

Effectiveness of the Brazilian National Congress in Monitoring COVID-19

Eficácia do Congresso Nacional no Monitoramento da COVID-19

Efectividad del Congreso Nacional en el seguimiento del Covid-19

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Abstract: This work evaluates the performance of Parliament, in particular, the Joint and External Commissions for monitoring Covid-19 vis-à-vis the ordinary monitoring that would have been carried out by the standing committees. The paradigm used was the “fire-alarm - police-patrol” congressional inspection proposed by MCCUBBINS and SCHWARTZ (1984). This is the first work to analyze the effectiveness of Parliament’s performance, in particular, of the Temporary Commissions in monitoring Covid-19 from the point of view of inspection and control. Parliament’s performance was effective insofar as the monitoring led to legislative changes that helped society overcome the adverse effects of the pandemic. On the other hand, temporary commissions are less efficient than permanent commissions and there is no efficient institutional flow to take advantage of the information brought by authorities and experts. Finally, the oversight and control process in Parliament still needs to be done as there is a predominance of the “fire alarm oversight” model in Parliament.

Keywords: Covid-19. Agency Theory. Congressional Inspection. Joint Commission.

Resumo: Este trabalho avalia a atuação do Parlamento, em especial, das Comissões Mista e Externa de acompanhamento da Covid-19 vis-à-vis o acompanhamento ordinário que teria sido realizado pelas comissões permanentes. O paradigma utilizado foi o da fiscalização congressional “*fire-alarm - police-patrol*” proposto por MCCUBBINS e SCHWARTZ (1984). Este é o primeiro trabalho a analisar a eficácia da atuação do Congresso Nacional, em especial, das Comissões temporárias no monitoramento da Covid-19 sob o ponto de vista da fiscalização e controle. A atuação do Parlamento foi eficaz na medida em que o monitoramento levou a alterações legislativas que ajudaram a sociedade a superar os efeitos adversos da pandemia. Por outro lado, as comissões temporárias parecem ser menos eficientes do que as comissões permanentes, além de não haver um fluxo institucional adequado para aproveitar as informações trazidas pelas autoridades e especialistas e que muitas vezes são perdidas, sem chegar a contribuir para o processo legislativo. Por fim, nossos resultados demonstram que o processo de fiscalização e controle no Parlamento ainda tem espaço para evoluir e que não há uma cultura consolidada com relação aos temas, o que leva ao resultado de que ainda há uma predominância do modelo “*fire alarm oversight*” no Parlamento.

Palavras-chave: Covid-19. Teoria da Agência. Fiscalização Congressional. Comissão Mista.

Resumen: Este trabajo evalúa el desempeño del Parlamento, en particular, de las Comisiones Paritaria y Externa de seguimiento del Covid-19 frente al seguimiento ordinario que habrían realizado las comisiones permanentes. El paradigma utilizado fue la inspección del congreso “*alarma contra incendios - policía-patrulla*” propuesta por MCCUBBINS y SCHWARTZ (1984). Este es el primer trabajo que analiza la eficacia de la actuación del Parlamento, en particular, de las Comisiones Temporales en el seguimiento del Covid-19 desde el punto de

vista de la inspección y el control. La actuación del parlamento fue efectiva en la medida en que el seguimiento condujo a cambios legislativos que ayudaron a la sociedad a superar los efectos adversos de la pandemia. Por otro lado, las comisiones temporales son menos eficientes que las comisiones permanentes y no existe un flujo institucional eficiente para aprovechar la información que traen las autoridades y los expertos. Finalmente, el proceso de supervisión y control en el Parlamento aún debe realizarse, ya que predomina el modelo de “supervisión de alarmas contra incendios” en el Parlamento.

Palabras-Llave: Covid-19. Teoría de la Agencia. Inspección del Congreso. Comisión Conjunta.

1. INTRODUCTION

The first case of the respiratory syndrome known as SARS-CoV-2 (coronavirus), or COVID-19, was identified in the Chinese city of Wuhan on December 31, 2019. From then on, cases began to multiply and spread rapidly around the world.

Given the virus’ global reach, rapid contagion, lethality, and ability to dismantle health systems, the World Health Organization (WHO) classified the SARS-CoV-2 outbreak as a pandemic in March 2020. In the same month, the first deaths from the coronavirus were confirmed in the country, more precisely in São Paulo and Rio de Janeiro. Simultaneously, the Brazilian National Congress approved Legislative Decree No. 6/2020¹, recognizing the state of emergency with the following provisions:

- (1) Recognition, for the purposes of article 65, of the Fiscal Responsibility Law (LRF), the exemptions from achieving fiscal results contemplated in the Budget Guidelines Law of 2020 (LDO) and the limitation of commitment and financial transactions provided for in article 9 of the LRF;
- (2) Constitution of a Joint Committee within the National Congress, aiming to monitor the fiscal situation and the budgetary and financial execution of measures related to the public health emergency due to COVID-19.

As a result, a Joint Committee was created and elected to monitor the fiscal situation and the budgetary and financial execution of measures related to the fight against COVID-19. As provided in its Work Plan², aside from monitoring the fiscal situation and

budgetary and financial execution, it should act as a focal point, both for the National Congress (NC) and for society, in the search for reliable information about the calamity caused by the pandemic.

At the same time, the Chamber of Deputies established an External Committee with the objective of monitoring the evolution of COVID-19, but with a focus on public health. Jointly, these two committees were the main forums for Parliament’s discussion regarding the *sensu stricto* monitoring of COVID-19.

In this context, this article’s objective is to evaluate the performance effectiveness of the two temporary committees in monitoring public efforts related to fighting against the pandemic.

The effectiveness was analyzed in two ways. In the first one, a comparison was made of the Committees’ performance in relation with the use of the ordinary structure of standing committees already in place in Parliament. For this purpose, the agency theory will be used, and the oversight paradigm model adopted to analyze the Committee’s performance will be the fire alarm, derived from MCCUBBINS and SCHWARTZ’s articles (1984; 1985) on congressional oversight. In the second one, the effectiveness of temporary committees in the role of oversight and control of the other powers’ activities will be analyzed, as well as their degree of influence during the pandemic.

The article is a pioneer in analyzing the effectiveness of the two temporary committees in monitoring COVID-19. Furthermore, the use of supervision techniques proposed by MCCUBBINS and SCHWARTZ (1984, 1985) – “police patrol oversight and fire alarm oversight” in this specific type of analysis is also innovative.

This article has five chapters in addition to this introduction. The literature review is conducted in the second chapter. An institutional description of the joint committees is presented in the third chapter.

1. http://www.planalto.gov.br/ccivil_03/portaria/DLG6-2020.htm#:~:text=DECRETO%20LEGISLATIVO%20N%C2%BA%206%2C%20DE,18%20de%20mar%C3%A7o%20de%202020.

2. file:///C:/Users/rob_r/Downloads/PLANO_DE_TRABALHO.Comissão Mista de acomp.das medidas relacionadas ao coronavírus.2docx.pdf

The fourth chapter focus on the methodology used. The fifth chapter evaluates the effectiveness of the two committees, and the sixth presents the article's conclusions.

2. LITERATURE REVIEW

The article's assessment of the temporary committees created by Parliament to monitor COVID-19 is based on aspects of the Agency Theory and the Congressional Oversight Theory. This section presents a summary of these two theoretical lines.

2.1. Agency Theory and the relationship between the Joint Committee and the government structure to combat COVID-19

Agency Theory has been widely used by researchers in the areas of Accounting (DEMSKI and FELTHAM, 1978), Economics (SPENCE and ZECKHAUSER, 1971), Finance (FAMA, 1980), Marketing (BASU, LAL, SRINIVASAN and STAELIN, 1985), Political Science (MITNICK, 1986), Organizational Behavior (EISENHARDT, 1985, 1988; KOSNIK, 1987) and Sociology (ECCLES, 1985; WHITE, 1985). It instrumentalizes the analysis of the participants' relationship and contracts in a system in which property and management are in the hands of different people (JENSEN and MECKLING, 1976; EISENHARDT, 1989; KISER, 1999), with the need to cooperate and not always with the same objectives. Here, the principal (who delegates the power and has the attribution to collect) and the agent (who conducts the delegation received and must be accountable to the principal) are identified as parties.

According to (EISENHARDT, 1989), agency theory is concerned with solving two problems that can arise in relationships: the conflicts of interest between agents and principals and the agency costs related to monitoring and the losses incurred in this relationship. Conflicts of interest arise when agents fail to protect the principals' interests and begin to seek to fulfill their own interests. The perfect alignment of the Society's interests with the Government's actions is one of the most important motivators for the Joint Committee's oversight.

A frequent cause of conflicts of interest is the asymmetry of information that can motivate the agent to act in its own benefit, to the detriment of

the principal's interests (MONTEIRO, 2018), believing they will not be discovered. The mitigation or solution of this asymmetry is considered, by some authors (MOE, 1984; HUBER, 2000), as a sufficient condition for the objectives' alignment between principal and agent to occur. It is believed that this would make it unnecessary to conduct the control more effectively (CALVERT, MCCUBBINS e WEINGAST, 1989; STRØM, 2000). In contrast, agency costs related to monitoring the agents can be high.

Two other aspects must be addressed in the analysis of the congressional oversight model³. The first is moral hazard, which refers to the lack of effort on the agent's part towards the objective due to the expectation that they will not suffer punishment for this behavior. The second is the adverse selection that occurs when the incentives and punishments involved in the agency relationship end up bringing agents that will not act in the principals' interests.

2.2. Congressional Oversight Theories and the Joint Committee's actions with the authorities implementing the policy to combat COVID-19

In the separation of powers model of LOCKE, 1978, the Legislative and Executive powers must be separate and independent. The Legislative Power has the duty to prescribe the rules and enforce them, and the Executive is to implement them under the legislators' supervision (YAMAMOTO, 2007; HALL and MILLER, 2008).

The parliament must assess the adherence of public policies to the needs of the population. It must also monitor and evaluate the implementation of policies. In this regard, the inefficiency in the application of public resources and their high social cost has increasingly led parliaments to undertake a more active role in oversight and control activities, as well as in the collection of punishments for individuals involved in acts of corruption and embezzlement of resources (BULGARIN E VIEIRA, 2007).

MCCUBBINS and SCHWARTZ, 1984, BIBBY, 1966, 1968; DODD and SHOTT, 1979; OGUL, 1976; FIORINA, 1977, 1982; RIPLEY, 1978; SCHER, 1963, verified that parliament often neglects to oversight the adherence of policies conducted by the Executive Power to the objectives of the Legislative Power. Although ne-

3. Holmstrom (1979), Lambert (1983) and Eisenhardt (1989, p. 61)

glected, LEES, 1977 states that there is a consensus that oversight is a fundamental area of congressional activity. WILSON, 1956 states that as important as good legislation is the vigilant supervision of government administration.

The congressional oversight definition that will subsidize this article's analyses is that of MCCUBBINS e SCHWARTZ, 1984, and consists of the understanding that the congressional oversight policy is con-

cerned, to what degree, and to what extent Congress attempts to detect and remedy executive power violations of legislative goals.

Based on this premise/definition, the authors built a model for choosing the congressional oversight policy. This choice rests on the distinction between two forms or techniques of supervision: *police patrol oversight and fire alarm oversight* (MCCUBBINS e SCHWARTZ, 1984, 1985):

TABLE 1 – CONGRESSIONAL OVERSIGHT MODELS

POLICE PATROL OVERSIGHT	FIRE ALARM OVERSIGHT
Analogous to the use of real police patrols, it is centralized, active, and direct. At its own initiative. Congress examines a sample of executive-agency activities, with the aim of detecting and remedying eventual violations of legislative goals.	Analogous to the use of real fire alarms, the oversight is less centralized and involves less active and direct intervention than police-patrol oversight: instead of examining a sample of administrative decisions, looking for violations of legislative goals, Congress establishes a system of rules, procedures, and informal practices that enable individual citizens and organized interest groups to examine administrative decisions (sometimes in prospect), to charge executive agencies with violating congressional goals, and to seek remedies from agencies, courts, and Congress itself.

Source: MCCUBBINS and SCHWARTZ, 1984

Given the pandemic's characteristics and the government's reaction, the discussion of congressional oversight will use the fire alarms model, with the operational rules in the definition of MCCUBBINS e SCHWARTZ, 1984.

3. INSTITUTIONAL ASPECTS OF THE NATIONAL CONGRESS COMMITTEES

The Joint Committees⁴, standing or temporary, are composed of Deputies and Senators and have the purpose of dealing with matters that belong to the National Congress, therefore, the Common Rule of the National Congress (RCCN) define their rules of creation and functioning.

Article 9 defines that the members of the National Congress' Joint Committees will be appointed by the President of the Senate upon indication of the leaders. As a general rule, the Joint Committees will be composed of 11 (eleven) Senators and 11 (eleven) Deputies, obeying the criterion of party proportionality.

It is up to the president to guide the meetings, while the rapporteur is responsible for preparing reports, giving opinions, and voting on the various subjects. The work dynamics occurs through meetings that can be of debates or related to the deliberation of subjects and propositions. The most common products of joint committees are reports, projects to be submitted to a vote in the Plenary, requests for over-sights and information, and public hearings for debates and instruction on matters of interest.

The Joint Committee related to COVID-19 was constituted, within the National Congress, by Legislative Decree No. 6 of March 20 and was composed of six deputies and six senators, with an equal number of alternates. The Committee should hold monthly meetings with the Ministry of Economy to assess the fiscal situation and the budgetary and financial execution of measures related to the Public Health Emergency of International Concern (PHEIC), and hold a bimonthly meeting with the Minister of Economy to present and evaluate a detailed report on the fiscal situation and the budgetary and financial execution of measures related to COVID-19, which should be published by the Executive Power before the aforementioned hearing. Additionally, the com-

4. <https://www2.camara.leg.br/atividade-legislativa/comissoes/comissoes-mistas/o-papel-das-comissoes-mistas>

mittee also included in its Work Plan the competence to act as a focal point in the provision of reliable and transparent information.

Therefore, the operating dynamics, both of the Joint Committees in general, and of the Committee object of our analysis, implies products related to transparency, reflection, discussion, oversight, and propositions that have a positive impact on the legislative framework of their activity area.

From a legislative point of view, the Committees' presentations were defined in the Work Plan itself (p. 6-7):

Bearing in mind the assignment of "monitoring the fiscal situation and the budgetary and financial execution of measures related to the public health emergency of international importance related to the coronavirus (COVID-19)", a final report will be prepared, to be submitted to the Committee's members for approval, aiming to document the performance of the Executive Power in the fight against the pandemic, especially with respect to the budgetary and financial aspects of the measures related to COVID-19. Moreover, throughout the term of the committee's validity, periodic reports will be made available with the objective of increasing the transparency of public expenditure, in addition to providing subsidies for the legislative work of the National Congress. These reports will be published on an electronic site of the joint committee and will consolidate the quantitative information collected during the development of the collegiate's work. All published content will have the technical support of the Budget Consultancies of the Chamber of Deputies and the Senate, in addition to the technical support of the CGU and the TCU.

Considering that the Joint Committee was created as an emergency, having the pandemic as a trigger, it is understood that the congressional oversight model that most applies to the observed situation is the fire-alarm oversight, since it is not a planned and regular oversight situation.

The External Committee Destined to Monitor the Preventive Actions of Sanitary Surveillance and Possible Consequences for Brazil in Facing the Pandemic Caused by the Coronavirus, created within the Chamber of Deputies through the Presidency's Act

of 02/11/2020, has as a proposal to bring Parliament closer to the actions taken by the Executive Power to contain the spread of the pandemic in the country.

4. METHODOLOGY

This article aims to evaluate the effectiveness of the National Congress' actions in monitoring the Executive Power's actions related to the fight against the COVID-19 pandemic. Given the emergency of the action and the tight deadlines, the content evaluation (BARDIN, 1979) was made based on documentary data generated by the Joint Committee itself during the calamity period. Such analysis considered the simple comparison between the aspects that can be developed by the ordinary structure in relation to what was developed by the Committee.

The evaluation of the COVID-19 monitoring effectiveness conducted by these committee used two methodologies. The first compared the institutional characteristics of the temporary and standing committees of the Chamber of Deputies and the National Congress, in relation to the following aspects:

- Thematic focus;
- Extent of absolute participation of different deputies;
- Level of concentration of decision-making power on the project agenda;
- Parliamentary production;
- Institutional structure;
- Expertise in relation to the addressed topic;
- Regulatory instruments of action;
- Level of institutional maturity of the National Congress' action in relation to the issue's treatment.

These aspects help to understand the proper use of resources already available in the houses' structure of the National Congress, in particular, of the Chamber of Deputies and that would be linked, to some degree, to an assessment of the "costs" involved within a cost-benefit analysis.

Alternatively, the indicators also made it possible to compare the resources available in each subgroup in the fulfillment of its institutional mission and bring a perception of potential benefit, transparency, diversity of opinions and efficiency in the use of that resources' group. Although it does not serve for a direct evaluation of the committees' work, this

analysis makes it possible to create a realistic expectation of what to expect from each monitoring alternative.

The second group of analyzes was related to the assessment of the effective contribution of each of the committees in monitoring, in particular, how this monitoring was transformed into greater transparency or effective public policies, or how, at least, it guided and helped to prioritize relevant topics deliberated and approved by the National Congress.

Therefore, a comparison of the results obtained with those foreseen in the work plans was conducted to evaluate the effectiveness of the partial results in relation to what was expected. Furthermore, the cou-

reses of action of each of the committees will be surveyed to assess the power of influence in relation to the legislative agenda.

5. ASSESSMENT OF THE NATIONAL CONGRESS' EFFECTIVENESS IN THE MONITORING OF COVID-19

5.1. Usage of the ordinary institutional structure in relation to the creation of temporary committees

Table 2 below summarizes the performance of the standing and temporary committees according to each institutional aspect of legislative action.

TABLE 2: COMPARISON BETWEEN ORDINARY ACTION THROUGH STANDING COMMITTEES VIS-À-VIS THE USE OF TEMPORARY COMMITTEES

INSTITUTIONAL ASPECTS	ORDINARY ACTION (STANDING COMMITTEES)	USE OF TEMPORARY COMMITTEES
Thematic focus	Specialized action of each standing committee (Joint Committee on Plans, Public Budgets and Oversight (CMO), Committee on Finance and Taxation (CFT), Committee on Social Security and Family (CSSF), Committee on Financial Oversight and Control (CFFC), among others) in its thematic axis.	Emphasis on the object for which they were created. In the case of the Joint Committee on COVID-19, the action was dispersed in several themes, although in its creation it had a financial-budgetary focus. The external committee was more focused on the health issue.
Absolute participation of different deputies	Equal participation of all members, each one within the thematic committees of which they are a member, in topics in which they have greater affinity, expertise and electoral connection.	Joint Committee: 12 Senators and 12 Federal Deputies, half of them full members and half alternates. External Committee: 20 full members, all Federal Deputies.
Concentration of decision-making power on the project agenda	Projects that are being processed on a conclusive basis are approved by the committees and do not need to go to the plenary. Discussions that cause controversy or with a high degree of importance usually go to the Plenary (Plenary own propositions or those with appeal against conclusiveness).	During the pandemic, only the relevant projects were taken to the plenary and approved. Other committees practically inactive. Only the External Committee has taken the agenda to the Plenary, the Joint Committee on COVID-19 did not act in the forwarding of Bills to be voted on.
Parliamentary production	Wide and diverse. In addition to the hearings, the standing committees jointly debate and pass a large number of Bills.	Joint Committee on COVID-19. Restrict. Much of the work is public hearings and submission of Information Request. Production of a report at the end of the deadline. The External Committee was regularly active with several bills passed.

INSTITUTIONAL ASPECTS	ORDINARY ACTION (STANDING COMMITTEES)	USE OF TEMPORARY COMMITTEES
Institutional structure	Permanent institutional structure with advisors and specialists with extensive knowledge and a long history of discussions on the subject.	The temporary committees share the structure with other temporary committees and do not benefit from the history of discussions regarding the topics under analysis.
<i>Expertise in relation to the addressed topic</i>	In addition to the institutional structure, there is an “ecosystem” of public and private experts who orbit around the committee work and who contribute information to the debates.	There are fewer specialists “orbiting” around the temporary committees. Usually called to the debate because of the Committee’s theme and not because they are specialists who are aware of the Committee’s debates. The External Committee has benefited from the fact that several of its members are active members of the health sector.
Regulatory instruments of action	Jointly, they can approve or reject laws, promote public hearings, request information from State authorities and determine inspections through Oversight and Control Proposals.	Public hearings, information requirements, work disclosure bulletins.
Level of institutional maturity of the National Congress’ action in relation to the issue’s treatment	It demonstrates greater institutional maturity with greater specialization and the possibility of regular oversight, of the Police Patrol type – of the National Congress in its attribution of oversight of the Public Sector’s action.	It shows less institutional maturity and a tendency to Fire-Alarm – of the National Congress in its attribution of oversight of the Public Sector’s action.

Table 2 shows that the choice of two temporary committees, one external and one joint, to monitor public policies to combat COVID-19 presents a series of disadvantages in relation to the use of the ordinary structure of standing committees that already exist in both houses, which may demonstrate some degree of institutional immaturity on the part of the National Congress in terms of dealing with situations with a high degree of tension, such as the COVID-19 pandemic.

Conversely, there was a whole legal construction and structuring to face the calamity, which generated the approval of the Proposed Amendment to the Constitution (PEC) No. 10/2020 (war chest) and Decree No. 6/2020, which imposed the creation of the Joint Committee. Although incipient, the first objective was to monitor the execution of what would be spent on combating the pandemic.

Using the congressional oversight model’s paradigm of MCCUBBINS and SCHWARTZ, 1984, it is observed that the oversight conducted on a continuous, regular basis and according to consolidated institutional work processes is called “police patrol oversight”, while the casuistic action, less structured and with high degree of reactivity is called “fire alarm oversight”. Overall, structured and regular oversight demonstrates greater institutional maturity, while reactive and, to a certain degree, unstructured actions, as occurred in the National Congress, demonstrate the need to improve institutional maturity⁵. Possibly, simply delegating responsibilities to existing standing committees could be much more effective.

Furthermore, it can also demonstrate that the culture of oversight and control of the public sector’s action is not yet completely ingrained in congressional practice, confirming the assessment that, in this aspect, the institutional maturity of the National Congress still has room to evolve.

5. The fire alarm oversight is legitimate, for example, when the Parliament is subjected to an unpredictable stimulus and in relation to which there was no institutional structure prepared to monitor and react to it.

5.2 Institutional action of the Joint Committee on COVID-19⁶

Due to the budgetary and financial scope of the Joint Committee, probably the best institutional arrangement would be the delegation of these tasks to the Joint Committee on Plans, Public Budgets and Oversight – CMO, in the case of joint action by the two Houses, or to the Committee on Finance and Taxation – CFT or even to the Committee on Financial Oversight and Control – CFFC, both of the Chamber of Deputies.

Another problem with the Joint Committee was the generic definition of “monitoring”, without defining the means and results of that monitoring, which restricts the evaluation effectiveness of the Committee’s results.

As of August 8, 2020, 25 ordinary meetings had been held, all remote. It was issued 115 official letters with different requirements for various bodies and more than 87 documents were received. It was approved 68 requirements and 48 authorities and experts participated in the hearings which generated, until August, 8 weekly bulletins and 3 monthly follow-up bulletins. These bulletins demonstrate the transparency of the committees’ action, as well as bring relevant information about the effects of the pandemic on national territory.

There was a great exchange of information between the Government Accountability Office (CGU) and the Federal Court of Auditors (TCU) and the Joint Committee, which demonstrates its attention to issues such as efficiency and effectiveness in the Government’s action, respect for the institutional governance of the Executive’s actions and the fight against corruption.

In contrast, there was a high degree of informality in the information transfer about the pandemic between the committee and the presidencies of the Chamber of Deputies and the Senate, which does not allow inferring to what extent the contribution of the 48 authorities is being incorporated into the legislative process.

Another questioning refers to a potential loss of focus by the Joint Committee. Despite the budgetary and financial focus of COVID-19, several guests addressed different topics, such as the Fund for the

Maintenance and Development of Basic Education and the Valorization of Education Professionals (FUNDEB).

Attention was also drawn to the low level of response of the various bodies to the information requests issued by the Joint Committee. Although there is a regulatory and constitutional deadline for this response, this situation demonstrates that the “controlled parties” also do not have the culture that the National Congress also plays the role of supervisory body and that the emergency situation demanded responses at a much faster rate than the usual. Perhaps, there is some confusion between the roles of the TCU and the National Congress in controlling the acts.

This all leads to the conclusion that there is still low institutional maturity of the National Congress in relation to its attribution of overseeing and controlling the acts and public policies of the Public Sector, leaving the Parliament to reinforce the culture of control in relation to the acts of the Executive Power.

5.3 Institutional action of the External Committee⁷

The External Committee to Combat the COVID-19 Pandemic was created on February 11, 2020. In the original act, the Presidency of the Chamber of Deputies decided to create an “External Committee, with a burden on the Chamber of Deputies, aimed at monitoring sanitary surveillance preventive actions and possible consequences for Brazil regarding the fight against the pandemic caused by the Coronavirus”. On June 25, 2020, the committee was renamed “External Committee of the Chamber of Deputies to monitor the Fight Against the COVID-19 Pandemic in Brazil”. In a way, both denominations share the generality of their scope, which also makes it difficult to assess their effectiveness, vis-à-vis the expectation in their creation act.

The External Committee was highly active in monitoring the pandemic. By August 8, 2020, 68 events had been held, including ordinary meetings, technical visits, among others. More than 160 authorities and experts were heard, and 37 suggestions

6. The action evaluation of the Joint Committee will be conducted between March 31, 2020, and August 8, 2020, although the duration of Joint Committee is until December 31, 2020.

7. The action evaluation of the External Committee will be conducted between February 11, 2020, and August 8, 2020.

were sent to the Executive Power, the TCU, and the States. The committee prioritized 13 projects that ended up being converted into Law⁸.

8. Remember that the analysis cut-off date is August 8, 2020.

In addition, 6 Bills were approved in the Chamber of Deputies and were being processed by the Federal Senate. Another 38 Bills were prioritized by the External Committee but had not yet been deliberated by the Plenary of the Chamber of Deputies.

TABLE 3: LIST OF BILLS PRIORITIZED BY THE EXTERNAL COMMITTEE AND APPROVED BY THE CHAMBER OF DEPUTIES

BILL (PL)	SPONSOR	SUMMARY
PL 2048/2020	Ricardo Izar	Provides for exceptional measures to be adopted during public emergency situations referred to in Law No. 13,979, of February 6, 2020, regarding the suspension of the call for evaluation of the conditions that gave rise to the maintenance of the sick pay for patients with Alzheimer's disease, Parkinson's disease, and other chronic degenerative diseases.
PL 702/2020	Alexandre Padilha and Cex	Adds provision in Law No. 605, of January 5, 1949..
PDL (Legislative Decree Project) 87/2020	Dr. Luiz Antonio Teixeira Jr.	Suspends the effects of art. 2 of Resolution No. 46 of the Collegiate Board of Directors (RDC), of February 20, 2002, of the Brazilian Health Regulatory Agency to allow the sale of 70% liquid alcohol.
PL 865/2020	Dr. Luiz Antonio Teixeira Jr	It adds a subsection to Law No. 11,947, of 2009, which governs, among other matters, the Brazilian School Nourishment Program (PNAE), to authorize, on an exceptional basis, during the period of suspension of classes due to the coronavirus pandemic, direct distribution to students' parents and guardians in public basic education schools of foodstuffs acquired with these resources.
PL 1552/2020	Sâmia Bonfim among others	Provides for women protection in situations of violence during the duration of the state of emergency, with effect until December 31, 2020, or while quarantine measures and restrictions on activities last in the context of the COVID-19 (Novel Coronavirus) pandemic.
PL 2013/2020	Alice Portugal	Establishes emergency measures to protect women who are victims of domestic violence during the public health emergency resulting from the coronavirus pandemic.

The External Committee used more of the contributions brought by experts and authorities than the Joint Committee, but well below what was presented to it in the hearings, which is a waste of intellectual capital and financial resources used to bring these people in. The External Committee action also confirmed the low adherence of Parliament to a culture of oversight and control.

5.4 Critical Analysis of the National Congress' Action in the Oversight and Control of Actions to Combat COVID-19

Even with the problems encountered, the action of the two temporary committees in charge of monitoring actions to combat COVID-19 can be evaluated as successful. Jointly, they managed to sensitize the parliament and guide and pass laws that helped to mitigate the crisis effects. Moreover, the suggestions

emanated by the National Congress to the various bodies served to express the parliament's view on the issues under analysis.

In contrast, it is questioned whether the use of the ordinary structure of the Chamber of Deputies and the National Congress itself would not have been more efficient, firstly because they were practically without activities in the period, being able to act virtually, and because of the potential duplicity of actions between the two Temporary Committees.

It was also clear that the use of contributions from authorities and experts is not well defined in the legislative process, being absorbed in an ad hoc manner, generating a waste of intellectual capital. As much as the various existing technical bodies can contribute to the legislative process, some topics require information from professionals who militate in those areas.

The framework of the Joint Committee's action in the congressional oversight model fire alarm oversight, by MCCUBBINS and SCHWARTZ, 1984, demonstrates low institutional maturity to conduct oversight and control attributions, which is apparent in the lack of institutional culture, both in Parliament itself and in the various bodies of the public administration, to deal with emergency issues in a structured way. This is also demonstrated by the low responsiveness of the various bodies to the demands forwarded, perhaps due to a confusion between the roles of the TCU and the National Congress itself.

6. CONCLUSIONS

This article was the first to analyze the effectiveness of the two temporary committees of the National Congress in monitoring the COVID-19 pandemic, considering its institutional competence of oversight and control and used the paradigms proposed by MCCUBBINS e SCHWARTZ (1984, 1985) –police patrol oversight and fire alarm oversight.

The article's first result is that, despite the Joint Committee and the External Committee having contributed to the production of legal norms and suggestions that alleviated the effects of the pandemic on the population, apparently the use of existing institutional structures would have been more efficient due to thematic specialization and for using resources that were practically stopped during the temporary committees' duration.

A second result refers to the use of the alarm oversight paradigm by the National Congress during the pandemic, which characterizes a reactive and less structured action, with damage to the institutional mission of controlling the Executive Power by Parliament. This institutional immaturity was also revealed in other aspects, such as the low responsiveness of the bodies to information requests from the Temporary Committees.

The third result was the finding that the Parliament has not introjected the attribution of oversight and control into its organizational culture, even considering the work of the Committee on Financial Oversight and Control, and that there is room for it to assume a greater role in relation to the subject.

The last result refers to the failure detected in the legislative process, especially regarding the use of contributions from authorities and experts. No evidence was found on how these contributions helped parliamentarians to make better decisions.

Due to the article's scope and deadline, there are some points that were not properly explored by this research and that may be deepened in future articles. For instance, no quantitative or qualitative scale was used to measure the effectiveness in the legislative process, which could enrich the comparison of the article with other standing or temporary committees. A second aspect that deserves further study is the use of the contributions of the various specialists who participate in the National Congress committees in relation to legislative production, since apparently these inputs could be better explored. A third question refers to the evaluation of the overlap in the action of the Joint Committee and the External Committee.

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