

BREACH OF DUTY

**HILLARY CLINTON
AND CATASTROPHIC
FAILURE IN BENGHAZI**



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INTRODUCTION

During the highly-charged 2008 Democratic primary season, Hillary Clinton attacked Barack Obama for being unprepared for a phone call in the middle of the night that demanded a decisive response. Her 2008 campaign claimed that she, in contrast, was prepared for those urgent calls.¹ Yet when her phone rang at approximately 4pm EDT on September 11th, 2012, and she was briefed about the Benghazi attack, she demonstrated the very lack of decisiveness she had attributed to then-Senator Obama. In fact, her leadership failures and unique culpability for the catastrophe in Benghazi began much earlier and extended well beyond the attack itself.

The attack on U.S. facilities in Benghazi on September 11th, 2012, actually consisted of three distinct but interconnected phases: an unsupported diplomatic expansion into the city that enabled the attack; an uncoordinated and unresponsive reaction to the attack itself; and a concerted effort after the attack to remain unaccountable. Although a wide range of decisions contributed to each of these individual phases, only one person was responsible for the most critical choices during all three: Hillary Rodham Clinton.

UNSUPPORTIVE: Secretary Clinton pushed U.S. Ambassador to Libya Chris Stevens to convert the temporary American facility in Benghazi into a permanent diplomatic post, despite clearly and consistently stated concerns about security risks, according to Deputy Chief of the U.S. Mission in Libya Gregory Hicks.² The failure to address those concerns ultimately proved fatal to Stevens and three other Americans.

UNRESPONSIVE: Despite being aware that a U.S. diplomatic facility was under assault, senior U.S. Defense Department officials have testified that they never heard from Secretary Clinton to request or discuss U.S. military assistance the night of the attack.³ No evidence has been produced that Secretary Clinton, nor anyone she directly supervised, pushed for critical U.S. military assistance for those under her employ who were fighting for their lives.

UNACCOUNTABLE: Following the attack, Secretary Clinton's early statements echoed the discredited story that the attack was a response to an internet video. Subsequent evidence has demonstrated it was known even while those statements were released that the assault was a terrorist attack. Secretary Clinton's team used an interagency process to remove references to long-standing concerns about security in Benghazi that Clinton's State Department had ignored. And Secretary Clinton herself never spoke with the Accountability Review Board on Benghazi nor did she hold anyone in her 22,000-person department responsible for any failures that contributed to the attack's destruction and lethality.

¹ <http://www.youtube.com/watch?v=7yr7odFUARg>

² <http://www.theguardian.com/world/2013/may/08/benghazi-us-officials-blocked-congress-hearing>

³ http://www.weeklystandard.com/blogs/no-word-hillary-during-benghazi-attack_700410.html

Secretary Clinton herself created a stir recently when she expressed regret over the Benghazi attacks but attributed the catastrophe to decisions made with “imperfect information” and resulting in “unforeseen consequences, unpredictable twists and turns.”⁴ As this report will show, the information available to Secretary Clinton was actually very clear and the consequences of decisions made by her and the team under her direct supervision were entirely predictable. The information wasn’t inadequate; her leadership was.

The Accountability Review Board’s report and the various Congressional investigations have produced important albeit disconnected findings about Hillary Clinton’s singularly central role in each phase of the catastrophic failure in Benghazi. This document will attempt to combine within a single report the information which describes her breach of duty to those who served her and the United States in Libya.

This report is based on information currently in the public domain. More material certainly exists that could further explain how Secretary Clinton’s decisions contributed to what happened in Benghazi. This report is intended to be a living document that can be updated and re-released as new information becomes available. However, absent a more coordinated Special Select Committee investigation in Congress that utilizes subpoena power to compel witness testimony under oath, the full story about Hillary Clinton’s deadly failure of leadership may never be completely told.

This report was drafted using resources from OPSEC, a non-partisan grassroots advocacy organization of former members of Special Operations Forces and the intelligence community. OPSEC is focused on protecting U.S. Special Operations Forces and national intelligence assets from political exploitation, misguided policies, and intentional misuse of classified information, all of which expose them and their families to greater risk and reduce their ability to keep Americans safe. In 2012, OPSEC released *Dishonorable Disclosures*, a documentary short film that criticized the Obama Administration for the rise of politically-motivated leaks of Intelligence and Special Operations missions, tradecraft, tactics and capabilities. Since then *Dishonorable Disclosures* has been viewed more than 5.7 million times. More information about OPSEC can be found at www.OpSecTeam.org.

Cover art photo credit: AP

⁴ <http://thehill.com/blogs/global-affairs/middle-east-north-africa/196494-hillary-benghazi-my-biggest-regret>

BACKGROUND

Hillary Clinton was in charge of the U.S. presence in Libya. From leading the effort within the Obama Administration to push for NATO intervention to setting U.S. policy priorities and matching them with resources, she led the way. The country's re-emergence into the community of nations was to have been the crowning achievement of her tenure as Secretary of State. The notion, therefore, that she was not aware of the dangerous environment in Libya and therefore not responsible for her Department's failure to protect its people is totally negated by her close, personal involvement in developments in that country.

Matching Priorities with Resources

Clinton's leading role on Libya was on display as soon as the rebellion against Muammar Gaddafi got underway. While other foreign Heads of State visited Libya in 2011, President Obama had Secretary Clinton represent the United States because of the leading role she had played in the NATO-led intervention that had resulted in the overthrow of the Gaddafi regime⁵.



Hillary Clinton and Libyan National Transitional Council Prime Minister Mahmoud Jibril in Tripoli (10/18/11; photo credit: Reuters).

As an experienced Washington-hand, Secretary Clinton knew how critical it was to back up her policy initiatives with the necessary resources. In Libya, she put that experience on full display.

Shortly after the anti-Gaddafi revolution began, Clinton's State Department made a thorough assessment of the situation on the ground, used existing Executive Branch authority to repurpose funds and briefed Congress on a plan to support the rebels.⁶ Initial aid was for as much as \$25 million.

That support eventually grew to approximately \$135 million before the end of 2011 alone.⁷

As the revolution succeeded in driving out Gaddafi, a new Clinton priority was for the U.S. to find and collect surface-to-air missiles (MANPADs) that had spread across the country during the insurgency. According to the *UK Guardian*, during her October 2011th trip to Libya, Secretary Clinton offered a new aid package of \$11th million, which included funds to secure surface-to-air missiles (MANPADs) from around Libya.

⁵ http://www.nytimes.com/2011/10/19/world/africa/clinton-in-libya-to-meet-leaders-and-offer-aid-package.html?_r=0

⁶ <http://www.cbsnews.com/news/us-to-give-libyan-rebels-non-lethal-aid/>

⁷ <http://www.theguardian.com/world/2011/oct/18/us-libya-aid-package>

The U.S., under Secretary Clinton's leadership in Libya, would ultimately send 14 weapons experts to Libya and spend \$6 million to attempt to gather these weapons. Clinton's team invested time and effort to work with Congress to increase the budget for this priority by another \$40 million over the subsequent 12 months.⁸

Exceptional Attention To Libya at the Highest Levels

Clinton's priorities for Libya went well beyond just funding for policy priorities. Secretary Clinton pushed her diplomatic team – led in 2012 by new Ambassador Chris Stevens -- for progress in expanding the U.S. diplomatic presence, including adding permanent facilities outside of the capital of Tripoli. This, ultimately, is what put Stevens in Benghazi in early September of 2012.⁹

The Clinton team's microscopic concentration on Libya extended to the U.S. personnel in-country also. The Under Secretary of State for Management under Clinton – the official tasked with administering an entire department of 22,000 people spread around the world -- “approved every person who went to Libya and received a daily report on the number of personnel, their names, and their status.”¹⁰

In short, Secretary Clinton and her team's attention to Libya was as great or greater than to any other country in the world at that time.

Yet Hillary Clinton's focus on Libya tragically and inexplicably excluded widespread and well-known warnings of danger and multiple requests for help from the Americans serving on the ground there. Her disregard ultimately proved fatal to Ambassador Stevens, Foreign Service Office Sean Smith and Tyrone Woods and Glen Doherty, American veterans serving in Libya as CIA contractors.

⁸ <http://www.theguardian.com/world/2011/oct/18/us-libya-aid-package>

⁹ <http://cnsnews.com/news/article/testimony-stevens-went-benghazi-mission-91112-so-clinton-could-announce-upcoming-libyan>

¹⁰ <http://www.intelligence.senate.gov/benghazi2014/benghazi.pdf>



Photo credit: AFP/Getty Images

Benghazi was a very dangerous place and everyone knew it. In mid-2012 Red Cross offices had been attacked and the UK's Ambassador had barely survived an assassination attempt in broad daylight. Even the U.S. Mission compound itself had been the target of small-scale bombs in April and June of 2012.¹¹

Widespread Awareness of Threats

The U.S. Senate Select Committee on Intelligence would later issue a bipartisan report finding that the U.S. Intelligence Community “produced **hundreds** of analytic reports in the months preceding the September 11th -12, 2012, attacks, providing strategic warning that militias and terrorist and affiliated groups had the capability and intent to strike U.S. and Western facilities and personnel in Libya” (emphasis added).¹²

The threat reporting by the Intelligence Community also was distributed widely among the agencies involved in U.S. operations in Libya, including the Department of State. On December 30, 2012, the U.S. Senate Committee on Homeland Security and Governmental Affairs issued its own bipartisan report -- *Flashing Red: A Special Report on the Terrorist Attack at Benghazi* – which found that “this intelligence [about Benghazi] was effectively shared within the Intelligence Community (IC) **and with key officials at the Department of State**” (emphasis added).¹³

¹¹ <http://www.thedailybeast.com/articles/2012/10/02/u-s-consulate-in-benghazi-bombed-twice-in-run-up-to-9-11-anniversary.html>

¹² <http://www.intelligence.senate.gov/benghazi2014/benghazi.pdf>

¹³ <http://www.hsgac.senate.gov/download/benghazi-investigation/-flashing-red-a-special-report-on-the-terrorist-attack-on-benghazi>

Evidence for the awareness of the high risks to American personnel in Benghazi is ample. Perhaps the best example is a statement given by Under Secretary of State for Management, Patrick Kennedy, to the Senate Homeland Security and Governmental Affairs Committee. Ambassador Kennedy described Libya and Benghazi as “‘flashing red’ around the time of the attack.”¹⁴

Even Secretary Clinton’s peers in other federal agencies – agencies not primarily responsible for protecting U.S. diplomats and diplomatic facilities as Secretary Clinton’s department was -- were aware of the threat reporting on Benghazi. Then-Secretary of Defense Leon Panetta and Chairman of the Joint Chiefs of Staff, General Martin Dempsey, both testified under oath before Congress that they were aware of the security risks and requests for assistance from U.S. personnel in Libya.¹⁵

The *Washington Post*’s Fact Checker, Glenn Kessler, would later write: “it is certainly interesting that defense officials say they appeared more aware of the security situation at U.S. diplomatic facilities than the secretary of state.”¹⁶

The threat reporting was widespread and it was officially acknowledged at the highest level of the State Department under the Secretary herself by someone who reported to her directly. It was also well-known among other Cabinet-level officials. Therefore it is simply not credible to believe, as Secretary Clinton and her supporters have claimed, that she was not fully aware of the threats to U.S. personnel serving her and the United States in Libya and Benghazi.



Secretary of Defense Leon Panetta and Chairman of the Joint Chiefs of Staff, Gen. Martin Dempsey, testify before the Senate Armed Services Committee on the attack in Benghazi (2/7/13; photo credit: Reuters).

Despite Threats, Clinton Pushed

But despite the risks, Secretary Clinton pushed Ambassador Stevens and his team to expand the U.S. diplomatic footprint in Libya. That pressure would ultimately put Stevens in an under-protected facility on September 11th, 2012.

On May 8, 2013, Gregory Hicks, the Deputy Chief of Mission at the US Embassy in Tripoli, testified before the U.S. House of Representatives’ Oversight and Government Reform Committee about events leading up to the attack on September 11th , 2012 in Libya. During his riveting testimony, Hicks testified that Ambassador Stevens told him

¹⁴ <http://www.hsgac.senate.gov/download/benghazi-investigation/-flashing-red-a-special-report-on-the-terrorist-attack-on-benghazi>

¹⁵ <http://www.cnn.com/2013/02/07/us/panetta-benghazi-hearing/>

¹⁶ http://www.washingtonpost.com/blogs/fact-checker/post/hillary-clinton-and-the-aug-16-cable-on-benghazi-security/2013/04/09/675de8f8-a179-11e2-9c03-6952ff305f35_blog.html

that Secretary Hillary Clinton was pushing to convert the temporary American facility in Benghazi, otherwise known as the Mission compound, into a permanent diplomatic post:

*"According to Chris, Secretary Clinton wanted Benghazi converted into a permanent constituent post. Timing for this decision was important. Chris needed to report before September 30th, the end of the fiscal year, on the physical -- the political and security environment in Benghazi to support a -- an action memo to convert Benghazi from a temporary facility to a permanent facility," Hicks said.*¹⁷

Hicks further testified before Congress that Ambassador Stevens made the ultimately fateful trip to Benghazi to make progress on the permanency of the Mission so that Secretary Clinton could announce its permanency during her December 2012 planned visit to Libya.¹⁸

Failing To Match A Real Priority with Resources

Even as Clinton pushed to upgrade the Benghazi location, she and the senior State Department leadership under her direction consistently disregarded or actively refused requests by Stevens and other U.S. personnel for vital security support – in fact, they actually reduced existing support just a month before the deadly attack.

Despite massive shortcomings in methodology and conclusions, the report of the Accountability Review Board did include a clear and definitive statement about the failure of the senior Clinton State Department management team to provide adequate security support to the American team in Libya:

*"Overall, the number of Bureau of Diplomatic Security (DS) security staff in Benghazi on the day of the attack and in the months and weeks leading up to it was inadequate, despite repeated requests from Special Mission Benghazi and Embassy Tripoli for additional staffing. Board members found a pervasive realization among personnel who served in Benghazi that the Special Mission was **not a high priority for Washington when it came to security-related requests**, especially those relating to staffing..."(emphasis added).*¹⁹

Lt. Colonel Andrew Wood, the Site Security Team (SST) Commander in Libya from February to August of 2012, testified that beyond denying requests for additional security, existing security was actually cut.



Lt. Col. Andrew Wood testifying before the House Oversight & Government Reform Committee (10/10/12; photo credit: AP).

¹⁷<http://www.foxnews.com/politics/2013/06/22/trail-benghazi-security-lapses-leads-higher-at-state-department-records-show/>

¹⁸<http://cnsnews.com/news/article/testimony-stevens-went-benghazi-mission-91112-so-clinton-could-announce-upcoming-libyan>

¹⁹<http://www.state.gov/documents/organization/202446.pdf>

"There was pressure to reduce the number of security people there,"²⁰ Wood testified. One by one the American mission in Libya "lost three State Department security teams, their only airplane and, eventually, Wood's [elite, 16-man counterterrorism] squad too."²¹

Choosing Incapable Local Security over American Professionals

The decision to remove Wood's team was a part of a policy decision made at Clinton's State Department headquarters. According to the bipartisan Senate Select Committee on Intelligence report, "the decision not to request an extension of the SST's mission in August 2012, approximately one month prior to the attacks, [was] because State believed that many of the duties of the SST could be accomplished by local security forces, DS agents or other State Department capabilities."²² This would mainly end up being local security forces.

Yet the bipartisan report goes on to find that "[t]he ineffectiveness of the Libyan government in its ability to respond to emergencies and control areas like Benghazi was well-known to the U.S. Government and Ambassador Stevens prior to the attack."²³ Ambassador Stevens himself cabled State headquarters on August 2, 2012, stating "[h]ost nation security support is lacking and cannot be depended on to provide a safe and secure environment for the diplomatic mission of outreach."²⁴

Others Used The Same Information To Better Protect Their People

Greater proactive security support was very possible. Consider the actions the CIA took when faced with the need to also secure a facility in Benghazi at the same time and under the same threat scenario. The Senate Select Committee in Intelligence's report found that "[i]n contrast, the CIA, in response to the same deteriorating security situation and IC threat reporting, consistently upgraded its security posture [in Benghazi] over the same time period."²⁵

Apologists for Secretary Clinton have suggested that Ambassador Stevens actually refused offers of additional support from the Department of Defense, suggesting that he would not have done so if he truly felt he needed additional support. DCM Hicks demolished this argument in a recent *Wall Street Journal* op-ed, writing:

*"When I arrived in Tripoli on July 31, we have over 30 security personnel, from the State Department and the U.S. military, assigned to protect the diplomatic mission in Libya. All were under the ambassador's authority. On Sept. 11th, we had only nine diplomatic security agents under Chris's authority to protect our diplomatic personnel in Tripoli and Benghazi... To sum up: Chris Stevens was not responsible for the reduction in security personnel."*²⁶

²⁰ <http://www.cbsnews.com/news/security-dwindled-before-deadly-libyan-consulate-attack/>

²¹ <http://www.cbsnews.com/news/security-dwindled-before-deadly-libyan-consulate-attack/>

²² <http://www.intelligence.senate.gov/benghazi2014/benghazi.pdf>

²³ <http://www.intelligence.senate.gov/benghazi2014/benghazi.pdf>

²⁴ <http://www.cbsnews.com/news/ambassador-warned-libya-was-volatile-and-violent/>

²⁵ <http://www.intelligence.senate.gov/benghazi2014/benghazi.pdf>

²⁶ <http://online.wsj.com/news/articles/SB10001424052702304302704579332732276330284>

Simply A Failure of Leadership

This was not a lack of awareness nor was it a lack of resources as Clinton allies on the ARB and in Congress have suggested. As noted in detail above, Secretary Clinton and her team were able to identify and produce resources for her policy priorities in Libya – support for the interim government and the search for MANPADs, among others.

Therefore it defies belief that they were somehow unable to find resources to support the critical and frequently requested security needs of her representatives there due to macro budgetary constraints. As the minority members of the Senate Select Committee on Intelligence wrote:

“Many times, lack of congressional funding is used by an Administration to downplay its own role or minimize responsibility; but in this case, this excuse simply cannot justify highly questionable management decisions.”²⁷

The simple fact is that the failure to support the Americans on the ground in Benghazi was the result of a lack of leadership at the highest levels of the State Department. The Accountability Review Board found that despite the drive to upgrade the status of the Benghazi site, U.S. personnel in Libya were undermined by a lack of “transparency, responsiveness, and leadership **“at senior levels”** [of the State Department]” (emphasis added).²⁸ Given that widely-accepted finding, it is credible to assume Secretary Clinton had an understanding of these decisions and did nothing to alter them.

The credibility of that assumption is reinforced by none other than the Chairman of the Joint Chiefs of Staff, General Martin Dempsey. In testimony before the Senate Armed Services Committee about a mid-August 2012 cable describing the Benghazi Mission compound’s inability to defend itself from attack, General Dempsey testified that he was “surprised” that Secretary Clinton had testified she did not know about that cable.²⁹ Dempsey clearly had an expectation that she had – and should have.

A lack of support throughout 2012 for Americans in Libya by Secretary Clinton and her immediate leadership team set the stage for an attack which a bipartisan committee of U.S senators said was “preventable.”

²⁷ <http://www.intelligence.senate.gov/benghazi2014/benghazi.pdf>

²⁸ <http://www.state.gov/documents/organization/202446.pdf>

²⁹ <http://nbcpolitics.nbcnews.com/news/2013/02/07/16885170-gop-senators-assail-gen-dempsey-and-obama-for-response-to-benghazi-attack?lite>



Photo credit: Reuters

Hillary Clinton's leadership during the response to the attack in Benghazi was as disorganized and incomplete as her management of the American presence in Libya during the previous year.

Although a State Department facility and team were the initial focus of the attack, no precise timeline has been made publicly available for Secretary Clinton's activities that night. More detail is known about the Secretary of Defense's whereabouts and actions, despite no DoD assets being immediately in harm's way. What information does exist about Clinton describes a reaction to the attack that is unfocused and lacking in urgency.

No Fierce Urgency of Now

The State Department's Operations Center was notified of the attack on the Mission compound at 3:40pm EDT and issued an alert to other government agencies, including the White House Situation Room, twenty-five minutes later.³⁰ Secretary Clinton has testified that her first phone call upon being informed of the attack was to then-National Security Advisor Tom Donilon.³¹ That was the first and last call Secretary Clinton would make to the White House during the more than 8-hour long attacks.

No information has been made available about what Secretary Clinton and Mr. Donilon discussed. However, no actions have been described by the White House or any congressional committee investigating the Benghazi attacks that could be attributed to a

³⁰ <http://www.cbsnews.com/news/benghazi-timeline-how-the-attack-unfolded/>

³¹ <http://www.11alive.com/news/article/273648/40/Hillary-Rodham-Clinton-testifies-about-Benghazi->

request for immediate U.S. military assistance made by Secretary Clinton during this call.

Secretary Clinton also testified that she called then-CIA Director David Petraeus. The *Wall Street Journal* reported that this call occurred at 5:41 p.m. EDT and, without attribution, described the purpose of the call as to “make sure the two agencies were on the same page.”³² At this point in the attack, CIA assets in Libya were already acting on their own to help relieve the American personnel at the Mission compound. No information has ever been publicly reported that Secretary Clinton asked Director Petraeus for additional CIA support for the State Department team in Benghazi and no information has ever been made public that shows that additional assistance was ordered by the CIA based on her call.

No Calls To Those Who Could Actually Help

The White House has also confirmed that Secretary Clinton called “Libyan President Magariaf on behalf of [President Obama] on the evening of September 11th, 2012 to coordinate additional support to protect Americans in Libya and access to Libyan territory.”³³ It is unknown what time that call occurred but no Libyan support was forthcoming to those still under fire until almost 6am (Benghazi time) on September 12th, when “a heavily-armed Libyan militia unit arrived to help evacuate the [CIA] Annex of all U.S. personnel to the airport.”³⁴ This was almost 9 hours after the attack began and, presumably, several hours after Secretary Clinton spoke to President Magariaf.

It is not surprising that calls for Libyan support did not yield greater and more immediate assistance. As noted earlier, it was well understood before the attack that the Libyan government was not able to project power into parts of the country like Benghazi.³⁵ The only organization potentially able to project power quickly and effectively enough to help the Americans under attack in Benghazi was the U.S. military – but Secretary Clinton never called the Commander-in-Chief nor the Secretary of Defense.

Secretary of Defense Leon Panetta, Joint Chiefs of Staff Chairman, General Martin Dempsey, and U.S. AFRICOM commander, General Carter Ham, have all testified that they did not speak with Secretary Clinton on September 11th, 2012.³⁶ These same Senior Defense Department officials have further testified that at no time did the State Department request military assistance that evening. What limited U.S. military assistance was dispatched was done so on their own initiative and with no appeals or coordination with Secretary Clinton or the State Department leadership.

Clinton Decides to Hold Assets Back

Not only did Secretary Clinton not request Department of Defense and Intelligence assets to assist the victims in Benghazi, the State Department is reported to have failed

³² <http://online.wsj.com/news/articles/SB10001424052970204712904578092853621061838>

³³ <http://images.politico.com/global/2013/02/14/ruemmlerbenghaziltr.html>

³⁴ <http://www.intelligence.senate.gov/benghazi2014/benghazi.pdf>

³⁵ <http://www.intelligence.senate.gov/benghazi2014/benghazi.pdf>

³⁶ http://www.weeklystandard.com/blogs/no-word-hillary-during-benghazi-attack_700410.html

to utilize its own response assets. On May 8, 2013, Mark Thompson, Acting Deputy Assistant Secretary of State for Operations – Counterterrorism Bureau, testified before the House Oversight and Government Reform Committee that State’s Foreign Emergency Support Team (FEST) had been prevented from being deployed. Thompson told the Committee that when he tried to get FEST deployed on September 11th, 2012, he was told that it was not necessary.³⁷ CBS reported in detail on the FEST and the decision not to deploy it in response to Benghazi:

The FEST is described as “the US Government’s only interagency, on-call, short-notice team poised to respond to terrorist incidents worldwide.”...Yet deployment of the counterterrorism experts on the FEST was ruled out from the start. That decision became a source of great internal dissent and the cause of puzzlement to some outsiders...While it was the State Department that’s said to have taken FEST off the table, the team is directed by the White House National Security Council...In the end, Obama administration officials argue that its quick deployment would not have saved lives because, while the U.S.-based team might have made it to Tripoli, Libya, before the attacks ended, they most certainly wouldn’t have made it to Benghazi in time. Still, nobody knew at the outset how long the crisis was going to last.”³⁸



Acting Deputy Assistant Secretary of State for Counterterrorism Mark Thompson testifies before the House Oversight and Government Reform Committee (5/8/13; photo credit: Getty Images).

The Senate Select Committee on Intelligence’s report on Benghazi included additional views by the minority members that put Secretary of State Clinton in the room where the decision was made to not deploy the FEST:

“The Committee has been told that this decision [to take deployment of the FEST ‘off the table’] was made during a meeting that included [Under Secretary of State for Management] Kennedy, the Secretary of State, and the Secretary of Defense. While we believe the military should have been the first response, the FEST’s terrorism response mission – and previous deployments following the 1998 East

³⁷ <http://oversight.house.gov/hearing/benghazi-exposing-failure-and-recognizing-courage/>

³⁸ <http://www.cbsnews.com/news/officials-on-benghazi-we-made-mistakes-but-without-malice/>

Africa Embassy bombings and the 2000 USS Cole bombing, should have put them squarely in play. Yet, in what seems to be an unwillingness by State Department leadership to acknowledge that Benghazi was a terrorist incident, the decision was made to not deploy FEST.”³⁹

On February 7, 2013, Leon Panetta testified that a Deputies Committee of the National Security Council took place at about 6 or 7pm EDT on September 11th, 2012.⁴⁰ The State Department would have been represented by someone below Secretary Clinton’s level, but it is not clear who specifically represented her at that meeting or what their direction was from her to accomplish there. Americans were still under attack in Benghazi while this meeting took place but no information has been reported showing that the meeting resulted in any immediate military support.

State’s “Huge Piece” of Response Led to Nothing

One day after the attack, an unnamed Senior Obama Administration Official suggested that State was playing a significant role in the interagency process:

It was very much an interagency effort in the – while the violence was ongoing and in the aftermath and throughout the day, today, led in the usual way by National Security Council with the participation of all of us. Obviously, the State Department had a huge piece of that, but all agencies – all relevant agencies were involved.”⁴¹

However, no result from the State Department’s “huge piece of that” can be identified in any public reporting or congressional investigation results.

Secretary Clinton did not speak to President Obama until almost 10pm EDT – more than six hours after the attack began and was recognized as an assault on the Mission compound -- and it was he who called her “to get an update on the situation.”⁴² It is unknown what Secretary Clinton told the president when they spoke that night. However, the president subsequently issued no direct orders after that call that anyone has testified to or that could even be attributed to subsequent action.

The failure of the Obama Administration to pre-position assets for the anniversary of 9/11 or deploy them more quickly in response to the Benghazi attack is an important element to the broader story. But it is large and significant enough to warrant a separate report. The focus of this report is on the actions of Secretary Clinton – actions which were uncoordinated and resulted in no helpful relief for Americans under fire.

No one yet knows definitively whether Secretary Clinton requested assistance for her team from the president or other agencies of the U.S. government. Or if she did, what any such requests may have been. However, no public reporting has attributed any U.S. response efforts whatsoever on the night of September 11th, 2012, to efforts made by Secretary Clinton while her personnel were under attack.

³⁹ <http://www.intelligence.senate.gov/benghazi2014/benghazi.pdf>

⁴⁰ <http://www.c-spanvideo.org/program/310872-1>

⁴¹ <http://www.state.gov/r/pa/prs/ps/2012/09/197694.htm>

⁴² <http://cnsnews.com/news/article/wh-obama-called-hillary-night-benghazi-attack-more-six-hours-after-it-started#sthash.eAt9Y6P3.dpuf>



Photo credit: AP

Efforts to separate Hillary Clinton from any responsibility for the carnage in Benghazi began before the attack was even finished.

At 10:07pm EDT, about the same time as President Obama and Secretary Clinton spoke on the phone, the State Department posted a statement by Secretary Clinton on the State Department website, which said, in part:

"Some have sought to justify this vicious behavior as a response to inflammatory material posted on the Internet. The United States deplors any intentional effort to denigrate the religious beliefs of others. Our commitment to religious tolerance goes back to the very beginning of our nation."⁴³

The Movie Did It

At the hour this Clinton statement referring to the now-infamous internet video was posted -- 4am local time in Benghazi on September 12, 2012 -- Ty Woods and Glen Doherty were still alive. The fighting was ongoing. The U.S. team from Tripoli that had arrived at the Benghazi airport still had not arrived at the U.S. annex in Benghazi. Yet before the attack was complete, Secretary Clinton's team was connecting it to a web video – and failing to mention months of warnings and CIA briefings about threats that went unheeded by Secretary Clinton and her department's leadership.

A letter found two days later put a fine point on the discrepancy between Clinton's statement and the reality on the ground. On September 14, 2012, CNN's war correspondent Arwa Darmon entered the Benghazi compound. There she found a 7-page newly created journal which belonged to Ambassador Chris Stevens. The journal

⁴³ <http://www.cbsnews.com/news/benghazi-timeline-how-the-attack-unfolded/>

contradicted Hillary Clinton's September 11th, 2012 press release, and the subsequent public statements made by both President Obama and Hillary Clinton when they continued to refer to the internet video. The diary noted that Chris Stevens believed he was on an al Qaeda hit list and that there were increasing risks to security by Islamic terrorists which he was concerned about for several months.⁴⁴

"Not Paying Attention to Warnings"

Clinton State Department efforts to obscure their failure to better protect their personnel from well-known threats became more overt. On Friday, September 14, 2012, the CIA circulated through the normal interagency process a set of talking points about the attack. An early draft stated:

"The [CIA] has produced numerous pieces on the threat of extremists linked to al-Qa'ida in Benghazi and eastern Libya. These noted that, since April, there have been at least five other attacks against foreign interests in Benghazi by unidentified assailants, including the June attack against the British Ambassador's convoy. We cannot rule out the individuals has [sic] previously surveilled the U.S. facilities, also contributing to the efficacy of the attacks."⁴⁵

Clinton spokeswoman Victoria Nuland objected to the reference to previous threat warnings by saying it "could be abused by members [of Congress] to beat up the State Department for not paying attention to warnings, so why would we want to feed that either? Concerned ..."⁴⁶ The references to widely-circulated CIA warnings about the rising threat environment in Libya and Benghazi were cut from subsequent drafts.

She Didn't Know, But He Did?

Secretary Clinton herself would later claim she was simply unaware of the many cables about security concerns and requests for support that were sent to State Department headquarters from Ambassador Stevens. In a tense exchange during her testimony before the House Oversight and Government Reform Committee on January 23, 2013, Clinton disingenuously suggested that the cables requesting security support in Benghazi were no different than any others:

1.43 million cables a year come to the State Department. They are all addressed to me. They do not all come to me."⁴⁷

Perhaps. But her Cabinet-level colleagues were aware of many of these cables, including the Secretary of Defense who had a significantly larger department to manage. For example, in testimony before the Senate Armed Services Committee then-Defense Secretary Leon Panetta testified that he was aware of a cable sent in August by Ambassador Stevens that said security in Benghazi was not adequate.⁴⁸

⁴⁴ <http://www.cnnpressroom.blogs.cnn.com/2012/09/22/cnn-statement-about-ambassador-stevens-journal/>;

⁴⁵ <http://abcnews.go.com/blogs/politics/2013/05/exclusive-benghazi-talking-points-underwent-12-revisions-scrubbed-of-terror-references/>

⁴⁶ <http://abcnews.go.com/blogs/politics/2013/05/exclusive-benghazi-talking-points-underwent-12-revisions-scrubbed-of-terror-references/>

⁴⁷ <http://nation.foxnews.com/benghazi-attacks/2013/04/23/benghazi-bombshell-drops-obama-hillary>

⁴⁸ <http://www.cnn.com/2013/02/07/us/panetta-benghazi-hearing/>

The Real Lack Of Intelligence

Pressure to avoid doing anything that could draw attention to Clinton and the State Department's pre-attack shortcomings was felt inside the department as well. The Senate Select Committee on Intelligence found that State's own intelligence office – the Bureau of Intelligence and Research – “did not disseminate any independent analysis in the year following the Benghazi attacks.”⁴⁹

*“Considering the attacks began on a State Department facility, involved the deaths of two State Department personnel, and were an important indication of escalating threats against U.S. facilities and personnel in the region, the Committee finds it unsettling that INR chose not to, **or was unable to**, disseminate any analysis related to the attacks or the implications of the attacks (emphasis added).”⁵⁰*

INR was subject to Secretary Clinton's direction during several months immediately following the attack. And yet if the bipartisan Senate Select Committee on Intelligence's findings are to be believed, she never ordered them to conduct and disseminate an analysis of the attacks.

Avoiding Consequences Has Consequences

Efforts to avoid accountability for the results of the Benghazi attack also had practical implications that may have undermined the subsequent FBI investigation. In testimony before the House of Representatives in May 2013, DCM Greg Hicks addressed the by-then-infamous Hillary Clinton retort -- “What difference does it make” -- when the Obama Administration knew Benghazi was an act of terrorism.

“Mr. Hicks said Libya's new leader, Mohamed Magariaf, who was trying to establish credibility after the overthrow of Moammar Gadhafi, had already declared that the attack



Gregory Hicks testifies before the House Oversight and Government Reform Committee (5/8/13; photo credit: Getty Images)

⁴⁹ <http://www.intelligence.senate.gov/benghazi2014/benghazi.pdf>

⁵⁰ <http://www.intelligence.senate.gov/benghazi2014/benghazi.pdf>

resulted from terrorism. Mrs. Clinton's statement, Mr. Hicks said, was an affront to the Libyan leader. 'His credibility was reduced,' Mr. Hicks said. 'And I definitely believe that it negatively affected our ability to get the FBI team quickly to Benghazi'.⁵¹

The Senate Select Committee on Intelligence's minority report included a section entitled "Disturbing Lack of Cooperation by the State Department," which stated that Secretary Clinton's department "...resisted full cooperation with our review."⁵² In fact, efforts by Clinton's team to stonewall Congress actually began much earlier.

During the first week of October 2012, Congressman Jason Chaffetz travelled to Tripoli with General Ham for a congressional fact finding mission. The State Department assigned a lawyer to travel with Chaffetz and attend all meetings in which Chaffetz participated. DCM Hicks later testified before Congress that he was told by Hillary Clinton's Chief of Staff, Cheryl Mills, in no uncertain terms not to be alone while briefing Congressman Chaffetz. When the State Department lawyer did not have the appropriate security clearance for at least one of the classified briefings, the lawyer was excluded. Subsequently, Hicks received a phone call from Cheryl Mills who badgered him for speaking with Congressman Chaffetz without the State Department lawyer present.⁵³

AWOL with ARB

Secretary Clinton's lack of cooperation with – or even demonstrated interest in – efforts to get to the bottom of what went wrong on Benghazi wasn't limited to congressional investigations. She was required by law to establish the Accountability Review Board (ARB) because of the American casualties at a U.S. diplomatic facility.⁵⁴ Yet once she fulfilled her basic legal obligations to create the board she never actually spoke with the Board members or contributed to their report. While it is possible the ARB members never asked her to speak, there has been no public reporting that she volunteered to speak with the ARB members and offer her account of events.

Shameful Blame Game

State Department efforts to avoid accountability for its failures to protect Americans in Benghazi ultimately extended to the bizarre. The Senate Select Committee on Intelligence's minority report includes a shameful rationalization from State officials:

"Ironically, the State Department was not shy about voicing its concerns and objections to the [SSCI] Committee's draft report. In written comments, State made a concerted effort to downplay the Department's responsibility for ensuring the physical security of its employees and facilities overseas. For example, State repeatedly attempted to minimize its own culpability for the lack of security precautions by pointing to the fact that the same number of people died at the CIA Annex as at the Temporary Mission

⁵¹ <http://online.wsj.com/news/articles/SB10001424127887324244304578470880723398290>

⁵² <http://www.intelligence.senate.gov/benghazi2014/benghazi.pdf>

⁵³ <http://www.foxnews.com/politics/2013/05/08/transcript-whistle-blower-account-sept-11-libya-terror-attack/>

⁵⁴ <https://www.federalregister.gov/articles/2012/10/04/2012-24504/convening-of-an-accountability-review-board-to-examine-the-circumstances-surrounding-the-deaths-of>

*Facility and, therefore, CIA should be equally criticized for its own security at the Annex. The logic is remarkable for its boldness, but neither helpful nor persuasive.*⁵⁵

But DoD Makes Clear Who Was Really To Blame

Despite the Clinton State Department's best efforts to point blame elsewhere, Secretary Panetta and General Dempsey established clearly where responsibility for the failure to protect the Mission compound resided.

Secretary Panetta testified that the National Counterterrorism Center (NCTC) had identified hundreds of threats to diplomatic facilities in the months prior to the attack and then stated, "And to deal with that, I mean, that's not our responsibility. That's the State Department's responsibility."⁵⁶

General Dempsey put the blame even more directly on the State Department leadership for Benghazi. He told the Senate Armed Services Committee that "we never received' a request from the State Department to place forces closer to Benghazi to be poised to respond to an attack on the U.S. diplomatic facility."⁵⁷

Efforts by Secretary Clinton and other members of her senior leadership team and wider web of supporters to avoid accountability for Benghazi have thus far worked. Second only to the deaths of four brave Americans and the wounding of many more, that is the most disturbing element of the Benghazi story. As Senator Susan Collins of Maine, co-author of the *Flashing Red* report, noted:

*"The critical findings of this [SSCI report] and previous reports regarding the judgments, actions and management processes at the Department of State beg for accountability, and yet, more than a year after the attack, no one has been held responsible for the critical management failures that contributed to the vulnerability of the American personnel and facilities in Benghazi."*⁵⁸

⁵⁵ <http://www.intelligence.senate.gov/benghazi2014/benghazi.pdf>

⁵⁶ <http://www.cnn.com/2013/02/07/us/panetta-benghazi-hearing/>

⁵⁷ <http://nbcpolitics.nbcnews.com/news/2013/02/07/16885170-gop-senators-assail-gen-dempsey-and-obama-for-response-to-benghazi-attack?lite>

⁵⁸ <http://www.intelligence.senate.gov/benghazi2014/benghazi.pdf>

CONCLUSION

The families of the fallen, the injured at Benghazi and the American public still do not have all the answers about the September 11th, 2012 attacks.

The minority members of the Senate Select Committee on Intelligence said it clearly in their addition to the bipartisan report:

“While the Committee has completed its report, important questions remain unanswered as a direct result of the Obama Administration’s failure to provide the Committee with access to necessary documents and witnesses. We believe the Administration’s lack of cooperation is directly contrary to its statutory obligation to keep the congressional intelligence committees fully and currently informed and has effectively obstructed the Committee’s efforts to get to the ground truth with respect to these remaining questions.”⁵⁹

Remaining questions exist because many answers about Benghazi have been offered which are confusing, contradictory, and seemingly created to obfuscate and divert from the truth. The public still does not believe the Obama Administration has been forthcoming – and that corrosion of trust grows with each new revelation and bipartisan report. And at the center of the continuing controversy stands Hillary Rodham Clinton.

This report has only catalogued a brief range of examples of Secretary Clinton’s role in decision-making on Benghazi and the inconsistencies between her efforts to avoid accountability and the sworn testimonies of many other witnesses with firsthand knowledge of events. More can and will be added to it as time goes on.

But if the complete story about Secretary Clinton’s lack of leadership on Benghazi and mistakes that were made up to, during and following the attack, are to ever be known it will take a more concerted effort. One potential tool is a Select Committee.

There are 182 co-sponsors of Resolution 36 in the U.S. House of Representatives,⁶⁰ which calls for the creation of a Select Committee. In addition to more than a third of the full House, a Select Committee has received support from the Federal Law Enforcement Officers Association, which comprises 26,000 members;⁶¹ the American Legion, which has 2.4 million members;⁶² the editorial page of *The Wall Street Journal*;⁶³ veterans organizations and family members of the Benghazi fallen, and injured. Such a committee would have the full resources and subpoena authority apparently needed to compel answers from former Secretary Clinton and the Obama Administration.

Until that happens, individual committees’ and unofficial investigatory efforts to disclose more details about how Secretary Clinton’s failed leadership enabled the Benghazi attack will continue until Americans get the full truth. This isn’t over.

⁵⁹ <http://www.intelligence.senate.gov/benghazi2014/benghazi.pdf>

⁶⁰ <http://beta.congress.gov/bill/113th/house-resolution/36>

⁶¹ <http://freebeacon.com/calls-for-benghazi-select-committee-mount/>

⁶² <http://wolf.house.gov/press-releases/american-legion-endorses-select-committee-on-benghazi/>

⁶³ http://wolf.house.gov/uploads/WSJ_benghazi.pdf