



United States Department of State

Washington, D.C. 20520

May 1, 2017

Litigation: AIM, et al. v DOD, et al.  
DIA No.: LIT-00005-2014 (LIT-0006-2016)  
DOS No.s: F-2014-03625/F-2014-10167  
Segment: DS-0002

John H. Clarke, Esq.  
1629 K Street, N.W., Suite 300  
Washington, D.C. 20006

Dear Mr. Clarke:

I refer you to your letter dated May 28, 2014, directed to the Defense Intelligence Agency (the "DIA") regarding the release of specified material under the Freedom of Information Act (the "FOIA"), 5 U.S.C. §552. One document retrieved by DIA in response to your request originated with the Department of State and was therefore referred to us for appropriate action. After reviewing this document we have determined that it may be released to you in part. This document was previously posted to the Department of State's publicly accessible FOIA Virtual Reading Room on June 17, 2016. The released material is enclosed.

All non-exempt material that is reasonably segregable from the exempt material has been released. Where we have made excisions, the applicable exemptions are marked on the document. An enclosure provides information on FOIA exemptions and other grounds for withholding material.

If you have any questions, please contact Trial Attorney Tamra Moore at (202) 305-8628 or at [Tamra.Moore@usdoj.gov](mailto:Tamra.Moore@usdoj.gov).

Sincerely,

*Susan P. Weimer for*

Eric F. Stein, Director  
Office of Information Programs and Services

Enclosures: As stated

**The Freedom of Information Act (5 USC 552)**

**FOIA Exemptions**

- (b)(1) Information specifically authorized by an executive order to be kept secret in the interest of national defense or foreign policy. Executive Order 13526 includes the following classification categories:
- 1.4(a) Military plans, systems, or operations
  - 1.4(b) Foreign government information
  - 1.4(c) Intelligence activities, sources or methods, or cryptology
  - 1.4(d) Foreign relations or foreign activities of the US, including confidential sources
  - 1.4(e) Scientific, technological, or economic matters relating to national security, including defense against transnational terrorism
  - 1.4(f) U.S. Government programs for safeguarding nuclear materials or facilities
  - 1.4(g) Vulnerabilities or capabilities of systems, installations, infrastructures, projects, plans, or protection services relating to US national security, including defense against transnational terrorism
  - 1.4(h) Weapons of mass destruction
- (b)(2) Related solely to the internal personnel rules and practices of an agency
- (b)(3) Specifically exempted from disclosure by statute (other than 5 USC 552), for example:
- |                |   |
|----------------|---|
| ARMSEXP        | Arms Export Control Act, 50a USC 2411(c)                    |
| CIA PERS/ORG   | Central Intelligence Agency Act of 1949, 50 USC 403(g)      |
| EXPORT CONTROL | Export Administration Act of 1979, 50 USC App. Sec. 2411(c) |
| FS ACT         | Foreign Service Act of 1980, 22 USC 4004                    |
| INA            | Immigration and Nationality Act, 8 USC 1202(f), Sec. 222(f) |
| IRAN           | Iran Claims Settlement Act, Public Law 99-99, Sec. 505      |
- (b)(4) Trade secrets and confidential commercial or financial information
- (b)(5) Interagency or intra-agency communications forming part of the deliberative process, attorney-client privilege, or attorney work product
- (b)(6) Personal privacy information
- (b)(7) Law enforcement information whose disclosure would:
- (A) interfere with enforcement proceedings
  - (B) deprive a person of a fair trial
  - (C) constitute an unwarranted invasion of personal privacy
  - (D) disclose confidential sources
  - (E) disclose investigation techniques
  - (F) endanger life or physical safety of an individual
- (b)(8) Prepared by or for a government agency regulating or supervising financial institutions
- (b)(9) Geological and geophysical information and data, including maps, concerning wells

**Other Grounds for Withholding**

- NR Material not responsive to a FOIA request excised with the agreement of the requester

~~SECRET//NOFORN~~



U.S. Department of State - Bureau of Diplomatic Security

**INTELLIGENCE AND THREAT ANALYSIS**

(S//NF) *Libya: Attack on Consulate Benghazi*

September 12, 2012

RELEASE IN PART B1,FOIA B3  
NATSECACT1947,B3  
NATSECACT1947,1.4(D),B7(C),B6,1.4(C)

(U) Drafted by: [redacted], DS/TIA/ITA, [redacted]

B6  
B7(C)

(U) ATTACK TIMELINE

(S//NF) The following chronology is based on a compilation of communications between the Diplomatic Security Command Center (DSCC) and U.S. personnel in Benghazi, Libya. DS/TIA/ITA notes that this is a preliminary overview of the sequence of events that occurred in Benghazi and that the timeline may change as additional information on the incident comes to light. All times are recorded in Eastern Daylight Time.

(S//NF) DS/TIA/ITA also notes that open source media has reported a number of inaccurate facts that have served to cloud the circumstances surrounding the death of the U.S. Ambassador. Most prominently, press reporting has indicated that the Ambassador was killed when a rocket-propelled grenade struck his vehicle; this is wholly inaccurate, as the Ambassador is believed to have died from smoke inhalation while attempting to exit a burning building on the U.S. Consulate compound.

Tuesday, September 11:

- At 1549 hrs, DSCC was notified that U.S. Mission Benghazi was under attack. At 1600 hrs, DSCC was notified by Regional Security Officer (RSO) Benghazi that armed individuals had entered the compound, and at 1614 hrs RSO Benghazi reported that an armed group had set fire to buildings inside the compound. The US Ambassador was visiting post from Tripoli, and as of 1614 hrs it was suspected that one of the buildings that had been set on fire was the building where the Ambassador was sheltering. [redacted] Quick Reaction Force (QRF) responded from their off-compound Annex, but was turned back due to heavy hostile fire.
- As of 1700 hrs, [redacted] QRF and host nation militia (17 February Brigade) have redeployed to the compound. One Assistant RSO (ARSO) suffered injuries from smoke inhalation. This agent was in the Principal Officer's Residence with U.S. Ambassador Christopher Stevens and Information Program Officer (IPO) Sean P. Smith. All three moved to the safe haven when the attack began, but had to relocate to the roof as the building caught on fire. The agent reached the rooftop but lost contact with the other two. The agent reentered the residence and found the IPO killed in action (KIA), and was unable to locate the Ambassador. The agent had given his cell phone to the Ambassador.
- At 1720 hrs, it is reported to DSCC that all five RSO staff are accounted for and en route to the [redacted] QRF and 17 February Brigade forces are in the compound looking for the Ambassador.

B1  
1.4(D)  
B3

REVIEW AUTHORITY: Steve Blodgett,  
Senior Reviewer

~~SECRET//NOFORN~~

Derived from: Multiple Sources

Reason for classification: E.O. 12958 1.4 (b), (c), (d)

~~SECRET//NOFORN~~

- The [redacted] QRF and friendly militia forces were unable to locate the Ambassador, and pull back to the off-compound Annex. All classified material on the compound is secured by RSO [redacted] personnel. Embassy Tripoli receives a phone call from the injured ARSO's cell phone (which had been left with the Ambassador) from a male caller saying he is at the hospital with an unresponsive male who matches a physical description of the Ambassador. [redacted]

B1  
1.4(D)  
B3

[redacted] Tripoli charts an airplane and sends it to Benghazi with six personnel onboard as a response team.

1.4(D)  
B1

- At 2215 hrs, Benghazi ARSO [redacted] called DSCC to report that the [redacted] response team has been on the ground in Benghazi for approximately 60 minutes, but are waiting for the 17 February Brigade to escort them to [redacted] DS Seniors ask ARSO [redacted] about the identity of the reported white male in the hospital. [redacted]

B1  
1.4  
(D)  
B6  
B7(C)

[redacted] hospital for about two hours. Henderson will call him after this call.

B1  
1.4(D)  
B3

- DSCC reports to ARSO [redacted] that there are two American Citizen (AmCit) Defense Attache Office (DAO) contractors at the Al Nouran Hotel in Benghazi. [redacted] was not aware of these personnel. It is decided that when the [redacted] response team arrives at the Annex, non-essential employees and the remains of the IPO will depart. ARSO [redacted] was given direction to have the 17 February Brigade go over to the hospital for verification.

B6 B6  
B7(C) B7(C)

- At 2227 hrs, an image was broadcast on Twitter showing a Caucasian man being carried out of the Benghazi compound. At 2230 hrs, Tripoli was notified regarding the image broadcast on Twitter.

1.4(D)  
B1  
B6  
B6  
B7(C)

[redacted]

1.4(D)  
B1

- At 2243 hrs, U.S. Embassy Tripoli reports that they are in contact with the contractors in the Al Nouran Hotel.
- At 2250 hrs, the 17 February Brigade departs the airport with the 6-member response team en route to [redacted] At 2313 hrs, it is reported that the [redacted] response team has arrived at the Annex. [redacted]

B1  
1.4(D)  
B3  
B6  
B7(C)

- At 2332 hrs, ARSO [redacted] reports that they are under mortar attack, with 3 to 4 rounds hitting the Annex. There are [redacted] injured [redacted] and the need for medical evacuation. The response team is on site and either inside or deployed to the roof. The agents are sheltering in place with 45 minutes to sunrise.

B1  
1.4(D)  
B3

- At 2349 hrs, DS Special Agent [redacted] was reported hit during the mortar attack, which has since ceased. [redacted] All other [redacted] DS agents are accounted for.

B6  
B7(C)

Wednesday, September 12:

- At 0006 hrs, [redacted] states that they are evacuating the entire compound with a convoy of friendly militia in one movement to the airport. [redacted] does not know if the plane is still on the ground.

~~SECRET//NOFORN~~

Derived from: Multiple Sources

Reason for classification: E.O. 12958 1.4 (b), (c), (d)

~~SECRET//NOFORN~~

- At 0010 hrs, Embassy Tripoli called. They have lost all communications. Called from personal cell phone [redacted] B6  
B7(C)
- At 0034 hrs, ARSO [redacted] in Benghazi reports that all Chief of Mission (COM) [redacted] personnel have left the Annex in Benghazi en route to the airport with three wounded (two on stretchers). Currently there is only one plane available, and they are attempting to charter a second. B1  
1.4(D)  
B3
- At 0055 hrs, [redacted] 1.4(C)  
1.4(D)  
B1
- At 0107 hrs, it is reported that the three KIA will be put on a truck.
- At 0110 hrs, DSCC notifies Embassy Tripoli that the Benghazi group is at the Benghazi airport and will fly to Tripoli. B6  
B7(C)
- At 0115 hrs, ARSO [redacted] reports that the [redacted] chartered evacuation plane is loaded with [redacted] evacuees. B1  
1.4(D)
- ARSO [redacted] is holding with remaining personnel and gear to take the next flight. ARSO [redacted] is the only DOS staying behind. ARSO [redacted] reports that the aircraft is departing for Tripoli International Airport (TIA). RSO Tripoli reports that an ambulance is en route to TIA. B3  
B6  
B7(C)  
1.4(D)
- At 0131 hrs, ARSO [redacted] states that [redacted] personnel remain on the ground in Benghazi [redacted] with 3 KIA in a pickup truck and [redacted] personnel wheels up. At this time it seems that all are accounted for besides Ambassador Stevens. B1  
B6  
B7(C)
- At 0136 hrs, ARSO [redacted] confirms [redacted] personnel are on the ground with 3 KIA and 1 presumed dead in Benghazi. They are on the tarmac with the bodies and equipment. 1.4(D)  
B1
- [redacted] B1  
1.4(D)  
B3  
B6  
B7(C)
- At 0204 hrs, Under Secretary Patrick Kennedy notifies DSCC that the Provincial Head of Government is in the hospital and needs the phone number for ARSO [redacted] to coordinate getting the Ambassador Stevens' body to the airport.
- At 0206 hrs, ARSO [redacted] was advised by DSCC that the same plane that took the [redacted] will return for the [redacted] on the ground. Two DAO contractors are on the way and if they cannot get out of Benghazi, they are to link up with ARSO [redacted] Regarding medical care, the two [redacted] medics were KIA by indirect mortar fire. The DS agents are providing medical treatment per High Threat training. 1.4(D)  
B1  
B6  
B7(C)
- At 0214 hrs, Embassy Tripoli advised DSCC that they are 5 minutes out from Tripoli International Airport. B1  
1.4(D)  
B3
- At 0215 hrs, DSCC SA [redacted] confirmed that a DoD C-17 is en route to Tripoli from Ramstein, Germany, and will have doctors and nurses on board to help the wounded. B6  
B7(C)
- At 0216 hrs, RSO Tripoli reports that they have arrived at the TIA VIP lounge with the Embassy nurse.
- At 0225 hrs, ARSO [redacted] confirms the body of Ambassador Stevens has arrived at the Benghazi airport. B6  
B7(C)
- At 0234 hrs, DSCC contacted the DAO contractors, who report they are unable to get a commercial flight out of Benghazi before mid-afternoon local time. DSCC connected the DAO contractors with ARSO [redacted] to get the contractors on the [redacted] DS evacuation flight.

B6  
B7(C) ~~SECRET//NOFORN~~

Derived from: Multiple Sources

B1  
1.4(D)  
B3

Reason for classification: E.O. 12958 1.4 (b), (c), (d)

~~SECRET//NOFORN~~

B6

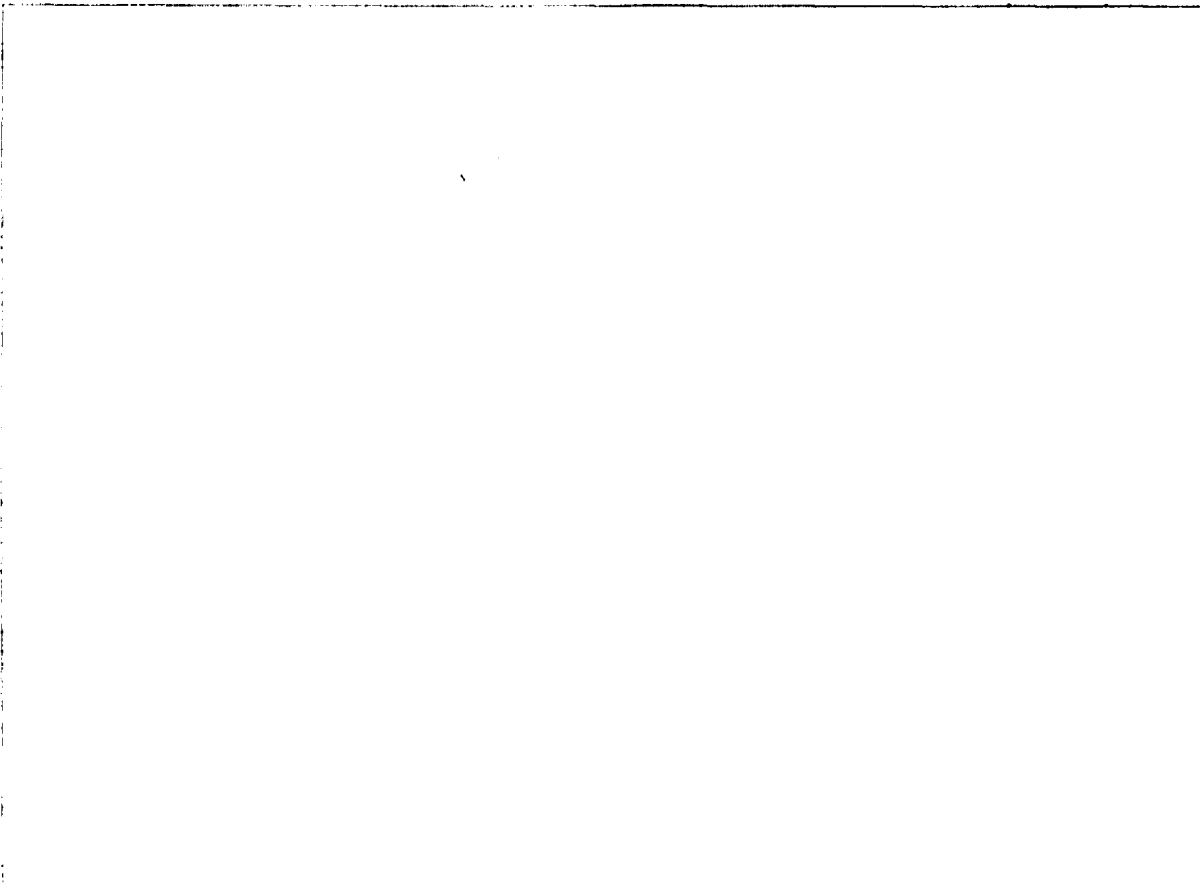
- At 0238 hrs, it is reported that the first evacuation flight is wheels down in Tripoli.
- At 0241 hrs, DSCC confirms Libyan Air Force C-130 will land in 50 minutes to take the remaining COM personnel, 2 DAO contractors and 4 KIA to Tripoli.
- At 0244 hrs, Tripoli ARSO [ ] advised that a DoD C-17 aircraft will depart Ramstein in the next 50 minutes with 3.5 hour flight. The wounded are going to the hospital in Tripoli in the interim.
- At 0245 hrs, DSCC contacted RSO Tripoli regarding the above and asked for a list for the draw down.
- At 0259 hrs, ARSO [ ] reports to DSCC that SA [ ] is in the hospital.
- At 0332 hrs, RSO Tripoli reports that they are at the hospital with no bad news on any of the injured.
- At 0533 hrs, the Libyan C-130 evacuation flight is reported wheels down in Tripoli with the last COM [ ] personnel from Benghazi.
- At 0559 hrs, a six-vehicle motorcade departs TIA en route to hospital.

B7(C)

B6  
B7(C)

B1  
1.4(D)  
B3

**(U) POTENTIAL CAUSES AND RESPONSIBILITY**



B1  
1.4(D)  
1.4(C)  
B3  
B6  
B7(C)

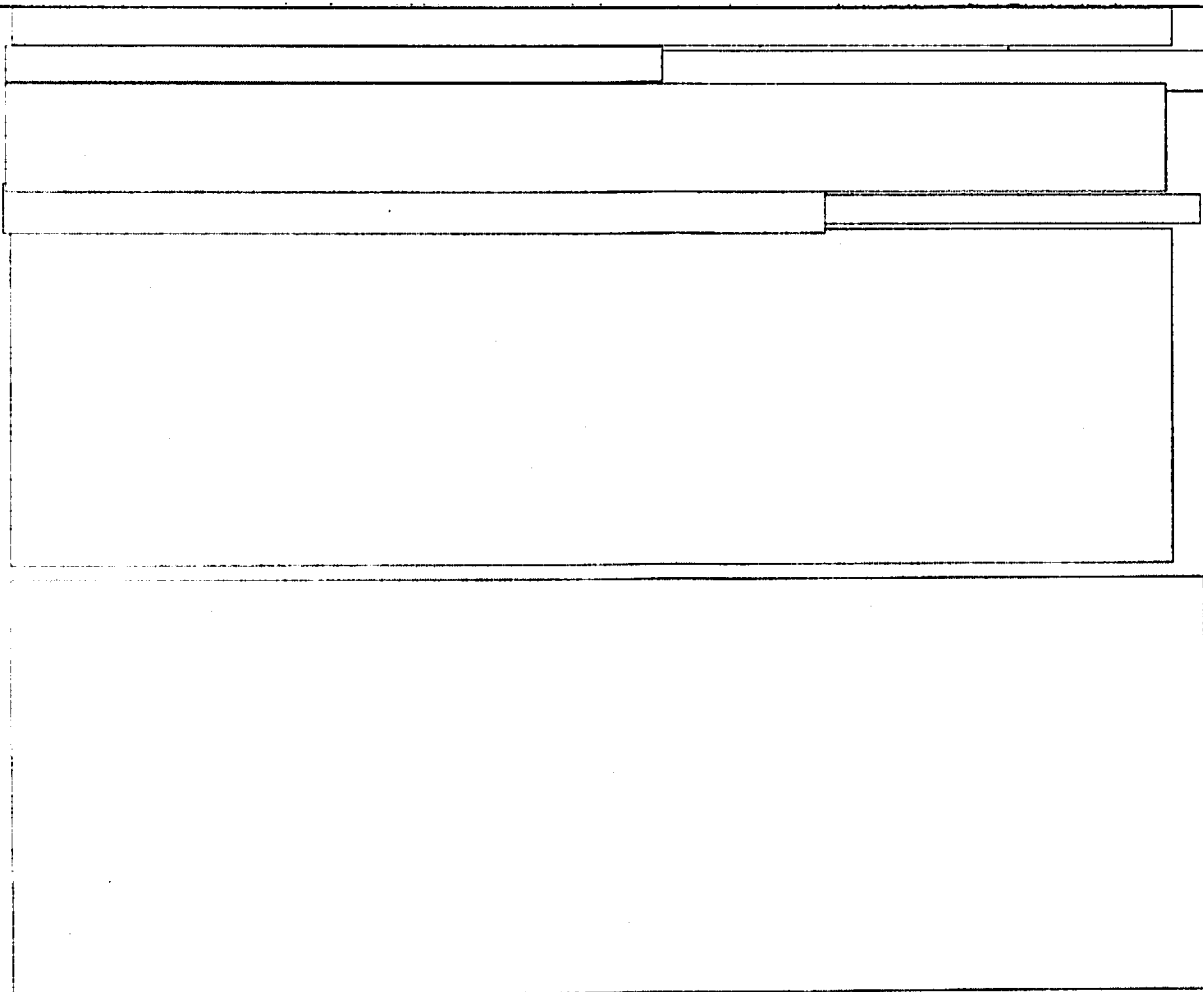
~~SECRET//NOFORN~~

Derived from: Multiple Sources

Reason for classification: E.O. 12958 1.4 (b), (c), (d)

1.4(C)  
1.4(D)  
B1

~~SECRET//NOFORN~~



B1  
1.4(D)  
1.4(C)  
B3  
B6  
B7(C)  
1.4(C)  
1.4(D)  
B1

B1  
1.4(D)  
1.4(C)  
B3  
B6  
B7(C)

**(SBU) RECENT SECURITY ENVIRONMENT IN BENGHAZI**

(S//NF) Benghazi has witnessed a marked increase in terrorist violence since early April 2012, much of which has been directed toward the official foreign presence in the city. Most recently, the car of an Egyptian diplomat exploded on August 20, causing no deaths or injuries. On June 12, the UK Ambassador's motorcade came under attack within 500 meters of the UK Mission compound in Benghazi, and less than 2 km from the U.S. Consulate. During the attack, the motorcade's lead vehicle was struck with one RPG, inflicting both occupants with non-life threatening injuries -- no other injuries were reported. Small arms fire reportedly followed the RPG attack, indicating there may have been multiple attackers.



B1  
1.4(D)  
1.4(C)  
B3  
B6  
B7(C)

~~SECRET//NOFORN~~

Derived from: Multiple Sources  
Reason for classification: E.O. 12958 1.4 (b), (c), (d)

~~SECRET//NOFORN~~

(S//NF) On June 6, Consulate Benghazi was attacked with an explosive device [redacted] but did not cause any injuries.<sup>6</sup> [redacted]

1.4(C)  
1.4(D)  
B1

(S//NF) Other recent attacks in Benghazi include an improvised explosive device (IED) thrown at the UN Special Envoy's motorcade on April 10;<sup>9</sup> and a grenade thrown over Consulate Benghazi's wall on April 6. [redacted]

1.4(C)  
1.4(D)  
B1

<sup>6</sup> SPOT Report – "IED Explosion at U.S. Mission Benghazi" (via email), 20120606, UNCLASSIFIED.

<sup>7</sup> GMP20120611405001, 20120611, UNCLASSIFIED.

<sup>8</sup> GMP20120529950047, 20120529, UNCLASSIFIED.

<sup>9</sup> "IED Attack on UN Special Envoy to Libya SPOT REPORT" (via email), 20120410, UNCLASSIFIED.

<sup>10</sup> "Benghazi RSO SPOT Report" (via email), 20120406, UNCLASSIFIED; "Benghazi Situation Report" (via email), 20120410, UNCLASSIFIED.

~~SECRET//NOFORN~~

Derived from: Multiple Sources

Reason for classification: E.O. 12958 1.4 (h) (c) (d)