BENGHAZI ATTACK, PART II: THE REPORT OF THE ACCOUNTABILITY REVIEW BOARD

HEARING

BEFORE THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

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BENGHAZI ATTACK, PART II: THE REPORT OF THE ACCOUNTABILITY REVIEW BOARD

THURSDAY, DECEMBER 20, 2012

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The committee met, pursuant to notice, at 1:02 p.m., in room 2172, Rayburn House Office Building, Hon. Ileana Ros-Lehtinen (chairman of the committee) presiding.

Chairman ROS-LEHTINEN. The committee will come to order. After recognizing myself and the ranking member, Mr. Berman, for 7 minutes each for our opening statements, we will then hear from our witnesses, Deputy Secretary Williams Burns and Deputy Secretary Tom Nides, no strangers to our committee. And so that we can allow members to question our witnesses directly as soon as possible, we will forego additional opening statements, and instead I will recognize each member for 6 minutes following the presentation by our witnesses.

Secretary Clinton was originally scheduled to be here today, but we have had to reschedule her appearance due to the unfortunate injury from which we all wish her a speedy and healthy recovery. She has confirmed once again that she has every intention of testifying before our committee by mid-January, as soon as she gets the go-ahead from her doctors, so we will welcome the Secretary to our committee in mid-January.

Before I begin my opening statement, I would like to raise the case of U.S. Citizen Jon Hammar, a proud marine who served in Iraq and Afghanistan, and who is unjustly incarcerated in Mexico. I'm giving you gentlemen a bipartisan letter addressed to Secretary Clinton, signed by close to 70 of my House colleagues, asking for the administration's immediate intervention with Mexican authorities to secure Jon Hammar's release, as well as a letter from Jon's parents, who are constituents of my district. I thank you gentlemen. If you could make sure that the Secretary gets it.

I will begin my opening statement.

When Secretary Clinton transmitted the report of the ARB, the Accountability Review Board, to our committee, she noted in her accompanying letter that all of us have a responsibility to provide the men and women who serve this country with the best possible security and support. Most of all she says, "It is my responsibility as Secretary of State."

Tragically the Department did not meet its responsibility to our personnel in Libya. The lethal attack on our diplomatic mission in Benghazi was not the result of a protest against an obscure video

as was initially claimed. Instead, and as the evidence makes clear, the attack was coordinated and carried out by terrorists targeting U.S. personnel.

After the attack that killed Ambassador Stevens, Sean Smith, Tyrone Woods and Glen Doherty, the Secretary of State convened an ARB, which is required by statute due to the fatalities at the post. The ARB states that the attacks on our U.S. Nation in Benghazi on September 11th of this year were, and I quote, "terrorist attacks." Contrary to initial assertions by the Obama administration, the ARB states that the attacks were security related and did not involve a protest prior to the attacks, which were unanticipated in their scope and intensity.

Dispatches from the command center of the State Department's Bureau of Diplomatic Security on the day of the attack clearly reported it as a terrorist event, yet officials in Washington refused to recognize and label the attack both during and after September 11th for what it was.

The ARB finds that the failures in leadership and management reached senior levels and resulted in a security posture at the diplomatic compound that was inadequate for Benghazi and grossly inadequate to deal with the attack that took place. This was not the result of insufficient information, nor lack of warning. As the ARB clearly states, the responsible officials at the State Department overlooked mounting evidence that the security situation in Benghazi was deteriorating. They ignored the series of attacks against Western interests in the months and weeks leading up to 9/11, and failed to respond to the urgent requests and pressing needs of those on the ground.

Given the extensive series of emergency action committee reports and diplomatic security spot reports that indicated that the security situation in eastern Libya was going from bad to worse, why was the State Department unprepared for an assault there, especially on the anniversary of the worst terrorist attack in United States' history?

The report provides the beginning of an answer when it states there was a pervasive realization among personnel who served in Benghazi that the special mission was not a high priority when it came to security-related requests. If security was not a priority, just what was the priority of the State Department in Libya and in Benghazi in particular?

But we should be careful not to focus our attention entirely on the tragic failure in Benghazi and regard it as an isolated incident. One cannot look at the evidence and conclude anything other than it was a systemic failure with far broader and more worrisome implications. We cannot expect the same bureaucracy at State, whose management failures are now manifest, to objectively review the Department's organization, procedure, and performance. Nor can we have any confidence in their assessment of what went wrong and what actions are needed to prevent a repeat.

Unfortunately the closer one looks, the more troubling the situation is, and the resignation yesterday of Eric Boswell, Charlene Lamb, and Raymond Maxwell should not shift our attention from the broader systemic failures at the State Department bureaucracy in Washington that this report has clearly revealed. Why, for ex-

ample, has State ignored the long-standing recommendation of the Government Accountability Office that the Department perform a strategic review that will enable it to adequately plan and carry out the necessary security mission for our diplomats abroad?

Using the ARB as a guide, our priority must be to uncover the root causes of this tragedy and ensure that all necessary actions are taken to prevent a recurrence. I know that there will be an attempt to shift the responsibility for this tragedy to a shortage of resources. Requests for more money are a familiar refrain in previous State Department ARB reports. But budgetary constraints were not a factor in the Department's failure to recognize the threats and adequately respond to the situation in Benghazi. The problem was and is about misplaced priorities.

If the State Department intends to blame its long string of failures on inadequate funding, then perhaps it should take a closer look at the money that is being lavished on global climate change, culinary diplomacy programs and other favored projects. This money could have been used for providing diplomatic security, including hiring additional personnel and providing them with adequate equipment and training.

This report and this hearing are just the beginning of our efforts to provide the American people with answers as to why this tragedy occurred and how to protect our diplomats and other personnel serving overseas from unnecessary risks in the future, for in their devotion to duty, these brave men and women are putting their lives on the line for us, and we on this committee and in this Congress have no less a duty to them.

I yield back the balance of my time, and I'm pleased to yield to my good friend, the ranking member, Mr. Berman of California.

Mr. BERMAN. Thank you very much, Madam Chairman, for convening this hearing to continue our examination of how we should give our Government officials serving around the world the necessary protection to carry out their jobs.

First I would like to wish Secretary Clinton, as you have, a speedy recovery, and hope she gets some well-deserved rest. As she nears the ends of her service as Secretary of State, I think it is an appropriate time to recognize the strong and steadfast leadership she has demonstrated over the past 4 years.

Among her many achievements, she has put the problems of women and girls in the forefront and helped make their voices heard around the world. The Secretary has brought needed attention to the dangers of repressive governments, including through her important emphasis on Internet freedom. She initiated the Quadrennial Diplomacy and Development Review to improve the work of our international affairs agencies, and she has been a leading advocate for the use of smart power, which advances the role of diplomacy, international alliances, multilateral institutions, public-private partnerships and foreign assistance in protecting our national security.

We're fortunate today to have two people who have worked closely with her to make all these accomplishments possible: Deputy Secretaries Bill Burns and Thomas Nides. I thank you both for your service and appreciate your willingness to be here today.

As we examined in last month's hearing, the tragic events in Benghazi painfully demonstrate the ongoing threats faced by our diplomats and development workers serving abroad. We must do our best to minimize the risks faced by these brave public servants and provide adequate funding to do so, but we must also recognize that such risks can never be completely eliminated.

Ambassador Chris Stevens and his colleagues understood the hazards of their jobs and appreciated that in order to advance America's interests and effect positive change in the world, we can't isolate ourselves behind Embassy walls or limit the deployment of our diplomats to low-risk environments. It's important that we meet with the Afghan village elder, work with the Yemenese schoolteacher, assist the female activists in South Sudan. One of the reasons Ambassador Stevens traveled to Benghazi was to open an American Corner, a place where average Libyans could go to learn more about the United States and American values.

At last month's hearing on Benghazi, Ambassador Ronald Neumann framed the issue well: How much risk are we willing to take to accomplish a particular mission, and how important is that mission to our national purpose? In high-risk environments our policymakers must ask and answer these difficult, but necessary questions. In some cases the benefits will outweigh the danger; in other cases they may not.

The Accountability Review Board, chaired by Ambassador Thomas Pickering, just submitted its report this week. I would like to thank Ambassador Pickering, Admiral Mullen and the other members of the Board for agreeing to take on this solemn responsibility.

The report reaches a number of troubling conclusions. Perhaps the most serious is that years of congressional paring away of the President's diplomatic security funding requests have not only seriously diminished the resources available for security at our posts, but it has also created a culture at the State Department that is more preoccupied with saving money than with achieving its security goals. The repeated rejection of requests for security upgrades at the mission in Benghazi is, some would argue, a manifestation of this culture.

The report also notes that a failure of leadership in the Bureaus of Near Eastern Affairs and Diplomatic Security significantly contributed to inadequate security at the Benghazi mission. This bureaucratic breakdown included a lack of shared responsibility, resulting in stovepiped decisions on policy and security rather than a holistic approach.

I'm pleased that Secretary Clinton has announced the State Department is already beginning to implement all of the ARB's recommendations and take additional steps to address security concerns. For example, she recently named the first-ever Deputy Assistant Secretary for High Threat Posts in the Diplomatic Security Bureau. That will ensure that missions located in high-risk areas like Libya and Yemen get the bureaucratic attention they deserve.

The Department has also submitted the Increased Security Proposal, which would boost the number of diplomatic security personnel and give them greater capabilities. It would also provide enhanced security at older facilities, while accelerating construction at posts in high-threat areas. In addition, it would call for an in-

crease in the number of Marine Security Guard detachments, which, among other things, are responsible for protecting classified information.

In reviewing this and other proposals, we must carefully consider how best to mitigate the risks faced by the brave men and women who serve the United States around the world, while at the same time preserving their ability to do their jobs in a way that promotes America's national interests.

Thank you, Madam Chairman.

Chairman ROS-LEHTINEN. Thank you, Mr. Berman, for your statement.

I now would like to introduce our witnesses. William J. Burns holds the highest rank in the Foreign Service, Career Ambassador, and became Deputy Secretary of State in July 2011. He is only the second serving career diplomat in history to become Deputy Secretary.

Ambassador Burns served from 2008 until 2011 as Under Secretary for Political Affairs. He was Ambassador to Russia from 2005 to 2008, Assistant Secretary of State for Near Eastern Affairs from 2001 to 2005, and Ambassador to Jordan from 1998 to 2001.

Ambassador Burns has also served in a number of other posts since entering Foreign Service in '82, including Executive Secretary of the State Department and special assistant to the Secretaries Christopher and Albright, and Acting Director and Principal Deputy Director of the State Department's Policy Planning Staff.

Ambassador Burns is the recipient of two Presidential Distinguished Service Awards and a number of Department of State awards, and all well earned.

Thank you, Bill.

Thomas Nides is the Deputy Secretary of State for Management and Resources, serving as Chief Operating Officer of the Department. Prior to joining the administration, Mr. Nides was the chief operating officer of Morgan Stanley, from 2005 to 2010. Before joining Morgan Stanley, Mr. Nides served as the worldwide president and chief executive officer of Burson-Marsteller, and as chief administrative officer of Credit Suisse First Boston, the investment banking division of Zurich-based Credit Suisse Group.

Mr. Nides began his career in Capitol Hill as an assistant to the majority whip of the United States House of Representatives and executive assistant to the Speaker of the House. Mr. Nides later served as senior vice president of Fannie Mae and as chief of staff to the United States Trade Representative.

Welcome, gentlemen. And if you would please rise so I could swear you in. Thank you.

[Witnesses sworn.]

Ms. ROS-LEHTINEN. Let the record show that the witnesses answered in the affirmative.

Thank you, gentlemen, and we will begin with you.

Mr. BERMAN. Madam Chairman, one housekeeping matter.

Chairman ROS-LEHTINEN. Yes, sir, Mr. Berman.

Mr. BERMAN. I ask unanimous consent that the Secretary Clinton's letter to you as chairman and me as ranking member be included in the record of this hearing.

Chairman ROS-LEHTINEN. Thank you, Mr. Berman, and I meant to do that as well, so I'm glad that he is cleaning up after my sloppy act. Thank you.

Without objection, the Secretary's letter will be included as part of the record. I apologize for that.

Mr. Burns, Ambassador Burns, we will begin with you, sir.

STATEMENT OF THE HONORABLE WILLIAM J. BURNS, DEPUTY SECRETARY, U.S. DEPARTMENT OF STATE

Mr. BURNS. Thank you very much, Madam Chair.

Mr. Berman, members of the committee thank you for this opportunity.

Secretary Clinton asked me to express how much she regrets not being able to be here today, and I know she has confirmed to you, Madam Chair, her willingness to appear before you in January.

Since the terrorist attacks on our compounds in Benghazi, State Department officials and senior members from other agencies have testified in 4 congressional hearings, provided more than 20 briefings for members and staff, and submitted thousands of pages of documents, including now the full classified report of the Accountability Review Board. Secretary Clinton has also sent a letter covering a wide range of issues for the record. So today I would like to highlight just a few key points.

The attacks in Benghazi took the lives of four courageous Americans. Ambassador Stevens was a friend and a beloved member of the State Department community for 20 years. He was a diplomat's diplomat, and he embodied the very best of America.

Even as we grieved for our fallen friends and colleagues, we took action on three fronts. First, we took immediate steps to further protect our people and our posts. We stayed in constant contact with Embassies and consulates around the world facing large protests, dispatched emergency security teams, received reporting from the intelligence community, and took additional precautions where needed. You'll hear more about all of this from partner Tom Nides.

Second, we intensified the diplomatic campaign aimed at combating the threat of terrorism across North Africa, and continue to work to bring to justice the terrorists responsible for the attacks in Benghazi. And we are working with our partners to close safe havens, cut off terrorist finances, counter extremist ideology, and slow the flow of new recruits.

And third, Secretary Clinton ordered an investigation to determine exactly what happened in Benghazi. I want to convey our appreciation to the Accountability Review Board's chairman and vice chairman, Ambassador Tom Pickering and former chairman of the Joint Chiefs of Staff Admiral Mike Mullen, and also Hugh Turner, Richard Shinnick and Catherine Bertini.

The Board's report takes a clear-eyed look at serious, systemic problems, problems which are unacceptable; problems for which, as Secretary Clinton has said, we take responsibility; and problems which we have already begun to fix.

Before Tom walks you through what we're doing to implement fully all of the Board's recommendations, I'd like to add a few words based on my own experiences as a career diplomat in the

field. I have been a very proud member of the Foreign Service for more than 30 years, and I've had the honor of serving as a Chief of Mission overseas.

I know that diplomacy by its very nature must sometimes be practiced in dangerous places. As Secretary Clinton said, our diplomats cannot work in bunkers and do their jobs. When America is absent, there are consequences, our interests suffer, and our security at home is threatened.

Chris Stevens understood that as well as anyone. Chris also knew that every Chief of Mission has the responsibility to ensure the best possible security and support for our people. As senior officials here in Washington, we share this profound responsibility. We have to constantly improve, reduce the risks our people face, and make sure they have the resources they need.

That includes the men and women of the State Department's Diplomatic Security Service. I have been deeply honored to serve with many of these brave men and women. They are professionals and patriots, who serve in many places where there are no marines at post and little or no U.S. military presence in country. Like Secretary Clinton, I trust them with my life.

It's important to recognize that our colleagues in the Bureaus of Diplomatic Security and Near East Affairs and across the Department at home and abroad get it right countless times a day for years on end in some of the toughest circumstances imaginable. We cannot lose sight of that. But we learned some very hard and painful lessons in Benghazi. We are already acting on them. We have to do better. We owe it to our colleagues who lost their lives in Benghazi. We owe it to the security professionals who acted with such extraordinary heroism that awful night to try to protect them. And we owe it to thousands of our colleagues serving America with great dedication every day in diplomatic posts around the world.

We will never prevent every act of terrorism or achieve perfect security, but we will never stop working to get better and safer. As Secretary Clinton has said, the United States will keep leading and keep engaging around the world, including in those hard places where America's interests and values are at stake.

Thank you very much.

Chairman ROS-LEHTINEN. Thank you, sir.

[The prepared statement of Mr. Burns follows:]

DEPUTY SECRETARY OF STATE WILLIAM J. BURNS
COMMITTEE ON FOREIGN AFFAIRS
WASHINGTON, DC
DECEMBER 20, 2012

Madam Chairman, Mr. Berman, members of the Committee, thank you for this opportunity. Secretary Clinton asked me to express how much she regrets not being able to be here today.

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Thank you.

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Chairman ROS-LEHTINEN. Mr. Nides.

STATEMENT OF THE HONORABLE THOMAS R. NIDES, DEPUTY SECRETARY FOR MANAGEMENT AND RESOURCES, U.S. DEPARTMENT OF STATE

Mr. NIDES. Madam Chairman, Congressman Berman, members of the committee, I also thank you for this opportunity.

I want to reiterate what Bill has said: All of us who have had the responsibility to provide the men and the women who serve this country with the best possible security and support. From the senior Department leadership setting the priorities to the supervisors evaluating the security needs, to the Congress appropriating sufficient funds, we all share this responsibility. Secretary Clinton has said that as Secretary of State, this is her greatest responsibility and her highest priority.

Today I will focus on the steps we are taking at Secretary Clinton's direction and will continue to take.

As Bill said, the Board's report takes a clear-eyed look at the serious systemic problems for which we take responsibility and that we have already begun to fix.

We are grateful for the recommendations from Ambassador Pickering and his team. We accept every one of them, all 29 recommendations. Secretary Clinton has charged my office with leading the task force that will ensure that the 29 are implemented as quickly and as completely, and to pursue steps above and beyond the Board's report. The Under Secretary of Political Affairs, the Under Secretary for Management, the Director General of the Foreign Service, and the Deputy Legal Advisor will work with me to drive this forward.

The task force has already met to translate the recommendations into about 60 specific action items. We've assigned every single one to a responsible bureau for immediate implementation, and several of them will be completed by the end of the calendar year. Implementation of each recommendation will be under way by the time the next Secretary of State takes office. There will be no higher priority for the Department in the coming weeks and months. And should we require more resources to execute these recommendations, we will work closely with the Congress to ensure that these needs are met.

As I said, Secretary Clinton wants to implement the ARB findings and to do more. So let me offer some very clear specifics.

For more than 200 years, the United States, like every other country around the world, has relied on host nations to provide the security for our Embassies and consulates. But in today's evolving threat environment, we have to take a new, harder look at the capabilities and the commitments of our hosts. We have to reexamine how we operate in places facing emerging threats, where national security forces are fragmented or may be weak. So, at Secretary Clinton's direction, we moved quickly to conduct a worldwide review of our overall security posture, with particular scrutiny on a number of high-threat posts.

With the Department of Defense, we deployed five interagency security assessment teams, made up of diplomatic and military security experts, to 19 posts and to 13 countries, an unprecedented

cooperation between the Departments at a very critical time. These teams have provided a roadmap for addressing emerging security challenges.

We're also partnering with the Pentagon to send 35 additional detachments of Marine security guards—that's about 225 Marines—to medium- and high-threat posts, where they will serve as a visible deterrence to hostile acts. This is on top of the approximately 150 detachments we already deployed. We're realigning resources in our 2013 budget request to address physical vulnerabilities and reinforce structures wherever needed to reduce the risk from fire. And let me add, we may need your help in ensuring that we have the authority to streamline the usual processes to produce faster results.

We're seeking to hire more than 150 additional diplomatic security personnel, an increase of 5 percent, and to provide them with the equipment and training that they need. As the ARB recommended, we will target them squarely at securing our high-threat posts.

I want to second Bill's praise for these brave security professionals. I have severed in this Department for only 2 years, having come from the private sector; however, as I've traveled to places like Iraq, Afghanistan and Pakistan, I've seen firsthand how these dedicated men and women risk their lives. We all owe them a debt of gratitude as they go to work every day to protect more than 275 posts around the world.

As we make these improvements in the field, we are also making changes here in Washington. We named the first-ever Deputy Assistant Secretary of State for High-Threat Posts within the Bureau of Diplomatic Security. We're updating our diplomatic procedures to increase the number of experienced and well-trained staff serving in those posts.

We are working to ensure that the State Department makes decisions about where our people operate in the ways that reflect our shared responsibility for our security. Our regional assistant secretaries were directly involved in our interagency security assessment process, and they will assume greater accountability for securing their people and posts.

We'll provide this committee with detailed reports on every step we're taking to improve our security and implement the Board's recommendations. We look to you for the support and guidance as we do this.

Obviously, part of this is about resources. We must equip our people with what they need to deliver results and safety, and will work with you as the needs arise. But Congress has a bigger role than just that. You have visited our posts; you know our diplomats on the ground and the challenges that they face. You know our vital national security interests are at stake, and that we're all in this together.

We look forward to working with you. Thank you, Madam Chair, for your support and counsel and for this opportunity to discuss these important matters. We'll both be happy to answer your questions.

[The prepared statement of Mr. Nides follows:]

STATEMENT OF

DEPUTY SECRETARY OF STATE THOMAS R. NIDES

COMMITTEE ON FOREIGN AFFAIRS

WASHINGTON, DC

DECEMBER 20, 2012

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As we make these improvements in the field, we're also making changes here in Washington.

We named the first-ever Deputy Assistant Secretary of State for High Threat Posts within the Bureau of Diplomatic Security. And we're updating our deployment procedures to increase the number of experienced and well-trained staff serving at those posts.

We are working to ensure that the State Department makes decisions about where our people operate in a way that reflects our shared responsibility for security. Our regional Assistant Secretaries were directly involved in our Interagency Security Assessment process and they will assume greater accountability for securing their people and posts.

We will provide this Committee with a detailed report on every step we're taking to improve security and implement the Board's recommendations.

We will look to you for support and guidance as we do this. Obviously, part of this is about resources. We must equip our people with what they need to deliver results safely, and we'll work with you if needs arise. But Congress has a bigger role than that. You have visited our posts, you know our diplomats on the ground and the challenges they face. You know our vital national security interests are at stake – and that we are all in this together. We look forward to working with you.

Thank you, Madam Chairman, for your support and counsel. And for this opportunity to discuss these important matters. We would be happy to answer your questions.

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Chairman ROS-LEHTINEN. Thank you very much, gentlemen, to you both. And I would suggest that at the very least the President appoint an inspector general from outside the State bureaucracy to ensure that the recommendations are adequately implemented.

I will ask one question on the State's misplaced allocations and one on the bogus protest over video narrative. The ARB notes that there was a view that main State did not consider Benghazi a priority. If we look at September 10, 2012, just the day before the most recent 9/11 terrorist attack against the U.S. and our people, we see that Secretary Clinton was engaged in launching a new program called the Diplomatic Culinary Partnership, where American chefs travel the world to engage in culinary diplomacy.

Certainly this is an example of misplaced priorities. As such, what assurances can you provide to Congress that the State Department's budget request will prioritize U.S. national security and the security of our diplomatic personnel, especially at high-risk posts, over such programs like the Diplomatic Culinary Partnership or over the close to the $1 billion that is allocated for global climate change programs?

And secondly, who specifically changed Susan Rice's public talking points by eliminating references to al-Qaeda and why? If there was a national security concern, what was it? When did the inaccurate spontaneous protest narrative originate—where did it originate? And why was that story deemed more fit for publication than the accurate terrorism evidence? And if Ambassador Rice had little direct knowledge of the facts on the ground in Benghazi, why was she selected by the administration to be the spokesperson on this subject?

Ambassador Burns.

Mr. BURNS. Well, Madam Chair, on your second question—and I'll turn to Tom on the first with regard to the budget—what happened in Benghazi on September 11th was clearly a terrorist attack. Secretary Clinton addressed that directly the following morning in her first public statement when she talked about an assault by heavily armed militants on our compound. Later that same day President Obama talked of an act of terror.

What was not clear that day was who exactly was involved, which terrorists were responsible, what their motives were, how exactly this terrorist attack came about, whether it was planned well in advance or more a target of opportunity.

I am confident that the senior administration officials who spoke to this issue and the intelligence community experts on whom they relied acted in good faith throughout this period. Their focus was on trying to be as factual as possible. Their focus was on actions, because, Madam Chair, as you know, there were a number of other concerns in this period. Over that period of days, we had mobs coming over the walls of our Embassies in Cairo, in Tunis and in Sana'a. That was a very heavy focus for Secretary Clinton and for people across the administration.

We were able to clear up the inaccuracies in the original assessments, because, as the ARB points out, there was no protest or demonstration before the attack took place, but it did take the intelligence community some days to determine that that was inaccurate as they debriefed the survivors of the attack on Benghazi.

I'm sure our colleagues in the intelligence community wish that they could have cleared up those inaccuracies sooner, and they did it as quickly as they could and then were in direct touch with the Congress and briefed you on it.

Mr. NIDES. Madam Chair, as you are well aware, not only have I spent the last 2 years up here daily making sure that we have the resources for the men and women who support the State Department. There is no one that cares more about this maybe than I did than Secretary Clinton, who has spent tireless hours making sure that every dollar—and I mean every dollar—that we use of taxpayers' money is used effectively. As you are well aware the budget of the State Department, everything we do, including all of the assistance we give, including aid to Israel, all the assistance we do for everything around the world, to the programs at PEPFAR, to supporting the 275 posts around the world for all of our staff, for everything we do, is less than 1 percent of the Federal budget.

We fight every single day to make sure we have the right resources, but, as importantly, we make sure that there is a dime that is not wasted. We understand the importance of the budgetary constraint that this committee and this Congress is going through, and I assure you—and I assure you—that we are thinking every day how we can make sure that every dollar is used wisely to protect our people and to provide the assistance around the world to people who deserve it. Thank you.

Chairman ROS-LEHTINEN. Thank you.

On the specific questions regarding Susan Rice, do you have anything further to add about the talking points and the references? Because in emails, as the attacks were under way, the diplomatic security operations command center was calling it a terrorist attack as it was under way. So it's not like the picture was clearer several days later; while the attack was taking place, in emails.

Mr. BURNS. Madam Chair, as I said, both the Secretary and the President on September 12th, I think, addressed in very clear terms what happened and what the nature of the attack was.

Second, the talking points that you referred to were produced by the CIA. I think the CIA has briefed a number of people on the Hill about the process that they went through, and I'm sure they would be glad to come up and answer it in more detail.

Chairman ROS-LEHTINEN. Thank you.

And in my last 5 seconds, just to reiterate, we're glad that the Secretary is going to implement every recommendation, but we hope that there's an inspector general, because without that, we have seen that the recommendations from previous ARBs have not been heeded.

Thank you very much.

Mr. Berman is recognized.

Mr. BERMAN. Madam Chairman, I'm going to pass my opportunity to question now and hold it until the end, if I may.

Chairman ROS-LEHTINEN. Thank you, sir.

Mr. Ackerman.

Mr. ACKERMAN. Thank you, Madam Chairman, very much.

Thank you, Mr. Berman. Thank you for your extraordinary service. You certainly are going to be one that's going to be missed around these meeting rooms.

This might be my final six moments to speak in my 30-year career here. I want to first start by apologizing to the Deputy Secretaries because you have been brought here as a ruse. You are being used as foils to the conflicting intentions of some people on our committee and others in Washington for partisan political purposes and are not here really to explain how we can work together more cooperatively as Americans to make things better.

But my great fear as I leave here is that we've become a partisan, bickering bunch of grousing old people trying to exploit whatever we can to our own political advantage. We've become a group of small people with press secretaries. We've become people who want to exploit any kind of national calamity to our political advantage of our party. And the public is sick and tired of it, as they should be.

We need two viable political parties in this country to make our democracy work. We need two at least distinct parties explaining their viewpoints and their values and their road to our collective success, and put choices before the American People.

And to my friends on the other side, I would like to suggest that you reexamine your approach, because I thought, in my personal individual opinion, that the voters didn't reject your policies, they rejected your attitude. We should be working together and not at cross purposes. We should respect everybody in our Government for the good efforts that they put forth, including especially the President of the United States, and not refer to him in such vile terms, trying to take down and disqualify an administration as being illegitimate, trying to quibble around here on this particular issue of the narrative rather than how we work together to make things better, to quibble over somebody said a particular word or didn't use the right word rather than figure out how to avoid the mistakes that might have been made to not lose American lives on into the future. That's what we should be doing together as Americans. Anything less is demeaning to the process and to ourselves as good, decent human beings. We have much more to offer than that.

And I would suggest that derogatorily looking at the Secretary of State, who has worked herself to the bone to the point of dehydration and exhaustion, of traversing the globe teaching cooks classes or some nonsense rather than doing things that are serious does a disservice to the job that she has done in the name of all of us. Certainly she's a qualified individual who can both cook and talk policy at the same time and try to bring the peoples of the world together with a respect for the United States and what we really stand for and what our values really are.

Sorry if I'm interrupting anybody over there.

More has been done in the few short weeks in this administration to try to look into what went wrong than in the previous dozen years. This administration has given a serious look at what has gone on here and has made recommendations that they are looking to implement with our input as quickly as possible instead of our quibbling over nonsense. Instead we talk about whether or not it was motivated by a video or it wasn't motivated by a video. These are complicated situations and we have to approach them seriously.

More has been done on this particular issue in which four wonderful lives were lost than in all the time of the previous war, the

longest war in the history of the country. Not 4, not 40, not 400, but 4,000 lives were lost, and how many heads rolled? How seriously did we look into it?

Listen, I disagreed with Presidents of the United States, but I disagreed as a matter of policy. But once that was our policy, he was still our President, and I still wanted him to succeed, because the failure of a President is the failure of the Nation. Disagree with the policy, but once it is the policy, try to make it work, try to make it better, rather than to try to bring down an administration and to quibble and fight.

We've taken the train off the tracks. I would be very pleasantly surprised if one of our colleagues, even one of our colleagues, had on his or her agenda today to talk about any 1 of the 29 points and recommendations that were made and say, is this particular one good or bad, or can we strengthen it, or should it be in there? Because we've not really, I apologize again, come to do that. We've come here to either play defense or offense and defend our point of view rather than do what's right in the name of our country.

It's really been an honor and a pleasure to serve with all of you, and we do have different opinions.

Chairman ROS-LEHTINEN. Thank you. The gentleman's time is up.

Mr. ACKERMAN. And I will be one of those private citizens on the other side of the television holding you accountable.

Chairman ROS-LEHTINEN. Mr. Ackerman, we all aspire to your purity, but, you know, the flesh is weak.

Mr. ACKERMAN. I thank you——

Chairman ROS-LEHTINEN. Mr. Smith is recognized for his 6 minutes. He is the chairman of the Subcommittee on Africa, Global Health, and Human Rights.

Mr. SMITH. Thank you very much, Madam Chair.

Madam Chair, on March 12, 1999, I chaired a hearing, the fourth in a series, that focused on the findings of the two Accountability Review Boards that had been established to probe the August 7, 1998, bombings in Nairobi and Dar es Salaam. Admiral William Crowe, chair of those two Boards, told my subcommittee that the car bombs killed more than 220 people, including 12 U.S. Embassy employees and family members and 32 Kenyan national employees of the United States Government, and injured more than 4,000 Americans, Kenyans, and Tanzanians. He said the ARBs were "most disturbed by two intertwined issues: First, the inadequacy of resources to provide security against terrorist attacks, and, second, the relatively low priority accorded security concerns throughout the U.S. Government by the U.S. Department of State."

Admiral Crowe sat, in 1999, right where Secretaries Burns and Nides sit, and said, "In our investigations of the bombings, the Boards were shocked how similar the lessons were to those drawn by the Bobby Inman Commission some 14 years ago." Of course, that was in 1985.

In direct response to Admiral Crowe's recommendations, I sponsored a bipartisan law, the Secure Embassy Construction and Counterterrorism Act of the 1999, that authorized $4.5 billion over 5 years for the acquisition of the U.S. diplomatic facilities, and residence and other structures located in close proximity of such facili-

ties, and to provide major security enhancements to U.S. diplomatic facilities. That law beefed up security requirements for U.S. diplomatic facilities, including threat assessments; emergency action plans; security environment threat lists; site selections; perimeter distance, the setbacks; crisis management training; diplomatic security training; rapid-response procedures; storage of emergency equipment; and increased antiterrorism training in Africa. I read the new ARB report, and it almost says the exact same thing.

Bipartisan appropriations bills since 1999 have funded the Department of State's Bureau of Overseas Building Operations which has completed 95, at least 95, new diplomatic facilities and has an additional 40 projects in design or construction. So much has been done. Obviously we can always do better.

I would note parenthetically that there are now at least 3,114 diplomatic security personnel; in 1998, there were less than a 1,000 security specialists. That's a threefold increase, and that is significant. We need more perhaps, but that is significant.

So when it comes to resources—and, of course, as I said, we can always do a better job—authorities and funds have been increased to systematically boost worldwide U.S. Embassy security over the past dozen years.

Of particular concern is the fact that the Benghazi ARB, chaired by Ambassador Pickering, seems to make nearly identical points using language that—and I read them side by side again last night—that are almost verbatim to the Boards that were chaired by Admiral Crowe. The Pickering ARB cites systemic failures in leadership and management deficiencies at senior levels within two bureaus of the State Department. Admiral Crowe's ARB said, and I quote, "The Boards found that intelligence provided no immediate tactical warning of the August 7th attack." Ambassador Pickering's ARB said, "The Board found that intelligence provided no immediate specific tactical warning of the September 11th attacks."

I would point out to my colleagues that, according to the New York Times, and this is a quote, "In the spring of 1998, Prudence Bushnell, the U.S. Ambassador to Kenya, sent an emotional letter to Secretary of State Madeleine Albright begging for the Secretary's personal help." The January 9, 1999, Times article said that Ms. Bushnell, a career diplomat, had been fighting for months for a more secure Embassy in the face of mounting terrorist threats. Secretary Albright, the New York Times reports, took no action. And 3 months later on August 7th, the American Embassies in Tanzania and Kenya were simultaneously bombed by car bombs.

The Pickering Benghazi ARB found that the number of Bureau of Diplomatic 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. The Pickering report says that there was a pervasive realization among personnel who served in Benghazi that it was not a high priority.

So my questions, three of them: In the lead-up to the attacks, were President Obama, Vice President Biden or Secretary Clinton aware of the repeated requests for upgrades?

Secondly, why weren't President Obama, and Vice President Biden and Secretary Clinton interviewed by the Pickering ARB?

How can one examine all the circumstances without interviewing the very top leadership?

And finally, in 1999, Admiral Crowe released a list of over 100 individuals interviewed. Has the Benghazi ARB list of interviewees been made public?

Mr. BURNS. I would be glad to start, Mr. Smith, and then Tom.

On your first two questions, to the best of my knowledge, the specific security requests that were made, as you mentioned, from Benghazi as well as from Embassy Tripoli did not get as far as Secretary Clinton. You'd have to direct the other question to the White House, but with regard to Secretary Clinton, I believe that's accurate to say.

I'm sorry, your second question?

Mr. SMITH. My other question is who was interviewed by ARB?

Mr. BURNS. I don't believe there was an interview of Secretary Clinton by the ARB, but, again, you'd have to address that to Ambassador Pickering as well.

And then on the third question.

Mr. NIDES. I think on the list of—I believe the ARB did, in fact, interview 100 individuals in this ARB as well. And I'm not certain it's in the ARB the names of the people who were interviewed, but—I think it may be, but I don't know if it is in a classified or unclassified version of the ARB.

I would like to also point out, Congressman, which you made a very good point about the ARB in 1998 after the Kenyan bombings. One of the recommendations was, which you pointed out, which was to begin funding the construction of consulates and Embassies at a pace of about 10 a year. That was a decision of the bipartisan Board. They allocated at the time in 1999 about $1.5 billion, which would pay for in 1998 dollars about 10 a year. Unfortunately that has now dropped to $700 million.

Chairman ROS-LEHTINEN. Thank you.

Mr. NIDES. We're only doing now two Embassies a year.

Chairman ROS-LEHTINEN. Thank you so much.

Thank you, Mr. Smith, and thank you to the witnesses.

Mr. Sherman, the ranking member on the Subcommittee on Terrorism, Nonproliferation, and Trade, is recognized.

Mr. SHERMAN. I want to identify myself with the comments of the ranking member, particularly his recognition of Secretary Clinton's service to our country over the last 4 years. I want to identify myself with the comments of the gentleman from New York, particularly his call for us to rise above partisanship.

We are now focused on diplomatic security. We've lost 11 diplomats in the 10 years before Benghazi, and our focus on diplomatic security was modest. But now it becomes the preoccupation of this committee and a preoccupation of foreign policy, those concerned with foreign policy nationwide.

Why now? Well, partly because this time we lost an Ambassador and a great man. But mostly it's because now Benghazi is not just a loss of diplomats, we've lost 11 before, but because now there's partisan advantage to be sought by one side or the other.

This incident in Benghazi was important, but is it really more important than the North Korean nuclear program? Is it really

more important than many of the other subjects that have not been the subject of so many hearings of this committee?

We've now decided to focus on diplomatic security in part because we can blame one party or the other. We can blame the State Department for not allocating its resources to diplomatic security, or blame the Republican Congress for not appropriating enough.

We should do more for diplomatic security, the State Department should follow its own procedures, and we haven't done so. But we'd like to believe in a world that is subject somehow to our control that if we just do the right thing, everything will turn out right. This is not the case, we are not that powerful, and the world is not made up that way. The fact is that bad things are going to happen to good people even if we are prudent and careful. And ultimately the security of our diplomatic personnel depends not on our own actions, but on the host country.

Ambassador Burns, just for illustration here, even if we had twice the size of the diplomatic security detail, can you be certain that our Ambassador would have survived?

Mr. BURNS. I'd just make two comments, Mr. Sherman. First, the security of our diplomats overseas has been a preoccupation of the Department of State throughout the 30 years I've served in the Foreign Service, and it is a priority. We clearly fell down on the job with regard to Benghazi, but we need to reenergize our efforts and be relentless in implementing the recommendations that are made in this Accountability Review Board——

Mr. SHERMAN. Ambassador, if you could just comment on the question. If we had doubled the security effort there——

Mr. BURNS. The Accountability Review Board addressed the issue. It talked about two areas of inadequacy. One of them was staffing, and in the Accountability Review Board report they indicate that it is not certain additional—that one or two additional diplomatic security agents would have made a difference in the outcome.

Mr. SHERMAN. I want to get into some other issues. Obviously, the real responsibility for this heinous crime is on the perpetrators, but a big chunk of the responsibility is on the Libyan Government, a government that never purged itself of its Jihadist elements; a government that viewed Ghadafi as the enemy, but doesn't necessarily view the Libyan Islamic Fighting Group as enemy. It doesn't wage war against Ansar al Sharia. This is the government upon whom our diplomats' lives are dependent.

We have a tendency in this country to view everything as good guy and bad guy, so since Ghadafi was the bad guy—in his last few years perhaps not as bad since the State Department—we blocked it here—wanted to provide U.S. taxpayer money to charities controlled by Ghadafi's children. He had gotten a little better so—but we want to cast things as good guy, bad guy. So since Ghadafi was a bad guy, we want to view the Libyan Government as entirely the good guys. The fact is this is a government that is a coalition that includes, or at least countenances, some of the most evil Jihadist elements imaginable.

Ambassador Burns, did the Libyan Government allow us, our security detail traveling from Tripoli to Benghazi, to take weapons

with them, or did they have to rely on the limited weapons that were available to them in Benghazi?

Mr. BURNS. Mr. Sherman, this is on the night of September 11th?

Mr. SHERMAN. This is when the Ambassador flew from Tripoli to Benghazi.

Mr. BURNS. I don't know the answer to that question. I can get it for you.

Mr. SHERMAN. Please do get that, because this is a government that—has the Libyan Government restricted the number of security personnel that we can have on—at our diplomatic missions?

Mr. BURNS. I don't know if there are any particular restrictions, and in the Accountability Review Board report, the areas of inadequacy that are identified don't have to do with Libyan Government restrictions, they have to do with judgments that weren't made about increasing the number of staffing.

Mr. SHERMAN. Okay. I'll ask you to simply answer for the record, but I believe that the Libyan Government has not granted us the right to use our Air Force over their airspace to defend our diplomats in the future. Most governments wouldn't, but here's a government that can't control its own territory.

[The information referred to follows:]

United States Department of State

Washington, D.C. 20520

JAN 10 2013

Dear Mr. Sherman:

During Deputy Secretary William Burns' testimony on December 20, 2012, before the House Committee on Foreign Affairs, you asked for more information concerning U.S. security in Libya. Our response to these questions follows:

The temporary mission facility in Benghazi had sufficient weapons on hand to arm each agent who accompanied Ambassador Stevens from Tripoli with a sidearm and rifle. These agents did not bring weapons with them on the flight from Tripoli due to civil aviation regulations.

The number of security personnel at U.S. diplomatic missions in Libya has not been restricted by the Libyan government.

We respectfully note that your questions concerning whether the U.S. Air Force can overfly Libyan airspace are best answered by the Department of Defense. Please let us know if we can be of further assistance to you in this matter.

Sincerely,

David S. Adams
Assistant Secretary
Legislative Affairs

The Honorable
Brad J. Sherman,
Committee on Foreign Affairs,
House of Representatives.

Mr. SHERMAN. As a final comment I'll point out that the rebels in Syria include some excellent human beings and also include some elements that are just as bad as those who attacked us in Benghazi, and we should be careful that just because Assad's a bad guy, that doesn't mean all of his enemies are good.

I yield back.

Chairman ROS-LEHTINEN. Thank you very much, Mr. Sherman.

Mr. Rohrabacher, who is the chairman of the Subcommittee on Oversight and Investigations, is recognized.

Mr. ROHRABACHER. Thank you very much.

We have several areas that just need to be clarified here, and I would just like to say that when you seek clarification, and accountability, and perhaps correction of policy that led to a bad result, to automatically claim that people who are engaged in that are involved with partisan politics is not—is itself a partisan attack. So let's just get to some of these things.

We've been talking about why this happened, and there has been talk about budgets. And I want to identify myself with the remarks of our chairman, who said, yes, there are lots of things in the budget that can be reprioritized. And I'm waiting for my colleagues on the other side of the aisle to address the chairman's suggestion: If we're spending $1 billion on global warming in this budget, wouldn't it be more better—wouldn't it be better for all of us and more faithful to those people serving us to allocate those funds for security if we think there is a security problem, rather than for global warming, which is not necessarily the purview of the State Department?

But in terms of—and we have to remember that Secretary Lamb, Assistant Secretary Lamb, stated, and emphatically, because it was my question, and I wanted to get a specific answer, were budget considerations any part of your decision as to what level of security they should have at the Benghazi consulate, and her answer was an emphatic no, no.

So there must be policies then that we need to look at to see, if this didn't result from budget considerations, why did we end up having it? It was obviously a bad call on her part. And just let me say, she has given this country, I think, 20 years of decent, good service, and I am not about to sling mud at her. She maybe made a bad call. She has made 20 years of good calls. We are discussing some of those decisions today. And, Ambassador Burns, you have suggested that even adding a few extra than what she suggested was necessary probably would not have deterred this terrorist attack.

So in leading up to it, we have got those questions. But then, as the terrorist attack was happening and immediately thereafter, I am sorry, Mr. Ambassador, but your statement that the President and Secretary Clinton made clear that it was a terrorist attack right afterwards is not true, it is not accurate. I mean, the President and high-level officials of this administration immediately after the attack and for days afterwards, an overwhelming part of their discussion of the issue dealt with movie rage about these Muslims being upset about portraying Muhammad in a bad way in some movie on YouTube, a huge amount of their time, and almost nothing was said by them, except enough so that you could quote

it now, about terrorism and how the deaths there were carried out by professional and very well organized and trained terrorists.

Now, about afterwards and how we are going to come to grips with this. It was a terrorist thing, that is acknowledged now. Are we tracking down, as the Secretary of State pledged, are we tracking down these terrorists, finding out who they are, is that happening now?

Mr. BURNS. Yes, sir, it is. We are absolutely committed to using every resource of the U.S. Government.

Mr. ROHRABACHER. And what groups have we found were guilty of this?

Mr. BURNS. Well, sir, the FBI is leading the investigation, and I am sure in a different setting they can brief you on where things stand. All I can tell you is that the State Department is supporting very actively what the FBI is trying to do. I was in Libya in September after the Benghazi attack to push the Libyan leadership to cooperate in the investigation. Ambassador Larry Pope, our Chargé on the ground in Tripoli, pushes every day.

Mr. ROHRABACHER. Well, let me ask a question on this.

Mr. BURNS. I was in Tunisia also, Congressman Rohrabacher.

Mr. ROHRABACHER. Okay. Well, it is very easy to go up and ask a government, say, can you cooperate with us? Oh, of course we are going to cooperate. Let me ask about our own investigation. The night of the attack—obviously our people weren't the only ones killed and wounded—did our intelligence investigators or intelligence operatives in that area manage to go to the local hospitals and to question those people who were coming to the hospitals with bullet wounds that night?

Mr. BURNS. I don't know that they were able to that night, sir. Their preoccupation was trying to deal with——

Mr. ROHRABACHER. Well, what about the next day?

Mr. BURNS. Well, sir, as you know, by the next morning the American personnel in Benghazi had been evacuated to Tripoli.

Mr. ROHRABACHER. And all of our intelligence operatives were gone and didn't? You know, I will just have to tell you, I have been reading some of the classified information and I will just tell you that I do not believe that what we did was adequate, and what we are doing now is not adequate to tie this down to specific terrorist organizations. And we should be holding those people accountable and tracking them down and seeking justice for those people who we have lost. And with that said, I do not believe that holding this administration accountable for its mistakes and trying to find ways of correcting bad policy is in any way a partisan attack.

Thank you very much, Madam Chairman.

Chairman ROS-LEHTINEN. Thank you, sir.

Mr. Engel, the Subcommittee on the Western Hemisphere ranking member, is recognized.

Mr. ENGEL. Thank you, Madam Chairwoman. And let me first, before I make my remarks, I would just like to comment on two of my mentors and friends who will not be coming back the new Congress. And I want to start with Mr. Berman, since I will be taking over his duties as ranking member of this committee starting with the new Congress.

I want to say, Mr. Berman, Howard, that we are going to miss you. And your steady hand at the helm is something that we have all been aware of and we have all appreciated through the years. Your common sense on the issues, your hard work, and your collegiality is something that we will miss, and want to just express my very best wishes to you. I hope I can do as good a job as you have done, and I look forward to being in touch with you.

And, Mr. Ackerman, my New York buddy, we have known each other for a long, long time, and we served in Albany in the State legislature together. I think your remarks before were right on the money and we will miss your intellect, your wit, your hard work. It has been a pleasure being part of the New York delegation with you, and I know that we will continue to be in touch, certainly in New York for sure.

Let me say, first of all, welcome, Ambassador Burns. You have a long and distinguished record at the State Department. We appreciate the work that you have done.

And, Mr. Nides, I have known you for a number of years, since I have been in Congress, in a number of different responsibilities. You keep getting promoted so you must be doing something right as well. But we appreciate the work that both of you are doing. I know it gets a little nasty here sometimes, but I think some of my colleagues don't really mean to be mean; they just get very emotional. We do appreciate your work.

Let me say this. You know, one of the reasons why I love this committee is because I believe that foreign policy needs to be bipartisan. When I have taken CODELs around the globe, and I have led many of them when I was chairman of the Western Hemisphere Subcommittee, I found that the differences between Democrats and Republicans were very, very small when it comes to international events and things that happened. I have never had any restrictions on anyone in my CODEL for speaking to foreign leaders, heads of state, and never have been embarrassed, because we all understand that we are Americans and we have a common bond. And that is one of the reasons why I always enjoy this committee.

But it really pains me when I see some trying to make partisan hay on what happened in Benghazi. I think Mr. Romney did it shamefully during the campaign. And I think that in times of crisis we need to pull together as Americans. Our Ambassador was killed and three other patriots were killed. I don't think either side should try to use it for partisan political purposes. I think this kind of "gotcha politics," the American people are really turned off by.

And I want to say, I said this before in this committee, that Barack Obama was no more responsible for what happened in Benghazi than George W. Bush was for 9/11 or Ronald Reagan was when more than 200 Marines were murdered in Beirut. It doesn't happen on anybody's watch. Terrible things happen, and we need to try to fix them. And I look at this report, the Accountability Review Board, as something that makes an attempt to do that. I don't care if the administration officials called it terrorism or didn't call it terrorism. I have seen things where President Obama used the word terrorism the day after it happened.

But that is not important. What is important is that there should be no more Benghazis. That is why we are having this hearing and that is why we have the plan; 29 points, and Secretary Clinton has accepted them all, and good for her. She has, of course, appointed a new person—Mr. Nides, I know that is you—who is really going to look at this. And I am very, very happy that you are going to lead this task force.

But, you know, Congress has its obligations too, and we have to put our money where our mouth is. If we are going to want to make sure that our diplomats are secure, then we have to pony up the money. You know, it is very easy, and you hear rumblings in the Congress about cutting back and cutting back and "Let's cut foreign aid," and "Let's cut foreign security," and "Let's cut diplomatic security"; it is very easy to say that. You know, "We have pressing problems here, who cares about what happens overseas?" I have heard people say that as well. Well, that shouldn't be. We need to care and that is what we are doing.

So let me say this. According to the CRS, Congress has underfunded State Department diplomatic security by $600 million under the request for the last 3 years. The House funding level was closer to $0.75 billion below that. The ARB observed that funding restrictions have led State to be a resource-constrained rather than a mission-driven organization. The report continues, this report, the ARB, that the solution requires a more serious, and I am quoting, "and sustained commitment from Congress to support State Department needs."

So let me ask you this: How would the $1.4 billion requested in the increased security proposal address the ARB's concerns? Will the additional resources fill staffing shortages due to demands in the frontline states? And how will the proposal be sustained after Fiscal Year 2013?

Mr. NIDES. Thank you, Congressman. We made four decisions quickly. One was that we were going to ask for some additional money in 2013 through our budget request, which we did, which includes the $1.3 billion. That includes the additional Marines that we have asked for, more money for security, for diplomatic security, and for help with building construction. So we did that out of the 2013. We also did the ISAT teams, as you are aware, with the DoD and State. We went out to the 19 posts around the world, the high-risk posts, to evaluate. We intend to take those ideas and come back as it relates to the 2014 budget, which you know we are in the midst of doing as we speak. So the $1.3 billion addressed what Secretary Clinton believed and the President believed was an immediate need today. But I want to be clear to all of you, we intend to come back to the Congress as relates to 2014 to lay that out for you as well. Thank you.

Chairman ROS-LEHTINEN. Thank you very much, Mr. Engel.

Mr. Royce, the chairman of the Subcommittee on Terrorism, Nonproliferation, and Trade, is recognized.

Mr. ROYCE. Madam Chair, I would just like to begin by acknowledging the role that you have played in leading this committee. You have always brought energy and a smile to this committee, and we look forward to working together next year on the committee. I would also like to wish Howard well as he moves on to

the next chapter. And I would like to say to both of you that this committee and the institution is better because of the service on your part, the leadership on your part.

And we look forward to Secretary Clinton testifying next year, or next month. And I think all of us want to make sure that at the end of the day our diplomats are safer. And I look forward to working with Mr. Engel and with all of the members here. We look forward to making certain that something like this does not happen again.

But part of that is making the right policy decisions. Part of that goes to policy. And if we look at some of the observations that our Ambassador Chris Stevens made, he knew that Libya had become a cauldron of weapons, of jihadists, of violent ideology. He called it a security vacuum that had developed there. And it is discouraging, frankly, to read his communiqués warning of the consequences of this, and discouraging, I think, to see that there wasn't any credible contingency plan in place. An 8-hour firefight, truly tragic, without the ability to rescue our personnel during those 8 hours. And the upshot is this report, which finds a systemic failure by the State Department at senior levels.

But there are other policy questions about what created this environment. And that security vacuum that we are talking about, that was compounded by certain policy choices that led to this tragic day, policies that fed this instability in Libya. Here is a recent New York Times headline: "U.S.-Approved Arms for Libya Rebels Fell into Jihadists' Hands." And it reports, "The Obama administration secretly gave its blessing to arms shipments to Libyan rebels from Qatar last year . . . Within weeks of endorsing Qatar's plan to send weapons . . . the White House began receiving reports that they were going to Islamic . . . groups." This was a policy choice on the part of the administration. They decided not to send arms, but to use Qatar as a proxy for this purpose. But in turning the keys over to the Qataris we were turning it over to someone whose views were diametrically opposed to our own.

I remember the Libyan transitional authorities screaming at the time about the militants that the Qataris were picking in this fight, and what those militant jihadists would ultimately do as a result of receiving those arms, of being empowered by Qatar. I was warning the Secretary about this weapons flood from Qatar. The Times reports that the subject of the Qatari arms shipments dominated at least one of the deputies meetings, which I assume, Ambassador, you probably attended, probably participated in.

And so I was going to ask you, Secretary Burns, the Accountability Review Board had a narrow focus here, they didn't address some of the larger questions about policy, especially the policy in terms of arms that flooded that area on the part of the Qataris. Wouldn't you agree that empowering Qatar in this regard was a poor policy choice?

Mr. BURNS. Well, Congressman, there was a serious concern during the Libyan revolution and in its aftermath about not only the arms that were in abundance in Libya, but also the insecurity across Libya and the difficulty that the transitional government had in restoring security and developing security.

Mr. ROYCE. No, I understand that. But with our tacit approval you had 18 weapons shipments, 20,000 tons of weapons, and basically the policy choice that the Qataris would supply them and we would allow them to go through. And those weapons went to the most hardcore jihadist elements. So now those weapons are spilling into Mali, where al-Qaeda affiliates have taken up shop, imposing Sharia law. I mean, this country has a history with this issue, and the decision here has been made again. And I just want your answer to that. You were cognizant of this, I know. And Ambassador Stevens was approached on this. He was rebuffed when he told an American arms dealer don't do that. But when the dealer applied to sell Qatar $200 million in arms, that application was approved.

Chairman ROS-LEHTINEN. Thank you, Mr. Royce. I am sorry, but we are out of time.

Mr. ROYCE. Approved by State.

Chairman ROS-LEHTINEN. Thank you so much.

Mr. ROYCE. Thank you, Madam Chairman.

Chairman ROS-LEHTINEN. Mr. Meeks, the ranking member on the Subcommittee on Europe and Eurasia, is recognized.

Mr. MEEKS. Thank you, Madam Chairman. I would just for the future chair, and I appreciate his coming and looking forward to working with him, and look forward to working with Mr. Engel, and want to say thank you to both our outgoing chair and of course to our ranking member, who we are going to miss dearly, and my good friend Gary Ackerman.

And I just had to follow up with, I know the debate was before when we were talking about Libya there was the argument that we needed to arm the rebels. It is the same kind of argument that is going on right now in Syria, some saying that we have to arm the rebels. And so, I don't know. But anyway, you know, I have often said that over the years our diplomats are really the unsung heroes of United States security. They should no longer be unsung. The attacks on our mission in Benghazi should compel Congress to better recognize that our diplomats are critical to our Nation's security and that we must do better to ensure their security. It is time for us to acknowledge not just with our words, but also with our deeds the importance and the danger some of America's finest public servants face abroad. With over 80 high-threat posts operating at any given time, our diplomats are often in the same kind of harm's way as our military is, without the same kind of body armor and firepower to protect themselves.

We here in Congress have a role to play in giving them the resources, respect, and attention they deserve. I can't tell you how many times that I travel and I meet with an Ambassador who is trying to juggle their budget. They are trying to figure out, and so oftentimes they want to say, often they request, they want to figure out here is what they have. And they say, if there is one thing that Congress can do for us is to make sure that we have the additional resources. And they do the best that they can to try to stretch that budget as much as they can. And I hope that, you know, we don't come back here next year and we start shortchanging them for what they need.

And I appreciate what the ARB has come forward with. To me, when I look at your report, you are coming with facts, you are look-

ing, suggest there were some mistakes made and here is how we are going to correct them and here is how we want to move forward. The Secretary of State said, I take full responsibility, so there is no ducking and there is no hiding or anything of that nature. And so I would hope that we could move on and ask, and I have a few questions I want to ask, I hope it is in the vein of what Mr. Ackerman was talking about.

So, for example, we have focused on Benghazi. I would like to know what was the status, though, before Benghazi in Tripoli. Did we have any additional security in Tripoli? Was there a difference between the kind of security we had? I know one was just a consulate, the other was the Embassy, et cetera. Was there a different request, et cetera? Could you tell me that first?

Mr. NIDES. As you know, the mission in Benghazi was a temporary facility. As you know, that is where Chris Stevens started. He felt comfortable there. That was a temporary facility. The facility in Tripoli was our Embassy, and it had, obviously, additional security in Tripoli than we did actually have in Benghazi. It was larger, we had more people there, and, obviously, the ratio between the numbers of people we have and security that were on the ground.

Mr. MEEKS. So now going, you know, with the debate that we have going on now in Congress, we could have sequestration that takes place. And if sequestration takes place there are across-the-board reductions. What does that mean to security at our Embassies and for our Ambassadors?

Mr. NIDES. I am calling on all of you to fix that for us so we don't have sequestration. But if we do, we will have to make some really substantial cuts and it will hurt, it will hurt not only diplomatic security, but make no mistake, it is not just, as to your point, not just Benghazi. We have over 275 posts, Embassies and consulates around the world which dedicated diplomatic security are protecting every day, and 99 percent of the time we get it right. We want to be at 100 percent. But you are absolutely right, we need the resources. And we hope that we won't be facing massive cuts through sequestration, which I know I probably speak for most of you around on this committee that hope that won't occur as well.

Mr. MEEKS. Now, in your report, and I don't recall, I think Benghazi, as you said, was special, meant it had a nonstatus. Do we deal now in any comprehensive manner with any other missions that we have that has a nonstatus as opposed to something that has a status? Should it be treated differently?

Mr. NIDES. That is actually one of the recommendations of the ARB, that we look at that. It is clearly an issue that we need to determine. There are very few of those types of facilities, but we need to look at it. That is one of the reasons the Secretary directed us to take these teams around to the most high-risk posts, because it is not just the temporary facilities, but we are dealing with a new normal, so we need to look at each and every one of those posts and make the determination on the security on the ground.

Chairman ROS-LEHTINEN. Thank you so much, Mr. Meeks.

Mr. Chabot, the chairman of the Subcommittee on Middle East and South Asia, is recognized.

Mr. CHABOT. Thank you Madam Chair. I thank you for your work in arranging for this hearing. I know it has been very difficult to get administration witnesses to testify before this committee, not just on this matter but quite a few other things as well. And your relentless efforts to schedule this hearing are greatly appreciated by a lot of us.

I also want to take a moment to thank you and say job well done. I don't know what the committee's schedule is going to be for the remaining days of the 112th Congress, and we are not sure how long we are necessarily going to be around. So in the event that this may be our last formal hearing of the year I just wanted to commend you for the great service that you have performed for this committee and our country as chair of the committee. And I thank you and your staff for the work and the many courtesies that you have extended to both me and the other members and to our staffs on both sides of the aisle, and look forward to continuing to work with you hopefully for many years to come.

And I don't want to get into a long thing relative to some of the other comments I have heard from the other side of the aisle, but I have to say that in denouncing alleged partisanship I don't know that I have heard more partisan statements from some of my colleagues, many of whom I have great respect for and wish the best in the future because some will be leaving. But I think what this committee is attempting to do is to find out what went wrong, why, and prevent these types of things from happening again. You know, we lost the lives of four very patriotic Americans, and I think it is appropriate for us to look into these matters.

And, you know, these events in Benghazi are absolutely tragic, no question about that. Ambassador Stevens was known to many members and staff, both before and during his ambassadorship, and he was thought by all, I believe, to be one of our most able diplomats. I had the opportunity to visit with him in Libya a little less than a month before he and the three other outstanding Americans were murdered in Benghazi. His enthusiasm for the job at hand was immediately evident. He was excited about the opportunity to help a nation newly freed from decades of brutal dictatorship, and his death was not only a terrible blow to his family and Nation, but a terrible blow to those who seek to build a new democracy and a vital economy and to restore fundamental human rights for the Libyan people. We have many patriotic Americans like Chris Stevens and his colleagues serving around the world and oftentimes they serve in dangerous regions, sometimes separated from their family and in many cases living in a very restricted existence because of security threats. What we often take for granted, like freedom of movement and relative safety from those who would do us harm, they often live without.

Today we are here to review what happened, as I said, in Benghazi, and why, and what we can do to protect our diplomatic personnel stationed abroad in the future. And as has already been mentioned, the report that we have all had an opportunity to see does state that there was no protest at the American facility in Benghazi prior to the attack. And I know many members, particularly on this side of the aisle, would like to have more answers as to why exactly the White House and the State Department in the

days following the Benghazi attack chose to pursue a strategy that was ham-handed at best and a cover-up at worst. I will focus my question on the findings and recommendations of the report with the hope that one day soon we will get a straight answer from the administration on the matter of the administration's early-on insistence for weeks that terrorists were not to blame for the murders of our fellow Americans but, you know, some video was.

Ambassador Burns and Secretary Nides, we have reviewed the report and we have shifted through a lot of paperwork and that sort of thing that the Department provided us. We have seen cables where security officers on the ground express frustration at the difficulty in getting the personnel they believed they needed to protect American diplomats and property. And we now know that management of security personnel, especially the assignment of DS agents on very short-term duty, virtually guaranteeing very limited institutional knowledge, was grossly inadequate. We clearly had a problem in Libya, and it is probably fair to say that the Department's shortcomings in addressing diplomatic security issues are not isolated to Libya. The Government Accountability Office has called on the Department on a number of occasions, I believe, to conduct a strategic review on security mission and resources.

And in light of the Benghazi tragedy could you discuss, relative to the resources that are going to be necessary in this issue, is there a timeline on when we are actually going to get this? And in the other Embassies around the world that are in security-challenge areas, are these types of things in all likelihood present and need attention in other areas as well? Either one of you.

Mr. NIDES. As you know, as I mentioned earlier, we did take a very aggressive look with DoD and the State Department, sent these teams out immediately to look at every high-risk post. That is what Secretary Clinton ordered us to do. We are now bringing back those recommendations. There are many, many recommendations. We are ordering them through. She has given us very clear instructions on when she expects these results to be in. And we are going to come back to this body to get either funding that we need to do them or use existing funds to actually address those issues. And the answer to that is yes.

Chairman ROS-LEHTINEN. Thank you very much, Mr. Chabot.

Mr. CHABOT. Thank you, Madam Chair.

Chairman ROS-LEHTINEN. Mr. Carnahan, the ranking member of the Subcommittee on Oversight and Investigations, is recognized.

Mr. CARNAHAN. Thank you, Madam Chairman. I just want to take a moment at the beginning of my remarks and say thank you to you and to our ranking member, Howard Berman, for their service during this Congress, your friendship, your work. Also really to wish well our colleagues in this next Congress, the entire committee, but particularly Ed Royce and Eliot Engel as they take over the leadership of this committee. And this next Congress is going to have a full plate. I think the hearing today is really just a preview of that.

I also want to acknowledge the work and leadership of Secretary Clinton. She has aggressively, her entire team, and thank you for your service, all of our diplomats everywhere, for the Secretary's leadership in embracing all 29 of the Board's recommendations and

her strong commitment to have the implementation of all the recommendations well underway even before the next Secretary of State is in place.

I also want to, I guess, admonish my colleagues on the committee. There is a long tradition of bipartisanship in this committee, how we should be standing side by side when we are dealing with attacks on our people overseas. It really cheapens that to make it into some kind of a gotcha game or to try to make it into some conspiracy to dupe voters in November by the words used or the causes of this horrible tragedy that happened in Libya. So this is really about, I believe, our foreign policy, the very core interest of our country, how we are seen around the world, our national security, our economic success, our fundamental values. That is what it is about.

And it is bigger than Libya. We are going to see this in countries across the globe, country by country, the same kind of repeated challenges. We have to stay focused on that. Let's not backslide into pettiness from either side. Let's really focus on what needs to be done.

And I guess for our witnesses here today really just two quick questions. Because of this very changing nature and these increased demands that we are seeing, is there any additional country-specific criteria the State Department is considering to determine these additional security needs at our posts? And secondly, what steps should be taken with host countries to honor commitments to the Vienna Convention to ensure that it is not an impediment to our security and to guarantee better the safety and security of our diplomats?

Mr. NIDES. So let me just answer the first question. As I point out in my testimony, for 200 years we have relied on the Vienna Convention. And that is something that we have to continue to rely upon, and if we don't we can't be in many of these places, because at the end of the day we cannot provide our own security enough to protect ourselves without these host governments. And in most, if not all of those countries that works. But in this new environment, as we call the new normal, especially in new governments that are standing up, the Secretary implored us to go to visit those countries with the Defense Department and ask that question, which is the division between their desire to protect us and their ability to protect us. So the answer to that is we are looking at each and every one of these countries to make that determination and determine the risk factors that exist and do we have it right as we look forward to making sure that we are protecting ourselves appropriately.

Mr. BURNS. All I would add, Congressman, is that this is a reality that we are going to have to deal with for some years, and not just in the Middle East, but it is particularly true there with all the revolutions and transitions that are taking place. It is post-revolutionary governments that are going to have a very difficult time building security institutions that work, and we are going to have to take that into account and adapt to it, as Tom suggested.

Mr. CARNAHAN. Thank you. I yield back.

Chairman ROS-LEHTINEN. Thank you. And thank you again for that family photo that is in some of our big photos here, Russ. Thank you. Was that your great grandfather?

Mr. CARNAHAN. Grandfather.

Chairman ROS-LEHTINEN. Grandfather who served on the committee.

Before I recognize Mr. Wilson for his questions I would like to advise our members that we expect a short vote series around 2:45 and that Deputy Secretaries Burns and Nides have kindly agreed to remain so that we may continue the question-and-answer period for the remaining members after the vote. Thank you, gentlemen.

And with that, Mr. Wilson of South Carolina.

Mr. WILSON OF SOUTH CAROLINA. Thank you, Madam Chair. And, Madam Chairwoman, I want to thank you for your extraordinary leadership. You have been such a strong proponent on behalf of the American people. Additionally, I have certainly appreciated the bipartisan cooperation with Mr. Berman. Both of you have just come across so well.

I look forward to the leadership of Chairman Royce. He and I have a shared interest in promoting a better relationship, and particularly with the very important country of India, the largest democracy on Earth. And so I am really excited about his leadership. And then I share the appreciation of Congressman Engel. He and I have gone on CODELs together, and indeed there will be a bipartisan angle to this committee with Congressman Engel. So this is all positive.

I am grateful, Secretary Burns, Secretary Nides, for you being here today, and I look forward to asking some questions. I do want to express again my deepest sympathy to the heroic Americans that were killed at Benghazi. We should never forget, and we want to send our deepest sympathies to the families of Ambassador Chris Stevens, Sean Smith, Glen Doherty and Tyrone Woods. These truly heroic Americans lost their lives in Benghazi to a terrorist attack, but their dedicated service will always be remembered by the American people.

As we are into the Accountability Review Board evaluation, the Pickering report, there is an indication, directly the quote was, "In the weeks and months leading up to the attacks the response from the post, Embassy Tripoli, in Washington to a deteriorating security situation was inadequate." And from each of you, what was the response and what steps have been taken? And, indeed, could this tragedy have been averted?

Mr. BURNS. Well, Congressman, clearly, as the ARB report concluded, there were inadequacies. There was not an active enough response to requests that were made from post. Just to be clear, I think typically those kinds of requests, and it was true in this case, tend to come up toward the assistant secretary level in those bureaus, and the ARB was very clear in emphasizing the importance of us reinforcing shared responsibility in those areas.

There was, and I draw a distinction between that and the more generalized concern about insecurity in Libya that I mentioned before, all of us, including the Secretary, who traveled to Libya over the course of the last year or more, were concerned about the importance of the Libyan interim government building security insti-

tutions without which it would be extremely difficult to make a successful political transition or to rebuild the economy. And that broad issue was something that concerned many of us, including the Secretary.

On the specific issue with regard to security requests, the ARB was quite clear in saying that there was an insufficient response in those areas, there were mistakes, and serious and systemic problems which are unacceptable, as I said before, and which have to be addressed to prevent a repetition of this kind of attack and this kind of tragedy in the future.

Mr. WILSON OF SOUTH CAROLINA. And specifically the chairman of the Armed Services Committee, Buck McKeon, has asked a question, and that is, to anyone's knowledge has the Department of State or any Federal agency requested additional U.S. Military forces to augment security of U.S. personnel in Libya prior to the attack?

Mr. BURNS. The ARB report, I think, addresses the issue, I mean the specific issue of what might have been done on that night and reaction to the attack, and its conclusion is that there was simply not enough time. Given the fact that even though this incident in Benghazi, the tragedy in Benghazi, unfolded over a period of 8 hours, that the intensive attacks were really focused on two periods, less than an hour on the special mission compound at the beginning of this ordeal, and then another very intensive attack around 5:15 the following morning on the so-called annex. And so the judgment of the Accountability Review Board was that there simply wasn't enough time to make the use of U.S. military force from outside Libya effective.

Mr. WILSON OF SOUTH CAROLINA. And it concerns me, too, there is a foreign emergency support team, a FEST team, but yet it was not requested, it was not provided. That just is really just tragic to me.

Mr. BURNS. Well, typically, Congressman, in my experience, FEST teams, foreign emergency support teams, are actually deployed after a terrorist attack, and they are generally deployed when a diplomatic facility has been attacked and has lost communication capabilities and other capabilities. So a FEST team comes in to augment them. But generally they come after an attack has taken place, over the course of my experience.

Mr. WILSON OF SOUTH CAROLINA. Well, I would certainly hope that, and I want to thank you for what you are doing, but my goodness, I appreciate Foreign Service Officers, your courage of service, but we want the best security possible. And I appreciate whatever efforts that can be made. Thank you.

Chairman ROS-LEHTINEN. Thank you. The committee will be in recess and we shall return after the votes. Thank you.

[Recess.]

Chairman ROS-LEHTINEN. The committee will now come to order. I thank our witnesses for coming back, and I thank the members also for returning. And we will begin our question and answer period with Mr. Higgins of New York.

Mr. HIGGINS. Thank you, Madam Chair. Ambassador Burns, you had provided in your testimony, you had said that I know that diplomacy by its very nature sometimes is practiced in dangerous

places. And you quoted Secretary Clinton as saying that our diplomats cannot work in bunkers and do their jobs. When America is absent there are consequences, our interests suffer and our security at home is threatened. When I hear about attacks on American diplomats they often take me home.

John Granville was a kid from my community. John was a graduate of Canisius High School in Buffalo. He attended Fordham University, and Clark University in Massachusetts with a graduate degree in international relations. John was a Fulbright scholar. He served as a volunteer in the Peace Corps and he became a diplomat for the United States Agency of International Development. John was working with a largely Christian community in southern Sudan right outside the City of Juba to prepare them for elections by bringing in thousands of solar powered radios so that the folks in that region of the Sudan would have information about the outside world in preparation for elections for independence. As you know, Southern Sudan is the newest country in the world.

On January 1, 2008, New Year's Day, it's 6:45 in the morning, I received a call from John's mother, who informed me that the night before John was killed. He was actually murdered by a gunman while driving home from the British Embassy for a New Year's party in Khartoum. John was ambushed by two gunmen who stopped their car in front of his; John was shot in the neck and the chest.

The attack followed warnings, the attack followed warnings by the United Nations that a terrorist cell in Sudan was planning to attack Westerners. No one blamed the President, nobody attacked the National Security Adviser. What John's mother wanted in the response from our Nation and our community was: Let's get to the bottom of this so it will never happen again.

It is my understanding that under the 1961 Geneva Convention on Diplomatic Relations the host country, the host country is responsible for the security of our Embassies, and that the primary focus of our Marine Corps Embassy security group is to protect classified information at the facility with the protection of the personnel a secondary focus. It seems to me that perhaps if we really want to get to the heart of this thing we need to focus in on that policy. And the policy I believe deserves reconsideration. Both of you had made reference to there is a new normal. There are some 33 countries in the world that are defined by our State Department as places where Americans shouldn't travel. Diplomacy is dangerous work. Those who do it are courageous.

So I would like to ask each of you if in fact we as a Nation, Democrats and Republicans, should be seeking to change the 1961 Geneva Convention on Diplomatic Relations to more closely and more directly take on a policy that assists our people in these very, very difficult places, or would that adversely affect the purpose for our diplomatic presence in those places, including and especially those toughest places?

Gentlemen.

Mr. BURNS. I would be glad to start, Mr. Higgins. I think the issue here, as both of us have mentioned before, is not so much the Vienna Convention itself, it is not even so much the will of certain host governments to be able to fulfill the obligations of the Vienna

Convention and protect foreign diplomats on their soil. It is a question of their capacity. And especially in countries that are going through post-revolutionary transitions, as we see in Libya, as we see in other parts of the Middle East today, there is a big question mark about their ability to do that and how quickly they can develop the kinds of security institutions on which they can rely for security in their country and on which our diplomats and other foreign diplomats can rely.

So that is what we have to take into account now as a part of this review. I am stimulated not just by Benghazi but as we look at a landscape that is changing very fast in the Middle East and in other parts of the world, we are going to have to adapt our approach to diplomatic security to take that into account.

Mr. HIGGINS. Thank you. Mr. Nides?

Mr. NIDES. And just briefly, you are right as relates to our desire to add additional Marines. It is not so much the Marines doing security per se, but it is as a deterrent. In working with DoD we are determining which countries that would obtain, as you know, we currently have 150 countries that have Marines in them, we have asked for an additional 35 detachments. We are working closely with the Defense Department to achieve that goal, but it is important to know that the security is in the hands of our Diplomatic Security, this will be supplemented with that deterrent of having Marines on the premises.

Mr. HIGGINS. Thank you, and thank you both for your extraordinary work.

Chairman ROS-LEHTINEN. Thank you so much, Mr. Higgins.

Judge Poe, the vice chair of the Subcommittee on Oversight and Investigations, is recognized.

Mr. POE. Thank you both for being here all day, since our early conversation this morning. During my lifetime I have been called a lot of things, but a diplomat is not one of them, but I will try to be as candid and nonoffensive as I can be about this whole situation in Benghazi.

It seems to me that security was a problem, the report says security was a problem. I think that we ought to make sure that we are moving forward across the world, and I have been to a lot of Embassies as most members of this committee have; that we focus on making sure that the people in charge know what they are doing, not using militias but using the Marines. I have total confidence in the Marines. They can solve any problem we will let them solve. And they are a deterrent, Mr. Ambassador, as you said, that Marines, the word brings fear and trepidation into the souls of many people who do not like us throughout the world. It seems to me they would do a better job protecting America and American interests than hired guns from some country like the Libyan militia.

My focus is on two things. One, the day after this event occurred, September 12th, there was a group, terrorist group, Ansar al-Sharia, that took credit for the attack against the Ambassador and the other Americans that were murdered. Of course we all know what took place took a while for the administration or the official word to say they were terrorists. Regardless of how long it took,

this group took credit for the murder, the homicide, and they were glad they did it.

My first question is do we know what terrorist group or groups, here 90 days later, are responsible for the attack on the Ambassador and the compound?

Mr. BURNS. Congressman, we have made some progress in the investigation. I don't think we have a complete picture yet about exactly which terrorists were responsible, but we are developing a better picture of that. And the FBI is leading the investigation, a number of other parts of the executive branch are involved in this, too, and we would be glad to provide you a briefing in a different setting on exactly what the status is.

Mr. POE. Let me ask you another question. With the folks now in Libya that are in charge of our diplomatic mission there, have we told them be on alert for this group or that group or watch out for these guys? Any warnings, watch list, whatever you want to call it, about any specific Libyan terrorist groups that we should be more careful in dealing with or watching, and what kind of notice has been sent out from Washington to Libya?

Mr. BURNS. Well, our mission, our Embassy in Tripoli is extremely well aware of the various threats out there from extremist militias, from terrorist organizations; for example, al-Qaeda in the Lands of the Islamic Maghreb, which is trying to expand its role, and the threats that it produces across North Africa, including in Libya, and so our Chargé, Ambassador Larry Pope, is very well aware of this and stays in very close touch with the Department, the intelligence community about those kinds of threats.

Mr. POE. I would hope that we would pursue and whoever is responsible that we track them down and hold them accountable, and I hope we hear that news as soon as possible.

The other issue I want to talk about is weapons, guns and other weapons, rifles that are in the possession of different groups in Libya. There have been reports, and I don't know if they are accurate or inaccurate, that is why I am asking you all, that there may be a situation where the United States gave tacit approval, a wink and a nod, or looked the other way while guns were smuggled from Qatar, Qatar, I guess is correct pronunciation now, Qatar to Libya used by Libyan rebels. Is that—what about that, is that true, not true or we don't know?

Mr. BURNS. There were a lot of arms that flowed into the hands of various Libyan groups during the revolution as they sought to overthrow Ghadafi. We had real concerns during that period and we certainly have real concerns today about the number of extremist militias, well armed extremist militias in Libya who can threaten our people as they did in Benghazi but can also threaten the security of a Libya which is struggling to succeed in a political transition.

Mr. POE. Let me reclaim my time since I am nearly out of time. I guess my real question is we need to find out and we need to know, Americans need to know if those weapons that were used in the attack on our folks in Libya were weapons that the United States some way was involved in getting to Libya.

The second part of the question is really a comment, we also need to know if those since Muammar Ghadafi met his maker that

weapons have gone to Libya to be repackaged, if you will, by the militia and sent to Syria. Has the United States been involved of that, have knowledge of that, or is that just not an accurate statement? I think we need to track the movement of weapons.

And out of time and maybe you could give me a written answer to this or direct me to a classified briefing on that.

Chairman ROS-LEHTINEN. Thank you, Judge Poe. Karen Bass is recognized. She is the ranking member on the Subcommittee on Africa, Global Health, and Human Rights.

Ms. BASS. Thank you, Madam Chair. And also let me join in thanking you for your leadership over the last 2 years and also for our ranking member Mr. Berman. I know that many of my colleagues would agree that your departure from this House is really an example of us losing one of our House giants. So we will be sorry to see you leave and I would say the same for Mr. Ackerman. I will miss hearing your comments on this committee.

I wanted to thank the leadership for convening this meeting and I want to thank the witnesses for taking their time to come out and be here with us here today. When we had the hearing last month the members of this committee really wanted to hear what the ARB was going to come back with before we rushed to any judgment. And I want to stress that I think that it was very important and it is very important that we have an objective assessment of what happened and I think you have provided that, but I really wanted to focus on what happens now, where do we go from here. And I wanted to ask a couple of questions, specifically wondering how you manage planning for Diplomatic Security when we are rather unpredictable in one, if and when we get a budget done and then what the level of funding is.

And then also I wanted to know if you could comment if there are any new technologies or alternative protective measures that would be very useful in terms of how we protect diplomats, and to what extent if we had had any new technologies you think would be useful would it have made a difference in Benghazi?

Mr. NIDES. Well, let me just say as someone who is relatively new to the Department but has traveled to almost every hotspot in the world, the men and women who have protected us with Diplomatic Security are beyond heroic. I wish we could be here and say with 100 percent certainty nothing happens, but as you know it is not a risk free proposition, but I am every day amazed. Remember we have over 275 consulates and Embassies, many of them in very, very dangerous areas, where our Diplomatic Security are not only protecting our Ambassadors and staff, but USAID and like minded folks all over the world. So I just—your point is taken, which is we are having to deal with budgetary constraints, but at no time should any of us believe that the quality of those men and women who are protecting us is in any way diminished.

Ms. BASS. Well, you know, one of the benefits of being on this committee is that we do have the opportunity of travel and frankly they help provide our protection as well. And so just wondering how you manage with that, do you shift funds from one to the other or what?

Mr. NIDES. So what we are doing and one of the tasks that the Secretary asked us to do is to review exactly, especially in the high

risk posts, to make sure in what we refer to as the new normal, host government's willingness and capability of protecting us. Do we have the right security footprint? Do we have the facilities? Do we have the ability to protect our people to the best of our abilities? And what we are doing now is looking at the resources we were given, moving those resources around appropriately to make sure that we are not putting our people in harm's way. As I said before, we get this right 99 percent of the time. And I knock on wood on that. We would like to be 100 percent right. But this, as you know, is not risk free for any of us, and so we are attempting to try to manage within the constraints which we have.

As to a question of technology I would say that Diplomatic Security is working with every law enforcement agency in the world to make sure we are on the cutting edge and I think we are achieving that. Can we do better? Sure, I think every security agency could do better, but I believe, fundamentally believe in my core that they are at the top of the heap as it relates to the quality of their technology and ability to protect us.

Ms. BASS. Is attrition in the Diplomatic Security Service a problem? And if so, what are you doing to address that?

Mr. NIDES. I think attrition at State Department generally is quite low. As you know, I guess they came out yesterday or a couple days ago, we are the third most liked place to work. Part of that is I think we treat our people with respect.

Ms. BASS. The security part?

Mr. NIDES. Generally I think the whole State Department, I wouldn't divide it up between departments. I think one of the criticisms that the ARB did point out is our reliance on TDYs, on people who are coming to us for short periods of time.

Ms. BASS. TDYs, temporary?

Mr. NIDES. Temporary employees. We have to address that issue, because that is one of the recommendations of the ARB that we examine the use of TDYs, again to remind people there are people who are coming in for shorter periods of time than a year or 6 months, and that is something we need to address. That is something Secretary Clinton has insisted that we address to make sure that we have the numbers and that is why in our new budget request we have asked for additional Diplomatic Security officials so we can lessen our reliance on TDYs.

Ms. BASS. And where do the temporary employees come from?

Mr. NIDES. Most of them, if not all of them, are here, but again——

Ms. BASS. They are State Department?

Mr. NIDES. Yes. They are not contract employees but they are moving around, and one of the criticisms in the ARB was that the people that we were moving in and of Benghazi weren't there for long periods of time. Obviously like any law enforcement officer if you are on the ground for a long period of time you build a team and expertise and contacts. And one of the criticisms of the ARB which we need to learn from is what happens if someone only comes in for 30 days and leaves? And I think that is something that we have to learn from and improve, especially in high risk posts.

Ms. BASS. Thank you.

Chairman ROS-LEHTINEN. Thank you very much, Ms. Bass. Miss Schmidt of Ohio is recognized.

Mrs. SCHMIDT. Thank you. Gentlemen, something has been troubling me all along, and that is that we knew from the start this was a terrorism event and yet for whatever reason we chose not to call it a terrorism event. I look at some documents and uncovered one that was dated September 12, 2012, at 6:28 a.m. From Freiburg, Benjamin D., on behalf of DS Command Center, sent 9/12, at 6:28 a.m.—I am reading the whole thing verbatim—to Steven Orloff, copy to DS Command Center, subject: Benghazi update. All com. The DS command center is sharing the following terrorism event, information for your situational awareness, please contact the DS Command Center directly for any follow up request for information. As 0500 Eastern Standard Time, the U.S. Mission in Benghazi has been evacuated due to ongoing attacks that resulted in the death of four chiefs of mission personnel, including the U.S. Ambassador to Libya, and three additional com wounded. At this time everyone had been evacuated to Tripoli and is receiving medical aid and awaiting further movement. This is an initial terrorist incident report from the DS Command Center. This information contained in this report is provided only for immediate situational awareness, additional reports may follow. Updating and correcting information, please protect accordingly. DS Command Center SBU. This email is unclassified. Presented by Bladow, Christopher R., page 1 of 1.

My concern is this, we knew from the start that it was a terrorist attack, it was a terrorist event, and yet for whatever reason we chose to call it something else, a YouTube video. And I am troubled because it puts Susan Rice, the President and other officials in a bad light. I am also troubled because the soft message doesn't allow us to get to the root of the problem. The furthest thing is to blame a YouTube video somehow makes it appear that we are saying it is okay if we have someone of our people say something bad about another nation that it is okay for the nation to respond. I mean that is the kind of insidious message that is going on here. And I would like to know why when this came out just hours after the initial attack we called it something else.

It is just a question.

Mr. BURNS. Ms. Schmidt, there is nothing that is okay about the murder of four of our American colleagues. This was a terrorist attack. Secretary Clinton, as I said before, was quite direct the next morning in talking about an assault by heavily armed militants on our compound. President Obama spoke to an act of terror. What was not clear at the time was exactly which terrorists were responsible, what their motives were, whether they were motivated in part by the sight of an armed—of a mob coming across the wall of our Embassy in Cairo, which may have partly have been in response to the video that you mentioned. Just didn't know exactly what the motives were. But what there was no question about was that this was a terrorist attack.

Mrs. SCHMIDT. It was never said a terrorist attack. It said an act of terror, is different than a terrorist attack.

Mr. BURNS. But, Ms. Schmidt, what I would add, as I mentioned in response to an earlier question, the officials who addressed this

issue and the intelligence community specialist on whom they relied were focusing on trying to be as factual as possible and they were also focused on action in this period because, as I mentioned, they were also dealing with the reality, all of us were, where you had mobs coming over the walls of our Embassies in Cairo, in Tunis, in Sanaa. We were focused, Secretary Clinton was so focused, all of us were, on protecting our people in that period. No one was trying to misrepresent anything. People were trying to get to the bottom of this and deal with those immediate threats. And of course the intelligence community, my colleagues there, I am sure they wish that they could have corrected the inaccuracy, because in fact there was no protest and no demonstration in Benghazi that night prior to the attack, as the ARB report points out. Wish they could have corrected that inaccuracy earlier. But that inaccuracy was not the result of anybody trying to misrepresent anything or mislabel or anything else. People acted in good faith during that period. I am absolutely convinced.

Mrs. SCHMIDT. I have something else that is troubling me. In plowing through information, I am still trying to plow through it, we used the February 17th group to protect us, correct? And yet we knew that they were unreliable in other instances and yet we still allowed them to be our protection and yet when things happened they ran, and is it because they are cowards, they are ill prepared, are the ill trained or is something more nefarious going on? I mean, there are some folks that suggest, and one of them is Joan Schaan, a fellow at Rice University Institute of Public Policy, that these folks were connected to al-Qaeda and that this was to undermine our security.

Are we looking at those kinds of things to make sure that when we are having security on the ground from a foreign country secure us that they are not connected to our enemy?

Mr. BURNS. We certainly are, Ma'am. And the ARB report points out the inadequacy of the reliance on the February 17 Brigade. The reality is that our diplomats had experience dealing with them during the revolution where they played a prominent role in Benghazi. Especially Chris Stevens knew, you know, a number of those groups and they had responded adequately in earlier occasions, but the obvious reality is here that it was inadequate.

Mrs. SCHMIDT. I know I have 5 seconds. But have we looked at who they are friends with and what their lineage was and if there is any connection to a terrorist organization like al-Qaeda?

Mr. BURNS. Absolutely, we are looking at all those questions very carefully.

Chairman ROS-LEHTINEN. Thank you. Thank the gentlemen.

Mr. Cicilline of Rhode Island is recognized.

Mr. CICILLINE. Thank you, Madam Chairman, and I want to begin by thanking you for your leadership of this committee as it may be the last opportunity I have to do that and also to acknowledge the extraordinary leadership of our ranking member Mr. Berman, who is a recognized statesman and will be missed by this committee, by this Congress and by our country and I just want to thank him for his extraordinary contributions. And to Mr. Ackerman, thank you and I hope it is appropriate for me to associate my-

self with your remarks toady, they were poetic and important and to Mr. Carnahan, thank you also for your service.

I thank you, Ambassador and Mr. Secretary, for being here and appreciate both the work that you are doing and the testimony that you have provided today. I particularly want to extend recovery wishes to Secretary Clinton and acknowledge her extraordinary work and leadership and wish her a full and speedy recovery and ask that you communicate that to her on my behalf.

This is the committee's second hearing on the events of September 11th at the diplomatic post in Benghazi, Libya that resulted in the tragic deaths of Ambassador Stevens and three other brave Americans, Sean Smith, Tyrone Woods, and Glen Doherty. These attacks are an example of how increasingly dangerous it is for our diplomats to do the work that they do all around the world. And while we cannot eliminate all risk, I think it is clearly our responsibility to do everything that we can to mitigate and manage those risks. And I want to acknowledge and thank Admiral Mullen and Ambassador Pickering for undertaking this really comprehensive and prompt review of this important matter, and again applaud Secretary Clinton for accepting the conclusions and for developing a task force for the immediate implementation of all 29 recommendations. And I want to say that I look forward to determining how we can help facilitate the implementation of those recommendations. If there are specific ideas that you have today of things we should be doing as a committee, as a Congress to support the implementation of those important recommendations, I would very much like to hear that.

I appreciate the insight that this review has provided and I think our responsibility now is to be sure that the resources and other necessary support that we can provide is provided so that these recommendations can be fully adopted.

What I would like to ask you to comment on is I know that the Secretary ordered a worldwide review of diplomatic posts, particularly posts that have high threat, identified as high threat posts. And I would like to know whether or not we—whether or not the Department has the resources it needs or are there additional things we should be doing to be sure that in the interim, as the longer process of implementing the 29 recommendations is underway, would you tell us a little bit about what you found in that review, if it has been completed, about the remaining high risk posts, are there things we should be doing. I am particularly interested to know have you done an assessment of the capabilities and commitments of our host nations, which I know are responsible for some of the security and I think we have a long-term sort of responsibility and some things in the short term. Again I am very grateful you are here today and thank you for your testimony.

Mr. NIDES. Congressman, thank you very much. When about 60 days ago, when Secretary ordered us to take a review, a very clear view of the posts in what we are referring to as the new normal, the high risk posts. We determined that list of approximately 19 posts. Again this is not an exhaustive list, any day we could wake up and find another country on that list. There were 19 posts in which a team of Defense and State Department together, actually there were four people on each team, five teams. They immediately

hit airplanes and went around the world to basically assess. And we gave them very clear instructions. Number one, they could ask any question. They were to determine any kind of vulnerability which we may have. They need to assess not only the desire of the country to protect, but their ability to protect. As my colleague has pointed out, there is sometimes a difference between the two, especially in some new governments. We have come back with a lot of conclusions, including quite frankly some very specific needs, everything from we need bigger walls; do we need more fire equipment?; do we need to move the consulate?; that it is too close to the road. We went to a level of detail to make sure we weren't missing anything. We compiled that, we have an ISAT implementing team that I will meet tomorrow morning again for now I think the third time over the last 3 weeks and list out exactly every item that we need to address.

I want to make it clear, though, even with the 19 posts there are many, many other places around the world that we are vulnerable. But again, as I said before, we are relying on two things. We are relying on the host government to protect us, and we are relying on the fine work of our Diplomatic Security operations and, quite frankly, to make sure they have the resources. We are very much focused on that and we will be coming back to this Congress with the needs to make sure that we have for the 2014 budget on top of the money we have already asked for in 2013, which is the monies we have already discussed.

Thank you.

Mr. CICILLINE. I hope that as you implement the recommendations of the report that you feel free to communicate with this committee about what your needs are so that we can be certain we are supporting the resources that you need to successfully implement all those recommendations.

I thank you again.

Chairman ROS-LEHTINEN. Thank you. Mr. Johnson of Ohio is recognized.

Mr. JOHNSON. Thank you, Madam Chairman. Gentlemen, first of all, thank you for coming before our committee today and testifying. Let me ask were either one of you in a decision making role, either part of the decision making process to having received the request for increased security at our compound in Benghazi, or denying that security, or denying the support when it was asked for in those tragic last moments? Were either of you a decision maker?

Mr. BURNS. In the run-up to the attack that took place in Benghazi, as the ARB report makes clear, there were a number of requests that were made by——

Mr. JOHNSON. Were either of you a decision maker?

Mr. BURNS. No, no.

Mr. JOHNSON. Then I am not sure why we are talking to you two guys. You see, I am way past the rhetoric of the YouTube video and the ruse that the administration tried to perpetrate on the American people in an election year. The American people are looking for accountability. Who made these decisions that got four Americans killed? I spent 26½ years in the Air Force. Our troops and our diplomats that go into foreign places in harm's way go with the knowledge of two things: One, they understand that there is a risk,

but they also understand that they are citizens of the greatest, most powerful nation on the planet and they go with the confidence that America is going to do everything possible to ensure their security. It is unconscionable to me that anyone, any American diplomat would be in a situation where their security request would be denied and that forces were not in place to respond when and if things got out of control.

I want to look at a couple of things in the report. The report says although the interagency response was timely and appropriate—I don't know how we can say that, we got four dead Americans—there was not enough time for military assets to arrive and make a difference. Intelligence provided no immediate specific tactical warning of the attacks. In other words, we got surprised. We got surprised. One of the most important factors in warfare is the element of surprise. And we are at war with these seemingly visible elements of terrorist groups like al-Qaeda, Hamas, Hezbollah. We have known about the importance of surprise for generations and throughout the study of the art of war. Throughout my military career I have studied and practiced not only how to best exploit the element of surprise to gain the advantage against our adversaries, but also how to prevent our nation from falling victim to surprise. To say that we had no warning when clearly there were requests for increased security, to say that we had no warning after repeated requests for additional security represents absolute failure on someone's part. And I want to know who made the decision that our Ambassador and his staff, that their lives were not worth the risk of adequately preparing security for what we knew was a dangerous place.

You see, the bad guys were sitting out there watching. They were testing the soft underbelly of America's resolve. That has been our soft underbelly since we were founded as a country. Are we really willing to stand up and protect the individual freedoms and liberties of the American people when the die is cast? They were probing and they saw no response to a worsening security situation and they caught us by surprise. It was a failure.

The other thing the report says, that there was inadequate leadership and management by officials in Washington. That is why I gave you guys a back door to walk out of. You weren't decision makers, but somebody was. That is an understatement, that there was inadequate leadership, but to say it is excused because it was not willful is disturbing to me. When national security is at stake, leadership demands action, when serious security risks put American lives at stake, and in my view the decision makers who chose not to provide that security demonstrated not only irresponsibility, but willful misconduct and they should be held accountable.

Mr. Burns, you answered earlier before we had to take our break that we were using every available resource in the State Department to get answers to these questions. You know, the State Department can't even muster the resources to free an American veteran being held illegally in Mexico against his will. I have little optimism that the State Department will achieve positive results on bringing the murderers to justice that killed our Ambassador and his staff. I respect that you two are here, but I want the decision

makers in front of this Congress to answer to the American people on why we have got four dead Americans.

Mr. BURNS. Congressman, let me just say a couple of things, first with regard to the issue of bringing to justice those responsible for those murders. What I said was that every resource of the U.S. Government, not just the State Department, is being brought to bear on that, and we are absolutely committed to that.

Mr. JOHNSON. I will give you that.

Chairman ROS-LEHTINEN. Thank you.

Mr. JOHNSON. But that young man is still in Mexico so——

Mr. BURNS. Yes, sir.

Chairman ROS-LEHTINEN. Thank you.

Mr. NIDES. And—sorry.

Chairman ROS-LEHTINEN. Thank you, Ambassador, and thank you very much, Mr. Johnson.

Mr. Connolly of Virginia is recognized.

Mr. CONNOLLY. Madam Chairman, before my clock starts I also want to thank you for your chairmanship, for your service to your country and to the Congress. Stop that clock, please, somebody. And I really do appreciate how fairly and evenhandedly you have managed this committee under your chairmanship and I thank you. I also want to thank the ranking member, the former chairman of this committee, who has graced us for so many years and provided such a balanced and thoughtful and an intelligent approach to foreign policy. He will be missed, certainly by this Member of Congress, and I thank you both so much for your years of service.

Thank you, Mr. Ambassador, thank you, Mr. Nides, for being here today. Now were you both at the meeting in which senior officials of the State Department clearly conspired to make sure the word "terrorism" was blotted out from the American lexicon at least through the election?

Mr. BURNS. Congressman, there was no such meeting.

Mr. CONNOLLY. Oh, gosh, just listening to my colleague just now I thought there must have been such a meeting. No? Well, certainly you were at the meeting where Ambassador Brenner was directly told he had to stop talking about terrorism. Were you at that meeting?

Mr. BURNS. Congressman, Congressman, all I can say to you is that this administration, the U.S. Government throughout my 30 years of service has been deeply concerned about the challenge——

Mr. CONNOLLY. Mr. Ambassador, non-denial, were you at such a meeting or not?

Mr. BURNS. As I said, no such meeting.

Mr. CONNOLLY. No such meeting happened. How about you, Mr. Nides, you must have been at that meeting.

Mr. NIDES. No, sir, I was not.

Mr. CONNOLLY. Well, then one of you must have been at a meeting in which Secretary Clinton, the President and our Ambassador of the United Nations, Ms. Rice, Ambassador Rice conspired to get Susan Rice on the Sunday television shows and lie about the tragedy of Benghazi. Were you at that meeting?

Mr. NIDES. No.

Mr. BURNS. No, sir.

Mr. CONNOLLY. To your knowledge was there such a meeting?

Mr. NIDES. No.

Mr. CONNOLLY. Oh, because I would have thought there must have been. When a tragedy occurs such as this, and I am old enough to have worked up here when Ronald Reagan was President and we had not just one tragedy in Lebanon, we had multiple tragedies in Lebanon. We lost our Embassy, we lost an MAU, a Marine Amphibious Unit, that was guarding the airport, hundreds of lives lost. I don't remember Democrats saying he had blood on his hands. I don't remember Democrats saying that he was conspiring to lie. When in fact shortly after he pulled out in the dead of night from Lebanon and we then invaded Grenada, I don't remember people questioning his integrity or his patriotism. Some people might have questioned his judgment. But apparently we don't have any limits anymore in foreign policy.

A tragedy occurred in Benghazi. Benghazi is inherently unstable. Would that be a fair statement, Ambassador Burns?

Mr. BURNS. Yes, sir, Benghazi in that period and to this day is still in a very unstable place.

Mr. CONNOLLY. Have you read the report chaired by Ambassador Pickering and Admiral Mullen?

Mr. BURNS. I certainly have.

Mr. CONNOLLY. And did that report conclude that Susan Rice or Secretary Clinton or Charlene Lamb for that matter were responsible for the tragedy in Benghazi, was that the conclusion of this report?

Mr. BURNS. The report concluded very clearly that it was terrorists who were responsible for the deaths of our 4 colleagues.

Mr. CONNOLLY. Did the report conclude that there was a deliberate or even less than deliberate effort to cover up that fact at any time, at the time of the event or subsequently?

Mr. BURNS. No, sir.

Mr. CONNOLLY. Is it fair perhaps to conclude that in retrospect mistakes were made within the State Department about the allocation of resources and about the nature and extent of security that needed to be provided to Benghazi?

Mr. BURNS. It certainly is. The ARB was quite clear and quite candid in identifying the serious systemic problems that occurred. As we have both said before, those problems were unacceptable. We take responsibility for them and we are working very hard and we will continue to work hard relentlessly to fix them.

Mr. CONNOLLY. Mr. Ambassador, there is an old saying in legal circles that when they say it is not about money, it is about money. Did Ambassador Pickering and Admiral Mullen conclude inter alia that the focus on lack of resources imbues all decisions by the State Department, including this one, that decision, at the decision level managers are very aware of the fact they have scarce resources and they are constantly figuring out whether they can afford something or not afford something, including security which can sometimes lead to bad judgments. Is that a fair statement?

Mr. NIDES. Yes, it is.

Mr. CONNOLLY. And was that not in fact also part of the conclusion made by Ambassador Pickering and Admiral Mullen?

Mr. NIDES. There is no question the report indicates that we need to examine our funding levels to make sure that we have the resources to pay for the security and other operations that we currently need.

Mr. CONNOLLY. So with have no conspiracy, we have no secret meetings plotting to cover up, we have no secret meetings trying to pretend that the word "terrorism" somehow can be blotted out of our diplomatic efforts before or after the election, and we have a tragedy that we are trying to study to make sure it doesn't recur, but no conclusion was drawn in this report that it was somebody's direct responsibility and fault; it was a series of bureaucratic decisions that might have, might have avoided or mitigated the circumstance but no guarantee to that and money indeed was a factor in those decisions.

Fair summary?

Mr. NIDES. Yes.

Mr. CONNOLLY. Thank you.

Chairman ROS-LEHTINEN. Thank you so much.

Mr. Marino of Pennsylvania is recognized.

Mr. MARINO. Thank you, Madam Chair. I want to thank you for your leadership. I have learned a great deal from you.

And, Ranking Member Berman, thank you so much.

Gentlemen, thank you very much for being here. I admire your professionalism and your candor with us. First of all, I would never second guess any of our personnel on the ground in Libya. As a prosecutor, I never second guessed other district attorneys or U.S. attorneys on a case that didn't turn out the way they wanted to. One doesn't realize until you are in that position. And I have the greatest respect for our military and rely on them actually more than politicians.

But I do have a concern about why for several days, particularly Ambassador Rice was out blaming this on a video. And I know that you and our briefing yesterday clearly stated that the FBI is looking into that matter, so I am not looking for a statement from either of you on that issue because, quite honestly, if there were a meeting to cover something up I doubt very much if you two would have been invited.

Now, saying that, I would like to talk about dollars a little bit and how much more we can become effective. And these figures that I am going to recite to you, I am not trying to be facetious, I am not trying to grandstand here, I am just trying to get an idea of where these decisions are made. Judicial Watch said that in 2011 about $5.6 million was spent on issues not related to what I would consider to be State Department issues. For example, $750,000 to restore a 16th century tomb complex in India, $700,000 to conserve ruins in Tanzania, $600,000 for a temple of the Winged Lions in Jordan. And I can go on and on. And my favorite is $100,000 for a program to document endangered musical traditions in Mali. And on top of that another $4.5 million, this is from the New York Times, to acquire art acquisitions for Embassies around the world through a program called Art in Embassies.

Now, I appreciate the arts just as much as anyone else does, but who looks at these numbers? Is there any individual or entity that looks at these numbers and they are saying, well, we need per-

sonnel, we need equipment, and also we need to buy art for the Embassies? And that came to a total of about $10.1 million. Now, I am not even going to get into how many guards would that have hired and how much equipment could we have purchased. And I am sure this goes on in all departments and agencies and right here in Congress, you know, the same things. What can we do to prioritize and take advantage of the dollars that are there and at this point not wasting them, in my opinion—of course someone may have a good reason—on things like this? Would you please care to respond to that?

Mr. NIDES. Congressman, as someone who comes up here on a weekly basis and sits in front of the Appropriations Committee, and the appropriations and the authorizing committee staff as well, and has to justify every single dollar, and then I have to go in and justify whatever moneys are spent to Secretary Clinton—and you know Secretary Clinton, you know she does not like or will stand for wasting a dime. As relates to our needs to make sure every dime is spent correctly, we have lots and lots of people looking at this to determine that to be the case. There is nothing more we care about than to make sure that every dollar that we spend is used for the security and the infrastructure of our people.

I think we get it right 99 percent of the time. And I am not going to comment on either one of these programs you spoke about. We could have a conversation later if you would like to. We can talk about each one of those programs. But I think generally most people would suggest, certainly our authorizers and appropriators, that we spend our money, for the money we have, and again which is less than 1 percent of the Federal budget, pretty effectively.

Mr. MARINO. But let me say again, in explaining to my constituents who are losing their jobs and their houses, there is no explanation according to that.

Mr. NIDES. And I appreciate that.

Mr. MARINO. Ambassador, do you have any comments?

Mr. BURNS. No, I don't really have anything to add to what Tom said. It is a very good question and we weigh very, very carefully how these resources are used in the Department.

Mr. MARINO. Perhaps in the future, not only at State, but I hope in other departments, we do have someone that takes a look at these expenditures, and I would have rather seen over $10 million go toward our Embassies for protection.

I yield back. Thank you.

Chairman ROS-LEHTINEN. Thank you very much, Mr. Marino.

Mr. Berman, the ranking member, is recognized.

Mr. BERMAN. Thank you very much, Madam Chairman. I would like to put into the record a——

Chairman ROS-LEHTINEN. Without objection.

Mr. BERMAN [continuing]. Congressional Research Service report detailing how much was requested by the administration and how much was funded and appropriated by the Congress, both for the personnel for Worldwide Security Protection and for Embassy Security Construction and Maintenance accounts.

Needless to say, the amount shows in each of the last 3 fiscal years cuts by the Congress from the requested amount, particularly in construction, maintenance, and Embassy security.

Secondly, we talk about what programs money was spent on and if they were a higher priority. My guess is if we looked at our own congressional budget we could see programs that the people in our districts might not be that excited about. But on the issue of global climate change the Congress has appropriated out of the foreign assistance program for 3 fiscal years—Fiscal Year 2010, $507 million; Fiscal Year 2011, $522 million; Fiscal Year 2012, $481.5 million—the request this year is a lesser amount. We haven't completed the appropriations process for the year that began in October 1st, but the administration requested $469 million. The money spent on bilateral foreign assistance programs for climate change is appropriated by the Congress. That is just the bilateral assistance, it doesn't cover assistance going to the World Bank.

And finally I have a question for Ambassador Burns. I am told a Fox News report today titled "State Department Official Suggests Libya Warnings Went to the Top," implies that Secretary Clinton knew about the request for security at the post in Benghazi. It cites something that you said this morning. I have to admit I didn't watch television to see the hearing this morning so I don't know what it is they are referring to, but I think it is misinterpreting, from what I understand, what you did say this morning; so I want to clear it up. Did Secretary Clinton know about the request for additional security? Did she know that requests had been denied or that some of our folks on the ground thought that the post was inadequately secured?

Mr. BURNS. No, Congressman, she did not. As I mentioned in response to an earlier question this afternoon, the ARB report makes very clear that the specific security requests for Benghazi were dealt with at the bureau level, and the ARB is very clear in highlighting the importance of fixing the problems which existed there. So those specific security requests came up to the bureau level.

That is distinct from general assessments of the security situation overall in Libya, including in eastern Libya, which the Secretary and others of us did see from time to time. And it did paint a troubling picture of the deterioration of the overall security situation in Libya, and in particular the weakness and incapacity of Libyan Government security institutions. And that is something that a number of us who visited Libya, including the Secretary, stressed to the Libyan authorities. And we have made concrete offers of assistance, along with some of our European partners and others, to try to help the new interim government in Libya develop those security institutions.

Mr. BERMAN. Thank you very much. And I yield back Madam Chairman.

Chairman ROS-LEHTINEN. Thank you very much Mr. Berman.

Mr. Duncan of South Carolina is recognized.

Mr. DUNCAN. Thank you, Madam Chairman, and your leadership will be missed on this committee, but we are looking forward to the future.

Just want to say that words mean something, and they should mean something. And I am glad that we are all finally in agreement that this instance was a terrorist attack. It took some in the administration a little longer to get there. But I noticed on page 1 of the ARB's report that the ongoing investigation is labeled an

ongoing criminal investigation when I think it should be labeled a U.S. terrorist investigation, but maybe the same people that worded that also are the ones that called the Fort Hood massacre an incident of workforce or workplace violence. Words mean something.

The ARB report points out a tremendous number of failures, and your testimony here today states that they are being addressed, and I appreciate that. I think they should be addressed for the safety and security of diplomatic personnel all over the world. But there are still many unanswered questions, especially about how do we protect and defend diplomatic corps and our sovereign territory, which is what Americans see our Embassies and our missions and our consulates as, little slices of U.S. territory located around the world.

And let me just back up and say, you know, when we talk about labeling the incident in Benghazi a terrorist attack, even the President of the United States on the 12th said in his statement that no acts of terror will ever shake the resolve. He labeled it a terrorist attack the day after, and then they, after that, subsequently labeled it other things about a video. But what was the U.S. military's force posture in the region at the time of the attacks and the resulting ability of the U.S. Armed Forces to respond in the event of an attack like this?

Mr. BURNS. Well, Congressman, I can't describe in detail the precise force posture of the U.S. military in North Africa and the Mediterranean at that time. Admiral Mullen spoke to this publicly after the release of the ARB report when he explained that, given the speed of events and the pace of the attack, that there simply was not enough time for U.S. military forces in the region to have been used effectively to avoid what happened in Benghazi.

Mr. DUNCAN. Was there a military liaison or attaché at the Embassy in Tripoli?

Mr. BURNS. Yes, sir.

Mr. DUNCAN. So he should have been the one to coordinate any response from a military standpoint working with the Department of State?

Mr. BURNS. Yes, sir. And the Embassy was very actively involved, in fact, and they chartered a plane within 2½ hours of the attack beginning in Tripoli and moved a reaction force of about seven security personnel from the Embassy in Tripoli to Benghazi that night. So they moved very quickly and professionally, just as the ARB report makes clear.

Mr. DUNCAN. Let's just assume that there were military personnel in the area that could have responded. Were there any international agreements or over-fly rules that prevented immediate U.S. military action from taking place?

Mr. BURNS. No. Our priority at the time, if we could have moved forces fast enough to make a difference in that attack, that is certainly what we would have done. But as you know from the report, the first intensive part of the attack took place in less than an hour in the special mission compound. It resulted through fire in the deaths of Ambassador Stevens and Sean Smith. And then there was a period of a number of hours of fairly sporadic firing. It ap-

peared as if the incident was dying down. And then there was a second very intense attack at 5:15.

Mr. DUNCAN. Well, I am going to assume that there were military assets in place that could have responded rapidly. Were there overflight rules in place or anything that would have prevented the United States military from taking action?

Mr. BURNS. I am not aware of anything that would have prevented us from taking action to try to protect our people had there been time to do it. The issue, as Admiral Mullen pointed out yesterday, was simply the pace of events and the time required.

Mr. DUNCAN. Okay. Was the Joint Chiefs of Staff advising President Obama on how best to utilize the military resources to rescue the American Ambassador?

Mr. BURNS. Yes, sir. To the best of my knowledge there was a previously scheduled meeting at 5 p.m.—in the midst of the attack going on—between the President, Secretary Panetta and General Dempsey in which they discussed the ongoing situation. And so the President had the benefit of the best advice from the chairman of the Joint Chiefs at that time. And from everything I understand, the President was committed and instructed all of his officials to do everything possible. There simply wasn't enough time at that point to bring U.S. military forces.

Mr. DUNCAN. How long did this attack last?

Mr. BURNS. The first part of the attack lasted for less than an hour at the special mission compound at Benghazi. And then, as I said, there was a period of a number of hours of kind of sporadic firing from time to time. And then the second intense part of the attack took place in about 15 minutes, from roughly 5:15 in the morning to 5:30 at the annex, which was about 700 meters away.

Mr. DUNCAN. How long was it until we found out that our Ambassador was dead?

Mr. BURNS. As I can reconstruct it, it was about 4:15 in the morning when one of the locally engaged staff from Benghazi informed the team that I mentioned had come from Tripoli and was at the airport that Ambassador Stevens was confirmed dead.

Mr. DUNCAN. Okay. One other question. I am out of time. But we have Marines in Buenos Aires guarding the Embassy down there. It is not a threat country. Libya is. Why weren't there United States Marines in a country that we knew was a threat to this country and to our assets there? And I will yield back.

Chairman ROS-LEHTINEN. Thank you very much.

And now Mr. Turner of New York is recognized.

Mr. TURNER. Thank you Madam Chair. And thank you for your leadership during my brief time here.

The security lapses and misstatements surrounding the attack in Benghazi I think have been covered rather thoroughly and I have very little to add. But these failures maybe speak a policy mindset of some disengagement in the epic worldwide battle, not simply between radical Islam and the West, but within Islam between the democratic forces and totalitarianism. Our seeming failures to engage and support the democratic forces have marginalized our intelligence efforts and our own effectiveness in positively influencing political and strategic outcomes. As a matter of state policy, are we indeed somewhat disengaged? Are we doing what we can to pro-

mote and support democracy in the Muslim world? Are we establishing the right relationships and communications channels that might have obviated this problem in Benghazi?

Mr. BURNS. Congressman, we are not at all disengaged. In fact, over the course of the last 2 years, as we have seen the Arab awakening bring profound changes across the Arab world, the United States has been very active in making clear our support for the dignity and the universal rights the people across that region deserve. And that has produced revolutions, the pursuit of dignity by those people, and it has also produced some very complicated transitions, transitions, which hold a great deal of promise in terms of people eventually being able to build political institutions that will protect those universal rights. But it has also produced a lot of dangers: The danger that power vacuums develop, the danger that others, extremist groups, will seek to hijack the promise of those revolutions.

The United States cannot afford to be disengaged in the face of those kinds of challenges. There is risk involved, and we faced some of that in an extraordinarily painful way in Libya. But we have to be engaged, we have to do what we can to support successful transitions and ultimately the emergence of institutions which are going to protect people's dignity and produce over the long term partners with whom the United States can work on important issues around the world.

Mr. TURNER. Thank you.

Would you like to add anything, Mr. Nides?

Mr. NIDES. I don't think there is anyone who is more eloquent in speaking than Ambassador Burns, I will let the record state.

Mr. TURNER. I would have to agree with that. Thank you. I yield back.

Chairman ROS-LEHTINEN. Thank you very much Mr. Turner.

And I believe that our last question will be Mr. Mike Kelly, we are in good hands, the vice chair of the Subcommittee on Asia and the Pacific. Thank you, Mike.

Mr. KELLY. I thank you, Madam Chair. And again, my first time in Congress was very privileged to serve with you, and I appreciate your leadership. Mr. Berman, we are going to miss you.

Ambassador Burns, when you talk about, and I keep hearing about resources, only 1 percent of the budget, that doesn't sound like very much money. So what is our budget?

Mr. NIDES. Our budget is $50 billion.

Mr. KELLY. $50 billion.

Mr. NIDES. That is correct. That is approximately 8 percent of the defense budget.

Mr. KELLY. Okay. So when people hear 1 percent, doesn't sound like a lot of money, but $50 billion is certainly a lot of money. When we talk about resources, and I am trying to understand because I have listened to a couple of different briefings, I heard Mr. Pickering and Admiral Mullen, I have heard you gentlemen today. And I think maybe you are not the folks that should be here because, as Mr. Johnson pointed out, you aren't really part of the decision-making process. But what I am trying to understand, what I can't get my mind wrapped around, is everybody says this was a very unstable and highly volatile area. Then why, for God sake,

would we take out the best trained people we have? Why? Why did we move the SST team? Was it because of money?

Mr. NIDES. Well, as you are aware, as we spoke about earlier——

Mr. KELLY. It is just a yes or no. Was it because of money?

Mr. NIDES. No.

Mr. KELLY. No, it wasn't because of money, because we know the SST team really came out of the Department of Defense budget, right? So it didn't have anything to do with your budget.

Mr. NIDES. The SST team, as you are aware, was in Tripoli, not Benghazi.

Mr. KELLY. No, I am aware where they were, and also aware that Lieutenant Colonel Woods had begged to stay there. Mr. Nordstrom, with the regional office, had begged to stay there. Ms. Lamb said it wasn't because of money that they couldn't stay. Somebody made a really bad decision.

Now, I don't have any idea of the voting registration of Ambassador Stevens, Sean Smith, Mr. Woods, Mr. Doherty, I have no idea how any of these folks were registered. So for me it is not a matter of it being a partisan issue. We have four dead Americans. I am trying for the life of me to understand how when we say—and I have read Ambassador Cretz, when he was leaving there, you know what everybody says about the area? It is a Wild West show, nobody is in charge, we are in a host country that can't supply us with the assets that we need.

What in the world were we thinking? Why would we pull out people and make our Ambassador more vulnerable? What were we doing? And who made the decision? And if neither one of you made the decision say I didn't have anything to do with it. Because what I am finding out in this administration, that nobody had anything to do with it. If you had anything to do with it just say I had something to do with it and I made the decision.

Mr. NIDES. No.

Mr. KELLY. Neither one of you?

Mr. NIDES. That did not have anything to do with it. That said, we do need to make sure——

Mr. KELLY. Okay. Are you aware of a GAO request in 2009 to do a review because they thought it was woefully—the strategic review of our Embassies that were not taken and it was a strategic problem, a security problem? Any of you aware of that? We had a hearing on the October 10th. GAO was in here, said to this day the Department of State has not responded or done the review. Now, I find it interesting now we are going to do the review. It is a little bit late. So that hasn't take place. Now, I want to ask you, in addition to the four dead Americans, how many people were wounded that night?

Mr. BURNS. I think there were three Americans who were wounded and one of the wounded is still in Walter Reed Hospital, one of our colleagues.

Mr. KELLY. Just one of them?

Mr. BURNS. I am not certain.

Mr. KELLY. Any idea of how bad they were injured?

Mr. BURNS. Yes, sir. I mean, the gentleman, our colleague, who is at Walter Reed, was injured very badly.

Mr. KELLY. Very badly. Okay.

Mr. BURNS. Yes, sir.

Mr. KELLY. So whenever we found out this attack took place how long did it take us to get there, to fly to get there to help those people out that we knew were wounded? We knew we had dead, we knew we had wounded. How long did it take to get there and where did the plane leave from and where did it land?

Mr. BURNS. There was a plane that left from Tripoli within, as I mentioned before, about 2½ hours.

Mr. KELLY. Where did the flight originate, do you know?

Mr. BURNS. In Tripoli.

Mr. KELLY. So it was sitting in Tripoli?

Mr. BURNS. No. It was a chartered aircraft that the Embassy chartered as soon as they found out that the attacks——

Mr. KELLY. So where did the chartered airplane take off from to get——

Mr. BURNS. Tripoli.

Mr. KELLY. Tripoli?

Mr. BURNS. Yes, sir.

Mr. KELLY. So it flew to Benghazi?

Mr. BURNS. Yes, sir.

Mr. KELLY. How long did it sit on the tarmac?

Mr. BURNS. It sat on the tarmac—well, the team was there for about 3 hours while they were trying to determine what had happened to Ambassador Stevens.

Mr. KELLY. Okay. So they couldn't get off the tarmac. So we flew them from Benghazi. Where did we fly them back to?

Mr. BURNS. I am sorry, fly?

Mr. KELLY. The plane, you said it flew from Tripoli.

Mr. BURNS. Yes.

Mr. KELLY. To Benghazi.

Mr. BURNS. Went to Benghazi.

Mr. KELLY. Picked up our dead and our wounded?

Mr. BURNS. That is right.

Mr. KELLY. And where did it fly to then?

Mr. BURNS. To Tripoli.

Mr. KELLY. To Tripoli?

Mr. BURNS. Yes.

Mr. KELLY. And then where did they eventually get their medical?

Mr. BURNS. Well, they got immediate medical care there first in Benghazi, then in Tripoli, and an Embassy nurse behaved heroically during that period.

Mr. KELLY. I understand that. Where did the plane land finally?

Mr. BURNS. Then they were evacuated to Germany.

Mr. KELLY. Germany. And when did we evacuate our people in Tripoli?

Mr. BURNS. It was within a few hours——

Mr. KELLY. Of the attack?

Mr. BURNS [continuing]. That they returned to Tripoli.

Mr. KELLY. Okay. A great deal of time. See, the timelines really get me confused here. And I think people were waiting to hear can we land, can we not land, can we get our people out, can we not get our people out. There is a great deal of time that evolved in between. And really, listen, I am not blaming you two because you

two really shouldn't be here today, the Secretary of State should be here today. She can't be here. I understand she is injured, and I respect that. But there is something wrong here.

And I am going to tell you this, that the American people should wonder what happened that night and why it took so long. But before that, why, why would we pull the best trained people we have out of an area that is called, it was a dangerous spot, it was a high risk, it was a high threat, and we made it a soft target. That is what I heard from Admiral Mullen, it was a soft target. We actually emboldened those folks that were there that night to say, you know, come and get us. We pulled out all our people. Do you know who we replaced the SST team with? Libyan nationals at $4 an hour, unarmed? And that is the way we respond to high-risk areas, that is how we respond to areas that are volatile, that is how we respond to areas that are in the worst spots possible?

You know, the same time that we were doing this, do you know what we were doing in Vienna? We had a big party, the green initiative. We put in a $108,000 electric charging station for two electric cars, we had a champagne party, we talked about how great we were in this green initiative. But you know what I don't understand is how in the world could we leave our people in Benghazi so vulnerable.

Chairman ROS-LEHTINEN. Thank you. Thank you, Mr. Kelly.

Mr. KELLY. And if it is about resources that is baloney, and you know it and I know it. And I for one am really disappointed in the way the Secretary of State and Department of State has handled this?

Chairman ROS-LEHTINEN. Thank you Mr. Kelly.

Mr. Fortenberry, the vice chair of the Subcommittee on Africa, Global Health, and Human Rights, is recognized?

Mr. FORTENBERRY. Thank you, Madam Chair, for holding this important hearing. Although this might be a bit discomforting I must divert and address something that happened earlier in this hearing. I don't care to be lectured to about the need to be bipartisan, particularly in such an intolerant and uncivil tone.

Now, this is an important hearing, there are serious questions here, and to suggest that our motives are a ruse for political motivation to me is disrespectful and discourteous and I think unworthy of the levity of this important matter. So gentlemen, I want to thank you for coming and your willingness to address in a professional manner hard questions that are before you today. I also do look forward to hearing from Secretary Clinton when she is available and wish her the best of recoveries.

After meeting with Ambassador Pickering and Admiral Mullen recently I am confident that they did a thorough job with the Accountability Review Board. Theirs was a sobering and daunting task and I think they gave us a good strong framework for future guidance. However, there are still some unanswered questions. You have touched on them at length today, but I have got to go back to a few. Many people see the administration's public commentary in the aftermath of Benghazi as misleading. The video narrative was given as the primary explanation of the deadly assault and this was wrong. You have suggested so.

I can see how there might have been an initial discussion of the potential linkage of the video given the incidents, particularly in Cairo, to the suggestion that that was a motive for the attack. But I also think the video narrative reflects a certain tendency at State perhaps to inordinately place hope and good will and civil society, deemphasizing the harsh realities that there are enemies out there who could potentially conduct a coordinated attack on our facilities. Our officials quickly knew that we were dealing with a premeditated terrorist attack, but the video narrative persisted. Can you explain why?

Mr. BURNS. Well, Congressman, I would say a couple of things. First, I have learned in more than 30 years in the Foreign Service to understand harsh realities very clearly. It is a very complicated world, especially in the Middle East, and it can be a very risky landscape. And I can assure you that our diplomatic missions understand that very well, and we certainly do in Washington as well. As I tried to explain before, the officials, the administration officials who addressed this issue, and the intelligence community professionals, on whom they depended, acted in good faith.

This was a terrorist attack and we tried to address that plainly at the start. What was unclear were the exact composition of the attackers, their motives, how this came about; whether it was more a target of opportunity or something that had been planned well in advance. And those issues are still the subject of investigation. But there was no protest, there was no demonstration that took place before the attack. I am sure my colleagues in the intelligence community wish that they could have come to that conclusion more quickly. It did take a period of several days to debrief the survivors of the attack in Benghazi. And then as soon as my colleagues in the intelligence community were able to conclude there was no protest, there was no demonstration, they were up here to brief you and your colleagues on that.

As I said, Congressman, the truth is people operated in good faith. I have been through a number of these kinds of crises in the past. The first stages of them are often confusing and you are sifting through lots of conflicting information. I honestly do not believe that there was ever an attempt to misrepresent or mislead anyone?

Mr. FORTENBERRY. I guess the question becomes then, what was communicated to the White House and the State Department during the Benghazi attack?

Mr. BURNS. Well, during the attack, sir, there was very intensive communication between our Embassy in Tripoli, our people on the ground in Benghazi. You know, the ARB looked very carefully at this issue, and their conclusion, and I respect it, is that there was a very professional and systematic communication and decisionmaking between Washington and the field during this period. And the President was actively engaged, certainly Secretary Clinton was very actively engaged throughout that awful night.

Mr. FORTENBERRY. There is a letter from several United States Senators to the President in early October, nearly a month after the attack, asking for more fullness of explanation. So you have again a video narrative still churning out there as one possible explanation. Some conflicting viewpoints, publicly stated, I accept that, you are correct. But there was no answer to that letter asking

for a full unpacking of what information was to be had given what we clearly know now. And they asked for information again at the end of October. So I think you can understand why there are questions as to why this has persisted for so long and suggestions that why is there an intention to potentially mislead here.

Mr. BURNS. All I can say, Congressman, again, is I honestly do not believe there was ever any intention to mislead or misrepresent. There were some inaccuracies in the original statement——

Mr. FORTENBERRY. Can you explain the delay in response?

Mr. BURNS. I am sorry, response?

Mr. FORTENBERRY. Well, I am looking at a letter from Senator Graham and McCain and Ayotte and Johnson.

Mr. BURNS. No, I mean, we owe you straight answers to correspondence.

Mr. FORTENBERRY. Okay. Well, again, thank you for your professionalism, your dedication. I appreciate your willingness to come today.

Chairman ROS-LEHTINEN. Thank you so much, Mr. Fortenberry.

Gentlemen, thank you again for your testimony. Please convey to the Secretary our wish for her speedy and full recovery. We look forward to her testimony here before mid-January.

And, ladies and gentlemen, it has been a thrill to have been the chairman of this committee but for a minute, and it has been a delight to serve with my ranking member, Mr. Berman.

Mr. BERMAN. You are a true friend.

Chairman ROS-LEHTINEN. Thank you. And with that the committee is adjourned.

[Whereupon, at 4:50 p.m., the committee was adjourned.]

APPENDIX

Material Submitted for the Hearing Record

FULL COMMITTEE HEARING NOTICE
COMMITTEE ON FOREIGN AFFAIRS

U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515-0128

Ileana Ros-Lehtinen (R-FL), Chairman

December 20, 2012

You are respectfully requested to attend an OPEN hearing of the Committee on Foreign Affairs, to be held in **Room 2172 of the Rayburn House Office Building** (and available live on the Committee website at http://www.hcfa.house.gov):

DATE: Thursday, December 20, 2012

TIME: 1:00 p.m.

SUBJECT: Benghazi Attack, Part II: The Report of the Accountability Review Board

WITNESS: The Honorable William J. Burns
Deputy Secretary
U.S. Department of State

The Honorable Thomas R. Nides
Deputy Secretary for Management and Resources
U.S. Department of State

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF FULL COMMITTEE HEARING

Day *Thursday* **Date** *12/20/12* **Room** *2172 RHOB*

Starting Time *1:00 pm* **Ending Time** *4:45 pm*

Recesses *1* (*2:40pm* to *3:30pm*) (to) (to) (to) (to) (to)

Presiding Member(s)

Chairman Ileana Ros-Lehtinen

Check all of the following that apply:

Open Session ☑
Executive (closed) Session ☐
Televised ☑

Electronically Recorded (taped) ☑
Stenographic Record ☑

TITLE OF HEARING:

Benghazi Attack, Part II: The Report of the Accountability Review Board

COMMITTEE MEMBERS PRESENT:

See attached attendance sheet.

NON-COMMITTEE MEMBERS PRESENT:

Mr. Chaffetz
Mr. Gowdy
Ms. Sheila Jackson-Lee

HEARING WITNESSES: Same as meeting notice attached? Yes ☑ **No** ☐
(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: *(List any statements submitted for the record.)*

Mr. Sherman - State Department Response to Oral Question [in transcript]
Mr. Berman - Letter from Secretary Clinton
Mr. Berman - Congressional Research Service Report

TIME SCHEDULED TO RECONVENE _____
or
TIME ADJOURNED *4:45 pm*

Jean Marter, Director of Committee Operations

"BENGHAZI ATTACK, PART II: THE REPORT OF THE ACCOUNTABILITY REVIEW BOARD"

DECEMBER 20, 2012

Present	*Member*
X	Ileana Ros-Lehtinen, FL
X	Christopher H. Smith, NJ
X	Dan Burton, IN
X	Elton Gallegly, CA
X	Dana Rohrabacher, CA
X	Donald Manzullo, IL
X	Edward R. Royce, CA
X	Steve Chabot, OH
	Ron Paul, TX
	Mike Pence, IN
X	Joe Wilson, SC
	Connie Mack, FL
X	Jeff Fortenberry, NE
	Michael T. McCaul, TX
X	Ted Poe, TX
X	Gus M. Bilirakis, FL
X	Jean Schmidt, OH
X	Bill Johnson, OH
	David Rivera, FL
X	Mike Kelly, PA
X	Tim Griffin, AK
X	Tom Marino, PA
X	Jeff Duncan, SC
	Ann Marie Buerkle, NY
	Renee Ellmers, NC
X	Robert Turner, NY

Present	*Member*
X	Howard L. Berman, CA
X	Gary L. Ackerman, NY
	Eni F.H. Faleomavaega, AS
X	Brad Sherman, CA
X	Eliot L. Engel, NY
X	Gregory W. Meeks, NY
X	Russ Carnahan, MO
	Albio Sires, NJ
X	Gerald E. Connolly, VA
X	Theodore E. Deutch, FL
	Dennis Cardoza, CA
	Ben Chandler, KY
X	Brian Higgins, NY
X	Allyson Schwartz, PA
	Chris Murphy, CT
X	Frederica Wilson, FL
X	Karen Bass, CA
X	William Keating, MA
X	David Cicilline, RI

LETTER SUBMITTED FOR THE RECORD BY THE HONORABLE HOWARD L. BERMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

THE SECRETARY OF STATE
WASHINGTON

December 18, 2012

The Honorable Howard L. Berman
House of Representatives
Committee on Foreign Affairs
Washington, D.C. 20515

Dear Mr. Berman:

The State Department family includes nearly 70,000 men and women serving here in Washington and at more than 275 posts around the world. I am responsible for every one of them, and I am enormously proud to be a part of their team.

Chris Stevens, Sean Smith, Tyrone Woods, and Glen Doherty – four brave Americans who dedicated themselves to serving and protecting our country – were killed during the terrorist attacks on our compounds in Benghazi, Libya on the night of September 11, 2012.

When some of our own lose their lives in service to our country, we must determine what went wrong, and we must learn from it. To fully honor those we lost, we must better protect those still serving to advance our nation's vital interests and values overseas. There is nobody more committed to doing so than I am.

That same week in September, we saw violent attacks on our embassies in Cairo, Sanaa, Tunis, and Khartoum, as well as large protests outside many other posts around the world where thousands of our diplomats serve. In the weeks that followed, we saw terrorist groups in North Africa trying to expand their reach and to destabilize the emerging democracies of the Arab Awakening. All of this amounts to an urgent strategic challenge to the interests and values of the United States in a rapidly changing region.

In the hours and days after the attacks, even as we grieved for our fallen friends and colleagues, I directed action on three fronts:

- First, we took immediate steps to further protect our people and posts in high threat areas, working closely with the Department of Defense. We closely monitored embassies and consulates facing large protests, dispatched emergency security teams, adjusted our post posture, reviewed reporting from the Intelligence Community, and took additional precautions across the board.

- Second, I ordered an investigation to determine exactly what happened in Benghazi and to recommend steps to help improve our security.

- Third, we intensified a diplomatic campaign aimed at combating the threat of terrorism across North Africa and bolstering the region's emerging democracies.

I would like to update you on all three efforts and assure you that we are fixing what is not working, protecting our people, and honoring our fallen colleagues by continuing to champion America's interests and values.

Today I sent you the classified report of the Accountability Review Board chaired by Ambassador Thomas Pickering. His team included Vice Chair and former Chairman of the Joint Chiefs of Staff Admiral Mike Mullen, as well as Hugh Turner, Richard Shinnick, and Catherine Bertini. These are dedicated public servants with long experience in diplomacy, the military, intelligence, development, and management.

In accordance with the law, I asked this distinguished group to conduct a thorough, candid, and independent examination of the Benghazi attacks. I urged them to work quickly and carefully. I directed everyone at the State Department to cooperate fully, because the families of the fallen, the members of our Department family, and the American people deserve to know what happened.

The Accountability Review Board report provides a clear-eyed look at serious, systemic challenges that we have already begun to fix. I am grateful for its recommendations for how we can reduce the chances of this kind of tragedy happening again. I accept every one of them.

I asked the Deputy Secretary for Management and Resources to lead a task force at the State Department to ensure that the Board's recommendations are implemented quickly and completely, as well as to pursue steps above and beyond those recommended in the Board's report. This group has already begun meeting, and the Deputy Secretary, along with the Undersecretary for Political Affairs, the Undersecretary for Management, the Director General of the Foreign Service, and the Deputy Legal Advisor are driving this effort forward.

Because of steps we began taking in the hours and days after the attacks, this work is well underway. We will have implementation of every recommendation underway by the time the next Secretary of State takes office. There is no higher priority for me or my Department.

All of us – from senior Department leadership setting strategic priorities to supervisors evaluating the needs of individual posts to Congressional committees appropriating funds and providing oversight – have a responsibility to provide the men and women who serve this country with the best possible security and support. Most of all, it is my responsibility as Secretary of State.

Let me turn to the steps we have been taking and will continue to take as we implement the ARB's recommendations.

- After the attacks, I ordered a worldwide review of our overall security posture, with particular scrutiny for high-threat posts. We asked the Department of Defense to deploy personnel to serve on five Interagency Security Assessment Teams focused on these dangerous locations. For more than two hundred years, the United States – like every other country around the world – has relied upon host nations to provide security for our embassies and consulates. This responsibility is enshrined in the Vienna Convention and is the bedrock of international diplomacy. In today's environment, however, we have to take a harder look at the capabilities and commitment of our hosts – and how we support our diplomats and development experts in places where national security forces are fragmented and political will may be weak.

- We are partnering with the Pentagon to dispatch hundreds of additional Marine Security Guards to bolster our posts.

- We are realigning resources in our 2013 budget request to address physical vulnerabilities and reinforce structures where needed, including with the goal of reducing the risks from fire. To do so we will need your partnership in ensuring we have the authority to streamline mandatory processes and produce faster results.

- We are working to hire additional Diplomatic Security personnel and to provide them with the equipment and training they need to face today's security challenges. Over the past four years, I have been privileged to get to know many of these brave men and women. I trust them with my life. They are professionals and patriots who serve in many parts of the world where there are no Marines on post and little or no U.S. military presence in country. They are committed to learning from what happened in Benghazi and to constantly improving. We look forward to partnering with the Congress to get this done.

As we make these improvements in the field, we are also making changes here in Washington.

- I named the first-ever Deputy Assistant Secretary of State for High Threat Posts within the Bureau of Diplomatic Security so those Missions that face high risks in dangerous places get the attention they need. We are also updating our deployment procedures to increase the number of experienced and well-trained staff serving at those posts.

- We are also working on how we make decisions within the Department on when, where, and how our people operate, including ensuring that regional Assistant Secretaries assume greater responsibility and accountability for their people and posts. Each and every one of our Ambassadors are charged by the President to "take direct and full responsibility" for the security of all personnel under their authority "whether inside or outside the chancery gate." The leadership of our regional bureaus will be embracing the same accountability and responsibility for the staff serving in these areas.

Finally, I have initiated a number of additional steps above and beyond the Board's 29 recommendations, including:

- Instituting periodic reviews of the Department's 15-20 more high threat posts by Interagency Security Assessment Teams.
- Mandating an annual High Threat Post Review chaired by the Secretary.
- Strengthening mutual security arrangements between the State Department and other government agencies in places where they are not co-located.
- Regularizing protocols for sharing with Congress significant security events involving or against Department personnel or facilities.

We will provide the Committee with a comprehensive report on all the measures we are taking to implement the Board's recommendations and improve security at our posts around the world.

We will also look to you for support and guidance. This is about resources, because while it is absolutely critical that our people have what they need to get the job done, Congress has a bigger role than that. You travel the world, you visit our posts, you get to know our diplomats on the ground and the challenges they face. You know what is at stake – America's vital national security interests. You know that the work they do to help secure our country must continue unabated, and so we need you to take an active role in this process and to share our sense of responsibility and urgency.

Finally, let me turn to our diplomatic campaign, because it is not enough to just play better defense. We have to do more on offense as well.

A number of factors have combined to present a serious strategic challenge to the United States in North Africa and the wider region. The Arab revolutions have scrambled power dynamics and shattered security forces. Instability in Mali has created an expanding safe haven for terrorists. The decimation of al Qaeda's central leadership in Afghanistan and Pakistan has led to growing ambitions among the terror network's far-flung affiliates, including al Qaeda in the Islamic Maghreb and in the Arabian Peninsula.

These are not new concerns. Indeed they have been a top priority for our entire national security team. However, after Benghazi we accelerated a diplomatic campaign focused on enhancing our counterterrorism engagement across North Africa.

In the first hours and days after the terrorist attack, I pressed the issue in conversations and meetings with the President of Libya and the Foreign Ministers of Tunisia and Morocco. Two weeks later, I met again with leaders from across the region during the United Nations General Assembly in New York, and at a special meeting focused on the crisis in Mali and the Sahel. In October, I flew to Algeria to discuss the fight against al Qaeda in North Africa and strengthen our security ties. Just last week, I sent Deputy Secretary Bill Burns to co-chair the Global Counterterrorism Forum in Abu Dhabi and a meeting in Tunis of leaders working to build new democracies and reform security services.

In all these diplomatic engagements, and in near-constant contacts at every level, we are focused on confronting al Qaeda in the Islamic Maghreb and helping our partners in North Africa target its support structure – closing safe havens, cutting off finances, countering extremist ideology, and slowing the flow of new recruits.

We continue to hunt the terrorists responsible for the attacks in Benghazi and are determined to bring them to justice. Our embassy in Tripoli has intervened at the highest levels of the Libyan government to secure its support for the FBI investigation, and we continue to assist in every way we can.

Our Trans-Sahara Counterterrorism Partnership is building the capacity of ten countries across the region, providing training and support so that they can tighten border security, disrupt terrorist networks, and prevent attacks. We are partnering with security officials who are moving away from the repressive approaches that helped fuel radicalization in the past and instead are developing strategies grounded in the rule of law and human rights.

At the same time, we are using our diplomatic and economic tools to support the emerging democracies of the region, including Libya. Ultimately, that is the best way to advance our interests and values, as well as to provide the region a path away from extremism. That is why Chris Stevens was in Benghazi to begin with. He knew that a new Libya was being born there, and that

America had to be part of it – to support reformers, counter extremism, and stem the dangerous flow of weapons. He believed in this work, and he made a difference.

In the days after the terrorist attack on our post, tens of thousands of Libyans poured into the streets to mourn Ambassador Stevens. They overran extremist bases and insisted that militias disarm and accept the rule of law. It was as inspiring a sight as any we saw in the revolutions across the region.

In the end, we will never prevent every act of terrorism or achieve perfect security. Our diplomats cannot work in bunkers and do their jobs. When America is absent, especially from the dangerous places, there are consequences. Extremism takes root, our interests suffer, and our security at home is threatened. We must accept a level of risk to protect this country we love and to advance our interests and values around the world.

It is our responsibility to constantly improve, to reduce the risks our people face, and to make sure they have the resources they need to do their jobs. I have no higher priority, and no greater responsibility. We have a roadmap for strengthening our security and improving our systems. We look to this Committee to be our partners in that work. Let's get this done together. It is what the men and women who serve our country overseas deserve. They represent the best traditions of a bold and generous nation, and they are no strangers to danger.

Benghazi joins a long list: hostages taken in Tehran in 1979, our embassy and Marine barracks bombed in Beirut in 1983, Khobar Towers in 1996, our embassies in East Africa in 1998, consulate staff murdered in Jeddah in 2004, the Khost tragedy in 2009, and so many others.

The United States refuses to be intimidated. We will not retreat. We will continue to do what America always does: pull together, learn, and emerge stronger and better. We will keep leading and engaging, including in those hard places where America's interests and values are at stake.

Since I was sworn in as Secretary of State, I have had the privilege of leading some of the finest men and women I have ever known. Every one of them is my responsibility, and I will do everything in my power to keep them

safe. I have no higher priority. You are important partners in these efforts, and I look forward to continuing our work together.

With best regards, I am

Sincerely yours,

Hillary Rodham Clinton

cc: The Honorable John F. Kerry
Chairman, Senate Committee on Foreign Relations
The Honorable Richard G. Lugar
Senate Committee on Foreign Relations
The Honorable Ileana Ros-Lehtinen
Chairman, House Committee on Foreign Affairs

CONGRESSIONAL RESEARCH SERVICE REPORT SUBMITTED FOR THE RECORD BY THE HONORABLE HOWARD L. BERMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Congressional Research Service

MEMORANDUM October 17, 2012

Subject: Embassy Security Funding: FY2007-FY2012 Request, House, Senate, and Enacted

From:
Specialist in Foreign Policy

This memorandum was prepared to enable distribution to more than one congressional office.

With the recent attacks on U.S. overseas diplomatic posts, lawmakers are questioning whether adequate funding for the security of those facilities and diplomats was requested by the Administration or provided by Congress. The table below provides the Administration's request, the House-proposed level, the Senate-proposed level, and the enacted amount for the two primary worldwide security subaccounts in the Department of State's budget from FY2007 to FY2012. The two subaccounts — Worldwide Security Protection (WSP) within the Diplomatic and Consular Programs (D&CP) account and Worldwide Security Upgrades (WSU) within the Embassy Security, Construction, and Maintenance (ESCM) account — together represent about 90% of the diplomatic and embassy security funds within the Department of State, Foreign Operations, and Related Agencies appropriations. (The remainder come from Diplomatic Security, the Diplomatic and Consular Programs (D&CP)-Counterterrorism account, and the Border Security Program (BSP), which are not included in the table.)

The WSP, the largest component of security-related funding within the Department of State, provides for a safe and secure environment overseas for personnel promoting the interests of the United States. It provides for the security of life, property, and information. WSP supports numerous security programs including a worldwide guard force protecting overseas diplomatic missions and residences, as well as domestic facilities.[1]

The WSU within ESCM provides funding for bricks and mortar-type of security needs. It funds the Department of State's portion of the Capital Security Cost Sharing that combines with funds from other agencies represented overseas for planning, design and construction of secure new embassy compounds. It also funds ongoing security activities and security-related maintenance.[2]

To get a full picture of the funds requested and enacted from year-to-year, **Table 1** provides base and supplemental requests and appropriations, as well as a total for each year. While Overseas Contingency Operations (OCO) and supplemental funds were included, these largely were for security challenges in Iraq, Afghanistan, and Pakistan.

[1] Department of State, Congressional Budget Justification. Vol. I, Fiscal Year 2013, p. 63.
[2] Ibid., p. 472.

Table 1. State Department's Primary Worldwide Security Funding Requests, House-Proposed, Senate-Proposed, and Enacted Levels, FY2007-FY2012

(In millions of current U.S. $)

	Request	House	Senate	Enacted
FY2012	Admin. Request	Subcommittee Mark	S. 1646	P.L. 112-74 Div. E
D&CP/Worldwide Security Protection	$1,453.7 plus $246.9 for OCO	$1,310.2	$1,400.0 plus $236.2 for OCO	$1,355.0 plus $236.2 OCO
ESCM/Worldwide Security Upgrades	$938.2	$670.5	$775.0	$775.0
Total for FY2012	**$2,391.9 $2,638.8 w/OCO**	**$1,980.7**	**$2,175.0 $2,411.2 w/OCO**	**$2,130.0 $2,366.2 w/OCO**
FY2011	Admin. Request	H.R. 1	S. 3676	P.L. 112-10, Div. B, Tit. VI
D&CP/Worldwide Security Protection	$1,560.7	$1,491.0	$1,681.0	$1,500.0
ESCM/Worldwide Security Upgrades	$824.2	$796.5	$934.1	$795.0
Total for FY2011	**$2,384.9**	**$2,287.5**	**$2,615.1**	**$2,295.0**
FY2010	Admin. Request	H.R. 3081	S. 1434	P.L. 111-117
D&CP/Worldwide Security Protection	$1,648.0	$1,577.4	$1,595.0	$1,586.2
ESCM/Worldwide Security Upgrades	$938.2	$847.3	$847.3	$847.3
Total for FY2010	**$2,586.2**	**$2,424.7**	**$2,442.3**	**$2,433.5**
FY2009 Base	Admin. Request	no bill introduced	S. 3288	P.L. 111-8
Base Approp.				
D&CP/Worldwide Security Protection	$1,162.8	n.a.	$1,137.5	$1,117.0
ESCM/Worldwide Security Upgrades	$948.4	n.a.	$830.0	$770.0
FY2009 Supplemental Appropriation Act, 2009	**Admin. Request**	**H.R. 2346; House version**	**H. R. 2346; Senate version**	**P.L. 111-32**
D&CP/Worldwide Security Protection	$148.0	$404.0	$118.0	$146.4
ESCM/Worldwide Security Upgrades[a]	—	$989.6[a]	$820.5[a]	$921.5[a]
FY2009 Bridge Supplemental	**Admin. Request**	**H.R. 2642; House version**	**H.R. 2642; Senate version**	**P.L. 110-252 subchapter B**
D&CP/Worldwide Security Protection	$45.8	$78.4	$78.4	$78.4
Total for FY2009	**$2,305.0**	**$1,472.0[b]**	**$2,984.4**	**$3,033.3**

	Request	House	Senate	Enacted
FY2008 base	**Admin. Request**	**H.R. 2764 House version**	**H.R. 2764 Senate version**	**P.L. 110-161**
D&CP/Worldwide Security Protection	$964.8	$964.8	$909.6	$974.8
ESCM/Worldwide Security Upgrades	$806.9	$806.9	$649.3	$676.0
FY2008 supplemental appropriations	**Admin. Request**	**H.R. 2642**	**H.R. 2642**	**P.L. 110-252 subchapter A**
D&CP/Worldwide Security Protection	$162.4	$210.5	$212.4	$210.4
Total for FY2008	**$1,934.1**	**$1,982.2**	**$1,771.3**	**$1,861.2**
FY2007 base	**Admin. Request**	**H.R. 5672**	**H.R. 5522**	**P.L. 110-5**
D&CP/Worldwide Security Protection	$795.2	$795.2	$795.2	$766.0
ESCM/Worldwide Security Upgrades	$899.4	$899.4	$783.2	$897.0
FY2007 supplemental appropriations	**Admin. Request**	**H.R. 1591/ H. Rept. 110-60**	**S. 965/ S. Rept. 110-37**	**P.L. 110-28/ H. Rept 110-107**
D&CP/Worldwide Security Protection	$67.2	$102.2	$70.0	$96.5
Total for FY2007	**$1,761.8**	**$1,796.8**	**$1,648.4**	**$1,759.5**

Source: State Department's Congressional Budget Justifications FY2007-FY2012 and legislation, as noted.

Notes: D&CP=Diplomatic and Consular Programs; ESCM=Embassy Security, Construction, and Maintenance.

a. These funds are directed to be for ESCM's worldwide security upgrades, as well as for acquisitions and construction, as authorized.

b. This number does not include any base funding, since a House bill was not introduced.