OPENING STATEMENT

House Committee on Education and Workforce
Ranking Member Robert C. "Bobby" Scott

Opening Statement of Congressman Mark Takano (CA-39)
Subcommittee on Workforce Protections
"Broken Trust: How the Biden-Harris DOL Leaked Confidential Information"
Wednesday, July 22, 2026 | 10:15 a.m.

Thank you, Mr. Chairman.

The Department of Labor has central responsibilities, including protecting workers' rights, recovering unpaid wages and lost retirement benefits, helping families fight wrongly denied healthcare claims, and much, much more.

One legally permissible but rarely used tool by the Department during investigations and litigation is called a common interest agreement. I understand today's hearing will focus on a recent Inspector General report on such agreements.

How rare are they? Well, at a hearing last year, one witness testified that the Employee Benefits Security Administration, also known as EBSA, only found twelve investigations where it entered into a common interest agreement over a fifteen-year period. At that very same time, EBSA [had] opened over thirty-one thousand investigations. So, there are only twelve investigations out of the thirty-one thousand investigations where this particular Administration entered into a common interest agreement, which is the issue at hand of this hearing.

There were only seven common interest agreements identified at EBSA and 41 such agreements at the Wage and Hour Division over the two-and-a-half-year scope of the Inspector General's (IG) report. That represents an incredibly small fraction of the thousands of investigations conducted by EBSA and Wage and Hour over the very same period.

But we certainly appreciate the IG's work here in identifying ways that the Department of Labor can improve its internal procedures and controls related to the use of common interest agreements. The IG's report made eight process-related recommendations. It is my understanding that the Department of Labor agreed with them and is working on implementation. This all seems very straightforward.

However, based on the hyperbolic title of today's hearing, Committee Republicans regrettably remain obsessed with the former Administration that left 18 months ago. Perhaps that is because Committee Republicans don't want to look in the mirror and be accountable for their misguided agenda that has failed working people. Actually, the Republicans' agenda hasn't just failed working people—it has actually caused them harm.

In the year since President Trump and Congressional Republicans passed their 'Big Ugly Bill,' Americans' lives have gotten more difficult and way more expensive. Many continue to struggle to afford basic necessities such as groceries, housing, and gas, and workers' wages are failing to keep up with inflation. And due to Republican cuts, over eight million Americans have lost healthcare coverage in the past year and over four million have lost access to food assistance.

Instead of crafting an agenda that meets the moment and helps working people who are struggling with the high cost of living, Committee Republicans have consistently chosen the wrong priorities. Now, here's just one example: many parts of the country have been experiencing extreme heat this summer. OSHA has been working on a national rule to protect indoor and outdoor workers from this extreme heat. This is common sense, and long overdue. Protecting workers in our nation's fields, factories, and warehouses from excessive heat is something that we all should support. Unfortunately, that's not the case. Yesterday, Committee Republicans advanced a bill that would kill the rule and ban OSHA from ever using a similar one to protect workers from extreme heat.

Mr. Chairman, this is our last Subcommittee hearing before Congress heads out for the August recess. For those keeping track, it is the second one that the Committee Republicans convened this Congress, touching on a rarely used Department of Labor practice. Rarely used, yet we're devoting all this time to this obsession. Meanwhile, they have zero hearings on the many urgent issues that working people in my district and across the district care about. There was not one single hearing on raising the minimum wage. Not one single hearing focused on combatting wage theft. Not one hearing focused on strengthening our child labor laws.

Finally, at the start of his second term, President Trump abruptly fired Inspectors General at many Cabinet agencies, including at the Department of Labor. This was just one of the many unprecedented actions he has taken. This is the first time that the Inspector General for the Labor Department has appeared before our Committee since his confirmation. We have several areas of interest, including the status of the investigation into the former Labor Secretary for alleged misconduct, and the Department's unlawful elimination of the ERISA Advisory Council. I anticipate these and other topics will be raised this morning.

Thank you, Mr. Chairman, and I yield back.