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Congress of the United States

House of Representatives SELECT COMMITTEE ON BENGHAZI

(202) 226-7100

<http://benghazi.house.gov>

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October 18, 2015

The Honorable Elijah E. Cummings
Ranking Member
The Select Committee on the Events Surrounding
the 2012 Terrorist Attacks in Benghazi
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Cummings:

Thank you for your early Sunday morning letter. I appreciate the opportunity to respond.

As you know our Committee is not investigating Secretary Clinton or allegations surrounding the handling of classified or otherwise protected information. Other entities may be investigating matters related thereto, but we are not. This is best evidenced by the fact our Committee has not issued a single subpoena related to her email arrangement or server or any aspect surrounding allegations of mishandling classified or otherwise protected information. Moreover, as you know out of the 54 interviews conducted by the Committee precisely one (1) has been related to her server and that interview - as you recall - was very short because the witness invoked his Fifth Amendment privilege against self-incrimination. In fact, after the media - not our Committee, but the media - broke the news of her exclusive use of private email and her use of a personal server in early March of 2015, the next 21 witness interviews in a row had nothing to do with Clinton or her email. This hardly evidences your baseless allegations of a "pivot" toward the Secretary or her email. What broke that string of 21 interviews in a row unrelated to any aspect of her email was the June 16, 2015 deposition of Sidney Blumenthal, which is discussed below.

What is relevant to our Committee's jurisdiction is the Secretary's reliance on Sidney Blumenthal for advice and counsel on matters, inter alia, related to Libya/Benghazi. The Committee is reviewing Mr. Blumenthal's email with respect to these and other matters outlined in my October 7 letter in that regard. As such the nature of the information provided to the Secretary in this regard is highly relevant to better understand decisions made before and after the attacks (there is no evidence Sidney Blumenthal provided any counsel during the pendency of the attacks). As such our Committee is the first Committee to gain access to Secretary Clinton's emails, Sidney Blumenthal's emails and now Ambassador Stevens' emails. Accessing this information is indispensable if we are to do what the House of Representatives asked us to do which is write the final, definitive accounting of what happened before, during, and after the attacks in Benghazi.

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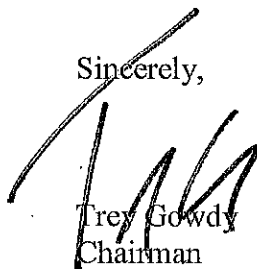
Contrary to your assertion, the CIA did not inform the Committee that anything about the facts stated in the October 7 letter “[was] wrong.” As usual, I would ask you to completely and accurately relate the facts rather than attempt to create an impression that is misleading based on an incomplete and selective recitation of the facts. In fact, my understanding is the CIA advised the Committee in a very brief email late Saturday night that it had reviewed the material in question and asked for no material to be redacted. In fact, the name of the alleged source was redacted from the material cleared for public release by someone in the Executive Branch – the fact that the CIA says it didn’t do it does not mean the material was not sensitive or classified. And in fact, additional information remains in the document that ordinarily would be considered highly sensitive. This appears to mean either Mr. Blumenthal conveyed false and unreliable information to Secretary Clinton about Libya and misrepresented it, or the review process is faulty or has been politicized. I also note the fact you did not quote the material in question in your letter, suggesting you yourself have reason to believe that it should not be publicly disclosed for some proper reason. These are important issues. I’m glad to know you also consider them important and worthy of detailed additional review by the Committee.

Our Committee has access to career civil servants, former federal prosecutors, former intelligence experts as well as military experts who are uniquely well suited to gauge intelligence information and how it should be handled. Although the Executive Branch is ultimately responsible for classification, we remain concerned with the naming of sources and methods and will continue to protect that information now and going forward where it is readily apparent to us.

As such, we will continue to redact certain information to protect sensitive information regardless of how others treat that information. Whether Secretary Clinton received protected information from Sidney Blumenthal or simply recklessly wrong information from Sidney Blumenthal is relevant at some level. What is most important is to protect information that can endanger others. As you will recall we had this same conversation when we received a letter from you we found troubling as it relates to the naming of certain assets. We did the responsible thing which was come to you, alert you to the issue, and allow for that information to be withdrawn and or otherwise not made public.

So, our position is consistent. Sources and methods of intelligence are among the most closely guarded information our government has. We will continue to redact that information and treat it with the highest level of confidentiality and sensitivity, and we would advise you to do the same.

Sincerely,



Trey Gowdy
Chairman

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PS: I am envious of your staff's ability to get information from this administration in less than 45 minutes on a weekend. This is something the majority Members struggle to do on weekdays. Perhaps you would be willing to help us gain access to the information the Committee has been seeking from the administration for over half a year now.