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# Congress of the United States

## House of Representatives

### Select Committee on Benghazi

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114<sup>TH</sup> CONGRESS

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STAFF DIRECTOR

October 20, 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:

Over the past month, you have made several inaccurate statements to try to defend against repeated Republican admissions that the Select Committee has been spending millions of taxpayer dollars to damage Secretary Clinton's bid to become President.

For example, you inaccurately claimed that the Select Committee interviewed 50 witnesses who had never been interviewed previously,<sup>1</sup> you inaccurately claimed that Secretary Clinton's email contained classified information about the identity of a CIA source,<sup>2</sup> and you inaccurately claimed that the Select Committee did not abandon key parts of its investigation to focus on Secretary Clinton.<sup>3</sup>

You made yet another inaccurate statement on Sunday during your appearance on CBS's *Face the Nation*. Arguing that the Select Committee is not focused on Secretary Clinton's emails in order to damage her campaign for president, you stated:

There are other folks who may have equities in her e-mails and there may be other entities who are evaluating her e-mails. But my interest in them is solely making sure that I get everything I'm entitled to, so I can do my job. **The rest of it, classification, Clinton Foundation, you name it, I have zero interest in, which is why you haven't**

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<sup>1</sup> *How Many 'New' Witnesses Has the House Benghazi Panel Interviewed*, Washington Post Fact Checker (Oct. 15, 2015) (online at [www.washingtonpost.com/blogs/fact-checker/wp/2015/10/15/how-many-new-witnesses-has-the-house-benghazi-panel-interviewed/](http://www.washingtonpost.com/blogs/fact-checker/wp/2015/10/15/how-many-new-witnesses-has-the-house-benghazi-panel-interviewed/)).

<sup>2</sup> *Cummings: CIA Sees No Secret in Blumenthal Email to Clinton*, Politico (Oct. 18, 2015) (online at [www.politico.com/blogs/under-the-radar/2015/10/cummings-cia-says-blumenthal-email-to-clinton-not-classified-214907](http://www.politico.com/blogs/under-the-radar/2015/10/cummings-cia-says-blumenthal-email-to-clinton-not-classified-214907)).

<sup>3</sup> *Clinton's Emails Became the New Focus on Benghazi Inquiry*, New York Times (Oct. 11, 2015) (online at [www.nytimes.com/2015/10/12/us/politics/clinton-emails-became-the-new-focus-of-benghazi-inquiry.html?\\_r=0](http://www.nytimes.com/2015/10/12/us/politics/clinton-emails-became-the-new-focus-of-benghazi-inquiry.html?_r=0)).

**seen me send a subpoena related to it or interview a single person**, other than Bryan Pagliano, because I need to know that the record is complete.<sup>4</sup>

Your statement is inaccurate. You issued a subpoena on May 19, 2015, to require Sidney Blumenthal to appear before the Select Committee for a deposition on June 16, 2015. You issued this subpoena unilaterally—without any debate or vote by Select Committee Members—and you sent two armed Marshals to serve this subpoena on his wife without ever sending him a request to participate in a voluntary interview, which he would have accepted.

You personally attended Mr. Blumenthal's deposition, you personally asked Mr. Blumenthal about the Clinton Foundation, and you personally directed your staff—on the record—to ask more than 50 questions specifically about the Clinton Foundation. Republicans also asked more than 45 questions about David Brock, Media Matters, and affiliated entities, and they asked more than 160 questions about Mr. Blumenthal's relationship and communications with the Clintons.

The transcript of Mr. Blumenthal's deposition directly contradicts your claims on national television this past Sunday. For these reasons, I call on you to release Mr. Blumenthal's full transcript today so the public record can be corrected and so the American people can see for themselves what in fact occurred during this interview.

To date, you have refused repeated requests by Democratic Members to release Mr. Blumenthal's deposition transcript. However, it is incredibly unfair to the American people to make claims on national television that are completely erroneous and then refuse to release the evidence that clearly demonstrates their inaccuracy.

It has now been more than 100 days since the Democratic Members of the Select Committee officially requested that you schedule a vote to release Mr. Blumenthal's deposition transcript, and your continued refusal is in direct violation of the procedures adopted by the House of Representatives.

As you know, the official House deposition procedures prohibit the release of deposition transcripts without the consent of the Chairman. However, they also require you to "promptly" refer our request for resolution by the Members of the Select Committee.<sup>5</sup> Your refusal to agree to the release or to schedule any vote during this extended period of time violates the procedures adopted by the House of Representatives, and it is an abuse of your authority as Chairman.

Although I understand you do not want the details of this deposition to become public, your personal opposition to releasing Mr. Blumenthal's transcript to the American people does not give you the right to violate House procedures and conceal evidence of the Select Committee's efforts to target Secretary Clinton for political reasons.

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<sup>4</sup> *Face the Nation*, CBS News (Oct. 18, 2015) (online at [www.cbsnews.com/news/face-the-nation-transcripts-october-18-2015-gowdy-cummings/](http://www.cbsnews.com/news/face-the-nation-transcripts-october-18-2015-gowdy-cummings/)) (emphasis added).

<sup>5</sup> Deposition Procedures for the Select Committee on the Events Surrounding the 2012 Terrorist Attack in Benghazi, Congressional Record, H4056 (May 9, 2014).

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For all of these reasons set forth above, I request that you release Mr. Blumenthal's full transcript as soon as possible.

Sincerely,

A handwritten signature in blue ink that reads "Elijah E. Cummings". The signature is written in a cursive, flowing style.

Elijah E. Cummings  
Ranking Member