



Press Release

The Consequences of Over-reliance on Executive Action

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By the end of his first month in office, President Biden had issued more than 40 executive actions to implement his policy agenda — far more than his recent predecessors. Yet this reliance on executive action rather than legislation is not new, and it signals an imbalance between the executive and legislative branches, argues AAF's Director of Regulatory Policy Dan Bosch. In a new analysis, Bosch considers the causes of the increasing reliance of executive action, the consequences of shifting policymaking duties away from Congress, and why Congress needs to restore its role in establishing policy.

His central points:

- Policymaking through executive action rather than legislation has become more prevalent in recent decades, and while much of this shift is often attributed to partisan gridlock, a large share of the problem is due to Congress reducing staff levels in personal and committee offices and at its support agencies;
- The reliance on executive action creates uncertainty in the economy as well as attempted policy solutions that are both costly and inadequate to address major problems; and
- In order to correct the executive/legislative imbalance, Congress must invest more in its own capacity and overcome the partisanship that prevents more efficient solutions on major issues than is available through regulations based on existing authorities.

[Read the analysis.](#)