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ONE HUNDRED THIRTEENTH CONGRESS

Congress of the United States

House of Representatives

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September 20, 2013

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

Dear Mr. Chairman:

I am writing to request that you immediately postpone your upcoming delegation to Libya and several other countries until you come into compliance with your own Committee directives, stop your partisan efforts to deliberately exclude Democrats from this trip, and provide adequate notice to allow Democratic Members to join this delegation at a later date.

On April 6, 2011, upon becoming Chairman of the Committee, you issued a memorandum to all Committee Members entitled "Rules for Committee-Authorized Foreign Travel." According to that memorandum, "All delegations must be bipartisan."

Earlier today, however, I obtained a copy of an itinerary for a trip you apparently have been planning to Libya and several other countries next week, presumably as part of the Committee's ongoing investigation into the attack in Benghazi in 2012. The only congressional travelers on this itinerary are you and your Republican staffer. No Democratic Members are listed on the itinerary, and you have not contacted me or my staff about this trip. According to this itinerary, you are planning to leave this Sunday, which means Democratic participation at this late date is impossible.

Your 2011 memo also says that the "purpose must be very specific for each country." Yet, your itinerary states only that the Libya portion of the trip is "TBD," although it may include a "visit" to the embassy and a "working lunch." Your itinerary does not identify a single U.S. government official, Libyan official, or other individual the Committee plans to interview or speak with during this delegation.

Your 2011 memo also says that the only exception to conducting bipartisan international delegations is "in rare circumstances and at the sole discretion of the Chairman." However, you have not identified any such circumstances in this case that would justify excluding Democratic Members. Moreover, I have obtained other documents showing that you have been planning this

delegation for more than a week, so there are no exigencies that would have prohibited you from consulting with Democrats.

Although you claim that your investigation of the Benghazi attacks is bipartisan, your efforts to secretly plan an official trip to Libya—and then deliberately exclude Democrats from joining—is part of an unfortunate pattern of partisanship that undermines the credibility of this investigation.

Last October, Rep. Jason Chaffetz undertook exactly the same partisan maneuver when he traveled to Libya—at your direction—and excluded Democratic Members from that trip. At that time, my staff obtained a last-minute copy of his itinerary that listed the Committee activity in Libya as “TBD” and failed to identify any officials to be interviewed. We now know that Rep. Chaffetz met personally with General Carter Ham, the Commander of AFRICOM, as well as Gregory Hicks, the Deputy Chief of Mission, who was then called before the Committee to testify.

The problem with these actions is that they effectively deny Democratic Members the ability to effectively investigate this incident. Since your secret delegation appears to violate your own directive to the Committee, I request that you postpone it until such time as Democratic Members are given an adequate opportunity to join.

Sincerely,



Elijah E. Cummings
Ranking Member