

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

Emergency Hearing with FBI Director James Comey July 7, 2016

Director Comey, thank you for being here today. I want to begin by commending you and the public servants at the FBI for the independent investigation you conducted.

You had a thankless task. No matter what recommendation you made, you were sure to be criticized. There is no question that you were extremely thorough. In fact, some may even say you went too far in your investigation. But of course, that was your job.

Secretary Clinton has acknowledged that she made a mistake in using a personal email account. And you explained on Tuesday that she and her colleagues at the State Department were extremely careless with their emails.

But after conducting this exhaustive review, you determined that no reasonable prosecutor would bring a case based on this evidence, and you and the career staff recommended against prosecution.

Based on the previous cases you examined, if prosecutors had gone forward, they would have been holding the Secretary to a different standard than everyone else.

Amazingly, some Republicans who were praising you just days ago for your independence and integrity and honesty instantly turned against you because your recommendation conflicted with the predetermined outcome they wanted.

In their eyes, you had one job—and one job only—to prosecute Hillary Clinton. But you refused, so now you are being summoned here to answer for your alleged transgressions.

Contrary to the claims of your critics, there is absolutely no evidence that you made your recommendation for political reasons, no evidence that you were bribed or coerced or influenced, and no evidence that you came to your conclusion based on anything but the facts and the law.

Today, House Republicans are doing what they always do—using taxpayer funds to continue investigating claims that have already been debunked just to keep them in the headlines one more day.

When they hear a political siren, they rush towards it over and over again—even if the evidence is not there.

Exhibit A is Majority Leader Kevin McCarthy, who admitted on national television that Republicans established the Benghazi Select Committee to bring down Secretary Clinton's poll numbers. This fact was confirmed by a Republican staffer on that Committee who reported that he was fired in part for not going along with the "hyper focus" on Secretary Clinton.

I give House Republicans credit—they certainly are not shy about what they are doing. They have turned political investigations into an art form.

If our concerns here today are with the proper treatment of classified information, then we should start with a review of our previous hearing on General David Petraeus, who pled guilty last year to intentionally and knowingly compromising highly classified information.

The problem is, we never had that hearing. This Committee ignored that breach of national security because it did not match the political goals of House Republicans.

If our concerns today were with finally addressing a broken classification system in which security levels are arbitrarily changed up and down, that would have been a legitimate goal. That would have been a valuable addition to reforming and improving our government.

We could have held today's hearing on the Zika virus, preventing gun massacres like the one in Orlando, or a host of other topics that could actually save people's lives.

But that is not why we are here. That is not why our Chairman called this emergency hearing 48 hours after Director Comey made his recommendation. Everyone knows what this Committee is doing, and it's an abuse of taxpayer dollars for political purposes.

Honestly, I would not be surprised—and I say this with all seriousness—I would not be surprised if tomorrow House Republicans set up a new committee to spend another \$7 million on why the FBI failed to prosecute Hillary Clinton.

Director Comey, let me conclude with this request. Even with all I have said, I believe there is a critical role for you here today. I have listened carefully to the coverage on this issue, and I have heard people say, as recently as this morning, that they are mystified by your decision. There is a perceived gap between the things you said on Tuesday and your recommendation.

So this is your moment. Fill in that gap. Share with us and the American people your process and your thinking. Explain how you examined the evidence, the law, and the precedent. Describe in clear terms how you and your team of career professionals arrived at this decision. If you can do that today, that could go a long way towards helping people understand your decision.

Finally, I want to make clear that I condemn these completely unwarranted political attacks against you. They have attacked you personally, they have attacked your integrity, they

have impugned your professionalism, and they have even suggested that you were somehow bought and paid for because you made your recommendation based on the facts.

I know you are used to working in the world of politics, but these attacks are beyond the pale. You do not deserve this. Your family does not deserve this. And the highly skilled and dedicated agents at the FBI do not deserve this.

I honor your professionalism and your service to our country, and I thank you for being willing to testify here today on such incredibly short notice.

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