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Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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February 21, 2014

The Honorable Darrell E. Issa
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

On Monday, you traveled to New Hampshire to attend a Republican political event and fundraiser, where you gave a speech on Benghazi.¹ You explained the goal of your trip as follows: "I came here to hopefully shape the debate for 2016."² After watching a video of your speech, I was personally stunned by the reckless, baseless, and utterly offensive accusations you launched against former Secretary of State Hillary Clinton. You stated:

We need to have an answer of when the Secretary of Defense had assets that he could have begun spinning up. Why there was not one order given to turn on one Department of Defense asset? I have my suspicions, which is **Secretary Clinton told Leon [Panetta] to stand down**, and we all heard about the stand down order for two military personnel. That order is undeniable.³

The definition of treason is the betrayal of allegiance owed to one's country, and your statements seem to accuse former Secretary Clinton of this offense. You suggest that Secretary Clinton directed the Secretary of Defense of the United States to intentionally withhold military assistance that may have saved the lives of one of her own ambassadors and three other brave Americans serving their country.

¹ Republican Party of New Hampshire, Concord GOP City Committee & Merrimack County GOP Committee, *Lincoln-Reagan Dinner w/Rep. Darrell Issa* (Feb. 17, 2014) (online at <http://nhgop.org/events/calendar/event/1030-concord-gop-city-committee-merrimack-county-gop-committee-lincoln-reagan-dinner-w-rep-darrell-issa>).

² *Darrell Issa Wants To 'Shape The Debate' For 2016*, Associated Press (Feb. 18, 2014) (online at www.huffingtonpost.com/2014/02/18/darrell-issa-2016_n_4807790.html).

³ *Issa: 'I Will Get to the Top of Benghazi'*, Concord Patch (Feb. 18, 2014) (online at <http://concord-nh.patch.com/groups/politics-and-elections/p/issa-i-will-get-to-the-top-of-benghazi>) (emphasis added).

Your accusations are beyond the pale, and you should immediately retract them and issue a public apology. Attempting to qualify your accusations as “suspicions” does not help your cause, but instead reveals that you have no evidence to back up your claims.

In fact, just seven days before you made your accusations in New Hampshire, eight of your own Republican colleagues on the House Armed Services Committee issued a report concluding that, “There was no ‘stand down’ order issued to U.S. military personnel in Tripoli who sought to join the fight in Benghazi.”⁴

They explained that your own staff on the Oversight Committee contributed to this confusion by using the term “stand down” erroneously, and they also explained that witnesses have rejected your characterization:

Mr. Hicks, the DCM [Deputy Chief of Mission], described Lieutenant Colonel Gibson’s distress to the Committee on Oversight and Government Reform in May 2013 and he did not object during the hearing when the soldier’s instructions were categorized as orders to “stand down.” This led some to conclude erroneously that inaction rather than an alternative warfighting posture was ordered for Lieutenant Colonel Gibson’s four men. But, Lieutenant Colonel Gibson’s instructions were precisely clarified in a colloquy before the Armed Services Committee:

Mrs. Roby: ... Do you agree that you and your team were ordered to ... “stand down?”

Colonel Gibson: Madam Chairman, I was not ordered to stand down. I was ordered to remain in place. “Stand down” implies that we cease all operations, cease all activities. We continued to support the team that was in Tripoli. We continued to maintain visibility of the events as they unfolded.⁵

The Republican House Armed Services Committee report also explained that the Defense Department did, in fact, begin “spinning up” assets immediately, contrary to your accusations:

When the Department of State learned the SMC [Special Mission Compound] was being assaulted on September 11, officials notified DOD’s National Military Command Center at the Pentagon. Thus began a chain of events that involved DOD allocating various forces to the crisis. The response decisions were based upon what forces were available and could readily be brought to bear on the situation as it was understood by senior leaders.

⁴ *Majority Interim Report: Benghazi Investigation Update*, House Committee on Armed Services (Republican Staff) (Feb. 10, 2014) (online at http://armedservices.house.gov/index.cfm/press-releases?ContentRecord_id=E5190F13-2D77-4242-8D7F-A7C05D7DEF5B).

⁵ *Id.*

The first step DOD took upon learning of the attack involved a U.S. drone that was overflying Darnah, a city in northeastern Libya. AFRICOM's operations officer immediately redirected the unarmed Predator to Benghazi, which was about an hour's flight time away. Separately, following the meeting in the White House, Secretary Panetta (in consultation with General Ham, General Dempsey, and others) verbally authorized three specific actions. First, two Marine FAST platoons in Rota, Spain were ordered to prepare to deploy; one bound for Benghazi and one destined for Tripoli. Second, a special operations unit assigned to the European Command, known as a Commander's In-Extremis Force (CIF), which was training in Croatia was ordered to move to a U.S. Naval Air Station in Sigonella, Italy and await further instructions. Third, a special operations unit in the United States was also dispatched to the region. These orders were issued approximately two to four hours after the initial attack on the SMC.⁶

Your accusations also contradict the accounts of witnesses who were with Secretary Clinton on the night of the attack—accounts you have chosen not to reveal to the American people. On September 12, 2013, the Committee conducted a transcribed interview of Jake Sullivan, the Deputy Chief of Staff and Director of Policy Planning at the State Department. When asked about Secretary Clinton's actions on the night of the attacks, he told the Committee:

She was deeply engaged. She not only was receiving regular reports and updates, but she was proactively reaching out. She spoke with Director Petraeus. She spoke with the national security adviser on more than one occasion. She participated in the SVTS, and she made other phone calls that night, and from the time she first learned of it, this was the only thing that she was focused on.⁷

He explained further:

She provided very clear guidance that whether it was the diplomatic security service, or it was our diplomats in Washington and out in Tripoli that no effort be spared to respond to this as effectively as possible. She communicated that same message to all of the interagency colleagues with whom she spoke that night.⁸

This is not the first time you have publicly—and falsely—accused former Secretary Clinton of actions relating to Benghazi. On April 24, 2013, you went on national television and accused Secretary Clinton of making false statements to Congress about personally authorizing security reductions in Libya, citing her “signature” on a cable sent by the Department in 2012. You stated:

⁶ *Id.*

⁷ House Committee on Oversight and Government Reform, Transcribed Interview of Jake Sullivan, Deputy Chief of Staff and Director of Policy Planning, Department of State (Sept. 12, 2013).

⁸ *Id.*

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 in April 2012.⁹

In fact, the cable you referenced—which you had access to at the time, but the press did not—included only a stamp of the Secretary’s name, like millions of other cables sent from the State Department to posts around the world. The *Washington Post* Fact Checker gave your claim “Four Pinocchios,” finding that “Issa has no basis or evidence to show that Clinton had anything to do with this cable—any more than she personally approved a cable on proper e-mail etiquette,” and concluding that your “inflammatory and reckless language qualifies as a ‘whopper’.”¹⁰

Although you have frequently made baseless accusations without evidence to support them, I believe the statements you made on Monday in New Hampshire are the most insulting and unpatriotic accusations you have made during your past three years as Chairman. You may believe this kind of affront is acceptable at a political event with donors who expect rhetoric with “red meat,” but Members of Congress have a higher and more solemn responsibility to respect the Constitution and those charged with fulfilling its mission.

As the Ranking Member of this Committee, I ask that you publicly apologize for your statements and withdraw them immediately.

Sincerely,


Elijah E. Cummings
Ranking Member

⁹ *Fox and Friends*, Fox News (Apr. 24, 2013) (online at <http://video.foxnews.com/v/2323454879001/benghazi-report-takes-aim-at-state-department/#sp=show-clips>).

¹⁰ *Issa’s Absurd Claim That Clinton’s ‘Signature’ Means She Personally Approved It*, *Washington Post* (Apr. 26, 2013) (online at www.washingtonpost.com/blogs/fact-checker/post/issas-absurd-claim-that-clintons-signature-means-she-personally-approved-it/2013/04/25/58c2f5b4-adf8-11e2-a986-ec837b1888b_blog.html).