

# *Portraits in Oversight:*

## **Rep. Elijah J. Cummings**



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For 23 years, [Elijah E. Cummings](#), the son of sharecroppers, represented Maryland's 7<sup>th</sup> district in the U.S. House of Representatives. Elected in 1996, he served



*Elijah Cummings in 2014 © David Colwell*

on the Committee on Oversight and Government Reform from his earliest days in Congress until his death in 2019, becoming its Ranking Minority Member in December 2010 and Committee Chair in his last year.

During his committee tenure, Rep. Cummings participated in a wide range of high-profile investigations, from inquiries into high-priced prescription drugs that put health care out of reach for average families, to the attack on the U.S. embassy in Benghazi, to the separation of families at the U.S. border.

In a decade of bitter partisanship in Washington, D.C., Rep. Cummings was an increasingly rare voice calling for bipartisan oversight. He also modeled an oversight approach that insisted on accountability while displaying compassion and respect for those targeted by an investigation. Examples include his [famous exchange with Mark McGwire](#) in which he gently told the baseball star that his denial of steroid use was not believable and his [impassioned response](#) to dramatic testimony by Donald Trump's former attorney [Michael Cohen](#), then under indictment, in which Mr. Cummings expressed compassion for his family but also asked, "When we're dancing with the angels, the question will be asked: In 2019, what did we do to make sure we kept our democracy intact?" At hearings, he became known for decrying wrongdoing and demanding change by declaring with conviction: "We're better than this."

Rep. Cummings pursued important investigations as ranking member of the Oversight Committee, long before he became committee chair.

*"In the House, Elijah was our North Star. He was a leader of towering character and integrity, whose stirring voice and steadfast values pushed the Congress and country to rise always to a higher purpose."*

Nancy Pelosi, Speaker of the House



For example, in 2011, he began working on the issue of prescription drug pricing with an investigation into the [“Gray Market,”](#) referring to companies that profited from drug shortages. In 2015, he convinced then-Committee Chair [Jason Chaffetz](#) to join him in investigating the drug companies Turing, Valeant, and Mylan, which had all raised the prices of lifesaving drugs. In one of his first acts as committee chair, he launched a sweeping investigation of pricing practices in the pharmaceutical industry. Rep. Cummings also initiated an important investigation in 2016, while still ranking member, into contaminated drinking water in Flint, Michigan, bringing the problem to national attention and [continuing the inquiry](#) once he became committee chair.

He also helped sustain investigations that spanned multiple Republican committee chairs, demonstrating his commitment to bipartisanship and accountability. One example is an inquiry that followed a 2012 scandal unmasking [misconduct by Secret Service agents accompanying President Obama on a trip to Colombia](#). Over the next five years, Rep. Cummings worked closely with Republican Committee Chairs [Darrell Issa](#), [Jason Chaffetz](#), and [Trey Gowdy](#) to expose and address systemic problems affecting the Secret Service. Committee actions included:

- Successfully pressing for establishment of an independent panel to [review Secret Service security breaches](#) and provide key information to the committee;
- Investigating the failure of the Secret Service to prevent and counter a 2014 [White House perimeter breach](#);
- Exposing a [2015 drinking and driving accident](#) involving two agents;
- Addressing the agency’s role in the failure to secure [Washington airspace](#); and
- Revealing that 2011 budget cuts had caused a staffing and compensation crisis within the Secret Service and, by 2016, had caused more than 1,400 agents to max out on salary and have to work overtime for no pay.



*Representative Cummings delivers his opening statement at a Secret Service hearing on February 12, 2015 (Source: C-SPAN)*

Letters and public statements related to this investigation were issued jointly by the relevant Republican chair and Ranking Member Cummings. The committee’s work triggered numerous Secret Service reforms, strengthening U.S. security. In addition,

Congress enacted bipartisan legislation in response to the committee's findings, including a Cummings bill to ensure agents working overtime during presidential elections received appropriate compensation.

Rep. Cummings served as Oversight Committee Chair for less than a year. Although this gave him only a short time to initiate formal investigations, he opened multiple inquiries. In February 2019, for example, he opened an inquiry into U.S. actions separating children from their families at the U.S. border, which he viewed as a bipartisan issue. As he explained at a [hearing](#):

I have been passionate about this issue since it first became public last year, and I believe it is a true national emergency. When our own government rips vulnerable children, toddlers, and even infants from the arms of their mothers and fathers with no plan to reunite them, that is government-sponsored child abuse. It is our job to step in and protect these children.<sup>1</sup>

Eight months earlier, conservative Republican Representative [Mark Meadows](#) joined Rep. Cummings in sending [a letter](#) to the Departments of Homeland Security, Health and Human Services, and Justice requesting documentation on every child separated from their family at the border. When none of the departments produced the requested documents, the records became the subject of Rep. Cummings' first subpoenas as Oversight Committee Chair. The subpoenas were authorized by a vote that included not only the Democratic members of the committee, but also Republican Representatives [Chip Roy](#) of Texas and [Justin Amash](#) of Michigan. In his final official act as committee chair, Rep. Cummings signed those subpoenas from his hospital bed, compelling agencies to comply with the committee's requests for information.

Throughout his tenure on the Oversight Committee, Rep. Cummings reached out to colleagues and became well-known for his friendships with



*Rep. Cummings visits Rep. Jason Chaffetz (R) in Utah in 2015 (used with the permission of Rep. Jason Chaffetz)*

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<sup>1</sup> Oversight committee approves first subpoenas of the 116<sup>th</sup> Congress – and they are bipartisan. (2019, February 26). House Committee on Oversight and Reform. <https://oversight.house.gov/news/press-releases/oversight-committee-approves-first-subpoenas-of-the-116th-congress-and-they-are>

members on both sides of the aisle. When Representative Jason Chaffetz was to be appointed the new Oversight Committee Chair in 2015, Rep. Cummings visited the Utah member in his district to make a personal connection. The ability to find even small commonalities, he knew, could lead to a productive working relationship in an oversight inquiry. His actions depict a man who sought common ground wherever possible and left political disagreements on the [House floor](#).

At the same time, Rep. Cummings did not mince words when he felt an oversight investigation was being carried out in an overly partisan manner. For example, after a 2013 hearing colorfully entitled, “Benghazi: Exposing Failure and Recognizing Courage,” Rep. Cummings issued a [statement](#) criticizing the one-sided affair:

What should have been a bipartisan investigation involving our national security was another sorry example of Republicans promising explosive new facts but delivering only a press spectacle. I hope we can turn to the real work of this Committee and conduct responsible oversight to better protect our diplomatic officials serving overseas.<sup>2</sup>

In a 2012 [investigation into Operation Fast and Furious](#), a U.S. government operation which he had condemned for allowing sales of illegal guns, Rep. Cummings nevertheless sent a stinging [letter](#) to the Republican committee chair for leaking to the press a 48-page draft contempt citation aimed at [Attorney General Eric Holder](#) without first sharing that draft with committee members:

Leaking a draft contempt citation that Members of our Committee have never seen suggests that you are more interested in perpetuating your partisan political feud in the press than in obtaining any specific substantive information related to the Committee’s investigation.<sup>3</sup>

His objections reinforced the value he placed on bipartisan oversight.

Rep. Cummings’ oversight efforts did not stop with the Oversight Committee. For 23 years, he was also a member of the Committee on Transportation and Infrastructure where he served on the Subcommittee on Coast Guard and Maritime Transportation, chairing that subcommittee from 2007 to 2011. Under his leadership, the subcommittee launched multiple oversight inquiries, including an extensive investigation into a Coast Guard modernization program known as “Deepwater.”

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<sup>2</sup> Cummings issues statement on Benghazi hearing. (2013, May 8). House Committee on Oversight and Reform. <https://oversight.house.gov/news/press-releases/cummings-issues-statement-on-benghazi-hearing>

<sup>3</sup> Cummings to Issa: Stop partisan political feud over Operation Fast and Furious. (2012, April 27). House Committee on Oversight and Reform. <https://oversight.house.gov/news/press-releases/cummings-to-issa-stop-partisan-political-feud-over-operation-fast-and-furious>

Deepwater was a \$24 billion project to renovate aging government ships, update communications systems, and purchase new equipment. The Coast Guard had outsourced the work to contractors Lockheed Martin and Northrop Grumman, with little oversight. Poor performance and cost overruns followed. In one striking example of the program's failures, eight 110-foot patrol boats that had



U.S. Coast Guard 123' cutter (Source: [Don Graham](#)/Wikimedia Commons)

been updated and lengthened by 13 feet, at the price of \$14 million per ship, became unusable after only a few weeks. At a hearing on April 18, 2007, Rep. Cummings noted that these boats were “now tied up within a few miles of my house in Baltimore, unable to return to service and waiting for the scrap heap. And guess who paid for them? The American people.”<sup>4</sup>

Whistleblowers from the Coast Guard and both contractors disclosed multiple problems at the hearing including the installation of non-weatherproof equipment on the open decks of boats, unsecure communication systems, faulty wiring, and more. Rep. Cummings summarized the subcommittee's investigative efforts as follows:

Deepwater is a \$24 billion, and I emphasize billion-dollar, procurement effort through which the Coast Guard is acquiring 91 cutters, more than 100 small surface crafts, and 244 new or converted aircrafts including helicopters and fixed wing airplanes. Americans trust the Coast Guard to protect them from emerging threats approaching our homeland from the sea, to rescue them when they are in danger, and to protect the natural resources of our marine environments. That trust is well placed. However, Americans also need to know that they can trust the Coast Guard's leaders to manage the taxpayers' hard-earned dollars effectively. ... Our expectations for the Deepwater program are not unreasonable. We expected it to produce boats that float, planes that fly, and information technology systems that work.<sup>5</sup>

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<sup>4</sup> Compliance with requirements of the Coast Guard's Deepwater contract: Hearing before the U.S. House of Representatives Committee on Transportation and Infrastructure, 110<sup>th</sup> Cong. (2007). <https://www.c-span.org/video/?197664-1/coast-guard-fleet-modernization>

<sup>5</sup> Compliance with requirements of the Coast Guard's Deepwater contract, 2007.



Although the Coast Guard committed to cleaning up the modernization program, members on both sides of the aisle who'd worked on the investigation agreed legislative reforms were needed. Rep. Cummings introduced the [Coast Guard Acquisition Reform Act of 2009](#), which later became part of the larger [Coast Guard Authorization Act of 2010](#), signed into law on October 15, 2010 by President Obama. That bipartisan bill addressed multiple shortcomings in the Coast Guard's procedures for managing large acquisition programs.

In addition to the Deepwater inquiry, Rep. Cummings led other notable oversight investigations while chairing the Coast Guard and Maritime Subcommittee. They included inquiries into [search and rescue failures](#), low employee morale and lack of leadership at the Federal Maritime Commission, marine safety program problems, and a troubling [lack of diversity](#) at the Coast Guard Academy. As happened at the Oversight Committee, Rep. Cummings became known for his bipartisanship, integrity, and hard work to improve Coast Guard programs.

In 2020, shortly after his death, the House passed the Elijah E. Cummings Coast Guard Authorization Act. Representative [Peter DeFazio](#) of Oregon, chair of the Committee on Transportation and Infrastructure at the time, said:

I am pleased to once again showcase the bipartisan work of the Transportation and Infrastructure Committee through passage of this critical legislation. ... I am deeply grateful to be able to honor the memory of my dear friend and colleague on the Committee, Elijah Cummings, with this legislation.<sup>6</sup>

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<sup>6</sup> *Committee leaders applaud House passage of the Coast Guard Authorization Act of 2020.* (2020, July, 21). The House Committee on Transportation & Infrastructure. <https://transportation.house.gov/news/press-releases/committee-leaders-applaud-house-passage-of-the-coast-guard-authorization-act-of-2020>

Both Democrats and Republicans paid tribute to Mr. Cummings following his passing. Despite his sometimes-fiery exchanges with his [Republican colleagues](#), [their heartfelt tributes](#) marked his rare ability to form meaningful connections across the aisle and the deep respect held for Rep. Cummings on both sides.



*Representatives Nancy Pelosi, Bobby Scott, Joyce Beatty, Barbara Lee, and Val Dennyings at the dedication of the Elijah E. Cummings Room on February 27, 2020*  
(Source: [Twitter of Joyce Beatty](#))

In 2020, the Oversight Committee's hearing room was [named in his honor](#). It is the first room in the Capital complex to be named after an African American. At the dedication ceremony, House Majority Leader [Steny Hoyer](#) said that when future generations tour the Capitol, "They're going to turn to somebody and say, 'Who was Elijah Cummings?' And perhaps those who knew him well will say, 'He was better than us.'"<sup>7</sup>

For more information on Elijah Cummings:

- [Elijah Cummings, Reluctant Partisan Warrior](#)
- [Elijah Cummings mourned by Republicans as friend, statesman](#)
- [House Committee on Oversight and Reform: Investigation of Secret Service](#)
- [Baltimore Magazine: Up Hill Climb](#)
- [How we will remember our boss, Chairman Elijah Cummings: Moral clarity in all he did](#)

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<sup>7</sup> Bravender, R. (2020, February 28). *Cummings honored with first U.S. Capitol room named for black lawmaker*. Maryland Matters. <https://www.marylandmatters.org/2020/02/28/cummings-honored-with-first-u-s-capitol-room-named-for-black-lawmaker/>



