

CONGRESSIONAL OVERSIGHT: WHAT IT MEANS AND HOW TO MAKE IT WORK

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Oversight as a Useful Tool in a Difficult Congress

- Use to develop and present information on a pressing problem or issue
- Use to develop bipartisan trust
- Instrument to effect change

Legal Basis

- Constitution – implied power of Congress (McGrain v. Daugherty; Watkins v. U.S.)
- Necessary and Proper Clause
- House and Senate jurisdictional rules

Three Types of Oversight Hearings

(1) Experts Hearing

- Present expert testimony on a problem or issue
- Identify credible witnesses with useful information and interesting presentations
 - Possibilities: academics, agencies, trade associations, NGOs, victims
- Variety is the spice of life

(2) Report Hearing

- Release or publicize a new or recent report on a problem or issue
 - Possibilities: GAO, CRS, JCT, IG, agency, think tank, NGO, academic
- Possible witnesses: report author, agencies, validators, opponents, victims

(3) Original Research Hearing

- Present original information from an investigation into a problem or issue
 - Investigate using research, documents, interviews, experts
- Present written materials, such as a report, case histories, hearing exhibits, charts
- Possible witnesses: staff, victims, fact witnesses, policy makers, agencies, experts

Hearing Work

- Design the hearing, prepare witness letters and a hearing memo
- Draft opening statement and questions for Member of Congress
- Prepare hearing materials – report, exhibits, charts
- Prepare recommendations to remedy the problem or address the issue
- Draft press release and work with the media

Post-Hearing Work

- Spend 1-2 years on follow-up
- Legislation, regulations, changes on the ground, progress meetings