

Web 2.0 Subcommittee Hearing 7/22/10
Likely Order of Proceedings

1. Chairman Clay's Opening Statement
2. Before McHenry's Opening Statement:

OBJECTION TO LACK OF WHITE HOUSE WITNESS:

Mr. Chairman, before I make my opening statement, I'd like to state for the record some of my concerns about today's hearing. This hearing was originally scheduled for June 24. Among the witnesses that were invited to the June 24 hearing was Ms. Beth Simone Noveck, the Deputy Chief Technology Officer in the White House's Office of Science and Technology Policy.

In advance of the originally scheduled hearing, Ranking Member Issa spoke publicly of his intention to question Ms. Noveck about the use of personal e-mail to conduct official business in the Office of Science and Technology. Ms. Noveck shares an office with Andrew McLaughlin, a former Google lobbyist turned administration official who used his personal email account to communicate with more than 25 Google employees, including influential lobbyists and lawyers. Mr. McLaughlin also used his Gmail address to communicate with senior members of the Obama Administration. This use of personal email violated the president's ethics pledge and federal law, and yet the White House refused to answer questions from the Republican Members of the Committee about how the problem is being fixed.

Within days of Ranking Member Issa's public statement about his intention to question Ms. Noveck about that incident, the hearing was postponed. Today you are holding this hearing without a White House witness. Without being able to ask questions to a White House witness, our Members are being deprived answers about a very disturbing trend in this Administration. On top of Mr. McLaughlin's use of his personal email to circumvent the Presidential Records Act, the *New York Times* reported on June 24 that White House staffers regularly meet with lobbyists at a Caribou Coffee across the street from 1600 Pennsylvania Avenue. Because the discussions are not taking place at the White House, they are not subject to disclosure on the visitors' log that the White House releases as part of its pledge to be the "most transparent presidential administration in history."

It is important for this Subcommittee's purposes that we are provided the opportunity to question relevant witnesses and conduct proper oversight on our concerns related to the extraordinary lengths that White House staffers' are going to avoid having their communications captured by the Presidential Records Act and the Federal Records Act.

Not having a White House witness present to testify at this hearing undermines the purpose of this hearing and prevents us from doing our job of conducting oversight on this important issue.

MOTION TO SUBPOENA WHITE HOUSE WITNESS:

House Rule Eleven clause 2(k) sets forth hearing procedures to be followed by House Committees and Subcommittee. Clause 2(k)(6) of House Rule Eleven, states that "the chair shall receive and the committee shall dispose of requests to subpoena additional witnesses."

Pursuant to that rule, I move that the committee authorize and issue a subpoena to compel the testimony of Ms. Beth Simone Noveck, or another White House official from the Office of Science and Technology Policy qualified to testify on her behalf.