



ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, DC 20301-3000

LEGISLATIVE
AFFAIRS

MAR 11 2014

The Honorable Adam Smith
Ranking Member
Committee on Armed Services
U.S. House of Representatives
Washington, DC 20515

Dear Representative Smith:

I write on behalf of Secretary Hagel in response to your letter of February 4, 2014, regarding costs associated with cooperating with six separate congressional investigations of the attacks in Benghazi, Libya on September 11-12, 2012. The Department has devoted thousands of man-hours to responding to numerous and often repetitive congressional requests regarding Benghazi which includes time devoted to approximately 50 congressional hearings, briefings, and interviews which the Department has led or participated in.¹ The total cost of compliance with Benghazi related congressional requests sent to the Department and other agencies is estimated to be in the millions of dollars.

We continue to work fervently to address outstanding items which include a document request from the Chairman of the Armed Services Committee (HASC), and six additional interviews of military personnel by HASC and the House Oversight and Government Reform Committee (HOCR) staff.² Some requested interviewees have previously submitted to transcribed HASC and HOCR Member questioning at past Benghazi briefings or hearings.³

The numerous congressional reports detailing and analyzing every aspect of the attacks have either determined that the Department took all actions available in response to the attacks, or found no fault with the Department's actions taken on September 11-12, 2012.⁴ These investigations validate the

¹ For specifics regarding DoD and interagency compliance efforts regarding Benghazi related congressional investigations, we refer you to: U.S. House of Representatives Foreign Affairs Committee Majority Staff Report, *Benghazi Investigation: Where Is The State Department Accountability?* (February 7, 2014) at 21; U.S. Senate Select Committee on Intelligence, *Review of the Terrorist Attacks on U.S. Facilities in Benghazi, Libya, September 11-12, 2012*, (January 15, 2014) at 1-3; House Permanent Select Committee on Intelligence, "HPSCI January 2014 Update on Benghazi" (January 2014) at 2; Chairmen Darrell Issa, Ed Rogers et al, *Interim Progress Report for the Member of the House Republican Conference on the Events Surrounding the September 11, 2012 Terrorist Attacks in Benghazi, Libya*, (April 23, 2013) at 31-35.

² See House Armed Services Committee Chairman McKeon's letters to Secretary Hagel of February 4, 2014, and December 12, 2013; House Oversight and Government Reform Committee Chairman Issa's letter to Secretary Hagel of November 21, 2013.

³ For example, General Carter Ham (USA Retired), former commander U.S. Africa Command, has briefed or testified regarding Benghazi on the following dates: December 6, 2012 (Senate Committee on Homeland Security and Government Affairs briefing); March 7, 2013 (Senate Armed Services Committee testimony); March 15, 2013 (House Armed Services Committee testimony); March 15, 2013 (House Oversight and Government Reform Committee briefing); June 26, 2013 (House Armed Services Committee briefing). Despite these five previous congressional engagements, he has been requested by HOCR and HASC Chairmen to submit to additional interviews. See *id.*

⁴ See U.S. House of Representatives Armed Services Committee, *Majority Interim Report: Benghazi Investigation Update* (February 11, 2014) at 17 ("Given the military's preparations on September 11, 2012, majority members have

conclusion of the Accountability Review Board led by Ambassador Pickering and Admiral Mullen which stated, “[t]he Board members believe every possible effort was made to rescue and recover Ambassador Stevens and Sean Smith”⁵ and are consistent with the Board’s conclusion:

The interagency response was timely and appropriate, but there simply was not enough time given the speed of the attacks for armed U.S. military assets to have made a difference. Senior-level interagency discussions were underway soon after Washington received initial word of the attacks and continued through the night. The Board found no evidence of any undue delays in decision making or denial of support from Washington or from the military combatant commanders. Quite the contrary: the safe evacuation of all U.S. government personnel from Benghazi twelve hours after the initial attack and subsequently to Ramstein Air Force Base was the result of exceptional U.S. government coordination and military response and helped save the lives of two severely wounded Americans. In addition, at the State Department’s request, the Department of Defense also provided a Marine FAST (Fleet Antiterrorism Security Team) as additional security support for Embassy Tripoli on September 12.⁶

Since the tragic events of September 2012, we have made every effort to provide information to the various congressional committees regarding Department’s actions in response to the attacks, and have accommodated Congress’ every request regardless of expense.

Sincerely,



cc:

The Honorable Howard P. “Buck” McKeon
Chairman

not yet discerned any response alternatives that could have likely changed the outcome of the Benghazi attack.”); U.S. Senate Select Committee on Intelligence, *Review of the Terrorist Attacks on U.S. Facilities in Benghazi, Libya, September 11-12, 2012*, (January 15, 2014 at 28 (“FINDING #7: There were no U.S. military resources in position to intervene in short order in Benghazi to help defend the Temporary Mission Facility and its Annex on September 11 and 12, 2012.”); Chairmen Darrell Issa, Ed Rogers et al, *Interim Progress Report for the Member of the House Republican Conference on the Events Surrounding the September 11, 2012 Terrorist Attacks in Benghazi, Libya*, (April 23, 2013) at 15 (“No U.S. Government element refused or denied requests for emergency assistance during the crisis.”); U.S. Senate Committee on Homeland Security and Government Affairs, *Flashing Red: A Special Report on the Terrorist Attack on Benghazi* (December 30, 2012) at 21 (“DOD and AFRICOM tried to provide effective support on September 11th, but given the nature of the attack in Benghazi and the distance of their assets from Benghazi, they were tragically unable to do so.”). See also U.S. House of Representatives Foreign Affairs Committee Majority Staff Report, *Benghazi Investigation: Where Is The State Department Accountability?* (February 7, 2014) at 20 (“[State Department Personnel] deserve the high standards of accountability that make their Defense Department brethren safer in this dangerous world.”).

⁵ Department of State, Accountability Review Board on Benghazi (December 19, 2012) at 7.

⁶ *Id* at 37.