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United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

WASHINGTON, DC 20510-6250

October 18, 2012

The Honorable James R. Clapper
Director of National Intelligence
Office of the Director of National Intelligence
Washington, DC 20511

Dear Director Clapper:

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 the following initial requests. As head of the intelligence community (IC), you should include any responsive information or documents from throughout the IC, including all agencies or elements of that community.

1. What is the IC's current assessment as to who carried out the attack against the U.S. mission in Benghazi?
 - a. Is there agreement or disagreement within the IC on this assessment?
 - b. Please describe in detail any areas of disagreement.
2. What was the IC's assessment prior to September 11, 2012 about the security environment in Benghazi and across Libya?
 - a. How broadly were those assessments disseminated?
 - b. Please provide relevant intelligence products on this matter.
3. What was the IC's assessment prior to September 11, 2012 about the capabilities and intentions of extremist groups in Benghazi with respect to potential attacks against U.S. and Western interests in Libya?
 - a. How broadly were those assessments disseminated?
 - b. Please provide relevant intelligence products on this matter.
4. How did publicly reported attacks earlier this year against the U.S. mission in Benghazi and against other foreign-affiliated facilities and personnel (including attacks in 2012 against the British Ambassador to Libya and the International Committee of the Red Cross) in the city influence the IC's assessment of this threat? Please provide relevant intelligence products on this matter.
5. Was any member of the IC, including but not limited to the Department of State Bureau of Intelligence and Research, asked to assess any request for additional security for the U.S. embassy, diplomatic missions or diplomatic personnel in Libya? Please provide copies of those assessments.
6. An August 2012 report prepared by the Library of Congress for the Department of Defense noted that al-Qaeda senior leadership was "seeking to create an al-Qaeda clandestine network in Libya." To what extent were the IC's assessments consistent with this view? Please provide relevant intelligence products on this matter.
7. Did the IC have any information, actionable or otherwise, that warned about this attack or the potential for a similar attack in Libya? If so, please provide details about such information, including copies of relevant intelligence and analysis.
8. How was intelligence information about threats to U.S. facilities and personnel in Libya communicated prior to the attack to officials at the Department of State responsible for diplomatic security?

9. Following the attack, what information did the IC develop and learn about who carried out this attack, and about the details of the attack?
 - a. When did that information become available to the IC?
 - b. Please provide the Committee with all relevant intelligence reporting and finished products about the perpetrators, their motives, and the methods of the attack in Benghazi.
 - c. Does the IC assess that there is any evidence that any of the Libyan guards or the private security contractor guards were complicit in the attack?
10. Following the attack, what information, if any, did the IC possess or develop indicating a spontaneous protest took place during or prior to the attack?
 - a. When did that information become available to the IC?
 - b. Please provide relevant intelligence and analysis.
11. What were the views of key intelligence agencies (including the Central Intelligence Agency, Defense Intelligence Agency, National Counterterrorism Center, National Security Agency, Federal Bureau of Investigation, Department of State Bureau of Intelligence and Research, and the Office of the Director of National Intelligence) about the attack in its immediate aftermath?
 - a. Did they put forward conflicting assessments, either for internal agency consumption or for dissemination across the IC?
 - b. If so, how were those assessments reconciled?
 - c. Please provide copies of those assessments.
12. What information about the attack was shared by the IC with senior U.S. policy makers (including White House personnel and U.S. Ambassador to the United Nations Susan Rice), and others who made public statements about the attack, in the period of time between the attack and your office's statement about the attack on September 28, 2012?
 - a. What caveats, if any, were placed on the reliability of information provided to senior policy makers?
 - b. How was this information conveyed? By whom was it conveyed?
 - c. Please provide all documents pertaining to information shared, including talking points and briefing material prepared for policy makers.
13. On September 28, 2012, your office issued a release stating that the IC had "revised our initial assessment to reflect new information indicating that it was a deliberate and organized terrorist attack carried out by extremists."
 - a. What information caused the IC to change that assessment? Please provide copies of relevant intelligence reporting.
 - b. Are there video or other recordings that depict or record the attack or its aftermath? If so, please provide copies of these recordings.
 - c. When did the IC conclude that "some of those involved [in the attack] were linked to groups affiliated with, or sympathetic to al-Qai'da"?
 - d. When did the IC conclude "that [the attack] was a deliberate and organized terrorist attack carried out by extremists"?

14. What is the IC's current assessment as to the extent of advance operational planning for the attack?
15. Which intelligence agencies were involved with collecting and analyzing information about terrorism threats in Libya?
16. What intelligence agency resources (including numbers of personnel) were being used to collect and analyze information about this threat?
17. Who within the IC sets priorities for the allocation of collection and analytical resources and personnel, both generally and with respect to counterterrorism-related resources and personnel?
 - a. How does the IC ensure that resources across the IC are appropriately prioritized and can be swiftly reprioritized where necessary to address new and emerging terrorism threats?
18. What is the IC's assessment as to how this attack relates, if at all, to al Qaeda's activities and to broader violent Islamist extremist threats in North Africa and the Middle East? Please provide relevant intelligence products on this matter.
19. Please provide a list of attacks and plotted attacks on U.S. diplomatic facilities since September 11, 2001. What is the IC's current assessment of the worldwide terrorist threat to U.S. diplomatic facilities and personnel?

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, 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.

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,

A handwritten signature in blue ink, appearing to read "Joe Lieberman", with a stylized, flowing script.

Joseph I. Lieberman
Chairman

A handwritten signature in blue ink, appearing to read "Susan M. Collins", with a clear, legible script.

Susan M. Collins
Ranking Member