

Chairman Issa: Preview Statement

Last night, this Committee received a deeply disturbing letter from White House Counsel Neil Eggleston. Mr. Eggleston declared that as a senior advisor to President Obama, David Simas, a witness who had been subpoenaed to testify here today was – and I quote – “immune from congressional compulsion to testify.” This is at odds with rulings from our judicial branch about checks and balances. In the Miers-Bolton lawsuit brought by Democrats when they were in the majority, a federal judge wrote that senior advisors to the President of the United States are – and I quote – “not absolutely immune from congressional process.”

Oversight of political activity in the White House has frequently been a divisive issue for this Committee, but it has been a topic of bipartisan interest. For example, in 2007, former Committee Chairman Henry Waxman initiated a series of investigations into improper political activity in the Bush Administration. During the Committee’s two-year investigation, the staff interviewed 18 political appointees, including President Bush’s political directors, and received nearly 70,000 pages of documents. Even the Chairman of the RNC received a subpoena requiring the production of e-mails.

The Committee’s current investigation has looked much different. It has exercised patience for months and gave the White House extensive opportunities to explain concerns through briefings and document productions. On his first run for President, then Senator Obama campaigned on closing the White House’s political office. In January 2011, the Office of Special Counsel concluded that the White House Office of Political Affairs violated laws – namely the Hatch Act -- designed to keep taxpayers from paying for political activity by government workers. That same month, the White House announced the closure of its political office.

In January 2014, the White House announced the reopening of its political office. In March, this Committee sought information about this re-launched political office in an effort to continue this Committee’s legacy of overseeing the White House Political Office. This request came as the Committee learned that two members who served in President Obama’s campaign had violated the Hatch Act by abusing their positions to aid overtly political campaign efforts.

Hatch Act violations have been a problem under all Administrations. This makes the claim by this Administration that they are doing everything right and should be immune from oversight all the more absurd. It’s deeply ironic that an Administration claiming to be the most transparent ever has resisted oversight of its political office and offered less cooperation than any of its predecessors.

Today’s hearing was intended to be an opportunity for Congress to assess how the Administration has tried to address the issues raised by OSC’s 2011 report on political activity. That report found that OPA was an inherent violation of federal law because taxpayer dollars were being used to pay the salaries of staff who conducted political activities. Surprisingly, the White House did not consult with OSC before reopening OPA, despite the agency’s critical role in enforcing the Hatch Act.

The American people have a right to know if their tax dollars are being used for political activity. This Committee is obligated to shed light on the improper use of taxpayer money for political gain. Unfortunately a key witness, Mr. Simas, who serves as the Director of the White House’s political office has chosen to defy this committee and his legal obligation to testify. Mr. Simas’ testimony is critically important and we are going to attempt to clarify whether or not President Obama intends to invoke Executive Privilege before considering our next course of action.