ENFORCEMENT AND OVERSIGHT
Using Congressional Oversight to Shape OSHA Bureaucratic Behavior

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This research is an extension of the body of work seeking to explain variation in levels of Occupational Safety and Health Administration (OSHA) enforcement as a function of national and local variation in the agency's political environment. Although we examine a number of relationships, the new question is whether legislative oversight affects the behavior of OSHA compliance officers at the district level. OSHA is an interesting test case of the impact of oversight on bureaucratic output because of the way policy is implemented—enforcement takes place in the field by street-level bureaucrats, far removed from the federal office. Using data gathered at the congressional district level (1983-1995), results suggest that variation within OSHA's enforcement behavior is influenced by oversight committee assignment, overall oversight committee's and appropriations subcommittee's attitudes toward labor, and the district representative's disposition toward labor issues. We conclude legislative oversight indeed imposes limitations on compliance officers' district-level enforcement actions.

This study is an extension of the extant literature on the impact of congressional oversight on bureaucratic output (e.g., McCubbins & Schwartz, 1984; T. M. Moe, 1982; Weingast & Moran, 1983; Wood, 1988). In particular, we contribute to the substantial body of literature that seeks to explain variation in levels of the Occupational Safety and Health Administration's (OSHA's) enforcement as a function of national and local variation in the agency's political environment (e.g., Marvel, 1982; Scholz, Twombly, & Headrick, 1991; Scholz & Wei, 1986; Wood, 1988). Although we examine a number of relationships, the new question posed by this study is whether legislative oversight affects the behavior of OSHA compliance officers at the district level. To this end, our primary hypothesis is that street-level bureaucrats will be more responsive if the congressperson who represents their district serves on the authorization committee or appropriations subcommittee responsible for OSHA. We focus here on the utility of oversight policy as a method of influencing bureaucratic output at the congressional district level. OSHA is an interesting test case because of the way that policy is implemented—enforcement takes place in the field by street-level bureaucrats, far removed from the national office.

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Congressional oversight "concerns whether, to what extent, and in what way Congress attempts to detect and remedy executive-branch violations of legislative goals" (McCubbins & Schwartz, 1984, p. 165). Most of the research thus far on oversight and control over administrative behavior focuses on the need for, types of, and conditions affecting choice of oversight policy (e.g., Aberbach, 1990; Bibby, 1966; McCubbins & Schwartz, 1984; Ogul, 1976). A number of studies focus on formal committee-based oversight activities, such as confirmation of presidential appointments, program authorizations and appropriations, hearings, and investigations (for a full list of the extensive literature on this topic, see Dodd & Schott, 1979, chap. 5; Keefe & Ogul, 1977, chap. 12; Rieselbach, 1995, chap. 14). Numerous bureaucratic studies have shown that formal oversight methods significantly affect bureaucratic behavior by altering their resources, tasks, and authority (e.g., McCubbins & Schwartz, 1984; Weingast & Moran, 1983; Wilson, 1989). Although few studies in either field focus on informal oversight mechanisms, such as constituency service, the evidence that they detect and remedy certain administrative violations of legislative goals is generally positive (Johannes, 1979, 1984; West, 1995).

To be sure, members of Congress believe that federal bureaucrats pay some attention to informal and formal methods of oversight. If not, legislators presumably would not waste so much time and staff resources on their "watchdog" roles. Perhaps the more interesting questions, therefore, concern the impact of oversight on policy implementation and whether bureaucratic response to oversight is a function of legislators' responsibilities for reviewing agency behavior.

Policy and politics provide the motivation for legislative oversight; when legislators "see a connection between their own political lives and bureaucratic activity," they "have a compelling reason to oversee the bureaucracy" (Keefe & Ogul, 1997, p. 382). Reelection may depend as much on building veterans hospitals, performing constituency service, or finding ways to affect policy implementation as on voting records. All congresspersons act accordingly. Members of Congress try to influence bureaucrats in an effort to promote policy objectives but also so that they can claim credit for promoting goals valued by their own constituencies.

Law provides the opportunity for legislative oversight; "the constitution grants the legislature the power to set public policy, create executive departments, provide revenue for their operation, and establish personnel practices" (Keefe & Ogul, 1997, p. 382). Although these powers provide legal levers of influence over bureaucracy, it can be difficult for Congress as a body to affect the implementation of programs that it passes, given multiple priorities, limited time, and lack of expertise of most members (Keefe & Ogul, 1997, p. 383). Oversight committee and subcommittee policy specialization, therefore, is critically important as a means of promoting investigation and program review, to determine if an agency is carrying out its responsibilities the way Congress intends. Committee and subcommittee assignments and their subsequent connection to bureaucratic policy behavior (Bendor, Taylor, & Van Gaalen, 1985; Weingast & Moran, 1983; Wood & Anderson, 1993) play an important role in keeping federal bureaucracy on the defensive and thus responsive to the legislature.[1] Oversight committees use budgetary and/or other oversight means at their disposal to pressure bureaucracy to move in the desired direction, holding federal bureaucrats accountable for how they implement the laws.

Needless to say, from the perspective of agency participants, there are other factors that can influence administrative responsiveness to members of Congress. These factors include political support at the local levels (Derthick, 1972; Pressman & Wildavsky, 1979), the discretion available to street-level bureaucrats (Lipsky, 1980), and the political controls available to elected officials with and without formal oversight powers (T. M. Moe, 1982, 1985; Ripley & Franklin, 1987; Scholz et al., 1991; Scholz & Wei, 1986; Wood, 1988). It is important

to consider such factors as oversight committee assignments and responsibilities together within a single framework. Moreover, it is desirable to examine the impact of oversight policy in a manner more comparable to the way scholars have looked at bureaucratic behavior.

The purpose of this study is to consider the extent to which oversight policy offers behavioral cues to federal bureaucrats. The examination of this issue builds on analyses that have found aggregate levels of enforcement by other regulatory agencies vary over time as the composition and policy preferences of their oversight committees change. We focus on the variation in policy implementation among congressional districts from 1983 through 1995. We argue that federal bureaucrats (i.e., OSHA compliance officers) behave differently in congressional districts with oversight committee members of Congress compared to districts with nonoversight committee members. The primary argument is that committee assignments provide an important systematic influence on bureaucratic behavior. We build on the extant bureaucratic behavior and congressional oversight literatures in two significant ways. First, we focus explicitly on the discretion bureaucrats exhibit at the street level and their responsiveness to House members with oversight committee and nonoversight committee assignments. Second, we examine whether one can find indications that bureaucrats respond differently to House members with committee and subcommittee assignments that have separate responsibilities for reviewing OSHA behavior. With such information, analyses allow some additional leverage on bureaucratic awareness and responsiveness to political controls available to elected legislative officials.

BUREAUCRATIC BEHAVIOR AND CONGRESSIONAL OVERSIGHT

Theory focusing on legislative-administrative relations concerning oversight and policy implementation is predicated, at least in part, on the notion of separate institutions sharing interests or power (Neustadt, 1980). From the legislative perspective, members of Congress use oversight to determine whether implementation is consistent with legislative intent and constituency preferences. In addition,

members of Congress use oversight to ensure that programs achieve desired goals, "ferret out" program inequities, and adjust the program or bureau behavior accordingly (Aberbach, 1990). From the bureaucratic side, vague legislative statutes and policy guidelines from federal agencies provide considerable discretion to street-level bureaucrats as they adapt national guidelines to policy implementation within their jurisdictions (Lipsky, 1980; Pressman & Wildavsky, 1979). Field office discretion is common to all federal bureaucracies, including regulatory enforcement as practiced by OSHA. We focus particularly on the manner in which congressional oversight influences discretionary choices about the stringency of OSHA enforcement.

OSHA's compliance officers deal with broad discretion "in determining how closely to scrutinize a given establishment, whether observed conditions constitute a violation, and whether a violation is intentional and should be cited or 'accidental' and should be dealt with informally" (Scholz et al., 1991, p. 832). Congressional oversight, however, can provide an important influence on bureaucratic behavior, controlling discretion granted to agency bureaucrats to implement and enforce legislative statutes. For example, budget cuts can adversely affect OSHA enforcement programs through the denial of resources needed for enforcement tasks; limitations placed on the agency's mission affect the ability of OSHA's national headquarters to foster enthusiasm in the field and maintain agency morale. Alternatively, the provision of budget resources can make it easier for compliance officers to enforce OSHA policies more rigorously in congressional districts by providing recognition of the importance of their tasks (Scholz et al., 1991). OSHA compliance officers, and bureaucracies in general, have an interest in placating members of Congress to obtain resources and avoid negative repercussions for the agency.

Though past interviews with compliance officers have only produced denials of both contact with elected officials or any ability for elected officials to influence enforcement behavior (Headrick, 1990), empirical research has consistently found that OSHA enforcement activity is affected by the local political environment (Scholz et al., 1991; Scholz & Wei, 1986). Local coverage of congressional speeches, campaign issues, and the congressperson's efforts to advertise and credit claim in the district (Mayhew, 1974) will let compliance officers

know of a House member's views of OSHA and other regulatory issues. It may also be a way for the compliance officer to know of a member's place on an oversight committee or appropriations subcommittee. If a congressperson's home-style activities (Fenno, 1978) indicate a negative view toward OSHA enforcement behavior, compliance officers are less likely to go against demands for more moderate levels of enforcement. Alternatively, if signals from the congressperson favor higher levels of enforcement, the compliance officer is more likely to heed the demand for more enforcement activity (Scholz et al., 1991).

Compliance officers are likely to be particularly aware of the necessity of support from legislators with oversight and/or budget authority over the agency. The committee member's views on OSHA's enforcement activity are likely to be influenced by his or her ideology, information from competing interest groups and from OSHA, as well as information from constituents on OSHA activity within the district (Weingast & Moran, 1983). Therefore, the actions of compliance officers in the member's district could result in triggering investigations by the oversight committee or appropriations subcommittee. To avoid potential negative consequences of such inquires, compliance officers in a committee member's district are likely to be more sensitive to how their behaviors could affect the agency. Compliance officers may recognize that civil service regulations protect them from elected officials; however, they also recognize the powers of oversight committee and appropriations subcommittee members to punish the agency and the resulting effect on their own ability to do their jobs. Thus, compliance officers may adjust their enforcement behaviors to more closely fit the views of the district's representative to avoid such complications. This coping behavior enables compliance officers to do their work without concern over triggering more formal oversight reviews and the potential changes to agency resources or discretionary authority that could result from congressional investigations.

THE MODEL

Our primary focus here is on the influence of oversight on OSHA enforcement behavior. Previous research demonstrates the increased role of oversight in Congress (Rieselbach, 1995, chap. 14) and bureau-

cracies' responses to increased attention from those with oversight authority (Arnold, 1979; Stillman, 1996). In the broader context, part of the political environment includes the collective preferences of the oversight committee and appropriations subcommittee (Weingast & Moran, 1983) and individual preferences of local representatives (Scholz et al., 1991). Thus, OSHA's congressional district–level enforcement behavior will be affected by both the dynamics of committee composition (i.e., overall oversight committee's and appropriations subcommittee's attitudes toward labor) and the district representative's disposition toward labor issues. For example, the field office may find it easier to enforce more rigorously when liberal legislators predominate but more difficult when moderate or conservative legislators predominate. We hypothesize that the more prolabor the oversight committee and appropriations subcommittee memberships, the more stringent the level of OSHA enforcement (Hypothesis 1).

To be sure, enforcement decisions are not divorced from the local political environment. Previous research demonstrates the importance of local electoral politics on OSHA field office enforcement activity (Scholz et al., 1991). OSHA's traditional support from Democrats and labor unions (Kelman, 1981; Mendeloff, 1979; Scholz & Wei, 1986) as well as direct and indirect support from local elected officials and interest groups (Scholz et al., 1991) will influence OSHA's behavior. Consequently, a congressperson's attitude toward labor will reflect the local political environment in which OSHA inspection decisions are made. Local influence works through the home activities of elected representatives in their own districts, the coalitions responsible for electing representatives, and the general political culture in a given community may determine who gets elected and how the bureaucracy behaves (Scholz et al., 1991, p. 834). Therefore, we expect the more prolabor the district's representative, regardless of committee membership, the more stringent OSHA's congressional district enforcement behavior (Hypothesis 2).

The bureaucratic control and congressional oversight literatures lead us to expect that oversight committee and appropriations subcommittee members may influence OSHA enforcement activity more than their colleagues on nonoversight committees. Compliance officers are likely to be more responsive to representatives who sit on

committees with whips and carrots at their disposal than members who sit on nonoversight committees without such resources. We hypothesize that OSHA will have higher proportions of inspections with penalties in districts where the congressperson sits on the substantive oversight committee or appropriations subcommittee than in districts of nonoversight committee members (Hypothesis 3). The reason for this situation is quite straightforward. Oversight committee and appropriations subcommittee members exercise congressional supervision over OSHA administrators. Given the Democratic Party predominated the House of Representatives during our period of investigation, we expect proportion of penalties in congressional districts to be positively related to committee membership.[2] This expectation results from aggregate ideological differences in national enforcement policies that work through the institution of Congress and its committees. Although individual members of Congress concerned with enforcement in their own electoral districts will influence OSHA's proportion of inspections with penalties, influence also works through aggregated measures of committee and subcommittee preferences.

Of course, the focus of the oversight committee and appropriations subcommittee differs because each holds separate responsibilities for reviewing OSHA behavior. The appropriations subcommittee's work is described as "wide" but not "deep," whereas the work of the oversight committee is described as "deep" but not "wide" (Foreman, 1988; Scher, 1963). Pressures stemming from the deadlines imposed by the budgetary process and a heavy focus on the minutiae of expenditures limit the ability of appropriations subcommittee members to develop an in-depth understanding of the substance of the agencies they oversee. Thus, OSHA's authorization committee (Education and Work Force Committee, formerly Education and Labor Committee) is more likely to focus on OSHA enforcement behavior than its appropriations subcommittee (Subcommittee on Labor, Health and Human Services, and Education). The former committee will more likely call OSHA administrators to task for too strict or lax enforcement behavior; the latter committee will more likely be concerned with OSHA's overall budgetary expenditures. OSHA will be aware of such differences and act accordingly (for a discussion of the oversight policy differences between legislative committees and subcommittees, see

Dodd & Schott, 1979). We hypothesize that OSHA will have higher proportions of inspections with penalties in a congressional district where the legislator sits on the Education and Work Force Committee than in a district where the member sits on the Subcommittee on Labor, Health and Human Services, and Education (Hypothesis 4).

To ensure that the impact of oversight on OSHA enforcement behavior is not merely capturing the effects of important variables excluded from the equation, additional theoretically important predictors of OSHA enforcement are introduced into the model. We control for the effects of local economic conditions, total number of workers in the district's workforce, presidential administration, and OSHA's annual budget. Local economic conditions (e.g., unemployment) and OSHA's workload (Marvel, 1982; Scholz & Wei, 1986) may influence the inevitable trade-off facing OSHA compliance officers between costs (in jobs and wages) and safety benefits, with greater economic health increasing enforcement levels and unemployment decreasing them.

Another possible source of influence on OSHA enforcement behavior is the president. Extant research suggests that presidents influence regulatory agency decisions through presidential appointments (T. M. Moe, 1982, 1985; Wood, 1988), budget and personnel reductions (Scholz & Wei, 1986), and adoption of cost-benefit evaluations of potential standards (Mendeloff, 1979). Changes in OSHA's enforcement budget increase or decrease its ability to enforce safety regulations. Budget cuts during the Reagan administration, for example, reduced the personnel and other resources available for enforcement and led to a distinct decline in OSHA's enforcement efforts (Meier, 1985). Given Democratic presidents and Republican presidents have different attitudes about government activism, the former more likely to support higher levels of OSHA enforcement activity than the latter (Scholz et al., 1991), we expect higher proportions of inspections with penalties under Democratic administrations than under Republican administrations.

The basic equation for addressing the impact of oversight on policy implementation and whether bureaucratic response to oversight is a function of legislators' responsibilities for reviewing agency behavior will be of the following type:

$$\begin{aligned}\text{enforcement behavior}_{tj} = {} & b_0 + b_1\text{substantive committee}_{tj} \\ & + b_2\text{appropriations subcommittee}_{tj} \\ & + b_3\text{committee preference}_{tj} \\ & + b_4\text{member preference}_{tj} \\ & + b_5\text{local economic conditions}_{tj} \\ & + b_6\text{task variables}_{tj} \\ & + b_7\text{president}_{tj} + \text{error}_{tj},\end{aligned}$$

where t is the year, j is the district, enforcement behavior is the proportion of OSHA inspections with penalties in a district,[3] substantive committee denotes whether a representative sits on House Education and Work Force Committee, appropriations subcommittee denotes whether representative sits on House appropriations subcommittee with budgetary authority over OSHA, committee preference is the overall oversight committee's and appropriations subcommittee's attitudes toward labor, member preference is the district representative's disposition toward labor, local economic conditions is the percentage of workforce unemployed in the state, task variables are total number of workers in the district's labor force[4] and OSHA's yearly enforcement budget, and president denotes presidential administration. A brief description of how these variables have been operationalized can be found in the appendix.

Given the focus of our study is the impact of legislative oversight on federal bureaucrats' enforcement behavior, we examine only OSHA-managed programs. Thus, we exclude from the analysis state-administered enforcement activities that occur in 23 states, the Virgin Islands, and Puerto Rico. We are concerned with the dynamics of legislators' relationships with federal bureaucrats; thus, we focus on whether federal compliance officers are more responsive to congressional oversight committee members with whips and carrots at their disposal than to members who sit on nonoversight committees without such resources. Moreover, federal bureaucrats know they are accountable to Congress. It is plausible that federal compliance officers pay closer attention to Congress than to their state-managed counterparts (Scholz & Wei, 1986) and that members of Congress are more likely to focus their oversight on federal bureaucrats, leaving to the states, usually, any oversight of the state-run programs.

We aggregate both the cross-sectional units (congressional districts) and units of time (years) from the period under investigation

(1983 through 1995), resulting in 646 observations.[5] We select 1983 as our initial year of study to anchor the data set with a Congress elected under newly established district lines; this is the first Congress elected in the 1980s following the decennial census. The study includes House Education and Workforce Committee members ($n = 241$) and House appropriations subcommittee members with budgetary authority over OSHA ($n = 69$). In addition, we randomly select legislators from districts without oversight committee or appropriations subcommittee representation as our control group ($n = 336$).[6]

Although the House Appropriations Subcommittee on Labor, Health and Human Services, and Education's membership size (13) remains the same over the period of investigation, the House Education and Work Force Committee's membership increases in size (30 to 42) across Congresses. This gradual change in the oversight committee's membership and the lack of inspection data for some congressional districts result in unequal numbers of cross sections for each of our units of time. Thus, we initially estimate the above equation using ordinary least squares regression to detect for the existence and extent of autocorrelation, contemporaneous correlations among cross sections, and other potential concerns. Diagnostics, including Durbin-Watson and LaGrange multiplier tests (Greene, 1993; Gujarati, 1996; Maddala, 1992), indicate that inclusion of the dichotomous variable for presidential administration adequately controls for the effects of time. With a total of 171 congressional districts scattered across 13 years and the range of U.S. geography, effects resulting from geographic proximity are next to nil.[7]

Heteroscedasticity, however, is a potential concern. This is no surprise; when the dependent variable is measured as a proportion, aggregate-level analyses are susceptible to heteroscedasticity (Glejser, 1969; Hanushek & Jackson, 1977).[8] Given that we use mean adjusted Committee of Political Education scores as proxies for the Education and Work Force Committee's overall attitude toward labor and the Labor, Health and Human Services, and Education Subcommittee's disposition toward labor, we should expect diagnostics to reveal multicollinearity between these two variables. The Farrar-Glauber test confirms this expectation (Berry & Feldman, 1985). To estimate parameters, we employ a model that uses maximum likelihood estimation to correct for dependent variable heteroscedasticity

(Gujarati, 1996; Theil, 1971) and run separate models for the substantive committee and appropriations subcommittee preference variables to address the effects of multicollinearity (see Whistler, White, Wong, & Bates, 2001, for a discussion of maximum likelihood estimation correction of heteroscedasticity). Results of the corrected analyses are reported below.

RESULTS AND DISCUSSION

We now turn to the effects of our primary independent variables on OSHA enforcement behavior. The results are presented in Table 1.[9] The variables substantive committee and appropriations subcommittee are associated with OSHA's congressional district–level enforcement behavior. The proportion of inspections with penalties is higher in oversight committee and appropriations subcommittee members' districts than in districts of nonoversight members (Hypothesis 3). Compliance officers' enforcement behavior is also positively related to the substantive committee and appropriations subcommittee preference variables (Hypothesis 1) and the district's attitude as reflected in its representative's disposition toward labor (Hypothesis 2).

Findings fail to support the proposition that compliance officers are more responsive to House Education and Work Force Committee members than to their counterparts on the House appropriations subcommittee with budgetary authority over OSHA (Hypothesis 4). The dummy variables for both substantive committee and appropriations subcommittee are significant and positive. Street-level bureaucrats recognize the importance of oversight and budget authority committees to the health of the agency; compliance officers acquaint themselves with representatives' dispositions toward enforcement behavior to obtain resources for the agency and avoid formal oversight hearings or budget cuts. However, larger coefficients for the House appropriations subcommittee variable in each model are inconsistent with the view that the appropriations subcommittee's work is wide but not deep.

Furthermore, results for the committee membership preference variables are consistent with those reported above. The variable for the Appropriations Subcommittee on Labor, Health and Human Services,

TABLE 1
Impact of Committee and Member Preferences on OSHA Inspections With Penalties

	Model 1		*Model 2*	
Independent Variable	*Beta Coefficient*	SD	*Beta Coefficient*	SD
Committee membership				
House Education and Work Force Committee	.040920*	.008803	.044817*	.008900
House appropriations subcommittee	.055055*	.01395	.048689*	.01395
Member preference	.0010610*	.0001050	.00097409*	.0001048
Committee preferences				
Education and Workforce Committee			.0025427*	.0008057
Appropriations subcommittee	.0023702*	.0005094		
Local economic conditions				
State unemployment	−.00012951*	.00001978	−.00013449*	.00001995
Task variable				
Total labor force	.0000010135*	.0000001483	.00000089744*	.0000001507
President				
George Bush	.071060*	.01174	.077775*	.01329
Bill Clinton	.090793*	.01369	.088676*	.01365
Resource variable				
Differenced budget	.0012869*	.0005056	.0021922*	.0004805
Constant	−.21779*	.04513	−.19284*	.05219
Log of the likelihood function	419.381*		413.542*	
Squared correlation coefficient between observed and predicted	.30026		.28455	

NOTE: OSHA = Occupational Safety and Health Administration.
*$p < .01$, $df = 635$.

and Education's overall disposition toward labor and the variable for the Education and Work Force Committee's overall attitude toward labor are positively associated with OSHA's enforcement behavior. The importance of a prolabor appropriations subcommittee and a prolabor substantive committee suggests that for OSHA compliance officers, the prospects for changes in the agency's budget and legislative authorization are real.

We predict higher levels of enforcement behavior given the Democratic Party was the majority party in the House of Representatives for all but the last year of our data set (1983-1995). To be sure, one might expect lower levels of enforcement behavior as a consequence of the Republicans' takeover of Congress. This supposition is supported by the finding that the overall appropriations subcommittee's prolabor attitude and the overall substantive committee's prolabor attitude influence OSHA's congressional district–level enforcement behavior. The more prolabor the committee's preference is overall, the higher the level of enforcement by OSHA compliance officers. Thus, if the overall committee's attitude is less favorable toward labor, we should expect lower proportions of inspections with penalties. Although we ought to be properly cautious generalizing from 1 year of data, initial signs suggest the proportion of inspections with penalties declined in the 1st year of the Republican-controlled 104th Congress. Determining, however, whether the Republicans' takeover of Congress has been detrimental to stringent OSHA enforcement practices is beyond the scope of this article and should be left to future research.

The findings reported above support the view that implementation adapts to the political environment and the demands of multiple actors within that environment (Berman, 1980). For example, compliance officers operate in an environment that includes politics at the presidential, congressional, and local levels. Our model includes variables that represent each of these sources of political influence and suggests that all three affect enforcement behavior. Individual compliance officers may be less concerned with being summoned before a congressional hearing or receiving a reprimand from a political appointee than having the president and/or Congress alter budgets or authorization. Efforts within Congress to restrict regulatory activities by limiting the discretion available to compliance officers will also affect how an officer does his or her job at the street level. Moreover, given compliance officers primarily operate within the confines of their local political environments, they want to avoid contentious appeals or other delays to their activities.

In addition, our findings demonstrate a sophisticated response by street-level bureaucrats to the needs of both their own work efforts and the agency as a whole. Compliance officers are responsive to the elected officials to whom they are accountable. They note and adjust

their enforcement behaviors to the preference of the House member who represents the district in which they operate. This responsiveness reflects compliance officers' recognition of the necessity for local political support for enforcement actions. Compliance officers also recognize differences in the roles House members play in accountability. Our results demonstrate that oversight authority enhances compliance officers' responsiveness to representatives. Even without formal oversight activity, compliance officers react to the authority of legislators who sit on oversight or appropriations committees. By being more responsive to members of the oversight and appropriations committees, compliance officers are making a connection between their behaviors at the street-level and their potential effects on the entire agency. Thus, street-level enforcement behavior is a reflection of both the needs of the compliance officers and the needs of the agency.

OSHA is an interesting test case of the efficacy of oversight policy because of the way that policy is implemented—enforcement takes place in the field by street-level bureaucrats far removed from the national office. The intellectual pay-off of this particular study is that it provides convincing evidence that legislative oversight affects the behavior of OSHA compliance officers at the district level. Compliance officers see House oversight committee assignments as imposing distinct limitations on agency operations. In their efforts to implement safety and health regulations, OSHA compliance officers are not able to use their discretion freely. Compliance officers must adapt their policy implementation to the various and potentially conflicting demands of political actors who are paying attention to their enforcement behaviors. Street-level bureaucratic discretion provides compliance officers the ability to manage multiple views concerning OSHA behavior and political actors the ability to influence OSHA enforcement.

This study also has implications for our broader understanding of bureaucratic behavior in a democracy. Our findings coupled with those of previous studies on the responsiveness of bureaucrats to elected officials on the federal and state level and the judicial branch (T. M. Moe, 1982, 1985; Scholz et al., 1991; Scholz & Wei, 1986; Weingast & Moran, 1983; Wood & Anderson, 1993) suggest that bureaucratic activity is indeed constrained by oversight. Congressional oversight plays an important role in making federal bureaucracy

accountable. To control bureaucracy, members of Congress use their proactive ability to oversee particular agencies and fund or not fund an agency's activities. The growing literature on reinventing government, in particular public responsiveness (e.g., DiIulio, Garvey, & Kettl, 1993; R. C. Moe, 1994; Osborne & Gaebler, 1992), suggests that congressional efforts to control bureaucratic discretion do not always work. Bureaucracy has earned its nickname the "fourth branch" of government, but it is also subjected to constraints by lawmakers. This study cannot pretend to know the prescription for bureaucratic reform. It does, however, enable us to broaden our understanding of the dynamics of legislators' relationships with bureaucrats. The study discerns more explicitly the impact of Congress's constitutional powers to exercise control over the bureaucracy and, perhaps more important, its ability to hold members of the bureaucracy responsible for how they implement laws.

APPENDIX
Operationalization of Variables

Enforcement behavior

Occupational Safety and Health Administration's (OSHA's) district enforcement behavior is measured by the total number of inspections that carry a penalty divided by the total number of inspections.

Substantive committee

The variable substantive committee is measured as a dichotomous variable; it is coded 1 if the representative sits on the House Education and Work Force Committee and 0 otherwise.

Appropriations subcommittee

The variable appropriations subcommittee is also measured as a dichotomous variable; it is coded 1 if the representative sits on the House appropriations subcommittee with budgetary authority over OSHA and 0 otherwise.

Committee preference

We use mean adjusted American Federation of Labor and Congress of Industrial Organizations Committee of Political Education (COPE) scores to measure the House Education and Work Force Committee's overall attitude toward labor and the Appropriations Subcommittee on Labor, Health and Human Services, and Education's overall disposition toward labor. (Higher COPE scores indicate more favorable

attitudes toward labor than lower COPE scores.) For a discussion of "inflation adjusted" interest group rating scores and the econometrics model that corrects for the shifting and stretching scales associated with nominal interest group scores, see Grosclose, Levitt, and Snyder (1999).

Member preference

The district representative's disposition toward labor is measured by the individual member's adjusted COPE score, regardless of committee membership.

Local economic conditions

The variable local economic conditions is measured by the percentage of workforce unemployed in the state. (Although district unemployment data would be a more preferable measure of local economic conditions, state unemployment data are the only annual measure available.)

Task variables

The total labor force is measured by the total number of workers in the district's labor force.

OSHA's budget is measured by its year-to-year change in enforcement size.

President

The variable for presidential administration is measured with two dummy variables. The first variable is labeled George Bush and is scored 1 during his administration and 0 otherwise. The second variable is labeled William Clinton and is scored 1 during his administration and 0 otherwise. The Reagan administration serves as the baseline.

NOTES

1. One possible conceptual concern with the enforcement analysis is that members of standing committees are perceived as "preference outliers" (i.e., more extreme and more homogeneous) relative to members of the larger legislature (e.g., Shepsle & Weingast, 1987). However, Krehbiel (1990) and others have found no convincing evidence that committee members' preferences differ systematically from those of the larger legislature (see also Krehbiel & Rivers, 1988). "In spite of the plausibility of such observations and the corresponding assumptions, the evidence for what have been called 'preference outliers,' 'high-demand committees,' 'self-selection tendencies,' and ultimately 'committee power' is inconclusive" (p. 150). Although preference outlier stalwarts may continue to believe that congressional committees are more extreme and more homogeneous than the legislature as a whole, "a greater burden of proof now accompanies such beliefs" (p. 151).

2. Our measure of legislator preferences or "ideology," adjusted Committee of Political Education (COPE) scores (see appendix), is highly correlated with party affiliation, making the labels *Democrat* and *Republican*, in most cases, virtually synonymous with estimated preferences and extremely difficult to distinguish between party effect and preferences (Snyder & Groseclose, 2000). We were therefore forced to drop party affiliation from the analysis due to multicollinearity problems. COPE scores measure the ideological positions of members of Congress on labor issues. Occupational Safety and Health Administration (OSHA) inspectors are more likely to care about these specific labor issues rather than overall party ideology.

3. One possible concern with the use of proportion of inspections with penalties in a district as the dependent variable is that the amount of penalties might serve as a regulatory deterrent, thus demonstrating regulatory stringency. If the amount of penalties is not considered, then it might raise questions about the veracity of the substance underlying OSHA enforcement behavior. In other words, OSHA might be dispensing small fines in district *i*, which count the same as large fines in district *j*. A skeptic might argue that this could be picking up symbolic enforcement as opposed to substantive enforcement, which is the focus of our study. However, Twombly's (1994) analysis of OSHA's large penalty assessments of the late 1980s as symbolic politics found no substantive or statistical evidence that amount of penalties provides a deterrent effect. In addition, more costly penalties do not necessarily result in greater deterrence or compliance (see Zagare & Kilgour, 2000). Zagare and Kilgour (2000) argue that under most conditions (i.e., the threat is capable or sufficiently costly), probability becomes more important than the extent of punishment.

4. We expect that higher percentages of the manufacturing and construction industries in the district would likely increase the workload for compliance officers (i.e., higher risk occupations are more likely to be the subject of inspections) and, subsequently, increase OSHA's enforcement activity (Scholz & Wei, 1986). Attempts, however, to include a variable exclusively to measure the importance of the manufacturing and construction industries in the district resulted in multicollinearity problems with the COPE scores, reducing the efficiency of the estimates. Higher percentages of manufacturing and construction activity in the district are associated with a more prolabor stance from elected officials. We therefore use an inclusive labor measure, total number of workers in the district's labor force, which includes the manufacturing and construction industries. Our labor measure also captures overall employment increases that are associated with increases in reported accident rates in the district (McCaffrey, Andersen, McCold, & Kim, 1985).

5. Inspection data come from OSHA's Management Information System, which allows us to aggregate inspection information to the congressional district level using postal zip codes and provides information on types of inspections, whether and what type of violation was cited, whether a penalty was assessed and amount of the penalty, and information concerning location of inspections. States that enforce OSHA regulations with their own state agencies are excluded.

6. All members of Congress who were not members of the oversight committees (i.e., House Education and Work Force Committee and House Labor, Health and Human Services, and Education Subcommittee) were assigned random numbers and then placed in order from greatest random number to smallest random number. We then select in order, from greatest to smallest, a number of representatives equivalent to the total number of members on the two committees. The explanation for using a random subset rather than all nonoversight House members during the period of study is straightforward. The number of cases would be considerably greater for nonoversight committee members than for oversight committee members and thus would overwhelm the effects (i.e., adversely affect statistical inferences) of the oversight committee variables.

A brief review below of some basic descriptive statistics for the variables of interest in both oversight and nonoversight districts indicates no troublesome differences between the two groups.

Descriptive Statistics

	Oversight District Members			*Nonoversight District Members*		
Variable	n	*Mean*	*Standard Deviation*	n	*Mean*	*Standard Deviation*
Enforcement behavior	310	0.317	0.167	336	0.268	0.153
Member preference	310	53.604	42.535	335	50.560	37.999
Committee preference (substantive)	310	55.845	6.929	336	55.946	6.895
Committee preference (appropriations)	310	58.615	11.065	336	58.606	11.199
Local economic conditions	310	6.733	1.706	336	6.777	1.768
Task variable (labor force)	310	244,764.31	33,262.76	336	246,452.50	30,724.82

In addition, analysis (i.e., differences in means) of interest group ratings used in this study found no substantive differences among COPE scores for House Education and Work Force Committee members; House Labor, Health and Human Services, and Education Subcommittee members; and the random sample of nonoversight members: 57, 49, and 53, respectively. This finding is consistent with Krehbiel's (1990) assessment that committee members are not "preference outliers" relative to the floor chamber.

7. Contemporaneous correlation (i.e., spatial autocorrelation) is more likely to occur in situations where the geographic units are more contiguous and of smaller size (Odland, 1988).

8. Diagnostics from the Glejser test and other tests produced by the Shazam program confirm the presence of dependent variable heteroscedasticity; the chi-squares for our models are 103.023 and 104.232, each with 9 degrees of freedom (Whistler, White, Wong, & Bates, 2001).

9. All of the control variables performed as expected.

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