

ONE HUNDRED TWELFTH CONGRESS  
**Congress of the United States**  
**House of Representatives**  
COMMITTEE ON ENERGY AND COMMERCE  
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**Opening Statement of Rep. Henry A. Waxman**  
**Ranking Member, Committee on Energy and Commerce**  
**“White House Transparency, Visitor Logs, and Lobbyists”**  
**Subcommittee on Oversight and Investigations**  
**May 3, 2011**

Mr. Chairman, today’s hearing addresses an important subject. I have long been a proponent of transparency in the executive branch. Transparency improves decision-making, makes government more accountable, and produces better results.

During the Bush Administration, I was highly critical of policies that made it more difficult for citizens to get information about the White House. I led the fight in Congress to uncover the secret meetings of Vice President Cheney’s energy task force. Our oversight revealed how the Bush Administration used pseudo classifications like “for official use only” or “sensitive but unclassified” to keep embarrassing information from the public. And we exposed the use of RNC e-mail accounts by senior Bush Administration officials that circumvented the Presidential Records Act.

In the case of the energy task force, President Bush and Vice President Cheney tried for years to keep this information out of the public eye. I thought this was wrong because it denied the American people important information about their government.

Ranking Member DeGette described what happened on this Committee when Democrats tried to pass a resolution of inquiry seeking information on Vice Cheney’s energy task force. The Republican members of the Committee – several of whom sit on this Subcommittee today – went to extraordinary lengths to deny us access to information about the executive branch.

My view is that regardless of whether we are Republicans or Democrats, and regardless of whether the occupant of the White House is a Democrat or a Republican, we should be working to make government more transparent and accountable.

To his credit, President Obama has taken important steps to increase transparency in the White House. These steps reversed a number of decisions by former President Bush that made it harder to get information about executive branch officials. President Obama in September 2009 announced the voluntary disclosure of White House visitor records. He established new policies to make it easier for citizens to obtain information through the Freedom of Information Act. His

open government initiative has made an unprecedented volume of information available to the public. And the President established new ethics rules to prevent special interests from having undue influence.

The Obama Administration has a good record on government transparency. But that does not mean that proponents of open government should rest. We should use this hearing to examine additional steps that Congress and the Administration can take to increase transparency, and I am looking forward to hearing the recommendations of our witnesses.

I do want to raise one concern about this hearing, particularly because it appears as if it might be part of a pattern: we should have an Administration witness here to testify.

This is not the fault of the White House. The majority gave the White House only six days notice to provide a witness, which is simply not enough time. By the time our Committee contacted the White House, the White House had committed to providing a witness at a hearing this morning before the House Committee on Oversight and Government Reform. Instead of rescheduling the hearing so the members could hear from an appropriate White House official, the majority decided to proceed today without a White House witness.

This is not the first time this has happened on the Committee this year. In April, other Energy and Commerce subcommittees held three hearings on EPA actions. In these cases, the Committee also gave short notice to the Administration and this resulted in EPA being unable to testify at some of the hearings.

The Committee should not be holding hearings without essential witnesses. It is not a good use of the Committee's time, and it results in an incomplete record. I hope the majority will make greater efforts in the future to notify the Administration of upcoming hearings and then work with the Administration to accommodate reasonable scheduling requests.

Today's hearing is about an important subject: open government. It should not be a partisan one, and I hope we can join together to work responsibly to improve government transparency in a bipartisan way.