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BY FIRST-CLASS SURFACE AND ELECTRONIC MAIL

The Honorable Trey Gowdy
United States House of Representatives
Select Committee on Benghazi
Washington, DC 20515

Dear Mr. Chairman:

Thank you for your letter dated April 23, 2015.

As I have shared with you and your staff on several occasions since November 2014, Secretary Clinton has been and remains ready and willing to testify in public before the Select Committee on Benghazi about the tragic events of September 2012. At that time, she will, of course, address any other questions the Committee believes to be pertinent to its charge, including the questions posed in your April 23 letter about her e-mail.

Your April 23 letter contemplates that Secretary Clinton would appear on two separate occasions for testimony, once in May, and once on a yet-to-be determined date "within 30 days of receiving assurance [that] all documents needed to have a constructive conversation with the Secretary are in the Committee's possession." Respectfully, there is no basis, logic, or precedent for such an unusual request. The Secretary is fully prepared to stay for the duration of the Committee's questions on the day she appears.

In your letter, you state that two rounds of testimony are necessary for two reasons. The first reason is a need to "ensur[e] the public record is complete before asking questions of a witness or that witness being expected to provide an answer." On this point, your letter states that you lack assurances that the Committee has all the documents needed for a complete record. As Secretary Clinton indicated during her March 10, 2015 public statements, and as set forth in detail in my March 27, 2015 letter and the March 10 Q&A document attached to my April 22, 2015 letter, in December 2014, following a review conducted by her counsel of her e-mail during the time period of her tenure as Secretary of State sent from or received by her hdr22@clintonemail.com

account, Secretary Clinton produced to the State Department all work-related and potentially work-related e-mails (30,490 e-mails in total). Thus, you can be assured that the State Department has a complete set of the e-mails that were in Secretary Clinton's possession related or potentially related to her work as Secretary of State. In February, the State Department produced to the Committee approximately 300 of those e-mails that it identified as responsive to the Committee's new and expanded request for documents. To the extent the Committee needs assurances regarding the completeness of that set of e-mails, the State Department is in the position to address your questions; testimony from Secretary Clinton would be of no assistance regarding the State Department's production in response to the Committee's requests.

The second reason you offer in your letter is that asking the Committee's members to "elect between asking questions about the security of our facilities in Benghazi versus asking about the security of her personal server and whether any protected information was sent or received via email is an untenable choice." On this point, I trust that the Members of the Committee are fully capable of using the time they have to focus on the nine topics the Committee has been tasked with investigating and the issues that are important to their constituents.

As you know, Secretary Clinton testified for more than five hours before Committees in both the House and the Senate about the tragic events in Benghazi. And, upon the issuance of the Accountability Review Board's report, she embraced and immediately began implementing all 29 of its recommendations to further protect our diplomats abroad. Secretary Clinton remains ready to address whatever additional questions this Committee may have, and believes that the Members of the Committee are able to decide how much they will focus on the tragic deaths of four Americans in Benghazi, including what can be done to keep those who serve our country safe—and how much they will focus on how she e-mailed.

Please let me know what date the Secretary may appear before the Committee to publicly testify again about the attacks on the U.S. government facilities in Benghazi, and to answer questions the Committee may have about her e-mail use at the same hearing—whether that be during the week of May 18th or at a later date. On such day, she will stay as long as necessary to answer the Committee's questions, but will not prolong the Committee's efforts further by appearing on two separate occasions when one will suffice.

Sincerely,

David E. Kendall

cc: The Honorable Elijah Cummings
Dana K. Chipman, Esq.
Heather Sawyer, Esq.