



# MEMORANDUM

**RE:** Select Committee on Benghazi's Proposed Report<sup>1</sup>  
**DATE:** June 28, 2016

## By the Numbers:<sup>2</sup>

The House Select Committee on Benghazi compiled the following by the numbers facts on its investigation into the terrorist attacks in Benghazi, Libya:

- 75,000 – Pages of new documents
  - 0 previous investigations requested Ambassador Chris Stevens' emails
- 16,586 – Pages of witness interview transcripts
- >6,500 – Pages of documents received from the State Department since and including New Year's Eve
- >4,300 – Pages of emails and documents reviewed by the State Department's Accountability Review Board (never before produced to Congress)
- >400 – Pages of documents received from the State Department just last month
- 107 – Total witnesses interviewed to date
  - 81 – Witnesses who had never before been questioned by Congress about Benghazi
  - 9 – New witnesses who were eyewitnesses to the attacks
- 57 – State Department witnesses
  - 23 – Diplomatic Security agents or principal officers who served in Benghazi (all new witnesses)
  - 23 – Main State or other officials, 7 senior leaders, 3 ambassadors
- 24 – Department of Defense witnesses
  - 17 – Never before interviewed by Congress
- 19 – CIA witnesses
  - 8 – Never before interviewed by Congress
- 3 – White House and National Security Council witnesses, including Ben Rhodes (all new witnesses)
- 2 – Office of the Director of National Intelligence witnesses
- 2 – Non-government witnesses
- 802 – Pages in the #BenghaziReport (not counting "additional views" by members)
- 2,123 – Footnotes in the #BenghaziReport

<sup>1</sup> All information in this memo is pulled from the official website of the House Select Committee on Benghazi: <http://benghazi.house.gov/NewInfo>.

<sup>2</sup> <http://benghazi.house.gov/sites/republicans.benghazi.house.gov/files/documents/By%20the%20Numbers.pdf>

## **Breaking Down the Benghazi Report:**

### **I. Terrorist Attacks on U.S. Facilities in Benghazi:**

This 173-page section details everything from Ambassador Christopher Stephens' decision to go to Benghazi and the warnings and indicators prior to the attack to debunking the myth that the attack stemmed from a protest about an online video.

It tells the story of the brave Americans at the U.S. Embassy in Tripoli who sprang into action and did everything in their power to help their fellow Americans under attack in Benghazi. It details when the Pentagon found out about the attack and what they did in response, including the various U.S. military assets at the Obama Administration's disposal and the ability of each of those to respond.

Disturbingly, on pages I-87 through I-89, the report details orders to deploy assets from President Obama and the Secretary of Defense. But the attack had been ongoing for hours already and hours later, when two more Americans were killed in Benghazi, no assets were wheels up, en route.

Beginning on page I-105, we get details about the White House meeting held that evening. Despite the ongoing attack in Benghazi, the White House meeting discussed getting U.S. forces ready to deploy and orders were still being awaited.

This meeting – unattended by both President Obama and the Secretary of Defense who claim orders to deploy assets had already been given to do anything to save American lives – discussed the importance of getting permission from Libya before doing anything to save Americans being attacked by jihadists. They also debated what types of clothing the servicemen should wear – civilian clothes or uniforms. The State Department expressed concerns about acting without Libya's permission.

This is both unthinkable outrageous and infuriating.

### **The conclusions from this section are clear:**

- The Defense Department's Response to the Attack was Insufficient (p. I-149)
- The Forces did not Meet Timelines (p. I-150)
- The U.S. Government's Response lacked a Sense of Urgency (p. I-164)
- The U.S. Government's Response Lacked Leadership (p. I-165)

### **II. Internal and Public Government Communications about the Terrorist Attacks in Benghazi:**

The first page of this section provides all the evidence needed to realize that President Obama, then-Secretary Clinton, and the entire Obama Administration lied and deceived the American

media, the American people, and most gallingly, the families of the victims about what happened in Benghazi on September 11, 2012.

- “Two of our officers were killed in Benghazi by an Al Qaeda-like [sic] group” – The Secretary of State to her daughter, September 11, 2012
- “We know that the attack in Libya had nothing to do with the film. It was a planned attack—not a protest” – Summary of a statement by the Secretary of State to the Egyptian Prime Minister, September 12, 2012
- “[U]nderscore that these protests are rooted in an Internet video, and not a broader failure of policy” – Benjamin J. Rhodes, defining one of the goals of Ambassador Susan E. Rice’s appearances on the Sunday news programs following the Benghazi attacks, September 14, 2012
- “I gave Hillary a hug and shook her hand, and she said we are going to have the filmmaker arrested who was responsible for the death of my son.” – Diary entry of Charles Woods, father of Tyrone Woods, September 14, 2012

This section then details the numerous terrorist attacks in Benghazi against western targets in the months prior to the September 11, 2012 attack, what Senior State Department officials knew and when they knew it, and just how different the Obama Administration’s public statements were from their private statements.

Privately, they admitted to loved ones and others that it was an attack committed by jihadists. Publicly, they continued to spin the attack as a response to an online video. The report goes into detail through interviews and testimonies to show that the Obama Administration made an effort to craft talking points that would not reflect poorly on the Obama Administration’s foreign policy.

Once again, the Obama Administration lied and deceived the American people for political gain. This time, it was at the expense of four dead Americans.

### **III. Events Leading to the Terrorist Attacks in Benghazi:**

This section details U.S. military and diplomatic involvement in Libya during the Obama Administration’s first term, how then-Secretary of State Clinton viewed the overthrow of Qaddafi as one of the Administration’s signature achievements, how Libya fell into disarray after the fall of Qaddafi and became a breeding ground for radical jihadists, and how all of this led to the environment where the U.S. compound was attacked on September 12, 2012.

To understand why the White House and Obama Administration would want to hide the truth about what happened that resulted in four American lives being lost, you must understand how much they depended on Libya during the 2012 election. As time developed, it became clear that the long-term prospects for stability in Libya became less probable and the nation was quickly careening into chaos.

### **IV. Compliance with Congressional Investigations:**

This section details how the committee went about investigating what happened. One thing is clear – the Department of Defense, the State Department, the CIA, the White House, and other agencies in the Obama Administration made it difficult for Congress to do its job in thoroughly investigating what happened.

#### **V. Recommendations:**

The following are the key recommendations from the report; recommendations that we agree must be considered by the President and Congress:

- “The Executive Branch should provide for a central planning and coordination mechanism (likely within an existing entity) for interagency threat assessment and tracking for ‘force protection’ of U.S. facilities abroad as well as planning, operations, and response to potential attacks.”
- “Diplomatic Security personnel and or Security Protection Specialists should maintain a state of readiness to counter potential attacks at all times in high threat environments.”
- “Operational planners should carefully review whether a heightened posture is warranted on anniversaries of the September 11, 2001 terrorist attacks or other politically significant dates such as Inauguration Day in light of available analysis and threat intelligence.”
- “Military planners should review current and future operational planning to prevent recurrence of specific operational issues identified in the response to the Benghazi attacks.”
- “The Committee supports funding the State Department’s Foreign Affairs Security Training Center as the Department needs a dedicated training facility. The Department also should ensure its personnel satisfactorily complete requisite courses. A security professional should never go to a warzone or high threat environment feeling unprepared to defend themselves and their principal officer.”
- “The drafting and editing of talking points and other political communications for policymakers is not an intelligence function. Intelligence agencies and officials should not be drawn into the creating or editing of talking points and other political or policy communications.”
- “An additional step of quality control should be instituted in the review process for analytic products to ensure analytical products accurately reflect the views of analysts consistent with proper analytical tradecraft or are otherwise properly caveated.”
- “Claims in analytic products should be supported by substantial evidence, and analysts should clearly understand and place sourcing into context. Open source material should continue to play an appropriate role. However, where analytic products and addressing emergent situations are predominantly based on open source materials, they should be clearly noted as such. As a corollary, while crisis reporting may require flexibility in sourcing and analysis, emergent reporting known to be uncertain or developing should be properly disclosed and caveated.”
- “Law governing Accountability Review Boards [ARBs] should be amended to limit the influence of the Secretary of State and offices with potential conflicts of interest in the selection of members and to provide for broader distribution and reporting to Congress with respect to ARB reports or significant findings therein.”

- “For an ARB review, the State Department must affirmatively search for all relevant records, including archived records and records of senior leaders.”
- “The ARB implementing statute should be amended to allow an assessment of personnel failures not rising to the level of a ‘breach of duty’.”
- “Relevant Executive Branch agencies should consider and develop an appropriate long-term framework to provide for appropriate survivor benefits to the families of Americans killed in the line of duty in response to issues identified in the aftermath of the Benghazi attack.”
- “Family members of Americans killed in the line of duty should have a central liaison in Departments and agencies where one does not already exist. Such liaisons should be expressly chartered and empowered to act as advocates for family members in— resolving or explaining benefits issues, and providing as much information as possible (including specific information on request) sought by family members. Where classification issues exist, Departments and agencies should consider providing limited security clearances regarding relevant information pertaining to the fate of family members.”
- “The Executive Branch should provide Congress with a clear statement of intentions, rationale, plan and strategy (including objectives, contemplated method of execution, and contemplated completion strategy) when entering into major new overseas engagements. Such a statement should also state contemplated results and potential consequences of major initiatives.”
- “No facility shall remain in an unofficial status for more than 180 days without the express and direct approval of the Secretary of State.”
- “The State Department should comply with the requirements of the Overseas Security Protection Board and the standards provided for in the Secure Embassy Construction and Counterterrorism Act for all premises/facilities occupied for more than 30 days, whether official or unofficial.”
- “The State Department should identify a specific funding source for immediate security upgrades for posts in high threat areas.”
- “The Intelligence Community and the State Department should specifically recognize and improve collection of intelligence related to civilian “force protection” issues at facilities abroad, particularly with respect to high threat posts.”
- “Restoring the Congressional Contempt Power:”
  - Mandatory reductions in salaries for those officials held in contempt
  - Require appointment of special counsel to handle criminal contempt proceedings
  - Expedite procedures for civil enforcement of congressional subpoenas
- “Classification Determinations: Agencies should make express classification determinations with respect to documents and materials provided to congressional oversight committees.”
- “Improving Oversight and Investigations within the House:”
  - “The House should amend its rules to authorize all committees to take depositions.”
  - “The House should amend its rules to require committees to establish oversight subcommittees.”
- “Reforming Record-Keeping Laws:”

- “Congress should consider strengthening enforcement authorities and penalties under the Federal Records Act related to the use of nonofficial email accounts and non-official file-hosting services for official purposes.”

The following appendices provide additional detail and specific documents supporting the committee’s conclusions:

**[Appendix A: Resolution Establishing the Select Committee on the Events Surrounding the 2012 Terrorist Attack in Benghazi](#)**

**[Appendix B: Significant Persons and Organizations](#)**

**[Appendix C: Questions for the President](#)**

**[Appendix D: Significant Events in Libya Prior to the Attacks](#)**

**[Appendix E: Security Incidents in Libya](#)**

**[Appendix F: Deterioration of Benghazi Mission Compound Security](#)**

**[Appendix G: Timelines of the Attacks](#)**

**[Appendix H: The September 12 Situation Report and the President’s Daily Brief](#)**

**[Appendix I: Witness Interview Summaries](#)**

**[Appendix J: Requests and Subpoenas for Documents](#)**

**[Appendix K: Analysis of Accountability Review Board, House Armed Services Committee and House Permanent Select Intelligence Committee Reports](#)**

**[Appendix L: Glen A. Doherty, Sean P. Smith, J. Christopher Stevens, and Tyrone S. Woods](#)**

**[Additional Views of Representatives Jim Jordan and Mike Pompeo](#)<sup>3</sup>**

Congressmen Jim Jordan and Mike Pompeo published a separate 51 page report providing more in-depth analysis of the Select Committee on Benghazi’s findings. Connecting the dots of all the facts and data to answer questions about how these things happened and why they happened, these 51 pages are vital to understanding the dereliction of duty of President Obama and other Obama Administration officials leading up to and following September 11, 2012.

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<sup>3</sup><http://benghazi.house.gov/sites/republicans.benghazi.house.gov/files/documents/19%20Jordan%20and%20Pompeo%20Additional%20Views.pdf>

[Rep. Jordan joined Jay Sekulow Live!](#) on June 28, 2016 to discuss their findings.

**Congressmen Jordan and Pompeo’s summary of their conclusions is critical to understanding the full scope of the deceptions, failures, and lack of accountability:**

**I. The First Victim of War is Truth: The administration misled the public about the events in Benghazi**

Officials at the State Department, including Secretary Clinton, learned almost in real time that the attack in Benghazi was a terrorist attack. With the presidential election just 56 days away, rather than tell the American people the truth and increase the risk of losing an election, the administration told one story privately and a different story publicly. They publicly blamed the deaths on a video-inspired protest they knew had never occurred.

**II. Last Clear Chance: Security in Benghazi was woefully inadequate and Secretary Clinton failed to lead**

The State Department has many posts but Libya and Benghazi were different. After Qaddafi, the U.S. knew that we could not count on host nation security in a country where militias held significant power. The American people expect that when the government sends our representatives into such dangerous places they receive adequate protection. Secretary Clinton paid special attention to Libya. She sent Ambassador Stevens there. Yet, in August 2012, she missed the last, clear chance to protect her people.

**III. Failure of Will: America did not move heaven and earth to rescue our people**

The American people expect their government to make every effort to help those we put in harm’s way when they find themselves in trouble. The U.S. military never sent assets to help rescue those fighting in Benghazi and never made it into Libya with personnel during the attack. And, contrary to the administration’s claim that it could not have landed in Benghazi in time to help, the administration never directed men or machines into Benghazi.

**IV. Justice Denied: The administration broke its promise to bring the terrorists to justice**

After the attacks, President Obama promised “justice will be done.” There is no doubt our nation can make good on that commitment. Yet, almost four years later, only one of the terrorists has been captured and brought to the United States to face criminal charges. Even that terrorist will not

receive the full measure of justice after the administration chose not to seek the death penalty. The American people are owed an explanation.

**V. Unanswered Questions: The administration did not cooperate with the investigation**

Despite its claims, we saw no evidence that the administration held a sincere interest in helping the Committee find the truth about Benghazi. There is a time for politics and a time to set politics aside. A national tragedy is one of those times when as a nation we should join together to find the truth. That did not happen here. So while the investigation uncovered new information, we nonetheless end the Committee's investigation without many of the facts, especially those involving the President and the White House, we were chartered to obtain.

**On p. 2-3, this report also asks vitally important questions that we have been asking at the ACLJ for years.**

- “Why were diplomats stationed in Benghazi in the first place and, more importantly, why did they stay as it became more and more dangerous?”
- “Why did the State Department ignore multiple requests for help from the team in Benghazi, leaving them to fend for themselves in a facility that was no match for a well-organized assault?”
- “Why did the U.S. military do almost nothing to help and why did it take them so long to arrive in Libya and never prepare assets to arrive in Benghazi?”
- “Why did the administration mislead the American people about the nature and cause of the attack?”
- “Why, now almost four years later, has only one of the dozens of terrorists who murdered four of our countrymen faced American justice?”

This report shows how the Obama Administration was more concerned about its political prospects for re-election in 56 days than it was saving American lives. It was more concerned with what Libya would think than saving American lives.

**That's why the Administration lied and deceived the American people.**

From p. 15 to 23, this report reveals the timeline of public and private statements about the cause of the attack. In private, on the night of the attack, then-Secretary of State Clinton e-mailed her daughter, Chelsea, that an al Qaeda like group attacked the U.S. compound. In the days following the attack, she would spout the false talking point about the video, even telling the father of one of the victims that exact same lie.

**Politics was elevated above people. Lies were elevated above the truth.**

The truth reveals dereliction of duty on the part of many Obama Administration officials. How else can you explain no military assets having even lifted off to travel towards Benghazi eight



hours after the attack began (see pages 38-45)? How else can you explain only one terrorist being captured and facing trial nearly four years later (see pages 45-46)?

You can't.

Reps. Jordan and Pompeo's conclusion sums it up perfectly on p. 48:

In the end, the administration's efforts to impede the investigation succeeded, but only in part. The minority members' and their staff's efforts to impede the investigation succeeded also, but again only in part. And although we answered many questions, we could not do so completely. What we did find was a tragic failure of leadership—in the run up to the attack and the night of—and an administration that, so blinded by politics and its desire to win an election, disregarded a basic duty of government: ***Tell the people the truth.*** And for those reasons Benghazi is, and always will be, an American tragedy.

An American tragedy, indeed.

At the ACLJ, we are continuing to work with Members of Congress, in the courts, and through the media to hold this Administration accountable. We must not allow this failure to happen again. We must stop the lies. We must cut off the Administration's false narrative.

We will continue taking action to demand accountability and uphold the honor of the four brave Americans in Benghazi who died for our nation.