

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5074
MINORITY (202) 225-5051

<http://oversight.house.gov>

Opening Statement Ranking Member Elijah E. Cummings

Hearing on "Examining the Costs of Overclassification on Transparency and Security" December 7, 2016

Government transparency is a bipartisan issue. Over multiple sessions of Congress, our Committee has made significant progress in making the federal government more open and accountable. We do this best when we work together.

During this Congress, we worked together to strengthen the Freedom of Information Act, and those amendments were signed into law by President Obama in June. Just this past Monday, we sent another bill to the White House to strengthen protections for employees working for contractors and grantees who blow the whistle on waste, fraud, and abuse.

We now have the opportunity to work together to address the flaws in our classification system.

Over the past several years, our Committee has conducted multiple investigations, including our review of Secretary Clinton's emails, that exposed serious flaws in our classification system.

We have seen agencies disagree with each other on whether an email was classified. We have seen information that began unclassified later being retroactively classified. We have seen documents that were not properly marked as classified, and we have seen documents that were classified after they had already been publicly released.

First and foremost, I believe we in Congress should exercise our authority to improve the classification system and make government information more transparent. We can conduct oversight, such as these hearings, and we can investigate specific allegations of security breaches and unwarranted government secrecy.

Congress can also legislate. We can pass reforms that actually address the problems we will hear about today.

Twenty years ago, the Moynihan Commission provided a roadmap to improving the classification system, but too little has been done since that report was issued. For example, the Commission recommended that Congress enact a statute establishing the principles of classification, but Congress still has not taken that step.

The fundamental purpose underlying all of our efforts today is to provide the American people with more information, especially when it impacts our national security. Our operating premise is that a better informed electorate leads to better functioning government on behalf of all of our people. So, Mr. Chairman, I thank you for calling today's critical hearing.

There is another national security area that I believe the American people should have much more information about from their government.

On November 17, 2016, I wrote a letter to the Chairman requesting that our Committee conduct a bipartisan investigation into Russia's role in interfering with and influencing the 2016 presidential election. I specifically requested that we receive a classified briefing from the Intelligence Community. Today, nearly three weeks have now gone by, but I have received no response, and the Committee has taken no action.

Now Mr. Chairman, I know you have said that you do not want to do any oversight relating to Donald Trump until he is sworn into office in January. But these attacks on our country have already happened. This is not some future threat. This has already occurred. And unless we act, it may very well happen again.

For these reasons, yesterday I joined Democratic Whip Steny Hoyer and the Ranking Members of the Committees on Armed Services, Homeland Security, Intelligence, Judiciary, and Foreign Affairs, and we did ourselves what this Committee did not.

We sent a letter to President Obama requesting that all Members of Congress—Democrats and Republicans—be provided the opportunity to receive a classified briefing by the Intelligence Community with the most up-to-date information they have on this issue.

This is not a partisan issue. Republican Senator Lindsey Graham has called for this type of investigation in the Senate, essentially saying that Republicans should not sit on the sidelines and let allegations about foreign governments interfering in our election go unanswered just because it may have been beneficial to them in this instance. Republican Senator Marco Rubio put it even more bluntly, stating, "Today it is the Democrats. Tomorrow it could be us."

The bottom-line is that this is not a Democratic issue, and this is not a Republican issue. This is an American issue. Elections are a core American value and are central to our democracy, and any foreign interference with our elections should be of the greatest concern to every Member of Congress.

The American people deserve as much information as possible about these threats and the actions their government is taking to address them, and it is our job to ensure that they get it.

Thank you, Mr. Chairman.

Contact: Jennifer Werner, Communications Director, (202) 226-5181.