

Before impeachment comes congressional oversight

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The House Oversight and Government Reform Committee in summer 2018

Impeachment talk is in the air. Many Americans think that the president, having plainly demonstrated his unfitness for office, should be removed. His supporters in Congress are talking about impeachment, too—about avoiding it by getting the vote out this fall. It's an explosive election-season word.

As an actual tool for the legislative branch to hold the executive branch accountable, however, impeachment is far from the top of the list. Congressional oversight means much more—and so far this Congress has hardly bothered to exercise it.

The task falls primarily to the House Committee on Oversight and Government Reform. In 2009, under Democratic control, OGR intervened in the implementation of the Recovery Act, pressuring the Obama administration into doing a better job directing and tracking the law's stimulus spending. After the GOP took over the House, OGR and other committees worked overtime to investigate Obama. While much of this amounted to little more than partisan theater, some inquiries—for instance, into the botched launch of the federal Obamacare exchange—were legitimate and needed. Checks and balances were in place.

Not anymore. Former OGR staffer Kurt Bardella observed this year that congressional Republicans “have gone from being an independent and vital check on the executive branch to being an instrument of the state used to distort the facts and distract the American people.”

If OGR were to start doing its job again, it wouldn't exactly have to go searching for things to investigate. It could look into potential ethics violations involving the Trump and Kushner family businesses. It could seek answers about attempts to hack the 2016 election—and about Michael Flynn's ability to obtain top security clearance despite his ties to the Kremlin. The committee could demand access to the notes made by Justice Department officials regarding the firing of James Comey as FBI director and to the Homeland Security inspector general's report on the initial Muslim travel ban. OGR could investigate the White House's sluggish, indifferent response to Hurricane Maria when it hit Puerto Rico a year ago.

As a tool for holding the president accountable, impeachment is far from the top of the list.

Democrats on OGR have already proposed inquiries into these issues and dozens more. But they don't control the committee. Republicans do—and in a document leaked recently, GOP members listed more than 100 investigations they fear will follow a Democratic takeover. The list reads like a pressing agenda for an oversight committee run by whatever party.

A future Democratic Congress could do a lot to exercise oversight, stopping far short of impeachment. The current Republican one should consider doing something—anything—to assert congressional authority and defend the nation's interests. Presidential power can be dangerous in the best circumstances, which these are not. It must be checked—a job that falls not primarily to a special

prosecutor, the media, or the public. It falls to Congress, and it's not getting done.

A version of this article appears in the print edition under the title "The power Congress isn't exercising."