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Panel on Congressional Oversight Databases

Online Panel Presented by
Levin Center at Wayne Law/Wayne Law Review

May 27, 2020

Establishing Historical Norms for Congressional Oversight

oversight-index.thelugarcenter.org

Jamie Spitz
Assistant Policy Director for Bipartisan Governance
The Lugar Center

(202) 816-3333
Jamie@thelugarcenter.org



What is the COHI?



Analytical tool that academics, news organizations, and members of Congress can use to assess the oversight performance of congressional committees



oversight-index.thelugarcenter.org



Problem – How to measure oversight?



Lack of congressional oversight reduces government efficiency, hands more power to unelected bureaucrats, and expands unchecked executive power.

No standards or norms have been established that indicate what is normal for oversight within each committee



Committee chairs use anecdotal evidence to support their claims of performing adequate oversight



Approach

Construct an objective standard for each committee's oversight performance based on historical norms

Purpose

To understand which committees are dedicating the time to oversight and to hold legislators accountable for performing their duties

Data

12 years of congressional hearings are sorted into categories based on their relationship to oversight

Results

Committees and their respective chairs are assigned letter grades based on performance



Constructing an objective standard



Defining our dataset

Almost all significant oversight involves congressional hearings.

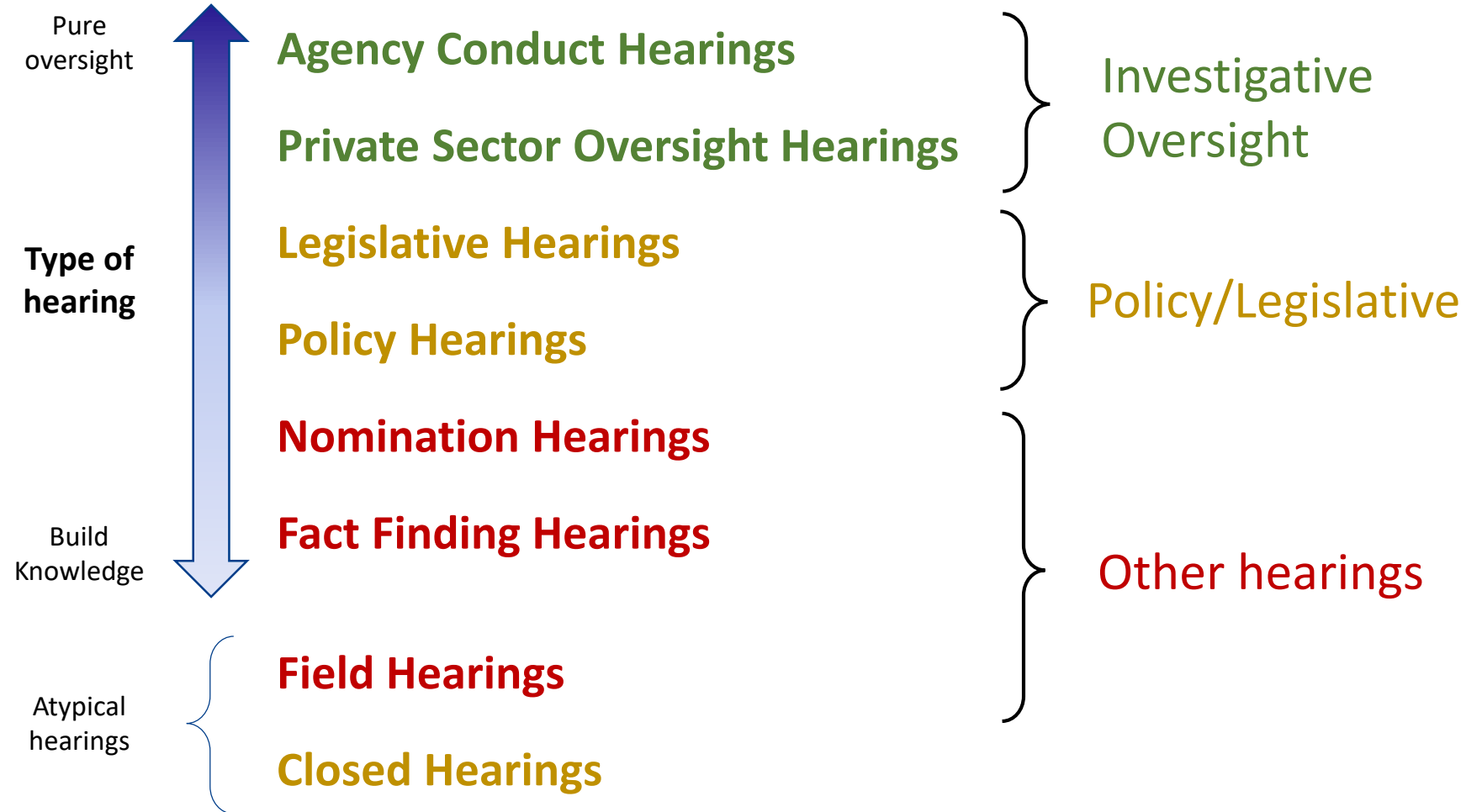
Determining historical norms

Every committee has its own historical baseline.



Categorizing Hearing Data

The COHI sorts hearings into eight categories based on their relevance to oversight



Deriving a score

Every committee in each congress is given a score, based on the number of hearings held within each weighted category

$$\begin{array}{l} \text{Investigative Oversight} \\ \text{Weighted Score} \end{array} + \begin{array}{l} \text{Policy/Legislative} \\ \text{Weighted Score} \end{array} + \begin{array}{l} \text{Other Hearings} \\ \text{Weighted Score} \end{array} = \text{Total Score}$$

Assigning a grade

Each committee is graded according to its own historical performance

$$\begin{array}{l} \text{Total Score in} \\ \text{Current Congress} \end{array} \div \begin{array}{l} \text{Best Score in} \\ \text{Past Congresses} \end{array} = \text{Letter Grade}$$



Analyzing Oversight Performance



Senate

Committee	↑↓ Current Congress (projected)*	Chair ↑↓	Investigative Oversight Hearings	Policy/Legislative Hearings	Total Hearings
Aging	C	Susan Collins	1	6	17
Agriculture, Nutrition, and Forestry	C-	Pat Roberts	0	9	13
Appropriations	C	Richard Shelby	0	63	64
Armed Services	A-	James Inhofe	1	64	83
Banking, Housing, and Urban Affairs	F	Mike Crapo	1	20	42
Budget	F	Mike Enzi	0	7	9
Commerce, Science, and Transportation	F	Roger Wicker	1	19	65
Energy and Natural Resources	C	Lisa Murkowski	0	30	58
Environment and Public Works	F	John Barrasso	1	18	42
Finance	D	Chuck Grassley	4	9	23
Foreign Relations	F	Jim Risch	0	31	63
Health, Education, Labor, and Pensions	F	Lamar Alexander	1	11	18

House of Representatives

Committee	↑↓ Current Congress (projected)*	Chair ↑↓	Investigative Oversight Hearings	Policy/Legislative Hearings	Total Hearings
Agriculture	D	Collin Peterson	0	14	36
Appropriations	A	Nita Lowey	2	179	222
Armed Services	C	Adam Smith	2	69	82
Budget	A	John Yarmuth	0	12	24
Education and Labor	A	Bobby Scott	7	21	55
Energy and Commerce	B-	Frank Pallone	13	60	104
Financial Services	A	Maxine Waters	8	62	93
Foreign Affairs	F	Eliot Engel	4	32	94
Homeland Security	A	Bennie Thompson	12	28	78
House Administration	N/A	Zoe Lofgren	0	7	21
Intelligence (Permanent Select)	N/A	Adam Schiff	10	10	24
Judiciary	A	Jerrold Nadler	17	22	81
Natural Resources	A	Raúl Grijalva	5	72	117



Analyzing Oversight Performance



For every congressional committee, COHI provides analysis of oversight responsibilities and history

Senate Committee on Aging

Chair: Susan Collins

C

Projected Grade for the 116th Congress*

* Due to covid-19, the number of active days in this Congress has been shortened

1 Investigative Oversight Hearings
6 Policy/Legislative Hearings
17 Total Hearings

Last updated: April 14, 2020, 3:44 p.m.

As a special committee, the Aging committee has no legislative authority, nor any nomination responsibilities. It can issue reports, hold hearings and investigate reports of fraud and abuse in programs for the elderly. It frequently reviews Medicare, and regularly looks into issues like age discrimination, phone scams that target the old, and nursing home practices. There is no House counterpart. It has no subcommittees.

Despite its diffuse jurisdiction and lack of legislative or nomination responsibilities, the committee has been relatively active over the years. In the 115th Congress (2017-18) under Chair Susan Collins (R, Me.) it held 23 hearings, the fewest of the period, but still more than the Agriculture committee (which held 22). That was a drop from the previous Congress under Sen. Collins, when it held 29 hearings.

In the 115th Congress under Chair Collins the committee held just four policy oversight hearings, the fewest of the period. (The committee rarely conducts legislative oversight.) For the previous four Congresses it had averaged 11 policy hearings each Congress.

However, the committee punched above its weight on investigative oversight under Chair Collins in the 114th (2015-16) and 115th Congresses with seven investigative hearings over that time. In the 115th, it held three: hearings in February 2017 and March 2018 were entitled, "Stopping Senior Scams;" and in April of 2018 it examined "Abuse of Power: Exploitation of Older Americans by Guardians and Others They Trust."

Chairs

- 111th Congress: Herb Kohl (D-WI)
- 112th Congress: Herb Kohl (D-WI)
- 113th Congress: Bill Nelson (D-FL)
- 114th Congress: Susan Collins (R-ME)
- 115th Congress: Susan Collins (R-ME)
- 116th Congress: Susan Collins (R-ME)

Projected grade updated based on time elapsed in congressional session

Narrative of committee oversight responsibilities and history

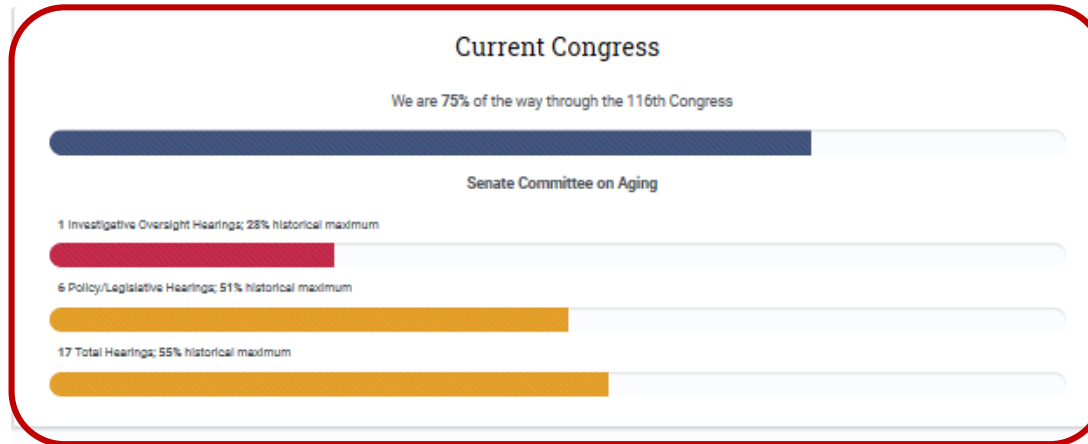
List of historical committee chairs



Analyzing Oversight Performance



For every congressional committee, COHI provides information on current and historical performance



Current oversight
performance metrics

Committee History

	Number of Hearings			Committee Hearing Performance	
	Investigative/Oversight	Policy/Legislative	Total Hearings	Score	Grade
111th Congress	1	12	25	79%	C+
112th Congress	2	13	24	90%	A-
113th Congress	1	12	34	92%	A
114th Congress	4	7	29	100%	A
115th Congress	3	4	23	73%	C
116th Congress*	1	6	17	75%	C
Historical average	2.0	9.0	25.3		

* Due to covid-19, the number of active days in this Congress has been shortened

Historical committee
oversight performance



Browsing Congressional Hearings



Browse full list of nearly 20,000 hearings that are continually updated on a weekly basis with access to transcripts, witness statements, and videos

Hearings held by the Senate Committee on Aging

Search:

Date	Hearing Title	Category
2020-02-12	There's No Place Like Home: Home Health Care in Rural America	Fact Finding
2020-01-29	"That's Not the Government Calling: Protecting Seniors from the Social Security Impersonation Scam"	Private Sector Oversight
2019-11-15	"Pancreatic Cancer: Fighting the World's Toughest Cancer in Alabama and Nationally"	Field
2019-11-06	"Veteran Scams: Protecting Those Who Protected Us"	Fact Finding
2019-11-01	"Alzheimer's and Other Cognitive Diseases: An Arizona Perspective"	Field
2019-10-16	"Falls Prevention: National, State, and Local Solutions to Better Support Seniors."	Fact Finding
2019-09-25	Promoting Healthy Aging: Living Your Best Life Long Into Your Golden Years	Fact Finding
2019-09-05	The TICK Act: An Urgent Public Health Response to Tick-Borne Diseases	Legislative
2019-07-17	"Combating Robocall Fraud: Using Telecom Advances and Law Enforcement to Stop Scammers and Protect Seniors"	Policy
2019-07-10	"Redefining Reality: How the Special Diabetes Program is Changing the Lives of Americans with Type 1 Diabetes"	Policy

Showing 1 to 10 of 152 entries

Previous 1 2 3 4 5 ... 16 Next

"That's Not the Government Calling: Protecting Seniors from the Social Security Impersonation Scam"

Hearing Date	2020-01-29
Committees	Senate Committee on Aging
Category	Private Sector Oversight
Transcript URL	https://www.aging.senate.gov/hearings/thats-not-the-government-calling-protecting-seniors-from-the-social-security-impersonation-scam
Chair Opening Statement URL	https://www.aging.senate.gov/download/chairman-susan-collins-01_29_20
Ranking Member Opening Statement URL	
Witnesses	
Sources	Web Form

Created at 2020-03-17 11:58:45
Last updated at 2020-04-14 15:36:09

[Back to hearings list](#)



Have more questions?



Learn more at oversight-index.thelugarcenter.org

[Sign up](#) for our tutorial and Q&A session

Email jamie@thelugarcenter.org with any questions



The Brookings House Oversight Tracker

Molly E. Reynolds
Senior Fellow, Governance Studies
The Brookings Institution

May 27, 2020

Goals of the Oversight Tracker

1. Provide comprehensive picture of House effort to oversee Trump administration after 2018 election
2. Provide resource that would be useful to scholars of congressional oversight

<https://www.brookings.edu/interactives/tracking-house-oversight-in-the-trump-era/>

How the Tracker Works: What We Track

- Letters sent by House committees/subcommittees and signed by committee/subcommittee chairs
- Hearings held by House committees/subcommittees

How the Tracker Works: How We Collect Data

- Hearings: web scraper applied to hearings calendar in the House of Representatives' Committee Repository
- Letters: data collection team collects information from sections of House committee web sites weekly

How the Tracker Works: What is Oversight?

- Two-tiered, key word and key witness/recipient approach
 - » Primary key words include “oversight,” “investigate,” “examine,” “review,” “supervision,” “inefficiency/efficiency,” “abuse,” “transparency,” “accountability,” “waste,” “fraud,” “abuse,” “mismanagement,” and “implementation,” as well as variants of these words.
 - » Primary witnesses or letter recipients included GAO officials and officials in agency Offices of the Inspector General.
- If a primary key word or witness/recipient appears, an additional set of conditions must be satisfied
 - » Federal government must be target of oversight
 - » Must target behavior since November 8, 2016
 - » Must not target state government or involve a legislative proposal/program reauthorization

How the Tracker Works: What is Oversight?

- Secondary key words/witnesses:
 - » Key words include “update,” “effects,” “preparation,” “improve,” and agency “actions.”
 - » Key witnesses and letter recipients include current and former heads of agencies or agency subunits, individuals affected by program mismanagement, and individuals or organizations with knowledge of White House or executive branch operations.
- Subject to higher scrutiny
- All work is done by two coders working independently

Relationship to Other Data Sources

- Lugar Center's hearing data
 - » Oversight = agency conduct hearings, some policy hearings, and agency budget request hearings within legislative hearings category
- Policy Agendas Project
 - » All content is coded into one of 20 major policy areas (2015 codebook)
 - » For web interactive, 20 major policy areas are collapsed into 10 topics
- Use the Vital Statistics on Congress committee codes
- Use OMB/Treasury codes for agencies and bureaus

B

Tracking House oversight in the Trump era

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HEARINGS

LETTERS

Filter House oversight activities by policy area:

See All

178 | Government Operations and Ethics

147 | Criminal Justice and Rule of Law

135 | Health Care

120 | Energy & Environment

104 | Defense & Foreign Policy

97 | Trade, Agriculture, & Economic Issues

84 | Domestic Social Programs

80 | Immigration

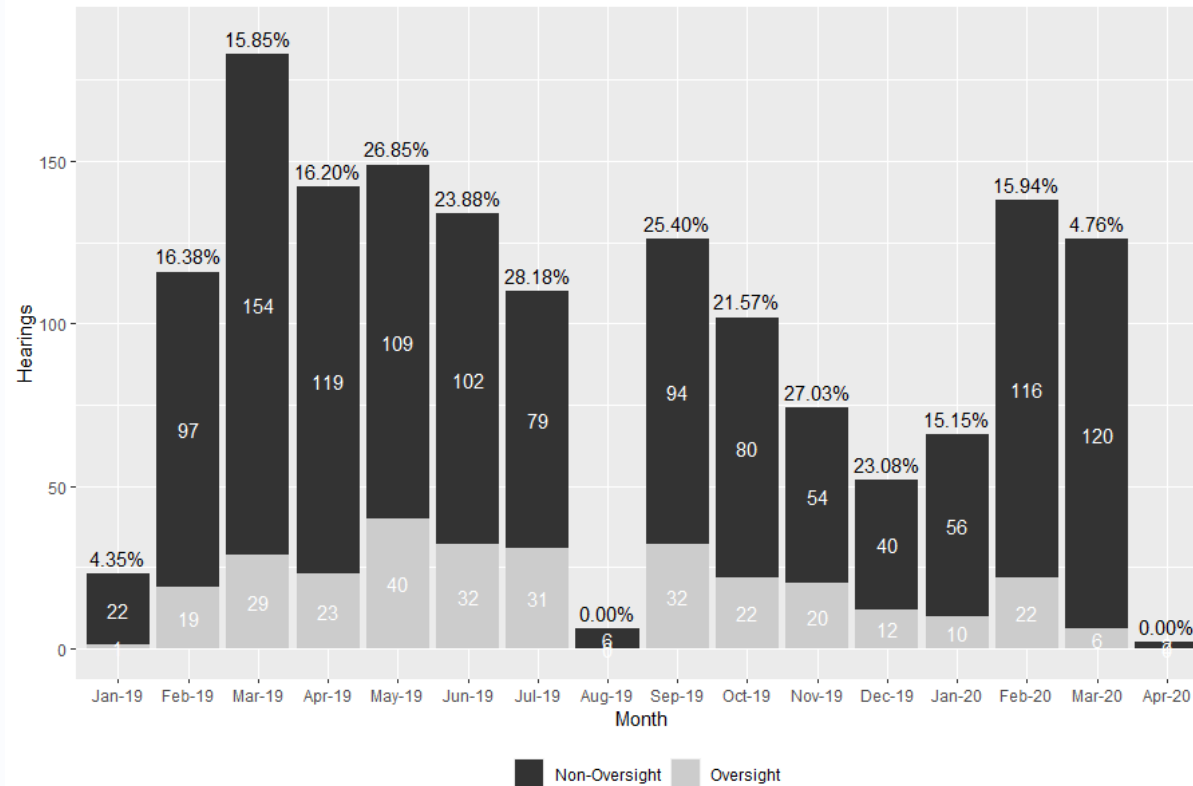
58 | Technology & Transportation

18 | Race & Civil Rights

DATE ▲	HEARING / LETTER	INVESTIGATION ▼	COMMITTEE(S)
— 5/15/2020	<div>LETTER</div> <div>U.S. Marshals COVID-19 Custody Handling</div> <div>RECIPIENT</div> <div>Donald W. Washington</div> <div>Director</div> <div>U.S. Marshals Service</div> <div>MOC SIGNATORIES AND TITLES</div> <div>Jerrold Nadler (chair), Karen Bass (subcommittee chair)</div> <div>SOURCE OF LETTER</div>	USMS COVID-19 Response	Judiciary

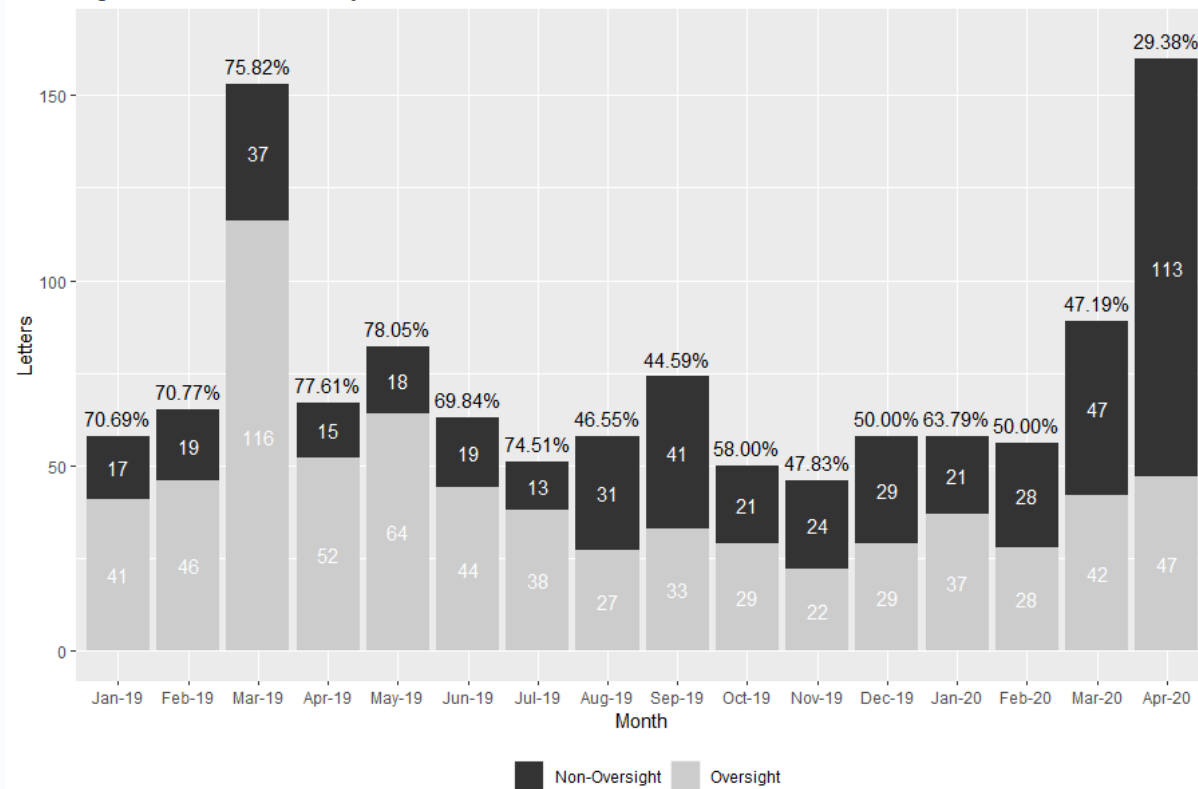
Overview of Findings

Figure 1: House Hearings By Month

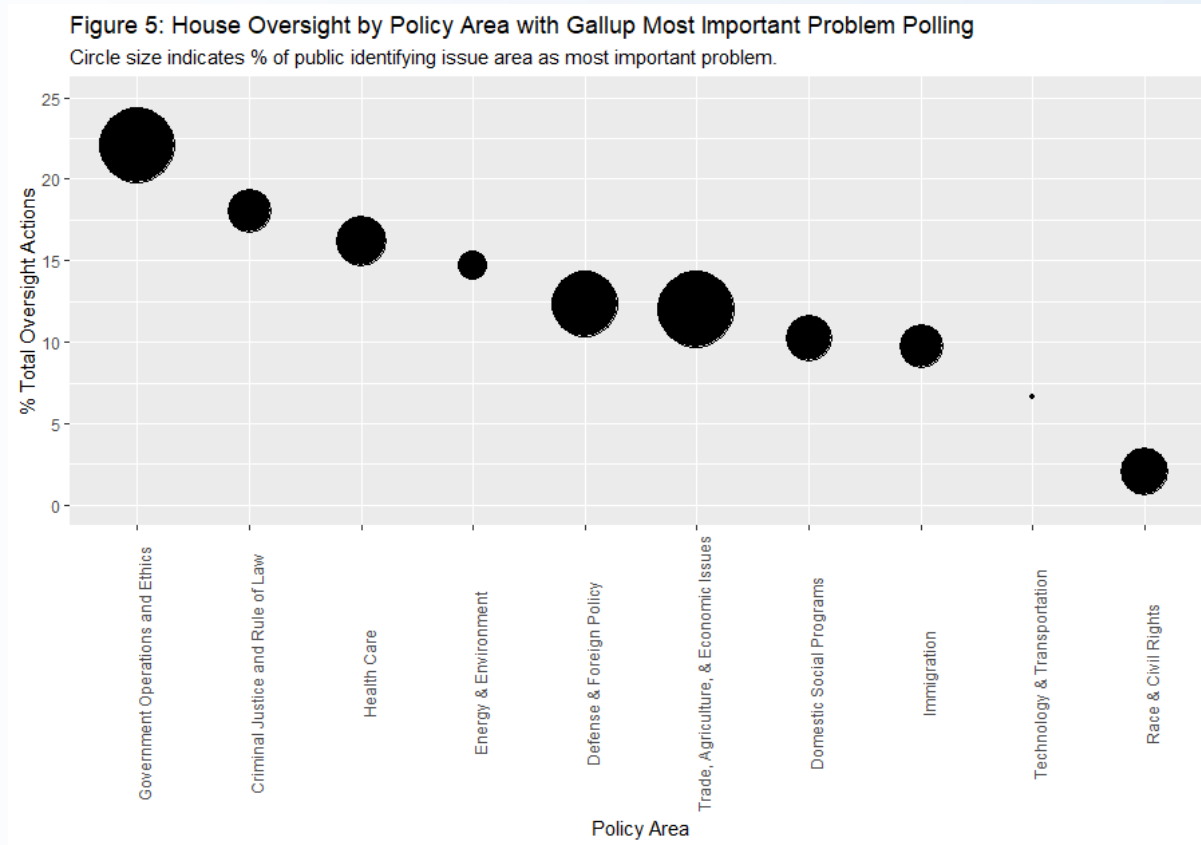


Overview of Findings

Figure 2: House Letters By Month



Overview of Findings



Information and Attention in Congressional Oversight:

U.S. Policy Agendas Project and Hearing “Purposes”

JONATHAN LEWALLEN

ASSISTANT PROFESSOR OF POLITICAL SCIENCE

UNIVERSITY OF TAMPA

FACULTY ASSOCIATE, U.S. POLICY AGENDAS PROJECT



U.S. Policy Agendas Project Hearings Dataset

Policy Agendas Project founded by Drs. Frank Baumgartner & Bryan Jones

- Began with study of agenda setting and attention in U.S. politics: *Agendas and Instability in American Politics*
- Devised issue coding scheme:
 - 20 major topics (e.g. Energy, Defense)
 - 220 subtopics (e.g. Youth Employment, Food Inspection & Safety)
- First dataset was Congressional Hearings
 - Today the U.S. Project covers 20+ government, media, public opinion, and interest group datasets
 - Expanded to the Comparative Agendas Project: 21 countries, 2 U.S. states, European Union
 - Website: comparativeagendas.net
 - U.S. Project based at the University of Texas at Austin

Congressional Hearings Dataset today: 100,254 hearings from 1946-2017

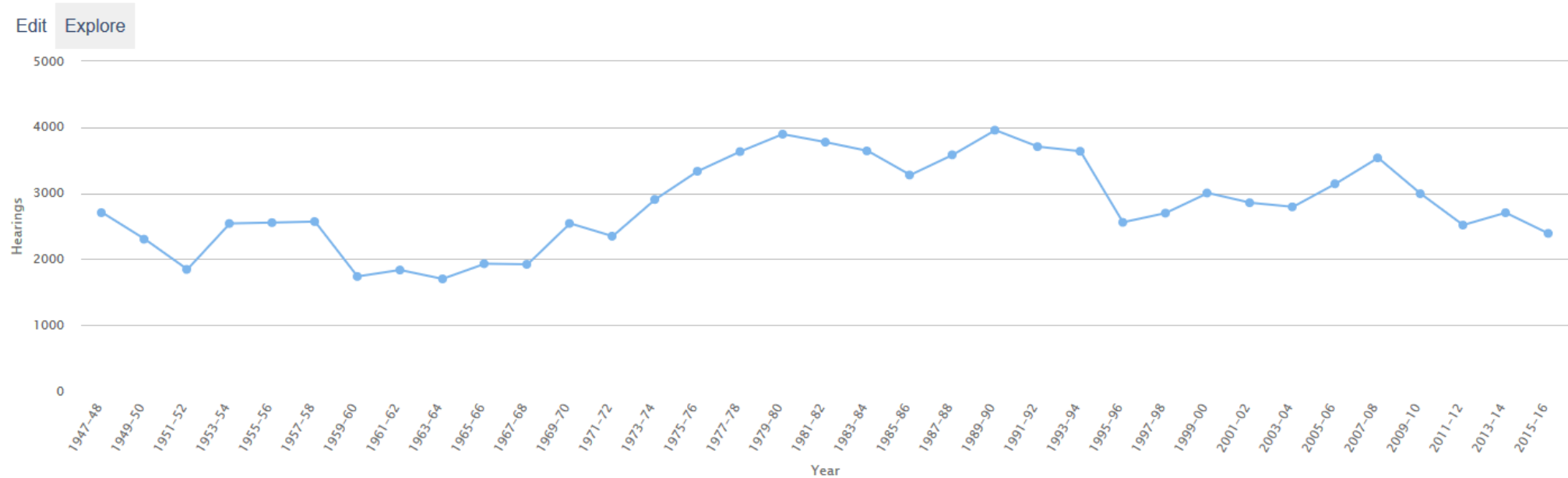
- Collected from Congressional Information Service
- Coded for whether they are legislative (referral) or non-legislative
- Whether a hearing deals with a proposed new agency or program
- Whether a hearing deals with an administration proposal

CAP Datasets and Codebooks

Parliamentary & Legislative

Belgium	↓
Brazil	↓
Denmark	↓
France	↓
Germany	↓
Hungary	↓
Italy	↓
Netherlands	↓
Spain	↓
State of Florida	↓
State of Pennsylvania	↓
Switzerland	↓
United Kingdom	↓
United States	↑
Congressional Bills	↓
Congressional Hearings	↓
Congressional Research Service Reports	↓
Public Law Titles	↓
Public Laws	↓
Roll Call Votes	↓

CAP Trends Tool



✕ US: Hearings #All Topics

Additional Options

Click on data points for additional options.

Chart type

Line

Chart export

Dates

☐ Year ☒ US Congress

1947-48

2015-16

Drilling Down Into Congressional Hearings

US: Hearings #All Topics

Measure:

Count

Type:

Line

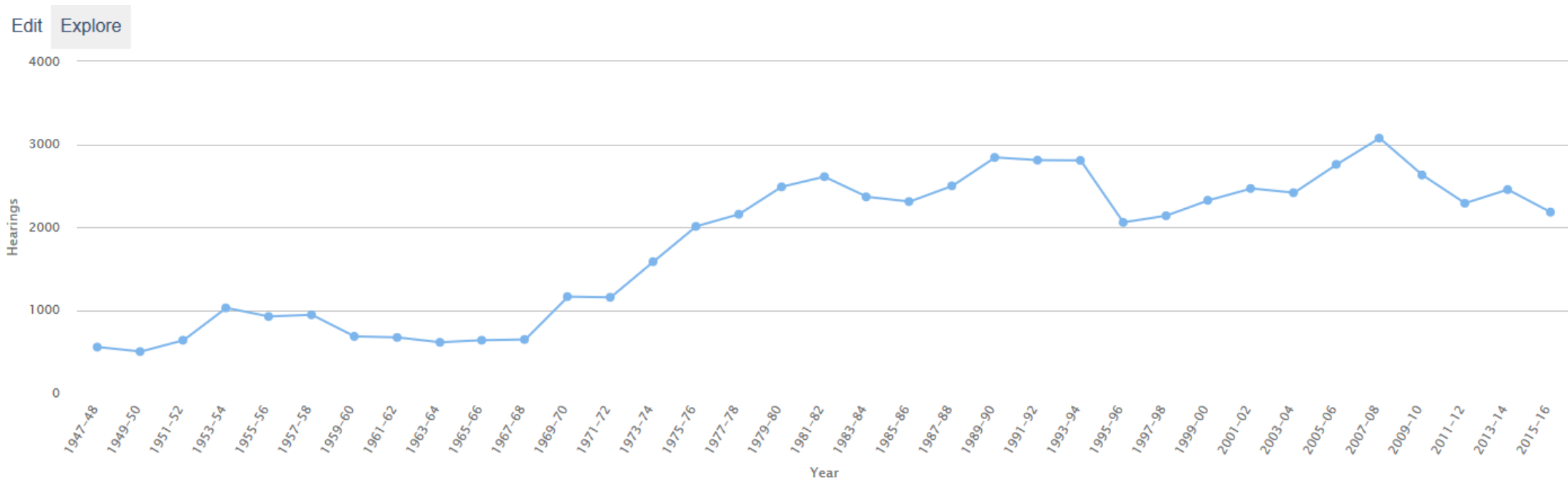
Y-axis:

primary

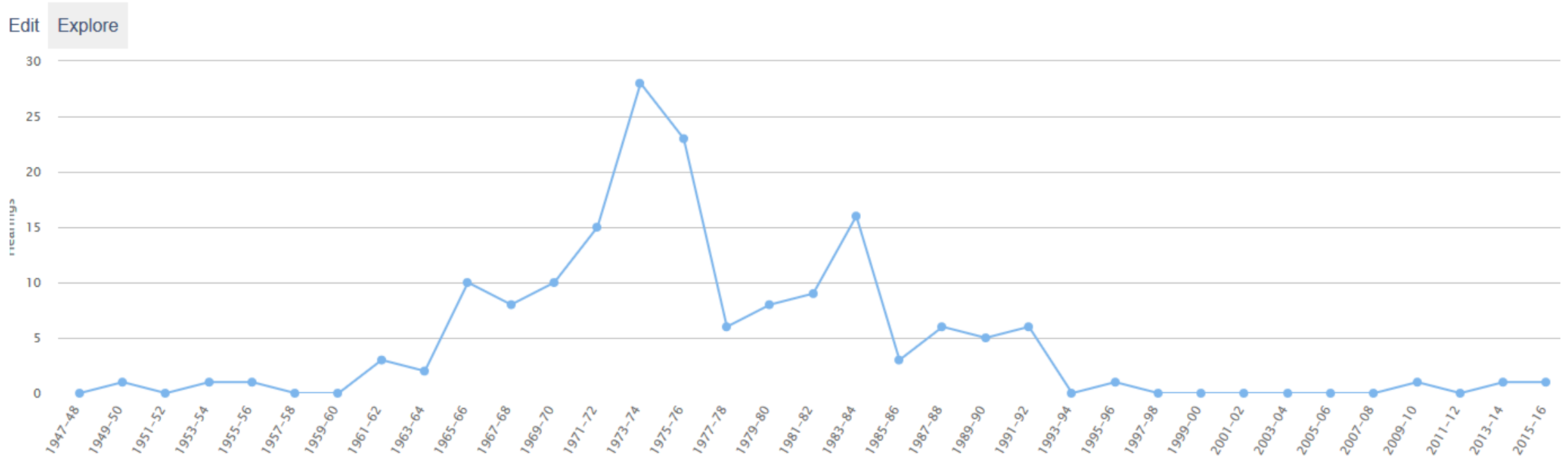
Include	Exclude	Filter
<input type="checkbox"/>	<input type="checkbox"/>	House
<input type="checkbox"/>	<input type="checkbox"/>	Senate
<input type="checkbox"/>	<input type="checkbox"/>	Joint
<input type="checkbox"/>	<input type="checkbox"/>	Referral
<input type="checkbox"/>	<input type="checkbox"/>	Approp
<input type="checkbox"/>	<input type="checkbox"/>	Agency
<input type="checkbox"/>	<input type="checkbox"/>	Program
<input type="checkbox"/>	<input type="checkbox"/>	Admin
<input type="checkbox"/>	<input type="checkbox"/>	Lawmaking



Non-Legislative Hearings Over Time



Hearings On Proposed New Agencies & Programs



Hearing “Purpose” and “Stance”

Lewallen, Theriault, and Jones 2016/2018/2020:

- What information is Congress receiving/processing in hearing? And has that information changed?

Started with Congressional Hearings dataset, devised additional codes

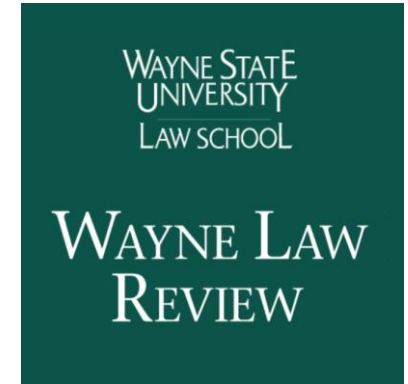
- **Purpose:** what are they talking about?
 - new problem vs. implementation of existing policy vs. proposed solution (bill or regulation)
- **Stance:** how are they talking about it?
 - range of opinions and analysis vs. every witness takes the same position

Our data: 21,830 hearings from 1971-2010 (data from 25 committees)

- Trends over time:
 - Number of witnesses testifying per hearing has decreased dramatically
 - Decrease in “solution” hearings, increases in both “problem” and “implementation” hearings

Differences across issues:

- Biggest witness decreases in Social Welfare, Education, Labor/Employment, Agriculture policies
- Science/Technology, Defense hearings have become more problem/implementation-oriented, more “exploratory” over time



Thanks for joining us!

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