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# United States Senate

COMMITTEE ON  
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

WASHINGTON, DC 20510-6250

October 19, 2012

The Honorable Leon E. Panetta  
Secretary of Defense  
Department of Defense  
1400 Defense Pentagon  
Washington, DC 20301 - 1400

Dear Secretary Panetta:

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 for 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, U.S. 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 describe the role of the Department of Defense (DOD) in diplomatic security generally and in Libya and Benghazi specifically.
  - a. Please describe the roles and responsibilities of Site Security Teams (SSTs), Marine Corps Embassy Security Groups, and any other DOD personnel responsible for diplomatic security.
  - b. Who is responsible for funding DOD's diplomatic security efforts, including SSTs and Marine Corps Embassy Security Group units? Does the Department of State reimburse DOD for such activities, or are they funded directly from DOD resources?
  - c. How many members of SSTs and other DOD personnel were stationed in Libya at the time of the attack? How many were in Benghazi?
  - d. What was the cost (on an annual basis) of deploying an SST and any other personnel to embassies and U.S. missions in Libya?
  - e. How much was spent worldwide on the Marine Corps Embassy Security Group in the last five fiscal years?
2. Please describe how the roles and responsibilities of DOD and the Department of State are coordinated with respect to diplomatic security.
  - a. Under what authorities, directives, or guidelines does DOD provide support to diplomatic security activities? Please provide copies of relevant documents.
  - b. Who has the authority within DOD to authorize the deployment of U.S. military for diplomatic security missions?
  - c. What office within DOD is responsible for managing the coordination with the State Department with respect to diplomatic security?
  - d. What role does DOD play in preparing and selecting DOD assets for diplomatic security assignments? How does DOD determine whether to provide such assets to diplomatic security assignments or to other assignments (e.g., DOD force protection)? Have there been any significant changes in DOD policy regarding security assistance provided to the State Department within the last 5 years?
  - e. What is the process for the Department of State to request such DOD assets? How many such requests were made in fiscal years 2011 and 2012? How are such requests prioritized?



3. What legal or policy limitations exist concerning the deployment of military assets in support of U.S. diplomatic missions generally and in Libya and Benghazi specifically? When such assets are deployed, what limitations are placed on their operational activities generally and what limitations were placed on them in Libya and Benghazi specifically?
4. What role did DOD personnel play with respect to Libya in recommending security staffing for embassies, U.S. missions, or diplomatic personnel?
  - a. Did DOD personnel make any requests to DOD or the State Department to maintain or increase assets in for diplomatic security in Tripoli or Benghazi in the last 18 months?
  - b. If so, what were the responses to such requests?
  - c. If any of the requests were denied, what reason was given?
  - d. Please provide documents related to any such requests and identify the individual within your organization most knowledgeable about such requests and any responses or actions related to them.
5. Did DOD receive any requests from State Department officials to maintain or increase assets in Tripoli or Benghazi?
  - a. Describe any requests from the Department of State to DOD for maintaining or increasing security for the U.S. diplomatic missions or diplomatic personnel in Tripoli or Benghazi within the last 18 months and responses to any such requests.
  - b. Please provide documents related to any such requests and identify the individual within your organization most knowledgeable about such requests and any responses or actions related to such requests.
  - c. What, if any, requests for DOD security assistance have been requested by the State Department and denied by the Department of Defense during the last five years?
  - d. Please list any outstanding requests from the Department of State for a Marine Corps Embassy Security Group detachment or an SST to be located at any diplomatic facility worldwide.
6. What factors determine whether a Marine Corps Embassy Security Group is assigned to a State Department facility and what is the timetable for deployment?
  - a. Why was there not a Marine Corps Embassy Security Group deployed to embassies or diplomatic missions in Libya?

- b. Were there plans or are there plans now to deploy a Marine Corps Embassy Security Group to embassies or diplomatic missions in Libya? If not, why not? If so, what was the timetable for this deployment and what was the reasoning behind this timetable?
- 7. According to a September 13, 2012 email from the Director of the Marine Corps Senate Liaison, Colonel H.R. Van Opdorp, it typically takes time to grow a new MCESG detachment when a new embassy is established. Please explain the timetable for assembling and deploying a new Marine Corps Embassy Security Group detachment.
- 8. What was DOD's intelligence assessment of the security conditions in Libya and Benghazi, immediately prior to the September 11, 2012 attack?
  - a. What was the Defense Intelligence Agency's (DIA) threat assessment for Libya and Benghazi immediately prior to the September 11, 2012 attack?
  - b. What was U.S. Africa Command's threat assessment for Libya and Benghazi immediately prior to the September 11, 2012 attack?
  - c. Did DIA or Africa Command's or DOD's overall assessment change in the six months prior to the September 11, 2012 attack? If so, in what respect?
  - d. Please explain what if any DOD intelligence assessments were shared with the State Department prior to the September 11, 2012 attack.
- 9. Drawing on DOD's experiences with respect to force protection activities for its own facilities overseas, what improvements, if any, do you believe could be made to existing security procedures for overseas U.S. personnel or missions to prevent similar future attacks?
- 10. Were any DOD personnel on the ground in Benghazi at the time of the attack on the US mission? If so, what role did they play, if any, in the response to the attack?
- 11. Please provide any video or audio captured by DOD assets immediately before or during the September 11, 2012 attack at the Benghazi facility.
- 12. Has DOD provided any security for the FBI in Libya since the September 11, 2012 attack? If so, when? Who paid for such security?
- 13. Please list all diplomatic facilities that have an existing or planned Marine Corps Embassy Security Group detachment. For each such facility, please indicate, please indicate:
  - a. The number of Marines assigned;
  - b. Whether the facility holds classified information; and
  - c. The current threat level to the facility's host city.

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.

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