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House of Representatives

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Opening Statement Chairman Elijah E. Cummings

Subcommittee on Government Operations Hearing on “Document Production Status Update: OPM, FBI, and GSA”

June 27, 2019

I commend Chairman Connolly for holding today’s hearing. Under this Administration, we are witnessing a stunning lack of cooperation that is hampering multiple congressional investigations and appears to be part of a large-scale, coordinated pattern of obstruction.

The documents that we seek in the investigations we will discuss today are documents that we would have received in previous administrations—many of them without any redactions and without a fight. Some of them are even the types of documents that we did receive in the beginning of the Trump Administration, before the President declared that he and his Administration were “fighting all the subpoenas.”

Congress has a constitutional duty to conduct oversight over decisions that have been made in the Executive Branch, especially regarding leases or contracts that impact the taxpayers. It is our job to ensure that these decisions are being made in the most cost-effective and efficient fashion, without favoritism or abuse.

The Committee is conducting two separate investigations involving GSA: one of its role in the decision to cancel the plan to move the FBI headquarters to a new, suburban campus, and the other of GSA’s management of the lease for the Trump Hotel in D.C.

My interest in these topics is not new, and should not be a surprise to GSA. I wrote my first letter on the Trump Hotel and questions about a possible breach of the lease shortly after the President was elected in the Fall of 2016. Along with several Members of Congress, I first wrote to Administrator Emily Murphy raising questions about the FBI Headquarters eight months ago. After becoming the Committee Chairmen, Chairman Connolly and I and others sent new request letters on these topics.

One category of documents we have sought are monthly reports that the Trump Organization is required to file to GSA about the Trump Hotel in D.C. At the beginning of the Administration, we received those reports, but then something worrisome happened. Without explanation, GSA reversed course and just stopped producing them.

It is now two years later. After Democrats were voted into the majority, we again requested these monthly financial reports. But now, instead of producing these documents, GSA questioned the Committee's "legitimate legislative purpose."

If that language sounds familiar, it is because it is the same language, and the same baseless line of obstruction, that the President's personal attorneys have been using to challenge Congress' authority to conduct oversight in other areas.

A federal district court has already rejected this argument decisively. He wrote: "So long as Congress investigates on a subject matter on which 'legislation could be had,' Congress acts as contemplated by Article I of the Constitution."

To our witnesses here today, and any other Executive Branch agency that may be watching, we want the message to be clear. Congress must obtain the documents necessary to fulfill our constitutional responsibilities. If you will not provide those documents willingly, we will issue subpoenas to compel them.

In closing, let me say this. Today's hearing is not the end of the story. I appreciate that the agencies have made some movement towards compliance in anticipation of today's hearing. But what you have offered is simply not enough. You have not committed to provide us with the unredacted documents that actually explain your decisions.

I hope that we will make more progress during today's hearing and afterwards in gaining your compliance, so that we can avoid taking any further steps.

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