

DARRELL E. ISSA, CALIFORNIA  
CHAIRMAN

DAN BURTON, INDIANA  
JOHN L. MICA, FLORIDA  
TODD RUSSELL PLATTS, PENNSYLVANIA  
MICHAEL R. TURNER, OHIO  
PATRICK McHENRY, NORTH CAROLINA  
JIM JORDAN, OHIO  
JASON CHAFFETZ, UTAH  
CONNIE MACK, FLORIDA  
TIM WALBERG, MICHIGAN  
JAMES LANKFORD, OKLAHOMA  
JUSTIN AMASH, MICHIGAN  
ANN MARIE BUERKLE, NEW YORK  
PAUL A. GOSAR, D.D.S., ARIZONA  
RAUL R. LABRADOR, IDAHO  
PATRICK MEEHAN, PENNSYLVANIA  
SCOTT DESJARLAIS, M.D., TENNESSEE  
JOE WALSH, ILLINOIS  
TREY GOWDY, SOUTH CAROLINA  
DENNIS A. ROSS, FLORIDA  
BLAKE FARENTHOLD, TEXAS  
MIKE KELLY, PENNSYLVANIA

LAWRENCE J. BRADY  
STAFF DIRECTOR

ONE HUNDRED TWELFTH CONGRESS

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5074

FACSIMILE (202) 225-3974

MINORITY (202) 225-5051

<http://oversight.house.gov>

ELIJAH E. CUMMINGS, MARYLAND  
RANKING MINORITY MEMBER

EDOLPHUS TOWNS, NEW YORK  
CAROLYN B. MALONEY, NEW YORK  
ELEANOR HOLMES NORTON,  
DISTRICT OF COLUMBIA  
DENNIS J. KUCINICH, OHIO  
JOHN F. TIERNEY, MASSACHUSETTS  
WM. LACY CLAY, MISSOURI  
STEPHEN F. LYNCH, MASSACHUSETTS  
JIM COOPER, TENNESSEE  
GERALD E. CONNOLLY, VIRGINIA  
MIKE QUIGLEY, ILLINOIS  
DANNY K. DAVIS, ILLINOIS  
BRUCE L. BRALEY, IOWA  
PETER WELCH, VERMONT  
JOHN A. YARMUTH, KENTUCKY  
CHRISTOPHER S. MURPHY, CONNECTICUT  
JACKIE SPEIER, CALIFORNIA

September 20, 2012

The Honorable Hillary Rodham Clinton  
Secretary  
U.S. Department of State  
2201 C Street, N.W.  
Washington, D.C. 20005

Dear Madam Secretary:

The Subcommittee on National Security, Homeland Defense, and Foreign Operations is conducting oversight of the facts and circumstances surrounding the death of U.S. Ambassador to Libya J. Christopher Stevens and his colleagues on September 11, 2012. To date, public statements made by Administration officials have confused the American people as to exactly what happened on the 11th anniversary of the 9-11-2001 attacks. In fact, Administration accounts have differed sharply with those made by third parties, including the Libyan government. The universe of known facts, therefore, remains small and confusion has overshadowed certainty in this matter. The American people have a right to know precisely what happened that evening.

All we know for certain is that four Department of State personnel, including Ambassador Stevens, died at the hands of individuals who attacked the U.S. consulate in Benghazi, Libya. Accounts differ as to whom is responsible, why they did it, and the extent and timing of information provided to the United States. Some have attributed the attack as a “spontaneous” reaction to a YouTube video offensive to Muslims. Others, including Libyan President Mohammed el-Megarif, insist that it was a “pre-calculated, pre-planned attack that was carried out specifically to attack the U.S. consulate” on the anniversary of the terrorist attacks on 9-11-2001.<sup>1</sup>

Susan Rice, U.S. Ambassador to the United Nations, has offered a different perspective of the events. On September 16, 2011, she stated that heavily armed clusters of extremists hijacked an otherwise spontaneous replication of protests in Cairo.<sup>2</sup> The deadly attack, according to Ambassador Rice, “evolved” from a “protest” and was not premeditated.<sup>3</sup> This is a stark departure from President el-Megarif’s assertions, and appear to contradict statements made

<sup>1</sup> Leila Fadel, “Consulate Attack Preplanned, Libya’s President Says,” NPR, September 16, 2012.

<sup>2</sup> “Ambassador Susan Rice: Libya Attack Not Premeditated,” ABCNEWS, September 16, 2012.

<sup>3</sup> *Id.*

by National Counterterrorism Center Director Matt Olsen, who testified on September 19, 2012, that, "I would say yes, they were killed in the course of a terrorist attack on our embassy."<sup>4</sup>

Reports also indicate that information about impending attacks may have been provided to the U.S. Government prior to September 11, 2012.<sup>5</sup> According to an interview with February 17<sup>th</sup> Brigade member Jamal Mabrouk, he warned U.S. officials on several occasions that the security situation had worsened in Benghazi due to an increased presence of armed jihadists.<sup>6</sup> The latest warning apparently came three days ahead of the consulate attack.<sup>7</sup> Such notification may have been the subject of an alert letter issued by the Bureau of Diplomatic Security 48 hours in advance.<sup>8</sup>

Whatever the case may be, the American people have a right to know the facts about this egregious attack on U.S. sovereign territory. To that end, this Committee will investigate such matters as outlined under House Rules and expected by the American public. To assist this Subcommittee with its oversight, I ask that you please provide the following information:

1. All analyses, classified and unclassified, related to the security situation in Benghazi leading up to the attack;
2. All assessments, to include dissenting views, of potential threats to the American presence in Libya leading up to the attack;
3. All preliminary site exploitation results gleaned at the Consulate by U.S. Government personnel following the attack;
4. All warnings subsequently provided to U.S. Government personnel serving abroad based on the initial findings of the attack in Benghazi;
5. All documentation which supports or contradicts Ambassador Rice's statement that the attack evolved from a protest and was not premeditated;
6. All documentation which supports or contradicts Libyan President el-Megarif's statement that the attack was premeditated; and
7. All information, which does not directly expose sources or methods, related to the attack on the consulate.

---

<sup>4</sup> Testimony of National Counterterrorism Center Director Matt Olsen before the Senate Committee on Homeland Security and Governmental Affairs, September 19, 2012.

<sup>5</sup> Arwa Damon, "More Details Emerge on U.S. Ambassador's Last Moments," CNN, September 15, 2012.

<sup>6</sup> *Id.*

<sup>7</sup> Kim Sengupta, "Libya: We Gave US Three-Day Warning of Benghazi Attack," The Independent, September 18, 2012.

<sup>8</sup> *Id.*

The Honorable Hillary Rodham Clinton  
September 20, 2012  
Page 3

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. An attachment to this letter provides additional information about responding to the Committee's request.

We request that you provide the requested documents and information as soon as possible, but **no later than 5:00 p.m. on October 4, 2012**. When producing documents to the Committee, please deliver production sets to the Majority Staff in Room 2157 of the Rayburn House Office Building, and the Minority Staff in Room 2471 of the Rayburn House Office Building. The Committee prefers, if possible, to receive all documents in electronic format. The Committee has the cleared personnel and facilities to accept and store all classified information including Top Secret/SCI information.

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.

Sincerely,



Jason Chaffetz  
Chairman  
Subcommittee on National Security,  
Homeland Defense, and Foreign Operations

Enclosure

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

DAN BURTON, INDIANA  
JOHN L. MICA, FLORIDA  
TODD RUSSELL PLATTS, PENNSYLVANIA  
MICHAEL R. TURNER, OHIO  
PATRICK McHENRY, NORTH CAROLINA  
JIM JORDAN, OHIO  
JASON CHAFFETZ, UTAH  
CONNIE MACK, FLORIDA  
TIM WALBERG, MICHIGAN  
JAMES LANKFORD, OKLAHOMA  
JUSTIN AMASH, MICHIGAN  
ANN MARIE BUERKLE, NEW YORK  
PAUL A. GOSAR, D.D.S., ARIZONA  
RAUL R. LABRADOR, IDAHO  
PATRICK MEEHAN, PENNSYLVANIA  
SCOTT DESJARLAIS, M.D., TENNESSEE  
JOE WALSH, ILLINOIS  
TREY GOWDY, SOUTH CAROLINA  
DENNIS A. ROSS, FLORIDA  
FRANK C. GUINTA, NEW HAMPSHIRE  
BLAKE FARENTHOLD, TEXAS  
MIKE KELLY, PENNSYLVANIA

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

Majority (202) 225-5074  
Facsimile (202) 225-3974  
Minority (202) 225-5051

<http://oversight.house.gov>

EDOLPHUS TOWNS, NEW YORK  
CAROLYN B. MALONEY, NEW YORK  
ELEANOR HOLMES NORTON,  
DISTRICT OF COLUMBIA  
DENNIS J. KUCINICH, OHIO  
JOHN F. TIERNEY, MASSACHUSETTS  
WM. LACY CLAY, MISSOURI  
STEPHEN F. LYNCH, MASSACHUSETTS  
JIM COOPER, TENNESSEE  
GERALD E. CONNOLLY, VIRGINIA  
MIKE QUIGLEY, ILLINOIS  
DANNY K. DAVIS, ILLINOIS  
BRUCE L. BRALEY, IOWA  
PETER WELCH, VERMONT  
JOHN A. YARMUTH, KENTUCKY  
CHRISTOPHER S. MURPHY, CONNECTICUT  
JACKIE SPEIER, CALIFORNIA

LAWRENCE J. BRADY  
STAFF DIRECTOR

### Responding to Committee Document Requests

1. In complying with this request, you are required to produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. You should also produce documents that you have a legal right to obtain, that you have a right to copy or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party. Requested records, documents, data or information should not be destroyed, modified, removed, transferred or otherwise made inaccessible to the Committee.
2. In the event that any entity, organization or individual denoted in this request has been, or is also known by any other name than that herein denoted, the request shall be read also to include that alternative identification.
3. The Committee's preference is to receive documents in electronic form (i.e., CD, memory stick, or thumb drive) in lieu of paper productions.
4. Documents produced in electronic format should also be organized, identified, and indexed electronically.
5. Electronic document productions should be prepared according to the following standards:
  - (a) The production should consist of single page Tagged Image File ("TIF"), files accompanied by a Concordance-format load file, an Opticon reference file, and a file defining the fields and character lengths of the load file.
  - (b) Document numbers in the load file should match document Bates numbers and TIF file names.
  - (c) If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
  - (d) All electronic documents produced to the Committee should include the following fields of metadata specific to each document;

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH,  
PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE,  
SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM,

CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

6. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, box or folder is produced, each CD, hard drive, memory stick, thumb drive, box or folder should contain an index describing its contents.
7. Documents produced in response to this request shall be produced together with copies of file labels, dividers or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph in the Committee's schedule to which the documents respond.
9. It shall not be a basis for refusal to produce documents that any other person or entity also possesses non-identical or identical copies of the same documents.
10. If any of the requested information is only reasonably available in machine-readable form (such as on a computer server, hard drive, or computer backup tape), you should consult with the Committee staff to determine the appropriate format in which to produce the information.
11. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production.
12. In the event that a document is withheld on the basis of privilege, provide a privilege log containing the following information concerning any such document: (a) the privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author and addressee; and (e) the relationship of the author and addressee to each other.
13. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (stating its date, author, subject and recipients) and explain the circumstances under which the document ceased to be in your possession, custody, or control.
14. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, you are required to produce all documents which would be responsive as if the date or other descriptive detail were correct.
15. Unless otherwise specified, the time period covered by this request is from January 1, 2009 to the present.
16. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data or information, not produced because it has not been

located or discovered by the return date, shall be produced immediately upon subsequent location or discovery.

17. All documents shall be Bates-stamped sequentially and produced sequentially.
18. Two sets of documents shall be delivered, one set to the Majority Staff and one set to the Minority Staff. When documents are produced to the Committee, production sets shall be delivered to the Majority Staff in Room 2157 of the Rayburn House Office Building and the Minority Staff in Room 2471 of the Rayburn House Office Building.
19. Upon completion of the document production, you should submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control which reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the Committee.

### **Schedule Definitions**

1. The term “document” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, inter-office and intra-office communications, electronic mail (e-mail), contracts, cables, notations of any type of conversation, telephone call, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
2. The term “communication” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, email (desktop or mobile device), text message, instant message, MMS or SMS message, regular mail, telexes, releases, or otherwise.

3. The terms “and” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information which might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neuter genders.
4. The terms “person” or “persons” mean natural persons, firms, partnerships, associations, corporations, subsidiaries, divisions, departments, joint ventures, proprietorships, syndicates, or other legal, business or government entities, and all subsidiaries, affiliates, divisions, departments, branches, or other units thereof.
5. The term “identify,” when used in a question about individuals, means to provide the following information: (a) the individual's complete name and title; and (b) the individual's business address and phone number.
6. The term “referring or relating,” with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with or is pertinent to that subject in any manner whatsoever.
7. The term “employee” means agent, borrowed employee, casual employee, consultant, contractor, de facto employee, independent contractor, joint adventurer, loaned employee, part-time employee, permanent employee, provisional employee, subcontractor, or any other type of service provider.