

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051
MINORITY (202) 225-5074

<http://oversight.house.gov>

Opening Statement Chairman Gerald E. Connolly

Subcommittee on Government Operations Hearing on "Document Production Status Update: OPM, FBI, and GSA"

June 27, 2019

Thank you to the witnesses for being here. I regret that we need to hold this hearing today. We are here because OPM, the FBI, and GSA have not substantially complied with the Committee's requests for documents from several months ago.

We have witnessed a stunning lack of cooperation across the Trump Administration in response to multiple congressional investigations. For this Committee to perform its important constitutional oversight mission, we need documents and information from the agencies. And that in turn requires cooperation.

When the Committee or a Subcommittee sends a request for documents or a written response for answers, we expect meaningful and timely compliance and not stall tactics and obfuscation. It is because of a breakdown in that process that you all are here today.

Today, we will be asking each of you to justify your respective agency's troublesome production track records, to identify those hurdles preventing full compliance, and to offer tangible solutions so the Committee can fulfill its constitutionally-mandated oversight duty.

This morning, we will examine the status of your responses to three Committee and Subcommittee investigations:

First, the Committee is investigating the Trump Administration's plan to abolish the Office of Personnel Management. It's a reckless proposal which lacks merit, justification, or even a coherent rationale.

The Subcommittee has requested basic documents from OPM, an agency that runs programs that serve our federal government's 2.7 million active employees, more than 2.5 million federal retirees, and more than 8 million family members who receive health care benefits. We requested documents that any project manager would have required for even a simple restructuring of an organization. We asked for a legal analysis of the Administration's authority to eliminate OPM, a cost/benefit analysis, and a timeline. We wanted to know whether this would work and whether the Administration had done its homework. We have concluded that it won't and they haven't.

We have received next to nothing in response to this straightforward document request. And no information provided adequately demonstrates how this plan would improve services to current or former federal employees and their families.

If we have been unclear thus far, let me take the opportunity right now to clarify that this half-baked proposal is dead on arrival. The Administration's intention to dismantle OPM is irresponsible. OPM's Acting Director has reportedly boasted about "planning to play chicken with Congress" by furloughing or laying off 150 employees if Congress doesn't provide the Administration authority to eliminate the agency.

This is not a game. There are real lives at stake. OPM's blanket refusal to provide the information the Committee seeks is unacceptable.

OPM offered additional records this week. It is ironic that these new records make reference to the documents we have been asking for, without providing them. The latest documents convince us more than ever that the Administration is attempting to end more than 130 years of a merit-based, non-partisan civil service.

Second, the Committee is investigating the abrupt decision to abandon the long-term plan to move the FBI headquarters to a suburban location and replace it with a more costly plan to keep the Pennsylvania Avenue location, demolish the existing J. Edgar Hoover Building, and construct a new facility on the same site.

In February 2018, I wrote to the GSA Inspector General and requested that she investigate GSA's decision-making and the role of White House influence. In August 2018, the Inspector General issued a report that noted inaccuracies in the cost estimates presented to Congress to the tune of more than \$500 million and revealed that President Trump personally participated in discussions regarding the revised plan and there are pictures to prove it.

Yet, despite all parties within the Administration claiming that the FBI made the decision, the FBI has turned over just over 1,300 pages in the last three-and-a-half months—and that includes a last-minute production last night. To say that Congress continues to have questions about the abrupt and rushed reversal in the FBI's years-long plan, and that the change of heart involves direct conversations with the President who stands to gain from this alternative, is an understatement.

Third, the Committee is actively investigating the federal lease for the Old Post Office Building between GSA and the Trump Organization.

Because President Trump has refused to completely divest himself of his global web of business interests, he is currently both the landlord and the tenant of the Trump International Hotel in Washington, D.C.

To date, GSA has refused to turn over financial documents relevant to the Committee's investigation that would shed light on potential conflicts of interest and constitutional violations, among other issues.

Finally, I want to address a troubling development across several Committee and Subcommittee investigations. All three agencies – OPM, GSA, and FBI – have suggested that they are withholding many documents because they are draft documents regarding decision-making.

There's only one problem. That decision-making is exactly the focus of the Committee's and Subcommittee's investigations. Whether it is the decision to abolish a federal agency that serves the federal workforce, a multi-billion dollar construction decision affecting thousands of FBI staff, or the decision to allow the President to serve as both landlord and tenant of his own hotel, such decision-making documents are critical to the Committee.

Last week, the FBI's Deputy Director, Mr. David Bowdich, called me personally to discuss the agency's compliance. While I thank Mr. Bowdich for the outreach, we will judge the Bureau by its actions, not its words.

It is my sincere hope that today's hearing will provide some answers and help us reach a productive path forward, so that the Committee can finally obtain the information it needs to perform its critical oversight.

Contact: Aryele Bradford, Communications Director, (202) 226-5181.

