

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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May 20, 2016

The Honorable Jason Chaffetz  
Chairman  
Committee on Oversight and Government Reform  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman:

Thank you very much for providing a copy of your draft staff report on Cover Oregon on Monday evening. My staff have now had the opportunity to review your draft, as I thank you for your courtesy in providing it.

Your staff have explained that you would like to publicly release your staff report, which includes excerpts from several depositions conducted by Committee staff. Before moving ahead with this approach, I respectfully request that you consider an alternative proposal, which is for our staffs to work together to draft an official report to be adopted by a vote of the Committee.

There are several benefits to this approach. As you know, under our rules, an official Committee report can be fully vetted for accuracy and completeness by all Members of the Committee and may be amended, if necessary. Unfortunately, my staff have identified several key omissions and inaccuracies in the draft staff report you provided. By working together over the next several weeks, it may be possible for our staffs to develop a more complete and accurate report that our entire Committee can consider, debate, vote on, and approve, as we did with the report adopted by our Committee in November on the Secret Service.

Another benefit of adopting an official Committee report is that all Committee Members are allowed under our rules to submit "additional" or "minority" views that are then included as part of the Committee's report. In this way, the public is provided with a more complete understanding of the specific information that all of our Members believe is accurate, or inaccurate, in the Committee's final, official report.

I understand that staff-only reports have been issued in the past and will continue to be issued in the future, even though they do not carry the official imprimatur of the Committee. Of course, I also understand if you want to proceed with your draft as a staff report rather than an official Committee report. If that is the case, I would like to exercise my right under Committee rule 15(k) to temporarily object in writing to the public disclosure of deposition transcript excerpts at this time.

The Honorable Jason Chaffetz, Chairman  
Page 2

In order to ensure that the public has a more complete and accurate understanding of the issues the Committee has been investigating, I believe there are additional excerpts from the transcripts of the depositions conducted by our Committee that also should be made public at the same time. I would like to provide those additional depositions transcript excerpts to you for your review.

If, after reviewing these additional deposition transcript excerpts, you do not object to their public disclosure, then I will withdraw my objection under rule 15(k) at 10 a.m. on Tuesday, May 24, 2016. At that time, we can then share all of the deposition transcript excerpts we have identified with parties outside our Committee.

If you have any questions about this approach, I would be happy to discuss them with you, and I am also willing to entertain any alternative approaches you may wish to offer. Thank you again for your consideration and courtesy on this issue.

Sincerely,

A handwritten signature in blue ink that reads "Elijah E. Cummings". The signature is written in a cursive style with a large, sweeping "C" at the end.

Elijah E. Cummings  
Ranking Member