

True Congressional Oversight

By Lee Hamilton

The moment federal agents in Miami knocked down Lazaro Gonzalez's door and seized young Elian Gonzalez to take him to his father, it was inevitable that some Member of Congress would demand "oversight" hearings. Sure enough, several of them have done just that.

Depending on your politics, you might see this as an unwarranted partisan attack by Republicans on a Democratic administration, or as a heartening sign that our elected representatives still know how to watch over the activities of the executive branch and rein in its excesses. I see it differently. I think it is a reminder of the need for Congress to improve its oversight substantially— to make it more balanced, wide-ranging, and in-depth.

Don't get me wrong. There are certainly legitimate questions to be explored in this case, and Congress has every right to explore them. Ever since 1792, when it launched an inquiry into government conduct of the wars against the Indians, Congress has played a crucial role in checking the abuse of executive powers. It did this in the Teapot Dome scandal of 1923, and again in the cases of Watergate and Iran-Contra. Congressional oversight has a rich history, and over the years Members of Congress have unearthed many policy failures, saved taxpayers billions of dollars, and identified corrupt or illegal behavior by executive branch officials.

But in recent years, congressional "oversight" has come increasingly to mean a focus on personal investigations, possible scandals, and issues that are designed to generate media attention, not on reviewing ongoing government activities and assessing which federal programs work and which don't. Congress has lost sight of the importance of traditional oversight.

This is a problem because good oversight stands at the core of good government: It is Congress' way of making sure that the administration is carrying out federal law in the way Congress intended. Good oversight helps Congress evaluate how programs are administered and how they perform; ferret out waste and fraud; determine whether programs have outlived their usefulness; compel the administration to explain or justify its policies; and ensure that the federal government is run in a cost-effective, efficient manner. It means reviewing our food safety and workplace safety laws, checking the effectiveness of foreign aid programs, gauging the impact of clean water and clean air legislation, and looking for unneeded overlap in weapons systems. It is often tedious, unglamorous work. But when done well, it can display the activities of government to ordinary citizens, protect the country from bureaucratic arrogance, expose and prevent misconduct, and give voters influence over the activities of an administration.

But in the 1990s, the oversight priorities of Congress have shifted away from the careful review of programs to highly adversarial attempts at discrediting individual public officials—looking at length, for example, at Hillary Clinton's commodity transactions or at a U.S. District Judge's method of assigning politically charged cases to her fellow judges. The proliferation of these personal investigations has consumed executive branch time and resources, and, more importantly, diverted congressional time and resources from the more constructive work of policy oversight. Even worse, it has fueled public cynicism not just about the executive branch, but about the excessively partisan nature of Congress itself.

So what can be done? House Speaker Dennis Hastert, I'm happy to say, has already made an important start: He is encouraging committees in the House of Representatives to move away

from oversight as political micro-management and toward oversight as a review of agency performance and effectiveness. This will be all to the good if it induces Congress to develop a continuous, systematic oversight process, which it now lacks, and impels congressional committees to look into the vast number of federal activities that never get into the newspaper headlines.

But this is only a start. Ultimately, the responsibility for putting Congress on the right track and for achieving the better policies that better oversight can bring lies with the American people. So the next time you see Members of Congress getting headlines with some high-profile investigation, pick up the phone, send an e-mail, or write a letter, and ask what they are also doing to review significant federal laws, agencies, and programs. Because it can't hurt to remind them that even overseers need oversight.

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