

# A brief history of congressional oversight, from Revolutionary War financing to Pam Bondi

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Published: November 6, 2025 8:31am EDT



U.S. Sen. Amy Klobuchar of Minnesota speaks at an oversight hearing before the Senate Judiciary Committee on Oct. 7, 2025.

*AP Photo/Allison Robbert*

Routine congressional oversight hearings usually don't make headlines. Historically, these often low-key events have been the sorts of things you catch only on C-SPAN – procedural, polite and largely ignored outside the Beltway.

But their tone has shifted dramatically during the second Trump administration.

When Attorney General Pam Bondi appeared before the Senate Judiciary Committee on Oct. 7, 2025, what took place was a contentious, highly partisan, made-for-TV-and-social-media confrontation.

The hearing occurred on the heels of the indictment of former FBI Director James Comey, which many legal experts view as an example of a president targeting his political enemies. Bondi came ready to fight. She refused to answer many questions from Democrats, instead launching personal attacks against these members of the U.S. Senate.

When Illinois Sen. Dick Durbin, a Democrat, asked about the deployment of National Guard troops in Chicago, Bondi retorted, “I wish you loved Chicago as much as you hate President Trump.” The clip went viral, as Bondi likely intended.

From our perspective as political scientists who study the U.S. Congress, congressional oversight has played an important role in American democracy. Here’s a brief history.

## Inquisitory powers

In simple terms, oversight is the ability of Congress to ensure that the laws it passes are faithfully executed. This generally means asking questions, demanding information, convening hearings and holding the executive branch accountable for its actions.

Oversight isn’t specifically mentioned in the Constitution. Article 1, Section 8, which lists the powers of Congress, includes the power “to make all laws which shall be necessary and proper,” without identifying an oversight role. Once laws are enacted, Article 2, Section 3, states that the president “shall take Care that the Laws be faithfully executed.”

However, the framers viewed congressional oversight as a key component of legislative authority. They wanted presidents to take Congress seriously and structured the Constitution to ensure that the executive would be accountable to the legislature. As James Madison urged in Federalist 51, the separate branches of government should have the power to keep each other from becoming too powerful. “Ambition must be made to counteract ambition,” Madison wrote.

The framers drew from the examples of the British Parliament and Colonial legislatures. In 1621, Sir Francis Bacon was charged with corruption and impeached as Lord High Chancellor after an investigation by a committee of the British Parliament. And in 1768, the Massachusetts Assembly conducted an investigation of Gov. Francis Bernard that led to a formal request to the King of England for his removal.

At the Federal Convention in 1787 that produced the Constitution, Delegate George Mason noted that members of Congress possessed “inquisitory powers” and “must meet frequently to inspect the Conduct of public officials.” Even though this idea was never written down, it was a habit of self-government that early Congresses put into practice.



Sen. Sam Ervin, chair of the Senate Watergate Committee, announces on July 23, 1973, that the committee has decided to subpoena White House tapes and documents related to the Watergate burglary and cover-up.

*AP Photo*

## Early oversight hearings

Congressional oversight began almost as soon as the first Congress met. In 1790, Robert Morris, the superintendent of finances during the Continental Congress and a financier of the American Revolution, asked Congress to investigate his handling of the country's finances and was exonerated of any wrongdoing.

During this period, congressional investigations were often referred to select committees – bodies created to perform special functions. These panels had the power to issue subpoenas and hold individuals in contempt. Since there was no official record of debates and proceedings, the public relied on newspaper accounts to learn about what had happened.

In March 1792, congressional oversight exposed businessman William Duer, who signed contracts with the War Department but failed to furnish the needed military supplies. This shortfall contributed to a stunning U.S. military defeat against a confederation of Native American tribes in the Northwest Territory.

Congress eventually removed the quartermaster general from his role for mismanaging the contracts. Duer was simultaneously involved in perhaps the first American economic bubble, which burst at the same time as Congress' hearings. He ended up in a debtor's prison, where he died in 1799.

Throughout the 19th century, Congress continued to quietly exercise this power. The work was often invisible to the public, but the issues were important. Hearings from December 1861 to May 1865 on the conduct of the U.S. Civil War produced a detailed record of the war, exposed military wrongdoing and condemned slavery. In 1871, the Senate created a select committee to investigate Ku Klux Klan violence during Reconstruction.

## Investigating corruption and criminal acts

Congress started to use its oversight power more aggressively in the 1920s with the Senate Committee on Public Land and Surveys' high-profile investigations into the Teapot Dome scandal.

Hearings revealed that Interior Secretary Albert Bacon Fall had secretly leased federal oil reserves in Wyoming to two private corporations and had received personal loans and gifts from the companies in return.

The investigation found clear evidence of corruption. Fall was indicted and became the first U.S. Cabinet member to be convicted of a felony.

The U.S. Supreme Court helped to shape the legal foundation of congressional oversight. In *McGrain v. Daugherty*, decided in 1927, the court held that congressional committees could issue subpoenas, force witnesses to testify and hold them in contempt if they fail to appear. Two years later, in *Sinclair v. United States*, the court ruled that witnesses who lied to Congress could be charged with perjury.

These cases granted the judicial branch's sanction to what had long been an implied legislative power, cementing the constitutionality of congressional oversight.

## Oversight highs and lows

The modern era of congressional oversight has produced some very important reforms – and some truly regrettable spectacles.

The most important example of bipartisan congressional oversight came in response to reporting by The Washington Post's Carl Bernstein and Bob Woodward. The two journalists wrote about the 1972 burgling of Democratic National Committee offices in Washington, D.C.'s Watergate Hotel and subsequent cover-up efforts by the Nixon administration.

On Feb. 7, 1973, the U.S. Senate voted 77-0 to establish a Select Committee on Presidential Campaign Activities, which brought together Democrats and Republicans to investigate what came to be known as the “Watergate scandal.” The committee’s work spurred action in Congress to impeach President Richard Nixon, leading to Nixon’s resignation in 1974 and to the enactment of legal reforms to provide an institutional check on presidential power.

Another high point for congressional oversight came after the 9/11 terrorist attacks in 2001. Seeking to learn how the deadliest terrorist strike on American soil had occurred, Democratic Sen. Bob Graham and Republican Rep. Porter Goss, who chaired the Senate and House Intelligence committees, formed a joint committee to investigate intelligence failures before and after the attacks.

This inquiry produced several important recommendations that were ultimately adopted, including the creation of a director of national intelligence and a Department of Homeland Security, as well as better information sharing among law enforcement agencies.



After the Sept. 11, 2001, attacks on the World Trade Center in New York City, shown here, and targets in Washington, D.C., a congressional committee investigated intelligence failures that had impeded detection of the terrorist plot.

*Universal History Archive/UIG via Getty Images*

Congress’ oversight can extend beyond the executive branch when the actions of private actors raise questions about existing laws or spur the need for new ones. As examples, investigations into medical device safety and Enron’s 2001 collapse examined malfeasance in the private sphere that existing regulations failed to prevent.

However, the power to expose corruption can also be used as a tool to score partisan points and generate outrage, rather than holding the executive branch accountable for actual malfeasance. Notably, in the 1950s, Wisconsin Sen. Joseph McCarthy turned oversight into inquisition and used the power of media to amplify his accusations of communist influence within the federal government.

## Democracy needs oversight

Congressional oversight has strengthened the democratic system at many points. But hearings like Bondi's recent session before the Senate Judiciary Committee aren't the first, and likely won't be the last, to substitute sound bites for substance.

As we see it, the problem with allowing oversight to become political theater is that it distracts Congress from quieter and more meaningful oversight work. Slow, procedural work isn't likely to go viral, but it helps keep government accountable. The task of a deliberate legislative body is to reconcile those very different impulses.

The authors do not work for, consult, own shares in or receive funding from any company or organization that would benefit from this article, and have disclosed no relevant affiliations beyond their academic appointment.

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