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Opening Statement of Rep. Henry A. Waxman Chairman, Committee on Oversight and Government Reform Business Meeting on Tillman Report July 17, 2008

In April 2007, our Committee began an investigation into misleading accounts from the battlefield involving two of the most famous soldiers in Iraq and Afghanistan: Corporal Patrick Tillman, who was killed in Afghanistan on April 22, 2004, and Private Jessica Lynch, who was captured and rescued in Iraq in March and April 2003.

At our first hearing last April, we heard testimony from Kevin Tillman, a former Army Ranger, who was serving in Afghanistan with his brother, Patrick Tillman, when he was killed. For more than a month, the Tillman family and the American public were told that Pat Tillman had been killed in a valiant firefight with the enemy. President Bush praised Corporal Tillman's military service, and Corporal Tillman's patriotic memorial service was nationally televised.

Kevin Tillman told us that this account was "utter fiction." His brother was actually killed by friendly fire and Defense Department officials knew almost immediately. But they didn't tell his family, and they didn't tell the American public.

Kevin Tillman testified that he believed the Bush Administration spread this false story to garner support for the war. Here's what he told us:

In the days leading up to Pat's memorial service, media accounts, based on information provided by the Army and the White House, were wreathed in a patriotic glow and became more dramatic in tone. A terrible tragedy that might have further undermined support for the war in Iraq was transformed into an inspirational message that served instead to support the nation's foreign policy wars in Iraq and Afghanistan.

We also heard testimony from Jessica Lynch, who was captured and rescued during the opening days of the Iraq war in 2003. After Administration officials spread a false story that she bravely fought off her captors, she became a national phenomenon as "the little girl Rambo from the hills of West Virginia who went down fighting."

But that story wasn't true either. Ms. Lynch testified:

I'm still confused as to why they chose to lie and try to make me a legend. ... The bottom line is the American people are capable of determining their own ideals for heroes, and they don't need to be told elaborate lies.

Both Kevin Tillman and Ms. Lynch made the same allegation: that the Administration misled the nation about their conduct in battle in order to build support for the war.

The Committee's investigation attempted to determine how this happened and who was responsible. We did not focus down the chain of command, as previous investigations had done, but instead looked up the chain of command to determine what top officials at the White House and Defense Department knew about these events, when they knew it, and what they did with their knowledge.

The Committee conducted its investigation in a bipartisan manner. The Committee reviewed tens of thousands of pages produced by the White House and the Defense Department, and we conducted more than 20 interviews with top White House and Pentagon officials.

The report before us today sets forth the results of our investigation and our conclusions.

The report begins with a premise that every member of this Committee should agree with: our nation has an inviolate obligation to share truthful information with a soldier's family and the American people should injury or death occur.

The report finds that the Administration violated this obligation. Neither the Tillman nor Lynch cases involved acts of omission. The misinformation was not caused by overlooking or misunderstanding the facts. In both cases, affirmative acts created new facts that were false.

In the days following Corporal Tillman's death, one Army official stated, "The Ranger Tillman story has been extremely positive in all media."

Another Army official said that Jessica Lynch's capture and rescue was an "awesome story."

At the White House, aides rushed to release a presidential statement before confirming whether Corporal Tillman's family had been notified. The President's top communications official, Dan Bartlett, said the story of Pat Tillman "made the American people feel good about our country ... and our military."

Within days, the chief White House speechwriter, Michael Gerson, was urging his staff to collect the "most moving stuff" on Corporal Tillman for a speech by President Bush.

The report we will vote on today leaves important questions unresolved. It does not answer the fundamental question Kevin Tillman and Ms. Lynch raised at our hearing: Who was responsible for spreading these false stories?

That is because we encountered a striking and near uniform lack of recollection, what the *New York Times* yesterday called a widespread and self-induced case of amnesia.

In Private Lynch's case, Jim Wilkinson, the Director for Strategic Communications for CENTCOM, told the Committee he did not know where the false information originated or who disseminated it.

And in Corporal Tillman's case, even after seven Defense Department investigations, no one has been able to identify the person who created the false information about enemy fire.

Our report finds that White House officials sent or received nearly 200 e-mails concerning Corporal Tillman in the days following his death. But the White House could not produce a single e-mail or document relating to any discussion about Corporal Tillman's death by friendly fire.

Not a single written communication about personal reactions to the fratricide or the substantive, political, and public relations implications of the new information was provided to the Committee.

When White House officials thought Corporal Tillman had been killed by the enemy, the President celebrated his service. But when it came to talking about how he really died, the White House had literally nothing to say. Celebration turned to silence.

As we state in the report, if what the Committee received is accurate and complete, then the intense interest that initially characterized the White House and Defense Department's reaction to Corporal Tillman's death was followed by a stunning lack of curiosity about emerging reports of fratricide and an incomprehensible carelessness and incompetence in handling this sensitive information.

"I don't recall" is an easy response to give when you are being interviewed by congressional investigators. But the Tillman family, Ms. Lynch, and the families of all the men and women who serve in our military deserve better than "I don't recall."

I urge adoption of this report.