

KINZINGER'S OPENING REMARKS, as written:

Thank you, Mr. Chairman.

I'd like to start with a personal story. In May 2009, I returned from service in Iraq and announced my intention to run for Congress. A big reason I decided to run was my motivation to help ensure freedom and democracy were defended overseas.

I remember making a commitment – out loud a few times, in my heart repeatedly, and still today – that if we're going to ask Americans to be willing to die in service to our country, we as leaders must at least be willing to sacrifice our political careers when integrity and our oath require. After all, losing a job is nothing compared to losing your life.

Within the halls of power, in the face of a President, that commitment can easily be forgotten. Presidential pressure can be hard to resist.

Today's hearing is focused on the President's efforts to corrupt the Department of Justice.

The Department of Justice is unique in the Executive branch. The President oversees the Department of Justice, yet the President's personal or partisan interests must not shape or dictate the Department's actions. The President cannot and must not use the Department to serve his own personal interests. And he must not use its people to do his political bidding, especially when what he wants them to do is subvert democracy. The president cannot pervert justice nor the law to maintain his power. Justice must, both in fact and law, be blind. That is critical to our whole system of self-governance.

During this hearing, you'll hear time and time again about the President's requests to investigate claims of widespread fraud. Our witnesses, Mr. Rosen, Mr. Donoghue, and Mr. Engel stood firm in the face of overbearing political pressure because they understood their oath was to the Constitution and not to the personal or political interests of the President.

The President and his allies became keenly aware that, with legal challenges exhausted and electoral votes certified, their only hope would be a last-ditch scheme to prevent Congress from certifying the win, thus throwing the system into constitutional chaos.

Even if Department of Justice senior leaders refused to cooperate with his scheme, the President hoped the Department would come around and sow enough doubt to empower Members of Congress to take action. If the Department could just lend its credibility to

the conspiracies, politicians would have the justification they needed to spread the Big Lie.

So President Trump ultimately wanted the Department of Justice to say the election quote “was corrupt,” and “leave the rest to me and the Republican Congressmen.” As you will see, the Department’s top leadership refused.

Not surprisingly, President Trump didn’t take “no” for an answer. He didn’t accept it from Attorney General Barr, and he wouldn’t accept it from Mr. Rosen, either. So he looked for another Attorney General – his third in two weeks. He needed to find someone who was willing to ignore the facts.

That is not the norm.

Let’s look at what Attorneys General – Democrats and Republicans alike – have said about upholding their oath to the Constitution.

<< Video exhibit played >>

Everyone in that video – from Eric Holder to Jeff Sessions – spoke as one about the independence of the Department. It’s a point of pride at Justice simply to apply the law – without the President’s political self-interest tainting its actions or dictating how it uses its authorities.

But President Trump did find one candidate at Justice who seemed willing to do anything to help him stay in power, even if that meant breaking the law.

Let’s hear what President Trump’s own lawyer, Eric Herschmann, had to say about Jeff Clark’s plan to overturn the election:

<< Video exhibit played >>

So who is Jeff Clark?

An environmental lawyer with no experience relevant to leading the entire Department of Justice. As his bosses put it: Jeff Clark had never tried a criminal case. Never presented a case before a grand jury. Never led investigations with the FBI.

What was his only qualification? That he would do whatever the President wanted him to do. Including overthrowing a free and fair democratic election.

Congressman Adam Kinzinger (R-IL)
Select Committee to Investigate the January 6th Attack on the US Capitol
Hearing #5 – Thursday, June 23, 2022

The pressure campaign to bend the Justice Department to President Trump's political will culminated in a showdown on January 3rd.

<<Video exhibit played>>

Today, we will take you inside that early evening Oval Office meeting where top Justice Department officials met with the President. At stake: the leadership and integrity of the Department of Justice.

<<Video exhibit played>>

Well, we know these guys did the right thing.

But think about what happens if these Justice officials make a different decision. What happens if they bow to the pressure? What would that do to us as a nation? As a democracy?

Imagine a future where the President could screen applicants to the Justice Department with one question: Are you loyal to me or to the Constitution? It wouldn't take long to find people willing to pledge their loyalty to the man.

We know many of President Trump's vocal supporters on January 6th also wanted the Justice Department to do whatever he asked, as long as it meant he could stay in power. They made sure Justice Department officials heard his message as they protested loudly in front of the Department on their way to the Capitol on January 6th.

<<Video exhibit played>>

I want to take a moment now to speak directly to my fellow Republicans.

Imagine the country's top prosecutor – with the power to open investigations, subpoena, charge crimes and seek imprisonment – imagine that official pursuing the agenda of the other party instead of that of the American people as a whole. And if you're a Democrat, imagine it the other way around.

Today, President Trump's total disregard for the Constitution and his oath will be fully exposed.

Now, let's get this hearing underway, so we can do our part to protect the freedoms that we often take for granted. So we can see how close we came to losing it all.

I now yield back to the Chairman.