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United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510-6250

October 18, 2012

The Honorable Hillary Rodham Clinton
Secretary of State
U.S. Department of State
Washington, DC 20520

Dear Secretary Clinton:

Pursuant to its authority under Rule XXV(k) of the Standing Rules of the Senate, Section 101 of S. Res 445 (108th Congress), and Section 12(e) of S. Res 81 (112th Congress), the Committee on Homeland Security and Governmental Affairs has initiated an investigation into the circumstances surrounding the attack on the U.S. diplomatic mission in Benghazi, Libya, on September 11, 2012, that resulted in the tragic deaths of four Americans, including Ambassador Christopher Stevens.

The Committee has placed a significant focus in the last decade on ensuring that the U.S. government learned key policy and operational lessons from the attacks of September 11, 2001. We also have held numerous hearings and conducted investigations to examine the evolving tactics of Islamist terrorists. For example, the Committee undertook a bipartisan investigation of the 2009 terrorist attack at Fort Hood that had important findings and recommendations for the Department of Defense and the Federal Bureau of Investigation.

We undertake this investigation in that same spirit. We seek to understand the specific circumstances of the attack in Benghazi as a means to determine whether actions are necessary, either by Congress or the executive branch, to prevent and protect against similar attacks in the future, to address broader policy or operational issues, and ultimately to improve our security without degrading our government's ability to carry out diplomatic activity around the world.

As an initial step in the Committee's investigation, we request a classified briefing of Members of the Committee as soon as possible from you and other appropriate senior officials from relevant agencies. We ask that the briefing address the following: (1) the threat assessment regarding the U.S. diplomatic missions in Benghazi and Tripoli prior to the attack; (2) the security needs and security in place for diplomatic personnel in Libya, including Tripoli and Benghazi; (3) any requests for additional security for the U.S. embassy, diplomatic missions or diplomatic personnel in Libya; (4) a detailed description and chronology of the attack; and (5) what was known about the attack in its immediate aftermath and what additional information has come to light since then, including an assessment of whether any initial public statements issued by members of the Administration in the days following the attack were inaccurate and, if so, why.

To aid in the Committee's investigation, we request that you provide information and documents in response to the following initial requests:

1. Please provide an explanation of, including documents describing, the roles and responsibilities of U.S. government agencies and interagency coordination among such agencies for the security of U.S. diplomatic missions and diplomatic personnel.
2. How does the State Department determine the appropriate nature or level of security to be provided for Department facilities abroad?
 - a. What are the respective roles and responsibilities of U.S. Ambassadors, Regional Security Officers, and senior officials with the State Department's Bureau of Diplomatic Security Service in providing for the security of diplomatic facilities and personnel?
 - b. To what extent do individual Ambassadors manage, direct, or have discretion over security provided to U.S. embassies, diplomatic missions, and diplomatic personnel?
 - c. How are internal disputes as to the appropriate level of security within a country mediated and resolved?
 - d. Does the fact that a facility is a temporary diplomatic mission rather than an embassy factor into the nature of security provided?
 - e. How does the Department balance the need to protect U.S. diplomatic personnel with the need to accomplish effectively its diplomatic mission?
3. Please provide an explanation of, or documents describing, the level of security host countries are expected to provide diplomatic personnel and facilities under relevant agreements.
 - a. Did the State Department conduct or receive any assessments of the Libyan government's capability to fulfill its host nation security expectations? Please provide all documents pertaining to any such assessments.
 - b. How did any such assessments inform decisions about additional security needs in Benghazi?
 - c. What steps, if any, did local forces take to provide protection on the day of the attack?
4. What was the Department's threat assessment with respect to U.S. embassies, diplomatic missions and diplomatic personnel in Libya, specifically in Benghazi and Tripoli, immediately prior to the attack?
 - a. Please provide all documents pertaining to this threat assessment.
 - b. How, if at all, did these threat assessments change from April 2011 to the time of the attack? Please provide all documents pertaining to any such changes.
 - c. What were the sources for such threat assessments?
 - d. Were State Department officials in Benghazi on September 11, 2012, aware of the video published by Ayman al-Zawahiri to Libyans on September 10, 2012, urging revenge for the death of Abu Yahya al-Libi?
 - e. Please identify all the agencies that provided threat information or assessments to the State Department and provide specific documents, including finished intelligence products, State Department cables, and open source reporting.

- f. Please identify the official or officials within your organization most knowledgeable about these threat assessments.
5. Describe the security at the U.S. diplomatic mission in Benghazi.
 - a. Please provide all documents pertaining to the security at the mission, including those regarding security standards for the U.S. diplomatic facilities in Libya .
 - b. Did Ambassador Stevens exercise any discretion he may have had, with respect to the security for the U.S. embassy and diplomatic personnel in Tripoli or the diplomatic mission and personnel in Benghazi? If so, please provide all documents pertaining to such actions.
 - c. What was the security in place at the diplomatic mission designed to defend against?
 - d. Please identify the individual or individuals within your organization most knowledgeable about the security at the U.S. diplomatic mission in Benghazi.
6. Please assess what impact, if any, the level of resources available to the State Department, including appropriations for diplomatic security in fiscal years 2010-2012, may have had on security at Benghazi.
7. What is the level of unobligated balances and expired funds for appropriations for diplomatic security for fiscal years 2010-2012 including the Department of State's Worldwide Security Protection and Embassy Security, Construction and Maintenance accounts. Please explain the reason for any such balances or expired funds and indicate any limitations on their use.
8. What was the role of private security contractors in protecting U.S. diplomatic missions and diplomatic personnel in Benghazi?
 - a. Please provide all documents pertaining to the role and activities of these contractors, including copies of the contracts under which they operated.
 - b. Please provide an explanation of each company's responsibility and a description of the process used to vet the contractor(s), including vetting conducted by the Department of State.
 - c. Is there any evidence that any of the Libyan guards or the private security contractor guards were complicit in the attack?
 - d. Please identify an individual or individuals within your organization most knowledgeable about the performance of any such contractors.
9. Describe any specific steps taken since April 2011 to enhance security at the U.S. diplomatic mission in Benghazi and the U.S. Embassy in Tripoli.
 - a. Please provide all documents pertaining to any steps taken to enhance the security.
 - b. Please identify the individual or individuals within your organization most knowledgeable about any such enhancements.
10. Describe any requests for additional security made by State Department personnel for the U.S. Embassy in Tripoli and US mission in Benghazi within the last year, and describe any actions taken in response to such requests.
 - a. Please provide documents related to any such requests, including any actions taken in response to such requests.

- b. Please identify the individual or individuals within your organization most knowledgeable about such requests.
11. The Secretary has initiated a statutorily-mandated Accountability Review Board (ARB) to investigate the attack.
- a. What is the timetable for completion of the ARB investigation?
 - b. What actions, if any, apart from the ARB review is the State Department undertaking to determine what happened during the attack and who was responsible for it?
 - c. To what degree has the State Department limited or delayed access to the site in Benghazi by ARB, FBI or other U.S. government investigators?
 - d. Are you aware as to whether or to what extent any limitations on access to the Benghazi site have compromised or hindered the ARB or FBI investigations?
12. Provide a description of what is currently known about the nature, extent, and scope of the attack.
- a. Please provide any documents regarding what is currently known about the attack.
 - b. Please provide a copy of any video or other recordings that captured some or all of the attack.
 - c. Please identify the individual or individuals within the Department who are most knowledgeable about what is currently known about the attack.
13. Has the Department of State reached any conclusion about whether there were protests outside of the compound in Benghazi? If so:
- a. What are those conclusions and when were they reached?
 - b. Did State Department officials share this information with officials at other government agencies and White House personnel? If so, when?
14. Explain the process by which Administration officials in the United States initially obtained information regarding the attack, and the sources of that information.
- a. Please provide any documents regarding this matter.
 - b. When was information regarding the attack shared by State Department officials with officials at other agencies and White House personnel? Who provided this information?
 - c. Please identify the individual or individuals within your organization most knowledgeable about the information the State Department provided to officials at other agencies and White House personnel regarding the attack.
15. Deputy Assistant Secretary Charlene Lamb, in written testimony to the House Committee on Oversight and Government Reform, stated that she was able to follow what was happening during the attack “in almost real-time.” Please provide the Committee with copies of any video footage, including closed-circuit TV feeds, and any other recordings or still photographs of the events, including any to which Deputy Assistant Secretary Lamb was referring.

16. On September 16, 2012, Ambassador Susan Rice appeared on several television news programs and spoke about the Benghazi attack. Please provide an assessment as to the accuracy of the public statements by Ambassador Rice on that date.
 - a. What sources of information were relied upon in formulating Ambassador Rice's initial statements regarding the attack? Please provide any documents that Ambassador Rice or others relied upon in formulating these initial statements
 - b. Who, if anyone, reviewed Ambassador Rice's prepared public statements or talking points?
 - c. If any of Ambassador Rice's public statements on September 16 were inaccurate, please explain the reason for the inaccuracies and identify the persons most knowledgeable about how and why inaccurate information was publicly conveyed.
17. What led the Administration to initially believe the attack was part of a riot resulting from the release of an anti-Muslim film?
 - a. What information was relied upon in making such statements? Please provide any documents that were relied upon.
 - b. What was the source of such information?
 - c. Identify the individual or individuals most knowledgeable about the Administration's initial statements that this attack was related to the release of the anti-Muslim film.
18. According to the State Department's public account of the attack, Ambassador Stevens retreated to a "safe haven" on the compound in Benghazi. The safe haven is described as a "fortified area" within the building.
 - a. Please describe the nature of the threats against which the safe haven in Benghazi was designed to protect.
 - b. What equipment or other measures, if any, were available in the safe haven and in each of the other buildings on the diplomatic compound in Benghazi to protect against fire and smoke inhalation?
 - c. In the wake of this attack, is the State Department reassessing the nature and design of safe havens in other diplomatic posts?
19. What efforts is the State Department making to determine what additional security measures should be put in place, in U.S. embassies and mission elsewhere in the world, in light of the attack in Benghazi?
 - a. Please provide any documents regarding these efforts.
 - b. What is your timetable for making these determinations?
 - c. What is the annual cost to the Department of State for a Marine Security Guard unit?
 - d. What is the annual cost to the Department of State for a Site Security Team?
 - e. What is the annual cost to the Department of State for local security contractors to protect a diplomatic facility?
20. Based on what you currently know, do you believe there are any improvements that could be made to existing security procedures for overseas U.S. personnel or missions to prevent similar future attacks?

21. What interim measures, if any, has the State Department adopted, pending longer term assessments? Please provide documents pertaining to such measures.
22. Given your knowledge today of the circumstances surrounding the attack, what security measures do you believe would have been necessary to deter or repel such an attack and to prevent harm to U.S. and other personnel at the diplomatic mission in Benghazi? What would the estimated cost be of any such additional security measures?

For the purposes of the above requests, the term "documents" shall mean all documents and communications, including but not limited to reports, analyses, memoranda, notes, cables, and presentations and cover all media, including but not limited to e-mails. Discrete marking on a document shall render that version a different document subject to production. Please organize documents to identify clearly from which entity a document was produced.

The Committee would appreciate your prompt attention to this request. To the extent that you are able to provide a partial response within two weeks, we ask that you do so. We further ask that you provide responsive information and documents as they become available, rather than wait until a complete response can be made. In any event, the Committee seeks a complete response no later than November 9, 2012.

In addition, while we recognize that the ARB is currently engaged in an ongoing investigation of the attack in Benghazi, and that this processes may ultimately result in the availability of more complete information about the attack at a later date. However, we ask that you produce the information and documents requested promptly to the greatest extent possible and that you do not delay production pending completion of the ARB process.

Any classified information or documents provided in response to this letter should be produced in a separate annex to be delivered to the Office of Senate Security; if you believe your response to this letter requires the provision of classified information or documents, please let us know in advance of the deadline so that appropriate arrangements for production can be made.

If you have any questions concerning this request, please contact Michael Alexander, Majority Staff Director, at (202) 224-2627 and Nicholas Rossi, Minority Staff Director, at (202) 224-4751.

Sincerely,



Joseph I. Lieberman
Chairman



Susan M. Collins
Ranking Member