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Oversight and Short-Term Authorizations

When members of Congress create new programs, they want to control how the program is implemented. Congress generally does this through ex post or ex ante controls over agency behavior. Ex ante controls attempt to limit or to influence agency choices prior to a final action being taken. McCubbins (1985) notes that when an agency is designed, ex ante controls are created. These controls can include limiting the scope of an agency’s activities, the implementation tools (e.g., direct provision of a good versus contracting) they can use in meeting their goals, and the settings in which regulatory activities can occur. Ex post controls attempt to limit or influence an agency after the agency has already taken action. Congressional committee oversight hearings are an example of an ex post control mechanism; these hearings allow the committee to pressure an agency regarding how it is acting with regard to a given policy or program.

Short-term authorizations have attributes that can promote and facilitate both ex post and ex ante controls. First, the substantive component of the legislation structures a program’s operations so that it will be implemented in the manner that the committee desires. When crafting this substantive language, a committee uses its powers to constrain agencies so that they will behave in the manner that the committee prefers (e.g., McCubbins 1985; McCubbins, Noll, and Weingast 1987; Moe 1984; Weingast 1984). Congress can inhibit certain agency behaviors and promote others, depending on how the agency is structured and what powers the agency is given in its authorization. For example, Hammond (1986) provides a theoretical argument regarding how different agency structures can result in different policy outcomes than would result if the agency were organized in a different manner. In an example of this in practice, Cook (1989) notes that the Congress would not allow President Reagan to reorganize the Environmental Protection Agency because it felt that the way in...
which the agency was to be reorganized would markedly affect the agency’s policy outcomes.

Second, when an authorization is short-term, it can provide Congress with enhanced control over a program because the expired authorization commits an authorizing committee to review the funding and operation of the program in the future (e.g., Aberbach 1990; Fisher 1983, 1979; Oleszek 1989; Schick 1995, 1983, 1980; Shuman 1992; Tiefer 1989). Annual and multiyear authorizations force policy committees to review a program or agency at a specific time. During the reauthorization process, interest groups and agency stakeholders have the opportunity to bring to the authorization committee concerns that they have about how the program or agency is operating. The committee also has an opportunity to adjust the underlying authorizing legislation, forcing the stakeholders implementing the program to respond in a different manner.

The next two chapters examine how short-term authorizations facilitate both ex post and ex ante forms of oversight. In this chapter, I examine the history of congressional oversight and put the oversight aspects of short-term authorizations into a historical context. I then show the limitations that exist in viewing short-term authorizations as a trigger for oversight but instead show how oversight is an ongoing process. Then, in chapter 6, I illustrate the way in which short-term authorizations facilitate ex ante control over policy, allowing Congress to “steer” the activities of agencies.

Congressional Oversight of Executive Agencies: A Brief History

Congress began to exercise its oversight capabilities in the early years of the Republic. The Federalists who preceded Jefferson believed in a strong executive and a strong federal government. They worked assiduously to achieve their goal of a strong government with a strong executive, and during the first two presidential administrations the executive branch dominated the legislative branch (Aberbach 1990; Schick 1983; White 1948). However, the period of executive dominance did not last a year into the nineteenth century. The Jeffersonians encouraged Congress to scrutinize the activities of the executive branch more carefully. One clear manifestation of this increased control was that Congress exercised more oversight over appropriations to executive agencies, making them much more detailed (White 1951). Scholars generally argue that the desire for a legislative branch stronger than the executive branch was the reality until the New Deal (e.g., White 1951). Schick (1983, 157–58) notes that:
Congress initiated and drafted most legislation... and it often legislated in great detail. Individual positions and their salaries were itemized in law; post roads were plotted by Congress.... Congress could penetrate at will to the smallest administrative detail, giving the affected agency no course other than to follow its dictates.

By the late 1800s, the federal government had changed, as had opinions regarding the need for congressional control of the executive. From 1870 to 1880, the number of federal employees increased from 50,000 to 100,000. By the 1920s, civilian government employment had increased to the point that there were 550,000 workers on the government payroll (Schick 1983, 158). With so many federal workers and positions, it was no longer possible for Congress to be as meticulous in its control over every item in the budget. Issues and details that had previously been itemized in the federal budget were lumped together. The increased size of the federal bureaucracy required Congress to give away some of the control it previously had been able to exercise through the budget process. Also, during this same time, there was a tremendous growth in the regulatory capacities of the federal government and the complexity of the demands on the government. From roughly 1880 to 1920, the federal bureaucracy was expanded and institutionalized. This period saw the birth of the independent regulatory agency, and an evolution toward an administrative state (Carpenter 2001; Skowronek 1982).

In response to the new administrative complexity, Congress was forced to develop new processes and procedures. One solution to the problem was to delegate more decisions to executive agencies. For instance, after more than a century of setting tariff rates, the Congress delegated authority over setting tariff rates to the president in 1934 (Schick 1983). Congress also delegated more budget powers to the president, in an effort to strengthen congressional efforts to control agencies. With the creation of the Bureau of the Budget, the Congress empowered the president to control rogue agencies that were expanding rapidly. In essence, the Congress empowered the president to make an initial effort to control agencies—to constrain and to coordinate their budget requests—before Congress had to consider these budgetary matters. Until the end of World War II, the primary focal point for congressional oversight was the appropriations process. However, as a part of the 1946 Legislative Reorganization Act, Congress called on its committees to “exercise continuous watchfulness of the execution... of any laws... by the agencies in the executive branch of the Government” (Aberbach 1990; see also Galloway 1951). Congress reiterated its desire to see committees perform effective oversight in 1971, when it amended the 1946 Act (Aberbach 1979). These efforts were designed to
build the capacities within Congress for committees to conduct oversight. More staff, requirements for committees to develop oversight plans, and the creation of committees within Congress that are designed almost exclusively to conduct oversight all illustrate how these laws were intended to facilitate the oversight process (e.g., Aberbach 1990; Salisbury and Shepsle 1981).

Although Congress acted several times to promote committee oversight of agency activities, many scholars of the oversight process have argued that Congress has not fulfilled its mandate to perform “continuous watchfulness” (e.g., Aberbach 1979; Dodd and Schott 1979; Ogul 1976; Scher 1963). It is Ethridge’s (1984) contention that scholars who view Congress as failing in its oversight activities make this argument because they see both a lack of incentives and political barriers to carrying out oversight activities. One argument is that oversight is not conducted because committees lack the time to do so. Lawmakers would rather engage in lawmaking than oversight, because lawmaking more effectively leads to the achievement of their reelection goal (e.g., Ogul 1976). In fact, oversight can antagonize agencies and impede their ability to get their constituent service requests met, which is also critical for members seeking reelection (Ethridge 1984; Fiorina 1977). A second argument is that authorizing committees dislike oversight because it can undermine support for programs under their jurisdiction and anger interest groups who are key constituents to committee members. Thus, special oversight committees, such as the House Government Reform and Oversight Committee, are often pressured by authorizing committees to avoid topics that would create problems for the authorizers (Dodd and Schott 1976; Ethridge 1984).

The view that Congress does not conduct effective oversight is undermined by data showing that the amount of oversight Congress conducts has increased dramatically over time. From the early 1960s to the mid-1980s, the number of days of oversight conducted by congressional committees increased by more than 300 percent. Oversight went from being less than one-tenth of the workload for congressional committees to being more than one-quarter of all activity. Likewise, during this period the number of bills passed by Congress declined markedly as the amount of oversight increased dramatically (Aberbach 1990, 34–39). Additionally, it should not be forgotten that one of the most effective means of conducting oversight is to legislate. As McCubbins (1985) notes, legislation allows Congress to place controls on the implementation mechanisms available to agencies. Congress can delegate powers through legislation or rein in powers that agencies have acquired.
Short-Term Authorizations and Oversight in the Modern Congress

Why has oversight increased so dramatically since the early 1960s? Committee staff explain the increase by suggesting that the government is more complex now than it was in the past, and therefore requires greater oversight. Of course, there is more staff, better staff, and more support from attached legislative organizations, such as the General Accounting Office, Congressional Budget Office, and Congressional Research Service, which are all directly accountable to Congress and can facilitate oversight activities (Aberbach 1990, chap. 2). However, members of Congress state that—except for scandals (agency malfeasance) or a severe policy crisis—the expiration of a short-term authorization is the most likely way in which a program will be added to the oversight agenda (Aberbach 1990, 109–20). Because Congress uses short-term authorizations more often today than in the past, the expiration of a program’s authorization typically leads to oversight hearings. For example, the House and Senate Armed Services Committees conduct numerous oversight hearings annually as a part of the Department of Defense authorization. Likewise, the House and Senate Commerce Committees have dozens of independent regulatory agencies under their jurisdiction; many of these programs have very short authorizations, which means that some number of reauthorizations are always on the committee’s agenda.

Of course, the need to reauthorize programs is not the only reason for oversight hearings. Aberbach (1990, 109–18) finds that clientele complaints are an important reason why committees hold oversight hearings, although not the highest rated reason. Interest groups and other parties affected by agency decision making often request oversight to inform committees about concerns they have regarding the implementation of a program. One interesting part of Aberbach’s findings is that when a factor analysis is conducted regarding how issues get on the oversight agenda, clientele complaints cluster with general public concerns and district concerns. This suggests the possibility that either (a) interest groups are very effective at reflecting the concerns of their members, or (b) interest groups are very effective at creating grassroots support for the issues of greatest concern to them. There is clear evidence that there has been a dramatic growth in the use of grassroots lobbying by interest groups (Faucheaux 1995; P. H. Stone 1997), and groups may be using this lobbying tactic to bring problematic policies to the attention of members in order to encourage greater oversight.
Timing and Types of Oversight Hearings

There are different types of oversight hearings that congressional committees can conduct. The first type is referred to as police patrol oversight, in which members of Congress systematically review the effectiveness of programs and agencies. Although these scholars generally argue that this type of oversight does not occur often because it is inefficient, Aberbach’s (1990) data suggest that for most programs and agencies, police patrol oversight is actually relatively common. One reason this type of hearing is common is that short-term authorizations, which are designed to foster systematic program review, are common.

Except in the case of the few programs that have an annual authorization, quite a bit of time can pass between authorizations. During these intervening periods, problems may occur with the function of a program, or interest groups may become concerned with the way in which an agency is implementing the program. In such cases, groups may complain to the committee of jurisdiction, requesting that the operations of the program be investigated. This interest induced form of oversight is often referred to as fire alarm oversight. The fire alarm is sounded when interest groups or other constituents think that the agency has acted outside of its legal mandate, or groups have interpreted the mandate to mean something different (Epstein and O’Halloran 1996; McCubbins and Schwartz 1984). Congress can then determine if it should hold oversight hearings or otherwise intervene in order to rein in the agency.

Scholars who advance the police patrol versus fire alarm theory suggest that fire alarm oversight should be prominent and more common than police patrol oversight, as fire alarm oversight is less costly. However, data show that oversight is more common than is typically acknowledged, and short-term authorizations, which can trigger police patrol oversight, are quite common (e.g., Aberbach 1990). Furthermore, the literature on agendas (e.g., Kingdon 1995) suggest that once Congress has addressed a policy question, it is unlikely to revisit the issue unless the “policy window” reopens because of a crisis or scandal. Interest groups, especially those who were on the losing end of the last policy debate, obviously have an incentive to try to shape the debate in a way that benefits them before the policy window opens again. Oversight hearings can be one way of accomplishing this goal.

Oversight and Short-Term Authorizations: The Case of Defense

The process of making defense policy is one in which the importance of short-term authorizations can be seen over time. As I noted in chapter 2,
beginning in fiscal year 1960, the Senate Armed Services Committee required that an annual authorization be passed before appropriations could be made for the procurement of aircraft, missiles, and naval vessels because Congress wanted to exert more control over the way in which defense policy was made. Since then, nine other legislative enactments have required other components of the defense budget to undergo an annual authorization (Art 1985). By 1970, all weapons systems were subject to a short-term authorization, and the most recent major change was in 1982, when the Operations and Maintenance Account was brought under the annual defense authorization.

Does having almost the entirety of activities within the Department of Defense subject to short-term authorization facilitate quality oversight? The results are mixed. Art (1985) notes that the volume of report language issued by the Armed Services Committees grew rapidly from the 1960s through the 1980s. However, he also found that this work by the policy committee with jurisdiction over defense has mainly focused on authorizing specific systems through procurement, research, and development and not on examining how these various systems fit into an overall defense strategy. As Senator Sam Nunn (D-GA) explains:

> The budget cycle drives the Congress, and the Congress drives the executive branch to such an obsession that we don't have time to think about strategy. We never had a strategy hearing since I've been in the Senate.²

Senator Nunn's concerns are reflected by his colleagues in the House, one of whom said, “We don’t talk about strategy or tactics to my satisfaction. . . . [W]e should be concerned with a proper defense policy and its match with our foreign policy” (Art 1985, 235). Some scholars (e.g., Art 1989) have proposed biennial budgeting for defense policy to improve opportunities for planning and to facilitate more effective defense oversight.

One attribute that has surfaced from placing most defense programs under the annual defense authorization is that defense oversight has been routinized. Most hearings that occur in the Armed Services Committees are related to the defense authorization; few are event driven (Balla and Deering 2001). For instance, in 1995, only three of twenty-one hearings held by the Senate Armed Services Committee were related to a specific military event, such as the conflict in Bosnia or the nuclear weapons threat in North Korea. Steven Balla and Chris Deering (2001) examine defense oversight in the 100th and 104th Congresses and find that more than 80 percent of all defense oversight in both the House and Senate Armed Services Committees is what can typically be referred to as police patrol.
oversight. This should not be surprising; with the annual defense authorization dominating the committees’ agenda, they have little time to consider other issues (Art 1985, 1989).

This analysis demonstrates the type of oversight that occurs in the defense policy area under annual authorization. The annual nature of the defense authorization creates the environment for police patrol oversight because the committee is examining one issue in great detail year in and year out. Other data in the Balla and Deering analysis examining overall levels of oversight in other committees suggest that there is much more police patrol oversight in Congress than is traditionally thought. For these other committees, which typically will have agendas consisting almost entirely of programs with multi-year authorizations, it is not possible to know if there is any link between the levels and timing of police patrol or fire alarm oversight and the timing of the expiration of a program’s authorization because their study does not specifically test that hypothesis. For the annual defense policy, however, the oversight environment is clearly dominated by police patrols.

Research Questions

The previous discussion suggests that short-term authorizations cause several important changes in the oversight-hearing environment. The following research questions are drawn from the literature discussed above.

- Does the expiration of a program’s authorization cause the authorizing committee to hold hearings?
- At these hearings, does Congress hear from interest groups and agency stakeholders that represent a broad spectrum of interests?
- Between authorizations, will there be a limited amount of fire alarm oversight that will be triggered by interest groups or programmatic crises?
- Will programs with an expired authorization be subject to greater oversight scrutiny than will programs that are reauthorized in a timely manner?

If a short-term authorization is designed to facilitate oversight, then the reauthorization process and the holding of hearings should be roughly concomitant. A program with a short-term authorization should receive close scrutiny when the authorization is about to expire, as interest groups from both sides want to weigh in on how effectively the program is functioning, and the committee will want to have that information so it can make better decisions. Similarly, committees are expected to hold fire alarm hearings between authorizations as problems arise in order to be
responsive to interest groups operating in their jurisdiction. Finally, the failure of a committee to reauthorize a program strongly suggests that the policy in question is controversial and that there is division within the committee (or between the committee and the floor) regarding what the correct policy is in this area. Therefore, it is expected that a program with an expired authorization will be subject to oversight hearings from two fronts. First, interest groups will want hearings to express support for or opposition to the existing policy. Second, the committee will hold hearings to discuss alternative legislative options in this area.

Analyzing Oversight

The data used to analyze oversight come from several sources. First, data from the Agendas Project can be used to identify all of the hearings for a specific program and the attributes of those hearings. Second, using this same data source, it is possible to reference the CIS/Annual: Abstracts of Congressional Documents and identify the witnesses who testify before Congress. The summaries of the hearings that come from the Agenda's Project data on hearings can also be used to determine if a hearing should be coded as a police patrol or fire alarm hearing. Balla and Deering (2001) identify six criteria that can be used to determine into which category a hearing falls. The criteria for fire alarm hearings include: (a) if the hearing is time proximate to a specific event; (b) if the hearing is in response to a very specific problem or event; and (c) if the hearing calls specific individuals to account for specific events. Without time proximity to a specific event, a hearing is considered a police patrol. These hearing data can then be combined with data on a program's authorization status using the U.S. Code, Congressional and Administrative News (USCCAN). The annual USCCAN volumes contain actual legislation, from which authorization data can be obtained.³

These hypotheses are tested on data from four policy areas: education, transportation, regulatory, and Social Security. The data are analyzed by program type and program. Table 5.1 shows the specific programs from each policy area that are included in the analysis. The hypotheses are tested using two different data sets. One uses the year as the unit of analysis and examines hearings by program by year, and the other uses the hearing as a unit of analysis and examines each hearing by program.

As the first research question notes, short-term authorizations should facilitate oversight. When examining hearings by program type, however, this becomes a questionable hypothesis. Consider three programs and the distribution of hearings across years where authorizations are permanent, short-term, or expired. Figure 5.1 shows the distribution of hearings by
year for Social Security, a program with a permanent authorization. The number of hearings held each year varies widely, and there is little correlation between hearings held and other factors, such as media coverage of the issue or divided control of government.

Programs with short-term authorizations have similar hearing patterns, and these patterns do not seem to change even when the committee’s authorization patterns change. The Coast Guard provides an interesting example in this regard. The program had an annual authorization until the early 1980s, when it then switched to a two-year authorization. Figure 5.2 shows that when the Coast Guard had an annual authorization, the committee alternated between having one hearing in one year, then two or three hearings the next. Once the Coast Guard authorization became a two-year authorization, the alternating hearing levels remained; just the volume changed, with the committee vacillating between holding two hearings in a year, followed by a year with three or four hearings. When the committee went to the two-year authorization, the off year was the year in which more hearings were held, suggesting a slight lag effect between hearings and legislative activity.

The expiration of a short-term authorization also does not necessarily mean that hearing patterns change dramatically. Consider the case of the Nuclear Regulatory Commission. Figure 5.3 shows the number of hearings held after the program’s authorization expired, first in 1980, and then in 1985. After the extremely large number of hearings held in 1979 in the wake of the incident at the Three Mile Island nuclear power facility, the number of hearings held on the issue stayed within a range between ten and
Figure 5.1 The Number of Hearings Held per Year Regarding Social Security

Figure 5.2 The Number of Hearings Held per Year Regarding the Coast Guard and the Authorization Status of the Program
twenty through the 1980s, dropped to between five and ten in the early 1990s, and then dropped almost to one by 1994.

The three figures illustrate that there is no clear pattern of when Congress will or will not hold hearings. If short-term authorizations are designed to facilitate oversight, there should be some correlation between hearings held and authorization years. Table 5.2 presents the correlations between hearing activity and the expiration of authorizations and of media coverage. When considering the correlation between hearings and other factors for each program type, the data show that hearings do not directly correlate with any of the factors. It is not as though committees wait for an authorization to expire to conduct hearings, nor do they hold hearings in a manner that is easily modeled. A multivariate analysis confirms this finding; there is no clear relationship between hearings and the factors included in table 5.2.

Who Testifies?

Although it is difficult to predict the patterns associated with hearings, the actual composition of any given hearing is relatively easy to predict. Overall, the composition of hearings tends to be relatively similar across hearing types. The CIS Abstracts lists the witnesses that appear before
Congress at each hearing, and it is possible to classify these individuals into
categories. Wright (1996, chap. 2) provides a basic typology for classifying
political interest groups, and five of the six types he identifies are used in
this analysis: trade and professional associations, citizens groups, corpora-
tions, labor unions, and state/local governmental organizations. I then
supplemented that list with three other types of witnesses that appear fre-
quently before Congress: federal agencies, members of Congress, and con-
sgressional staff, including representatives of the General Accounting Office
or the Congressional Budget Office.

The witnesses who testify at hearings reflect in part the desire of various pol-
icy stakeholders to participate in the political process regarding a specific topic,
but also reflect the interest on the part of committee members and staff to hear
specific viewpoints at a given hearing on a given topic. Even if a policy stake-
holder wants to participate in a hearing, it is the prerogative of the committee
to determine if this stakeholder can or cannot participate. Testifying is a key
aspect of the work of interest groups (Schlozman and Tierney 1983), especially
because of the role that it plays in conveying information to members. Hearings allow political stakeholders to provide political information to mem-

### Table 5.2 Correlations of Factors Related to the Number of Hearings Held, by Policy Area

<table>
<thead>
<tr>
<th></th>
<th>Education</th>
<th>Transportation</th>
<th>Regulatory</th>
<th>Social Security</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorization Year</td>
<td>0.01</td>
<td>-0.13</td>
<td>-0.05</td>
<td>—</td>
</tr>
<tr>
<td></td>
<td>(0.96)</td>
<td>(0.19)</td>
<td>(0.70)</td>
<td></td>
</tr>
<tr>
<td>Previous Authorization Year</td>
<td>-0.01</td>
<td>-0.18</td>
<td>0.10</td>
<td>—</td>
</tr>
<tr>
<td></td>
<td>(0.98)</td>
<td>(0.08)</td>
<td>(0.31)</td>
<td></td>
</tr>
<tr>
<td>Expired Authorization</td>
<td>-0.06</td>
<td>0.5</td>
<td>-0.14</td>
<td>—</td>
</tr>
<tr>
<td></td>
<td>(0.56)</td>
<td>(0.66)</td>
<td>(0.20)</td>
<td></td>
</tr>
<tr>
<td>Number of Stories</td>
<td>0.02</td>
<td>0.77**</td>
<td>0.35</td>
<td>0.36</td>
</tr>
<tr>
<td></td>
<td>(0.83)</td>
<td>(0.00)</td>
<td>(0.00)</td>
<td>(0.08)</td>
</tr>
<tr>
<td>Unified Government</td>
<td>0.07</td>
<td>0.02</td>
<td>0.04</td>
<td>0.17</td>
</tr>
<tr>
<td></td>
<td>(0.43)</td>
<td>(0.87)</td>
<td>(0.67)</td>
<td>(0.43)</td>
</tr>
<tr>
<td>Divided Congress</td>
<td>-0.30**</td>
<td>-0.02</td>
<td>-0.14</td>
<td>0.20</td>
</tr>
<tr>
<td></td>
<td>(0.00)</td>
<td>(0.84)</td>
<td>(0.15)</td>
<td>(0.33)</td>
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<tr>
<td>N</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>25</td>
</tr>
</tbody>
</table>

Note: Each cell contains the correlation coefficient and the statistical significance (in parentheses).

**Significant at the 0.05 level
bers (Ainsworth 1993), and this political information may be very helpful to off-committee members (Diermeier and Federsen 2000).

As figures 5.1, 5.2, and 5.3 show, Congress holds hearings frequently. However, it may be that the mix of voices it wants to hear varies between authorization years and off years, or between police patrol hearings and fire alarm hearings. For example, Congress might want to hear the views of practitioners between authorizations, as it assesses how programs are functioning, but might want to hear the views of executive agencies during the actual authorization debates. Similarly, fire alarm hearings might be a preferred time to request testimony from agency personnel, who have allowed some crisis to occur.

Before presenting data on the frequency of appearance of various witnesses before committees, it is first beneficial to discuss the relative frequency of authorization hearings compared with off-year hearings, and the number of police patrol hearings compared with the number of fire alarm hearings. In this analysis, approximately one-third of all hearings are held in an authorization year, and the frequency of police patrol and fire alarm hearings is similar to the results obtained by Balla and Deering (2001). The congressional hearing process is dominated by police patrol hearings; only 11 percent of all hearings were fire alarm hearings. Finally, approximately 70 percent of fire alarm hearings occurred in off years. The cases of fire alarm hearings during authorization years generally came from two sources of conflict. First, the Reagan budget of 1981 sparked hearings about how programs would be harmed by the proposed reconciliation legislation. Second, the National Endowment for the Arts sparked several fire alarm hearings over allegations that the NEA funded obscene art.

As one policy player, who worked in education policy for more than a decade, noted:

Only a quarter of oversight actually examines the policy related specifically to programs. Most hearings focus on overall agency performance, financial oversight, appropriations, or the dreaded hearing on some fraud, waste, or abuse. The latter type of hearing is rare, but when they happen, they are so big. They require a tremendous amount of preparation time because we all have to think through the testimony strategically—what did we do about the problem, how rare is the problem, why is it not our fault, how will we ensure it never happens again.

Table 5.3 shows the distribution of witnesses for authorization years compared with off years. All hearings tend to have approximately twelve witnesses and last approximately two days, with hearings in both authorization years and off years being of similar length. Hearings tend to be dominated
by agency personnel, trade associations, and citizen groups, with each of these groups having between two and four witnesses per hearing. All other groups constitute a small part of the hearings process, rarely having more than one witness per hearing. The only policy area that shows great differences in witness composition between authorization years and off years is transportation policy. For this policy area, agency personnel become a much more dominant force in authorization years, at the expense of intergovernmental representatives, who have more dominance in off years.
The examination of police patrol and fire alarm hearings is slightly more difficult because of the dominance of police patrol hearings in the process. However, some basic trends can be seen in the data presented in table 5.4. There are differences in the length of the hearings, with police patrol hearings being longer than fire alarm hearings. Fire alarm hearings tend to focus on a very specific topic and tend to have slightly fewer witnesses—approximately two fewer—than police patrol hearings, which likely accounts for the shorter hearing time. There is also one important difference in the composition of witnesses between the two types of hearings. Agency personnel are more likely to be brought before a congressional committee at a fire

<table>
<thead>
<tr>
<th>Witness Type</th>
<th>All Programs</th>
<th>Transportation</th>
<th>Regulatory</th>
<th>Education</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Number of Witnesses</td>
<td>Police 12.99</td>
<td>13.44</td>
<td>9.92</td>
<td>16</td>
</tr>
<tr>
<td></td>
<td>Fire 11.11</td>
<td>17</td>
<td>8.64</td>
<td>13</td>
</tr>
<tr>
<td>Agency Witnesses</td>
<td>Police 2.36</td>
<td>2.89</td>
<td>3.13</td>
<td>0.89</td>
</tr>
<tr>
<td></td>
<td>Fire 3.32</td>
<td>3.67</td>
<td>4.23</td>
<td>1.1</td>
</tr>
<tr>
<td>Trade Witnesses</td>
<td>Police 3.73</td>
<td>3.68</td>
<td>2.72</td>
<td>4.96</td>
</tr>
<tr>
<td></td>
<td>Fire 2.08</td>
<td>3.67</td>
<td>1.23</td>
<td>3.00</td>
</tr>
<tr>
<td>Citizen Witnesses</td>
<td>Police 3.07</td>
<td>1.43</td>
<td>1.30</td>
<td>6.93</td>
</tr>
<tr>
<td></td>
<td>Fire 2.37</td>
<td>1</td>
<td>0.55</td>
<td>7.2</td>
</tr>
<tr>
<td>Inter-Govt Witnesses</td>
<td>Police 1.18</td>
<td>4</td>
<td>0.23</td>
<td>1.6</td>
</tr>
<tr>
<td></td>
<td>Fire 1.72</td>
<td>2.7</td>
<td>0.19</td>
<td>2.4</td>
</tr>
<tr>
<td>Labor Witnesses</td>
<td>Police 0.28</td>
<td>0.43</td>
<td>0.06</td>
<td>0.36</td>
</tr>
<tr>
<td></td>
<td>Fire 0.39</td>
<td>2.33</td>
<td>0.05</td>
<td>0</td>
</tr>
<tr>
<td>Corporate Witnesses</td>
<td>Police 1.08</td>
<td>0.99</td>
<td>2.11</td>
<td>0.01</td>
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<td></td>
<td>Fire 1.29</td>
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<td>1.86</td>
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<td>Congress Member Witnesses</td>
<td>Police 0.61</td>
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<td>Fire 0.39</td>
<td>1</td>
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<tr>
<td>Congressional Staff Witnesses</td>
<td>Police 0.12</td>
<td>0.11</td>
<td>0.08</td>
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<td>Fire 0.08</td>
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<td>0.00</td>
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<tr>
<td>N</td>
<td>Police 335</td>
<td>114</td>
<td>118</td>
<td>103</td>
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<tr>
<td></td>
<td>Fire 38</td>
<td>6</td>
<td>22</td>
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<tr>
<td>Total Hearing Days</td>
<td>Police 2.30</td>
<td>2.42</td>
<td>2.3</td>
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<td></td>
<td>Fire 1.92</td>
<td>2</td>
<td>1.91</td>
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* Correlation is significant at the 0.10 level (2-tailed).
** Correlation is significant at the 0.05 level (2-tailed).
alarm hearing, and trade witnesses are less likely to testify at a fire alarm hearing. This witness dynamic fits one classic presentation of a hearing, where a congressional committee brings a recalcitrant agency head before them—or the head of the agency who has some responsibility over a policy area where there has been a terrible tragedy—and ruthlessly questions the witness about the agency's malfeasance.

A final point about fire alarm hearings in this analysis is that 58 percent of the fire alarm hearings (twenty-two total) occurred in regard to regulatory policies. Considering the nature of regulations, the effect that failures to regulate a policy area effectively can have, and the high volume of lobbyists and interests tracking issues in regulatory policy domains, it is not surprising that Congress would find regulatory policy a place where many fire alarms would sound. For regulatory policy, there is the same pattern of witnesses as was noted earlier—agency witnesses predominate at fire alarm hearings, and trade association witnesses are less important. One other type of witness, the citizen group, declines in importance as well. Citizen groups testify, on average, half as often as trade associations, and in the case of fire alarms, testify at about half of all hearings. Considering the importance that many people attach to citizen groups as watchdogs over the activity of corporations (e.g., Berry 2000), it is surprising that they play such a small role in fire alarm hearings, especially during a period of Democratic control of the House.

Summary

Congressional committee activity is dominated by hearing activity. For any given program, committees typically hold at least one hearing evaluating some aspect of the program. Perhaps a dozen witnesses, representing federal agencies, trade groups, corporations, citizen groups, and other policy stakeholders, come before a committee to present testimony about why a program is or is not working as it should. Several scholars have argued that the expiration of a short-term authorization plays an important role in facilitating oversight, and interviews with congressional staff elicit similar views. However, the examination of hearings over a twenty-five-year period suggests that hearings occur throughout the life cycle of a program, regardless of its authorization status. Programs with expired authorizations continue to receive scrutiny, just as programs with active short-term authorizations are examined well before their authorization is about to expire. Committees have various incentives, including their desire to gain points in the media or with various interest groups, for holding hearings beyond a desire to consider specific policy changes.