

Opening Statement of Chairman Ryan Mackenzie (R-PA)
Education and Workforce Committee
Workforce Protections Subcommittee
Broken Trust: How the Biden-Harris DOL Leaked Confidential
Information
July 22, 2026

Today's hearing will examine the Biden-Harris administration's use of common interest agreements to potentially channel confidential investigative information to outside parties—including private law firms and advocacy groups. The Committee is pleased to welcome Department of Labor (DOL) Inspector General Anthony D'Esposito (Des-Po-Seat-o) to discuss the findings and recommendations of the Office of Inspector General's (OIG) investigation regarding this matter.

When DOL agencies investigate potential violations of federal law, businesses and workers are required to turn over sensitive information—and they trust the government will protect it. However, in November 2024, the Committee uncovered an incident involving the Biden-Harris administration's handling of an ERISA investigation that confirmed what many in the employee benefits community had long suspected: DOL was sharing confidential information with class action law firms to support private lawsuits.

The Committee immediately requested that the DOL OIG investigate this matter. Initially, the Committee's concerns focused on the Employee Benefits Security Administration's use of common interest agreements. The OIG subsequently expanded its review to

examine similar practices and missteps within the Wage and Hour Division, and the Office of the Solicitor.

In June 2026, the OIG published its report, finding that the Biden-Harris DOL shared confidential information with outside lawyers to potentially skew court cases — raising serious questions about fairness and public trust. The report also found DOL failed to protect confidential investigative information and couldn't even keep track of what was shared or with whom. In some cases, DOL shared sensitive investigative information with outside lawyers before lawsuits had even been filed. In other words, it shared information without written common interest agreements. The Department lacked basic safeguards, failed to screen for conflicts of interest, and allowed different offices to operate under different rules.

The OIG's investigation and report were prompted by the Education and Workforce Committee. We found highly questionable activity by the Biden-Harris DOL and demanded answers. The OIG has now confirmed serious failures. Government should protect the interests of the American people—not give special interests preferential treatment.

I look forward to hearing from Inspector General D'Esposito about the OIG's important investigation and its recommendations.

With that, I yield to the Ranking Member for an opening statement.

(As prepared for delivery)