Coding Investigative Activity

To identify all congressional investigative hearings from 1953-2006, we adopted a two-stage coding procedure. First, we conducted a series of full text searches using the Lexis Nexis database of *CIS Abstracts* to identify hearings that potentially included a charge of executive misconduct or abuse of power. Because we are only interested in hearings that alleged misconduct within the executive branch, we required that the hearing include at least one of the following words: president; administration; executive; department; agency; government; military. To try to narrow the list further to hearings that might plausibly involve some allegation of misconduct, we also required the hearing to contain at least one of the following words: investigation; inquiry; inquest; abuse; malfeasance; mismanagement; favoritism negligence; alleg*; corrupt*; impropriety; ethic*; superintend*

All hearings meeting these initial search criteria were then hand coded. Coders were asked to determine whether each hearing contained a specific allegation of executive misconduct or abuse of power, whether it constituted oversight of the executive branch, or whether it involved neither an allegation of misconduct nor committee oversight. Only hearings in the first category were included in the analysis. For a hearing to be coded as an investigation of alleged misconduct, the abstract or individual testimony descriptions had to contain a specific accusation or suggestion that some entity within the executive branch had acted illegally, unethically or improperly. To insure inter-coder reliability, a random sample of 100 hearings was coded by all three members of the coding team. All three coders agreed on the coding of 97 of the 100 hearings in the sample. As a result, we are confident that any coding errors are random and not a significant source of bias. Complete coding instructions with coding examples are provided in SI Appendix 1.

One potential concern with using CIS publications to identify a comprehensive set of investigations is that changes in CIS reporting over time, and particularly the shift to more detailed abstracts beginning in 1971 might lead to temporal inconsistencies in the data. Fortunately, Figure 1 in the text shows no evidence of a major shift in the number of investigations identified by our search criteria and hand coding before and after this change in format.

First Stage Equations

Table 1 in the text reports the main results from a series of two stage least squares models assessing the effect of investigative activity on presidential approval. Because of likely endogeneity in the relationship between investigative activity and approval, these models use the number of days that Congress is in session in a given month (and, in models 2 and 3, its interaction with a divided government or post-1973 dummy variable) as an instrument to generate predicted values of investigative activity for use in the main equation. The first stage equations used to generate these predicted values are presented in SI Table 1. Most importantly, in each case the relevant instrument, days in session or its interaction, is a strong and statistically significant predictor of investigative activity.

Robustness Checks for Aggregate Opinion Analysis

Simple OLS Models with Lags

As an initial robustness check, we first estimated a simple OLS model of presidential approval using days of investigative hearings in the preceding month as the independent variable of interest (model 1, SI Table 2). This simple model cannot account for the reciprocal influence

of approval on investigative activity and vice versa; however, the use of the temporal lag for the investigations variable does begin to address concerns about endogeneity. Most importantly, the coefficient for the investigative activity variable is negative and statistically significant.

To examine the lag structure of the relationship between investigative activity and presidential approval, models 2 and 3 of SI Table 2 include the two-month and three-month lags of investigative activity instead of the one-month lag; the coefficient for the two-month lag is negative, but fails to reach conventional levels of statistical significance, and the coefficient for the three-month lag is substantively small and insignificant. This does not mean that the effects of investigative activity disappear almost immediately – rather, they persist through the lagged approval term. However, it does suggest that the effects of investigative activity on approval are largely contemporaneous.

Modeling the Reciprocal Relationship Between Investigations and Approval

Chief executives with lower approval ratings may be more attractive targets for investigative probes; indeed, both Kriner and Schwartz (2008) and Parker and Dull (2009) find evidence of an inverse relationship between approval and investigative activity, and for Kriner and Schwartz it is strongest in divided government. Under divided government, while opposition party leaders may see investigations as a way to attack presidents for political gain, the benefits they stand to reap may be contingent on the president's level of political capital.

It is also possible that presidential approval may affect the decision of whether or not, or how intensely to investigate even in unified government, when committee chairs have few partisan incentives to investigate their party's standard bearer in the White House. It may be easier for committee chairs to quash or severely limit investigations of alleged misconduct when

their co-partisan president is popular. By contrast, when his public standing is low, co-partisan committee chairs may find themselves less able to blunt calls for investigations, or may even be eager to hold hearings to distance themselves from an unpopular administration.

To account for this potential endogeneity, we model the relationship between approval and investigative activity using a system of simultaneous equations. This approach allows us to recover estimates of the influence of investigative activity on presidential approval, and of approval on investigative activity in Congress, while accounting for the reciprocal nature of the relationship between the two. To estimate a system of simultaneous equations using three-stage least squares regression requires instrumental variables to identify each equation – variables that are strong predictors of investigative hearings and approval, respectively, but that have no independent influence on the other endogenous variable. To identify the misconduct equation, we use the number of days that Congress was in session in a given month. This is a strong predictor of investigative activity, but has no independent influence on presidential approval. The congressional calendar should be correlated with a number of factors, including the level of pressing business before each chamber and the electoral calendar; however, there is no theoretical reason drawn from existing literatures to expect the calendar to be independently correlated with presidential approval. To identify the approval equation, we use the Index of Consumer Sentiment. A long literature has shown that this measure is a strong predictor of presidential approval; however, there is no reason to expect the ICS to have any effect on the level of investigative activity in Congress, except through its influence on the president's approval rating.

SI Table 3 presents the results. Consistent with the 2SLS models presented in the text, in the *Approval Model*, the coefficient for investigative activity is negative and statistically

significant – investigations erode president's support among the public. In the *Investigations Model*, the coefficient for presidential approval is also negative and statistically significant. This indicates that Congress, on average, investigates a popular president less intensively than an unpopular president. Thus, the relationship between these two factors is clearly reciprocal; nonetheless, even after modeling this reciprocal relationship explicitly, we continue to find strong evidence that investigations diminish a president's approval ratings.

Stationarity – Using a Fractionally-differenced Approval Series

Finally, we consider a potential methodological concern with our data: whether presidential approval is a stationary series. Augmented Dickey-Fuller tests and Phillips-Perron tests both reject the null hypothesis of a unit root, $p < .01$. However, recent research warns that the approval series may be near-integrated or fractionally-integrated (Box-Steffensmeier and Smith 1996; DeBoef and Granato 1997; Lebo and Clark 2000). One method of dealing with fractional integration is to use Robinson's semiparametric estimator to calculate an estimate of *d*, the degree of fractional integration in the approval series (Lebo, Walker and Clark 2000; Clarke and Lebo 2003; Lai and Reiter 2005; Keele 2007). We then used this estimate to construct a fractionally differenced version of the approval series. As shown in SI Table 4, re-estimating all of the models presented in the text with this new operationalization of the dependent variable again yields virtually identical results.

Stationarity – Modeling the Change in Presidential Approval

An alternative method of dealing with the stationarity issue is to use the change in approval, which is stationary. To test the robustness of our findings, we re-estimated all of our preceding analyses with the change in approval as the dependent variable. These models also

include the level of presidential approval in the preceding month as an additional control, because when approval levels are very high, further increases are unlikely and vice versa when approval levels are very low.[1]

SI Table 5 presents the results. As in the models presented in the text, in each model the coefficient for the days of committee investigations variable is negative and statistically significant. The coefficients for the interactions are substantively small and statistically insignificant; this strongly suggests that investigative activity depresses presidential approval across time periods and political environments.

Mechanical Turk Sample for Survey Experiment

In April of 2011, we embedded an experiment within an online survey of 1,238 adult Americans recruited via Mechanical Turk. While not nationally-representative, our sample does show considerable diversity. Subjects hailed from 49 states; only 77% were white; and 43% possessed a bachelor's degree. Younger Americans are over-represented in the sample (median age 28), and Republicans are somewhat under-represented (16%, 28% including "leaners"); however, the sample is considerably more diverse than undergraduate samples routinely used in many studies of public opinion (e.g. Maoz et al 2002; Rousseau 2002; Mandel 2006; Boettcher and Cobb 2007; Rousseau and Garcia-Retamero 2007; Gartner 2008; Nyhan and Reifler 2010).[2] Moreover, recent research by Berinsky, Huber and Lenz (2012) demonstrates that replicating

[1] Including the lagged approval measure as an independent variable significantly improves model fit in both equations. However, omitting this variable from the models yields virtually identical results across specifications; most importantly, in each case the coefficient for the investigations variable is negative and statistically significant.

[2] More generally, for a defense of the use of student samples, see Druckman and Kam 2010.

experiments on samples recruited in this way yields very similar results to previously published studies with nationally representative samples. Thus, while the nature of our sample provides some barriers to generalizability, we believe that the observed results are reflective of how a large segment of the American public would respond to the experimental stimuli. Summary statistics for the sample's demographics are presented in SI Table 6. Furthermore, to insure that the random assignment of subjects to treatments worked, SI Table 6 presents the demographics of respondents assigned to each of the four treatment groups. The demographics are roughly similar across all four groups. The biggest difference is the low number of males in the control group; however, we are able to control for this in the ordered logit models in Table 2 in the text.

An additional concern regards the quality of the answers given by an online convenience sample. As a measure of quality control, we concluded the survey with a standard attention filter. Embedded in a paragraph of text was an instruction for respondents to ignore the question itself about media sources of news and to check the "other" box and enter the numeric sequence 1,2,3 instead. A striking 77% of subjects answered the attention filter correctly. Re-estimating the ordered logit model presented in Table 2 of the text for only those respondents who correctly answered the attention filter yields virtually identical results. An example of the mock news stories used as treatments in the experiment is presented in SI Figure 1.

Finally, in the text we reference a model interacting each experimental treatment with partisan dummy variables to examine whether the influence of our investigation treatments is conditional on the partisanship of the recipient. The full results for this model are presented in SI Table 7. Figure 3 in the text presents the effect of each treatment, derived from simulations, on the median Independent respondent.

SI Figure 1: Sample "Newspaper Clipping" Used in Experimental Treatments

Daily Herali

April 11, 2011

EPA Under Investigation

Under President Obama, the Environmental Protection Agency (EPA) has prepared new regulations to curb the emission of greenhouse gases. The Democratic-controlled Energy and Natural Resources Committee is investigating allegations that the Obama administration has abused its regulatory powers to dramatically expand the power of the EPA. The Democratic chairman and other Democrats on the committee warn that the new proposed regulations of greenhouse gasses could increase the price of energy and slow economic growth.

SI Table 1: First Stage Equations for 2SLS Models in Table 1

	Model 1	Model 2		Model 3	
	All	All	DPC	All	Post-1973
Days in session	.28**	.33**	.02	.19**	-.10**
	(.03)	(.04)	(.03)	(.05)	(.03)
Days in session * divided govt.		-.09*	.26**		
		(.04)	(.03)		
Days in session * post-1973					.50**
					(.04)
Index of consumer sentiment	-.01	.01	.01	.00	.07*
	(.05)	(.05)	(.04)	(.04)	(.03)
Positive events	.26	.32	.20	.20	-.56
	(1.05)	(1.05)	(.81)	(1.04)	(.78)
Negative events	1.23	1.26	1.97	1.29	.64
	(.91)	(.91)	(.70)	(.90)	(.68)
Vietnam casualties	-.16**	-.16**	-.13**	-.15**	-.06**
	(.03)	(.03)	(.02)	(.03)	(.02)
Iraq casualties	-.29	-.57	-.28	-.19	-.29
	(.56)	(.58)	(.44)	(.56)	(.42)
Honeymoon	-.47	-.84	-.93	-.48	-.53
	(.91)	(.93)	(.72)	(.90)	(.68)
Lagged approval	-.13**	-.12**	-.19**	-.11**	-.13**
	(.04)	(.04)	(.03)	(.04)	(.03)
Observations	636	636	636	636	636

All models include unreported presidential fixed effects. Robust standard errors in parentheses; significance tests are two-tailed. Models 2 and 3 of Table 1, which contain two endogenous regressors (misconduct days and its interaction), have two first stage equations – the first for misconduct days and the second for its interaction. Days in session and its interaction serve as the relevant instrumental variables.

** $p<0.01$, * $p<0.05$

SI Table 2: Simple OLS Model of Lagged Investigative Activity and Presidential Approval

	(1)	(2)	(3)
Days of investigations $_{t-1}$	-0.03*		
	(0.01)		
Days of investigations $_{t-2}$		-0.01	
		(0.01)	
Days of investigations $_{t-3}$			0.00
			(0.02)
Index of consumer sentiment	0.08**	0.07**	0.07**
	(0.02)	(0.02)	(0.02)
Positive events	3.51**	3.55**	3.59**
	(0.57)	(0.57)	(0.57)
Negative events	-0.73	-0.84*	-0.84*
	(0.42)	(0.41)	(0.41)
Iraq casualties in last 6 months (100s)	-0.68**	-0.68**	-0.69**
	(0.25)	(0.24)	(0.25)
Vietnam casualties in last 6 months (100s)	-0.01	-0.01	-0.01
	(0.01)	(0.01)	(0.01)
Honeymoon	1.47**	0.58	0.28
	(0.48)	(0.53)	(0.89)
Lagged approval	0.87**	0.88**	0.88**
	(0.02)	(0.02)	(0.02)
Constant	1.34	0.40	0.32
	(1.86)	(1.61)	(1.57)
Observations	636	628	618
R-squared	0.91	0.91	0.91

All models include unreported presidential fixed effects. Robust standard errors in parentheses; significance tests are two-tailed.

** p<0.01, * p<0.05

SI Table 3: Simultaneous Equations Model

	(1)
Approval Model	
Days of investigative hearings	-0.13**
	(0.04)
Index of consumer sentiment	0.07**
	(0.02)
Positive events	3.57**
	(0.45)
Negative events	-0.61
	(0.40)
Vietnam casualties in last 6 months (100s)	-0.03*
	(0.01)
Iraq casualties in last 6 months (100s)	-0.71**
	(0.24)
Honeymoon	1.54**
	(0.39)
Lagged approval	0.86**
	(0.02)
Investigations Model	
Approval	-0.14**
	(0.04)
Days in session	0.27**
	(0.03)
Positive events	0.77
	(1.05)
Negative events	1.12
	(0.90)
Vietnam casualties in last 6 months (100s)	-0.16**
	(0.03)
Iraq casualties in last 6 months (100s)	-0.38
	(0.55)
Honeymoon	-0.23
	(0.91)
Observations	636

All models include unreported presidential fixed effects. Standard errors in parentheses; significance tests are two-tailed.

** p<0.01, * p<0.05

SI Table 4: Robustness Check Using Fractionally Differenced Approval Series

	(1)	(2)	(3)
Days of investigative hearings	-0.13**	-0.15*	-0.17*
	(0.05)	(0.07)	(0.07)
Days of investigative hearings * divided government		0.03	
		(0.08)	
Days of investigative hearings * post-1973			0.06
			(0.06)
Index of consumer sentiment	0.02	0.03	0.02
	(0.02)	(0.02)	(0.02)
Positive events	3.44**	3.43**	3.47**
	(0.58)	(0.58)	(0.59)
Negative events	-0.70	-0.73	-0.69
	(0.44)	(0.45)	(0.44)
Vietnam casualties in last 6 months (100s)	-0.01	-0.01	-0.01
	(0.01)	(0.01)	(0.01)
Iraq casualties in last 6 months (100s)	-0.37*	-0.36	-0.38
	(0.22)	(0.22)	(0.22)
Honeymoon	0.60	0.64	0.57
	(0.65)	(0.66)	(0.63)
Lagged approval	0.15**	0.15**	0.15**
	(0.04)	(0.04)	(0.04)
Observations	616	616	616
R-squared	0.11	0.11	0.11

All models include unreported presidential fixed effects. Robust standard errors in parentheses; significance tests are two-tailed.

** p<0.01, * p<0.05

SI Table 5: Robustness Check Using Change in Presidential Approval

	(1)	(2)	(3)
Days of investigative hearings	-0.12**	-0.15*	-0.13*
	(0.04)	(0.06)	(0.06)
Days of investigative hearings * divided government		0.05	
		(0.07)	
Days of investigative hearings * post-1973			0.03
			(0.06)
Index of consumer sentiment	0.07**	0.07**	0.07**
	(0.02)	(0.02)	(0.02)
Positive events	3.62**	3.61**	3.63**
	(0.58)	(0.58)	(0.58)
Negative events	-0.58	-0.64	-0.58
	(0.42)	(0.43)	(0.42)
Vietnam casualties in last 6 months (100s)	-0.03*	-0.03	-0.03*
	(0.01)	(0.01)	(0.01)
Iraq casualties in last 6 months (100s)	-0.68**	-0.63*	-0.67**
	(0.25)	(0.26)	(0.25)
Honeymoon	1.53**	1.62**	1.54**
	(0.51)	(0.52)	(0.51)
Lagged approval	-0.14**	-0.13**	-0.14**
	(0.02)	(0.02)	(0.02)
Observations	636	636	636
R-squared	0.13	0.12	0.13

All models include unreported presidential fixed effects. Robust standard errors in parentheses; significance tests are two-tailed.

** p<0.01, * p<0.05

SI Table 6: Summary Statistics for Experimental Sample

		Control	Dem inv	GOP inv	Generic
% Democrats		24.5%	29.8%	29.7%	24.7%
% Republicans		15.3%	18.5%	14.7%	15.9%
% Male		38.4%	42.2%	49.4%	45.0%
Age		32.2	32.0	33.0	31.1
% White		79.9%	82.2%	78.9%	80.0%
% College graduate		44.2%	44.9%	38.1%	41.2%
Number of subjects		294	325	299	320

Standard deviations for averages in parentheses.

SI Table 7: Effects of Experimental Cues by Partisanship of Respondent

	(1)
Democratic investigation X Democrat	-0.49*
	(0.29)
Democratic investigation X Republican	-0.47
	(0.33)
Democratic investigation X Independent	-0.58**
	(0.21)
Republican investigation X Democrat	0.11
	(0.31)
Republican investigation X Republican	-0.54
	(0.37)
Republican investigation X Independent	-0.48**
	(0.19)
Generic criticism X Democrat	-0.03
	(0.30)
Generic criticism X Republican	-0.49
	(0.36)
Generic criticism X Independent	-0.05
	(0.20)
Democrat	1.51**
	(0.26)
Republican	-1.73**
	(0.27)
Male	-0.09
	(0.11)
Age	-0.01**
	(0.01)
White	-0.67**
	(0.15)
Education	0.15**
	(0.04)
Observations	1,167

Robust standard errors in parentheses; significance tests are one-tailed.

** p<0.01, * p<0.05

SI Appendix 1

Congressional Oversight/Investigations Coding Instructions

In Lexis Nexis' Congressional Universe, follow these instructions:

1.) Click the Advanced Search tab.
2.) Check only the hearings (1824-present) box.
3.) Under "restrict by" select Congress, and then pick the appropriate Congress.
4.) Input the following search terms, using "All fields except full text":

President OR administration OR executive OR department OR agency OR government OR military

AND

investigation OR inquiry OR inquest OR superintend* OR malfeasance OR mismanagement OR negligence

OR

alleg* OR corrupt* OR impropriety OR ethic* OR favoritism OR abuse

After running the search terms, go through each returned hit to identify hearings that constitute oversight of the executive branch or investigations into alleged executive misconduct. Oversight can mean any inquiry into actions of the executive branch writ largely – e.g. criticism of administration policies and implementation of policies, investigations into government procedures etc. Allegations of misconduct move beyond mere criticism or general oversight of executive functions and contain some accusation or suggestion that the executive branch has acted illegally, unethically or improperly. Examples include suppression of reports; presidential scandals such as Whitewater or FBI Filegate; improper contracting procedures; classified information leaks etc.

To identify whether each hearing in the search list involves oversight or allegations of misconduct and if so to discern between the two, you need to analyze two parts of each hearing record. The first is the overall **summary** that appears immediately after the CIS record keeping information. After reading this summary, also examine the section **statement and discussion** under each testimony description for information on the nature of the oversight and whether allegations of misconduct are being considered. From these, make the determination of whether or not the hearing meets our criteria, and if so whether the hearing is only routine oversight, or whether it involves the allegation of executive misconduct. Enter this and other information describing the hearings on the Excel coding sheet.

Line by Line Instructions for Coding Sheet

Hearings: code 0 or 1

Almost all of the entries you encounter in the CIS abstracts will be hearings. The only exception is that in some recent Congresses, the indexes will include collections of committee documents without any hearings. These are easy to spot as they won't have any dates. If the entry is one of these, code this variable as 0, if not code as 1.

Year: enter 4 digit year

If the given hearing spans two years, (e.g. hearings begin in 1997 and conclude in 1998), enter the year in which hearings begin.

Spanned two years: code 0 or 1

If the hearings in the given record spanned two years, code 1. If not, code 0.

Published: code 0 or 1

CIS divides all hearings into whether they are from the published or unpublished hearings collection. Code appropriately.

Senate: code 0 or 1 or "J"

Easily identifiable from CIS number (if it contains an H, it is a House hearing, if an S, it is a Senate hearing). If the hearing is held by a Joint committee (e.g. Joint House and Senate Committee on Atomic Energy), code as J.

CIS Number:

e.g. 97-S241-15

Dates:

Copy and paste from the CIS abstract information the dates on which the hearings were held. e.g. Dec. 10, 11, 1996

Days of hearings:

Enter the total number of days of hearings from the previous variable.

Pages:

Enter the total number of pages of hearings. For simplicity's sake, ignore any roman numeral pages (e.g. iv-xii) and only count numeric pages.

Oversight: code 0 or 1

All coded hearings will be coded as *either* oversight *or* alleged misconduct in the following column. If the hearing abstracts and testimony descriptors only report criticism of administration policies or implementation of policy, but no explicit allegations of wrongdoing or misconduct, code this "oversight" column 1 and the following column 0. Please see the end of this coding instructions sheet for examples of each.

Alleged misconduct: code 0 or 1

If the hearing abstract and testimony descriptors specifically allege executive misconduct – e.g. conflict of interests, bad contracting, deception, illegal behavior – then code the alleged misconduct column a 1 and the general oversight column a 0. Please see the end of this coding instructions sheet for examples of each.

Coded from abstract only: code 0 or 1

If you were able to code the hearing as oversight or alleged misconduct solely from the abstract describing the hearing before any of the descriptions of individual hearings or testimonies, code this column 1. If, however, the overall abstract did not have enough information to make this determination and you had to rely on the individual testimony descriptors, code 0. Please see the end of this coding instructions sheet for examples of each.

Notes:

Please include here any descriptions of the hearing you want to add or any questions you have about what you coded.

Examples

Example 1: CIS-NO: **97-S241-15**

Here is the overall summary of the hearings:

SUMMARY:
Hearings before the Subcom on HUD Oversight and Structure to review HUD and Department of Justice enforcement of Fair Housing Act of 1968 prohibitions on housing discrimination against the disabled, as applied to the location and operation of group homes for the disabled in single-family residential neighborhoods.

Examines HUD and Department of Justice policies regarding First Amendment rights of group home opponents, focusing on the right to sue against the use of property for group homes. Also reviews Fair Housing Act impact on local ability to protect neighborhoods against zoning law violations by group homes.

Briefly considers S. 1132 (text, p. 220-221), the Fair Housing Reform and Freedom of Speech Act of 1995, to amend the Fair Housing Act of 1968 to provide that enforcement of zoning laws and filing of certain lawsuits are not violations of the Fair Housing Act.

Supplementary material (p. 28-76, 132-221) includes witnesses' written statements and replies to Subcom questions.

CONTENT-NOTATION: Housing discrimination laws enforcement for disabled group homes, review

DESCRIPTORS:
SUBCOM ON HUD OVERSIGHT AND STRUCTURE. SENATE; DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; DISCRIMINATION IN HOUSING; DISCRIMINATION AGAINST THE HANDICAPPED; CIVIL LIBERTIES; LAWSUITS; FEDERAL-LOCAL RELATIONS; ZONING AND ZONING LAWS; DEPARTMENT OF JUSTICE; FAIR HOUSING ACT; FAIR HOUSING REFORM AND FREEDOM OF SPEECH ACT

Here are the individual testimony descriptors:

STATEMENT AND DISCUSSION:
Explanation of HUD policy on free speech rights of group home opponents; review of case law basis for HUD actions against frivolous lawsuits to block fair housing for the disabled; views on fair housing protections for group homes for alcoholics and drug addicts; elaboration on Fair Housing Act enforcement policies and activities.

STATEMENT AND DISCUSSION:
Opposition to S. 1132, with review of Fair Housing Act requirements and Department of

Justice enforcement policies; review of fair housing cases prosecuted by the Department of Justice; issues involved in enforcement action against frivolous lawsuits to block disabled housing; elaboration on Fair Housing Act enforcement policies and activities (related correspondence, p. 140-148).

STATEMENTS AND DISCUSSION:
Negative experiences of represented cities with group homes and Fair Housing Act enforcement, citing impact on local ability to protect neighborhoods against zoning law violations (related materials, p. 178-201); criticism of Oxford House group home activities; support for S. 1132.

STATEMENTS AND DISCUSSION:
Review of alleged abuses in Federal enforcement of Fair Housing Act protections for group homes, focusing on actions against homeowners who sue to enforce deed restrictions and zoning laws.

How to code:

From the summary we can see that this is an oversight hearing on HUD and DOJ about its implementation of fair housing laws. Yet, in the final statement, we see alleged abuses in enforcement. Therefore, code the "Oversight" column a 0, the "Misconduct" column 1, and the "Coded from abstract only column" 0.

Example 2: CIS-NO: 97-H161-8

Here is the overall summary of the hearings:

SUMMARY:
Committee Serial No. 104-41. Hearing before the Subcom on Department Operations, Nutrition, and Foreign Agriculture to investigate USDA contracting practices relating to the Team Nutrition Program, an initiative to improve health and nutrition education in schools.

Examines USDA procurement and personnel management practices concerning various Team Nutrition contracts, including contract with Global Exchange to provide support services to assist Team Nutrition in conducting a national nutrition education campaign.

Supplementary material (p. 85-278) includes witnesses' written statements, correspondence, and a news release.

CONTENT-NOTATION: USDA contracts mgmt in school health and nutrition educ program, investigation

DESCRIPTORS:
SUBCOM ON DEPARTMENT OPERATIONS, NUTRITION, AND FOREIGN AGRICULTURE. HOUSE; CONGRESSIONAL INVESTIGATIONS; DEPARTMENT OF AGRICULTURE; GOVERNMENT CONTRACTS AND PROCUREMENT; GOVERNMENT EFFICIENCY; NUTRITION; HEALTH EDUCATION; PUBLIC SCHOOLS; PERSONNEL MANAGEMENT AND TRAINING

Here are the individual testimony descriptors:

STATEMENT AND DISCUSSION:
Findings of review into USDA Team Nutrition procurement and personnel management practices; issues relating to USDA contracting procedures, including conduct of Global Exchange contract.

STATEMENT AND DISCUSSION:
Defense of actions concerning USDA Team Nutrition contracting practices (related correspondence, p. 180-238).

How to code:

From the summary, we can see that the committee is investigating USDA contracting procedures. This is alleged executive misconduct, therefore code “Oversight” 0, “Misconduct” 1, and “Coded from abstract only” 1.

Example 3: 97-H271-12

Here is the overall summary of the hearings:

SUMMARY:
Committee Serial No. 104-117. Hearing before the Subcom on Oversight and Investigations to review FDA policies for assessing and ensuring the safety, effectiveness, and labeling of diagnostic testing devices intended for home use.

Examines FDA restrictions on marketing of home test kits allowing parents to monitor minor children for illicit drug use, including FDA designation of home use specimen test kits as class III medical devices.

Also examines FDA review of Biocontrol Technology, Inc. application to market a non-invasive glucose monitoring system for home use by diabetics.

Supplementary material (p. 6-15, 193-198) includes correspondence.

CONTENT-NOTATION: Medical diagnostic testing devices for home use, FDA regulation review

DESCRIPTORS:
SUBCOM ON OVERSIGHT AND INVESTIGATIONS, COMMERCE. HOUSE; FOOD AND DRUG ADMINISTRATION; MEDICAL REGULATION; MEDICAL SUPPLIES AND EQUIPMENT; MEDICAL EXAMINATIONS AND TESTS; FAMILIES; DRUGS AND YOUTH; DIABETES; PRODUCT SAFETY; LABELING; MARKETING

Here are the individual testimony descriptors:

STATEMENT AND DISCUSSION:
Overview of FDA policies regarding regulation of home-use diagnostic test systems; clarification of FDA concerns about drug testing kits intended for home use, including specimen kits allowing parents to monitor their children for illicit drug use; defense of FDA designation of specimen test kits as class III medical devices.
Specifics on FDA review of Biocontrol Technology non-invasive glucose monitoring system for diabetics (related correspondence, p. 129-151).

STATEMENTS AND DISCUSSION:
Criticism of FDA procedures in reviewing Biocontrol Technology application for a non-invasive glucose monitoring system, with chronology of events; explanation of FDA advisory panel review of Biocontrol Technology data, with concerns about effectiveness of proposed glucose monitoring system.

How to code:

From both the abstract and the testimony descriptors, we see criticism of FDA anti-drug policies, though no allegations of alleged malfeasance. Therefore code "oversight" 1, "misconduct" 0, and "coded from abstract only" 1. If the summary did not contain criticism, but the testimony descriptors did, code "oversight" 1, "misconduct" 0, and "coded from abstract only" 0.

For example, the abstract for 97-H401-45 does not contain any references to criticism of administration policies/oversight:

SUMMARY:
Joint hearing before the Subcom on National Security, International Affairs, and Criminal Justice and the House Economic and Educational Opportunities Committee Subcom on Early Childhood, Youth, and Families to examine the problem of drug abuse among youth and review strategies to reduce and prevent youth drug use.

Yet, some of the individual testimony descriptors do:

STATEMENTS AND DISCUSSION:
Review of trends in drug use, focusing on drug use by teenagers; criticism of Administration antidrug policies; findings of survey measuring trends in teenage drug use (related press release, p. 67-72); perspectives on teenage drug use problem and Administration antidrug policy.

Example 4: 97-S311-19
Here is the overall summary of the hearings:

SUMMARY:
Hearing before the Subcom on Oversight and Investigations to examine Federal land management agencies processes to comply with the National Environmental Policy Act (NEPA), and to review Forest Service and BLM relationships with CEQ in NEPA implementation. Under NEPA, Federal agencies are required to study environmental impacts of any Federal project before beginning development.

Supplementary material (p. 56-80) includes a submitted statement and witnesses' written replies to Subcom questions.

CONTENT-NOTATION: Environmental impact statement requirements for Fed projects, implementation review

DESCRIPTORS:
SUBCOM ON OVERSIGHT AND INVESTIGATIONS, ENERGY AND NATURAL RESOURCES. SENATE; FOREST SERVICE; BUREAU OF LAND MANAGEMENT; COUNCIL ON ENVIRONMENTAL QUALITY; ENVIRONMENTAL IMPACT STATEMENTS; ENVIRONMENTAL REGULATION; LAND USE; PUBLIC ADMINISTRATION; PUBLIC LANDS; FEDERAL DEPARTMENTS AND AGENCIES; NATIONAL ENVIRONMENTAL POLICY ACT

Here are the individual testimony descriptors:

STATEMENTS AND DISCUSSION:
Efforts to strengthen the decisionmaking process under NEPA to integrate environmental considerations in Federal agencies actions; recommendations to improve NEPA implementation; examples of NEPA use by Forest Service and BLM in decisionmaking.
Factors concerning Presidential decision to bypass NEPA procedures and exercise authority under the Antiquities Act of 1906 to establish the Grand Staircase-Escalante National Monument in Utah (related memo, p. 40-45); issues involving environmental impact statements in specific cases; overview of CEQ responsibilities and recent actions.

How to code:

From the abstract, we would only code for congressional oversight. However, from the testimony descriptors, we see that they are examining Clinton's use of the 1906 Antiquities Act to bypass NEPA procedures, an allegation of potential misconduct. Therefore, code "Oversight" 0, "Misconduct" 1, and "Coded from abstract only" 0.

OTHER EXAMPLES OF INCLUDED EVENTS:

Issuing of subpoenas to executive branch officials (Oversight)

Investigation of agency activities, e.g. INS naturalization procedures (Oversight or Misconduct depending on nature of hearings)

Allegations of CIA/FBI/military cover-ups, e.g. Gulf War syndrome (Misconduct)

ALSO, REMEMBER that the MILITARY is considered part of the executive branch. Therefore, investigations into Khobar Towers, U.S.S. Cole, etc. are included (Oversight or Misconduct depending on nature of hearings)