

Congress of the United States

House of Representatives

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Opening Statement Ranking Member Elijah E. Cummings

Hearing on “Oversight of FBI and DOJ Actions Surrounding the 2016 Election: Testimony by FBI Deputy Assistant Director Peter Strzok” July 12, 2018

When Chairman Goodlatte and Chairman Gowdy launched their joint investigation into Hillary Clinton’s emails, they promised not to interfere with the ongoing criminal investigation being conducted by Special Counsel Mueller. They were crystal clear. Let me read some of their statements:

- On December 6, Chairman Gowdy said: “I specifically communicated to Special Counsel Robert Mueller I would not wittingly or unwittingly interfere with an ongoing criminal probe.”
- On March 18, he said: “I’ve been really very clear, leave him alone. Let him do his job.” Chairman Gowdy went on to offer advice directly to President Trump. He said:

My advice to the President is the same thing I just told his lawyer. Give Bob Mueller the time, the independence, and the resources to do the job. ... When you are innocent, if the allegations of collusion with the Russians and there’s no evidence of that and you are innocent of that, act like it.

- Chairman Goodlatte echoed those comments, declaring that he and Chairman Gowdy had “no intention of interfering with the substantive investigation of Mr. Mueller.”

But now they are doing exactly the opposite. Behind closed doors, they are asking individuals involved in the Russia investigation hundreds of questions about confidential human sources, FISA applications, and potential witnesses in the Special Counsel’s criminal probe. In public, they are holding emergency hearings, issuing unilateral subpoenas, and threatening contempt and impeachment. They even demanded that the top Justice Department law-enforcement officer in charge of this investigation “finish it the hell up.”

So what changed? Why did our Chairmen promise not to interfere—wittingly or unwittingly—but then suddenly launch this aggressive attack against the Special Counsel?

There has been one obvious development. The Special Counsel has now obtained five guilty pleas and indicted 18 others—including some of President Trump’s closest advisers. Here are the individuals who already admitted their guilt:

- Michael Flynn, President Trump’s National Security Advisor. Pleaded guilty to lying about his secret communications with the Russians, making false statements to the FBI, and impeding the investigation while he worked at the White House last year. Let me underscore—these are not allegations, these are admissions. President Trump’s top national security advisor admitted that he committed these crimes, and he is now cooperating with the Special Counsel.
- Rick Gates, President Trump’s Deputy Campaign Chairman. Pleaded guilty to “conspiracy against the United States,” to intentionally engaging in a variety of criminal schemes, and to lying to the Special Counsel and the FBI last year and even this year. He admitted to committing those crimes. He is also cooperating with the Special Counsel.
- George Papadopoulos, President Trump’s foreign policy advisor. Pleaded guilty to making false statements to the FBI in 2017 about when he first learned that the Russians had “dirt” on Hillary Clinton. Also now cooperating with the Special Counsel.
- Richard Pinedo, digital marketing strategist. Pleaded guilty to identity fraud and trafficking in hundreds of stolen bank account numbers over the internet, which were bought by Russians to interfere with the 2016 election.
- Alex van der Zwaan, the son-in-law of a Russian oligarch. Pleaded guilty to lying to the Special Counsel and the FBI in November about his work with President Trump’s Campaign Chairman, Paul Manafort, for foreign nationals aligned with Russia.

Of course, this does not include Mr. Manafort himself, who is scheduled to begin his criminal trial later this summer. He is sitting in solitary confinement after allegedly engaging in witness tampering.

This also does not include Michael Cohen, the President’s longtime fixer. At this moment, he may be considering whether to cooperate with the Special Counsel.

At the last Judiciary hearing, Chairman Gowdy said that if the Special Counsel has evidence of a crime, he should submit it to a grand jury. That is exactly what he has been doing.

If Republicans want this investigation to end—if they really want to “finish it the hell up”—there is one thing they can do to expedite it. They can urge President Trump to cooperate with the Special Counsel and agree to his request to sit down with investigators for an interview. As Chairman Gowdy himself said, if you are innocent—act like it.

Today, I urge our Chairmen to change course and to keep their promises to protect the integrity of the Special Counsel’s ongoing criminal investigation instead of asking hundreds of questions that undermine it.

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