

**Online Appendix for the Rise and Fall of Bureaucraic Oversight: The U.S.
Committee on Energy and Commerce, 1989-2018**

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A1. Content Analysis of the Non-Legislative Hearings of the House Energy and Commerce Committee during the 100th Congress

Some research on oversight uses “non-legislative hearings” as an indicator for the amount of oversight of agencies. This may be more or less accurate over time. In particular, it may be the case that, in recent years, a higher proportion of non-legislative hearings involve the sub/committee learning about policy issues without scrutinizing agency decisions, i.e., engaging in oversight of the executive branch. And in general, political science’s treatment of oversight hearings has been to count hearings. Scholars do not have an appreciation for what goes on during hearings. To enhance our understanding of oversight, it would be valuable to describe what is happening in non-legislative hearings. Below, I provide a classification/coding plan to describe the degree to which the purpose of the hearing involved scrutiny of agencies’ decisions.

Part I: Instructions on Coding the Degree to which Agency Decisions Were Subjected to Scrutiny in Non-Legislative Hearings

Use the following information to enter a “0,” “1,” “2,” or “3” into the excel spreadsheet provided to you. Enter one of these codes in the empty cell in the column, “agency_scrutiny.”

Below, I provide examples from hearings that you will not code to help you understand how to classify these hearings.

When it comes to non-legislative hearings by the House Committee on Energy and Commerce during this period, there are four categories of hearings with respect to oversight of executive agencies.

(In most cases the Chair’s opening statement is at the very beginning of the hearing. In very few cases, it may come later. Be on the lookout for that. You may have to search for the Chair’s name (the chair of the relevant subcommittee. Also be on the lookout for the rare hearing where it is joint hearing with another committee; we will want the opening statement of the Energy and Commerce Committee’s subcommittee chairperson—not the statement from another sub(committee’s) chairperson. Ask me if you have any questions in locating the opening statement. I won’t influence your assessment of the type of scrutiny simply by telling you where the opening statement is. In 95% of transcripts, the opening statement will be given on the first/second page).

In summary, you are coding the opening statements of the subcommittee chairperson. You are coding them to assess, based on that statement, the degree to which the hearing subjects agency decisions/behavior to scrutiny. To what degree is the hearing about finding out what is happening in agencies with respect to policy implementation and/or policymaking?

(1) **(Enter a Zero, “0”) Hearings in which a subcommittee is examining a problem/issue—and provides no scrutiny of agency decisions** (e.g., 100-127, “Ethanol in the 1990’s”). In this hearing, a subcommittee obtains information. It might use this information in the future in crafting legislation or in pursuing oversight. But no executive personnel’s decisions are subject to scrutiny in this hearing.

This happened, for example, in the 100th Congress when the Subcommittee on Telecommunications and Finance held a hearing examining the consequences of insider trading and other problematic and/or illegal practices in the financial industry during the 1980’s. The Security and Exchange Commission (SEC), which had been “setting records” for enforcement (praised by the Chair’s statement) did not have its implementation/enforcement examined in the hearing. Rather, the Chair of the SEC was brought in to provide the Subcommittee information. (This is an important point to note. When agency personnel provide testimony, it does not mean that their decisions are being subjected to scrutiny by the committee. To code it in this category, you want a statement from the Chair’s opening statement indicating that this is the case).

(A) Sometimes these hearings involve the evaluations of proposals and reauthorizations. Sometimes a problem comes up and it is examined.

(B) In such hearings, it is sometimes the case that the chair’s opening statement references an executive agency, or an individual from an agency, as providing testimony—but their decisions are not under scrutiny. Rather, the opening statement makes it clear that the individual(s) will provide information to the subcommittee on the issue/problem or simply notes that the agency is making an appearance. Agency personnel are there as a source of expertise—not as a subject of inquiry. So, in determining whether a hearing belongs in this category (compared to coding it a 1 or a 2 or 3—see below), it is essential for the reader to discern whether the primary purpose of the hearing is to subject the agency’s decisions to scrutiny (code 2) or whether the agency is there in an informational role (code as 0). If the agency is merely mentioned—but there is no criticism of the agency and no statement discussing examination of agency decisions—then the hearing is coded as (3).

(C) In addition, sometimes an agency is just mentioned as being relevant without its decisions being scrutinized or it serving as a source of information. For example, in a hearing on the abuse of Human Growth Hormone (HGH) in the 100th Congress, the Food and Drug Administration (FDA) was mentioned for having approved HGH. Henry Waxman, the Chair of the Subcommittee on Health then noted that HGH was being abused for other purposes. The agency’s decision was not criticized or examined at all. Waxman’s statement simply went on to lay out the circumstances behind the misuse of HGH.

(D) When the hearing scrutinizes what U.S. states do in a policy area or what other nations, or international organizations, do from a policy perspective and its impact on the U.S., then it is not scrutinizing agency decisions.

Enter a 0.

(2) **Some scrutiny of agency decisions—but this is not the primary purpose of the hearing (Enter a 1):** hearings in which a subcommittee is examining a problem/issue—and provides some scrutiny of agency decisions (but the main purpose of the hearing is not to examine implementation by agencies or proposals of agencies or specific decisions of agencies). The specific purpose of the hearing is not to engage in scrutiny of agency decisions. However, during the course of the hearing, the Subcommittee also provides scrutiny of some agency decisions. For example, in a hearing on lead in drinking water during the 100th Congress, the Subcommittee on Health examined the problem in the United States. It also noted that the EPA’s response to the problem had been inadequate and considered what the agency had, and had not, done.

So the primary purpose of the hearing was clearly to learn about the problem—not scrutinize the EPA’s decisions/behavior.

Another example entails the investigation of the Bradley Fighting Vehicle. The Subcommittee on Oversight and Investigations focused on the contractor’s failure to produce a vehicle to the specifications of the contract, highlighting the Bradley shortcomings and those of its contractor. However, the Department of Defense and Army were not spared. They were criticized for not doing their jobs to ensure contractor performance and for overlooking obvious problems. Although the primary purpose of the hearing was to focus on a problem related to an entity outside of the executive branch, the executive branch’s actions and decisions were still reviewed. This also happened in the 100th Congress with respect to All-Terrain Vehicles. The Oversight and Investigations committee reviewed problems associated with their safety, revealing problematic information about risks. The Consumer Product Safety Commission was mentioned as not doing a sufficient job (its decisions were subject to scrutiny-secondarily) but the subject of the hearing was definitely the industry—criticizing it.

Although such hearings examine agency actions to more/less of a degree, the degree to which this is the case may be in the eye of the beholder—and difficult to code using content analysis rules. As such, I do not disaggregate levels of scrutiny within this “some” category.

Enter a 1.

(3) **(Enter a 2) Primarily oversight or all oversight (and by oversight I mean scrutiny of agency decisions rather than obtaining information about a problem/policy/issue/behavior of regulated entities):** these are hearings in which the primary purpose of the hearing (or totality of the hearing) involves scrutinizing agencies’ decisions/behavior.

Such hearings involve, for example, examination of how an agency has implemented specific programs/policies. Sometimes this oversight is conducted to prepare for reauthorizations of programs/agencies and to examine budget requests made by agencies.

- Does the chairperson state that the committee is reauthorizing an agency or considering doing so (and the hearing does not involve legislation)? Then, the primary purpose is to scrutinize the agency.
- Is the purpose of the hearing to examine a budget request? This is scrutiny of agency decisions.
- Does the chair make a statement to the effect that the subcommittee will be examining implementation of laws/policies? This is scrutiny.
- Does the chair make a statement to the effect that the subcommittee will be examining decisions/conduct by executive branch officials (that may or may not be problematic or even illegal). This is scrutiny.
- Even if the purpose of the hearing is to examine the behavior (potentially problematic behavior or to laud the performance of one individual in the bureaucracy), the primary purpose is oversight.

Sometimes the subcommittee/committee is examining a proposal from an agency (or even the president to make a policy decision. Here, there is consideration of the policy proposal—this is oversight. The agency's/president's decisions are being monitored.

Such hearings may also consider other matters, such as issues in the policy area that the agency's decisions pertain to—but the primary purpose of the hearing is to examine/scrutinize what the agency has done/is doing.

NOTE: One way of distinguishing between instances of the primary purpose of hearing being to scrutinize agency decision making/behavior and instances when the primary purpose is to examine a problem/issue that also leads to consideration of agency decision-making is as follows:

- Does the chair's statement focus on an issue or some problem—but then also note that an agency's decision-making is going to be reviewed? Then, the hearing may be coded as having the primary purpose of examining an issue or a problem but also including some scrutiny of an agency. For example, in hearing 100-21 of the House Committee on Energy and Commerce, the chairperson noted that inadequacy of the Bradley Fighting Vehicle (not meeting specifications for battlefield capabilities and being unsafe for military to personnel to drive or ride in). This clear emphasis demonstrates that the primary purpose of the hearing is to examine the problem of this vehicle and of its manufacturer's malfeasance and mendaciousness. However, the chair also notes that the Department of Defense did a poor job in fulfilling its responsibility to ensure the contractor lived up to its obligations—and that the committee would be considering information to this effect. Accordingly, there was some scrutiny of agency decision making there. So, this hearing would not be a 2—it would be a 1, “some scrutiny”

Enter a 2 if the hearing's primary purpose was to scrutinize agency decision making/behavior.

(4) (Enter 3) Examinations of Programs with no scrutiny of agency decisions: “cheerleading hearings” or program advocacy.

The committee engages in advocacy of a program—without engaging in scrutiny of the agency. Here, the goal is to support the program. One could consider it oversight—the program run by the agency is being focused on during a committee hearing. But the agency’s decisions are not being scrutinized. It’s a cheerleading session.

The chairperson’s opening statement may, but does not have to, make reference to defending the program from opponents. The program is being protected/elevated.

The chairperson’s opening statement may, but does not have to, reference individuals representing stakeholders who benefit from a program who are present to testify about the benefits of the program(s).

Enter a 3.

Part II. Findings from the Reliability Analysis of the Coding of Agency Scrutiny Described in Part I of Appendix A1.

Table A1-1: The Reliability of the Content Analysis of The House Committee on Energy and Commerce’s Primary Purpose in Holding Non-Legislative Hearings: Scrutinizing Agency Decisions, Program Advocacy, and Learning about Issues and/or Problems.

<u>Variable</u>	<u>% Expected Agreement</u>	<u>% Agreement</u>	<u>Kappa</u>
Scrutiny	31.80	64.79	.48***

Notes: n = 71. Coders entered 0 (no scrutiny of bureaucratic decisions/behavior), 1 (the primary purpose was not oversight but there was some scrutiny of bureaucratic decisions/behavior); 2 (the primary purpose of the hearing was to scrutinize bureaucratic decisions/behavior); 3 (the primary purpose was to advocate for programs). As noted in the text, I created a random variable for all non-legislative hearings in the 100th Congress. For the non-legislative hearings whose values were greater than the in the top 50th percentile of for this variable, a second coder classify the hearings based on the instructions in Appendix A-1. The findings above represent the results of the inter-coder reliability test. $p < .001$.

A2. Coding Policy Areas to Control for Policy Fixed Effects in Models 3 and 4 of Table 2 in the Article

I identified the issues covered by the subcommittee’s jurisdictions over the fifty years that this study examines. I then use this information to estimate fixed effects models, controlling for these issues. Estimating fixed effects for issues—rather than subcommittees themselves—is preferable for several reasons. Most importantly—from the standpoint of obtaining coefficient estimates of the key independent variables that measure the number of executive branch officials testifying

and the total number of individuals testifying—estimating issue-based fixed effects makes more sense than estimating subcommittee fixed effects. This is because different issues with more/less complexity and with more/fewer stakeholders will vary across issues. For example, cursory examination of hearings within the Committee’s transportation jurisdiction emphasizes the large number of stakeholders who appear at hearings on this matter. Subcommittees, though, possess jurisdictions over multiple issues. Second, the combination of these issues into subcommittee jurisdictions was juggled periodically. For example, the issues of “Commerce” and “Finance” were combined into one subcommittee from the 91st (1969-1970) to the 93rd Congress (1973-1974). Then, in the 94th Congress (1975-1976), “Commerce” was moved to the Subcommittee on “Commerce, Science, and Transportation,” while “Finance” was combined into the Subcommittee on “Consumer Protection and Finance.” Creating subcommittee fixed effects, then, would be cumbersome. As noted above, though, more important than this is that variation in the key independent variables in the analysis will occur across issues. Therefore, creating issue-based dummy variables to estimate fixed effects will allow me to control for the unique features of these issues that may be correlated with the key independent variables, thus guarding against the possibility of omitted variable bias in the estimates these variables.

The policy categories are as follows:

- (0) Commerce (includes Commerce, manufacturing, competitiveness, and trade, regulatory reform, consumer protection, technology transfer; investigations of the military/military contractors the jurisdiction for which involves the protection of consumers/taxpayers; insurance—but not health insurance, that is under health)
- (1) Finance (includes finance industry matters; financing of energy, e.g., strategic petroleum reserve, falls within Energy; investigations of Enron on the basis that it was a financial matter—Even though Enron was an energy company—same with WorldCom, which was a telecommunications company—and HealthSouth, a healthcare company)
- (2) Communications (includes Communications, Telecommunications, Internet, Technology, and Digital Commerce).
- (3) Health/Public Health (effects of radiation on individuals; FDA matters were always under health—not consumer protection, which falls under commerce (see 1); matters related to specific diseases are coded under “Health” because such hearings fell under the “Health” subcommittees even though in some cases it could be considered consumer protection in some cases, e.g., consumers getting cancer because of exposure to chemicals in hair dye, 95-91; abstinence education; health insurance).
- (4) Transportation (includes Transportation, Aeronautics, Rail when it was under the Committee’s jurisdiction, and Hazardous Materials)
- (5) Environment (includes Environment and Air Quality, drinking water, superfund; health consequences specifically due to environmental problems; toxic substances control act)

(6) Energy/Energy and Power (includes energy, pipeline issues—this category was always under an “Energy” subcommittee-not a transportation one; energy conservation in transportation; fuel costs)

A3. Classifying Witnesses

Note: As footnote 6 in the manuscript discusses, the testimony of bureaucratic personnel that is charted in figures 4-7 combine the following categories below: “Leadership of Agencies,” “Bureau Level and Below”

Leadership of Agencies:

This category includes everything above the bureau level. For example, the Commissioner of the Food and Drug Administration (FDA) is classified as a member of the “leadership of agencies” but no other individual at the FDA is. At some agencies, the bureau level is exists as “Institutes,” such as the National Institutes of Health (NIH). At the NIH, the heads of the various institutes are not included in this category. The Director of the entire NIH is classified as an agency leader. For cabinet departments, secretaries, assistant secretaries, associate secretaries, and so on are coded as being within the leadership of agencies. At independent agencies like the Environmental Protection Agency (EPA), where the term is not “secretary” but is instead “Administrator,” this would include the “Administrator” and various assistant/associate administrators. At independent regulatory commissions like the Federal Reserve Board (FRB), the only individuals considered to be in the leadership are the chairpersons and commissioners. (Note: assistants to these individuals are not coded as being in the leadership. For example, the assistant to the Assistant Secretary is not in the leadership of an agency).

This category of personnel includes political appointees—individuals who are nominated by the president and confirmed by the Senate, including Secretaries, e.g., the Secretary of the Treasury, Administrators, e.g., the Administrator of the Environmental Protection Agency, Chairpersons, e.g., Chairman of the Civil Aeronautics Board, Director, e.g., Director of the National Institute for Standards and Technology. This also includes various undersecretaries, assistant, associate, and deputy administrators, assistant and associate directors, and special assistants to the above. NOTE: This also includes heads of agencies within cabinet departments. For example, the Department of Health, Education, and Welfare included the Health Services and Mental Health Administration in 1973. The head of that agency is considered an “agency head” for the purpose of this coding. Includes General Counsels/Chief Counsel of agencies. NOTE: I am not trying to code for political appointees. I am trying to code for top level administration at agencies; some of these individuals no doubt are career employees not appointed by the president and confirmed by the Senate, especially when individuals are on “acting” status.

NOTE: Although the category includes political appointees, I do not try to distinguish between individuals appointed by the president and those who are in the senior executive service (SES) and/or General Service (GS). This is because the president can appoint individuals to serve within SES positions who do not come from the civil service. Such individuals are likely to be in the “bureau heads” and below positions—not in this category. In addition, the president can appoint individuals to serve in positions typically staffed by civil service individuals who are GS

through Schedule C appointments—again, like to be “bureau heads” and below. Additionally, sometimes SES personnel head agencies and are not political appointees. In these cases, these individuals would fall within this category of “bureau heads” but are not political appointees. It would be impossible to distinguish between the civil service and appointees simply by examining their titles in the text of committee hearings. Accordingly, I do not try.

As should be clear above, for agencies that exist within cabinet departments, I only classify the head of the agency as being part of the leadership of the agency. Other individuals are classified as being at the Bureau level and below.

Joint Chiefs of Staff members are coded as being at the Leadership level.

Bureau Level and Below: Agency Personnel, Bureau/Office level and below: This includes chiefs/directors of bureaus/offices and individuals who work with bureaus/offices within agencies.

This includes individuals with titles such as “Assistant to’ the Deputy Assistant Secretary.” Such individuals are not at the level of agency leadership. They may be layered on top of bureau heads, so they will be included in this bureau head category. (“Deputy Secretaries” themselves, though, are in the agency leadership category, e.g., Deputy Assistant Secretary for Legislation).

Any individual with the title “Counsel” is included in this category that is not the “General Counsel,” e.g., “Deputy General Counsel” as being a bureau head or below.

This includes individuals working in organizations operated for executive agencies. For example, Los Alamos was operated for the Department of Energy by the University of California; the National Solar Energy Institute was operated by Midwest Research Institute for the Department of Energy.

Includes public-private partnerships like the National Institute of Building Sciences.

Military officers testifying are coded as being at the Bureau level or below unless they are Joint Chiefs of Staff members.

Executive Office of the President: Includes personnel working within the executive branch of the president, such as the Office of Management and Budget, U.S Trade Representative, and so on.

NOTE: “The Cost of Living Council” was a unit with the EOP under Nixon/Ford.

Committee Staff: individuals who are professional staffers on the House Energy and Commerce Committee

Members of Congress: members (and former members) of Congress (unless former members are testifying on behalf of other organizations).

Academics: individuals from academic institutions testifying as experts. NOTE: This does not include University presidents or College Deans. These individuals are coded as representing non-

profits. This is the case because these individuals are assumed to be testifying not as experts on technical subjects but on behalf of their institutions.

In instances for which the hearing involved health care and/or hospitals, individuals who were leaders of University affiliated hospitals are coded as being members of “industry” in the “Industry” category described below.

In cases in which an individual from a medical facility is testifying from an office that is stated as an academic office, e.g., Dean for Clinical and Translational Science, Mayo Clinic, that individual is listed as being an “academic” witness.

Includes medical students.

(Also NOTE: many individuals testifying in this category could also be classified as state employees, e.g., West Virginia University faculty members. However, they are coded as falling within this “academic” category and not as state employees). Includes individuals listed as members of the National Academy of Sciences)

Technical: individuals (not from academia) testifying as experts, e.g., individuals from the RAND corporation; also includes individuals without an affiliation but who are listed as a “PhD” or “MD” or nurses for medically related hearings. When an individual is listed as a private consultant, they are coded as being a “technical” witness (but when they are a consultant for a company they are coded as being an “industry” witness).

When an individual is listed as an author of a “report” with no other identifying information, that individual is classified under the “technical” classification.

Industry: individuals representing companies, e.g., General Motors. This does not include individuals testifying as representatives from a professional or trade association. That is coded in another category. So, someone testifying for the National Association of Manufacturers would be coded as an individual testifying on behalf of a trade association; someone from the American Medical Association would be coded as testifying on behalf of a professional association.

I considered hospitals to be in the category of “industry.” Most hospitals are non-profit; however, they are part of the health industry. They belong in this category more than in the “non-profit” category. The non-profit category includes organizations like charitable foundations.

I also include electric utilities in this category. So the Tennessee Valley Authority counts as an industry actor. So do utilities run by subnational levels of government. These utilities are industry in the sense that they provide a product to consumers, e.g., Long Island Power Authority.

For hearings on NCAA athletics, I include school officials in this category rather than as non-profits or as academics. (same with the NCAA itself). This does not apply to professors from academic departments/schools that testify at such hearing, e.g., economists/law school professors (I classify them as academics).

Public Service Commissions/Public Utilities Commissions are **NOT** coded as industry. They are state entities that regulate utilities.

Public owned utilities are coded as industry.

Individuals who once served in government and are listed as such but who are currently working for an industry entity, e.g., corporation, are coded as “industry.”

Individuals who are listed as working in an academic institution but who are also listed as working for an industry entity are coded as “industry.”

Trade Associations: individuals testifying on behalf of a trade association, e.g., the National Association of School Cafeterias, the Insurance Institute for Highway Safety, the Edison Electric Institute, and so on. (NOTE: I consider the American Hospital Association a trade association—not a non-profit).

Professional Associations: individuals testifying on behalf of a professional association, e.g., the American Dental Association.

State and Local Officials: individuals employed by state or local governments. This includes associations on behalf of state officials, e.g., the Association of Maternal and Child Programs, National Association of Consumer Agency Administrators, associations of state utility commissioners (that’s a big one). Includes public utilities commissions, public service commissions, as noted above.

Native American: individuals representing Native American Tribes.

Public Interest Groups: individuals represented public interest groups or citizen groups, e.g., the Public Interest Research Group. (I included Parent Teacher Associations (PTAs) as being in this category, making a note of it on the coding sheets). Such organizations included the Sierra Club, the AARP, Irate Shore Commuters, Shore Commuters for On Time Service, and Commuter Wives.

In some cases, it was difficult to identify groups that sounded like they might be public interest groups. In these cases, they were coded as “unknown.” In other cases, although I had not heard of the group, the name of the group is such that it is clear that the group was coded as a public interest group, e.g., “Citizens Against Destruction of the Environment.”

When I observe “Citizens for” or a general reference to an area on behalf of a cause, e.g., “Warwick Against Radioactive Dump,” I classify the organization as a public interest group.

In distinguishing between public interest groups and non-profits, when the organization is devoted to affecting government policy, it is coded as a public interest group, e.g., the Center for Law and Social Policy. When the group has a broader perspective, e.g., the American Lung Association, it is coded as a non-profit.

Unions: individuals employed by unions, e.g., the AFL-CIO.

Lawyers: individual testifying as a lawyer from a private firm (also include individuals who are a lawyer from a specific location, e.g., John Smith, Attorney, New York City. (NOTE: If someone appeared as a lawyer (e.g., counsel) for a company/corporation/business, then that was classified as “industry,” as a general counsel for an agency, then it was classified as a “head” of an agency—so lawyers were coded as being in categories unless they were just classified as lawyers in the list of witnesses. Individuals identified simply as “attorneys” or “lawyers” were also classified in this category.

Journalists_Media: individuals testifying as journalists (their publication/affiliation) is listed, e.g., *Better Homes and Gardens*.

In instances when the hearing involved broadcast law/policy, individuals representing media outlets/organizations/publications were coded as being “Industry” representatives.

Non Profit Institutions: individuals working for non-profit institutions, e.g., university presidents, the Red Cross, and so on. Unless otherwise noted, hospitals and community health organizations are coded as non-profits.

GAO: testimony by GAO personnel

CBO: congressional budget office

LOC: library of Congress

OTA: Office of technology assessment

CRS: congressional research service

US_CH: U.S.-China Economic and Security Review Commission

MACPAC: Medicaid and CHIP Payment and Access Commission

Medpac: Medicare Payment Advisory Commission (leg agency of Congress)

Congr_ac: a congressional advisory committee, e.g., Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise

Advisory Committee: member of an advisory committee; NOTE: when individuals who served on ACs were listed, their other affiliations were also listed. I counted them as individuals who were testifying as members of an advisory committee.

Private Individuals: individuals who are testifying with no affiliation as private citizens. For example, during one hearing on migrant workers, a number of workers testified.

NGO: individuals working for NGOs, e.g., ICANN. Includes self-regulated organizations, such as the municipal securities rulemaking board.

Other: individuals who do not fall into the above categories.

Classification Rules:

(1) When an individual appears on behalf of an organization, that organization is coded as having testified. So, when someone who works for a company testifies on behalf of the American Petroleum Institute, it is the Institute (a trade association) that is coded as trade association having testified. This is also the case when a member of Congress testifies on behalf of an organization.

(2) When individuals are listed as two (or more) things (but are not specifically classified as appearing “on behalf” of an organization), then I code based on the first thing.

(3) When an individual is noted as being a “consultant” for an organization, I code based on that organization. For example, if an individual is a consultant for the New York EPA, then I code that individual as testifying for state government.

(4) When an individual testifies as holding a position on a “former” basis, e.g., former Chairperson of the Securities and Exchange Commission, then I coded based on what position the individual held formally (rather than coding the person as an individual). In this case, the person would be coded as an individual in the leadership of an agency.

Government Corporations: government corporation; Amtrak. Note: the corporation for public broadcasting is a government corporation—but the public broadcasting service and national public radio are classified as “industry.” An association of national public radio stations, then, is a trade association.

Figure A1. No. of Days during Oversight Hearings, on the DOE Budget, 97th to 115th Congresses

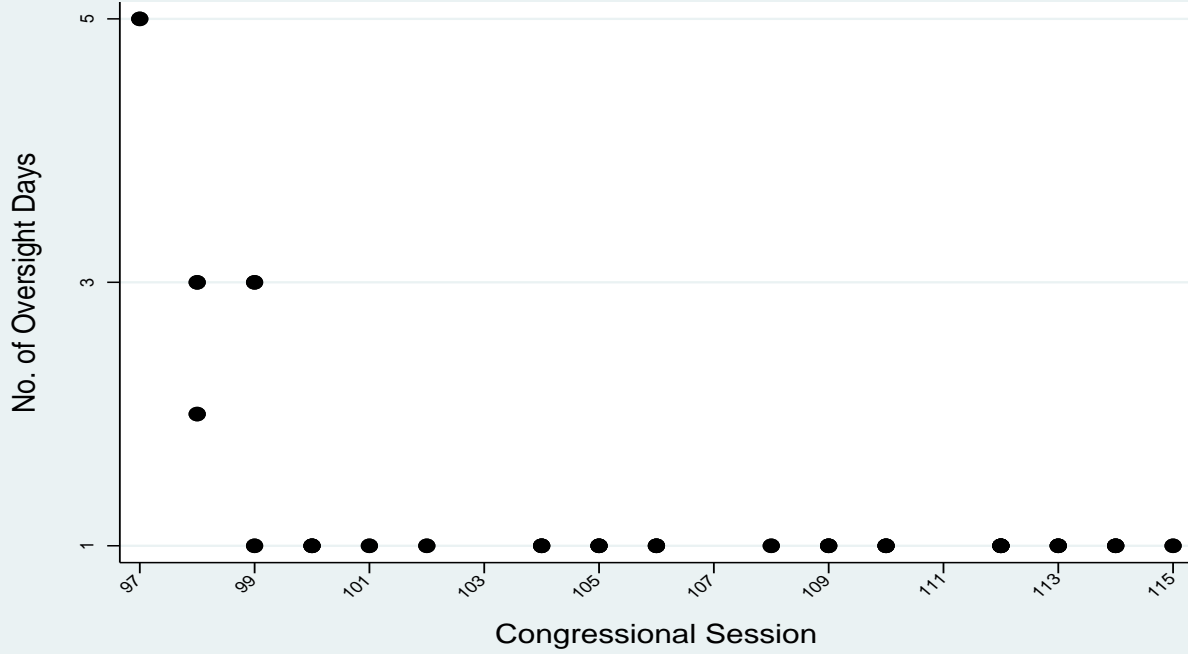


Figure A2. No. of Transcript Pages in Oversight Hearings on the DOE Budget, 97th to 115th Congresses

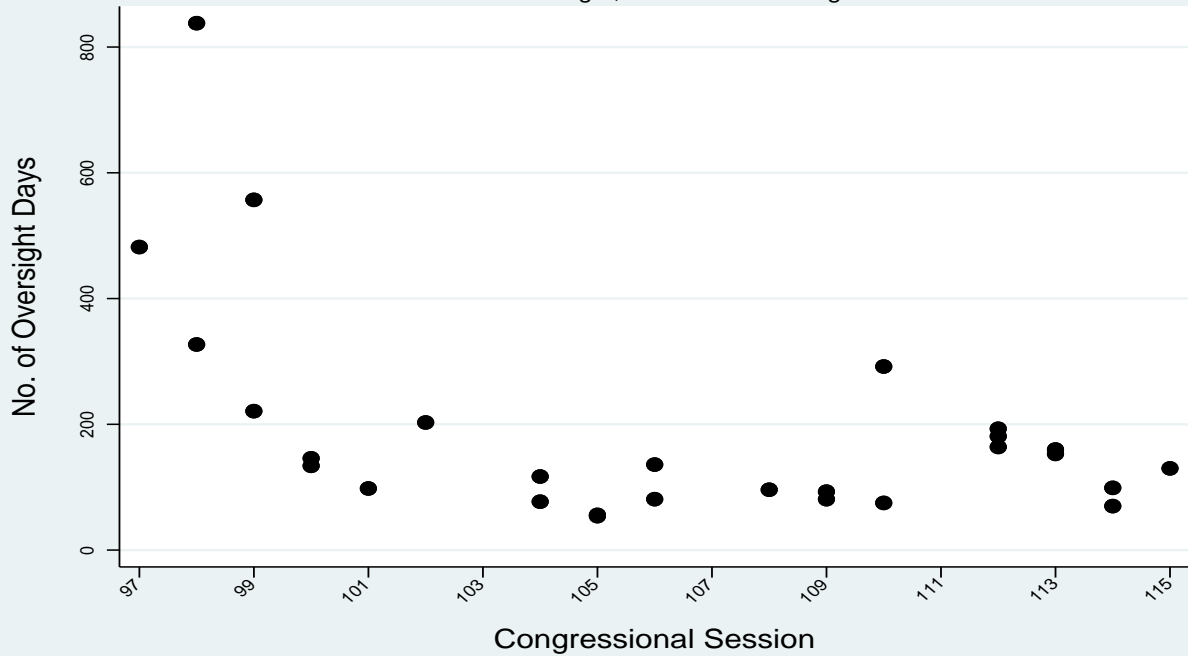


Figure A3. No. of Days during Oversight Hearings on, the Clean Air Act, 92nd to 112th Congresses

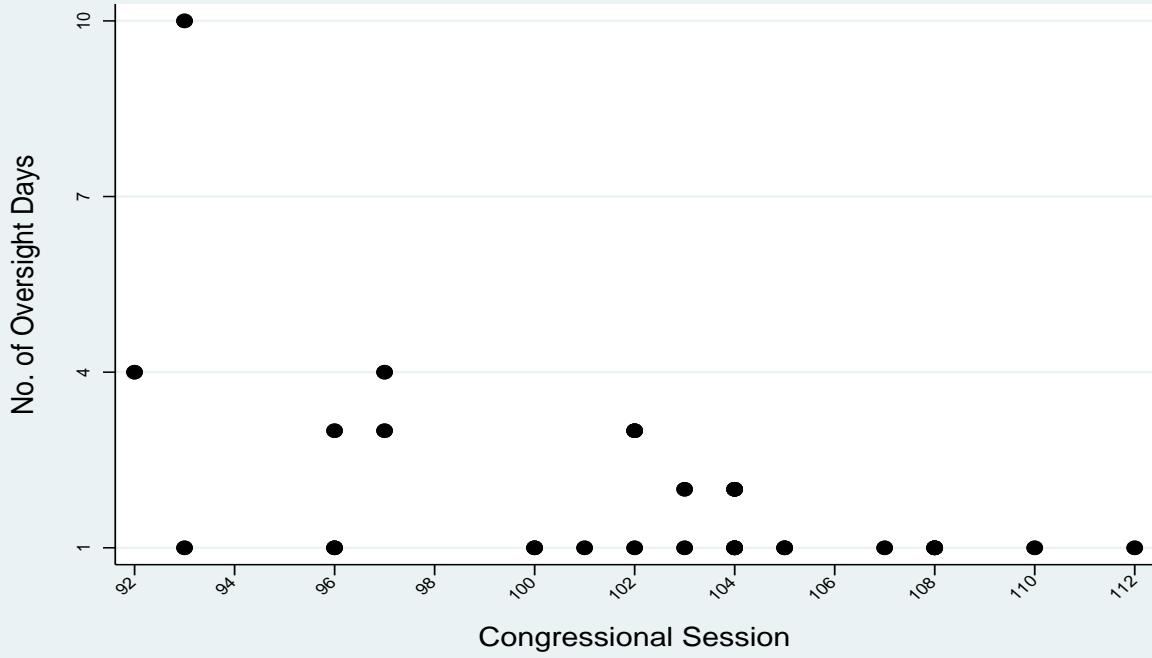


Figure A4. No of Transcript Pages in Oversight Hearings, on the Clean Air Act, 92nd to 112th Congresses

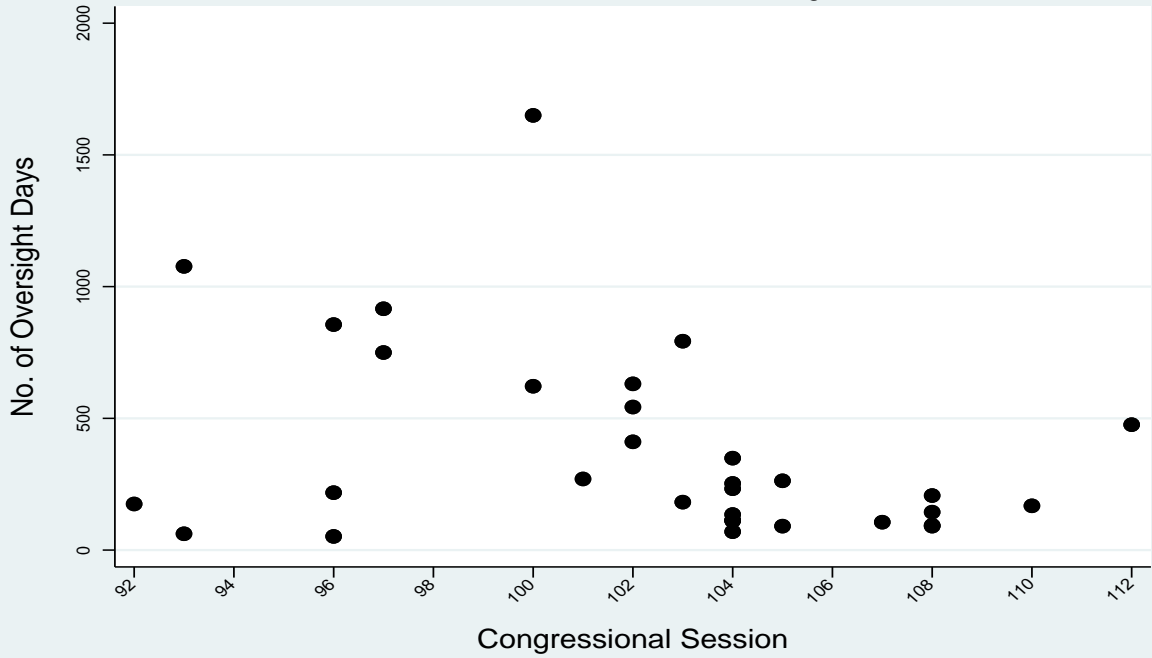


Table A1. Testimony by Executive Branch Officials at Oversight Hearings on the Department of Energy’s Budget during the Study Period

Congr. Session/Year	Hearings Days	No. of Exec. Branch Witnesses	Witness Position(s)
97 th (1981)	5	8	Acting Principal Deputy Ast. Sec.; Budget Officer; Acting Ast. Sec. for Fossil Energy; Ast. Sec. for International Energy Policy (Dept. of State); Director, Office of Alcohol Fuels Program; Director, Office of Energy Technology Cooperation (Dept. of State); Ast. General Counsel, Procurement and Financial Assistance; Acting Under Sec.; Deputy Ast. Administrator for Development Technology (Agency for International Development)
98 th (1983)	2	8	Ast. Sec. for Nuclear Energy; Deputy Ast. Sec. for Breeder Reactor Programs; Director, Office of Terminal Waste Disposal and Remedial Action; Secretary; Director, Division of Storage, Nuclear Waste Policy Act Project; Director, Nuclear Waste Policy Act Project; Ast. Sec. for Conservation and Renewable Energy; Deputy Ast. Sec. for Uranium Enrichment and Assessment
98 th (1984)	3	3	Under Sec.; Secretary; Acting Director, Office of Civilian Radioactive Waste Management

99th (1985)	3	8	Acting Ast. Sec. for Conservation and Renewable Energy; Secretary; Chairman (Federal Energy Regulatory Commission); Commissioner (Federal Energy Regulatory Commission); Director, Office of Civilian Radioactive Waste Management); Commissioner (Federal Energy Regulatory Commission);); Commissioner (Federal Energy Regulatory Commission);); Commissioner (Federal Energy Regulatory Commission)
99 th (1986)	1	3	Secretary; Ast. Secretary for Conservation and Renewable Energy; Director, Office of Civilian Radioactive Waste Management
100 th (1987)	1	3	Secretary; Controller; Director, Office of Civilian Radioactive Waste Management
100 th (1988)	1	5	Secretary; Controller; Ast. Sec for Fossil Energy; Ast. Sec. of Conservation and Renewable Energy; Director, Office of Civilian Radioactive Waste Management
101 st (1989)	1	2	Secretary; Under Sec.
102 nd (1992)	1	4	Secretary; Deputy Sec. for Policy, Planning and Analysis; Ast. Sec. for Fossil Energy; Acting Director, Environmental Restoration and Waste Management
103 rd			
104 th (1995)	1	1	Secretary

104 th (1996)	1	7	Acting Under Sec.; Principal Deputy Ast. Sec for Energy Efficiency Programs; Chief Financial Officer; Association Deputy Sec. for Energy Programs; Director, Office of Civilian Radioactive Waste Management; Associate Director, Office of Nuclear Energy; Principal Deputy Ast. Sec. for Fossil Energy
105 th (1997)	1	3	Acting Secretary; Ast. Sec. for Environmental Management; Associate Deputy Sec.
105 th (1998)	1	2	Deputy Sec.; Under Sec.
106 th (1999)	1	1	Secretary
106 th (2000)	1	1	Secretary
107 th			
108 th (2004)	1	1	Secretary
109 th (2005)	1	1	Secretary
109 th (2006)	1	1	Secretary
110 th (2007)	1	1	Secretary
110 th (2008)	1	1	Secretary
111 th			
112 th (2011)	1	2	Secretary; Chairperson, Nuclear Regulatory Commission*
112 th (2012)	1	1	Secretary
112 th (2012)	1	2	Inspector General; Director, Office of Budget

113 th (2013)	1	1	Secretary
113 th (2014)	1	1	Secretary
114 th (2015)	1	1	Secretary
114 th (2016)	1	1	Secretary
115 th	1	1	Secretary

* In this hearing, the budgets of both the Department of Energy and the Nuclear Regulatory Commission were reviewed. This was the only hearing between 1981 and 2018 when the Department of Energy's budget was discussed with that of another agency.

Table A3-2. Testimony by Executive Branch Officials at Oversight Hearings on the Clean Air Act Amendments during the Study Period

Congr. Session/Year	Hearings Days	No. of Exec. Branch Witnesses	Witness Position(s)
92 nd (1971 and 1972)	4	6	Administrator; Congressional Liaison Office; Assistant General Counsel for Air Pollution; Deputy Assistant Administrator for Air Programs; Director, Mobile Resources Pollution Control Program; Head, Emergency Operations Control Center at Durham, NC
93 rd (1973)	10	12	Administrator (also Chairman, Council on Environmental Quality, Executive Office of the President); Director, Office of Environmental Affairs, (Dept. of Transportation); Assistant Secretary for Environment, Safety, and Consumer Affairs, (Dept. of Transportation); Director, National Environmental Research Center, Research Triangle, NC; Assistant Administrator for Research and Development; Director, Energy Policy Office (Executive Office of the President; Associate Administrator for Transit, Planning (Urban Mass Transportation Administration, Dept. of Transportation); Acting Administrator; Administrator for Air and Water Programs; Director of the Human Studies Laboratory, Durham, NC; Deputy Assistant Administrator for Air Quality

			Planning and Standards; Deputy Assistant Administrator for Mobile Source Air Pollution Control
93 rd (1974)	1	6	Administrator; Deputy Administrator for Enforcement and General Counsel; Assistant Administrator for Enforcement and General Counsel Director, National Environmental Research Center; Deputy Assistant Administrator for Air Quality Planning and Standards; Deputy Assistant Administrator for Mobile Source Air Pollution Control; Assistant Administrator for Air and Waste Management
96 th (1979)	3	10	Deputy Assistant Administrator for Air Quality Planning and Standards; Director, Science Advisory Board; Assistant Administrator for Research and Development; Director, Environmental Criteria and Assessment Office; Assistant Administrator for Air, Noise, and Radiation; Director, Office of Transportation and Land Use Policy; Office of General Counsel; Director, Division of Surveillance, Hazard Evaluations, and Field Studies (National Institute for Occupational Safety and Health); Director, Office of Policy Analysis; Deputy Assistant Administrator for Mobile Source Air Pollution Control
96 th (1979)	1	2	Director, Office of Wage and Price Stability, Executive Office of the President; Economist, Executive Office of the President
96 th (1980)	1	3	Deputy Assistant Administrator for Air Quality Planning and Standards; Assistant Administrator for

			Air, Noise, and Radiation; Office of Planning and Evaluation
97 th (1981)	3	2	Director, Office of Air Quality; Assistant Administrator for Air, Noise, and Radiation
97 th (1981)	4	4	Assistant Administrator for Air, Noise, and Radiation; Director, Office of Policy Analysis; Director, Office of Air, Noise, and Radiation; Director, Office of Air Quality Planning and Standards
100 th (1987)	1	2	Administrator; Director, Office of Air Quality Planning and Standards
100 th (1987)	1	4	Administrator; Deputy Administrator (National Highway Traffic Safety Administration); Executive Director (Federal Highway Administration); Director, Bulk Cargo Section (U.S. Coast Guard)
101 st (1989)	1	1	Acting Assistant Administrator, Air and Radiation
102 nd (1991)	3	4	General Counsel; Deputy Administrator, Office of Information and Regulatory Affairs (Office of Management and Budget); Assistant Administrator for Air and Radiation; Deputy Under Secretary, Office for Policy, Planning and Analysis (Department of Energy)
102 nd (1991)	3	8	Administrator; Deputy Director, Office of Policy Analysis and Review; Special Assistant to the Director, Office of Air Quality and Planning Standards; Individual, Office of Air and Radiation; Acting General Counsel; Deputy Administrator

				(Office of Management and Budget); Assistant Administrator, Office of Air and Radiation; Deputy Director; Office of Air Quality, Planning, and Standards
102 nd (1991)	1	7		Administrator; Assistant Administrator for Research and Development; Chief, Office of Policy and Analysis (Employment Training Administration, Department of Labor); Acting General Counsel; Inspector General; Assistant Administrator for Air and Radiation; Assistant Secretary (Occupational Safety and Health Administration, Department of Labor)
103 rd (1993)	1	0		
103 rd (1993)	1	7		Administrator; Director, Fleet Management Division (General Services Administration); Assistant Commissioner, Office of Transportation and Property Management (General Services Administration); Director, Automotive Commodities Center (General Services Administration); Deputy Assistant Secretary for Transportation Technologies; Acting Assistant Administrator for Air and Radiation; Assistant Secretary for Policy, Planning and Program Evaluation (Department of Energy)
103 rd (1993)	2	3		Assistant Administrator for Air and Radiation; Principal Deputy Assistant Secretary, Office of Policy (Department of Energy); Deputy Assistant Administrator for Air and Radiation

104 th (1995)	2	2	Administrator; Assistant Administrator for Air and Radiation
104 th (1995)	2	2	Assistant Administrator for Air and Radiation; Deputy Assistant Administrator for Air and Radiation
104 th (1995)	1	2	Assistant Administrator, Office of Air and Radiation; Deputy Assistant Secretary for Policy, Planning, and Program Administration (Department of Energy)
104 th (1995)	1	1	Assistant Administrator, Office of Air and Radiation
104 th (1995)	1	3	Special Assistant Pesticide Policy, Natural Resources and Environment (Department of Agriculture); Special Negotiator, Bureau for Oceans and International, Environmental and Scientific Affairs (Department of State); Assistant Administrator, Office of Air and Radiation
104 th (1995)	2	2	Director, Chemical Emergency Preparedness & Prevention Office; Assistant Administrator, Office of Air and Radiation
104 th (1995)	1	1	Assistant Administrator, Office of Air and Radiation
104 th (1996)	1	3	Special Assistant Pesticide Policy, natural Resources and Environment (Department of Agriculture); Assistant Administrator, Office of Air and Radiation; Deputy Assistant Secretary for Environment and Development

105 th (1997)	1	4	Deputy Director, Center for Drug Evaluation and Research (Food and Drug Administration); Special Assistant Pesticide Policy, natural Resources and Environment (Department of Agriculture); Deputy Assistant Secretary for Environment and Development; Director, Office of Atmospheric Programs
105 th (1997)	1	1	Administrator
107 th (2002)	1	1	Assistant Administrator, Office of Air and Radiation
107 th (2002)	1	0	
108 th (2003)	1	3	Assistant Administrator, Office of Air and Radiation; Deputy Assistant Secretary for Environment, Bureau of Oceans and International Environmental and Scientific Affairs (Department of State) Deputy Under Secretary for Research, Education, and Economics (Department of Agriculture)
108 th (2003)	1	1	Assistant Administrator, Office of Air and Radiation
108 th (2003)	1	1	Assistant Administrator, Office of Air and Radiation
108 th (2004)	1	4	Assistant Administrator, Office of Air and Radiation; Deputy Assistant Secretary for Environment, Bureau of Oceans and International Environmental and Scientific Affairs (Department of State) Deputy Under Secretary for Research, Education, and Economics (Department of Agriculture); Director, Pest Management Policy (Department of Agriculture)

110 th (2008)	1	1	Principal Deputy Assistant Administrator, Office of Air and Radiation
112 th (2011)	1	1	Assistant Administrator, Office of Air and Radiation
