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# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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STAFF DIRECTOR

April 25, 2013

The Honorable John Boehner  
Speaker  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Speaker:

This week, you released to the press a partisan Republican staff report suggesting that former Secretary of State Hillary Clinton lied under oath when she testified before Congress that she did not personally approve of security reductions in Benghazi. Your decision to abandon regular order and exclude Democratic Members from the process prevented the normal vetting of this report before you released it publicly. I have now reviewed your staff report and the underlying documents, and it appears that it irresponsibly misrepresents a key document and fundamentally mischaracterizes Secretary Clinton's actions.

Your staff report asserts that Secretary Clinton personally signed a cable sent on April 19, 2012, and that this cable—"bearing Secretary Hillary Clinton's signature"—is proof that she personally "acknowledged then-Ambassador Cretz's formal request for additional security assets but ordered the withdrawal of security elements to proceed as planned."<sup>1</sup> Based on Secretary Clinton's purported signature, your staff report alleges that this cable does not "reconcile with public comments Secretary Clinton made regarding how high in the State Department the security situation and requests were discussed."<sup>2</sup> Specifically, your staff report questions Secretary Clinton's testimony before the Committee on Foreign Affairs on January 23, 2013, when she stated that the Benghazi security cables did not come to her attention.<sup>3</sup>

On Fox News, Oversight Committee Chairman Darrell Issa highlighted these allegations further, accusing Secretary Clinton directly:

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<sup>1</sup> Chairmen of the Committees on Armed Services, Foreign Affairs, Judiciary, Oversight and Government Reform, and Intelligence, *Interim Progress Report for the Members of the House Republican Conference on the Events Surrounding the September 11, 2012 Terrorist Attacks in Benghazi, Libya* (Apr. 23, 2013).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

The Secretary of State was just wrong. She said she did not participate in this, and yet, only a few months before the attack, she outright denied security, in her signature, in a cable, April 2012.<sup>4</sup>

In order to evaluate this claim, my staff reviewed a copy of the April 19, 2012, cable. It does not bear Secretary Clinton's signature. In fact, it does not include the signature of anyone in the Department. Instead, it includes a preformatted section with the Secretary's name typed at the bottom of the page next to the word "signature," just as in thousands of other cables sent from State Department headquarters every year. Although a telephone call could have clarified this issue in a matter of moments, you chose not to check with the Department before making these highly inflammatory and erroneous accusations in a public forum. The allegations in your staff report are false, extremely irresponsible, and lack even a rudimentary understanding of how State Department cables are processed.

Unfortunately, these false accusations were reported immediately in the press. For example, CNN reported that the "House GOP Benghazi report says Clinton signed off on security reduction" and cited your staff report's claim that Secretary Clinton "personally signed off on cuts in security at the compound, which they say would contradict her congressional testimony."<sup>5</sup> Similarly, CBS News reported that your staff report "lays blame directly on the former Secretary of State" and claims that Secretary Clinton "personally gave approval to systematically withdraw security personnel from Libya despite a high threat environment."<sup>6</sup> USA Today reported that your report concluded that Secretary Clinton "approved reductions in security at the facilities in Benghazi."<sup>7</sup> All of these inaccurate press reports were based on your staff report's inaccurate claim about the April 19, 2012, cable.

Earlier this week, the Ranking Members of the Committees on the Judiciary, Oversight and Government Reform, Foreign Affairs, Armed Services, and Intelligence sent a letter objecting to your decision to politicize our national security by issuing this partisan Republican staff report.<sup>8</sup> When asked about your actions, you appeared not to know that Democrats were

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<sup>4</sup> *Benghazi Update: Clinton's Testimony Contradicts Evidence*, Fox & Friends (Apr. 23, 2013) (online at [www.youtube.com/watch?v=2nRvyb56E4E&feature=youtu.be](http://www.youtube.com/watch?v=2nRvyb56E4E&feature=youtu.be)).

<sup>5</sup> *House GOP Benghazi Report Says Clinton Signed Off on Security Reduction*, CNN (Apr. 23, 2013) (online at <http://security.blogs.cnn.com/2013/04/23/house-gop-benghazi-report-says-clinton-signed-off-on-security-reduction/>).

<sup>6</sup> *House GOP Faults Clinton, State Dept for Benghazi Security*, CBS News (Apr. 23, 2013) (online at [www.cbsnews.com/8301-250\\_162-57581052/house-gop-faults-clinton-state-dept-for-benghazi-security/](http://www.cbsnews.com/8301-250_162-57581052/house-gop-faults-clinton-state-dept-for-benghazi-security/)).

<sup>7</sup> *House Report Critical of Obama Administration Over Benghazi*, USA Today (Apr. 23, 2013) (online at [www.usatoday.com/story/news/world/2013/04/23/benghazi-hillary-clinton-obama/2107547/](http://www.usatoday.com/story/news/world/2013/04/23/benghazi-hillary-clinton-obama/2107547/)).

<sup>8</sup> Letter from John Conyers, Jr., Ranking Member, House Committee on the Judiciary, *et al.*, to The Honorable John Boehner, Speaker (Apr. 23, 2013) (online at

completely excluded from the process. On April 24, 2013, you stated that you hoped the five Committee Chairmen who issued the report with you would coordinate with Democrats: "I would hope they would reach out to their Democratic colleagues."<sup>9</sup> They did not.

In addition to objecting to efforts to capitalize on a national security issue for political purposes, the Ranking Members warned in the letter that your actions could result in deficiencies in the quality of your staff report. By dispensing with House procedures for vetting official Committee reports, we warned that you were disregarding the system used by the House for generations to avoid making obvious mistakes, errors, and omissions.

As a result, it now appears that the false claim about the April 19, 2012, cable fundamentally undermines your staff report's primary accusation, which is that Secretary Clinton personally authorized the reduction in security and then lied about it before Congress. Appearing on national television on April 24, 2013, Chairman Issa stated: "None of it's been disputed. I bless the Democrats' hearts, they like their report, but they can't find a factual error to ours."<sup>10</sup> To the contrary, your Republican staff report on Benghazi is a stark example of how irresponsible, fundamentally flawed, and partisan your investigation has become.

For all of these reasons, I respectfully request that you retract your erroneous staff report and apologize to Secretary Clinton on behalf of your Chairmen and your Republican conference.

Sincerely,

  
Elijah E. Cummings  
Ranking Member

cc: The Honorable Darrell E. Issa  
Chairman, Committee on Oversight and Government Reform

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[http://democrats.oversight.house.gov/images/stories/EEC\\_JC\\_EE\\_AS\\_DR\\_letter\\_to\\_Boehner\\_42313.pdf](http://democrats.oversight.house.gov/images/stories/EEC_JC_EE_AS_DR_letter_to_Boehner_42313.pdf)).

<sup>9</sup> Chad Pergram, FoxNews, Twitter (Apr. 24, 2013) (online at <https://twitter.com/ChadPergram>).

<sup>10</sup> *Benghazi Update: Clinton's Testimony Contradicts Evidence*, Fox & Friends (Apr. 23, 2013) (online at [www.youtube.com/watch?v=2nRvyb56E4E&feature=youtu.be](http://www.youtube.com/watch?v=2nRvyb56E4E&feature=youtu.be)).