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Opening Statement of Rep. Henry A. Waxman Chairman, Committee on Oversight and Government Reform Hearing on New Allegations Against GSA Administrator Lurita Doan June 13, 2007

This hearing of the House Oversight Committee will come to order. I would like to welcome our witness, Lurita A. Doan, the Administrator of the General Services Administration.

This hearing is not being held to reinvestigate Ms. Doan's violations of the Hatch Act. Our hearing on March 28 and the subsequent investigation by the Office of Special Counsel provide an ample record to assess Ms. Doan's compliance with this important law.

This hearing will focus on two new issues. First, there are serious questions whether Ms. Doan testified truthfully during our first hearing. And there are also new allegations that Ms. Doan tried to intimidate and retaliate against federal employees who cooperated with the Committee's investigation. Both issues should be of great concern to all members of our Committee.

When our Committee learned earlier this year that Ms. Doan may have violated the federal Hatch Act by asking GSA political appointees how they could help Republican candidates in upcoming elections, we appropriately initiated an investigation. As part of this investigation, six GSA political appointees were asked to give transcribed interviews or depositions to the Committee.

All six agreed to come before the Committee voluntarily. And all six told us about a political presentation at GSA headquarters in January by Scott Jennings, Karl Rove's deputy in the White House. During that presentation, Mr. Jennings identified 20 Democratic members as targets in 2008. According to all six employees, Ms. Doan then asked the GSA political appointees gathered for the presentation how they could help "our candidates" in upcoming elections.

It was not easy for these GSA employees to come before our Committee. Like Ms. Doan, they too were Republican political appointees, and they knew that their statements would be evidence that their boss violated the federal Hatch Act. And like all employees, they must have feared the potential consequences.

But they knew that they had an obligation to tell the truth, and they did.

As a result of the Committee's investigation and hearing, we determined — conclusively in my opinion — that Ms. Doan solicited her employees at GSA to engage in partisan political activity on government property, a clear violation of the Hatch Act.

After the March 28 hearing, the Office of Special Counsel, which enforces the Hatch Act, interviewed Ms. Doan about her conduct.

When Ms. Doan was asked about the six GSA officials who cooperated with the Committee's investigation, this is what Ms. Doan told the Special Counsel: "There's not a single one of those who did not have somewhere in between a poor to totally inferior performance."

In her written testimony, Ms. Doan says that she thought her remarks were going to be treated confidentially by the Office of Special Counsel. In fact, she blames the Special Counsel for victimizing the employees by disclosing her disparaging comments.

There are just two problems with Ms. Doan's position. First, her statements about her GSA colleagues appear to be false. Ms. Doan refused to provide the employees' personnel records to the Committee. But the Office of Special Counsel did review the employment records and found that all the employees had satisfactory or better performance.

It is wrong for a federal agency head to make false or misleading accusations against federal employees. It does not matter whether the official expects confidentiality or not. Unsubstantiated accusations are always wrong.

Second, Ms. Doan didn't just disparage the employees. Under oath, she told the Special Counsel — and again I quote — "until extensive rehabilitation of their performance occurs, they will not be getting promoted and will not be getting bonuses or special awards or anything of that nature."

Apparently, Ms. Doan's position is that it is fine for her to retaliate against her employees by denying them promotions, bonuses, and awards so long as she does this in secret and no one knows about it.

She's wrong. And so long as I'm Chairman of this Committee, we are not going to look the other way when there is credible evidence that federal officials are threatening their employees.

Our Committee has a fundamental obligation to stand up for federal employees who cooperate with investigators and tell the truth. And we have an equal obligation — indeed, a moral responsibility — to investigate and hold federal officials to account if they threaten to withhold bonuses and deny promotions to employees who tell the truth to Congress.

I'm amazed that anyone would think we shouldn't do that. I'm equally amazed that a few members apparently don't believe it matters very much whether Ms. Doan testified truthfully during the March 28 hearing.

Most members of this Committee want to get to the truth and want to make sure that federal employees don't face threats when they act with integrity and honesty. That's what this hearing is about and I look forward to learning more today from Ms. Doan.