.

B.3 Excluding Particular Agencies

Figure B1 – Model Sensitivity to Agency Sample



Note: Reports the marginal increase in the probability of oversight with 90 and 95 confidence bands; y-axis indicates agency left out of sample.

B.4 Unbalanced Panel with Additional Agencies, 110th-113th Congress

Table B6 – Data Coverage for Unbalanced Panel

Agency	110	111	112	113
Board of Governors of the Federal Reserve	✓	✓	✓	
Consumer Product Safety Commission	✓	✓	✓	–
Department of Agriculture	✓	✓		
Department of Energy	✓	✓	✓	✓
Department of Homeland Security	✓	✓		
Department of Housing and Urban Development	✓	✓	✓	✓
Department of Interior		✓	–	
Department of Labor	✓	✓		
Department of Transportation	✓	✓		
Department of Veterans Affairs		✓	✓	✓
Environmental Protection Agency	✓	✓		
Equal Employment Opportunity Commission	✓	✓	✓	✓
Federal Communications Commission			✓	✓
Federal Deposit Insurance Corporation	✓	✓	✓	✓
Federal Labor Relations Authority	✓	✓	✓	✓
Federal Trade Commission	–	–		
General Services Administration	–	–		
Merit Systems Protection Board	✓	✓	✓	✓
National Labor Relations Board			✓	✓
National Science Foundation	–	✓	✓	✓
Nuclear Regulatory Commission	✓	✓	✓	✓
U.S. Agency for International Development	✓	✓	✓	–

Note: Checkmark indicates full coverage of Congress, dash indicates partial coverage.

Table B7 – Oversight and Ideology (22 Agencies)

Committee	0.082 (0.008)
Chair	0.136 (0.055)
Ranking Member	0.085 (0.057)
Commonspace Distance	−0.002 (0.013)
Constant	−1.432 (0.899)
Legislator FE	✓
Agency FE	✓
Congress FE	✓
N	36,555

Linear probability estimates of dichotomous indicator for any informal legislator oversight of agency; robust standard errors clustered by legislator in parentheses; all models include over-time controls (majority party status, agency budget and legislator seniority); agencies and Congress included for this analysis are described in Table B6.

B.5 Agency Politicization

Table B8 – Oversight, Ideology and Politicization

	<i>Dependent variable:</i>		
	Casework (1)	Policy (2)	Both (3)
Committee	0.035 (0.009)	0.050 (0.009)	0.038 (0.009)
Chair	0.067 (0.051)	0.086 (0.049)	0.071 (0.049)
Ranking	−0.010 (0.052)	0.135 (0.050)	0.012 (0.050)
Commonspace Distance	0.027 (0.029)	0.016 (0.028)	0.035 (0.028)
Politicization	0.027 (0.024)	0.125 (0.024)	0.128 (0.024)
Commonspace Distance × Politicization	−0.011 (0.033)	−0.024 (0.032)	−0.020 (0.032)
Constant	0.435 (0.397)	1.068 (0.384)	0.673 (0.385)
Legislator FE	✓	✓	✓
Agency FE	✓	✓	✓
Congress FE	✓	✓	✓
N	15,358	15,358	15,358

Linear probability estimates of dichotomous indicator for informal legislator oversight of agency; robust standard errors clustered by legislator in parentheses; all models include overtime controls (agency budget and legislator seniority); politicization is the ratio of total political appointees over career SES managers; FED and FDIC excluded due to missingness.

B.6 Controlling for Agency Size

Table B9 – Oversight, Ideology and Agency Size

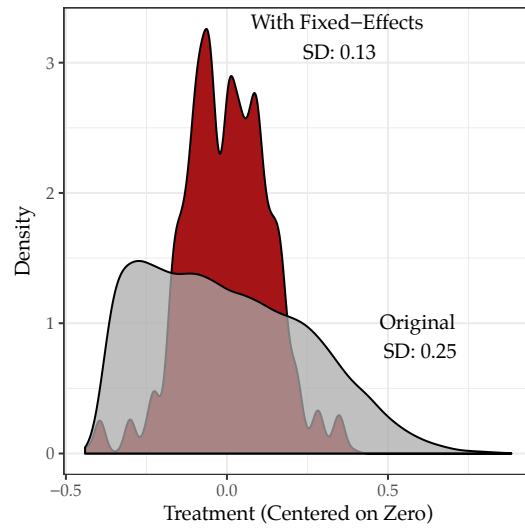
	<i>Dependent variable:</i>		
	Casework (1)	Policy (2)	Both (3)
Committee	0.035 (0.009)	0.050 (0.010)	0.052 (0.009)
Chair	0.067 (0.045)	0.086 (0.048)	0.071 (0.055)
Ranking Member	−0.010 (0.062)	0.134 (0.062)	0.017 (0.074)
Staff (thousands)	−0.005 (0.001)	−0.005 (0.001)	−0.005 (0.001)
Commonspace Distance	0.020 (0.022)	−0.0003 (0.020)	0.023 (0.022)
Constant	0.456 (0.398)	1.181 (0.182)	0.970 (0.334)
Legislator FE	✓	✓	✓
Agency FE	✓	✓	✓
Congress FE	✓	✓	✓
N	15,358	15,358	16,455

Linear probability estimates of dichotomous indicator for informal legislator oversight of agency; robust standard errors clustered by legislator in parentheses; all models include over-time controls (agency budget and legislator seniority); FED excluded due to missingness of staff information.

B.7 Plausible Counterfactuals with Fixed-effects

Figure B3 plots the distributions of the key independent variable (ideological divergence) before and after inclusion of the fixed effects (Mummolo and Peterson N.d.). Given the reduction in variation, the most plausible counterfactuals suggest that the effect of preference divergence is negligible. An additional concern is that this reduction in variation means it is extremely unlikely to find results in favor of the divergence hypothesis. Table B4 presents the results excluding legislator fixed effects. Even when the the variation in these cross-sections is leveraged, the the substantive interpretation in the results remains the same.

Figure B2 – Residual Ideological Distance Distribution



Note: Reports the kernel density of the original and residualized “treatment.” The latter is computed with respect to all dummies (agency, legislator, and congress).

C Department of Energy PART Score Analysis

Table C10 – Energy Dept. 2007 PART Scores

Office	Program	Design	Planning	Management	Results	Rating
Energy Information Admin. National Nuclear Security Admin.	Energy Information Administration	1	0.55	1	0.47	Results Not Demonstrated
	Advanced Simulation and Computing (ASCI)	0.83	1	0.91	0.85	Effective
	Directed Stockpile Work (DSW)	1	1	0.88	0.74	Moderately Effective
	Elimination of Weapons-Grade Plutonium	0.8	1	1	0.84	Effective
	Engineering Campaign	1	1	0.88	0.73	Moderately Effective
	Inertial Confinement Fusion Ignition	1	0.9	0.89	0.6	Moderately Effective
	National Nuclear Infrastructure	1	0.89	1	0	Results Not Demonstrated
	Global Initiatives for Proliferation Prevention	1	1.1	0.98	0.87	Effective
	Naval Reactors	1	1	1	0.92	EDefescigive
	Nonproliferation and Verification R&D	1	0.9	0.88	0.6	Moderately Effective
	Weapons Activities - Readiness Campaign	1	1	0.89	0.78	Effective
	Weapons Activities - Science Campaign	1	0.91	0.83	0.72	Moderately Effective
	Nonproliferation and International Security	1	1	1	0.73	Effective
	Nuclear Weapons Incident Response Program	1	1	1	0.67	Moderately Effective
	Pit Manufacturing and Certification Campaign	1	1	1	0.84	Effective
	Readiness in Technical Base and Facilities (RTBF)	1	1	0.88	0.56	Moderately Effective
	Secure Transportation Asset (STA)	1	1	0.86	0.67	Moderately Effective
Electricity Delivery & Energy Reliability Energy Efficiency & Renewable Energy	High Temperature Superconducting (HTS) R&D	0.8	0.7	0.88	0.59	Moderately Effective
	Biomass and Biorefinery Systems	0.8	0.9	0.73	0.42	Adequate
	Distributed Energy Resources	0.8	0.8	1	0.59	Moderately Effective
	Electric System Research and Development	0.8	0.8	0.82	0.74	Moderately Effective
	Federal Energy Management Program	1	1	0.86	0.5	Moderately Effective
	Geothermal Technology	0.8	0.8	0.88	0.59	Moderately Effective
	Hydrogen Technology	0.8	0.8	1	0.59	Moderately Effective
	Industrial Technologies Program	0.8	0.9	0.91	0.5	Adequate
	Solar Energy	0.8	0.8	1	0.59	Moderately Effective
	State Energy Programs	1	0.25	0.89	0.17	Results Not Demonstrated
	Vehicle Technologies	0.8	0.9	1	0.75	Moderately Effective
	Weatherization Assistance	1	0.88	0.78	0.75	Moderately Effective
	Wind Energy	0.8	0.8	0.88	0.67	Moderately Effective
Environmental Management	Environmental Management	1	0.8	0.96	0.24	Adequate
	Fissile Materials Disposition Program	1	1	0.88	0.5	Moderately Effective
	Global Threat Reduction Initiative Program	1	1	1	0.74	Effective
Fossil Energy	Safeguards and Security	0.6	0.88	1	0.73	Moderately Effective
	Coal Energy Technology	0.8	0.7	0.75	0.33	Adequate
	Natural Gas Technology	0.4	0.6	0.88	0.25	Ineffective
	Oil Technology	0.6	0.6	0.88	0.25	Ineffective
Nuclear Energy	Strategic Petroleum Reserve	1	0.88	1	0.87	Effective
	Advanced Fuel Cycle Initiative	1	0.9	1	0.53	Moderately Effective
	Generation IV Nuclear Energy Systems Initiative	1	0.9	1	0.6	Moderately Effective
	Int. Nuclear Materials Protection & Cooperation	1	1	0.57	0.87	Effective
	Nuclear Physics	1	0.8	0.66	0.87	Effective
	Nuclear Power 2010	1	0.89	0.88	0.45	Adequate
	University Nuclear Education Programs	0.6	0.25	0.7	0	Results Not Demonstrated
Science	Advanced Scientific Computing Research	1	0.7	0.66	0.87	Moderately Effective
	Basic Energy Sciences	1	0.8	0.91	0.93	Effective
	Biological and Environmental Research	1	0.89	0.66	0.87	Effective
	Fusion Energy Sciences	1	0.9	0.66	0.8	Moderately Effective
	High Energy Physics	1	0.7	0.66	0.87	Moderately Effective

Table C11 – Oversight and Valence

	(1)	(2)
Number of Programs	0.24 (0.04)	0.29 (0.04)
PART Score	−7.31 (2.51)	−8.20 (3.02)
Binned Distance	−0.15 (0.06)	−0.24 (0.09)
Intercept	−0.69 (1.05)	1.97 (1.55)
Legislator FE		✓
N	4,400	4,400

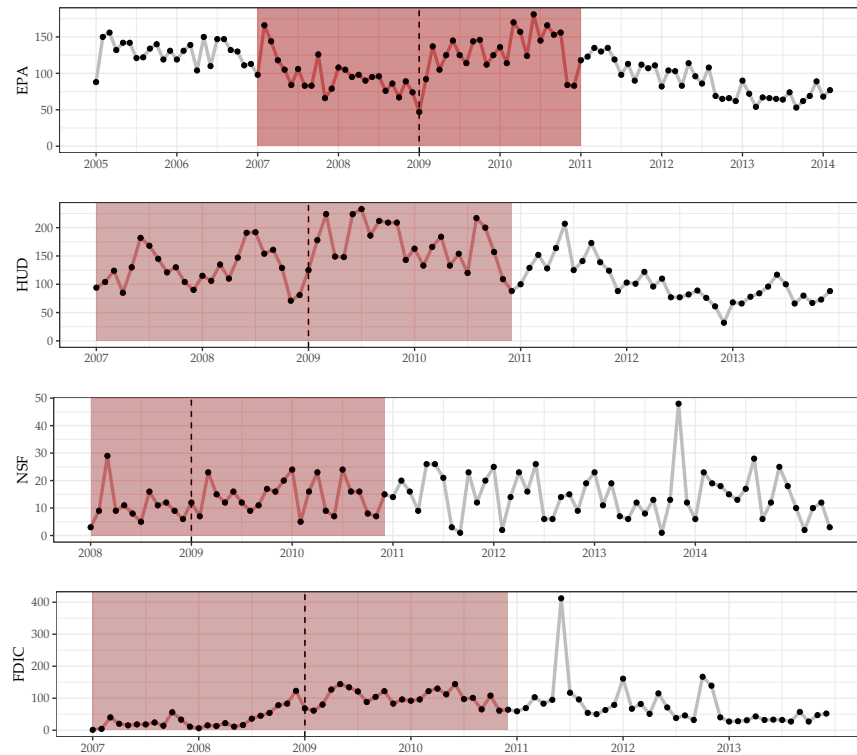
Note: Logit coefficients; unit-of-analysis is legislator $\times$ office; dependent variable is dichotomous indicator for informal legislator oversight of sub-agency in the Department of Energy during the 110th Congress; PART score is the mean results grade of all programs rated within the office 2006-2007.

D Presidential Transitions

To investigate concerns related to the uniqueness of presidential transitions, I examined the frequency of incoming contacts over time within each agency. Figure C1 plots four example agencies for which I have longer time series'. In the first two, transitions are preceded by lower levels of contact and followed by spikes once the incoming administration takes office. That is, members of Congress do not appear to be waiting for new appointees to arrive. It is also worth noting that Obama appointees in the agencies examined were confirmed relatively quickly. The EPA administrator and HUD Secretary were both confirmed within a week of the inauguration. So I am less concerned about a delayed transition biasing in favor of the null. Figure C1 also plots the time series for two agencies with more steady levels of contact. These cases are typical. Spikes are generally a function of "shocks" like external events or new legislation. For example, following the Fukushima nuclear disaster, the NRC's caseload from members of Congress spiked tenfold.

I also examined the content of contacts before and after the transition. I found no significant difference between the proportion of contacts coded as casework/policy by agency in the 110th and 111th Congresses. The proportion of each agency's contacts that are coded as "casework" does not increase – they are statistically indistinguishable (0.64 to 0.68) for the sample of 16. So the "type" of request does not appear to change. So members do not appear to be refraining from policy-related inquiries when the new president takes office. It is also notable that regressions that include other congresses and don't rely on the transition for variation come up with the same results (see Table B7). Nonetheless, the focus on a presidential transition has limitations. Without additional data, I cannot definitively speak to how unique transitions are generally—or if there was something unique about the transition from Bush to Obama.

Figure D1 – Monthly Oversight Contacts and Presidential Transitions



Note: Plots the total number of monthly contacts by agency; study periods shaded in red; presidential transition labeled with a dashed line.