

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 Oversight Committee Organizational Meeting—115th Congress January 24, 2017

Thank you Mr. Chairman. I join Chairman Chaffetz in welcoming all of our returning Members and the new Members joining our Committee for the first time. It is an honor to serve as your Ranking Member, and I look forward to working with you over the next two years.

I want to ask the Committee's indulgence this morning. If I may, I would like to take a moment to extend my sincerest thanks to each and every one of you for the support you all have shown for my staffer, Katie Malone. What Katie and her family have gone through—and are still going through—is an unimaginable tragedy. That blaze took from us six beautiful children: 11-year-old Bridgette, 10-year-old Amelia, 3-year-old twins Amanda and Zoe, 2-year-old William, and 9-month-old Daniel.

Among the very first expressions of support were the notes and cards and financial support from people right here in this room. Chairman Chaffetz, Chairman Gowdy, many of our other colleagues, staff members from the majority and minority—it was an inspiring response to this heartbreaking calamity.

You know, our staffs are like family. Katie has been with me for 11 years and has dutifully served my constituents. She has a long road ahead of her, along with her husband Bill, and their surviving children, Erin, Jack, and Jane. But that road has been made a little easier because of the generosity of you and many others. So I just want to express my profound thanks to all of you. It means so much to Katie and her family.

Now to the business of today's meeting. On Friday, we witnessed one of our nation's greatest rituals—the peaceful transfer of power from one President to another. The inauguration was a transformative moment, but it is not just about one man, and it is not just about the Office of the President. It is about the future of all Americans.

When I talk about serving in Congress, I often say that this is our watch, and I mean it more than ever today. When we work together in a bipartisan way—as we have in the past—we accomplish great things together. Our work in this Committee must not be driven by the next election, but guided by the vision of creating a more perfect union for generations yet unborn.

Not many people know this, but over the last two years, I joined the Chairman in signing more than 740 bipartisan letters to the Obama Administration, state and local officials, and outside entities. I think that may be a record for a Democrat joining Republican letters.

We conducted bipartisan investigations of the Secret Service, law enforcement agencies monitoring the cell phones of American citizens, sexual misconduct at the National Park Service, and leadership problems at the Chemical Safety Board. These were not partisan issues for me because conducting vigorous oversight of the Executive Branch is our Constitutional duty.

Now, obviously, we have a new President. And I am not naïve. I know Republicans are not going to investigate President Trump with the same urgency that they investigated President Obama and Secretary Clinton for the past eight years.

But our oversight cannot be non-existent. Just as I signed more than 740 letters with the Chairman during the Obama Administration, I fully expect the Chairman to sign letters with me to the Trump Administration. Unfortunately, I have been extremely saddened by what we have seen since the election.

- On November 14, I wrote to the Chairman requesting a review of President Trump's massive global entanglements and the conflicts of interest they pose after Republican and Democratic ethics experts raised grave concerns. Unfortunately, I never received a response to that request.
- On November 17, I wrote to the Chairman requesting an investigation of Russian interference in our election after he requested more information about the issue. I did not receive a response to this request either.
- On November 28, all Committee Democrats joined together in sending the Chairman a letter requesting a review of the President's conflicts of interest and potential Constitutional violations. But again, we never received any response to our letter.

With all due respect, these are serious requests, and they are based on bipartisan concerns, including from Senator McCain, Senator Graham, Richard Painter, and even Republicans on this very Committee. However, instead of responding to us, the Chairman went on national television and mocked what he called Democratic "flailing." He did not mention the many Republicans who share these concerns.

We have now sent a number of other letters requesting information from the incoming Trump Administration, including information about security clearances, attempts to provide the President's children with access to highly classified information, the finances of the Trump Foundation, and conflicts of interest involving the President's National Security Adviser, Michael Flynn.

The Chairman has shown no interest in joining these either. He says these issues are "speculative" and that he will not go on "fishing expeditions." But last fall—at the height of the presidential campaign—this Committee rushed to hold six *emergency* hearings on Secretary Clinton as the Chairman issued a flurry of unilateral subpoenas. This was *after* the FBI concluded unanimously that there was no basis for any criminal prosecution.

To me, there is a great irony here—the very first letter to come out of our Committee regarding the Trump Administration's conflicts of interest was the Chairman's letter two weeks

ago attacking the head of the Office of Government Ethics for raising concerns about the President's refusal to divest.

The Chairman accused the Director of acting unethically for raising his concerns publicly without doing more investigation. But the Chairman himself publicly commended the President's plan not to divest, proclaiming: "He is going to great lengths to be as responsible as possible."

How can we come to this conclusion if we haven't held a single hearing, conducted a single interview, or obtained a single document?

Finally, let me close with this. Under House rules, committees are supposed to adopt oversight plans detailing the investigations they are going to conduct.

Two weeks ago, the Chairman sent letters to the Chairmen of all standing committees. He wrote: "Congressional oversight of the executive branch is one of our most important constitutional duties." He also wrote. "As you begin the process of organizing, I encourage you to consider your oversight plan as one of *your first items of business*."

I could not agree more. The problem is, we are not doing this ourselves. We did not make our oversight plan one of our first items of business. Other committees, like the Energy and Commerce Committee, are considering their oversight plans today, as we speak. This is now our third week of the new Congress, and we have a dozen hearings scheduled for the next month. But we have not seen a draft of our oversight plan. We have not had a single meeting about it. And when my staff asked when we could expect it, they got no date.

Our Committee is most effective when we work together to expose problems and fix them. Our goal has always been one of prevention. It is far better to prevent problems before they happen rather than attempting to remedy them after-the-fact.

On behalf of all of the Democratic Members of the Committee, we implore our Republican colleagues to work with us in a bipartisan manner. We strongly believe that this approach will help President Trump in the long run, and more importantly, it is our duty under the Constitution.

Thank you.

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