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Congress of the United States

House of Representatives

Select Committee on Benghazi

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114TH CONGRESS

SUSANNE SACHSMAN GROOMS, MINORITY
STAFF DIRECTOR

June 24, 2015

The Honorable Trey Gowdy
Chairman
Select Committee on the Events Surrounding
the 2012 Terrorist Attack in Benghazi
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

We are writing to officially invoke our right to insist on a vote of the Select Committee on our proposal to release the transcript of the deposition with Sidney Blumenthal pursuant to the Deposition Procedures for the Select Committee on the Events Surrounding the 2012 Terrorist Attack in Benghazi, which were adopted by the House and printed in the Congressional Record on May 9, 2014.

The Deposition Procedures provide:

The chair and ranking minority member shall consult regarding the release of depositions. If either objects in writing to a proposed release of a deposition or a portion thereof, the matter shall be promptly referred to the Select Committee for resolution.¹

It appears that all of these prerequisites have been fulfilled. On June 16, 2015, the Select Committee conducted a deposition of Sidney Blumenthal. This is the first and only deposition the Select Committee has conducted. Despite the fact that the witness was willing to appear voluntarily, he was issued a unilateral subpoena with no debate or vote by the Select Committee, and the subpoena was served on Mr. Blumenthal's wife by armed U.S. Marshals.

Also on June 16, 2015, you issued a press release proposing to release to the public emails that Mr. Blumenthal had produced to the Select Committee, stating: "We are prepared to release these emails, but where practicable, our internal processes include consultation with the Ranking Member before release."²

¹ Deposition Procedures for the Select Committee on the Events Surrounding the 2012 Terrorist Attack in Benghazi, Congressional Record, H4056 (May 9, 2014).

² House Select Committee on Benghazi, *Press Release: Select Committee Obtains New Blumenthal Emails Before Deposition* (June 16, 2015) (online at www.benghazi.house.gov/news/press-releases/select-committee-obtains-new-blumenthal-emails-before-deposition).

On June 17, 2015, Ranking Member Cummings and all Select Committee Democrats sent you a letter requesting that the transcript of Mr. Blumenthal's deposition be released to the public. That letter stated:

In response to your press release, Ranking Member Cummings agreed to your proposal to release Mr. Blumenthal's emails, provided that you also release—at the same time—the full transcript of his day-long deposition with the Select Committee. Rather than selectively leaking only certain information about Mr. Blumenthal, the American people deserve the benefit of Mr. Blumenthal's responses to the hundreds of questions that you and other Select Committee Members asked him, including questions about these same emails.³

On June 22, 2015, you sent a letter to Ranking Member Cummings objecting in writing to the release of Mr. Blumenthal's deposition transcript, stating that you did not understand why the Select Committee should treat Mr. Blumenthal differently than other witnesses.⁴

It is clear that the Select Committee is already treating Mr. Blumenthal differently than any other witness. The public release of Mr. Blumenthal's emails yesterday was the first official release by the Select Committee of any documents since the Select Committee was established more than a year ago. The Select Committee has never before officially released any emails from any prior witnesses, and no prior witnesses appearing before the Committee have ever been compelled to testify in this manner.

We believe the public record has been distorted by the selective release of Mr. Blumenthal's emails without the full context of his deposition transcript, which provides Mr. Blumenthal's answers to hundreds of questions posed to him about those emails. We also believe the full release of Mr. Blumenthal's transcript will resolve public disagreements that have arisen from the selective—and sometimes inaccurate—descriptions of his testimony and his emails that have appeared in the press.

Since all of the steps have been fulfilled as required by the Deposition Procedures adopted by the House, we request that you promptly schedule a business meeting of the Select Committee so Members may consider, debate, and vote on this important matter. Thank you for your consideration.

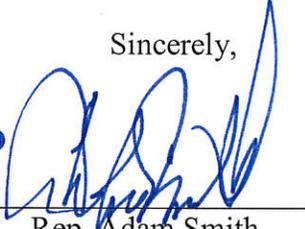
³ Letter from Ranking Member Elijah E. Cummings et al. to Chairman Trey Gowdy, Select Committee on Benghazi (June 17, 2015) (online at democrats.benghazi.house.gov/sites/democrats.benghazi.house.gov/files/documents/2015_06_17_SCBDem_Members_to_TG_re_Release_Blumenthal_Depo_Transcript_Emails.pdf).

⁴ Letter from Chairman Trey Gowdy to Ranking Member Elijah E. Cummings, House Select Committee on Benghazi (June 22, 2015) (online at www.benghazi.house.gov/sites/republicans.benghazi.house.gov/files/TG%20letter%20to%20EE%20C%2006.22.15.pdf).

Sincerely,



Rep. Elijah E. Cummings
Ranking Member



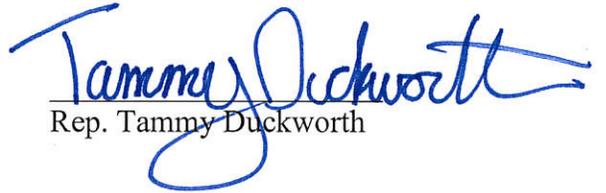
Rep. Adam Smith



Rep. Adam B. Schiff



Rep. Linda T. Sánchez



Rep. Tammy Duckworth