

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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Opening Statement Ranking Member Elijah E. Cummings

Hearing on “Examining Federal Administration of the Safe Drinking Water Act in Flint, Michigan, Part III”

March 17, 2016

Governor Snyder has been described as running the State of Michigan like a business. Well, what if this was a business? What if a CEO ran a company that sold toys laced with lead that children put in their mouths? What if those kids were poisoned as a result? And what if that CEO ignored warnings for more than a year as those kids got sicker and sicker?

There is no doubt in my mind that if a corporate CEO did what Governor Snyder’s administration has done, he would be hauled up on criminal charges. The board of directors would throw him out. And the shareholders would revolt.

That is similar to what is happening now to Governor Snyder. The Special Counsel for the state Attorney General’s Office has launched an investigation, and he says state officials could face charges including breach of duty, gross negligence, or even manslaughter—charges he says are “not far-fetched” in this case.

On our Committee, we have obtained documents showing that people all around the Governor were sounding the alarms, but he either ignored them or didn’t hear them.

In October 2014, the Governor’s top legal advisor warned that Flint should “get back on the Detroit system as a stopgap ASAP before this thing gets too far out of control.”

In March 2015, the Governor’s own chief of staff warned: “If we procrastinate any longer in doing something direct, we’ll have real trouble.”

And in July, his chief of staff warned that Flint residents “are concerned and rightfully so about the lead level studies they are receiving ... they are basically getting blown off by us.”

The documents reveal failures at every level, led by Governor Snyder’s hand-picked appointees, and the Governor’s fingerprints are all over this. His Department of Environmental Quality. His Department of Health and Human Services. His inner circle of top aides. His press staff. And of course the Emergency Managers the Governor put in charge of Flint.

There will now be an entire generation of children who suffer from brain damage, learning disabilities, and many other horrible effects of lead poisoning that were inflicted on them by Governor Snyder's administration.

Now, Republicans are desperately trying to blame everything on the EPA. So let me say this. I agree that the EPA should have done more. They should have rushed in sooner to rescue the people of Michigan from Governor Snyder's vindictive administration and its utter incompetence at every level.

- Governor Snyder's administration had primary responsibility for enforcement under the Safe Drinking Water Act—not the EPA.
- Governor Snyder's administration chose to switch to the Flint River—not the EPA.
- Governor Snyder's administration ignored warnings from the Flint water treatment plant supervisor not to go forward with this switch—not the EPA.
- Governor Snyder's administration falsely told the City of Flint that corrosion control was unnecessary—not the EPA.
- Governor Snyder's administration delayed corrosion control for months and harmed thousands of additional people in the process—not the EPA.
- Governor Snyder's administration overruled the Flint City Council's vote to return to clean Detroit water—not the EPA.

So yes, I agree. The EPA should have snatched control out of Governor Snyder's hands even sooner than it did. But Governor Snyder's administration caused this horrific disaster and poisoned the children of Flint.

On the Governor's website, his motto is: "Reinventing Michigan. Getting it Right. Getting it Done." It's hard to imagine a more misleading slogan.

It also says this: "we will learn from this experience." Do you know what the children of Flint learned? They will never trust this Governor again.

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