

The New Levin Center

by Senator Carl Levin

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Having returned to Michigan after 36 years in our nation's capital, I am often asked how I dealt with the infighting, gridlock, and partisanship that too often overwhelms Washington, leading to chaotic government and a growing list of unsolved problems. I'm asked whether I believe Congress is broken.

I do not. My years in the U.S. Senate defy that conventional view of Congress, in part because I spent much of my time immersed in the world of oversight, wielding bipartisan tools that provided a powerful antidote to the ills that often plagued the rest of Washington. Oversight enabled me to work with Senate colleagues from both parties to analyze complex problems, develop reforms, and effect real change.

Two examples involving credit cards and the financial crisis illustrate what I mean. Not too long ago, unfair credit card practices were rampant. Banks that issued credit cards were unilaterally raising interest rates on families in debt, even for families paying down their debt in compliance with bank rules. Banks were charging multiple over-the-limit fees for exceeding a card limit once, and even charging interest on debt already paid. My subcommittee launched an oversight investigation. We commissioned a report, collected examples of abuses, and held hearings to confront the bank CEOs, some of whom changed their practices in response. In 2009, Congress enacted bipartisan legislation that put a stop to most of the credit card abuses we documented. It was a slam dunk for hundreds of millions of credit cardholders.

In 2008, the financial crisis hit. As the economy went into a tailspin, millions of American families lost their homes and jobs. My subcommittee again launched an investigation, producing the only bipartisan report in Congress on key causes of the crisis. We showed how high risk mortgage loans proliferated, how regulators permitted the increasing risk, how credit rating agencies characterized loan-related financial products as safe when they weren't, and how investment banks knowingly bought and sold toxic loans, some profiting hugely when the loans failed. In 2010, Congress enacted the Dodd-Frank Act, creating the strongest new financial protections in a generation to shield American families from predatory practices. Oversight played a key role.

These and dozens of other investigations show how oversight can produce dividends even in an otherwise dysfunctional Congress. It can analyze problems and lay the groundwork for reform. It is good government writ large. That's why promoting effective oversight is the focus of the new Levin Center that recently began operating at Wayne State University Law School in Detroit, working with a bipartisan advisory board led by well-known attorney Eugene Driker. Board members include former Senators Tom Daschle, Tom Coburn, Jay Rockefeller, and Olympia Snowe, as well as prominent leaders in law, business, and the community from Michigan and Washington.

Of course, not all oversight is constructive. Joe McCarthy's bullying tactics, unfair questions, and one-sided investigations still resonate as an example of abusive Congressional oversight. He chaired, by the way, the U.S. Permanent Subcommittee on Investigations, the same subcommittee I chaired for many years while in the Senate. His actions set the standard for how not to do oversight.

The kind of oversight I support is very different. It requires an in-depth examination of specific case studies to uncover the facts behind a problem. It is relentlessly bipartisan, requiring investigators with different views to work together to dig into what happened, asking as many questions as it takes to reach consensus on key facts. That takes time – two weeks or even two months isn't enough to build bipartisan trust and a common view of the facts – it takes much longer. Writing up the facts, holding hearings, and recommending reforms are the next steps in an effective oversight effort.

Critics scoff that Washington is incapable of in-depth, bipartisan, fact-based investigations, but our track record proves otherwise. I've seen it done. Our inquiries produced stronger anti-money laundering safeguards, measures to combat health care fraud, cleaner Great Lakes, and steps to stop offshore tax evasion, corruption, and corporate misconduct.

The Levin Center is designed to be a catalyst for that type of action, encouraging legislative bodies at all levels – from city councils to state legislatures, Congress, and international organizations – to engage in better oversight to solve problems. Our plans include offering practical educational and training sessions taught by proven investigators, such as oversight bootcamps that teach participants how to design investigative, hearing, and followup plans. Effective oversight techniques aren't rocket science – most are common sense procedures requiring fairness, persistence and patience.

The Levin Center also plans to offer courses, conferences, and research to promote the value and mechanics of effective oversight, as well as internships and fellowships to build a cadre of individuals versed in oversight as a means for change.

Oversight, when done well, can improve government operations, bridge political divides, and stop abuses in the public and private sectors. The Levin Center is intended to become the premier place for training, education, and scholarship on fact-based, in-depth, bipartisan oversight. Its ultimate objective is to improve the quality of public policy decisionmaking through fact-based inquiries. We hope the Center's work will enrich not only Detroit and Michigan, but our country as a whole.
