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Congress of the United States

House of Representatives

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October 19, 2012

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The President
The White House
Washington, D.C. 20500

Dear Mr. President:

The Committee on Oversight and Government Reform is conducting oversight of the facts and circumstances surrounding the death of Ambassador J. Christopher Stevens and three of his colleagues in a terrorist attack on September 11, 2012. Information supplied to the committee by senior officials demonstrates that not only did the administration repeatedly reject requests for increased security despite escalating violence, but it also systematically decreased existing security to dangerous and ineffective levels. We have been told repeatedly that the administration did this to effectuate a policy of "normalization" in Libya after the conclusion of its civil war. These actions not only resulted in extreme vulnerability, but also undermined Ambassador Stevens and the diplomatic mission.

We are likewise concerned that your administration has not been straightforward with the American people in the aftermath of the attack. In repeated statements, officials asserted that a YouTube video fueled a spontaneous crowd which overran the facility in Benghazi. This was never the case and has been widely discredited. Yet officials – including Vice President Joseph R. Biden, Secretary of State Hillary Rodham Clinton, U.S. Permanent Representative to the United Nations Susan E. Rice, and White House Spokesperson Jay Carney – maintain that these statements were based on information provided by the intelligence community. ¹

Without a full explanation from this administration about what it knew and when, we may never know the reasons why it blamed an internet video so quickly after the attack. Suffice it to say, however, that if administration officials indeed reviewed security reports on a daily basis, they would have seen the overwhelming evidence prior to the 9/11 attack that terrorists were actively targeting westerners in Benghazi. Multiple warnings about security threats were contained in Ambassador Stevens' own words in multiple cables sent to Washington, D.C., and were manifested by two prior bombings of the Benghazi compound and an assassination attempt

¹ Transcript, The Biden-Romney Vice Presidential Debate, Commission on Presidential Debates, October 11, 2012; Elise Labbot, "Clinton: I'm Responsible for Diplomats' Security," CNN, October 16, 2012; "Ambassador Susan Rice: Libya Attack Not Premeditated," ABC News, September 16, 2012; Press Briefing by Press Secretary Jay Carney, The White House, October 10, 2012.

on the British ambassador. For this administration to assume that terrorists were not involved in the 9/11 anniversary attack would have required a willing suspension of disbelief.

We appreciate that you and Secretary Hillary Rodham Clinton accept full responsibility for the failures in Benghazi including the death of four Americans. This does not absolve this administration, however, from its duty to provide a full and immediate account of the actions taken before and after the attack. The American people have a right to know why the administration withdrew security resources over the objections of embassy officials and why their government did not heed the warnings of Ambassador Stevens and his colleagues.

The Administration Knew that U.S. Personnel in Libya Faced an Extremely Dangerous Environment Including a Growing al Queda Presence

Embassy personnel in Libya faced a dynamic and extremely dangerous environment. A severe lack of capacity within the Libyan government, combined with the wide proliferation of weapons and a large number of militias, resulted in a toxic environment that bred violence. According to Lieutenant Colonel ("LTC") Andrew Wood – commander of a Defense Department Security Support Team ("SST") comprised of 16 Special Forces personnel operating under Chief of Mission authority – both hostile and celebratory gunfire was routine and law enforcement was scarce. The lack of host nation security was exploited by known al Qaeda operatives and Gaddafi sympathizers who began solidifying strongholds in areas in and around Tripoli and Benghazi.

From June 2011 to July 2012, Regional Security Officer Eric Nordstrom catalogued more than 230 security incidents in Tripoli, Benghazi, Derna, and surrounding cities. These included frequent kidnapping, looting, robbery, bombings, and firefights. Some of these events involved militias targeting each other, as well as the systematic killing of Libyan government officials.

Beginning in April 2012, terrorists began targeting westerners with increased sophistication and coordination. According to LTC Wood, the number and nature of attacks exhibited a pattern of "confidence" exercises building up to a much larger event. Reports indicate that insurgents became more brazen as the attacks evolved from lobbing explosives over the compound wall at night to an assassination attempt on the British Ambassador during broad daylight²:

• April 6, 2012 - Benghazi: IED Attack on US Compound in Benghazi – Two Libyans employed as contract guards, one of whom had been recently fired, threw a crude IED called a "fish bomb" over the compound wall.³ There were no casualties and only limited damage and the suspects were arrested but not prosecuted.

² "Security Incidents Since June 2011," U.S. Embassy – Tripoli, Libya, July 21, 2012.

³ See attached photographs.

- April 10, 2012 Benghazi: IED Attack on UN Envoy in Benghazi A crude IED known as a "fish bomb" was thrown at a convoy carrying the UN Special Envoy to Libya. No one was hurt and no one was arrested.
- April 11, 2012 Benghazi: Gun Battle in Benghazi A gun battle between an unidentified armed group and forces loyal to the Transitional National Council (TNC) occurred about 4km from the US Mission in Benghazi. The unidentified armed group attacked a Ministry of the Interior building in an attempt to seize a fleet of vehicles that had belonged to the Gaddafi regime. The gun battle included use of antiaircraft guns and RPGs.
- April 26, 2012 Benghazi: Fight at International Medical University in Benghazi;
 US Diplomat Evacuated From Site While a Foreign Service officer stationed at the
 Benghazi compound was attending a trade-related event at the International Medical
 University, a fistfight escalated to gunfire between security forces for the trade
 delegation and militia providing security for the University. The US Foreign Service
 officer was evacuated by members of the 17th of February Martyrs Brigade, a
 friendly Libyan militia, stationed at the U.S. compound Benghazi.
- April 27, 2012 Benghazi: IED Attack on Courthouse in Benghazi The courthouse was targeted by three crude IEDs either planted onsite or thrown from a passing car. No group or motive claimed credit for the attack.
- April 27, 2012 Benghazi: South African Contractors Kidnapped in Benghazi –
 Two South African contractors working on a US-funded munitions survey contract
 were kidnapped by armed men while walking through a residential area of Benghazi.
 After a brief interrogation about their nationality and purpose in Libya, they were
 released unharmed. After the incident, RSO NORDSTROM observed, "it is
 increasingly likely that our direct hire employees will face the same challenges in the
 future."
- May 15, 2012 Benghazi: Grenade Attack on Military Police in Benghazi An unknown attacker threw a hand grenade at the Military Police headquarters where a number of Gaddafi loyalists were being held in a makeshift prison.
- May 22, 2012 Benghazi: RPG Attack by pro-al Qaeda Group on Red Cross in Benghazi Two RPG rounds were fired at the Benghazi office of the International Committee of the Red Cross (ICRC), approximately 1 km from the US Mission in Benghazi. The attack occurred during the early morning hours and there were no casualties. The Imprisoned Sheikh Omar Abdul-Rahman Brigades, a pro-al Qaeda group, claimed responsibility for the attack, accusing the ICRC of attempting to convert members of an ethnic minority to Christianity and declaring Libya to be an Islamic state. In a Facebook posting, the group also said, "now we are preparing a message for the Americans for disturbing the skies over Derna."

- June 6, 2012 Benghazi: IED Attack by pro-al Qaeda Group on U.S. Compound in Benghazi At approximately 0325 hrs, the U.S. compound in Benghazi was the target of an IED attack. The compound's local guard force reported a suspicious male individual wearing "Islamic" dress exit a passing 4-door white pickup truck and approach the front gate. The guards observed the man place a device on the Mission's perimeter wall and sounded the Mission's imminent danger alarm. Approximately 6 minutes after the alarm sounded, the device exploded, creating a large hole in the perimeter wall. The Imprisoned Sheikh Omar Abdul-Rahman Brigades reportedly claimed credit for this attack.
- June 11, 2012 Benghazi: RPG Assassination Attempt on UK Ambassador in Benghazi While en route to the British compound in Benghazi, a 3-car convoy carrying the British Ambassador to Libya came under RPG and AK-47 fire. The attack occurred within 500 meters of the rear entrance to the British compound and approximately 2 km from the US Mission. One RPG round struck the rear of the lead armored vehicle, injuring two of the security personnel inside. The motorcade was not flying the British flag but displayed diplomatic license plates. Security and medical personnel from the US Mission responded and provided initial trauma medical care. No suspects were identified and no group had claimed responsibility as of 21 JUL 2012.
- June 13, 2012 Benghazi: Individual Killed in Car Bomb Assassination in Benghazi One individual was killed when a bomb placed inside his vehicle detonated. The victim was reportedly the aide to a former internal security officer.
- June 21, 2012 Benghazi: Benghazi Judge Assassinated A former military prosecutor who reportedly had ordered the arrest of the late General Abdul Fatah Younis, a former Gaddafi-regime security official who defected to the Libyan opposition and was subsequently killed under mysterious circumstances, was himself shot and killed in Benghazi. The judge, who had survived two earlier attempts on his life in JAN and MAR, had been blamed for Younis's death.
- July 1, 2012 Benghazi: High National Electoral Commission (HNEC) Offices Stormed; Election Materials and Ballots Burned Between 100-200 demonstrators ransacked the office of the HNEC in Benghazi, burning election materials and chanting pro-federalist slogans.
- July 4, 2012 Benghazi: Border Security Officer Assassinated in Benghazi A border control department officer was struck by three bullets fired by a group of unidentified assailants in a drive-by shooting.

⁵ See attached photographs.

⁴ See attached photographs.

• July 6, 2012 - Benghazi: Libyan Air Force Helicopter Struck by Gunfire in Benghazi; One HNEC Employee Killed – A Libyan Air Force helicopter transporting polling material was struck by gunfire, suspected to be from a 14.5mm anti-aircraft weapon, and was forced to land at Benghazi's Benina Airport. One HNEC staff member was killed during the attack and another was wounded.

According to a June 25, 2012, cable from Ambassador Stevens entitled, "Libya's Fragile Security Deteriorates as Tribal Rivalries, Power Plays and Extremism Intensify," an Islamic extremist group claimed responsibility for the attacks on the ICRC and the June 6 bombing. Statements issued by the Imprisoned Sheikh Omar Abdul-Rahman Brigade "accused the ICRC of proselytizing Christianity to Libyans and described the attack against the United States as 'target[ing] the Christians supervising the management of the consulate." Ambassador Stevens further states that a "[Government of Libya] national security official shared his private opinion that the attacks were the work of extremists who are opposed to western influence in Libya." While some disagreed, "a number of local contacts agreed, noting that Islamic extremism appears to be on the rise in eastern Libya and that the Al-Qaeda flag has been spotted several times flying over government buildings and training facilities in Derna."

Intelligence gleaned during this time indicated that a larger attack on the Benghazi compound loomed. After the June 6, 2012, bombing, officials became aware that the local guard force working for the Benghazi compound "were afraid to work." According to Assistant Regional Security Officer David Oliveira – who was stationed in Benghazi from June 2, 2012, to July 5, 2012 – "they felt that the U.S. was a target and they felt that they didn't want to work overnight. What we heard from the [Blue Mountain] representative on the ground was that some of their families might have put some pressure on them to not want to work for the U.S. mission. Again, they didn't have any – they were not armed." A Facebook posting also called for the assassination of Ambassador Stevens and provided details of his jogging route in Tripoli along with his picture. 11

At the same time, al Qaeda organized a rally in Benghazi. On or about June 10, 2012, fighters from Libya, Egypt, Tunisia, and Mali paraded through the streets with weapons and black flags. While it is reported that Libyans pushed them out and largely rejected them, their presence generated concern among U.S. officials in Libya. These events were the subject of an early July country team meeting where Ambassador Stevens and others expressed their concerns about these developments and the need for increased security. According to one participant, this "fell like a dead fish on the table" because everyone, including Ambassador Stevens, knew that the Embassy lacked support from Washington, D.C., and could do little about it.

⁶ 12 TRIPOLI 622, "Libya's Fragile Security Deteriorates as Tribal Rivalries, Power Plays and Extremism Intensify," AMEMBASSY TRIPOLI, June 25, 2012.

⁷ *Id.*

ŏ Id.

⁹ Transcribed interview of Assistant Regional Security Officer David Oliveira before the House Committee on Oversight and Government Reform, October 9, 2012.

 $^{^{10}}$ Id

¹¹ Screenshot of posting on a pro-Gaddafi Facebook page.

In a June 22, 2012, cable sent to Main State, Ambassador Stevens noted the continued presence of extremist groups in Libya. In the aftermath of the assassination attempt on the British ambassador, he wrote that "the consensus of the [emergency action committee] is a continuing presence of extremist groups and individuals in Libya, which warrant ongoing monitoring by the [emergency action committee]." Ambassador Stevens further warned in a June 25, 2012, cable that "the proliferation of militias and the absence of effective security and intelligence services have limited the [Government of Libya's] ability to respond" to the increase in violent incidents.

In a July 21, 2012, memorandum sent to the State Department in Washington, D.C., Mr. Nordstrom warned that "the risk of U.S. Mission personnel, private U.S. citizens, and businesspersons encountering an isolating event as a result of militia or political violence is HIGH. The Government of Libya does not yet have the ability to effectively respond to and manage the rising criminal and militia related violence, which could result in an isolating event." ¹²

In August 2012, Ambassador Stevens continued to warn Main State of a "security vacuum" being exploited by independent actors. ¹³ He further noted that "Islamist extremists are able to attack the Red Cross with relative impunity" and that "former regime elements are active." His warnings culminated with two cables in September 2012 in which he notified the State Department that Benghazi had entered a state of "maximum alert" and that Islamist influence was expanding in Derna. ¹⁵ His last notification came on September 11, 2012, the day he was assassinated.

The Administration Knew that Diplomatic Security Was Lacking in Libya

According to witness statements and photographic evidence, the Benghazi compound did not meet traditional diplomatic security standards. Pursuant to State Department guidelines, facilities must conform to certain physical requirements such as "setbacks" and the ability to properly safeguard classified information. If the State Department cannot meet these standards, it must submit a waiver notification to congressional committees of jurisdiction.

Multiple witnesses indicated that buildings on the compound were too close to perimeter walls that were not high enough. Photographs provided to the Committee also show that exterior walls were not properly reinforced. Furthermore, Mr. Oliveira stated in a Committee interview that the tactical operations center did not have a combination lock, wires were fed through a hole in the wall, and it had a window.¹⁶ According to Mr. Oliveira, "None of this would have - this

[&]quot;Security Incidents Since June 2011," U.S. Embassy - Tripoli, Libya, July 21, 2012.

^{13 12} TRIPOLI 952, "The Guns of August: Security in Eastern Libya," AMEMBASSY TRIPOLI, August 8, 2012.

 ¹⁵ 12 TRIPOLI 1078, "Benghazi Weekly Report – September 4, 2012," AMEMBASSY TRIPOLI, September 4, 2012; 12 TRIPOLI 1096, "Tripoli Weekly Report – September 11, 2012," AMEMBASSY TRIPOLI, September 11, 2012. See also 12 TRIPOLI 1098, "Benghazi Weekly Report – September 11, 2012," September 11, 2012.
 ¹⁶ Transcribed interview of Assistant Regional Security Officer David Oliveira before the House Committee on Oversight and Government Reform, October 9, 2012.

wouldn't have - you couldn't have done it without a waiver." There do not appear, however, to have been any waiver notifications submitted by the State Department to the U.S. House of Representatives.

The number of security personnel assigned to the Benghazi compound was also inadequate. A December 27, 2011 State Department memorandum to Under Secretary of State for Management Patrick F. Kennedy ("Kennedy Memo") recommended a "full complement" of five Diplomatic Security ("DS") special agents for Benghazi. However, according to Mr. Nordstrom, the number of U.S. direct-hire security personnel assigned to the Benghazi compound never exceeded three agents between December 2011 and August 2012, despite two formal requests by Embassy Tripoli for Washington to fill the five positions recommended by the Kennedy Memo. According to Mr. Nordstrom, there was an "unwritten" policy that Benghazi would never receive more than three. Benghazi would never receive more than three.

According to Mr. Nordstrom, at times during this period the number of DS agents in Benghazi dropped to one, forcing the State Department personnel based there to confine themselves to the compound. The lone DS agent would then rely on four members of the 17th of February Martyrs Brigade who lived on the compound, and locally employed staff who ran unarmed patrols around the perimeter.

To compensate for the lack of DS agents, the Regional Security Officer drew on the SST led by Lieutenant Colonel Andrew Wood. While embassy security was not its primary role, it was dispatched to Benghazi on several occasions to provide needed security support.

The Benghazi compound was not the only U.S. diplomatic facility in Libya receiving inadequate security staffing from Washington. According to a memorandum cleared by the head of Diplomatic Security, DS recommended that the State Department fund and support 19 security personnel to Embassy Tripoli from November 15, 2011 for a period of eight months. However, when Mr. Nordstrom requested 12 TDY DS agents for Embassy Tripoli on March 28, 2012, to replace security personnel being reassigned to non-security missions, he was told by an official in Washington that he was asking for the "sun, moon and stars."

 $^{^{17}.}Id.$

¹⁸ Memorandum from Jeffrey Feltman, Assistant Secretary of State for Near Eastern Affairs to Patrick Kennedy, Under Secretary of State for Management, Dec. 27, 2011 (on file with author).

 ^{19 12} TRIPOLI 130, "Request for DS TDY and FTE Support," AMEMBASSY TRIPOLI, March 28, 2012.
 20 12 TRIPOLI 690, "TRIPOLI – Request for extension of TDY security personnel," AMEMBASSY TRIPOLI, July 9, 2012.

Interview of Eric Nordstrom, Regional Security Officer, U.S. Department of State, before the Committee on Oversight and Government Reform, October 1, 2012.

²² "IM Memo to M on DS Way Forward (ver 5)," Oct. 21, 2011, attachment to email from Tanya Sears, Executive Assistant, Office of the Assistant Secretary, Bureau of Diplomatic Security," Oct. 26, 2011, 6:00 PM.

 ²³ 12 TRIPOLI 130, "Request for DS TDY and FTE Support," AMEMBASSY TRIPOLI, March 28, 2012.
 ²⁴ Interview of Eric Nordstrom, Regional Security Officer, U.S. Department of State, before the Committee on Oversight and Government Reform, October 1, 2012.

Instead of the 12 agents Mr. Nordstrom requested to keep security staffing at the Embassy at the 19 personnel recommended in October 2011, Washington sent only two agents. These were augmented by two more agents in June 2012, but this still left the Embassy with eight fewer agents than had been recommended by Mr. Nordstrom. As a result, Mr. Nordstrom says all security personnel at the Embassy were forced to work seven days a week in an attempt to compensate.

"Normalization" Appeared to Drive Security Cutbacks in Libya

According to witnesses and documents received by the Committee, the administration made a policy decision to place Libya into a "normalized" country status as quickly as possible. The normalization process, which began in November 2011²⁵, appeared to have been aimed at conveying the impression that the situation in Libya was getting better, not worse. The administration's decision to normalize was the basis for systematically withdrawing security personnel and equipment – including a much-needed DC-3 aircraft²⁶ – without taking into account the reality on the ground. In an interview with Mr. Nordstrom, he maintained that the State Department routinely made decisions about security in early 2012 without first consulting him.²⁷

Some have claimed that resources were not provided because of budgetary constraints. This was not the case. When asked under oath whether there was any budget consideration and lack of budget which led to the decision not to increase the number of people in the security force, Ms. Lamb testified "No, sir." ²⁸ Furthermore, the SST came at no cost to the State Department because it belonged to the Defense Department. Mr. Nordstrom also testified that, in fact, the State Department increased "danger pay" for personnel serving in Libya during the time it removed security. ²⁹

Perhaps the most egregious example of normalization was the removal of the SST and Mobile Security Detachments ("MSD") from Libya. In June 2012, Mr. Nordstrom began drafting a cable requesting an extension of the SST. That draft was shared with Ms. Lamb who, according to Mr. Nordstrom and LTC Wood, rejected the idea of continuing the military's presence in Libya. In particular, Ms. Lamb told Mr. Norstrom "not to ask," and that she "would not support" an extension of the SST to provide security to the compound even though it was at no cost to the Department of State. ³⁰

²⁵ Transcribed interview of Deputy Assistant Secretary of State for International Programs Charlene Lamb before the House Committee on Oversight and Government Reform, October 9, 2012.

²⁶ Email from Miki Rankin, Post Management Officer, Libya, Saudi Arabia, NEA-SCA/EX, May 3, 2012.

²⁷ Interview of Eric Nordstrom, Regional Security Officer, U.S. Department of State, before the Committee on Oversight and Government Reform, October 1, 2012.

²⁸ Testimony of Deputy Assistant Secretary of State for International Programs Charlene Lamb before the House Committee on Oversight and Government Reform Committee, October 10, 2012.

²⁹ Testimony of Eric Nordstrom, Regional Security Officer, U.S. Department of State, before the Committee on Oversight and Government Reform, October 10, 2012.

³⁰ Transcribed interview of Deputy Assistant Secretary of State for International Programs Charlene Lamb before the House Committee on Oversight and Government Reform, October 9, 2012.

Instead, according to LTC Wood, the administration wanted to normalize its presence and did not want the appearance of boots on the ground in Libya. He also maintained that the Department appeared to be applying a bureaucratic template to security with benchmarks that were inappropriate for such a dynamic and complex environment. In an email to the Committee, Mr. Nordstrom appeared to share this assessment, noting that Libya was "not an environment where post should be directed to 'normalize' operations and reduce security resources in accordance with an artificial time table."

Despite Embassy Tripoli's request, the State Department continued to withdraw support. The SST's presence was allowed to expire on August 5, 2012, despite U.S. Africa Command Commander General Carter F. Ham's assurances that it would be available for as long as necessary. General Ham reasserted this commitment during a recent congressional delegation to Stuttgart, Germany, stating that he would have readily supported this request if he had been asked. Shortly after the SST's left Libya, the last Mobile Security Detachment departed after having being prohibited from providing security since July 2012. Instead, they were instructed to train locally employed staff to take their place.

On the day Ambassador Stevens died, there were only three DS agents assigned to Benghazi. Some say that two extra DS agents would have made no difference. This misses the point. These agents would have provided the added cover to fully evacuate all personnel from the compound – not just those who survived.

Whether based on political concerns or bureaucratic neglect, the actions of this administration contributed to an inadequate and ineffective security posture in Libya as it emerged from civil war. These decisions served to undermine Ambassador Stevens as he and his colleagues sought to protect themselves against known terrorist elements in Libya. The American people deserve nothing less than a full explanation from this administration about these events, including why the repeated warnings about a worsening security situation appear to have been ignored by this administration.

Americans also deserve a complete explanation about your administration's decision to accelerate a normalized presence in Libya at what now appears to be at the cost of endangering American lives. These critical foreign policy decisions are not made by low or mid-level career officials – they are typically made through a structured and well-reasoned process that includes the National Security Council at the White House. The ultimate responsibility rests with you as the President of the United States.

³¹ Email from Eric Nordstrom, Regional Security Officer, U.S. Department of State, to Thomas Alexander, Senior Counsel, Committee on Oversight and Government Reform, October 1, 2012.

³² Testimony of Lieutenant Colonel Andrew Wood, Utah National Guard, before the Committee on Oversight and Government Reform, October 10, 2012.

³³ Interview of Eric Nordstrom, Regional Security Officer, U.S. Department of State, before the Committee on Oversight and Government Reform, October 1, 2012.

As such, we would like to know the following:

- 1. Who made the decision to accelerate normalization in Libya?
- 2. How was this decision made?
- 3. What benchmarks were used, and were they met?
- 4. Was the National Security Council involved in this decision?
- 5. When did the National Security Council meet about this matter?
- 6. Who attended those meetings?
- 7. Did policymakers rely on all available intelligence including dissenting opinions when making this decision?
- 8. How much of a factor in this decision was the impact of foreign influence on this fledgling state?
- 9. Do you believe it was appropriate for this administration to reject requests for additional security, withdraw existing security, increase hazard pay, and, at the same time, make it appear as if Libya was normalized?
- 10. Was the safety of American personnel paramount as these decisions were made?

The Committee on Oversight and Government Reform is the principal oversight committee of the House of Representatives and may at "any time" investigate "any matter" as set forth in House Rule X. As an independent branch of government, it is imperative that our investigation is conducted concurrently with any current or future investigation by the executive branch. Only through this manner will the American people believe that they are receiving a transparent account of these events.

If you have any questions about this request, please contact Thomas Alexander or James Lewis of the Committee Staff at 202-225-5074. Thank you for your attention to this matter.

Darrell Issa Chairman Sincerely,

Jason Chaffetz

Chairman

Subcommittee on National Security, Homeland Defense,

and Foreign Operations

Enclosure

cc: The Honorable Elijah E. Cummings, Ranking Minority Member

The Honorable John F. Tierney, Ranking Minority Member Subcommittee on National Security, Homeland Defense, and Foreign Operations