

House Homeland Security's Top Republican Says Oversight Is Unfocused, Too Partisan

By Rob Margetta, CQ Staff

Third in a series.

Peter T. King, the New York Republican who served as the second chairman of the House Homeland Security Committee and is now its ranking member is blunt about his Democratic colleagues' approach to oversight: too much is geared toward securing headlines rather than the homeland.

But, while he echoes concerns voiced by Homeland Security Department officials who want the number of committees with jurisdiction cut, King doesn't dodge one of the biggest criticisms leveled at Republicans regarding the oversight issue. From the day the department was created to the day they handed their gavels over to the Democrats in January 2007, they did almost nothing to consolidate oversight of DHS, either.

Although King says the Republicans were moving toward a solution and that Democrats have since slid backward, he admits his party missed its chance to get the job done. Now, in addition to calling for consolidation, King said he wants an end to what he calls the "hysteria" at work in DHS oversight.

Q. Could you summarize how you feel about congressional oversight of DHS? Is it a problem, if so what's the extent of the problem, and what's the effect on DHS?

A. First of all, you have to have oversight, no matter who the administration is, or the party breakdown.

But I think some of it is oversight for the sake of headlines. You have such a multiplicity of jurisdiction. It's just endless testifying, endless responses to letters, endlessly trying to cope with whatever the latest news story happens to be. What happens is a story appears somewhere and then a variety of committees feel they have to follow up with that with their hearings. I think that it goes too far. I think there's too much of it.

The first thing to do, again, is to consolidate jurisdiction. Secondly, I think while it's important to have oversight, partisan oversight turns into an adversarial proceeding. For instance, you look at some of the hearing titles for last year: "Cover Blown — Did TSA Tip Off Airport Screeners about Airport Testing" or the other one "Turning Spy Satellites on the Homeland." I mean, any balanced person — and you can have a debate over whether the satellite goes too far or the surveillance is too little — can see why that satellite image would be important and you can have a balanced debate over if there are enough protections in place, but when you start off with "Turning Spy Satellites on the Homeland," it's a different matter.

Q. DHS has made a point of saying that conflicting jurisdictions can be a problem for them because different committees can have conflicting agendas. Is that something you agree with?

A. Definitely.

Q. So there's a need to consolidate jurisdiction, there's a need to have just a couple of priority-setters watching over DHS. Who would you cut out at this point?

A. I would say Homeland Security gets jurisdiction, unless there's a compelling reason otherwise, just like Armed Services has over the Pentagon. I would basically use the same standard for Homeland Security. To me, the relationship between DHS and the Homeland Security Committee is the same as DoD and Armed Services.

Q. Talking to Democrats, including Chairman Thompson, when the issue of excessive oversight comes up, one of the first things they say is "the Republicans were in power for years, why didn't they cut down the number of oversight committees?"

A. At the start, certainly, a lot of the responsibility goes to the Republicans. [Former Republican Speaker of the House J. Dennis] Hastert had to use his clout to set up the select committee in '03 and in '05. When he set it up, he gave it as much jurisdiction as he could. And, throughout '05, and '06, he kept giving it more jurisdiction. [House Minority Leader John A.] Boehner, in '07, said he would firm that up and give us even more jurisdiction and put it in writing.

If anything, I would say that under the Democratic regime, it's gone backward. I've gotten the impression that [Speaker of the House Nancy Pelosi, D-Calif.], who has gotten into large fights with [House Energy and Commerce Chairman John D.] Dingell over the environment, for instance, didn't want to fight Energy and Commerce on every front. I thought they deferred too much to Energy and Commerce.

I have always made it clear that Republicans did not get the job done. We started and kept it going in the right direction, and that's the context you have to look at it in. Just creating the committee was a real fight, and then going from select to permanent, and then there were the powers given to the permanent committee in '05.

Q. But you're saying there's not only a problem of too much oversight, but oversight that is partisan and possibly hostile to DHS?

A. It's headline-grabbing, it's partisan. Listen, some of it's legitimate and obviously there has to be oversight. If there's anything we should know as members of the Homeland Security Committee, it's how dangerous this world is. Thompson and I get bi-weekly briefings, top-secret briefings, and then to turn around and do a hearing entitled "Turning Spy Satellites On the Homeland," to me it trivializes the issue.

Q. So it's essentially not helping DHS?

A. Not only DHS, it's non-productive to homeland security, lower-case — to the issue of homeland security. It's not helpful to securing a homeland when you use these over the top, partisan descriptions.

Q. Under ideal circumstances, what would be the steps to fixing the problems you see, and the time line?

A. We're going to have to wait until the next Congress, I guess. We would start an intelligent discussion right now, as to whichever party is controlling Congress next January. We, as a committee, can come up with bipartisan recommendations as to the jurisdiction that we believe that the Committee on Homeland Security should have.

And there should be discussion, certainly within our committee first, then with the leadership of both parties — that to me should be very significant, it should be helpful. And we should be having discussions with the department at the same time, not that the department should ever be telling Congress how we should oversee them, but we can get some ideas from them about what they think has gone right and has gone wrong, and take that for what it's worth. When you talk to them, they tell you about the inordinate amount of time they put into this when they should be protecting us against terrorists.

The other thing is that if we could have some kind of moratorium on hysteria.

Q. Might that be kind of tough to enforce?

A. I'll go back to the time when [former California Republican Christopher] Cox and I were chairmen. I don't recall having these types of headlines on the hearings, and I had some square-offs with Chertoff, certainly on the aid formula, on the grant formula, on Dubai ports, issues such as that. But we got things done, we got things done in a bipartisan way, and it doesn't have to be inflammatory.

Q. Even if oversight were reduced or consolidated, you think there needs to be a change in tone?

A. Yes. To me this issue is too serious, is too complex to trivialize. Once we trivialize it, the media will trivialize it, the public will trivialize it, and it's not going to get the attention and the focus that it needs. It just takes it to a level of foolishness. This is life and death we're talking about. I think we should treat it that way.

Tuesday's Q&A is with Danielle Brian, executive director, Project on Government Oversight.

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