

**Opening Statement**  
**Ranking Member Elijah E. Cummings**  
**“Hearing 3: Status Review of Outstanding Requests”**  
**January 27, 2015**

Mr. Chairman and fellow Committee Members, I am saddened to report today that there are major, major problems with this Committee and its work. Democratic Members have grave concerns about the partisan path this Committee has taken over the past year—a path we believe undermines the credibility of the investigation itself. We have spent months trying to resolve these problems privately, but we can no longer remain silent.

When this Committee was established last May, many questioned whether it would devolve into unseemly partisanship. Many worried that it would become a repeat of the Oversight and Government Reform Committee, where ridiculous allegations were made with no evidence to back them up, excerpts of documents were leaked out of context to promote false political narratives, and Democrats were cut out of the investigative process.

In response, Chairman Gowdy assured the families of Chris Stevens, Sean Smith, Ty Woods, and Glen Doherty that this investigation would honor their loved ones by being bipartisan, fair, and based on facts. He said we would “transcend politics.” He stated: “if we engage in a process that is not fair according to the American people, we will be punished as we should be for that.”

Unfortunately, since then, Democrats have been excluded from core components of this investigation. People may find this difficult to believe, but eight months into this investigation, Democrats and Republicans on this Committee have not spoken jointly with even a single witness.

Instead, we were stunned to discover that the Chairman and his staff have interviewed at least five individuals on their own, without including Democrats or even notifying us. We learned about these interviews from the witnesses themselves and from press accounts—not from the Republicans.

Even worse, when our staff inquired about some of these interviews, Republicans downplayed their significance. They said these witnesses were not important, that one of them said nothing “of note,” and that the Committee did not plan to use them. But when we spoke to these witnesses, they shared key facts that undermine allegations the Committee is investigating.

Let me repeat that. When Democrats had a chance to interview some of these individuals, they provided factual information that counters allegations this Committee is investigating. Rather than bringing this information forward when the Committee first obtained it, the information was buried.

These are not the actions of a bipartisan investigation—to have secret meetings with witnesses. The way to honor the four Americans killed in Benghazi is to seek the truth—not to

ignore facts that contradict a preconceived political narrative. A credible investigation recognizes the importance of collecting these facts and putting to rest false allegations rather than allowing them to fester.

To try to address these problems, we asked the Chairman to hold a vote on basic Committee rules. We wanted to ensure that all Members—both Republicans and Democrats—could participate fully in the investigation and would no longer be excluded.

Some may recall that our hearing in December was delayed because Democrats were meeting with the Chairman beforehand to discuss these problems. Following that meeting, the Chairman promised that we would hold a vote on Committee rules. We even met with Speaker Boehner, who gave his blessing. But no vote has been held.

What is so disappointing is that this has been going on for months. We wrote private letters to the Chairman laying out these problems in detail, hoping to resolve them. We explained that this will not be a credible, fair, or factual investigation until the Committee holds joint meetings, interviews, and discussions with potential witnesses and includes all Members in key aspects of its work. That is not an unreasonable request. In fact, it is exactly how several other committees currently operate, such as the Armed Services Committee.

But today—after eight months—we still have no Committee rules, so we have no choice but to make these letters public. As we explained last May when we agreed to join this Committee, we need someone in the room to defend the truth. But we cannot defend the truth if Republicans lock us out. Until this changes, the Committee will be viewed as nothing more than yet another partisan, expensive, and time-consuming campaign by Republicans to continue politicizing this terrible tragedy.

Finally, let me say a few words about today's hearing. Many people are concerned by the glacial pace of this Committee's investigation, and I count myself in that group. But rather than blaming federal agencies, we should acknowledge that the reason for the delay lies in the Committee's own actions.

The fact is that the Committee waited six months before sending its first request for new documents. Six months. It took the Committee almost a month longer to request witness interviews from the State Department. And even now, eight months into the investigation, the Committee still has not sent a document request to the Department of Defense, and it has yet to request a single witness interview from the CIA.

Although I continue to believe that the best way forward for our Committee is to reach agreement on a truly bipartisan approach, I can no longer say I am optimistic that this will happen. Nevertheless, our door is always open, and we are always willing to sit down and try.