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Controlling for Oversight in Studies of Oversight

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ABSTRACT

In honor of the creation of the Congressional Oversight Research Database (CORD), we explore some of the selection effects that observable measures of oversight may be subject to. We present a model in which Congress endogenously chooses whether to hold a hearing or to preempt the need for one by overturning an agency's policy in advance. These endogenous oversight choices imply that observable outcomes arise through two pathways: Congress may overturn a policy immediately or only after acquiring additional information through a hearing. Failing to account for this information-gathering stage can obscure the underlying mechanisms that drive these outcomes. Using data from ProQuest and CORD, we test two implications of the model, finding evidence that Congress selects into conducting oversight hearings and implementing subsequent policy reversals more often when in opposition to the President, with no impact of the information gathered during a hearing on subsequent policy reversals. This implies that Congress uses committee hearings primarily as a mechanism for sharing information about the executive branch when it is politically convenient, rather than as a mechanism for gathering information on policy alternatives. We then conclude with broader implications for empirical research on oversight, including the importance of distinguishing between information gathering and information sharing in oversight.

1 | Selection Effects in Studies of Oversight

Congressional oversight is a key mechanism through which Congress attempts to keep bureaucrats in line with its policy preferences. Oversight encompasses a variety of statutory and non-statutory mechanisms through which Congress gathers information about executive branch operations, disseminates information about executive branch operations to other members of Congress and regulated parties, and compels agencies to follow their policy preferences. Oversight is particularly important for Congress achieving its policy goals when legislative gridlock is high and delegation to the executive branch is widespread, as Congress can potentially compel responsiveness from federal agencies without needing to go through the traditional legislative process. It can even serve as an important, yet limited, avenue for the minority party to exert influence over the executive branch (Drolc and Butcher [Forthcoming](#)). At the same time, oversight activity itself can feed back into the legislative

process, with committee investigations and oversight reports shaping subsequent bill referrals and legislative productivity (Leavitt [Forthcoming](#); Theriault [Forthcoming](#)).

Empirical studies of the determinants of congressional oversight have examined data on a wide range of observable indicators of oversight, such as the frequency of committee hearings (Aberbach [1990](#); Mayhew [1991](#); Kriner and Schwartz [2008](#); McGrath [2013](#); Parker and Dull [2013](#)), witness invitations and information provision in committee hearings (Diermeier and Feddersen [2000](#); Ban et al. [2023](#); Eldes et al. [2024](#); Ban et al. [2026](#)), limitation riders in appropriations reports (Macdonald [2010](#)), private communications with federal agencies (Lowande [2018](#); Ritchie [2018](#); Ritchie and You [2019](#)), comments on federal rules (Lowande and Potter [2021](#)), and non-statutory directives in appropriations reports (Bolton [2022](#)). These observable indicators are all indicative of Congress conducting oversight; however, the

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umbrella of actions that constitute oversight is very broad and includes actions that are vastly different from one another. Some oversight actions, such as private communications with federal agencies, occur outside of the public eye and thus do not exhibit the same patterns of ideological influence as more public oversight actions,¹ and some actions are designed to proactively gather information about executive branch oversight² whereas others are more in line with a “fire-alarm” model of oversight where Congress conducts reactive oversight in response to information provided by outside organizations (McCubbins and Schwartz 1984).

Despite the wide variety in actions under the “oversight umbrella” in the empirical literature, most papers only look at one of these oversight actions at a time. However, many of the aforementioned oversight actions may flow into one another—the reports given to Congress by a federal agency may have been mandated by Congress itself and said report may be cited in a committee hearing convened upon receipt of the report, as an example. Selin and Moore build upon this and conceptualize oversight as “a series of actions designed both to gather information on the executive and to facilitate legislative credit claiming and position taking.” (Selin and Moore 2023, 187) This conceptualization of oversight highlights that each observable occurrence of oversight does not occur in a vacuum and that the presence of observable oversight is often, but not always, conditioned on the occurrence of earlier oversight actions. The empirical literature’s tendency to focus on one category of oversight action at a time thus raises the possibility that the empirical patterns in the literature are the product of selection effects that generate observable indicators of oversight.

This paper focuses on oversight-generated selection effects with respect to the decision to hold a hearing or not and that decision’s implications for the observable policy outcomes of oversight. Much of the empirical literature on congressional oversight focuses on the decision of Congress to opt-in to oversight, but data and endogeneity challenges make analysis of policy change flowing from congressional oversight difficult.³ To observe the principal (i.e., Congress) correcting the policy choices of the agent (i.e., an agency), the agent has to make a policy decision that is incongruent with the preferences of the principal and the principal has to make an observable change to the policy. Hearings, as the most common unit of analysis in empirical studies of congressional oversight, are a promising avenue for connecting oversight to policy outcomes, but this approach may induce bias because Congress can confirm or reverse an agency’s policy choice without needing to hold a hearing in the first place. Figure 1 illustrates this logic. Note that x represents the policy choice of the agency and Reversal and Confirmation represent whether Congress overturns the agency’s choice of x or not. The two inner circles on the left and right side of the figure illustrate the regions of observable policy outcomes where a hearing was held and Congress decided to either confirm or reverse an agency’s policy choice. However, the larger oval is the region of all policy outcomes, including those where Congress decided not to hold a hearing before making the decision to reverse or confirm the agency’s policy choice. Figure 2 also illustrates this logic—by using hearings as the unit of analysis, empirical studies of oversight

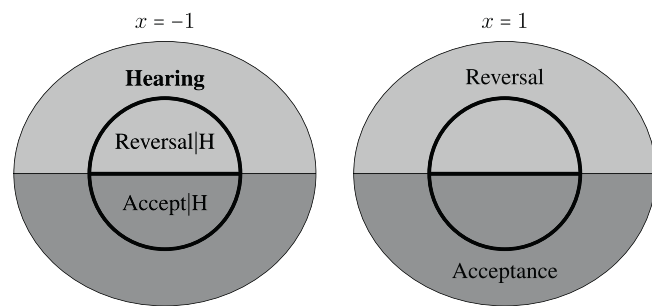


FIGURE 1 | Venn diagram of agency policy choices, congressional policy choices, and hearings.

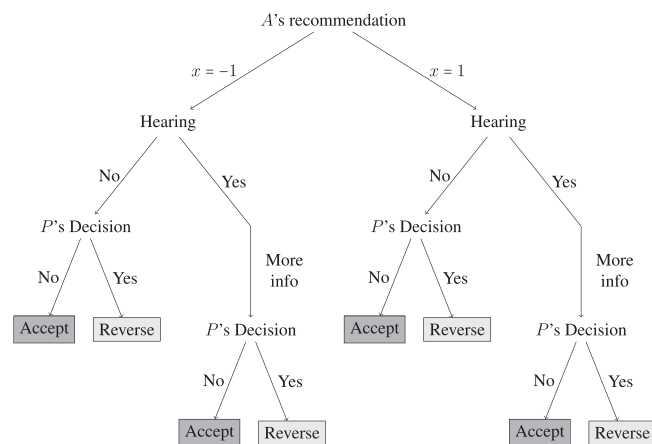


FIGURE 2 | Decision tree for congressional hearings and policy choice.

and policy change are limited to examining instances where Congress opted into holding a hearing, leaving out instances where Congress made a policy choice without holding a hearing.

One form of selection effects derived from Congress’s decision between holding a hearing or making a policy decision without a hearing, particularly as it relates to conducting oversight in order to gather information on the executive branch, stems from ex ante beliefs about the informativeness of oversight. If, for example, Congress believes that conducting a hearing about the operations of an agency with a high degree of politicization by the President will prove uninformative, Congress may be less likely to conduct the hearing in the first place and decide whether or not to impose policy change on the agency without first conducting a hearing.⁴

If hearings are less likely to occur when ex ante beliefs about the informativeness of a hearing are low, it raises the possibility that empirical studies of oversight hearings are disproportionately capturing cases where Congress believes that a hearing will be informative, which the literature has shown to not be uniformly distributed across different characteristics of agencies (Potter 2019; Ban et al. 2026). This has significant implications for the type of oversight being captured in observational studies of oversight, particularly oversight hearings, and it also implies that many cases of policy changes stemming from oversight may occur without being connected to observable occurrences of oversight.

On the other hand, if hearings are moreso about sharing information to the rest of Congress and the public than gathering information, then hearings may be more likely to occur as a function of preference divergence and electoral incentives—a pattern well replicated in the literature (Kriner and Schwartz 2008; McGrath 2013; Parker and Dull 2013, among others). However, as mentioned earlier, hearings are not the only mode of oversight that Congress engages in and they are by far the most public. Other forms of oversight, such as direct communications between Congress and federal agencies, are much more congruent with information gathering than information sharing and also tend to show weaker patterns of ideological influence (Lowande 2018; Ritchie and You 2019). Equating hearings with oversight as a whole may thus result in overstating the impact of electoral incentives and ideological divergence on the occurrence of oversight.

The oversight model we present below highlights how Congress's *endogenous* oversight decisions, including whether to hold a hearing or preempt the need for a hearing by overturning/affirming an agency's policy beforehand, shape policy outcomes stemming from oversight. In the model, we focus on three forms of selection effects induced by Congress's decision to opt into holding a hearing in order to gather more information about an agency's policy choice: the expected informativeness of a hearing, the quality of the agency's private information, and preference divergence between Congress and an agency. We find that the sign of the effect of these variables on the rate of policy reversals by Congress can flip when comparing policy reversals conditional on holding a hearing versus overall policy reversals. We then present empirical tests on the occurrences of hearings and policy change stemming from hearings to test the model and present implications for empirical research.

2 | A Model of Congressional Hearings & Oversight

In this section, we present a formal model of oversight. The model is very stylized: it focuses on a single strategic player who is charged with making possibly costly decisions regarding the review and potential reversal of a single binary policy (denoted by $x \in \{-1, 1\}$) with uncertain policy effects (denoted by a *state of nature*, $\omega \in \mathbf{R}$). The central factor at play in the model is a non-zero probability that the policy recommended to the principal by a (non-strategic) agent might be incorrect. In slightly more formal terms, the principal is focused on the simple question of, “which policy x is better aligned with the true underlying state of nature, ω ?” This is a classic setting in political economy, perhaps most notably associated with the seminal model of Crawford and Sobel (1982), as utilized by Gilligan and Krehbiel (1987), Epstein and O'Halloran (1999), Gailmard and Patty (2012b), and many other scholars.

Unlike many similar models, we assume that the agent (e.g., a bureaucratic agency or some other political actor) is non-strategic in the sense of following a *known* policy rule to translate his or her *private* information about the state of nature, ω —which we denote by s_A —into a binary policy recommendation, x , which is then observed by the principal (e.g., Congress). The principal does *not* observe the agent's private signal, s_A . After observing

x , the principal has three choices. The principal can *confirm* the recommendation x , after which x is implemented as policy, the true state of nature ω is revealed, and the game concludes. The principal can instead *preempt* the recommendation x , in which case $y = (-1) \cdot x$ is implemented as policy, ω is revealed, and the game concludes. The final third option for the principal is to instead *hold a hearing* about x . If a hearing is held, then the principal incurs a direct cost, but also observes an additional, conditionally independent signal about the state of nature, ω .

If the principal holds a hearing about x , then he or she must, on the basis of his or her beliefs after the hearing, choose to either confirm x as the final policy outcome or *overturn* x and implement $y = (-1) \cdot x$ as the final policy outcome. In either case, the principal's choice is implemented as the final policy, the state of nature, ω , is realized, and the game concludes.

Why Is the Agent Non-Strategic? Our model is deliberately “simple.” By assuming that the agent's “hands are tied” when choosing policy after observing s_A , we believe that our model is arguably a more faithful representation of real-world bureaucratic decision-making (i.e., many, if not most, bureaucratic recommendations are governed by publicly accessible laws and/or procedures). Additionally, by tying the agent's hands, the principal's problem is a decision-theoretic (as opposed to game-theoretic) in nature. This allows us to more cleanly identify the principal's incentives in conducting oversight that can generate empirical selection effects.

Put another way, the effects our model identifies are always at play in a fully strategic principal-agent setting. However, these effects are often mitigated and/or amplified in such models *because the agent is strategically choosing the policy he or she recommends to the principal*. While these effects can be incredibly important in both theory and the real world, they also depend on the agent's “personal incentives.” Among many other factors potentially at play here, a key factor that leads the equilibrium behavior of the agent to diverge from that assumed in our model is the degree to which the principal and the agent *have different policy preferences*. We think it is clear that, from an empirical perspective, this factor can vary across both space and time.⁵

By removing such factors, our model allows us to focus more squarely on the purely “informational” motivations that the principal faces when considering the agent's policy recommendation. Put another way, the model identifies what we believe to be near-ubiquitous features of oversight: incomplete information, costly information collection, and the possibility of direct costs arising from reversing the agent's policy recommendation. We now describe the timing of the game.

Timing of the Game. The timing of our model is as follows:

1. A **state of nature**, ω , is drawn according to a Normal (0, 1) distribution.⁶
2. Given ω , A observes a **private signal**, s_A , drawn from the Normal (ω , σ_A^2) distribution.
3. A chooses a **policy recommendation**, $x \in X$, as a function of s_A as follows:

$$x^*(s_A) = \begin{cases} -1 & \text{if } s_A < \kappa, \\ 1 & \text{if } s_A \geq \kappa, \end{cases}$$

where $\kappa \in \mathbf{R}$ is an exogenous and commonly known **threshold**.

4. P observes x and an **independent signal**, $s_I \in \mathbf{R}$.
5. Based on (κ, x, s_I) , P chooses whether to **hold a hearing**, $h \in \{0, 1\}$.
6. If P does not hold a hearing ($h = 0$), then P chooses policy, $y \in X$, based on (κ, x, s_I) , and

$$a(x, y) = \begin{cases} 0 & \text{if } y = x, \\ 1 & \text{if } y \neq x. \end{cases} \quad (1)$$

7. If a hearing is held ($h = 1$),
 - P incurs cost $c \geq 0$,
 - P observes another signal, $s_H \in \mathbf{R}$, drawn from a $\text{Normal}(\omega, \sigma_H^2)$ distribution,
 - Based on (κ, x, s_I, s_H) , P chooses a final policy, $y \in X$, and
 - $a(x, y)$ is determined according to Equation (1).
8. Finally, P receives his or her payoff and the game concludes.

Payoffs. As mentioned above, our model assumes that the agency is “non-strategic” (κ is fixed and exogenous), so we omit a payoff function for A . We assume that the principal’s payoff function, u_P , is as follows:

$$u_P(y, h, a|\omega) = -|y - \omega| - c \cdot h - k \cdot a$$

where $c \geq 0$, and $k \geq 0$ are each exogenous and commonly known.

Table 1 summarizes the key parameters of the model and provides brief descriptions of their substantive interpretation.

2.1 | Hearing Probability

The complete equilibrium characterization is provided in Appendix A. In this section, we discuss several main

TABLE 1 | Main parameters of the model.

Parameter	Meaning
ω	State of the world
s_A	Agency signal
s_I	P ’s initial signal
s_H	Hearing signal
σ_A	Agency signal precision
σ_I	Initial signal precision
σ_H	Hearing precision
κ	Preference divergence
c	Hearing cost
k	Reversal cost

implications of the model. First, we conduct comparative statics to assess how each parameter influences the equilibrium probability that P holds a hearing.

Proposition 1 (Hearing Likelihood). *For any pre-hearing information set, (s_I, x) , the equilibrium probability P holds a hearing ($h = 1$) is:*

1. Decreasing in c ,
2. Decreasing in σ_H ,
3. Increasing in σ_I ,
4. Increasing in σ_A ,
5. Decreasing in k ,
6. Increasing in κ conditional on $x = -1$, and
7. Decreasing in κ conditional on $x = 1$.

Discussion of Proposition 1. The comparative static with respect to c identified in Proposition 1 is intuitive: as hearings become more expensive for P , he or she will be less likely to find it optimal to hold one.

The effect of σ_H represents the impact of the precision of the information about ω that P can obtain by holding a hearing, s_H . In our model, the only instrumental justification for $h = 1$ is to set policy more accurately. Accordingly, as σ_H increases, this instrumental value of P holding a hearing decreases.

The effect of σ_I represents the impact of the precision of P ’s independent information about ω prior to holding a hearing. Mirroring the logic behind the effect of σ_H , as σ_I increases, P ’s instrumental value from observing an additional signal, s_H , increases as well.

The effect of σ_A represents the impact of the precision of A ’s information about ω prior to choosing x . As σ_A increases, recommendation x is less informative about ω . This makes the additional information from hearing more valuable, and accordingly, the effect of σ_A on P ’s choice to hold a hearing is qualitatively similar to that of σ_I .⁷

The effect of k on a hearing being held in equilibrium is slightly subtle. While k is incurred by P only if P preempts or overturns A ’s recommendation x , it affects P ’s choice of h through two pathways. First, higher k makes it less likely that P will ultimately preempt or overturn either policy recommendation, $x \in \{-1, 1\}$. However, it also increases the “information threshold” that P requires to preempt/overturn x , which means P becomes more likely to hold hearings. In this setting, the second effect outweighs the first.

The effect of κ —which is conditional on A ’s policy recommendation, x —is arguably the most interesting of the comparative statics in Proposition 1, as it arguably reflects ideological divergence between the principal and the agent. Raising κ means A uses a stricter cutoff for choosing $x = 1$. This means that if we observe $x = 1$ under stricter κ , this is a stronger evidence that ω is high; hearing thus decreases in κ given $x = 1$. In contrast, if P observes $x = -1$ under a stricter κ , this is a less informative information about ω , and hearing increases in κ given $x = -1$. From a formal

perspective, the predictions are also substantively interesting. *The model predicts that the principal becomes more likely to hold hearings as the agency's policy rule becomes less aligned with the principal's ideological goals.*

2.2 | Preemptions and Overturns

Next, we characterize when reversals become more or less likely in equilibrium. Our main contribution is to demonstrate that the relationship between the parameters and the equilibrium probability of reversal is frequently non-straightforward, precisely because these parameters simultaneously influence P 's endogenous choice to hold a hearing.

When $y_0 = 1 - x$ or $y_1 = 1 - x$ occurs on the equilibrium path of play (i.e., whenever $a(x, y) = 1$), we say that P **reversed** A 's policy recommendation x . More specifically, if $y_0 = 1 - x$, we say that P **preempted** x , and when $y_1 = 1 - x$, we say that P **overturned** x . We denote the ex ante equilibrium probability that x is reversed by R^* .

Proposition 2 (Policy Reversals). *The ex ante equilibrium probability P reverses A , R^* , is*

1. Decreasing in k ,
2. Ambiguous in σ_H ,
3. Ambiguous in σ_I ,
4. Increasing in σ_A ,
5. Increasing in κ conditional on $x = -1$, and
6. Decreasing in κ conditional on $x = 1$.

Discussion of Proposition 2. The ambiguity of the effect of the principal's cost of overturning the agency's recommendation (i.e., k), represents the countervailing incentives faced by P in the pre-hearing stage. Increasing k mitigates against P 's instrumental gain from preempting or overturning x . However, higher values also leads to a higher probability that P should hold a hearing in order to procure enough information about ω (i.e., $h = 1$) to justify overturning x .

As the information P can procure from holding a hearing becomes less precise (i.e., as σ_H increases), P will make less accurate policy decisions after holding a hearing, mitigating against overturning x in equilibrium. At the same time, by decreasing the informational value of holding a hearing ($h = 1$), increasing σ_H also increases P 's willingness to preempt a policy, x , that would have prompted P to defer preempting in order to hold a hearing if σ_H were lower. Each of these competing effects can exceed the other, depending on the details of the problem.

As P 's independent signal, s_I , becomes less precise (i.e., σ_I increases), P 's instrumental value from preempting x increases, but also increases P 's instrumental value from holding a hearing ($h = 1$). If P holds a hearing, the probability of reversal after observing s_H is a function of σ_H . Thus, the overall effect on R^* is ambiguous without knowing the other parameters of the setting.

Increasing σ_A unambiguously increases the equilibrium probability of reversal, R^* . This conclusion is intuitive: for example, even if $\kappa = 0$ (i.e., the agency is faithful), P 's oversight still plays a role in both strategic and collective welfare terms, because P can "correct A 's mistakes" through reference to the s_I and, if applicable, s_H .

As with Proposition 1, the effect of κ is conditional on the agency's policy recommendation, x . As with the equilibrium probability P holds a hearing (Proposition 1), increasing κ will increase reversals of the policy that A is more likely to recommend (because $\kappa \geq 0$, $x = 1$ in this case) while decreasing the probability of reversal conditional on A choosing the policy that it is less likely to recommend in equilibrium (i.e., $x = -1$ in this case).

2.3 | Selection Effects and Sign Reversals

So far, we have observed that the comparative statics of reversals can exhibit selection effects. A parameter may increase reversals in heard cases while decreasing total reversals or vice versa, because it simultaneously changes how often hearings occur. We summarize and highlight three such selection effects below:

1. *Effect of ideological divergence κ :* It is possible for the overall hearing probability to decrease as κ increases, even though the probability of reversal among heard cases (overturns) increases as κ increases.
2. *Effect of hearing precision σ_H :* It is possible for the overall reversal rate to increase as the hearing precision increases, even though the probability of reversal among heard cases (overturns) decreases as the precision increases. Increase in σ_H raises preemption but reduces overturns conditional on a hearing, so the net effect on total reversals depends on how much hearing is held.
3. *Effect of agency signal precision σ_A :* As the agency's private information σ_A becomes noisier, overall reversals increase but they decrease conditional on hearings.

To make the implications of Propositions 1 and 2 more concrete, we now show that it is possible, in equilibrium, for the overall (i.e., unconditional) reversal rate, R^* , to *decrease* as ideological divergence κ increases, even though the probability of reversal *among heard cases* (i.e., $R^* | h = 1$) *increases* as κ increases. Put another way, Lemma 1 establishes that empirical analysis restricted to cases for which a hearing was held (i.e., $h = 1$) can yield an estimated effect of κ on reversals that reverses κ 's true (unconditional) effect on reversals in equilibrium.

Lemma 1 (Selection Effects & Sign Reversals). *Let $H = 1\{h^* = 1\}$ and $R = 1\{y^* \neq x\}$. There exist open sets of parameters $(\kappa, \sigma_I, \sigma_A, \sigma_H, k, c)$ such that:*

$$\frac{\partial}{\partial \kappa} \Pr(H = 1) > 0 \quad \text{and} \quad \frac{\partial}{\partial \kappa} \Pr(R = 1 | H = 1) > 0, \quad \text{but} \quad \frac{\partial}{\partial \kappa} \Pr(R = 1) < 0.$$

2.4 | Demonstration of Selection Effects Through Numerical Simulations

We now consider the challenge of estimating three parameters of our model. The first of these is the impact of ideological divergence between the principal and the agent (κ). This question has attracted significant attention in political science. Some have argued that the principal's optimal agent is an "ideological ally" of the principal, with $\kappa = 0$ (Bendor and Meirowitz 2004; Gailmard and Patty 2012a), while others have argued that moderate preference divergence (i.e., $\kappa \neq 0$) can be optimal (e.g., Turner 2017; Boehmke et al. 2006).

The second parameter of interest represents the quality of the agency's private information (σ_A). In models such as ours, higher values of σ_A represent "more difficult" or "complex" policy tasks and, accordingly, lower values of σ_A are sometimes thought of as reflecting greater bureaucratic expertise (e.g., Calvert et al. (1989), Kiewiet and McCubbins (1991), Callander (2008)).

The final parameter we consider represents the quality of information available to the principal from a hearing (σ_H). Interpretations of this parameter in the Congressional literature are analogous to those of σ_A in the bureaucratic literature, but in relation to Congressional expertise (e.g., Epstein and O'Halloran (1999)).

Using numerical simulations,⁸ we consider two common empirical strategies.⁹ In the first, we examine only situations in which the principal held a hearing (i.e., $h = 1$). Such an approach might be required because data about cases which did not involve a hearing is unavailable. For similar reasons, and to illustrate the fecundity of potential selection effects even in our simple model, we also examine only situations in which the principal reversed the agency's policy (i.e., $y^* \neq x^*$).

For each of the three parameters described above ($\theta \in \{\kappa, \sigma_H, \sigma_A\}$), our simulation results demonstrate two serious potential selection effects. The first of these is a sign reversal of the effect of each of these on the frequency with which the principal reverses the agency's recommendation (the equilibrium "reversal rate"), when the data is *conditioned on a hearing having been held*. The second potential selection effect is similar: a sign reversal of the effect of the three parameters on the probability that the principal holds a hearing to collect more information about the agency's recommendation (the equilibrium "hearing rate"), when the data is *conditioned on the principal having reversed the agency's recommendation*.

2.4.1 | The Effect of Policy Divergence (κ)

We begin by considering the challenge of estimating ideological divergence (κ). If we examine the probability of policy reversal (R^*), Table 2 illustrates the possibility of a sign reversal κ if one only has data on policies about which the principal held a hearing.¹⁰

Table 2 shows that, as A 's policy threshold becomes more conservative ($\kappa \uparrow$), the *population* reversal rate rises ($R^* \uparrow$). This occurs because more marginal right-tail states are sent as $x = -1$ and are corrected by P . Yet among the *heard* cases, composition shifts toward more decisive evidence (farther from the overturn

TABLE 2 | Sign reversal for κ when analyzing probability of reversal, conditioning on $h = 1$.

κ	$\Pr(h = 1)$	R^* (overall)	$R^* h = 1$
0.00	0.552	0.141	0.236
0.25	0.497	0.151	0.229
0.50	0.446	0.161	0.221
0.75	0.401	0.170	0.214
Conditional estimated effect of κ	< 0	> 0	< 0

edge), so $R^* | h = 1$ falls. This yields opposite slopes: $\frac{dR^*}{d\kappa} > 0$ but $\frac{d}{d\kappa} R^* | h = 1 < 0$.

Switching the conditioning occurring in the analysis, Table 3 presents a similar example, where the data is now selected based on whether the principal reversed the agent (i.e., $y \neq x$).¹¹

Table 3 illustrates that, as A 's policy threshold becomes more conservative ($\kappa \uparrow$), the *population* hearing rate decreases ($\Pr(h = 1) \downarrow$), but the conditional probability of a hearing having been held, given that P reversed the agency ($y \neq x$), is *increasing* as κ increases.

2.4.2 | The Effect of the Quality of A 's Private Information (σ_A)

Now turning the effect of the quality of the agent's private information and examining the probability of policy reversal (R^*), Table 4 illustrates the possibility of a sign reversal κ if one only has data on policies about which the principal held a hearing.¹²

Table 4 demonstrates that, as the quality of A 's private information declines ($\sigma_A \uparrow$), the *population* reversal rate increases ($R^* \uparrow$). However, if examine the effect of σ_A on the reversal probability, R^* , conditional on a hearing being held, the estimated impact is reversed: *conditional on a hearing having been held*, reversals occur *less* frequently as the agency's private information becomes more accurate ($\sigma_A \downarrow$).

As before, if we change the conditioning occurring in the analysis, so considering only cases in which the principal reverses the agent's recommendation ($y \neq x$), Table 5 demonstrates the selection effect that one might encounter in such an analysis.¹³

As demonstrated in Table 5, as the quality of A 's private information decreases ($\sigma_H \uparrow$), the *population* hearing rate increases ($\Pr(h = 1) \uparrow$), but the conditional probability of a hearing having been held, given that P reversed the agency ($y \neq x$), is *decreasing* as κ increases.

2.4.3 | The Effect of the Quality of P 's Information From Hearings (σ_H)

Finally, we consider the impact of the quality of the information the principal can obtain from holding a hearing (σ_H). If we examine the probability of policy reversal (R^*), Table 6 illustrates

the possibility of a sign reversal κ if one only has data on policies about which the principal held a hearing.¹⁴

Table 6 shows that, as the quality of the principal's information from holding a hearing decreases ($\sigma_H \uparrow$), the *population* reversal rate decreases ($R^* \downarrow$), but the conditional probability of reversal, given a hearing having been held ($R^* | h = 1$), is *increasing* as σ_H increases.

Selecting on Policy Reversal. Table 7 considers a situation in which the data is selected based on whether the principal reversed the agent (i.e., $y \neq x$).¹⁵

Table 7 shows that, as the quality of the principal's information from holding a hearing decreases ($\sigma_H \uparrow$), the *population* probability of a hearing being held is decreasing ($\Pr[(h = 1) \downarrow]$), but the conditional probability of a hearing having been held, given that

TABLE 3 | Sign reversal for κ hen analyzing probability of a hearing, conditioning on $y \neq x$.

κ	$\Pr(h = 1)$	R^* (overall)	$\Pr(h = 1 y \neq x)$	$R^* h = 1$
0.00	0.620	0.138	0.74	0.224
0.25	0.585	0.149	0.77	0.231
0.50	0.534	0.161	0.80	0.238
0.75	0.492	0.172	0.83	0.246
Conditional Estimated Effect of κ	< 0	> 0	> 0	> 0

TABLE 4 | Sign reversal for σ_A hen analyzing probability of a hearing, conditioning on $h = 1$.

σ_A	$\Pr(h = 1)$	R^* (overall)	$R^* h = 1$	$R^* x = 1, h = 1$
0.40	0.382	0.143	0.255	0.292
0.70	0.431	0.162	0.244	0.277
1.00	0.468	0.179	0.232	0.264
Conditional Estimated Effect of σ_A	> 0	> 0	< 0	< 0

TABLE 5 | Sign reversal for σ_A hen analyzing probability of a hearing, conditioning on $y \neq x$.

σ_A	$\Pr(h = 1)$	R^* (overall)	$\Pr(h = 1 y \neq x)$	$R^* h = 1$
0.40	0.382	0.143	0.77	0.255
0.70	0.431	0.162	0.70	0.244
1.00	0.468	0.179	0.63	0.232
Conditional Estimated Effect of σ_A	> 0	> 0	< 0	< 0

TABLE 6 | Sign reversal for σ_H hen analyzing probability of reversal, conditioning on $h = 1$.

σ_H	$\Pr(h = 1)$	R^* (overall)	$R^* h = 1$	$R^* x = 1, h = 1$
0.30	0.520	0.195	0.238	0.270
0.60	0.410	0.172	0.251	0.296
0.90	0.312	0.158	0.266	0.318
Conditional Estimated Effect of σ_H	< 0	> 0	< 0	> 0

TABLE 7 | Sign reversal for σ_H hen analyzing probability of a hearing, conditioning on $y \neq x$.

σ_H	$\Pr(h = 1)$	R^* (overall)	$\Pr(h = 1 y \neq x)$	$R^* h = 1$
0.30	0.520	0.195	0.71	0.238
0.60	0.410	0.172	0.78	0.251
0.90	0.312	0.158	0.84	0.266
Conditional estimated effect of σ_H	< 0	< 0	> 0	> 0

P reversed the agency's recommendation ($y \neq x$), is *increasing* as σ_H increases.

A Takeaway Message. The simulation results reported above demonstrate that both of the forms of conditioning considered above (i.e., on the *process* (hearings being held: $h = 1$) or on the *outcome* (the recommendation being reversed: $y \neq x$)) act as *colliders* that reshape sample composition in ways that can *invert the sign* of comparative statics. The direction of the reversal depends on where each parameter pushes mass relative to the uphold band, which margin (pre vs. post hearing) generates most reversals, and how the hear/no-hear threshold selects observations. These selection effects follow directly from the non-random nature of hearings and reversals; hearings are not held at random, and reversals do not occur at random among heard cases, so conditioning on either naturally distorts the composition of the resulting sample. Our analysis nonetheless underscores the importance of accounting for this selection in empirical work, as failing to do so can yield estimates that reverse the sign of the true effect. Careful identification must model the joint selection into h and y , or use designs that exogenize the parameter of interest.

2.5 | Empirical Implications of Selection Effects

The sign reversals induced by the selection effects of Congress deciding to hold a hearing have significant empirical implications for the study of policy change stemming from oversight. The sign reversal of κ implies that observable policy change following the occurrence of a hearing is concentrated among aligned agencies, even though Congress is overall more likely to overturn the policies of misaligned agencies. An empirical study of oversight-induced policy change that uses hearings as the unit of analysis may therefore find that Congress prefers to constrain the policymaking activities of ideologically aligned agencies, even if the overall effect is the reverse.

The sign reversal we showed with respect to the marginal effects of σ_H implies that the preciseness/informativeness (or ex ante beliefs thereof) of a hearing affects the overall rate of reversals and the conditional rate of reversals differently. Less informative hearings decrease overall reversals but increase reversals conditional on a hearing being held. This is because a decrease in the precision of σ_H makes Congress think that holding a hearing will not reveal much useful information, therefore Congress would rather skip the hearing in the first place and make the policy change without the extra information that a hearing would provide. This is a bit of a nuanced finding given that Congress only has expectations of how informative a hearing will be before holding it. An empirical study of policy change stemming from oversight that does not account for pre-hearing policy decisions may conclude that hearing informativeness has no effect, or even a negative effect, on policy change, even though the overall rate of policy reversals is increasing in the informativeness of hearings.

Likewise, several factors in empirical studies are shown to affect the informativeness of a hearing, such as the alignment of an agency being overseen and Congress (Ban et al. 2026), though see Eldes et al. (2024), the degree of disagreement between a

witness and Congress (Esterling 2011), party polarization (Quirk and Bendix 2011), and Congress's capacity to conduct oversight (Ban et al. 2023).¹⁶ If the assumption is made that hearings are less informative under conditions of high divergence between Congress and an agency, empirical studies of policy change stemming from oversight may overestimate the effect of preference divergence on policy change if the study does not account for policy change made without a hearing. In the next section, we present empirical analyses of the comparative statics of the model using data on congressional hearings.

3 | Empirical Analysis

We divide our empirical analysis into two sections to match the general flow of the model. First, we analyze when Congress selects into holding a hearing for a given agency using committee witness data from Ban et al. (2026). We examine the comparative statics in Proposition 1, particularly with respect to κ and σ_H , to assess which agencies are most likely to be overseen by Congress in an oversight hearing. Second, we analyze which House Oversight Committee oversight hearings produce policy reversals with respect to κ and σ_H to see if the signs of those variables are consistent with the sign reversals detailed in subsection 2.3. We utilize data compiled by ProQuest Congressional that connects committee hearings with public laws as a way to assess if oversight hearings contributed to statutory policy change.

3.1 | Selection Into Holding Oversight Hearings

In the first stage of the game, the principal observes a policy recommendation x by the agent and an independent signal s_t about the state of the world with precision σ_t . The principal may then choose to select into holding a hearing, which is a function of the preference divergence of the agent with the principal κ and the precision of the signal generated by the hearing σ_H , among others. Proposition 1 details the comparative statics with respect to the probability of the principal holding a hearing, with hearings predicted to be more likely when κ is high (i.e., when preference divergence increases) and when σ_H is low (i.e., when the precision of the hearing signal increases). For the purposes of the empirical analysis, we focus our analysis on the comparative statics with respect to κ and σ_H which are substantively interesting and feasible to measure.

To analyze selection into hearings, we use the following regression model and ordinary least squares estimation:

$$\begin{aligned} Y\#Oversight\ Hearings_{act} = & \beta_1 Agency\ Characteristics_{at} \\ & + \beta_2 Committee\ Characteristics_{ct} + \beta_3 Agency \times Committee\ Characteristics_{act} \\ & + \alpha_p + \alpha_c + \alpha_a + \epsilon_{act} \end{aligned}$$

where subscript a represents an agency, subscript c represents a congressional committee, subscript t represents a year, and subscript p represents the current president. The model is structured at the agency-committee-year unit of analysis with standard errors clustered at the committee level. We utilize data on congressional hearings and bureaucratic witnesses from 1997 to 2014.¹⁷ This data matches bureaucratic witnesses invited to testify before Congress with their affiliated

agency.¹⁸ With this data, we construct our measure of Y as a count of how many times each federal agency a is the subject of an oversight hearing by a given committee c at year t .¹⁹ We match hearings with agencies by assessing the agency with the most bureaucratic witnesses invited for a given oversight hearing.²⁰ By subsetting to oversight hearings, the assumption that the agency with the most witnesses invited for a given hearing is the primary subject of the oversight in a given hearing becomes easier to substantiate.

To predict the effect of κ (i.e., preference divergence between the agency and Congress) on selection into hearings, we include indicator variables for whether the chamber of Congress was in opposition to the president and a variable capturing the secular ideological alignment between an agency and the party in control of the chamber.²¹ The other effect we test for is the impact of σ_H , the informativeness of a hearing, on the likelihood of holding a hearing. This raises challenges as Congress cannot observe the exact informativeness of a hearing before actually holding the hearing. Therefore, we examine ex ante indicators that may indicate the informativeness of a hearing, such as the independence²² and skill of an agency (Selin 2015; Richardson et al. 2018), the ideological polarization of the two parties on the committee, and the ideological polarization of the committee chair and the floor median. We note that the agency skill and independence measures are time invariant, so we analyze these predictors in a series of models without agency fixed effects in Table 9.

We control for time-variant committee characteristics like the party in control of the chamber, the number of staffers for a given committee, the total number of oversight hearings held by a committee in a given year and the total number of witnesses invited to testify in oversight hearings for a given committee in a given year. Finally, we control for the number of mentions an agency has on the GAO High Risk List, which is a list published by the Government Accountability Office at the start of every Congress with around 30 entries of the largest problems in the federal government with respect to waste, fraud and abuse, as a way to control for over-time variation in the number of non-political reasons that an agency might be overseen by Congress.²³ The results are presented below in Tables 8 and 9.

The results in Tables 8 and 9 are congruent with the predictions from the model with respect to κ . Being in the presidential out-party significantly predicts an increase in oversight hearings for a given agency and the number of witnesses invited from a given agency for oversight hearings. Though insignificant, the coefficient for Chamber-Agency Ideological Alignment is signed in the correct direction for all four models. This provides evidence that Congress will be more likely to select into holding an oversight hearing when preference divergence is high, all else held equal.

There is no consistent and significant effect of committee polarization or agency skill on σ_H , captured by the number of oversight hearings or the number of witnesses invited, and there is some evidence that the independence of agency decision makers actually decreases the likelihood that they are invited to testify, which would go against the prediction that more independence would lead to more information being revealed to Congress,

though we temper our interpretation of these findings due to the lack of agency fixed effects in Table 9.

3.2 | Policy Reversal Conditional on Holding an Oversight Hearing

We also analyze the effect of κ and σ_H with respect to the likelihood of a policy reversal conditional on holding an oversight hearing. Subsections 2.3 and 2.5 detail the expected sign reversals when looking at overall policy reversal rates and policy reversal rates conditional on holding a hearing, with the rate of policy reversals, conditional on a hearing having been held, decreasing in κ (preference divergence) and increasing in σ_H (informativeness of the hearing).

To analyze reversals conditional on a hearing, we use the following regression model and ordinary least squares estimation:

$$Y_{\text{Reversal}_{aht}} = \beta_1 \text{Agency Characteristics}_{at} + \beta_2 \text{Hearing Characteristics}_{ht} + \beta_3 \text{Chamber Characteristics}_t + \beta_4 \text{Agency} \times \text{Chamber Characteristics}_{aht} + \alpha_p + \alpha_a + \epsilon_{aht}$$

where subscript a represents an agency, subscript h represents an oversight hearing, subscript t represents a year, and subscript p represents the sitting president. Standard errors are clustered by subcommittee. This analysis only looks at data on oversight hearings from the House Committee on Oversight and Government Reform,²⁴ so committee fixed effects would be redundant unlike in the previous set of analyses.

To measure reversals following a congressional hearing, we utilize two data sources. The first is ProQuest Legislative Insight's data on the legislative histories of public laws. This data tracks the hearings, reports, debates, and more that contributed to the final version of the law. This is a more detailed and rich measure of the contributions of oversight hearings to policy change because it connects hearings to public laws even if the hearings did not specifically consider a proposed bill.

For example, the House Oversight Committee conducted an oversight hearing in the 107th Congress entitled "Responding to West Nile Virus: Public Health Implications and Federal Response" where the committee received testimony from agency officials about the federal response to a mosquito-borne virus first discovered in 1999. This hearing did not consider a bill but the information gathered in this hearing contributed to the passage of the Mosquito Abatement for Safety and Health Act in the 108th Congress. This law authorized the CDC to provide grants and assistance to state and local governments to control the spread of mosquito-borne diseases, including the disease discussed in the initial hearing. If one were to measure policy reversals by looking at oversight hearings that consider bills, they would miss cases like this where information gathered by committees contributes to the later passage of legislation that constrains and directs the actions of federal agencies.

This measure captures instances where Congress viewed themselves as needing to step in with the policymaking process

TABLE 8 | Selection into oversight hearings (1997–2014).

	All agencies		Cabinet agencies	
	(# Hearings)	(# Witnesses)	(# Hearings)	(# Witnesses)
Presidential Out-Party	0.066** (0.018)	0.146*** (0.018)	0.140* (0.060)	0.327*** (0.062)
Republican	−0.064* (0.025)	−0.074 (0.046)	−0.142* (0.059)	−0.211+ (0.118)
Chamber-Agency Ideological Alignment	−0.029 (0.018)	−0.035 (0.029)	−0.068 (0.054)	−0.087 (0.086)
Comm Rep—Comm Dem	0.463 (0.271)	0.572 (0.470)	0.775 (0.647)	1.424 (1.315)
Comm Chair—Floor Median	0.049 (0.068)	0.245* (0.107)	−0.051 (0.155)	0.415 (0.248)
GAO High Risk List	0.120 (0.075)	0.114 (0.072)	0.105 (0.080)	0.095 (0.096)
Committee Staff	0.001 (0.001)	0.002 (0.002)	0.001 (0.003)	0.005 (0.007)
Total # Committee Hearings	0.008*** (0.002)	−0.005 (0.005)	0.022*** (0.005)	−0.015 (0.015)
Total # Committee Witnesses		0.008* (0.003)		0.023* (0.008)
Observations	15,264	15,264	4320	4320
R ²	0.144	0.157	0.132	0.206
Committee F.E.	✓	✓	✓	✓
President F.E.	✓	✓	✓	✓
Agency F.E.	✓	✓	✓	✓

Note: Standard errors are clustered by committee.

+ $p < 0.1$.

* $p < 0.05$.

** $p < 0.01$.

*** $p < 0.001$.

instead of just leaving agencies to do the policymaking themselves, which excludes instances where agencies responded to congressional preferences earlier on in the oversight process or before oversight was even conducted in the first place. This implies that Congress needed to put in legislative and oversight effort to obtain a certain policy outcome from the bureaucracy, which implies that there was some friction from the agency, either through inaction or policy opposition, keeping the policy change from being implemented without congressional intervention. It does not exclude the possibility that the agency supported the changes implemented by Congress, but if the agency were strongly in support of the policies implemented by Congress, we believe the agencies would've preempted the need for congressional action in the first place.

The second data source utilized to measure policy reversals is whether the hearing has an oversight report or not. We utilize data on House Oversight Committee oversight reports from

the Levin Center's Congressional Oversight Records Database (CORD) (Moore et al. [Forthcoming](#)) and connect reports that were issued following an oversight hearing by the committee.²⁵ Though oversight reports themselves do not constitute statutory policy change, they serve an important role in sharing oversight information with the rest of Congress and often contain policy recommendations for agencies, with the relative balance of information and policy recommendations depending on the political incentives of the team conducting oversight (Lowande and Weiss [Forthcoming](#)). They may therefore be a means through which Congress pursues its policy goals in lieu of statutory policy change, similar to their usage of non-statutory directives to federal agencies in appropriations reports (Bolton [2022](#)).

To measure Y , we examine oversight hearings from the House Oversight Committee from 1997 to 2014 and measure whether the oversight hearing contributed to the text of a public law according

TABLE 9 | Selection into hearings (1997–2014).

	All agencies		Cabinet agencies	
	(# Hearings)	(# Witnesses)	(# Hearings)	(# Witnesses)
Presidential Out-Party	0.078** (0.026)	0.162*** (0.027)	0.128+ (0.069)	0.276*** (0.062)
Republican	−0.050* (0.020)	−0.028 (0.038)	−0.108* (0.043)	−0.102 (0.098)
Chamber-Agency Ideological Alignment	−0.007 (0.016)	0.020 (0.028)	−0.017 (0.030)	0.048 (0.067)
Agency Skill	0.040 (0.035)	0.070 (0.056)	0.200 (0.211)	0.351 (0.346)
Decision-Maker Independence	−0.229** (0.060)	−0.351* (0.144)	−0.123 (0.793)	−0.487 (1.234)
Policy-Decision Independence	0.002 (0.025)	0.014 (0.034)	−0.100 (0.331)	−0.051 (0.466)
Comm Rep—Comm Dem	0.526 (0.306)	0.660 (0.546)	0.772 (0.642)	1.410 (1.302)
Comm Chair—Floor Median	0.040 (0.078)	0.267* (0.124)	−0.053 (0.156)	0.405 (0.248)
GAO High Risk List	0.211+ (0.108)	0.396+ (0.222)	0.163 (0.128)	0.328 (0.241)
Committee Staff	0.001 (0.002)	0.002 (0.003)	0.001 (0.003)	0.005 (0.007)
Total # Committee Hearings	0.010*** (0.002)	−0.006 (0.006)	0.022*** (0.005)	−0.015 (0.015)
Total # Committee Witnesses		0.009** (0.003)		0.023* (0.008)
Observations	12,384	12,384	4320	4320
R ²	0.119	0.140	0.118	0.194
Committee F.E.	✓	✓	✓	✓
President F.E.	✓	✓	✓	✓
Agency F.E.				

Note: Standard errors are clustered by committee.

+ $p < 0.1$.

* $p < 0.05$.

** $p < 0.01$.

*** $p < 0.001$.

to ProQuest Legislative Insight and whether the oversight hearing led to the publication of an oversight report, both operationalized as binary indicator variables. The measures for σ_H are drawn from the measures of the word-weighted analytical content in the testimonies of witnesses invited to testify before Congress (Ban et al. 2026). Analytical content in testimonies are statements that include falsifiable information (Esterling 2004).²⁶ We use the count of total analytical information conveyed by witnesses in testimonies and the ratio of analytical information to total words

by witnesses from testimonies, expecting that policy reversals will be increasing in these measures of σ_H .

We utilize the same measures of κ as the previous set of analyses alongside a variable for divided government to capture inter-chamber gridlock that may result in hearings being less likely to produce public laws. However, with respect to the outcome measure of a hearing contributing to a public law, there are issues that stem from public laws often being passed one or more Congresses

after the hearing was held. For example, a hearing could be held by a Republican House under a Democratic president but the public law that the hearing contributes to could be passed under a Democratic House and a Republican president. Therefore, when public laws produced from a hearing are the outcome measure, the coefficients for Presidential Out-Party, Divided Government, Chamber-Agency Ideological Alignment and Republican do not have clear expectations that comport with the model as, unlike in the model where κ stays constant throughout the entire game, the values for these variables can change between the hearing and the passage of the public law. Therefore, we can only test for κ using the presence of a committee report as an outcome variable of interest. The results are presented below in Table 10.

The results in Table 10, with respect to σ_H , are statistically insignificant and inconsistently signed. Neither the total amount of analytical information nor the percentage of analytical

information conveyed by witnesses in oversight hearings significantly predict whether the hearing contributes to a public law or the issuance of an oversight report. The results with respect to κ in models 3 and 4, where the relevant variables can be interpreted, show that opposition to the President increases the likelihood of an issuance of a committee report, though ideological alignment between the chamber and the agency has no significant effect. This is counter to the expectations of the model, which predicts a decrease in policy reversals, conditional on holding a hearing, as preference divergence increases between Congress and the agency.

Measurement and data constraints restrict our tests for the effect of preference divergence on policy reversals, limiting our ability to fully test for the sign reversals expected in the model. Another constraint is that our model does not include electoral incentives as a part of the principal's utility function. Recent research has

TABLE 10 | Policy reversals among house oversight committee oversight hearings (1997–2014).

	Has a public law attached		Has an oversight report	
	(1)	(2)	(3)	(4)
Total Analytical Information	0.000 (0.000)		−0.000 (0.000)	
% Analytical Information		0.070 (0.280)		−0.193 (0.269)
Presidential Out-Party	0.245*** (0.062)	0.246** (0.066)	0.067* (0.025)	0.061** (0.022)
Divided Government	−0.113* (0.041)	−0.113* (0.041)	−0.034** (0.012)	−0.034* (0.014)
Chamber-Agency Ideological Alignment	−0.002 (0.013)	−0.002 (0.013)	−0.003 (0.005)	−0.003 (0.005)
Republican	−0.075 (0.078)	−0.074 (0.075)	−0.001 (0.015)	−0.001 (0.015)
Subcommittee Hearing	0.002 (0.037)	−0.002 (0.035)	−0.066*** (0.007)	−0.060*** (0.011)
# Witnesses in Hearing	0.011 (0.009)	0.013 (0.008)	0.007 (0.009)	0.007 (0.008)
Considers Bill	0.084 (0.072)	0.082 (0.069)	−0.038* (0.016)	−0.034* (0.015)
GAO High Risk List	−0.015 (0.030)	−0.015 (0.031)	−0.003 (0.013)	−0.002 (0.014)
Observations	633	633	633	633
R ²	0.121	0.121	0.123	0.126
Agency F.E.	✓	✓	✓	✓
President F.E.	✓	✓	✓	✓

Note: Standard errors are clustered by subcommittee.

* $p < 0.05$.

** $p < 0.01$.

*** $p < 0.001$.

posited that electoral incentives drive the patterns of oversight observed in public-facing forms of oversight such as congressional hearings (Lowande (2018)). This may be driving the positive results for presidential opposition in Table 10, making it difficult to disentangle the effect of policy preference divergence from the effect of electoral incentives on incentivizing Congress to conduct hearings, even holding agency preference divergence constant.

3.3 | Information Provision in Congressional Oversight

Selin and Moore (2023) posit that congressional hearings are a form of “information sharing” rather than “information gathering.” To hold a congressional hearing, members of Congress must first gather information about a given policy issue, decide on witnesses, review pre-written statements by those witnesses, prepare questions for the question and answer section, and more (Sachs 2003). Much of this information gathering work is conducted by dedicated oversight staffers, with these staffers being located across various committees and playing an important role in sustaining committee expertise in oversight (Dull Forthcoming). On top of the prep work done in the lead up to a hearing, committees are constantly receiving ad-hoc and routine reports from the Government Accountability Office, Inspectors General, and federal agencies themselves, meaning that information gathering is occurring even without Congress deciding whether to hold a hearing in the first place.

This may explain why hearing informativeness has no significant effect on any of our outcome variables despite the predictions of the model. With most of the information in oversight being gathered before a hearing is held, it may be that oversight hearings serve as a venue for grandstanding and electoral signaling by members of Congress, which can both be viewed as a form of politicized information sharing. Our model does not incorporate information sharing as there are no other actors for the principal to share information with. This does not necessarily mean that the information itself is politicized, but it does hint at hearings playing a distinctly political purpose outside of policy implementation and information gathering as is consistent with past research on committee hearings.

The results do not preclude oversight being an important driver for legislative productivity, however. Oversight can synthesize both information gathered in the early stages of oversight and information revealed about the broader political environment during later stages of oversight to create bills with a higher chance of success in the highly gridlocked Congress (Leavitt Forthcoming; Theriault Forthcoming). In this view, even oversight hearings that produce little in the way of technical or policy-related information can still create useful information for members of Congress looking to gauge the views of other members of Congress and the public on a given policy issue.

4 | Conclusion

Observable occurrences of oversight, particularly congressional hearings, are shaped by selection effects that are best understood

from the theoretical perspective of oversight as a set of mechanisms for information gathering, information sharing, and policy change that do not occur in a vacuum from one another. The effects of σ_H , the expected or realized accuracy of information in a hearing, on selection into holding hearings and policy reversals, are insignificant despite expectations that the information gathered in hearings will make oversight more valuable and worthwhile to conduct. This is perhaps a sign that oversight hearings are best thought of as an opportunity for Congress to share information about executive branch operations in a way that is congruent with their electoral and ideological goals, with the information gathering component of oversight likely occurring in other oversight venues that may contribute to hearings such as direct contacts between agencies and Congress and the production of GAO reports.

Scholars of oversight can further examine the selection effects presented in this paper by comparing different mechanisms of oversight to one another, particularly oversight mechanisms that focus on information gathering to oversight mechanisms that focus on information sharing. Scholars can utilize datasets such as CORD or specific citations of reports generated by other oversight bodies, such as the GAO or Inspectors General, in congressional hearings or committee reports to link observations in one mode of oversight to other modes of oversight, allowing for empirical analysis of when Congress chooses to “escalate” the information gathered in the oversight process to a more public stage. The CORD database can also be used in a multitude of ways to further develop and test theories of congressional oversight, particularly those revolving around information provision in oversight. The reports in the CORD database themselves provide rich qualitative and quantitative data that can be used to analyze the sometimes competing incentives of expertise, information provision, and political goals in structuring the informational outputs of the oversight process. As reports from more committees get added, more events that involve oversight and legislative efforts from multiple committees, such as the oversight following Hurricane Katrina and the 2008 financial crisis, can be analyzed in depth, potentially allowing for theories of committee jurisdictional overlap and efficacy to be put to data.

Data Availability Statement

The data that support the findings of this study are available from the corresponding author upon reasonable request.

Endnotes

¹ Lowande (2018) and Ritchie (2018) find different results on the influence of ideology on private communications with federal agencies; however, the results from both papers are counter to the common finding of increased oversight when ideological distance increases in public oversight settings, thus reaffirming the theoretical distinction between private and public oversight.

² This is particularly the case with the oversight conducted by Inspectors General and the GAO, as many of their oversight reports to Congress are mandated by statute and are recurring (Kempf and Cabrera 2019; Drole 2020).

³ For some of the recent advances in the oversight literature in linking congressional oversight to policy outcomes, see Mills et al. (2016), Neihsel and Brady (2017), Ritchie and You (2019), and Ban and Hill (2025).

- ⁴ Recent empirical work provides evidence that bureaucrats attempt to avoid oversight scrutiny by writing less readable rules and providing less informative testimony when Congress is viewed as an ideological opponent (Potter 2019; Ban et al. 2026), providing credence to the claim that agencies can respond to strategic incentives to withhold information from Congress. Note that we do not include the agency as a strategic actor in the model in this paper for simplicity's sake—our focus is on the principal's (i.e., Congress) decisions regarding oversight and policy change.
- ⁵ Just a few recent related studies include Kriner and Schickler (2016), Richardson et al. (2018), Napolio and Rezaee (2020), Reynolds and Maehr (2023), and Yackee (2023).
- ⁶ The state of nature, ω , is not directly observed by any player.
- ⁷ This is not quite as obvious as this language might make it appear, because this holds for all κ .
- ⁸ The setting for the simulations is described in Appendix E.
- ⁹ When we say these approaches are common, we are acknowledging that these selection effects sometimes emerge because the data itself was collected through a selection process. For example, there is typically no hearing report for a hearing that did not occur.
- ¹⁰ The parameters for the simulations in Table 2 are $(\sigma_A, \sigma_I, \sigma_H, k, c) = (0.55, 0.60, 0.50, 0.22, 0.01)$.
- ¹¹ The parameters for the simulations in Table 3 are $(\sigma_A, \sigma_I, \sigma_H, k, c) = (0.60, 1.10, 0.30, 0.22, 0.01)$.
- ¹² The parameters for the simulations in Table 4 are $(\kappa, \sigma_A, \sigma_I, k, c) = (0.50, 0.70, 0.50, 0.26, 0.01)$.
- ¹³ The parameters for the simulations in Table 5 are $(\kappa, \sigma_A, \sigma_I, k, c) = (0.50, 0.70, 0.60, 0.26, 0.01)$.
- ¹⁴ The parameters for the simulations in Table 6 are $(\kappa, \sigma_A, \sigma_I, k, c) = (0.50, 0.80, 0.70, 0.30, 0.01)$.
- ¹⁵ The parameters for the simulations in Table 7 are $(\sigma_A, \sigma_I, \sigma_H, k, c) = (0.50, 0.80, 0.70, 0.30, 0.01)$.
- ¹⁶ Note that Congress itself has some control over how informative hearings can be by deciding which witnesses to invite to testify. For example, Congress typically invites fewer bureaucratic witnesses and more non-bureaucratic witnesses under divided government to counteract the decreased informativeness of bureaucratic testimony when the President is in opposition to Congress (Ban et al. 2026). For simplicity's sake, we assumed away this control over σ_H in the model.
- ¹⁷ This data is drawn from, and more details about it are available in, Ban et al. (2026).
- ¹⁸ See Table B.1 in Appendix C for descriptive information about the number of oversight hearings and witnesses in said hearings for each federal agency.
- ¹⁹ We follow from the definition of an oversight hearing given in their paper and McGrath (2013) which uses keywords and the description of hearings in the Policy Agendas Project dataset to classify hearings as oversight or non-oversight.
- ²⁰ In the dataset, roughly 41% of word-weighted analytical information given by witnesses in response to questions by members of Congress in oversight hearings is from bureaucratic witnesses. We recognize the issues with this measure—there may be instances where oversight of a federal agency is conducted without a bureaucratic witness and some hearings conduct oversight of multiple agencies at once.
- ²¹ Federal agencies are often conceived of as having a “secular” ideology that is separate from the ideology of the President and the agency head, such as the EPA being a “liberal” agency even under Republican leadership. We interact the agency ideology measures from Richardson et al. (2018) with the party in control of the relevant chamber that the committee is located in to construct this measure of ideological alignment. We also do the empirical analyses with the scores from Chen and Johnson (2015) in Appendix D.
- ²² We use Selin's two-dimensional measure of agency independence (2015), where the first dimension captures the independence of agency decision makers and the second dimension captures the independence of the policy decisions from ex post review.
- ²³ For more information on how entries on the GAO High Risk List were matched with federal agencies and descriptive statistics on which agencies were overseen, see Appendix B.
- ²⁴ Hereafter referred to as the House Oversight Committee.
- ²⁵ We choose House Oversight Committee reports because of the committee's universal oversight jurisdiction of the executive branch. However, there may be bias induced in the production of oversight reports because of the overlapping jurisdiction between the House Oversight Committee and other House committees. We assume that this bias is not systematic in a way that would significantly affect our results, particularly because all members of Congress have similar incentives with respect to preference divergence and information gathering in committee oversight. If anything, the House Oversight Committee's “generalist” oversight role may render the information gathered in hearings more useful with respect to policy change, further solidifying the null effects shown throughout the empirical analysis.
- ²⁶ Ban et al. (2026) define non-analytical information as “(1) opinion-based or normative, (2) anecdotal or experimental, (3) subjective or preferential (i.e., reveals preferences of certain groups), (4) procedural statements, or (5) anything else not containing the analytical information as defined above” (14).

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Supporting Information

Additional supporting information can be found online in the Supporting Information section. **Appendix A:** Technical appendix. **Appendix B:** GAO high risk list coding process and descriptive tables. **Appendix C:** Empirics descriptive tables. **Appendix D:** Empirical analysis with Chen and Johnson agency ideology scores. **Appendix E:** Numerical simulations.