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ONE HUNDRED THIRTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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March 26, 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:

We are writing to request that you put a halt to the Committee's partisan investigation of the September 2012 attacks in Benghazi and begin focusing instead on conducting responsible oversight to implement constructive reforms to protect our diplomatic corps overseas. At the same time, the Committee should offer its full support to our nation's law enforcement and military servicemembers in bringing the perpetrators of these attacks to justice.

To date, the Committee's investigation has been characterized by wild and unsubstantiated political accusations that turn out to be completely inaccurate after further investigation. In fact, the *Washington Post* Fact Checker has awarded you 12 Pinocchios over the past 12 months for inaccurate claims you have made during this investigation. We believe it is time to end these seemingly endless and unsubstantiated political attacks and direct the Committee's efforts towards concrete and lasting reforms.

Claim That Hillary Clinton Personally Approved Security Reductions in Cable

On April 24, 2013, you went on national television and accused former Secretary of State Hillary Clinton of making false statements to Congress about personally authorizing security reductions in Libya, citing her "signature" on a cable sent by the State Department in 2012. You stated:

The 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, April 2012.¹

¹ *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>).

On April 26, 2013, the *Washington Post* Fact Checker gave you four Pinocchios for this claim—its highest award for false claims—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.” The Fact Checker concluded that your “inflammatory and reckless language qualifies as a ‘whopper’.”² In its year-end review, the Fact Checker listed your claim as one of the top ten “biggest Pinocchios of 2013.”³

To date, you have not apologized to former Secretary Clinton for making this unsubstantiated accusation against her.

Claim That Hillary Clinton Told Leon Panetta to “Stand Down”

On February 17, 2014, you appeared at a political fundraiser in New Hampshire and suggested that the military’s response on the night of the attacks was deficient because former Secretary Clinton ordered former Defense Secretary Leon Panetta to “stand down.” You stated:

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 to stand down, and we all heard about the stand-down order for two military personnel. That order is undeniable.⁴

Just one week before you made this accusation, however, eight of your 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.” In addition, the report outlined a number of actions undertaken by the military on the night of the attacks, including the mobilization of multiple military forces.⁵

On February 21, 2014, the *Washington Post* Fact Checker awarded you four additional Pinocchios for this unsubstantiated allegation:

² *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).

³ *The Biggest Pinocchios of 2013*, Washington Post (Dec. 16, 2013) (online at www.washingtonpost.com/blogs/fact-checker/wp/2013/12/16/the-biggest-pinocchios-of-2013/).

⁴ *Issa’s ‘Suspicions’ That Hillary Clinton Told Panetta to ‘Stand Down’ on Benghazi*, Washington Post (Feb. 21, 2014) (online at www.washingtonpost.com/blogs/fact-checker/wp/2014/02/21/issas-suspicions-that-hillary-clinton-told-panetta-to-stand-down-on-benghazi/).

⁵ House Committee on Armed Services (Republican Staff), *Majority Interim Report: Benghazi Investigation Update* (Feb. 10, 2014) (online at http://armedservices.house.gov/index.cfm/files/serve?File_id=C4E16543-8F99-430C-BEBA-0045A6433426).

It is correct that Issa poses a series of questions, but his repeated use of the phrase “stand down” and his personalizing of the alleged actions (“Secretary Clinton,” “Leon”) leave a distinct impression that either Clinton or Obama delivered some sort of instruction to Panetta to not act as forcefully as possible. He even incorrectly asserts that not a single order was given to use any DOD asset. One could argue the response was slow, bungled or poorly handled. But Issa is crossing a line when he suggests there was no response—or a deliberate effort to hinder it.⁶

To date, you have issued no apology to former Secretary Clinton or former Secretary Panetta for making these unsubstantiated accusations.

Defending Your Previous Unsubstantiated Claims

On March 2, 2014, you appeared on *Fox News Sunday* and, when asked about the eight previous Pinocchios you received for unsubstantiated accusations relating to Benghazi, you defended them with new claims rather than simply apologizing and correcting the record.

When asked about the four Pinocchios you were awarded for claiming that former Secretary Clinton misled Congress about reducing security through a cable that she personally signed, you responded:

The first one was for quoting something that was in somebody else’s report, believing that it was true, which is an unusual way to get four Pinocchios.⁷

The next day, however, the *Washington Post* Fact Checker pointed out that the report to which you were referring was your own—a report issued by you and four other House Republican Committee Chairmen on April 23, 2013.⁸ The Fact Checker concluded:

It is especially strange that he would refer to a report he signed—and touted at the time as his own—as “someone else’s report.”⁹

⁶ Issa’s ‘Suspensions’ That Hillary Clinton Told Panetta to ‘Stand Down’ on Benghazi, *Washington Post* (Feb. 21, 2014) (online at www.washingtonpost.com/blogs/fact-checker/wp/2014/02/21/issas-suspensions-that-hillary-clinton-told-panetta-to-stand-down-on-benghazi/).

⁷ *Fox News Sunday*, Fox News (Mar. 2, 2014) (online at www.foxnews.com/on-air/fox-news-sunday-chris-wallace/2014/03/02/rep-mike-rogers-deepening-crisis-ukraine-rep-darrell-issa-talks-irs-investigation-sen-rob#p/v/3281439472001).

⁸ See Chairmen of the Committees on Armed Services, Foreign Affairs, Judiciary, Oversight and Government Reform, and Intelligence, *Interim Progress Report for the Members of the House Republican Conference on the Events Surrounding the September 11, 2012 Terrorist Attacks in Benghazi, Libya* (Apr. 23, 2013) (online at <http://oversight.house.gov/wp-content/uploads/2013/04/Libya-Progress-Report-Final-1.pdf>).

In addition, when asked about the four Pinocchios you were awarded for claiming that former Secretary Clinton ordered former Secretary Panetta to “stand down,” you responded that “the term ‘stand down’ is not used in some sort of an explicit way, but rather the failure to react, the fact that only State Department assets and only assets inside the country were ever used.”¹⁰

The *Washington Post* Fact Checker also rejected this explanation based on the plain words of your statement, concluding that “Issa’s new explanations do not pass scrutiny.” The Fact Checker found that “Issa moves the goal posts” and “tries to redefine the term ‘stand down’ as ‘the failure to react,’ when in fact Panetta and DOD did react.”¹¹

For all of these reasons, the *Washington Post* Fact Checker awarded you four additional Pinocchios on March 3, 2014—for a total of 12 Pinocchios over the past 12 months.

Conclusion

Continuing this reckless pattern of launching wholly unfounded accusations on national television—and racking up more and more Pinocchios in the process—is undermining the credibility of our Committee and the seriousness of our work.

Your approach repeatedly has called into question the integrity of our military and diplomatic personnel who are charged with executing our nation’s missions and policies overseas. Recently, the Committee has been conducting multiple interviews of Defense Department officials, some of whom already appeared previously for hours of questioning.

The Committee has held three hearings, conducted 27 transcribed interviews and depositions, organized several partisan delegations to Libya, issued two Republican staff reports, and reviewed tens of thousands of pages of documents. In addition, Ambassador Thomas Pickering and Admiral Michael Mullen, two distinguished public servants with decades of experience at the Departments of State and Defense, led an independent Accountability Review Board that thoroughly investigated the attacks and issued a report with 29 recommendations.

We believe it is time for the Committee to turn to constructive efforts to ensure that the Board’s recommendations are fully implemented in order to protect our diplomatic corps overseas.

⁹ *Rep. Darrell Issa Disputes His Four-Pinocchio Ratings*, Washington Post (Mar. 3, 2014) (online at www.washingtonpost.com/blogs/fact-checker/wp/2014/03/03/rep-darrell-issa-disputes-his-four-pinocchio-ratings/).

¹⁰ *Fox News Sunday*, Fox News (Mar. 2, 2014) (online at www.foxnews.com/on-air/fox-news-sunday-chris-wallace/2014/03/02/rep-mike-rogers-deepening-crisis-ukraine-rep-darrell-issa-talks-irs-investigation-sen-rob#p/v/3281439472001).

¹¹ *Rep. Darrell Issa Disputes His Four-Pinocchio Ratings*, Washington Post (Mar. 3, 2014) (online at www.washingtonpost.com/blogs/fact-checker/wp/2014/03/03/rep-darrell-issa-disputes-his-four-pinocchio-ratings/).

Sincerely,

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