

**HEARING TO RECEIVE TESTIMONY ON DEPARTMENT OF DEFENSE'S RESPONSE TO THE ATTACK ON U.S. FACILITIES IN BENGHAZI, LIBYA, AND THE FINDINGS OF ITS INTERNAL REVIEW FOLLOWING THE ATTACK**

---

**THURSDAY, FEBRUARY 7, 2013**

U.S. SENATE,  
COMMITTEE ON ARMED SERVICES,  
*Washington, DC.*

The committee met, pursuant to notice, at 10:05 a.m. in room SDG-50, Dirksen Senate Office Building, Senator Carl Levin (chairman) presiding.

Committee members present: Senators Levin, Reed, Nelson, McCaskill, Udall, Hagan, Manchin, Shaheen, Gillibrand, Blumenthal, Donnelly, Hirono, Kaine, King, Inhofe, McCain, Chambliss, Wicker, Ayotte, Graham, Vitter, Blunt, Lee, and Cruz.

Committee staff members present: Richard D. DeBobes, staff director; Leah C. Brewer, nominations and hearings clerk; and Barry C. Walker, security officer.

Majority staff members present: Joseph M. Bryan, professional staff member; Jonathan D. Clark, counsel; Richard W. Fieldhouse, professional staff member; Michael J. Kuiken, professional staff member; Peter K. Levine, general counsel; Jason W. Maroney, counsel; Thomas K. McConnell, professional staff member; William G.P. Monahan, counsel; Michael J. Noblet, professional staff member; John H. Quirk V, professional staff member; and Russell L. Shaffer, counsel.

Minority staff members present: Adam J. Barker, professional staff member; Christian D. Brose, professional staff member; Thomas W. Goffus, professional staff member; Anthony J. Lazarski, professional staff member; Daniel A. Lerner, professional staff member; and Lucian L. Niemeyer, professional staff member.

Staff assistants present: Jennifer R. Knowles, Kathleen A. Kulenkampff, Brian F. Sebold, and Lauren M. Gillis.

Committee members' assistants present: Carolyn Chuhta, assistant to Senator Reed; Jeffrey Fatora, assistant to Senator Bill Nelson; Jason Rauch, assistant to Senator McCaskill; Brian Nagle, assistant to Senator Hagan; Mara Boggs, assistant to Senator Manchin; Chad Kreikemeier, assistant to Senator Shaheen; Elana Broitman, assistant to Senator Gillibrand; Ethan Saxon, assistant to Senator Blumenthal; Marta McLellan Ross, assistant to Senator

Donnelly, Nick Ikeda, assistant to Senator Hirono; Mary Naylor, assistant to Senator Kaine; Jim Catella, assistant to Senator King; Joel Starr, assistant to Senator Inhofe; Lenwood Landrum, assistant to Senator Sessions; Todd Harmer, assistant to Senator Chambliss; Joseph Lai, assistant to Senator Wicker; Brad Bowman, assistant to Senator Ayotte; Craig Abele, assistant to Senator Graham; Joshua Hodges, assistant to Senator Vitter; Charles Prosch, assistant to Senator Blunt; Peter Blair, assistant to Senator Lee; and Brooke Bacak, assistant to Senator Cruz.

**OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN**

Chairman LEVIN. Good morning, everybody. Today the committee welcomes Secretary of Defense Leon Panetta and the Chairman of the Joint Chiefs of Staff, General Martin Dempsey, to testify about the Department of Defense's response to the deadly terrorist attack on the U.S. Temporary Mission Facility and Annex in Benghazi, Libya, on September 11 and 12 of last year and the findings of its internal review following that attack, including lessons learned from Benghazi.

I want to just remind colleagues that we will be receiving testimony next Tuesday morning on the impacts of sequestration and/or a full-year continuing resolution on the Department of Defense and our witnesses there will be Deputy Secretary of Defense, the Department's Comptroller, and the Joint Chiefs of Staff.

I hope that today's hearing will inform this committee of any changes that have been made or are being proposed to the posture of U.S. forces overseas to respond to similar terrorist attacks in the future as we saw in Benghazi and the Department of Defense's assessment of the recommendations that are included in the Secretary of State's Accountability Review Board that affect DOD's installations or operations overseas.

In November the Department of Defense released a time line of its response to the assault of September 11 and 12 in Benghazi, including the decisions made on the deployment of various forces based in the United States or overseas. A copy of this time line is in front of us. I think we each have it and it will be included in the record.

[The information referred to follows:]

Chairman LEVIN. According to the time line, within 20 minutes of the assault on the State Department's Temporary Mission Facility the Department of Defense's first action was to redirect an unmanned surveillance platform from a mission over Darnah, Libya, to provide better awareness of the events on the ground in Benghazi.

Following consultations at the White House, Secretary Panetta convened a series of meetings in the Pentagon to discuss options for expanding the Department of Defense's response, as well as to prepare for the potential outbreak of further violence throughout the region. During these meetings, Secretary Panetta authorized a number of deployments. I hope that Secretary Panetta and the Chairman will provide the committee with detail on the circumstances that led them to these decisions.

Since September there's been a great deal of focus on the supporting role that the Marine Corps guards play in many U.S. diplo-

matic missions abroad. The Marine Corps did not have an element in Benghazi as it was not an embassy, but a Temporary Mission Facility. The committee will be closely monitoring the use of these Marines. Our National Defense Authorization Act for Fiscal Year 2013, requires the Secretary of Defense to conduct an assessment of the mission of the Marine security guard program, whether it should be expanded, and a report to Congress on the results of this review.

More immediately, the provision requires the Secretary to develop a plan to increase the number of Marines in the Marine security guard program by up to 1,000 Marines to improve security at our embassies, consulates, and other diplomatic facilities. Based on Secretary Clinton's recent testimony before Congress, it is clear that the State Department and the Department of Defense are already consulting on this review.

The Secretary of State's Accountability Review Board focused on the need to ensure the State Department puts greater focus on high-risk, high-threat posts, as well as posts where the host nation, despite having the will to protect diplomatic facilities, does not have the capacity to protect them.

In some cases, these posts are located in countries where the Department of Defense and the State Department have assistance programs with similar objectives. These are perhaps areas where the two Departments can explore whether additional collaboration is appropriate.

During Secretary of State Clinton's recent testimony before Congress, she emphasized the importance of properly resourcing U.S.-Africa Command. AFRICOM reached full operational capability less than five years ago and has been what's called an economy of force effort to date.

The events of last September raise questions about the adequacy of the Department of Defense's resourcing with respect to AFRICOM in terms of funding, assigned personnel, intelligence, surveillance, and reconnaissance support. As an example, until the beginning of the current fiscal year AFRICOM did not have a dedicated Commander's In Extremis Force, which is an emergency standby force, but rather it shared its force with U.S. European Command.

In recent years the committee has sought to provide the Department of Defense with flexible AFRICOM-specific authorities to support the burgeoning requirements of the command, such as the African Cooperation Authority, targeted train and equip authorities, to support deployments of the African Union mission in Somalia, and flexible military construction authorities. The committee looks forward to learning whether any additional actions might be taken to further support AFRICOM's programs and operations.

Unfortunately, today much of the discourse about the events surrounding the deadly attack against our facilities and people in Benghazi have focused on the preparation and dissemination of unclassified talking points that were prepared at the request of Congress by our Nation's intelligence professionals and approved by their most senior leadership. These talking points are relevant, but even more relevant than finding out, as Secretary Clinton said, why these militants decided as they did, is to find those militants

and bring them to justice and to do everything that we can to prevent it from ever happening again.

Since the events in Benghazi, individuals and groups with the same motivations as those that attacked the U.S. facility in Benghazi have attempted to expand their territory in the Nation of Mali, as well as take hostage dozens of innocent civilians and attempt to destroy a natural gas facility in Algeria. Today the United States is providing its unique enabling capabilities to the French military operations and the deployment of African forces from nations around the region.

As Secretary Panetta has stated repeatedly, it is critical that the United States continue to pursue those groups and individuals seeking to attack the United States and our interests. I expect the Secretary and the Chairman this morning will provide their assessment of the threat that's posed by these groups to regional and international security, as well as our effort to counter their operations.

The four Americans that our Nation lost last September were among the very best expression of what it means to be an American—hard-working, energetic, optimistic, dedicated, not just to furthering the interests of their own Nation, but to ensuring that others could enjoy the same freedom and opportunity that we hold so dear. We honor the sacrifice of those Americans and in their name we will do everything that we can to prevent a repetition of Benghazi.

Since this is likely Secretary Panetta's last hearing before this committee—and a broad smile has now appeared upon his face—I want to take a moment to offer my personal thanks to Secretary Leon Panetta, for your service to our country, for your leadership at the Defense Department. Secretary Panetta, you have exhibited qualities of honesty, candor, humility, fair-mindedness, and a great sense of humor. All of those were essential during the tenure that you had as Secretary. So we thank you, Leon, for your service to our Nation and for your great cooperation as well with this committee.

[Applause.]

Chairman LEVIN. Senator Inhofe.

#### **STATEMENT OF SENATOR JAMES M. INHOFE**

Senator INHOFE. Thank you, Mr. Chairman.

I agree with the last part of your statement there. I hold both of our witnesses in the highest regard, and in the case of Secretary Panetta I just whispered to my friend Senator McCain that two of my favorite Democrats in the House were Mineta and Panetta, and that has always been the case. In fact, I rejoiced at the time that you received the positions and the appointments that you have had.

It's long overdue that this committee is holding a hearing to examine the facts surrounding the terrorist attacks in Benghazi on September 11, 2012, that left four Americans dead: Ambassador Chris Stevens, Sean Smith, Tyrone Woods, and Glen Doherty—deaths that I believe could have been prevented.

What's become clear over the last 5 months is that the United States is woefully unprepared for what occurred in Benghazi. What

has also been clear is that following the attack the administration provided the American people inaccurate information about the true nature of the catastrophe and those events in Benghazi. In my discussions with the most senior administrative officials, I've been told that on the night of the tragedy, although there was confusion about the nature of the first attack on the compound where the Ambassador was located, the second wave of attacks, which was on the annex, were unequivocally a terrorist attack. I have no doubt about that, that they were.

This was apparent because an angry mob doesn't use coordinated mortars and RPGs. So I have no question about that in my mind.

Despite the clear evidence, it took this administration over a week to publicly admit, as many of us knew already, that it was a terrorist attack, not simply a protest that turned violent, as Ambassador Susan Rice adamantly and incorrectly insisted. While some may downplay the difference, I can't.

Al Qaeda-affiliated terrorists were involved in the murder of four Americans, including our U.S. Ambassador to Libya. This fact should call into question the effectiveness of our counterterrorism strategy today in North Africa and beyond. I hope our hearing today will provide the committee with a thorough accounting of the facts leading up to the attack, as well as what has been done in months following to ensure that this tragedy doesn't happen again.

In the months leading up to September 11, there were no fewer than four significant attacks against the western interests in the city. I'd like to have you go ahead and put that chart up there and during this, leave it up during the course of this hearing, because each member up here has a copy of this and there are certain things that happened we all know.

[The information referred to follows:]

[COMMITTEE INSERT]

Senator INHOFE. We know that on May 22 the Red Cross was hit with an RPG. They left town. We know that on June 11 the British ambassador's motorcade was attacked by an RPG. They left town. We know that on April 10 the United Nations convoy was hit by an IED, and on June 6 the U.S. consulate was attacked with a bomb, and many, many, many other things. But we stayed; we didn't leave.

While I understand the State Department has primary responsibility for the protection of American diplomats around the world, I also understand that the Defense Department plays an important role, supporting role, to this effect. I expect our witnesses to explain today why, given the clear indication, indicators and warnings that threats to the United States' interests in Benghazi and throughout North Africa were growing, was the Defense Department not placed on a heightened alert status or adequately postured to respond in a timely manner to a contingency of this nature, especially on the anniversary of September 11.

Our witnesses have repeatedly stated that there were no military assets available in the region that could have acted in time potentially to avert this disaster, and I have to ask why not. The January 2012 defense strategic guidance directs that "We will rebalance toward the Asian Pacific," and goes on to say that "In Africa and

Latin America, we will develop innovative, low-cost and small-footprint approaches to achieve our security objectives.”

I don't agree. That's no way to achieve our security objectives. Benghazi highlights the strategic risks of this new strategy in places like Africa, risks certain to be magnified by looming defense cuts.

This committee must get a thorough accounting of exactly what was known and when and what the Defense Department did to respond to the escalating situation in Benghazi and why it was not better prepared. Additionally, our witnesses should address whether or not the current relationship between the State and the Defense Departments is sufficient to meet the security demands of our overseas presence.

I've made over 100 African country visits. I know Africa, and what happened in Benghazi vividly illustrates what I've been talking about for a long period of time, that is the growing threat to the United States' interests on the African continent from the terrorist groups, such as Al-Shabab, al Qaeda in the Islamic Maghreb, and Boko Haram.

General Ham, the commander of AFRICOM, who has been doing a great job with limited resources, I must say, said back in 2011 that terrorist organizations in East Africa, in the deserts of North Africa and Nigeria, “have little explicit and publicity voiced intent to target westerners and the U.S. specifically.” Secretary Panetta, the same year you said: “The longer you delay, the longer you avoid trying to assign some assistance there, the more dangerous these groups become and the greater the instability that develops here.” There are elements there in Central Africa that either have ties to al Qaeda or that present the forces of terrorism in their own, and that's what's dangerous.

As bad as everything that I've stated is, what I think is worse is the cover-up. It was obvious from the information we had on September 11 that the second wave—not the first wave, the second wave; we have two different waves there; we had the compound, which we'll talk about in more detail during the questions, and then we had the annex—but that the second wave of attacks, on the annex were unequivocally a terrorist attack, and we knew it right at the time.

Despite this information, Ambassador Rice said something that was totally false to the American people on all five major Sunday news shows, implying that the attacks were response to an anti-Islam video that spurred protests across the region. In this sense, you are probably wrong, the wrong witness to have here, because you'd be unfamiliar with who actually instructed her to say that and gave her that faulty information. But that's something we hope that we'll be able to get and that's something that can't be ignored.

We sit around all day long and talk about the resources that we should have and don't have, not just here, not just in this part of the world, but all over the world, and that's fine. I think we all understand that. But that's not the big problem here. The big problem here is the cover-up that nobody talks about and that's the tragedy.

Thank you, Mr. Chairman.

Chairman LEVIN. Secretary Panetta.

**STATEMENT OF HON. LEON E. PANETTA, SECRETARY OF  
DEFENSE**

Secretary PANETTA. Chairman Levin, Senator Inhofe, members of the committee:

I appreciate the opportunity to be here today to discuss the terrorist attacks on our facilities in Benghazi on September 11, 2012. Before I go into my testimony, let me just state my deepest thanks to all of you for the support and friendship that I've had with all of you on both sides of the aisle. I have had the honor to in many ways live the American dream as the son of Italian immigrants in the various capacities that I've had to serve this country. The greatest privilege I think I've had is to serve as an elected member in the House and have the opportunity to work with many of you in that capacity, and then as a member of the Executive Branch had the opportunity to work with you as well.

I thank you for your dedication to the country and I thank you for your willingness to serve the United States.

On that tragic day, as always, the Department of Defense was prepared for a wide range of contingencies. Just to remind you that the NCTC in the 6 months prior to that attack identified some 281 threats to U.S. diplomats, diplomatic facilities, embassies, ambassadors, and consulates worldwide, and obviously Benghazi was one of those almost 300 areas of concern.

But unfortunately, there was no specific intelligence or indications of an imminent attack on that U.S. facility in Benghazi. Frankly, without an adequate warning there was not enough time, given the speed of the attack, for armed military assets to respond. That's not just my view or General Dempsey's view. It was the view of the Accountability Review Board that studied what happened on that day.

In the months since the tragedy at the Temporary Mission Facility and the nearby annex in Benghazi, we've learned that there were actually two short-duration attacks that occurred some six hours apart. Again, there was no specific intelligence that indicated that a second attack would occur at the annex, which was located some two miles away.

The bottom line is this: that we were not dealing with a prolonged or continuous assault, which could have been brought to an end by a U.S. military response very simply. Although we had forces deployed to the region, time, distance, the lack of an adequate warning, events that moved very quickly on the ground prevented a more immediate response.

Despite the uncertainty at the time, the Department of Defense and the rest of the U.S. Government spared no effort to do everything we could to try to save American lives. Before, during, and after the attack, every request the Department of Defense received we did, we accomplished. But again, four Americans' lives were lost and we all have a responsibility to make sure that that does not happen again.

The four Americans who perished in Benghazi—Ambassador Stevens, Information Management Officer Sean Smith, and the security personnel—all were heroes and all were patriots. I had the opportunity to join the President, Secretary Clinton, and other officials at Andrews Air Force Base for the dignified transfer ceremony

when those bodies of those heroes were returned home, and I had the opportunity to meet with their families.

I believe we all have a solemn responsibility to these families and to all the diplomatic personnel who put themselves at risk, to find out exactly what happened, to bring those involved to justice, and to make sure that we're doing everything possible to prevent it from happening again and to ensure the safety of our personnel and facilities worldwide.

To that end, the Department of Defense has fully supported efforts by Congress and the State Department to review the events and decisions surrounding the attacks in Benghazi. We have made every effort to respond promptly to numerous requests for additional information, to provide briefings, to provide testimony to members and committees in Congress.

In fact, General Dempsey and I were among the very first U.S. Government senior officials to brief Congress on this tragedy. We appeared before this committee on September 14, 2012, 3 days after the attack, and provided the best information we had at that point as to what had taken place.

Additionally, the Defense Department participated in classified briefings and answered questions from the Intelligence, Foreign Affairs, Homeland Security oversight committees even when we were not called to testify. We've also provided all requested support to the Accountability Review Board that was co-chaired by Ambassador Pickering and by Admiral Mullen.

Based on the information we've compiled and the reviews that we've conducted, let me describe for you DOD's response to the events on September 11, some of the lessons that we've learned, and the adjustments we are making to our global force posture given continuing unrest throughout North Africa and the Middle East. In fact, in many places, if we get heads-up that we need the changes we've made have already resulted in early decisions to deploy additional security or withdraw diplomatic staff in advance of a crisis from Central America to Khartoum, from Tunisia to Yemen, from Egypt to Mali, and others.

While DOD does not have the primary responsibility for the security of U.S. diplomatic facilities around the world, we do work closely with the State Department and support them as requested. In the months prior to the Benghazi attack, as I've said, we had received from the intelligence community almost 300 reports on possible threats to American facilities around the world. Over the course of the day on September 11, General Dempsey and I received a number of reports of possible threats to U.S. facilities, including those in Cairo, Egypt. But there were no reports of imminent threats to U.S. personnel or facilities in Benghazi.

By our best estimate, the incident at the Temporary Mission Facility in Benghazi began at about 3:42 p.m. Eastern Daylight Time on September 11. The embassy in Tripoli was notified of the attacks almost immediately and within 17 minutes of the initial reports, about 3:59 p.m., AFRICOM directed an unarmed and unmanned surveillance aircraft that was nearby to reposition overhead the Benghazi facility. My understanding is that that UAV arrived about an hour and 11 minutes after the attack had begun

and was focused on the primary facility there to try to determine what was taking place.

Soon after the initial reports about the attack in Benghazi were received, General Dempsey and I met with President Obama and he ordered all available DOD assets to respond to the attack in Libya and to protect U.S. personnel and interests in the region. It's important to remember that, in addition to responding to the situation in Benghazi, we were also concerned about potential threats to U.S. personnel in Tunis, Tripoli, Cairo, Sanaa, and elsewhere that could potentially require a military response.

In consultation with General Dempsey and AFRICOM Commander General Ham, I directed several specific actions. First, we ordered a Marine Fleet Antiterrorism Secure Team, a FAST team, stationed in Spain to prepare to deploy to Benghazi. A second FAST platoon was ordered to prepare to deploy to the embassy in Tripoli. A Special Operations Force which was training in Central Europe was ordered to prepare to deploy to an intermediate staging base in Southern Europe, Sigonella, and a Special Operations Force based in the United States was ordered to deploy to an intermediate staging base in Southern Europe as well at Sigonella.

Some have asked why other types of armed aircraft were not dispatched to Benghazi. The reason simply is because armed UAVs, AC-130 gunships, or fixed-wing fighters with the associated tanking—you've got to provide air refueling abilities—armaments—you've got to arm all the weapons before you put them on the planes—targeting and support facilities were not in the vicinity of Libya. And because of the distance, it would have taken at least 9 to 12 hours, if not more, to deploy these forces to Benghazi.

This was, pure in simple, in the absence, as I said, of any kind of advance warning, a problem of distance and time. Frankly, even if we were able to get the F-16s or the AC-130s over the target in time, the mission still depends on accurate information about what targets they're supposed to hit, and we had no forward air controllers there. We had no comms, no communications with U.S. personnel on the ground. And as a matter of fact, we had no idea where the Ambassador was at that point to be able to kind of conduct any kind of attacks on the ground.

The quickest response option available was a Tripoli-based security team that was located at the embassy in Tripoli. And to their credit, within hours this six-man team, including two U.S. military personnel, chartered a private airplane, deployed to Benghazi. Within 15 minutes of arriving at the annex facility, they came under attack by mortar and rocket-propelled grenades. Members of this team, along with others at the annex facility, provided emergency medical assistance and supported the evacuation of all personnel.

Only 12 hours after the attacks had begun, all remaining U.S. Government personnel had been safely evacuated from Benghazi.

Looking back, our actions in the immediate aftermath of these attacks have been subject, obviously, to intense scrutiny and review. But let me share with you the conclusion of the Accountability Review Board, which I believe accurately assessed the situation. I quote: "The inter-agency response was timely and appropriate, but there simply was not enough time, given the speed of

the attacks, for armed U.S. military assets to have made a difference. Senior-level inter-agency discussions were under way soon after Washington received initial word of the attacks and continued throughout the night. The board found no evidence of any undue delays in decisionmaking or denial of support from Washington or from the military combatant commanders. Quite the contrary, the safe evacuation of all U.S. Government personnel from Benghazi 12 hours after the initial attack and subsequently to Ramstein Air Force Base was the result of exceptional U.S. Government coordination and military response and helped save the lives of two severely wounded Americans.”

Still, after all of that, it is clear that there are lessons to be learned here and steps that must be taken to ensure that we’re doing everything possible to protect our personnel and our facilities abroad. So in concert with the State Department and the intelligence community, we are in the process of developing enhanced security for U.S. persons and facilities in the wake of Benghazi.

There will always be a tension between mission effectiveness for personnel, the ability to get out and do what they’re supposed to do in these countries, and their physical security. We’re committed to steps that avoid a bunker mentality and yet we still must afford greater protection from armed attack.

We’re taking steps along three tracks. First, host nation capacity. We have been able to better assess and build up the capabilities of host governments to provide security for U.S. personnel and facilities. The fact is, as you all know, that our embassies and consulates depend on host country personnel to provide the first line of security. And this episode raises concerns about the ability of some newly-established or fragile governments to properly secure U.S. diplomatic facilities.

To address these concerns, we are working with the State Department in considering how DOD can better help host nations enhance the security provided to our diplomatic facilities. Where permissible and appropriate, in collaboration with the Secretary of State and the U.S. Chief of Mission in the affected country, we believe that the Defense Department can assist in their development using a range of security assistance authorities to train and equip those forces in the host country, and we are doing exactly that.

Second, we have to enhance diplomatic security. We’ve got to harden these facilities. We again are working with the State Department to try to reassess diplomatic security overall, to determine what changes may be required. We assisted the State Department in the deployment of an inter-agency security assessment team to evaluate the security level at 19 vulnerable diplomatic facilities, including our embassy in Libya, and we’re in the process of developing recommendations on potential security increases as required.<sup>a</sup>

As part of this review, we have also considered how the role, mission, and resourcing of the Marine security guards could be adapted to respond to this new threat environment. In the near term, we’ve agreed with the Department of State to add 35 new Marine security guard detachments—that’s almost a thousand marines—over the next two, three years, in addition to the 152 detachments that are in place today. We’re working with State to identify those

specific locations for the new detachments and we will identify any necessary resource and force structure adjustments in order to support this initiative.

Although there was not a Marine security guard detachment posted to the Benghazi Temporary Mission Facility, based on our review of all embassy security incidents that occurred in September of 2012, in Tunis, in Cairo, in Khartoum, and in Sanaa, we have initiated coordination with the Department of State to expand the Marines' role beyond their primary mission of protecting classified information. As some of you know, their primary mission is not providing outside security. Their primary mission is to protect classified information. But we believe that we can try to augment their role in terms of providing greater security protection as well.

This could include the expanded use of non-lethal weapons, additional training and equipment to support the embassy regional security officer's response options when host nation security force capabilities are at risk of being overwhelmed.

The third area is enhanced intelligence and military response capacity. We are focused on enhancing intelligence collection and ensuring that our forces throughout the region are prepared to respond to crisis if necessary. The U.S. military, as I've said, is not and, frankly, should not be a 9-11 service, capable of arriving on the scene within minutes to every possible contingency around the world. The U.S. military has neither the resources nor the responsibility to have a firehouse next to every U.S. facility in the world. We have some key bases, particularly in this region. We have some key platforms from which we can deploy. And we have forces on alert and we're prepared to move. But our ability to identify threats, to adjust posture, to prevent plots and respond to attacks to our personnel at home and overseas depends on actionable intelligence and it always will.

Therefore, we're working with the State Department and the intelligence community to ensure that our collection and analysis is linked with military posture and planning. We're working to enhance our intelligence collection, to improve the responsiveness of contingency assets, and to adjust the location of in extremis reaction forces. At the same time, we're working closely with State to ensure they have our best estimate of response times for each at-risk diplomatic facility, so that they can make the best informed decisions about adjustments to their staff presence in areas of increased security threat.

We've deployed key response forces abroad. We have reduced their response time. But let me again say to you that even those forces that are on a tight alert time of N plus 2, notice plus 2 hours to be able to get on a plane, once those forces are put on airlift it still requires many hours in that part of the world to fly distances, long distances, in order to be able to respond.

I firmly believe that the Department of Defense and the U.S. Armed Forces did all we could do in the response to the attacks in Benghazi. We employed every asset at our disposal that could have been used to help save lives of our American colleagues. We will support efforts to bring those responsible to justice and we are working with the task force involved and headed up by the FBI to do just that.

As I said, going forward we intend to adapt to the security environment to ensure that we're better positioned and prepared to support the Department of State in securing our facilities around the world. But in order to be able to effectively protect the American people and our interests abroad at a time of instability, we must have an agile and ready force able to quickly respond.

Above all—and forgive me for being repetitious—we have got to end the cloud of budget uncertainty that hangs over the Department of Defense and the entire U.S. Government. I've got to use this opportunity to express again my greatest concern as Secretary and frankly one of the greatest security risks we are now facing as a Nation, that this budget uncertainty could prompt the most significant readiness, military readiness, crisis in more than a decade.

The Department of Defense faces the prospect of sequestration on March 1. If Congress fails to act, sequestration is triggered. And if we also must operate under a year-long continuing resolution, we would be faced with having to take about 46 plus billion dollars out of the defense budget and we would face a \$35 billion shortfall in operating funds alone for our Active Forces, with only a few months remaining in the fiscal year.

Protecting the warfighters, protecting the critical deployments we have, we're going to have to turn to the one area that we have in order to gain the funds necessary, and that's reduction, it's maintenance. This will badly damage our national defense and compromise our ability to respond to crises in a dangerous world.

The responsibility of dealing with this crisis obviously rests with the leadership of the Nation. I know the members of this committee share the deep concerns that I have raised about sequestration and obviously I urge you to do whatever you can to try to avoid this threat to our national defense.

The State Department and the intelligence community obviously also must be provided the resources they need in order to execute the missions that we expect of them, including the enhancements that I've described today. Whatever steps are required to be taken to properly posture U.S. forces for possible emergency response operations, those steps would be seriously impacted by the readiness crisis caused by uncertain resources.

We have a responsibility, and I take that responsibility seriously, to do everything we can to protect our citizens. That responsibility, however, rests with both the Executive Branch and Congress. If we work together, we can keep our Americans safe.

Thank you.

[The prepared statement of Secretary Panetta follows:]

Chairman LEVIN. Thank you very much, Secretary Panetta.

General Dempsey.

**STATEMENT OF GENERAL MARTIN E. DEMPSEY, CHAIRMAN,  
JOINT CHIEFS OF STAFF**

General DEMPSEY. Thank you, chairman and Senator Inhofe. I will compress my opening remarks, just if you would allow me to endorse what the Secretary just said, in particular the part about the effect of sequestration.

I would also say that this hearing continues our full support to every effort and every request to understand and learn from this tragic event.

I want to also commend the men and women of our Nation's diplomatic corps. They are selfless and courageous. They do hard things in hard places. I've stood with them in Iraq and in Afghanistan, where their words are America's reputation and where their outstretched hand is America's promise.

In Benghazi we lost four fellow servants of the Nation, Chris Stevens, Sean Smith, Tyrone Woods, and Glen Doherty. To their family and friends, I offer my personal condolences. We mourn their deaths even as we honor their service. We honor them most by taking what we learned from their loss to prepare for an uncertain future.

Thank you.

[The prepared statement of General Dempsey follows:]

Chairman DEMPSEY. Thank you very much, General Dempsey.

Let's have a 7-minute round for the first round to get to everybody, and if we need a second round we can do that. We got a little bit of a late start here this morning.

Secretary, you ended up with your plea on sequestration and the need to avoid it, and I totally agree with you. There I think is near universal agreement, perhaps universal on this panel, about the devastating impacts that sequestration is likely to have on the Department of Defense and on other Federal agencies as well.

I believe, as you do, that it is incumbent on Congress and the Executive Branch to work together to avoid sequestration. Toward that end, I as one member of the Senate have advocated for a balanced solution to sequestration that includes both revenues and spending cuts. I've suggested a specific proposal that would raise revenues by closing loopholes that some corporations use to avoid taxes by shifting income outside of the United States. I've worked with colleagues and in the Senate on suggested solutions. I will continue to do so and your clarion call here this morning I hope will encourage all of us to work in any way that we can to avoid sequestration.

Now, yesterday you spoke in Georgetown, announced a series of steps that the Department will have to take almost immediately with respect to deployments, maintenance, contracts, other obligations if Congress and the President don't act soon to address the issue. We've received memoranda from other senior Department of Defense officials laying out steps that would have to be taken if sequestration is not avoided.

Can you give us a timetable? You've already announced some actions that you're taking, which you're putting in place now, so that even if we can avoid sequestration in the next few days or a week from now or two weeks from now, some things are being taken even before the end of February and before we know whether we can avoid sequestration. Can you tell us, first of all, whether or not these actions would be reversible if in fact we avoid sequestration in, say, a week from now or two weeks from now? And do you echo the President's call for a balanced approach to avoid sequestration, to include both spending cuts and additional revenues?

Secretary PANETTA. Mr. Chairman, first of all, let me—let me indicate, and I think General Dempsey can add to this, the reason we're having to do this and take actions now is because we're operating at a spend rate right now that envisions that we would have gotten an fiscal year 2013 appropriations bill. Unfortunately, we have no fiscal year 2013 appropriations bill. We've got a CR.

But we've been operating at least in these first months based on a spend rate that is in line with what we thought we were going to get for fiscal year 2013. If sequester hits on March 1 and then if we get a CR, as opposed to getting an appropriations bill, then we're going to be obligated, as you know, to take out almost \$46 billion plus out of our budget. And that would have to take place in the remaining months of this fiscal year.

If we protect the warfighters, if we protect those in Afghanistan, if we protect some of our critical deployments, we're looking at having to take most of that, as I said, out of readiness. So what we're trying to do is to slow down that rate of spending that's going on so it will not require as deep a dive as we're going to have to have in readiness—so what we're doing and what I've urged the Chairman and the Service Chiefs is to take steps to try to implement savings now.

We've implemented a freeze on hiring. We've implemented a freeze on temporary hires. We're probably going to impact about 46,000 jobs. We are impacting about 46,000 jobs just by doing that. We're cutting back on maintenance. We're cutting back on other areas in order to try to find what we can.

Most of this is reversible. Most of this, if we don't get sequester, we're going to be able to reverse and be able to get back on track. But obviously if we hit sequester then—some say sequester might just happen for a period of a few weeks, which I doubt, frankly, if it goes into effect. But the impact of sequester then will multiply the impact on our readiness.

Look, there's only one way to deal with this. I mean, I've been saying it time and time again and I think there are members here that agree. You've got to address the larger deficit issue, and to address a large deficit issue in my own experience, having participated in every budget summit that we've had in past years, you've got to be able to develop a balanced package in order to do that. That's just the nature of dealing with the size deficits that you've got.

My preference, frankly, is that Congress would do the big deal, get it done, get this behind us, de-trigger sequester, stop this constant uncertainty, this month to month situation where we don't know what the hell we're going to get. That should end.

In the absence of that deal, obviously I'll support whatever package you can put together to try to dettrigger sequester, whatever you can do to make sure this doesn't happen. I cannot imagine that people would stand by and deliberately hurt this country in terms of our National defense by letting this take place.

General DEMPSEY. I'll only add briefly that most of the things we're doing are reversible. That is our goal, that they would be reversible. But even if you reverse them, it will take some time, and I can't predict that yet. We're trying to stretch readiness.

I want to make sure you realize one other thing. We took the decision on the carrier postponement very seriously because there's a human dimension to this. If you're getting ready to deploy, you cancel your rent, potentially you cancel your apartment, you sell your car, you cancel education classes. There's a human aspect to this. And now we postpone it and they're still there. So the effects are felt even now.

Chairman LEVIN. Okay, I guess that ends my time.

Senator Inhofe.

Senator INHOFE. Thank you, Mr. Chairman.

I think the skunk is about to arrive at the picnic, but I'd like to share a couple of things, first of all clarify some things to make sure that we all understand things that are incontrovertible facts. The National Military Command Center at the Pentagon, after receiving the initial reports of the incident from the State Department, notified the Office of the Secretary of Defense and Joint Staff. This information quickly passed on to the two of you, is that correct?

Secretary PANETTA. That's correct.

Senator INHOFE. General Ham—I have a great deal of respect for General Ham and his two predecessors after we developed AFRICOM. I was somewhat significant in that effort. And of course AFRICOM, with the exception of Egypt, has the continent and it has the control of that. It would have operational control of the DOD assets in the event that action in and around Libya would be necessary.

Now, AFRICOM consistently faces resourcing shortfalls. I know that sometimes you don't hear this loud and clear, but we do over a period of time. We know you can't continue to expand into new areas, as we did in AFRICOM. Let's keep in mind, we didn't have any activity there, and you know this, prior to the time that we made the conscious decision after September 11, the original September 11, that we have a serious problem in Africa and we're going to have to deal with that problem. And we came up with the idea of forming five African brigades. A lot of these things are going on right now.

Did you have any conversation, either one of you, with General Ham regarding the security situation in North Africa prior to these attacks the subject of today?

Secretary PANETTA. Senator, I'm in almost continual touch with General Ham. He provides me regular reports from AFRICOM as to the issues he's dealing with. There is no question that that area of that combatant command has increased in terms of the threats that we're dealing with and it's increased in terms of the issues related to going after elements of al Qaeda.

Senator INHOFE. Did he ever request additional assets there, Mr. Secretary?

Secretary PANETTA. Senator, my view was whatever General Ham asked, we did more than try to respond.

Senator INHOFE. I know you did, and we did, too. And I've talked to him about this and we know that the assets just weren't available when you look at the other places. I mean, it's not as if only one place is on fire. They're all on fire right now and this is the problem that we've got.

The Washington Post columnist said that the President had a briefing with the principals committee to review the threats and the mitigation of the threats. This would have been the day before. The principals committee it's my understanding is made up of the Secretary of Defense, Secretary of State, the Director of National Intelligence, and some others.

Were the two of you at this hearing or this meeting? It would have been the day before, September 10.

Secretary PANETTA. I believe I recall being at a meeting that kind of looked at what the potential threats were as a result of going into September 11.

Senator INHOFE. At that meeting—I have a chart over here, and I'm sure you've had a chance to see it. No one questions the chain of events that happened. On the left side are the things that happened prior to all of this, what I consider to be warning signals that anyone should be able to look.

Recognizing the resource problem that we have, what was the assessment of the threat in Libya at the time of this principals committee meeting, either one of you?

General DEMPSEY. If I could, Senator, the meeting is a routine monthly review of counterterror operations worldwide.

Senator INHOFE. And it happened to be on the 10th, yes.

General DEMPSEY. Right. It wasn't uniquely focused on North and Western Africa, although clearly North and Western Africa is an area of emerging threat.

Senator INHOFE. I'm sure that subject was there. I can't imagine it wouldn't be with all the problems that are on that chart and that you're aware of.

Let me—the only thing I'd say in criticism of you, Mr. Secretary, is you've said so many times and you gave such a passionate plea to resolve this problem. You've talked about the problem is there. You can't continue to look at Congress when in fact we have in the President's own budget in the four years, the first four years that he was there, \$5.3 trillion in deficit. It's an oversimplification, but you can say that almost all of government under his budget has increased by about 10 percent, except for the military, except for defense.

Now, I can debate that with anyone who wants to debate, but that has to be said because this is a problem that we have dealt with and you've talked about. But we've got to get on record that this administration has not given the priorities to the military, and that's my statement you can either agree with or not agree with. We're going to have to do something about it.

About an hour and 20 minutes after the first attack on the Benghazi compound, Secretary Panetta, you and Chairman Dempsey were at the White House for a pre-scheduled meeting on a different topic at that time. I think that's when Tom Donilon came in and informed all of you and the President about what happened in Benghazi. Is that about the right time frame?

Secretary PANETTA. Yes. I think we have regular meetings with the President. This was one of our weekly meetings with the President. I should tell you that just before I went into that meeting I got an update that there had been the attack there. So it was something I introduced to the President.

Senator INHOFE. Oh, I see. Okay, that's a good clarification.

Let me do this in the interest of time. I want to make two definitions here. One would be the definition, I call it the "compound," some call it the "Temporary Mission Facility," "TMF." It doesn't really matter what you call it. That was what would be comparable to an embassy, it was a compound.

The other attack—one attack was on the compound. The other was on the annex. That was about an hour later and that was about a mile away. So those two things we want to clarify. I think both of you would agree, those are two perhaps separate or it could be argued are separate attacks that took place.

The other definition that I'd want in terms is either these two attacks or one or the other would be classified as a spontaneous eruption of violence or a planned terrorist attack. I think CBS reported that the counterterrorism officials—okay, let me just run through this real quick here, if you'd give me a little tolerance here, Mr. Chairman.

Chairman LEVIN. Well, we do have to stick to our 7-minute rule. So a little tolerance, of course.

Senator INHOFE. A little tolerance, all right.

Chairman Dempsey, at the time of the meeting at the White House took place, about 11 o'clock, would you have—how would you have characterized the attack on the—or either one of you—on the compound, not the annex; the compound?

General DEMPSEY. At that point I didn't know. I just knew there were Americans—

Senator INHOFE. It could have been either one, couldn't it?

General DEMPSEY. That's right.

Senator INHOFE. It could have been a spontaneous thing or it could have been preplanned. We don't know that right now.

General DEMPSEY. Right.

Senator INHOFE. But I would say—have to ask you the same question about the annex. Wouldn't you agree that that was a preplanned terrorist attack unequivocally?

Secretary PANETTA. At the time, obviously, when this was going on, we weren't sure what was taking place there. But when I later found out that you had RPG's and mortars and there was an attack on that second facility, there was no question in my mind it was a terrorist attack.

Senator INHOFE. My position on that would be that they knew that at the time, because I've talked to several different people who stated that they knew it, and unequivocally that would have been a terrorist attack.

And of course, the thing I'm getting—do you agree, Mr. Secretary, that it was unequivocally a terrorist attack on the annex?

Secretary PANETTA. When I appeared before this committee three days afterwards, I said it was a terrorist attack.

Senator INHOFE. Very good. And that's what John Brennan said also, and he used the word "unequivocally." I would have to say that we'll have to understand some time, someone's going to have to ask the question: If that was true and we knew all of that at the time on that Sunday that this presentation by Susan Rice, Ambassador Rice, before all of America said it was—we have today is

that—the fact was this was not a preplanned, premeditated attack, unquote.

I won't even ask you to respond to that, but I think it's important that people understand that everybody knew on that Sunday that it was a preplanned, premeditated attack.

Thank you for your tolerance, Mr. Chairman.

Chairman LEVIN. Thank you.

Senator Reed.

Senator REED. Thank you, Mr. Chairman.

Thank you, Mr. Secretary and General Dempsey.

There were, as you point out in your testimony, two attacks, one on the compound, one on the annex. But as the time chart indicates, there seems to be a significant gap between the first attack on the annex at midnight and the deployment of mortars and RPG's. Did that indicate to either of you that this—it took a while for them to sort of organize themselves to conduct a full-blown attack on the annex, that in fact it was something akin, General Dempsey, to one of a meeting engagement, where they seized an opportunity and then they quickly fill in and supplement their fire-power and begin a much more coordinated attack, suggesting there was a degree of improvisation here as well as planning?

General DEMPSEY. Well, the second one, Senator, was clearly much more deliberate, much more planned, but probably was as well opportunistic, because the people had moved from the Temporary Mission Facility. And there was a considerable gap.

But I would say two things in addition. One is, we accept the general time line. And also—because it's consistent with the Accountability Review Board.

The second thing, though, is the gap didn't cause us to do anything differently. We acted based on the first attack and it was a matter of time and distance at that point.

Senator REED. Both the timing of the attack suggests—and it's very difficult to sort out—a degree not only of planning, but improvisation; is that a fair judgment?

General DEMPSEY. I haven't thought about the word "improvisation." It was very well executed. They dropped six mortar rounds on a roof at some distance. That was pretty well done.

Secretary PANETTA. I think there's no question that it was deliberate, it was opportunistic. I really believe that a lot of this was pre-coordinated, particularly with regards to the second attack.

Senator REED. Very good.

Going forward, Secretary Panetta, you have already indicated that you're going to augment embassy security personnel with additional Marine forces. You also point out, which I think was not entirely apparent before this attack, that the Marines' major mission was really not—was internal security and protection of classified documents.

Secretary PANETTA. That's right.

Senator REED. And now you're talking about an enhanced mission. Can you suggest some aspects of this enhanced mission?

General DEMPSEY. Yes, sir. Thanks. The Marine security guards actually have fundamentally three missions: principally the protection of classified materials. They have a secondary mission of help-

ing to protect the personnel who occupy the embassy; and the third one is support for communications.

What we're looking to do is, in select locations around the world, with the support and collaboration of the State Department and with the Marine Corps, obviously, who have to build this, is to, let's call it, thicken certain locations. But to be clear, we will never be able to put a Marine security detachment into a country which is located in a hostile area. The host nation has to guarantee at some level the protection of our facilities or we should make a decision to thin it out or potentially close it.

Senator REED. Another related aspect of this issue is that clearly, even with this expanded role, that security at diplomatic missions is the responsibility of the State Department and the resources for that, other than the Marine presence, are State Department resources, and those resources in your view to complement what you're doing should be enhanced, Mr. Secretary?

Secretary PANETTA. That's correct. We are working with the State Department and that's why we came up with this almost thousand more Marines that we would try to deploy at those embassies that are identified as the most vulnerable.

Senator REED. Let me follow up on the issue of AFRICOM, because it is our newest CINC. You have taken steps to provide them with more ready reaction forces, for want of a better term. Can you indicate the current posture of what General Ham has available, understanding it's a big AO, long distances, and if you don't have adequate intelligence it's hard to even preposition resources to react. But what have you been doing to help?

General DEMPSEY. I would never drag you into our internal processes, but we have an annual process called the global force management process, where combatant commanders and service chiefs collaborate on distribution of the force worldwide based on the threat assessments, national security interests.

AFRICOM is particularly challenged because of the commitments we have elsewhere, but also because of the lack of basing and authority to place facilities internal to the continent. And as a result, most of their resources reside in southern Europe or afloat when we have them.

In terms of what we've done to augment, he will have, effective 1 October, his own Commander's In Extremis Force. We have positioned Fleet Antiterrorism Support Teams and put them on a various changing level of alert posture. So if you think about response, it's a combination of alert posture and flight time, with the necessary, if you can get it, access into a country to land and flow. We are better postured today to respond to preemptive requests from the State Department, in other words left of bang, than we were. When something happens, it becomes a far different situation.

Senator REED. Thank you.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Reed.

Senator McCain.

Senator MCCAIN. Thank you, Mr. Chairman.

Secretary Panetta, I join with all others in thanking you for your many years of service. It's been an honor to have known you and

appreciate your leadership of the Department of Defense. I'm sure you will continue to contribute in the future, and we will miss you.

General Dempsey, I was just going over your written statement and I have to admit it's one of the more bizarre statements that I have ever seen in my years in this committee. When you're talking about the Benghazi issue you say: "We positioned our forces in a way that was informed by and consistent with available threat estimates." Then you go on to say: "Our military was appropriately responsive," even though seven hours passed and two Americans died at the end of that. Then you go on and say: "We did what our posture and capabilities allow."

There's a base at Souda Bay, Crete, General. There's a base there. It's about an hour and a half flight by a—I've forgotten the kind of plane that I took when I went to Benghazi. There was—including in all of those factors on that board there, there was a message sent, an urgent message sent back to the State Department on August 15 that they, quote, they could not, the consulate "could not withstand a sustained attack on the consulate."

On September 11, I will argue that there was no outpost in all of our diplomatic corps that had that sequence of events, these warnings, including many warnings from our Ambassador about the lack of security, including even a message that was found in the rubble of the consulate by a CNN reporter weeks later.

So for you to testify that our posture did not allow a rapid response—our posture was not there because we didn't take into account the threats to that consulate, and that's why four Americans died. We could have placed forces there. We could have had aircraft and other capabilities as short distance away as Souda Bay, Crete.

So for you to testify before this committee that they were consistent with available threat estimates is simply false. That our military was appropriately responsive—what would have been an inappropriate response, since any forces—no forces arrived there until well after these murders took place and obviously your capabilities allowed you to be positioned to intervene very shortly?

Finally, all of this is a result of the so-called light footprint. After Qaddafi fell many of us made it very clear that they needed our help—secure the arms caches, help them secure their borders, a lot of technical assistance. But the light footprint, we did not provide. So it was almost predictable, almost, maybe not predictable, that bad things were going to happen in Libya, because here was a fledgling government that had never governed before, without the assistance that we could have provided them with.

I begged you, Secretary Panetta, for example, to send a hospital ship over there to help treat their 30,000 wounded. What did we do? We sent a couple to hospitals in the United States of America.

So I'll be glad to hear your response, General Dempsey, as to how the available threat estimates you were informed by, how our military was appropriately responsive since seven people—since four people died seven hours later, with the thousands—hundreds of airplanes, ships, planes, and men and women who are serving available in that part of the world; and how did you do what your posture and capabilities allowed?

General DEMPSEY. Thank you, Senator. Let me begin by saying I stand by my testimony, your dispute of it notwithstanding. But I would like to say that we based—

Senator MCCAIN. Perhaps you can give me some facts that would substantiate it.

General DEMPSEY. Sure, I will, Senator. We base our response on the combined effects of what we get from the intelligence community—and that's the network of intel agencies—as well, importantly, based on what we get from the State Department and the chief of mission and chief of station in the country.

Senator MCCAIN. Did you ever get the message that said they could not withstand a sustained attack on the consulate?

General DEMPSEY. I was tracking that intelligence. I was tracking through General Ham—

Senator MCCAIN. Did you receive that information?

General DEMPSEY. I did, and I saw it—

Senator MCCAIN. So it didn't bother you?

General DEMPSEY. It bothered me a great deal. But we never received a request.

Senator MCCAIN. Then why didn't you put forces in place to be ready to respond?

General DEMPSEY. Because we never received a request to do so, number one; and number two—

Senator MCCAIN. You never heard of Ambassador Stevens' repeated warnings about the lack of security?

General DEMPSEY. I had, sir, through General Ham. But we never received a request for support from the State Department, which would have allowed us to put—

Senator MCCAIN. So it's the State Department's fault?

General DEMPSEY. I'm not blaming the State Department. I'm sure they had their own assessment.

Senator MCCAIN. Who would you blame?

General DEMPSEY. Sorry, sir?

Senator MCCAIN. Who is responsible, then? It is clear that an assessment was made that they could not withstand a sustained attack on the consulate, with it being September 11 and many other indications that are on that board over there and the various attacks that have already taken place.

General DEMPSEY. I stand by the report of the Accountability Review Board. But I would also say, Senator, I was also concerned at that time with Sanaa in Yemen, Khartoum, Islamabad, Peshawar, Kabul, Baghdad. We had some pretty significant intel threat streams against those places as well.

Senator MCCAIN. I've seen some of those estimates and none of them rose to the level of the threat in Benghazi. Did they rise to that level, that they could not withstand a sustained attack?

General DEMPSEY. Yes.

Senator MCCAIN. They did?

General DEMPSEY. Yes, they did.

Senator MCCAIN. Well, so basically you're saying what our postures—our capabilities allowed, you did what our capabilities allowed. We didn't have the capability to station forces as short as Souda Bay, Crete?

General DEMPSEY. Well, there were forces—

Senator MCCAIN. Do we have those capabilities?

General DEMPSEY. We do have those capabilities, but even those—

Senator MCCAIN. But we didn't do—but we didn't use those capabilities.

General DEMPSEY. Well, sir, based on time, distance, and alert posture, as I said to Senator Reed a moment ago, they wouldn't have gotten there in time.

Senator MCCAIN. It's an hour and a half flight, General, if you'd have had them based there at Souda Bay, Crete.

Finally, I would ask again both of you what I asked you last March when 7,500 citizens of Syria had been killed. It's now up to 60,000. How many more have to die before you recommend military action? And did you support the recommendation by Secretary of State, then Secretary of State Clinton, and then head of CIA General Petraeus that we provide weapons to the resistance in Syria? Did you support that?

Secretary PANETTA. We did.

Senator MCCAIN. You did support that?

General DEMPSEY. We did.

Senator MCCAIN. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much.

Senator Udall.

Senator UDALL. Good morning, gentlemen. Thank you for appearing here today. I also want to add my voice to those here, Mr. Secretary, in thanking you for your long service to our country, and we wish you well as you return to your walnut farm and your grandchildren in California.

General, I'd like to look more broadly at the challenges that we face in Africa. I want to acknowledge that on September 11, 2012, when this tragic incident occurred, that you were fighting a war in Afghanistan, you were conducting counterterrorism missions all over the globe, training troops, patrolling our skies and seas, hunting war criminals, and providing humanitarian relief. And despite that enormous mission load, you've clearly taken the deaths of these four State Department employees in Benghazi to heart as if they were your own. We will learn from this. We will do everything possible to ensure that doesn't happen again. Secretary Clinton made that clear in her compelling testimony over the last weeks and I know you share that point of view.

So again, turning to Africa, I know that we've conducted training and developed partnerships with a number of African militaries for years, I think in North Africa as well as in the Sahel. Talk a little bit about those training relationships, those formal ties, and how they're going to help us deny extremists the opportunity to develop footholds in that part of the world? Specifically, should we be expanding training missions like Operation Flint Walk or building other DOD-State Department partnership programs in the AFRICOM OR?

General DEMPSEY. The short answer is yes, but I won't stop at the short answer. The threat network that exists in North Africa and West Africa is a group of disparate organizations, some of which aspire to and have in fact embraced the al Qaeda ideology,

who network themselves and syndicate themselves as they find common cause or to take advantage of ungoverned space.

So to your point, Senator, what we're seeing here in the aftermath of, call it what you will, the wave, the Arab Spring, the changes in North and West Africa which have created some ungoverned space, is in fact a place where we have to be very careful not to allow these movements to take sanctuary.

We are always best at addressing those working through partners, whether they're bilateral partners. It's a little challenging now to have a relationship with a bilateral military force that is itself brand new in some of these countries. So we've been also working with regional security apparatus, for example AMISOM in Somalia, ECOWAS in West Africa, Economic Community of West African States.

To your point, though, we do have to do more to enable those partners to control that ungoverned space so that it doesn't become sanctuary.

Secretary PANETTA. Senator, if I could.

Senator UDALL. Please, Secretary.

Secretary PANETTA. We've learned a lot about how to confront terrorists and al Qaeda-affiliated groups, not only from what we've done in the FATA and Afghanistan and Iraq, but the fact is that we have some very effective operations in Yemen. General Ham did an outstanding job in Somalia, where a few years ago we thought Somalia had no chance to be able to stabilize. But as a result of the countries in the region, as well as our providing some direct assistance there to assist the forces there and to be able to get the intelligence they needed to go after Al-Shabab, we have had a very effective operation there at undermining al Shabab and their strength in Somalia.

We're taking the same lessons, General Ham is taking the same lessons and applying those to other areas in the region, trying to determine how can we best assist the countries in the region through intelligence, through training, through our presence, be able to ensure that we develop better security in their countries as well. He's doing a great job at developing that capacity.

Senator UDALL. Mr. Secretary, would you—are you suggesting, I should say that part of what we've done in Somalia and what we see developing in these other countries is by focusing on resource shortages, creating more educational opportunities, using smart power, if you will, we're seeing some success? It's conditional success, but what's happening in Somalia gives us hope that there's further utility for these approaches?

Secretary PANETTA. I agree with that.

Senator UDALL. Could I turn, since you're here—and I know this is on everybody's mind—to sequestration. Would you lay out your thoughts generally or specifically? In particular, if we allow sequestration to take hold would that require fundamental change in our National military strategy?

Secretary PANETTA. Absolutely. I'd have to—as I've said, you know, look, the \$487 billion that we were handed through the Budget Control Act to be able to reduce the defense budget over ten years, we understood that we had a responsibility to do our part with regards to deficit reduction. But we wanted to do it in a way

that wouldn't hollow out the force or make these across the board cuts that would hurt every area of the military.

So we developed a strategy, a defense strategy, that we thought represented what the force of the 21st century ought to look like. And then we built a budget based on that. And we've recommended savings pursuant to that budget that were incorporated in our fiscal year 2013 budget. Frankly, we were doing the same thing for fiscal year 2014.

If sequester takes place and we suddenly have another half a trillion dollars that I've got to take out of the defense budget in an across the board fashion, frankly, the defense strategy we put in place I'd have to throw out the window, and we would clearly impact seriously particularly on maintenance and readiness. As I said, we would have a terrible readiness crisis.

But as time went on and the erosion that would take place in our capabilities, instead of being a first-rate power in the world, we'd turn into a second-rate power. That would be the result of sequester.

Senator UDALL. General Dempsey, if I could follow up on the Secretary's general analysis of where we are. We're talking about increasing the number of Marine security personnel at our embassies. If sequestration went into effect, how would that affect our other missions? I think this is—you're potentially robbing Peter to pay Paul.

General DEMPSEY. Well, that's right. We haven't done that analysis, but what I will say is it would cause us—we'd have to go back and look at our national security interests, as we always do, and make sure that we're addressing them in the right priority. I think where you would see it affect us most quickly and most prominently is in the—last year we talked about rebalancing to the Pacific. We also talk internally about the balance we have kind of vertically. If rebalancing to the Pacific is a horizontal activity, vertically we have to decide how much of the force can we have forward, how much rotational, how much in the home, in the homeland. That balance would change and you'd have less ability to project power forward, which means you're less able to deter, deter enemies and assure allies. That's a significant change.

The second place is in the defense industrial base. We would have significant challenges in our factories, in our depots, that will have a long-term effect.

Senator UDALL. I know my time has expired and you may want to answer this for the record later. But we're just finally, it feels like, getting a handle on OPTEMPO for our personnel, and what I hear you implying in that answer is that we're going to go right back to a one to one or a one to two even OPTEMPO for our men and women in uniform. We've asked a lot of them over the last 12 years. We've really stressed the force.

General DEMPSEY. I can answer that really quickly. You won't find this Chairman arguing that we need to do more with less. You'll find me arguing that if that happens we need to do less with less.

Senator UDALL. We'll leave it there. Thank you again, gentlemen.

Chairman LEVIN. Thank you, Senator Udall.

Senator Chambliss.

Senator CHAMBLISS. Thanks very much, Mr. Chairman.

Mr. Secretary, you and I have been friends for all of my now going on 19 years in Congress. I value that friendship and I'm very appreciative of your service to our country and your commitment to our country.

Gentlemen, both of you have in previous statements as well as in your comments today used the term "terrorist attack," "deliberate attack," "precoordinated attack," as well as other adjectives to describe this incident. Mr. Secretary, you have been a leader in the intelligence community, of course being at the CIA, so you've been on both sides of the issue, providing intelligence as well as receiving intelligence. Would you consider this incident to be an intelligence failure?

Secretary PANETTA. I think that some of the initial assessments that were made, they should have taken more time to assess the full situation as to what had taken place. In intelligence, like everything else, you make some initial assessments and then you go back and you look at it and look at it again, get more information, build a picture of what took place, and then, based on that, hopefully provide a much more accurate picture of what had taken place. I think some of the initial assessments here were not on the money.

Senator CHAMBLISS. General Dempsey, how would you respond as to whether or not this was an intelligence failure?

General DEMPSEY. You know, Senator, we get asked that question a lot, actually, after anything happens. This one I actually think of more as an intelligence gap. You know, I think there is an impression—there's two impressions that have kind of worked against us over time. One is that we can be as responsive as necessary. That's not always the case. There are some issues of time and distance and basing rights and overflight rights that actually affect us in our ability to be responsive.

The second one is that we can—we're kind of all-seeing and all-knowing. There are some places on the planet where we have some gaps and I think North Africa is probably one of them.

Senator CHAMBLISS. To both of you: If you had had intelligence that there was a storm brewing among this group of individuals, however we characterize them, with respect to an attack at some point in time on that facility in Benghazi, obviously you'd have been prepared for it; is that a fair statement?

Secretary PANETTA. There's no question. The example of that is we've had a number of other embassies that have faced, like Khartoum, that we thought there was a real threat to Khartoum. We had advance intelligence that that was the case and we were prepared to move people out. As a matter of fact, the embassy took steps to move some people out. We've done that there. We've done that in several other areas. Where we get that kind of advance notice, we can respond.

Senator CHAMBLISS. You're familiar with the time line that's on that chart over there. Suffice it to say that there were attacks on the embassy—excuse me, on the compound—beginning in March of 2012. There were a series of other attacks on western assets, both U.S., Red Cross, U.K. Was the President aware of that time line of all of those incidents that occurred?

Secretary PANETTA. I'm not sure.

Senator CHAMBLISS. Were each of you aware of each of those incidents that had occurred?

General DEMPSEY. We were. Every week General Ham sends a report to the Secretary of Defense on events in his area of responsibility and he copies me. He had been tracking the security situation in Libya.

Senator CHAMBLISS. And would that report not go to the President?

General DEMPSEY. No, not routinely.

Senator CHAMBLISS. Would you not have discussions with the President about hot spots around the world and what was going on?

General DEMPSEY. No, we do.

Senator CHAMBLISS. Do you know of any other place in the world, General Dempsey, where this number of attacks had occurred over this period of time?

General DEMPSEY. I do actually, Senator. This was not a unique situation. Look, in looking back at it, of course, it looks—it looks like it should have been crystal-clear that there was an attack imminent.

Senator CHAMBLISS. Where else outside of Afghanistan, outside of Iraq, have we had weapons fired on a compound, where we had a U.K. armored vehicle attacked, where we had a bomb thrown over the compound wall, where we had a UN special envoy attacked, where we had RPG attacks, and so forth and so on? Where outside of Afghanistan would that have happened?

General DEMPSEY. Well, Yemen, notably. We've had a great deal of challenges in Yemen.

Senator CHAMBLISS. We had that at our embassy at Yemen?

General DEMPSEY. And a consistent threat stream against the ambassador personally, yes.

Senator CHAMBLISS. So what response have you made in Yemen?

General DEMPSEY. At the request of the embassy, we've got a Fleet Antiterrorism Support Team there to thicken their defenses, and we've also got aircraft located in a nearby country that can respond in extremis.

Senator CHAMBLISS. So that's the second time you've used the phrase the State Department didn't request or in this instance in Yemen apparently the State Department did request. General Dempsey, I take that as a very weak response and reaction to this incident. You are the Chairman of the Joint Chiefs. You knew what was happening in Benghazi. You failed to respond in a way that provided security to that particular U.S. mission complex, when apparently you did respond in a positive way in Yemen, you say. Am I correct in that?

General DEMPSEY. Well, you're incorrect in saying I failed to respond to a request. Look, what we do is, in collaboration with our agency partners, is we try to distribute our resources.

Senator CHAMBLISS. General, you—

General DEMPSEY. I don't distribute them personally.

Senator CHAMBLISS.—you said earlier in response to Senator McCain that you were aware of the August cable from Ambassador

Stevens in which he said security at Benghazi is not adequate; am I correct?

General DEMPSEY. I was aware of Senator—yes, of course I was aware of it, because it came in in General Ham's report. General Ham actually called the embassy to see if they wanted to extend the special security team there and was told no.

Senator CHAMBLISS. Why was that the case, and who was it that said we do not need additional security at Benghazi to General Ham?

General DEMPSEY. I don't know where the—where that decision was eventually made. But it's in the Accountability Review Board result.

Senator CHAMBLISS. Well, my time is up, but your responses, General Dempsey, are very inadequate, and in my opinion the same kind of inadequacy for the security that you provided at that consulate.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Chambliss.

Senator Manchin.

Senator MANCHIN. Thank you, Mr. Chairman.

Secretary Panetta, let me thank you for your service, and General Dempsey, yours also. Secretary Panetta, we're going to miss you. There's many people who have served with you longer than I do, but I can imagine the fondness they have grown and the relationships you've had. I can only imagine if we'd had a few more dinners we'd have had the same.

General Dempsey, for your service I want to thank you, too. You've been most kind when I've been over to the Pentagon in trying to help me understand more of how we can totally secure our country and make it a better world.

West Virginia's proud to house the State Department Diplomatic Security Training Center, and the agents who fought bravely very likely might have been trained in that part of our great State. I understand also that pilots from the West Virginia National Guard out of our Clarksburg, WV, were some of the first to respond. They changed mission quickly and were ready to get resources into Libya, and it shows the strong force that the Guard and the support role the Guard plays.

So with that, gentlemen, I have just a few questions. First of all, I was here and I say one of my most profound moments and times of being a Senator was when I heard Admiral Mullen at that time, before he retired. The question was asked of him, what's the greatest threat the United States of America faces? I thought I'm learning about the different hot spots of the world and all the different things that were going on and the challenges we had as a Nation defending ourself in the world, and I was ready to hear. He said, without skipping a beat, the debt of our Nation is the greatest threat we face as a Nation.

I took that so seriously, and I've been committed to a large fix, a big fix, the Bowles-Simpson approach, which is the three-pronged template. We have had just a hard time moving forward on that.

Now we've come down to where we've said if we didn't get the fix we would have sequestering. So we're faced—the American public is watching us, engaging what we do, and what we say—if we

do what we say and fulfill our promises. If we can't come to the financial fix the country needs, sequestering is our penalty. We don't want to penalize and, like you say, hollow out the force, if you will.

How can we help fulfill our promise to the American people that we'll, since we can't come to this—I hope we can. I hope we avoid it. But if we don't, is there language we could give you to live with the amount of sequestering that the cuts will bring?

Secretary PANETTA. Senator, there is no fix here. I've got to tell you that it would be irresponsible for Congress to allow sequester to go into place. Sequester was not designed as a mechanism that was supposed to happen. It was designed to be so nuts that everybody would do everything possible to make sure it didn't happen. That's what sequester was about.

Now to say, well, somehow we can't come together to figure out what savings we have to put in place in order to trigger sequesters, so I guess we'll just have to let sequester happen, I think is irresponsible.

Senator MANCHIN. Well then, we'd have to, would you not agree if you were sitting still in Congress and we can't come to an agreement—I would hope that we could come to an agreement, that we can find a \$4 or \$5 trillion swing over ten years, is what's been recommended. And there's going to have to be reform and have to be revenue and there's got to be cuts in spending, and everyone has to participate.

I look at the spending and I look over the period of time. I think you and I have spoken about that. This is the least amount of drawdown post-war that we have asked for, but it seems to be doing the most damage. I think you were telling me the timing of it is hitting you harder than anything else; is that correct?

Secretary PANETTA. That's right.

Senator MANCHIN. If I can move on to General Dempsey. General, my question is, what is happening in Mali right now? If you can give me a little oversight on that. There's a weak central government, a strong al Qaeda presence, rampant armed militants. When you look at Mali, are there any lessons from Benghazi that can be applied to our security posture there?

General DEMPSEY. Well, to what's happening, the French have had some good success in pushing the armed groups north into the northern desert. The important point now would be to have the ECOWAS forces that they're training flow in behind them. Then at some point Mali will need help with its governance challenges because at some level these are also disputes between the Touregs and the northern Malians and the southern Malians.

But I do think there's always lessons to be learned. In terms of learning from Benghazi, I think, to your point about—we've been in close touch with the embassy in Bamako. They've thinned out the ranks a bit. That's a prudent measure.

As the Secretary said earlier, Senator, the way you avoid these issues in the future is somewhat with hardening, somewhat with early decisionmaking. When the security situation appears to be moving in a negative direction, the decision to either reinforce or to thin or to close needs to be taken in a timely fashion.

Senator MANCHIN. Secretary Panetta, after September 11 we undertook a whole-of-government approach to make sure our intelligence systems are integrated. I guess, can you tell me if something has gone wrong there and did we miss something? I mean, I'm hearing—people have legitimate concerns, great concerns, and our heart goes out and prayers go out to the families of our four brave Americans we lost, and we want to prevent that from happening.

But did something break down, sir, that we can repair?

Secretary PANETTA. You know, look. There obviously were a number of reforms on the intelligence agencies coming out of September 11, and I can tell you from my own experience that I think there was—we have developed tremendous teamwork within the Intelligence Community, in which we share information, we go after targets together, we develop the best analysis that we can on the threats that are confronting the country.

The problem that happens here—and this is something that does need attention—is whether or not we have the best intelligence assets, the best intelligence resources in the areas where we need good information. I mean, we've got a lot of assets around. We've got a lot of resources that are there. We've got SIGINT intelligence, we've got HUMINT intelligence. But if you have an area where you don't have resources there, if you don't have good intelligence, then it's going to create a gap, as General Dempsey said.

I think with regards to those specific individuals that were involved in this attack, there was a gap. We didn't have the intelligence that would have given us a heads-up that this kind of thing was going to happen. And that is something that we do need to pay attention to.

Senator MANCHIN. My time is up. Thank you both.

Chairman LEVIN. Thank you, Senator Manchin.

Senator Ayotte.

Senator AYOTTE. Thank you, Mr. Chairman.

I want to share in what all of my colleagues have said about your distinguished service, Secretary Panetta, and how grateful we are for everything that you've done for our country, deeply appreciate it. And I thank you both for being here.

I wanted to follow up, General Dempsey, on—as I understand it, you receive briefings from General Ham that would include intelligence reporting as well as the reports from the State Department, and you received those regarding the situation in Libya, including the information about the prior attacks within Benghazi, including those on our consulate; is that right?

General DEMPSEY. Yes, Senator. We get reports weekly from each combatant commander.

Senator AYOTTE. So as the ARB found, as well as the HSGAC did a report on this as well, but the ARB had said that there was a clear and vivid picture of a rapidly deteriorating threat environment in eastern Libya. Would you agree with that?

General DEMPSEY. Yes.

Senator AYOTTE. Okay, thank you. One of the things you had said is that, Secretary, that you were aware that Ambassador Stevens, of his cable that said the consulate could not withstand a coordinated attack; is that right?

Secretary PANETTA. Correct.

Senator AYOTTE. General, you had said that previously you were aware of that?

General DEMPSEY. Yes, I was aware of the communication back to the State Department.

Senator AYOTTE. And you said that the State Department didn't request assistance; is that right? General, I believe you said that?

General DEMPSEY. Yes.

Secretary PANETTA. That's correct.

Senator AYOTTE. Did you ever bring that to the attention of Secretary Clinton? I mean, this is a pretty surprising and shocking, important cable to receive from an ambassador, that where our people are housed could not withstand a coordinated attack. Did you ever speak with Secretary Clinton about that?

Secretary PANETTA. Senator, as I mentioned in my testimony, NCTC had identified almost 281 facilities that were under a threat of one kind or another. To deal with that, I mean, that's not our responsibility. That's the State Department's responsibility.

Senator AYOTTE. Well, I just want to—and I just would add my straightforward question, I think, and in particular to both of you, particularly to General Dempsey: You said you were aware of the cable. Did you ever bring it to Secretary Clinton's attention, given that it said from our Ambassador that the consulate could not withstand a coordinated attack? Yes or no?

General DEMPSEY. I did not. The cable was actually to the State Department, not to me.

Senator AYOTTE. I understand. But you were aware of it. It's a pretty important cable. And you said you were also aware of the deteriorating security situation.

General DEMPSEY. As a result of our meetings on the counterterrorism globally.

Senator AYOTTE. But you did not bring it to Secretary Clinton?

General DEMPSEY. I did not.

Senator AYOTTE. Did you ever bring it to the President's attention, either of you?

Secretary PANETTA. No.

General DEMPSEY. No.

Senator AYOTTE. Let me—based on the deteriorating security situation, we have this map that has the potential military bases in the area. As I understand it, we have F-16's at Aviano; is that true?

General DEMPSEY. That's correct.

Senator AYOTTE. Were they deployed that night?

General DEMPSEY. They were not.

Senator AYOTTE. Why not?

General DEMPSEY. For a couple of reasons. One is that in order to deploy them it requires the—this was the middle of the night, now. These were not aircraft on strip alert. They're there as part of our commitment to NATO and Europe. So as we looked at the time line, it was pretty clear that it would take up to 20 hours or so to get them there.

Second, Senator, importantly, it was the wrong tool for the job.

Senator AYOTTE. I guess it's not clear to me why would—you said in your testimony that we were on heightened alert on September

11—why it would take over 20 hours. We know that flight time for an F-16 is not, certainly not 20 hours, even if we were to refuel from Aviano. Given the deteriorating security situation that you've described, it really is—I don't understand why we didn't have armed assets somewhere in the area that could have responded in time at least for the second attack on the annex. That's not clear to me, and I think that is insufficient as we look at what happened here.

But I do have a follow-up question. Secretary Panetta, you said that you were in a briefing with the President of the United States.

Secretary PANETTA. Yes.

Senator AYOTTE. I believe it was about 5 o'clock our time. And you had just learned about the incident on the consulate. What conversation did you have with the President? What did he ask you to do as a result of this attack? And throughout the night what communications were you having with him? Can you tell us on a time line as to who was calling the shots there; if it wasn't him, another member of the White House?

Secretary PANETTA. At the time, we were concerned about Cairo and demonstrations in Cairo. And then we had just picked up the information that something was happening, that there was an apparent attack going on in Benghazi. And I informed the President of that fact, and he at that point directed both myself and General Dempsey to do everything we needed to do to try to protect lives there.

Senator AYOTTE. Did he ask you how long it would take to deploy assets, including armed aviation—

Secretary PANETTA. No.

Senator AYOTTE.—to the area?

Secretary PANETTA. He basically said, do whatever you need to do to be able to protect our people there.

Senator AYOTTE. Did you have any—so he didn't ask you what ability we had in the area and what we could do?

Secretary PANETTA. No, I think—I mean, he relied on both myself as Secretary and on General Dempsey's capabilities. He knows generally what we've deployed into the region. We've presented that to him in other briefings. So he knew generally what was deployed out there. But as to specifics about time, etcetera, etcetera, no, he just left that up to us.

Senator AYOTTE. Did you have any further communications with him that night?

Secretary PANETTA. No.

Senator AYOTTE. Did you have any other further communications—did he ever call you that night to say, how are things going, what's going on, where's the consulate?

Secretary PANETTA. No. But we were aware that as we were getting information on what was taking place there, particularly when we got information that the Ambassador, his life had been lost, we were aware that that information went to the White House.

Senator AYOTTE. Did you communicate with anyone else at the White House that night?

Secretary PANETTA. No.

Senator AYOTTE. No one else called you to say, how are things going?

Secretary PANETTA. No.

Senator AYOTTE. Okay. And since then has the President asked you, why weren't we able to get, in light of the second attack that occurred seven hours later, armed assets there in order to help those who were left and attacked in the annex?

Secretary PANETTA. The President has made very clear to both myself and General Dempsey that, with regards to future threats, we have got to be able to deploy forces in a position where we can more rapidly respond.

Senator AYOTTE. But just to be clear, that night he didn't ask you what assets we had available and how quickly they could respond and what we could do to help those individuals?

Secretary PANETTA. The biggest problem that night, Senator, was that nobody knew really what was going on there.

Senator AYOTTE. And there was no follow-up during the night, at least from the White House directly?

Secretary PANETTA. No, no, there wasn't.

Senator AYOTTE. Thank you.

General DEMPSEY. I would if I could just correct one thing. I wouldn't say there was no follow-up from the White House. There was no follow-up to my knowledge with the President, but his staff was engaged with the National Military Command Center pretty constantly through the period, which is the way it would normally work.

Senator AYOTTE. But no direct communication from him?

General DEMPSEY. Not on my part, no.

Senator AYOTTE. Thank you.

Chairman LEVIN. Thank you, Senator Ayotte.

Senator Gillibrand.

Senator GILLIBRAND. Thank you, Mr. Chairman.

Thank you both for being here today. Of course, thank you for your service. We're incredibly grateful for all that you do.

Secretary Panetta, you said in your November remarks to the Center for American Security about al Qaeda: "We've slowed the primary cancer, but we know that the cancer has also metastasized to other parts of the global body." Presumably, you're including Yemen, Somalia, Mali, and elsewhere. How would you recommend reorganizing our strategy to stem the growing and changing al Qaeda global threat?

Secretary PANETTA. We are working on that with the other agencies involved. What is needed here is a comprehensive strategy overall that focuses on al Qaeda and its various affiliates to make sure that they have no place to hide. We've obviously done a very effective job in the FATA, done a good job in Afghanistan, Iraq. We're doing a good job in Yemen and Somalia.

As these affiliates are beginning to appear elsewhere, in Mali and North Africa, in Syria, we have got to develop a comprehensive strategy that allows us to be able to develop operations against them wherever they're at. We're in the process of working on that strategy. We have already implemented some steps to try to deal with that. But we really do need to take a big picture view of all of the elements of al Qaeda and how we can best make sure that they have no place to hide.

Senator GILLIBRAND. I have some specific follow-up questions that I'll submit for the record, but they may be classified, the answers, so that's why I'll submit them separately.

I want to turn to cyber. According to recent reports, the Pentagon has approved a major expansion of its U.S. Cyber Command to include growing its ranks from approximately 900 to 4,900 personnel cyber warriors. According to these same reports, there will be three types of forces: those who will fortify DOD's own networks; those who will help commanders abroad plan and execute offensive attacks; and those who will protect critical infrastructure like power grids and power plants.

Needless to say, this is absolutely necessary to protect our Nation against what is becoming a leading security threat. However, I'm particularly interested in the last group, those who will protect national infrastructure. The majority of this critical infrastructure is owned and operated by the private sector. Given this, will the military rely on the National Guard, which is able to operate under both title 10 and 32 authorities?

General DEMPSEY. Senator, your description of how we are trying to prepare the force is accurate. We clearly don't have authority to do all of that, but we are trying to grow the right force so that if it became necessary and we had the authority to do all of those things we would be prepared.

The National Guard will always be part of any endeavor and I think we'll find the right balance of Active and Guard as we move ahead.

Senator GILLIBRAND. Are there any particular obstacles that you can see now in terms of using the Guard with a greater deal of responsibility in cyber?

General DEMPSEY. No, not uniquely, not any obstacles that we don't have as well on the active side.

Senator GILLIBRAND. And a broader question. How do you see our plan for recruiting and retaining enough cyber personnel, particularly ones capable of working in the offensive side? One idea that I had considered thinking through is, we do ROTC, but imagine doing ROTC specifically for cyber personnel. So you're getting these young men and women coming out of MIT and Stanford and RPI who are some of the country's greatest engineers early on, to hone their skills for cyber defense and cyber attack missions within the DOD.

Secretary PANETTA. Senator, let me just say, in talking to Keith Alexander at NSA, he does not have any shortage of young people that want to be part of that effort. They view it as an opportunity to get involved, be on the cutting edge of the technology with regards to cyber, develop tremendous skills there, and be able to then go out and use those skills in the private sector. So he's got a lot of young people, a lot of young very bright people, who are anxious to participate in this effort.

General DEMPSEY. To include coming out of our military academies.

Senator GILLIBRAND. Now turning to the subject of the hearing, Benghazi specifically. I would like to talk a little bit about what you've learned from these events and how you would advise the next Secretary of Defense to better prepare for similar events and

how the Department should adapt to the next generation, including obviously the metastazation of al Qaeda and other terrorist groups and cyber attack, both of which obviously pose very serious threats to the security of our homeland.

I'm specifically concerned that this was an attack in a country that the U.S. helped liberate from decades of dictatorship. That day, September 11, 2012, witnessed demonstrations in other countries that were part of the Arab Spring, countries that were supported—that we supported the voice of democracy. But throughout these countries we continue to see jihadists and fundamentalist movements align against us and against our interests, and perhaps funded by some of the Gulf countries.

What leverage would you—what leverage should we be using with the Gulf governments to address the support for groups that threaten our security?

Secretary PANETTA. As I've testified here, and I certainly would give this guidance to my successor, in dealing with these threats you have to address each area of concern. First of all, you've got to develop better host country capabilities. That's one of the gaps right now in some of these countries that we just saw, that they have not—they have not been able to develop a sufficient host force that provides that kind of security. We have got to work with them. We've got to bring as much leverage as we can on these countries, that they have a responsibility to be the first line of security for our embassies, and we have to help them develop the training and capabilities that are necessary to do that.

Second, we have to harden these facilities. We do have to strengthen the security around some of these embassies, be able to develop—add the additional marines that are necessary to try to help provide that security as well, and ensure that they have the right training for the security guards that are around that embassy.

Third, we need better intelligence. We just absolutely have to have good intelligence. Whatever we do, wherever we're located, if we don't get that advance intelligence, that heads-up that we need, there isn't any way that we can respond in time. So we have to have better intelligence as to what these groups are doing.

Then lastly, we have to have a response force in the vicinity to be able to respond quickly. Once we get a heads-up, once we get an indication that something's going to happen, forces have to be in place and have a shorter response time in order to be able to deploy. There's no question these response times were too long, and so we're trying to shorten that.

But I also want to just let you know that we are dealing with the problem of distance in that area. It takes hours to be able to respond. It's just the nature of being able to notify people, get them ready, get airlift there, make sure they can move quickly, and then fly to the target. All of that has to be considered.

But the more heads-up we get, the better off we can respond.

Senator GILLIBRAND. Thank you both very much again for your service and your testimony.

Chairman LEVIN. Thank you very much, Senator Gillibrand.  
Senator Graham.

Senator GRAHAM. Thank you, Mr. Chairman. Thank you for having the hearing.

Secretary Panetta, you will be missed. You've served our Nation well. You will be missed. General Dempsey, thank you for your service.

Now, this is a hearing about Benghazi. We've talked about sequestration, which is important. I just want to make sure that we understand what happened on September 11 regarding Benghazi.

Your testimony as I understand it, Secretary Panetta, is that you talked to the President of the United States one time?

Secretary PANETTA. Talked to him on September 11 with regards to the fact that we were aware that this attack was taking place.

Senator GRAHAM. One time?

Secretary PANETTA. Right.

Senator GRAHAM. What time did you tell him that?

Secretary PANETTA. I think that was approximately about 5:00.

General DEMPSEY. Yes, about 5:00.

Secretary PANETTA. About 5 o'clock.

Senator GRAHAM. General Dempsey, did you ever talk to the President of the United States at all?

General DEMPSEY. I was with the Secretary when—at that same time.

Senator GRAHAM. Did you talk to the President?

General DEMPSEY. Yes.

Senator GRAHAM. You talked to him how many times?

General DEMPSEY. The same one time.

Senator GRAHAM. How long did that conversation last?

General DEMPSEY. We were there in the office for probably 30 minutes.

Senator GRAHAM. So you talked to him for 30 minutes one time and you never talked to him again, either one of you?

General DEMPSEY. Until afterwards.

Senator GRAHAM. Until after the attack was over?

General DEMPSEY. That's right.

Senator GRAHAM. Thank you.

Were there any AC-130 gunships within a thousand miles of Benghazi, Libya?

General DEMPSEY. No, sir.

Senator GRAHAM. Were there any AC-130 gunships within 2,000 miles of Benghazi, Libya?

General DEMPSEY. I have to go back and look at a map and figure out the distance. The nearest ones I was aware of were—

Senator GRAHAM. You said the F-16 was not a good platform to defend the consulate. What would have been the appropriate platform?

General DEMPSEY. The appropriate platform, Senator, would have been to have boots on the ground ahead of the event. After the event is in conduct, it would be very difficult to have a—

Senator GRAHAM. Well, let's just—would an AC-130 have been a good platform to help defend the consulate after the attack?

General DEMPSEY. If we had the adequate understanding of what was on the ground so that we weren't killing—

Senator GRAHAM. Is there a saying in the military, when you go into harm's way we've got your back?

General DEMPSEY. Of course, yes, sir.

Senator GRAHAM. Don't you think that saying has been undermined here? How can people in the military or the foreign service believe we have their back when, after over seven—one, did you know how long the attack was going to last, Secretary Panetta?

Secretary PANETTA. No idea.

Senator GRAHAM. Well, it could have lasted for 2 days.

Now, my question is, was one airplane anywhere in the world deployed in the aid of the consulate? Did anybody launch an airplane? Was any airplane launched anywhere in the world to help these people?

Secretary PANETTA. Well, we ultimately did launch 130s to go in and rescue the people.

Senator GRAHAM. When were they launched?

Secretary PANETTA. They were launched in the period of time when the team went in there and when we concluded that the attack was concluded. We said we have to get the people out of there and that's when we—

Senator GRAHAM. Was any airplane launched anywhere in the world before the attack was concluded?

General DEMPSEY. If you're talking about a strike aircraft, no, Senator.

Senator GRAHAM. Was any soldier en route to help these people before the attack was concluded?

Secretary PANETTA. Well, we had deployed these FAST teams and they were—

Senator GRAHAM. Were they—

Secretary PANETTA.—they were on orders to move.

Senator GRAHAM. Was anybody in motion before the attack concluded to help these people, anybody?

General DEMPSEY. Only the personnel that were in Tripoli.

Senator GRAHAM. Okay. Was any DOD asset ever deployed to help these people before the end of the attack?

General DEMPSEY. Would you rephrase? Would you repeat the question?

Senator GRAHAM. Was any DOD asset, aircraft or individual soldier, ever sent, put in motion to help these people before the attack was over?

General DEMPSEY. If I could, as soon as we knew there was an attack the National Mission Force and the FAST Teams began preparing to deploy.

Senator GRAHAM. My question is did anybody leave any base anywhere to go to the aid of the people under attack in Benghazi, Libya, before the attack ended?

Secretary PANETTA. No, because the attack ended before they could get off the ground.

Senator GRAHAM. Thank you. And we didn't know how long it would last.

Now, back to the threat assessment. These 281 threats that we've received, can you go back and look and see if any of these threats have a cable from a U.S. Ambassador saying if we're attacked, the consulate is attacked in a coordinated fashion, we cannot defend the consulate, and oh, by the way, there are al Qaeda flags flying over government buildings? Is there any other situation

of these 281 that rise to that level, because I want to know about it if there is?

Secretary PANETTA. The State Department would have the answer to that question.

Senator GRAHAM. Okay. Let's talk about the State Department. General Dempsey, it seems to me that General Ham kept you pretty well informed.

General DEMPSEY. I agree with that.

Senator GRAHAM. I agree with that, too. And I want—did General Ham on that night ever order—ever suggest that a military asset—did he order a military asset in motion and someone told him to stand down?

General DEMPSEY. No. In fact, he was with us in the Pentagon that day.

Senator GRAHAM. Okay, so he was with you.

Now, you knew about the cable from Ambassador Stevens because General Ham informed you of it; is that correct, General Dempsey?

General DEMPSEY. In a written weekly report.

Senator GRAHAM. Okay. So when Secretary Clinton testified a few weeks ago that she had a clear-eyed assessment of the threat we faced in Libya, is that really a credible statement if she didn't know about the Ambassador's cable of August the 15 saying we can't defend this place?

General DEMPSEY. I don't know that she didn't know about the cable.

Senator GRAHAM. She said she didn't.

General DEMPSEY. Then that's a—

Senator GRAHAM. Are you stunned that she didn't?

General DEMPSEY. I would call myself surprised that she didn't.

Senator GRAHAM. Okay.

Are you surprised that the President of the United States never called you, Secretary Panetta, and say, how is it going?

Secretary PANETTA. You know, normally in these situations—

Senator GRAHAM. Did he know the level of threat—

Secretary PANETTA. Let me finish the answer. We were deploying the forces. He knew we were deploying the forces. He was being kept updated as to the—

Senator GRAHAM. I hate to interrupt you, but I have limited time. We didn't deploy any forces.

Secretary PANETTA. No, but—

Senator GRAHAM. Did you—wait a minute.

Secretary PANETTA. It was over by the time—

Senator GRAHAM. Mr. Secretary, you didn't know how long the attack would last. Did you ever call him and say, Mr. Secretary, it looks like we don't have anything to get there any time soon?

Secretary PANETTA. The event was over before we could move any assets.

Senator GRAHAM. It lasted almost eight hours, and my question to you is: During that eight-hour period, did the President show any curiosity about how is this going, what kind of assets do you have helping these people? Did he ever make that phone call?

Secretary PANETTA. Look. There is no question in my mind that the President of the United States was concerned about American lives.

Senator GRAHAM. With all due respect—

Secretary PANETTA. And I think all of us were concerned about American lives.

Senator GRAHAM.—I don't believe that's a credible statement if he never called and asked you, are we helping people, what's happening to them.

Secretary PANETTA. As a former chief—

Senator GRAHAM. We have a second round and we'll take it up then.

Secretary PANETTA. As a former chief of staff to the President of the United States, the purpose of staff is to be able to get that kind of information, and those staff were working with us.

Senator GRAHAM. Do you think it's a typical response of the President of the United States to make one phone call, do what you can, and never call you back again to ask you, how is it going, by the way? Show any frustration we don't have any assets in there to help these people for over seven hours?

Secretary PANETTA. The President is well informed about what is going on. Make no mistake about it.

Senator GRAHAM. Well, that is interesting to hear. We'll talk about that in the second round.

Chairman LEVIN. Senator Shaheen.

Senator SHAHEEN. Thank you, Mr. Chairman.

Thank you both, Secretary Panetta and General Dempsey, for being here this morning. Secretary Panetta, thank you so much for your long and very important service to this country.

I think, as you all have pointed out, that it is important for the administration to continue to be open and upfront about what happened in Benghazi. I think it's important for us to look in a factual, objective way, to the extent that we can, at what has happened here and to try and address that; and that grandstanding and finger-pointing is not really helpful.

So I appreciate your willingness to look at what happened here. As has been acknowledged, the bottom line is that our agencies didn't do enough to protect our people on the ground and we've got to do better. As the Accountability Review Board pointed out, there were security failures, there were leadership and management deficiencies. And I appreciate that Secretary Clinton took responsibility for that and that we are looking at recommendations to address that. So thank you for your willingness to be part of that process.

One of the things that happened in the follow-up to the ARB was an effort by the Senate to address the transfer of funds that the State Department requested to provide the necessary resources to address security risks and to transfer the personnel to meet mission imperatives around the world. I'm pleased that again this week the Senate has tried to do that. I certainly hope the House will take up that legislation and pass it so that we can address the resources that are required to make sure this doesn't happen again in our embassies and missions around the world.

Both the ARB and the Homeland Security-Government Affairs reports pointed out that Congress and the administration share in the responsibility for making sure that those resources are available.

Now, my question really goes to a follow-up to what Senator Graham was discussing, and I understand it was raised earlier. It's something that I raised with Deputy Secretary Nides before the Foreign Relations Committee, and it does have to do with what capacity we have in dangerous regions to provide support from the military when we have diplomatic missions and embassies that get into trouble.

I wonder if you could—you've talked about the fact that we don't have or did not at the time of Benghazi have those assets in the region. But can you talk about what kind of coordination you envision going forward to address areas where there is potential risk? And obviously, Northern Africa and the Middle East are certainly these days those kinds of areas. What kind of communication and coordination are we doing to address this?

Secretary PANETTA. Well, we have worked with the State Department on a team to assess the different embassies there to determine what are the additional steps that have to be taken in order to provide security and also what additional steps do we need in order to ensure that we have the intelligence necessary to give us a heads-up.

So we are taking steps. We're going to provide another almost a thousand Marines as detachments to be able to target those embassies that are most vulnerable. In addition to that, obviously we're going to try to do what we can to strengthen the host nations' capability to provide security. I know the intelligence community is working to develop better intelligence, to be able to give us a heads-up. Frankly, we're doing the same thing. We're deploying forces to the area and giving them much shorter response times, so that if we do have to deploy them they'll be able to get up in the air and to the area in a more rapid fashion.

Senator SHAHEEN. Is there going to be an ongoing structure to do that, an ongoing system that will be put in place, so that it's not just this one review of what the circumstances are, but for the foreseeable future we'll expect to have communication and coordination between DOD and State?

Secretary PANETTA. We are doing that and we are trying to develop a tighter team that can work together to make sure that we protect our lives abroad.

Senator SHAHEEN. Thank you.

General Dempsey, I understand that in earlier testimony you acknowledged that there are gaps in our intelligence and what we know, and that better intelligence would have given us a heads-up about what we might have needed in the region. Will some of the assets that are used in Afghanistan be redirected to AFRICOM for future use, do you think?

General DEMPSEY. Well, as assets become excess capacity anywhere, we have that process, as I mentioned to Senator Reed, called the global force management process, where—we do it on an annual basis, but then monthly we meet to redistribute as nec-

essary as threats go up and down. So yes, absolutely, I would expect that over time additional assets would be made available.

Senator SHAHEEN. Reports suggest that AFRICOM has been underresourced because of Afghanistan. Is there a reprioritization that we should be doing as we are drawing down forces in Afghanistan and looking at what we need to do? Given the challenge of, the potential challenge of sequestration if we can't act in Congress to address that—and I certainly hope that we can; I think it's responsible for us to do that. But how do you expect that reprioritization to occur, given the budget challenges we're facing?

General DEMPSEY. Well, first let me—I'd like to suggest a little different wording. You said is AFRICOM disadvantaged because of Afghanistan. The answer is no. The resources we've got that are in Afghanistan are there because that's where the threat, the greatest threat to the homeland resides, in western Pakistan and in in some cases northeastern Afghanistan. So those are direct threats to the homeland. It's Afghanistan, but it happens to be where the threat is.

So as the threat migrates, changes, we reprioritize. To your point about sequestration, yes, you will see a definite degradation if we have to absorb both the magnitude and the mechanism of sequestration.

Senator SHAHEEN. Thank you. Just to be clear, I suggested that other reports have indicated that they may have been underresourced. So I didn't intend to make that accusation, but really just to raise it as a question.

So thank you very much.

Chairman LEVIN. Thank you, Senator Shaheen.

Senator Lee.

Senator LEE. Thank you, Mr. Chairman.

Thanks to both of you for being here today and thank you for your service and all you do for our country.

I certainly appreciate and respect the fact that, as you acknowledged in your opening statements, it isn't possible for you to be all things to all people. It's not possible for you to be anywhere in the world within notice of only a few minutes, and we need to keep that in mind as we look at this sad, unfortunate situation.

We also recognize the concern that you have for U.S. personnel everywhere around and respect what you do for them.

I do want to follow up a little bit on some of the questions that Senator Graham was asking a few minutes ago. Secretary Panetta, a few minutes ago you indicated that we didn't have boots on the ground, we didn't deploy forces, because the attack came to an end. But as Senator Graham pointed out, this is an attack that lasted nearly eight hours from start to finish. So at some point there had to have been a decision made not to deploy them. At what point in that time frame was it made, or was it not made until after the attack had ended, nearly eight hours after it began?

Secretary PANETTA. Senator, again just to bring you back to the events as they took place, there was this initial attack on the facility at Benghazi. Within an hour or so that ended and, very frankly, we thought that was the end of what had occurred there, and we had no intelligence that a second attack would take place at the annex 2 miles away.

Senator LEE. But we didn't know. We didn't know. What we did know was that a lot of people were still unaccounted for. So the immediate attack was perhaps not visibly under way, but you weren't certain that there wouldn't be more fighting.

Secretary PANETTA. Obviously, you're not certain about what may or may not happen. But the issue of whether or not you suddenly deploy a platoon or a team into an area still has to—you still have to determine whether or not the situation that's there requires the deployment of that force there. Frankly, when we were told that the attack was over we immediately—although we had the forces in place, we would have responded if something had indicated more, we had no intelligence to indicate that that was the case.

Senator LEE. Okay, and at what point—to what point are you referring right now? You were talking about the initial attack on the compound?

Secretary PANETTA. That's correct, that's correct.

Senator LEE. So was that decision revisited hours later when in the early hours of the morning Benghazi time another pretty considerable attack came about?

General DEMPSEY. Let me make sure. I think—once the attack occurred, we started moving forces. It didn't matter really whether there was another attack. We were moving the forces, and as they were moving we would direct them where they were needed. I actually thought they would likely be needed in Tripoli, but they were moving. And nothing we did slowed that process down.

Senator LEE. Did they get to Tripoli?

General DEMPSEY. They did. They're there now.

Senator LEE. And why didn't they move forward to Benghazi?

General DEMPSEY. There was no—there was no need to do it by the time they got there.

Senator LEE. How did you know there was no need to do it?

General DEMPSEY. Because everybody was out of Benghazi.

Senator LEE. Okay. And yet it took another 23 days, as I understand it, to secure the compound after the attack had completed, had ended. So why did it take 23 days to secure the compound?

Secretary PANETTA. Senator, we were not requested to secure that compound. When the FBI decided to go in and then requested us to provide security, we did.

Senator LEE. After the FBI requested that, at that point?

Secretary PANETTA. That's correct.

Senator LEE. But again going back to the early morning hours Benghazi time when there was still fighting going on, how did you know that that was the end of it? Or are you saying it didn't matter at that point because you had removed all the Americans from the compound and from the annex?

General DEMPSEY. What I've said, Senator, is that when we put the forces in motion, they continued in motion until they arrived at the location.

Senator LEE. At what point did you put them in motion?

General DEMPSEY. Immediately, but there's notification to liftoff and then there's transit time. It was a significant amount of time.

Senator LEE. Had they been on alert or at a higher state of alert, could you perhaps have gotten them there faster?

General DEMPSEY. I think, yes, they could have. We routinely leave forces at N plus 6. Some of them were at N plus 4, some of them were at N plus 2. No one is ever sitting there on the tarmac waiting, but we do dial up and dial down the alert posture.

Senator LEE. Looking back, given that it was an important anniversary, 9–11, was there good reason to have put them at a higher state of alert than they were?

General DEMPSEY. Well, looking back is a lot clearer than looking forward. I will tell you that as part of this study that the SECDEF described we have changed our alert posture globally. The question is whether we can sustain it over time. It's challenging to sustain those kind of alert postures.

Senator LEE. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Lee.

Senator KAINE, Senator Kaine.

Senator KAINE. Thank you, Mr. Chairman, Mr. Ranking Member, General Dempsey, Secretary Panetta.

Mr. Secretary, your testimony is where I'm going to start, and an observation and then some questions. The line that I find the most provocative: "That brings me to my greatest concern right now as Secretary and, frankly, the greatest security risk we are facing as a Nation, which is budget uncertainty, which could prompt the most significant military readiness crisis in more than a decade."

That's a provocative statement, "greatest security risk as a Nation." Iran, North Korea, al Qaeda, including al Qaeda in the Maghreb. But I gather the thrust of the point is our ability to respond to any of those security threats is completely dependent upon a national security posture that is informed by budget decisions rather than budget indecision.

Yesterday, it was announced that you had approved a decision to take the USS *Harry Truman* and the USS *Gettysburg* and delay their deployment pursuant to a CENTCOM desire that they be deployed in the Middle East, and to delay the deployment purely because of the effect of the March 1 sequester and the now-increasing likelihood that that would happen. I regret that you had to make a decision of this kind, to sacrifice our Nation's readiness. You were faced with the choice of deploying a second carrier in the Middle East that could provide some additional security, including in the area that we're talking about at this hearing. Instead you decided to keep that carrier homeported in Norfolk because of budgetary concerns.

You shouldn't have had to make that decision. The safety of the men and women we have deployed in Afghanistan, in the Middle East and Pakistan is at stake and the very matters we're talking about at this hearing are at stake when you have to make a decision of that kind, the ability of our military to respond to crises in some volatile parts of the world.

You didn't cancel the carrier deployment because this part of the world suddenly was safer. Our ability to respond is at stake and, as you pointed out in an earlier answer, this also affects individual morale of individuals who subleased apartments. There was an article this morning in the *Virginian Pilot*. Just quoting: "Airman Carly Grice, 20, of Kentwood, LA, said she had been excited to go on the first deployment. This was a letdown. "Actually, I'm dis-

appointed,” said Grice. She joined the Navy in August and hopes to make a career in the service. She wonders whether that’s realistic, given the budgetary issues.

The military today is filled with 20-year-olds or newly-minted lieutenants or others who will be the future leadership of our military. There’s probably someone in the military right now, General Dempsey, who will be a future head of the Joint Chiefs of Staff. But I suspect that virtually all of them are wondering whether a career in the military is realistic, is realistic, given what they’ve seen from this body, what they’ve seen in terms of the budget that might inform whether they can make that a realistic choice.

I hope Congress is taking notice of your provocative comment, which I think is an accurate one. The decision regarding the *Truman* is going to be the first of many, I suspect, unless we do something to replace sequester. We all know sequester was never intended to happen, Mr. Secretary, as you mentioned. We should in my view finish last year’s appropriations process, enact deficit reduction to align the sequester with the budget process, and do a meaningful budget process, and make the decisions exactly as you described.

You did a national security review inside the DOD and then let that drive some budgetary decisions. We’re letting our budget drive national security. Even worse, we’re letting budgetary inaction drive national security, and I fear greatly for our security posture as a result of where we are right now.

So, Mr. Secretary, first, I gather we’re likely to see a whole lot of things like the *Truman* announcement yesterday that would potentially weaken our readiness, demoralize our active duty men and women, and leave us less safe, unless we find an alternative to sequester.

Secretary PANETTA. I truly hope that that does not become the case. Senator, we can do this right. The United States of America is the strongest military power on Earth. We’re the strongest democracy on Earth. If we have to reduce the budget, as we do, \$487 billion, I can get that done pursuant to a strategy that protects the strongest military on Earth.

There is no reason why an arbitrary legislative mechanism that was designed, not because it was good policy, but because it was bad policy, to drive action, should now take place. I cannot—I cannot imagine that Congress would simply stand by and let that happen because the consequences are just as you’ve described. If we go into sequester, then we are going to have to take steps to implement another \$500 billion in cuts in a way that will, make no mistake, hollow out the force and weaken the United States of America as a military power.

We don’t have to do that. This is a self-inflicted wound. We do not have to do this. That’s why I think the General and I, we’re trying to take steps to prepare for that should it happen. But we’re trying to do it in a way that makes these steps reversible, so that we can again get back to the business of defending this country.

But if this continues and if this happens, then you are absolutely correct, this is the beginning of a number of steps we’re going to have to take that are going to badly damage our readiness.

Senator LEE. What does it mean, when CENTCOM has decided that there should be two carriers in the Middle East and decides purely because of sequester we can't do that, what does that mean to our readiness posture and what message does it send to allies and adversaries?

Secretary PANETTA. Well, first I'm going to assure you, and I think General Dempsey can speak to this, we're going to do everything—we're going to do everything we can to make sure that we are prepared to deal with the threat from Iran. We will have one carrier there. We will deploy other forces there so that we can hopefully fill the gap. But our hope had been that we could have two carriers, which would give us the flexibility to have the kind of rapid response that we will need if we have to deal with a crisis there.

Senator LEE. In terms just of the sheer organizational effort, I assume it's thousands of hours of your personnel to try to figure out how to contort your budget to comply with the sequester, that would much better be spent looking forward and working on an fiscal year 2014 budget.

Secretary PANETTA. You bet.

Senator LEE. Thank you.

Chairman LEVIN. Thank you, Senator Kaine.

Senator Cruz.

Senator CRUZ. Thank you, Mr. Chairman.

Mr. Secretary, General Dempsey, I'd like to begin by thanking the two of you for being here this morning and for your extended service. I will say, Secretary Panetta, I regret that you and I have not had the opportunity to work together since I'm a new member of this committee. But I will tell you you have over many years earned a reputation for being fair-minded, for looking for bipartisan compromise, and for looking for solutions.

Indeed, I will pass on a comment that was made to me by a more senior Republican on this committee about you, in which you were characterized as a, "straight shooter," which as you know in Washington is both a rare compliment and a very high compliment. So I want to thank you for your principled dedication to this country and your long service.

I want to likewise thank you, General Dempsey, for your service, your many decades defending the Nation, and your passionate commitment to standing with the men and women of the military and protecting the interests of the United States.

It is my hope that this hearing can be a helpful moment in terms of learning productive lessons learned from the tragic attack at Benghazi. What I would like to focus on principally is the window between when the attack began and 5:15 in the morning when Navy SEALs Glen Doherty and Tyrone Woods lost their lives. There are roughly 7½ hours there.

I recognize that in any military conflict one inevitably faces the proverbial fog of war. But what I'd like to ask you to do is use the 20-20 hindsight we have now. If you could go back in time with the knowledge you have today and play it over again, if at 9:42 p.m. Benghazi time when the first attack began you knew that at 5:15 a.m. two former SEALs would be on the roof of that annex and would face mortar fire, what specifically could have been done if we

had that knowledge—and I recognize that is a hypothetical, but if we had that knowledge—what military options would there have been to prevent that loss of life and to stop that attack at the annex?

Secretary PANETTA. Senator, as you said, it's tough to respond to a hypothetical. As long as we're talking about hypotheticals, the best that would have happened here is that we would have had a heads-up and we would have had troops on the ground to protect that facility. That's the best scenario and that's what works the best.

Once an attack takes place, the biggest problem you have is getting accurate information about exactly what is taking place in order to then develop what response you need to do it. You can't just willy-nilly send F-16s there and blow the hell out of a place without knowing what's taking place. You can't send AC-130s there and blow the hell out of a target without knowing what's taking place. You've got to be able to have good information about what is taking place in order to be able to effectively respond.

Senator CRUZ. So in your judgment, if I understand you correctly, the most effective means would have been to have boots on the ground?

Secretary PANETTA. That's correct.

Senator CRUZ. If—and again this is a hypothetical—at 9:42 p.m. you had received a direct order to have boots on the ground to defend our men and women there, what is the absolute fastest that could have been carried out?

General DEMPSEY. Well, based on the posture, our posture at the time, it would have been N plus 6 plus transit time with the closest ground force available. So you're looking at something best case between 13 and 15 hours.

Senator CRUZ. So if I understand your testimony correctly, in your military judgment there was no way conceivably to get troops on the ground sooner than 13 to 15 hours?

General DEMPSEY. That's correct.

Senator CRUZ. How about assets like an AC-130. If you had received an order at the outset to deploy an aircraft like an AC-130, what would have been the absolute fastest it could have arrived at Benghazi?

General DEMPSEY. I don't even know exactly where they were, but I know there were no AC-130s anywhere near North Africa that night.

Senator CRUZ. I'd like to also spend a few moments on the decisionmaking as this crisis unfolded. I take it neither of you received the hypothetical order at any point to get boots on the ground immediately?

Secretary PANETTA. No, that's right.

Senator CRUZ. Now, both of you mentioned that at 5 p.m. D.C. time you met with President Obama for a regularly scheduled meeting, during which you discussed the attack at Benghazi that had happened about an hour and 20 minutes earlier. You said the total meeting lasted roughly 30 minutes. How much of the meeting would you estimate covered Benghazi?

Secretary PANETTA. We teed up that issue when we walked into the Oval Office, so I would say that the first 15 or 20 minutes was

spent on the concern about that, as well as Cairo and what might happen there.

Senator CRUZ. After that 15 or 20 minutes discussion of Benghazi, do I understand your testimony correct that neither of you had any subsequent conversations with the President the rest of that day and that evening?

Secretary PANETTA. We continued to talk. I think we teed up some other issues that we were dealing with at the time to inform the President, and then once that concluded we both went back to the Pentagon and immediately I ordered the deployment of these forces into place.

Senator CRUZ. In between 9:42 p.m. Benghazi time when the first attack started and 5:15 a.m. when Mr. Doherty and Mr. Woods lost their lives, what conversations did either of you have with Secretary Clinton?

Secretary PANETTA. We did not have any conversations with Secretary Clinton.

Senator CRUZ. General Dempsey, the same is true for you?

General DEMPSEY. Yes.

Senator CRUZ. One final question because my time has expired. Senator Lee asked you about securing the compound and noted that it took some 23 days to do so, and I think to the astonishment of many viewers, we had CNN News crews discovering what appeared to be sensitive documents, rather than U.S. forces or law enforcement.

I just want to make sure I understood your answer correctly, in that you said that you were not requested to secure the compound and had you been requested to secure the compound in your judgment the U.S. military could have done so and it could have done so effectively?

Secretary PANETTA. Yes.

Senator CRUZ. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Cruz.

Senator Hagan.

Senator HAGAN. Thank you, Mr. Chairman.

Secretary Panetta, as I'm sure everybody said, this is your last time before this committee. We certainly want to take an opportunity to thank you for your extraordinary service as Secretary and all the other accolades and services that you have provided to the people of the United States. So I too want to echo my sincere thanks.

General Dempsey, thank you too for your continued service as we go forward.

The September 11 attack drew attention to the use of local militia by the Department of State for protection in Benghazi. On the night of the attack, security consisted of three armed militia members as well as four locally hired unarmed guards and five armed Diplomatic Security agents. I understand that the three militia personnel were members of the February 17th Martyrs Brigade, which is a local militia that participated in the anti-Qaddafi uprising.

Documents recovered from the post indicated that, while the local militias trained with U.S. officials for this role, militia mem-

bers were generally expected to provide their own weapons and their own ammunition in order to protect.

To what extent has the Department of Defense also relied on such arrangements in high-threat areas in which central government forces did not fully control the territory, such as Afghanistan? And how should the committee view the use of local militias for force protection? Both of you, if you can answer this question, please.

General DEMPSEY. During my time in Iraq we had third country nationals who provided contracted support, as well as some U.S. contractors for support. We never reached the point where, in my time there, where we were using Iraqis, for example. Now, I do know that it's common practice in most countries to use local bodyguards and local security forces. So it is the norm, not the exception.

Senator HAGAN. Typically that's with the country, though, that has an organized government.

General DEMPSEY. Yes, I think that's a fair characterization.

Secretary PANETTA. It's something you see in tribal societies, obviously. We see that in Afghanistan, where they've developed local militias in the different—in some of the different areas, to provide security. I think the key there is that sometimes it works very well as a way to secure that community, depending on the quality of the militia involved, and sometimes it can get out of control.

Senator HAGAN. Secretary Panetta, in your opening statement you suggested the Department is looking at how you can assist the development of host nation forces using a range of security assistance authorities to train and equip these forces. I chair the Emerging Threats and Capabilities Subcommittee of this committee, which does have jurisdiction over DOD's train and equip authorities, and I'd be interested in hearing whether you think DOD currently has the authority to conduct these training operations or whether you would need to seek new authorities?

Secretary PANETTA. You know, I feel pretty good about the authority we have now in the ability to go in. Again, you have to have the country, the host country, actually request this kind of assistance and this kind of training. But if they're cooperative and if they want this kind of help, we have the capability and the authorities to help provide that.

Senator HAGAN. Are the host nation forces you're looking to engage members of the military, civilian law enforcement, or are these local guard forces that would be employees of the diplomatic post?

Secretary PANETTA. We can work with whatever security forces that that particular country wants to get trained. We can help provide the training necessary. It's kind of up to the country as to just exactly what kind of security they're going to provide around an embassy.

Senator HAGAN. What is your comfort level if they decline to have assistance with training?

Secretary PANETTA. It makes me very nervous.

Senator HAGAN. Well, then what's Plan B in that case?

Secretary PANETTA. I think Plan B in that instance is that you do have to do everything possible to harden that embassy, make

sure it's secured, make sure that we have the Marines in place to try to provide additional security, make sure that they have the additional security hired with the embassy to protect it in that event, and make sure that we have the ability to respond quickly if we're asked to be able to go in and do what we have to do to help those that are located in the embassy.

Senator HAGAN. Did you feel comfortable with the training of the local militia in Libya?

Secretary PANETTA. Not at all. I think it was—having been at the CIA, we did some work to try to assist the militias, the opposition forces that were involved against Qadafi at the time. But as usual, in this instance these are groups that are pretty dispersed and represent a number of different opposing elements. It's not a well coordinated opposition, and I think that was the case with the militias.

Senator HAGAN. Well, I guess I was concerned when I read, too, about them providing their own ammunition and weapons.

Secretary PANETTA. It's not—Libya—as we've pointed out, these countries that are going through the transitions that have taken place since their various revolutions, one of the areas that's hurting is the quality of their ability to provide security to the embassies that are located in their country. That's a problem that we're having to confront more and more in that part of the world.

Senator HAGAN. We certainly need to take in mind, as I'm sure you do, the safety and security of our embassy personnel first and foremost.

A variety of organizations have been named in media reports as responsible for the attack against our U.S. facilities in Benghazi and more recently on the BP facilities in Algeria. Some of these organizations are familiar names, but others, such as the Ansar Al-Sharia, are not well known. Of the violent extremists operating in North Africa, are there any groups or individuals the Department of Defense has designated as eligible for targeting under the authorization for use of military force? Also, how is such a determination made?

Secretary PANETTA. Obviously, al Qaeda and its affiliates are at the top of the list. If it's al Qaeda and al Qaeda-related, then obviously we do have authorities to be able to go after them. But in order to do that, you have to identify who the individuals are, what is the threat that they constitute. The lawyers then review that and determine whether or not that's somebody who can actually be targeted.

General DEMPSEY. There are a handful of high-value individuals or high-interest individuals who have been designated. In terms of those perpetrators of the Benghazi attack, we continue to try to develop the intelligence, so to this point none of them have been designated, although we work with other agencies to try to build the intelligence case to do so.

Senator HAGAN. My time has expired. Thank you.

Chairman LEVIN. Thank you, Senator Hagan.

Senator WICKER.

Senator WICKER. Thank you very much.

Secretary Panetta, congratulations on a very interesting and distinguished career. I'm honored to have served with you in the

House of Representatives and to have been your colleague. I wish you the best in your future endeavors.

Having said that, you were very forceful today in talking about sequestration. I heard you on the media yesterday making a very forceful statement about how irresponsible it would be not to fix this before it goes into effect. Let me just suggest this.

Our colleagues at the other end of the building in the House of Representatives came forward with a bill. They put it into bill language. They had it scored. They passed a rule. They voted on it and sent it to us. Agree with it or not, they came up with a specific answer to it, and there's been no answer back from the Senate side.

The President made a pronouncement about it a few days ago. You know, Mr. Secretary, you can't score a speech. You can't score general concepts. When you see the President, tell him we'd be happy to hear his specific views about how those revenues should come in to fix this problem because, frankly, people from my side of the aisle having been calling on the President for specific suggestions, specific proposals that you can score, that you can put in bill language, and we haven't had that for over a year. So when you see the President please make that suggestion to him.

Now, General, let me ask you this. I don't see where the intelligence gap is that you mentioned in response to Senator Chambliss's question. He asked if this was an intelligence failure and you said no, it's an intelligence gap. Then in fleshing out the testimony, it seems that you knew everything you needed to know: the militia fire onto the compound, the IED attack on the UN, the attack on the Red Cross, the abduction of Red Cross workers, the Red Cross deciding then to pull out of Benghazi; the same thing with the United Kingdom, an RPG attack on them. The U.K. got the message and pulled out.

And yet we didn't take the same message, apparently. We didn't make the same decisions at least from the attacks on the United States and U.S. interests.

Are you suggesting that there was something else that you needed to know from intelligence sources? Or are you suggesting in the alternative that really the only thing missing was a request from the State Department? You got it in Yemen and you acted on it. You didn't get that request from the State Department officially on Benghazi, so you didn't make arrangements for security there. Would you clear that up?

General DEMPSEY. Yes. Thanks for the opportunity, Senator. First of all, what I did know is what I was told in General Ham's weekly reports, which reflected a deteriorating security situation in Eastern Libya.

Senator WICKER. Let me interject there.

General DEMPSEY. Sure.

Senator WICKER. Did those come up through the military personnel on the country teams?

General DEMPSEY. No. These are reports directly from the combatant commander to the Secretary of Defense.

Senator WICKER. And where did the combatant commander get his information?

General DEMPSEY. Well, he's in constant touch with those deployed throughout the region, defense attaches, and in some cases—

Senator WICKER. The defense attache would be a member of the country team?

General DEMPSEY. Sure.

Senator WICKER. Okay. Then proceed ahead.

General DEMPSEY. Okay. So I was made aware that a cable expressing that concern had been sent. I didn't read the cable myself. I'm reflecting what I knew from General Ham.

Furthermore, I don't know whether the cable on the 16th of August resulted in any request from the embassy team in Tripoli to the State Department. All I can tell you is we didn't get a request in DOD. So I'm not suggesting that Big State got it and didn't do anything with it. I don't know what—I think the internal deliberations in Tripoli were still ongoing.

What I can tell you with great confidence is we didn't get any request for additional security.

Senator WICKER. Did you know that the Red Cross had been attacked, that Red Cross workers had been abducted and that the Red Cross subsequently suspended their Benghazi operation? Did you know that?

General DEMPSEY. I did.

Senator WICKER. You did, okay. Did you know that the United Kingdom had undergone an attack and that they had decided to close their mission in Benghazi?

General DEMPSEY. I did.

Senator WICKER. And did you—and did you then know about the attack on American interests?

General DEMPSEY. Through the course of the summer?

Senator WICKER. Through General Ham, you knew about the attacks on the United States.

General DEMPSEY. General Ham was very good about reporting the deteriorating security situation in Libya.

Senator WICKER. And you did not feel that you as Chairman of the Joint Chiefs of Staff were in a position based on that to make a decision to send in extra security for those American interests there?

General DEMPSEY. Well, I'd like to answer that in two ways. Number one, this deteriorating situation in Libya wasn't unique. It was in the context—I know that some will suggest it was the worst thing going on. It was among the worst things going on. So this—in context, the threat streams in Libya were equaled elsewhere with equally significant and threatening intelligence.

Second, that's not what we do. We don't impose resources into a country without the permission, the request of the host nation or the country team in a country.

Senator WICKER. Do you get military resources close by and ready to respond, or must you wait for a State Department request to do that also?

General DEMPSEY. We adjust alert postures according to intelligence where we think the threat is highest.

Senator WICKER. In retrospect, do you wish you had adjusted your alert posture?

General DEMPSEY. In retrospect, looking backwards, in hindsight—

Senator WICKER. 20–20 hindsight.

General DEMPSEY.—sure.

Senator WICKER. What would you have done?

General DEMPSEY. Well, first of all—

Senator WICKER. Would you have put them in Crete? Would you have put them in Libya?

General DEMPSEY. Given the kind of attack that occurred, if they weren't in the immediate vicinity they would not have been able to affect the outcome. As we've discussed previously, this has to be some combination of early decisions.

Senator WICKER. Secretary Panetta, lessons learned. It seems that two factors that allowed this situation to go from bad to worse were the very same ones that allowed the first 9–11 attacks to succeed: number one, the lack of effective intelligence-sharing. I think enough Americans knew what they needed to know to know this was really, really bad. And second, stovepiped communications between organizations that are supposed to be working together on these sorts of things toward common goals.

So 11 years after September 11, my final question to you: Do you believe we're any closer to breaking down these institutional barriers, and what steps has DOD taken in this regard in response to the Benghazi incident?

Secretary PANETTA. First of all, I do believe, again based on my experience at the CIA and involved with intelligence issues there, that the Intelligence Community is working much better in terms of sharing information, working together, developing the teams necessary to be able to gather intelligence, sharing that intelligence between the entire community. They're much better at doing that and much more effective.

I think the problem remains that it is the gaps on intelligence resources that are out there that, no matter how good your sharing is concerned, if you don't have the information from a resource out there there's going to be a gap and you're going to have the problems that we saw happen here. We've got to be able to fill those gaps. We've got to be able to get better human intelligence, better SIGINT intelligence, into those areas that we don't have good information on. That's number one.

Number two, we have got to—in response to this, what we have done is to make sure that we deploy those FAST teams that are out there. We've located them in key areas. We've reduced their response time. We now have airlift associated with them. The fact is some of these FAST teams did not have airlift. Airlift we would have had to deliver from other areas. We now have airlift that is associated with those teams. So we have taken a number of steps to try to improve our ability to respond.

Senator WICKER. When did you take that last step, on the airlift? When did you impose that last?

Secretary PANETTA. We did that early on. It's been—soon after what happened.

Senator WICKER. Thank you.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Wicker.

Senator McCaskill.

Senator MCCASKILL. Thank you, Mr. Chairman.

You know, I was sitting here and whenever Senator Graham questions witnesses it's always—I'm an old prosecutor, too, and he is quite the cross-examination expert and he does a withering cross-examination of witnesses when he's trying to make a point.

I started to feel sorry for you, Secretary Panetta. And then I thought for a minute about who you are and what you have done in this Nation's capital, the service you have provided at the White House, at the Pentagon, at the CIA, in Congress, the years and years of valuable service that you have given to this country. Then I realized you'd be just fine. You didn't need my help with Senator Graham's questioning at all. I thank you for those years of service.

General Dempsey, I want to clarify that you have said today that once the attack occurred you were moving forces.

General DEMPSEY. Yes.

Senator MCCASKILL. All right. Now, I want to ask, is anybody here from the State Department in the audience? If you're here from the State Department, would you raise your hand.

[One hand raised.]

Senator MCCASKILL. Okay, we've got one hand from the State Department. I say that because I have a history that I have been involved in in doing oversight on embassy security. This history goes back to 2009 when the contracting subcommittee that I chair did a hearing on the embarrassment of Armor Group and their ability to protect the embassy in Kabul.

After that hearing in 2009, Armor Group was let go. Then there was a February 2010 hearing of this committee on security contracts in contingencies, and it was a sensational hearing and I mean that in both senses of the word, because there was information that came out at that hearing that if I were at the State Department I would want to absorb it and get busy.

Now, a report based on that hearing was issued in a classified nature weeks before September 28. But the public report came out on September 28. In that report it said that local Taliban was working with warlords to provide guards and weapons for use in EODT's contracts. It came out that they were failing to adequately investigate the Guards' previous employment, which resulted in the company's hiring individuals who had previously been fired for sharing sensitive information, security information, with Taliban warlords; failure to appropriately vet guards, some of whom, according to U.S. intelligence reports, may have been involved in anti-American activities.

Now, all that information was out in a classified way several weeks before September 10—excuse me, September 28—and was out in public September 28. Guess who the State Department gave the contract to for guarding Kabul on September 29? EODT. Then of course they were fired for failure to perform, because they could never perform adequately.

Now, we actually—then they wanted to litigate. Now, meanwhile guess who's still guarding? We still had Aegis guarding, which was another problem contractor at Kabul. Now—excuse me. We still have Armor Group. Then we did a contract with Aegis. Now, Aegis finally took over this summer.

Now, I urge you to take a look—you don't have to, Secretary Panetta. You can read a novel. But General Dempsey, I hope you will look at the article that was written January 17 in Foreign Policy magazine about Aegis at the Kabul embassy and the problems that have already surfaced about them.

Now, I have talked to Patrick Kennedy about this and his staff has come over and briefed my staff that they believe Aegis is doing just fine.

The end of this, I've got to tell you: The umbrella contract for high-level security at embassies is a \$10 billion contract over 5 years, and it's tasked out to eight different. I won't go into the IG report on the background checks that have been done on the eight. But the people that are at Kabul now, it's \$100 million a year we're paying them.

I can't believe we can't use the Marines in these situations. Somebody has got to do a cost-benefit analysis. All that I told you—can you imagine the amount of money that we've spent fooling around with these contractors that weren't getting the job done? Can you imagine the time we've spent on this and the money that has been spent?

I really would like, General Dempsey, for you to talk about the cost-benefit of putting Marines on our embassies when we are in contingencies and why in the world this is so hard for us to get our arms around, and where is the analysis that shows me we're saving any money?

General DEMPSEY. Well, Senator, just to react briefly to what would be necessarily a much longer conversation, the Marines are not—that's not their role. That's not what they do for the Nation. Could it be at some point? Potentially. I'd hate to think we'd make that decision based on cost. But it would require a longer conversation.

Senator MCCASKILL. Well, I guess my point is, God forbid we have something happen at Kabul, but if we did, a hearing like this, this would look like child's play if you look at the history of what's gone on in terms of the Guard force at Kabul. You know, I want to be reassured that private contractors are working in these situations, but when we do a \$10 billion umbrella with the ability to do tasks out for Pakistan, Iraq, Afghanistan, Jerusalem, and it's costing the kind of money it's costing and we know that these embassies are going to be targets, it just worries the heck out of me that we are going to be in another one of these situations where it's uncomfortable to talk about hindsight instead of foresight.

So I would really like you to look at the highest levels, at a macro level, because the War Contracting Commission said we should not be using private contractors on embassies when we have this kind of heightened security risk. I really think it's time for us to do a gut check on whether or not we should in fact be relying on inept local militia or inept contractors.

Secretary PANETTA. Senator, let me just commend you for the work you've been doing with regards to these kinds of contracts and the quality of individuals that are involved.

The reality is that the State Department, as a matter of fact my old agency, rely on these kinds of contracts for security and that's a reality. Anything you can do to try to make sure that these indi-

viduals are well trained, do the job, and that we're not wasting money would be extremely helpful, because right now we depend a great deal on that kind of contracting.

Senator MCCASKILL. Is there a way we can get back to the point, Secretary Panetta, that we're not relying on a contract force to do what is inherently a government function? I mean, it's almost like I hit a brick wall every time I talk about this. Why is it that this has to be a contract function? Why can't we use the best-trained military in the world to protect our most valued assets in our most dangerous places?

Secretary PANETTA. I think the reality, just speaking with regards to my old agency, is that we're deployed in so many areas that you can't expect the military to pop up there and provide that kind of protection, that they've got to get security on site and get it from the very best people that they can contract with. That has become the reality that we're dealing with.

Senator MCCASKILL. Because of the need to integrate into the community and therefore if you have military it stands out?

Secretary PANETTA. That's right.

Senator MCCASKILL. Well, I can see that, particularly under the aegis of the intelligence agency.

Secretary PANETTA. That's right.

Senator MCCASKILL. But for embassies it seems to me that this shouldn't be such a hard reach.

Thank you both. Thank you, General Dempsey. I hope you enjoy the California weather.

Chairman LEVIN. Thank you very much, Senator McCaskill.

Senator Donnelly.

Senator DONNELLY. Thank you, Mr. Chairman.

Mr. Secretary, thank you for your service to this country. We are so much in your debt for time after time answering the call. Thank you very, very much.

Major-General Dempsey—much better being a general. Thank you for everything you have done for our forces and for our country.

I want to express my condolences to all the families who have suffered losses in this, in this tragedy; and that we will do everything we can to make sure it never happens again.

Earlier in the hearing, Mr. Secretary, you said that it is not the Department of Defense's job to be 911. So the question that struck me is: So when this happens, and it happens so fast and so quick that when you respond in an hour it may already be over by that time. Are we relying on the home country to be 911? And if so, as you go through what they're providing to us—you mentioned some are not up to—are not up to the quality of others at this time. But how are you making that decision that we have people in harm's way and we're relying on a host nation that might not be up to taking care of our people?

Secretary PANETTA. Obviously, it's very important that the ambassador determine what is the situation and whether or not there's a need for action. The 911 is basically the host country that has to respond quickly and provide immediate security around. If that's not there, you've got to have security within the embassy itself. If that's not there, you've got to have intelligence that gives you a heads-up that it's a dangerous situation and it's subject to

an attack. And then if that's not there, obviously we've got to be hopefully in a place where we can be able to respond if we have to.

That's kind of your overall 911 to try to deal with situations in the embassies that are out there.

Senator DONNELLY. Because my concern is, as much as some of these host nations are our friends, that their ability obviously is not as successful as our ability in defending our own. So how do you determine, other than the ambassador telling you, hey, we think we're here or we think we're there? Are there reviews done at the Department of Defense when you look at say in a Benghazi or—I don't want to go city by city for obvious security reasons, but when you look at these? How often do you determine, we'll take a look at this this week and see where we are security-wise? And I know State is a big part of that as well.

Secretary PANETTA. The best thing we did was State asked us to join a team that would look at security at 19 embassies and determine what exactly was needed there in order to better secure those facilities. I think based on that it gives us the opportunity to then deploy additional Marines if we have to and take additional steps to try to make sure that those embassies are not vulnerable.

So we do work with the State Department when asked to try to help provide some guidance with regards the security.

Senator DONNELLY. How often is a review done in some of these places, for instance a Benghazi? Do they—is it on a when the ambassador says, hey, things are getting a little tougher, or every couple of weeks is it looked at as this has deteriorated or has gotten better? What kind of matrix is used?

Secretary PANETTA. Well, you know, look. The primary—the primary matrix for that has to rest with the State Department and the ambassador within that country to be able to review just exactly what is the degree of threats that they're confronting and then what actions they should take in order to deal with that.

Defense Department is in a position where we will respond. If we're asked to do something, we will do it. But we're not out there basically making judgments about what embassies are secure or not secure, what are the threats in the various embassies. You've got to leave that up to the chief of station and chief of mission to be able to make that determination.

Senator DONNELLY. With our NEO plans that we have, we have approximately 285 diplomatic missions out there. How far along are we in having plans for all of them?

Secretary PANETTA. Well, as you say, as you said, we have a number of embassies that are out there in the world, and not all obviously are Benghazi or Tripoli or Tunisia. The reality is that in most countries in the world we can rely on the host country to provide security. They're there, they're willing to do it and they do a good job.

There are some of these embassies in some of these more volatile countries that are of concern, and those were the 19 that were designated by the State Department as ones we had to look at more closely and then try to develop a better approach to providing security, because there part of the problem is the host countries are not very good at providing that kind of security.

Senator DONNELLY. Is there a—it seems this is so much of a distance and time challenge, that when it happens how quickly can we respond, how far away are we. Is there almost like a playbook for ambassadors, for the people in those facilities, that here's the steps to follow, jump on these immediately; if this doesn't click, we go to this; if this doesn't click, we go to that?

Secretary PANETTA. The best playbook—I'll let the General respond to this as well. The best playbook is an ambassador who says: We've got serious security problems here; we are threatened, and therefore we need to take steps to reduce the number of personnel in our embassy; we need to take steps to evacuate if we have to. We can then prepare our forces to be able to provide help in that situation. That's the best kind of situation in terms of being able to respond.

General DEMPSEY. Just if I could add, Senator. Each embassy has a resident security officer, well trained, and an emergency action plan for every embassy. Generally speaking, it's updated annually, because I've sat on country teams in various jobs. Then the attaches are integrated into that process as part of the country team.

So that process exists. What Secretary Clinton asked me to do soon after Benghazi was to collaborate with her to see if we could make improvements to that system.

Senator DONNELLY. General, thanks again for your service.

Mr. Secretary, it's been an honor to have you serve in our government.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Donnelly.

Senator King.

Senator KING. Mr. Secretary and General, thank you very much for your being here. I'd like to associate myself with Senator Cruz's comments, that I only regret being a first-year Senator, Mr. Secretary, and not be able to work with you, although I am in the process of hiring a legislative assistant for this committee. So if you go back to California and get nostalgic for Washington, let me know, will you? I somehow think that's rather unlikely.

Secretary PANETTA. Been there, done that.

Senator KING. I want to follow up on a question from Senator McCain. The Crete base. I don't know the capacity, but given that that was pretty close in terms of transportation time, why was that not an option to get people there faster? Was it a question of who and what is at the Crete base? General Dempsey?

General DEMPSEY. The bases that we have in southern Europe in the Mediterranean area generally speaking have aircraft. The first point I made is that it wasn't the right tool for the particular threat we faced.

Second, the aircraft we have in Europe generally are there in support of NATO and on a different alert posture. That was not among the forces—the aircraft were not among the forces that we had at heightened alert. The heightened alert related to these boots on the ground capabilities that could preemptively get into an embassy or into a compound to thicken its defenses if we had reason to do so.

Senator KING. And those types of troops were not at the Crete base at the time of this?

General DEMPSEY. No.

Senator KING. Now, to follow up, you talk about everybody wants a fire station next door, it doesn't work. On the other hand, in this case, as you testified, there was about a 13 to 15-hour practical limitation. I gather since this incident you're trying to shorten that. Do you have a target? What would we like to be able to do, particularly in these hot spots, which we can identify in advance?

General DEMPSEY. We're not done making adaptations, but what we did initially was take these CIF's, the Commander's In Extremis Forces, and the FAST's. The standard has generally been N plus 6, notification plus 6 to lift off, plus transit time. So we can reduce the alert posture and we do so, watching not only intelligence, but also watching things like the social media, because sometimes these events crop up out of the social media, believe it or not.

Second then—but you still can't reduce the transit time. That is the limiting factor in AFRICOM in particular. When I say we're not done making adaptations, we're also—we've asked each of the services to examine their capability to build additional reaction light forces, small, rapidly deployable forces, a small MAGTAF for the Marine Corps, for example, Marine Air-Ground Task Force, and the Army is looking at some options as well, to increase the number of these resources across the globe.

The limiting factor, though, will always be basing, especially in AFRICOM.

Senator KING. So you are moving the fire stations nearer.

General DEMPSEY. We're trying to build more firemen. The question is whether I can build the stations to house them.

Senator KING. I got it.

Secretary Panetta, a question that doesn't really relate to today's discussion, but you're in a unique position. This committee is, as you know, considering a nominee to be your successor, Senator Hagel, and later today I'm going to be at a hearing of the Intelligence Committee talking to John Brennan. Could you give a brief assessment of those two gentlemen and their capabilities and readiness to assume these important positions?

Secretary PANETTA. Obviously, that's something that the committees now have the opportunity to evaluate. But in my view both of them are outstanding individuals that have a great deal of experience and capability to be able to perform in an outstanding fashion in each of their jobs. Senator Hagel is someone who served in the military, worked up here on the Hill, understands the issues that are involved there, and I think can be a very effective leader at the Pentagon.

John Brennan is somebody I worked with as Director of the CIA and continued to work with in this capacity. I always found him to be very responsible about how we can effectively conduct operations against al Qaeda and against those that would attack this country. He is, as somebody said, a straight shooter, somebody who gives you his best opinion. He doesn't play games. He's someone who I think can really honestly represent the best protection of this country in that job.

Senator KING. Thank you very much. I also want to thank you for your forthright comments today about the sequester. Ironically—as I’ve taken some notes on what you’ve said and what you said in your statement—it appears that as of today the greatest threat to American national security is the U.S. Congress.

Thank you, Mr. Secretary.

Chairman LEVIN. Thank you, Senator King.

Let me mention this. After Senator Nelson, the first round will be over. There may be a number of us that would want a few minutes on a second round, and you two witnesses have been here for about three hours and you may need a 5- or 10-minute break. The question is do you want that immediately following Senator Nelson or do you want to go right through? I can’t guarantee you how many Senators will come back and want 2 or 3 minutes each.

Secretary PANETTA. I think if we can take a short break it would be helpful.

Chairman LEVIN. Right after Senator Nelson we will then have a ten-minute break.

Senator NELSON. Do you need a short break before? What’s your pleasure, Mr. Chairman?

Chairman LEVIN. Since you ask—

Senator NELSON. I’ll make it quick.

First of all, thank you, Mr. Secretary. You’ve been an old and dear friend and you have served your country exceptionally well. Thank you.

I want to just hit a couple of things, because we’ve had accusations made here that there was seven hours of warning. The truth is when—now, I’ll give you some leading questions and if you will just answer what you can in an unclassified setting. The so-called first attack was not an attack of shooting, was it? Wasn’t it suddenly the Guards out front disappeared and suddenly people just walked into the compound?

Secretary PANETTA. That’s correct.

Senator NELSON. And this occurred until someone fire-bombed the main building, which housed the Ambassador and the mission; is that correct?

Secretary PANETTA. That’s correct.

Senator NELSON. And then a response team coming from a nearby location tried to get there one route and determined that route was not the correct one and went another route; is that correct?

Secretary PANETTA. Correct.

Senator NELSON. But then they got there, got inside, rescued one of the people, but in the process of getting them out, in all of the smoke and the fire, the Ambassador was not retrieved from the building.

Secretary PANETTA. That’s right.

Senator NELSON. Okay. And then things stopped and they stopped for a number—as the rescue team and the survivor retreated to the annex, which was some distance away. I don’t recall the amount of distance.

Secretary PANETTA. About a couple miles.

Senator NELSON. Okay. So everything stopped. An hour or two later, then there was an attack on the annex. And is it true that the main building at the annex was not penetrated?

Secretary PANETTA. That's correct.

Senator NELSON. Okay. And then that subsided; is that correct?

Secretary PANETTA. That's correct.

Senator NELSON. And then for a period of some three hours or more nothing happened. And then the attack of the mortars, which is going through the roof. That's what killed the two that were there in that building.

Secretary PANETTA. I think they were actually on the roof. That's how they got—

Senator NELSON. I see. Well, then that's a lot different from saying that suddenly you had seven hours of warning, that what appeared to start stopped, a retreat to an annex, an attack there that was successfully repelled and stopped, and then hours later a mortar attack. So I would, Mr. Chairman, like the record to show that what has been characterized here is in the evaluation of the decisionmakers about their ability to get a response team in there—is it also correct that the response team from Tripoli were landing on or about the time that the mortar attack started?

Secretary PANETTA. That's about right. When they landed, they immediately went there and came under fire.

Senator NELSON. Finally, I'd just say, going to the sequester, to respond to these kind of attacks in the future—and there will be these kind of attacks in the future—sequester certainly wouldn't put you into a better position in order to respond, would it?

Secretary PANETTA. Absolutely not. We'd have a hard time trying to provide the resources that we would need in order to be able to do this.

Senator NELSON. Thank you, Mr. Secretary.

General DEMPSEY. If I could—

Senator NELSON. General?

General DEMPSEY. I want to make just one comment related to your chronology because I think it's important. Once we started moving forces, nothing stopped us, nothing slowed us. The only adaptation we thought about making was for a period of time we thought we were going to be entering a hostage rescue because we didn't know where the Ambassador was. But once we started forces moving, they didn't slow, they didn't stop.

Senator NELSON. And you didn't know the situation with regard to the Ambassador until hours later, when in fact some Libyans had come into that facility and tried to rescue him and found him at that point unresponsive from smoke inhalation.

Secretary PANETTA. That's right.

Senator NELSON. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Nelson.

We're going to take a 10-minute recess.

[Recess from 1:25 p.m. to 1:36 p.m.]

Chairman LEVIN. We have two Senators, one of whom is here and the other one who is coming, who have not had a first round. Senator Blunt is the first of those two Senators who has not had a first round, so I'm now going to call on Senator Blunt.

Senator BLUNT. Well, thank you, chairman, and thank you for your indulgence. I was at a press conference talking about a mental health bill that I think, General Dempsey, will have some real im-

fact on people who have left the military, and they're looking at the community health centers as a mental health model.

One question I have. I saw, General Dempsey, in your comments over the weekend—I think it was on “State of the Union”—that looking back you don't know of anything you could have done differently. Was that your response?

General DEMPSEY. That was my response, yes, Senator.

Senator BLUNT. How about looking forward? What would you do differently or what are we—let's do that in two questions. One, what would you do differently if the same circumstance occurred again? And what are you doing to prepare for a different kind of response?

General DEMPSEY. Two things. One is, as you know, the Accountability Review Board, the Pickering-Mullen review board, made 29 recommendations and both the State Department and we have accepted and will implement all of those.

Separately, Secretary Clinton and I agreed to a review of embassy security in any number of locations, the result of which will be to focus on 19 of them to try to improve their security situation.

We also, internally to the Joint Staff and with the combatant commanders, worked on a white paper, described as “The New Norm,” to account for the lack of host nation capability in some parts of the world. The Secretary already mentioned that some of the results of that include the augmentation of the Marine security guards, changing the posture level, directing combatant commanders to have additional forces as reaction forces. So we're continuing with—

Senator BLUNT. With “The New Norm,” are we repositioned in a way in this dangerous part of the world and many areas you have both mentioned today where we could respond now quicker than 7 hours? If we had the same 7-hour window, could we get somebody there?

General DEMPSEY. Senator, the answer is—in many places the answer is yes. The limiting factor in Africa are bases, frankly. We don't have a base architecture, with the exception of Djibouti on the east coast, where we could position forces. So what that requires is earlier decisionmaking collaboratively with the State Department and I'll describe them as preemptive requests. The earlier decisionmaking can be to close an embassy, as we did recently—I say “we”; the State Department did—in the Central African Republic. It can be thinning it out, as they did in Khartoum. Or it can be asking for additional security forces.

Senator BLUNT. On one other area, I know at least for the first several years after September 11 there was always an active discussion of what was going to happen on September 11. Now, on September 10 Zawahiri did a video where he actually talked about al-Libbi, the Libyan, being killed and how—by Americans, and how they must get even. Secretary Panetta, are you aware, was there any evaluation of what that might mean and whether we should be thinking about how to respond to that threat?

Secretary PANETTA. My recollection is that that was all kind of part and parcel of looking at the general counterterrorism situation that we were concerned about in the region. The issue, frankly, that was probably more preeminent the day before was what would

be the impact of that video that was coming out that inflamed a lot of the situation in the area.

Senator BLUNT. Well, I would have thought from the Zawahiri video that there would have been some sense that Libya could be a target. I don't know if we have stepped back from our view that al Qaeda was able to do things, and I'm not saying this was a total al Qaeda operation, but clearly al Qaeda's out there talking about a Libyan that was killed and how we needed to get even with the Americans for that the day before all this happened. It concerns me that there appears not to have been the evaluation that I think went on pretty aggressively for the first eight years or so after September 11. I hope one thing surely we're getting out of this is that there are still terrorists in the world and they still want to do us harm.

Secretary PANETTA. No question about that. As you know, Senator, there are elements of al Qaeda throughout that part of the world, and they represent a continuing threat in that part of the world. That's why we're doing the operations we're doing in Yemen. That's why we're doing the operations in Somalia and, frankly, that's why we're assisting the French with regards to AQIM.

We do have to be vigilant about the elements of al Qaeda, where they are, where they can be, and the kind of threat that they represent.

Senator BLUNT. My last question will be: Did we call on anybody else who had friendly forces in Benghazi to come to our assistance? The Turks? People we had helped in that area recently by coming to their assistance, did we ask for any help that might have already been on the ground there?

General DEMPSEY. The only military forces were the 17 February Militia and the call went to them immediately, because they had been supportive of us ever since the overthrow.

Senator BLUNT. There were no alternative security forces—

General DEMPSEY. No.

Senator BLUNT.—that other countries had?

General DEMPSEY. None that we were aware of.

Senator BLUNT. That we could have called on? And if we weren't aware of them, I guess we didn't call on them.

Now, we had come to the aid of—I think there was an attack on someone from Turkey within the previous month, and we had sent some people to that scene. I've always wondered why we didn't try to further secure the people we had there, if we couldn't get people there. And you're telling me, General, that there was really nobody to call on?

General DEMPSEY. I'm telling you that I wasn't aware of any, nor was the commander of AFRICOM.

Senator BLUNT. And are we evaluating whether we're going to use groups like February 17 again or not?

General DEMPSEY. Absolutely.

Senator BLUNT. Thank you, chairman.

Chairman LEVIN. Thank you, Senator Blunt.

Senator Hirano.

Senator HIRANO. Thank you very much, Mr. Chairman.

Secretary Panetta and General Dempsey, thank you so much for your testimony for the last number of hours. Of course, Secretary

Panetta, I join my colleagues in thanking you for your service to our country. You came out of retirement to help this country and serve in very challenging times, and my very best to you in your future endeavors. Of course, you did an outstanding job at both the CIA and the Pentagon, and especially today as we talk about the need to coordinate the efforts across various departments I think your experience will be very much missed. You led the men and women of both organizations with tremendous competence, passion, and conviction. I thank you very much.

Of course, I am very envious of the fact that you get to go back to a beautiful place, the Monterey Peninsula, a place that I've visited often.

For the Americans who lost their lives in Benghazi—Ambassador Chris Stevens, Sean Smith, Tyrone Woods, and Glen Doherty—they were heroes and they represented our country proudly. While I understand that there are often risks involved in diplomatic work, I want to ensure, as do all of us, that we do everything we can to ensure the safety and security of our people who take on these assignments in often dangerous circumstances.

Now, the State Department's Accountability Review Board described a gap in intelligence coverage for the area and it is one of their findings, number 4. Mr. Secretary, drawing from your experience at the Pentagon and the CIA, in your estimation what caused this gap in intelligence? Was it a tasking prioritization issue with just too many areas to watch? Or are there structural impediments within or among the intelligence organizations that led to the tragedy in Benghazi? How would you improve the situation?

Secretary PANETTA. Well, it's a huge challenge. Obviously, our ability to develop the sources that we needed I going after al Qaeda in Pakistan was critical. The same thing was true in Afghanistan, to be able to go after the targets there, develop those resources. In Yemen we had to develop a whole base of better sources in order to be able to conduct the operations there. The same thing was true in Somalia.

So there's a whole issue of prioritizing what are those areas where we have to develop essential resources in order to get better intelligence. I'm sure that was one of the things involved here.

Second, there was a situation where Libya to some extent and what happened in Libya—I'm sure that there was an effort to try to develop the security capabilities within Libya so that they could develop their own resources to try to assist in providing that information. Sometimes if that—normally in most countries, it isn't just our ability to use our own sources. We in many places rely on other countries and their intelligence sources to be able to add to our intelligence. Libya was having a much more difficult time being able to do that. And I think it's for those reasons we didn't have the kind of intelligence we should have had.

Senator HIRANO. So in places such as Libya, which is an emerging new government, that goes into your assessment of the prioritization that needs to occur?

Secretary PANETTA. That's right.

Senator HIRANO. Having learned from what happened, if we are in that kind of a situation where we really can't rely on the capacity within the country's forces, I think that probably leads to a

more heightened priority for those areas in terms of the safety of our people.

Secretary PANETTA. Yes. It's obvious now that, recognizing that, we've got to—we try to do what you can to develop your own sources, try to develop the other country's capabilities with regards to intelligence, and develop other approaches that we have in terms of technology, being able to gather the kind of intelligence we need.

Senator HIRANO. Is that happening?

Secretary PANETTA. Yes, it is.

Senator HIRANO. I don't know if there are—can you cite to a very specific thing that is fostering this kind of change as a result of our tragedy in Benghazi that you can talk about?

Secretary PANETTA. I think the intelligence community, recognizing the recommendations that came out of the Accountability report, are taking steps to try to ensure that that gap no longer exists.

Senator HIRANO. So in terms of just the coordination, there are some specific steps that are being taken to coordinate between State, the intelligence community, and DOD?

Secretary PANETTA. That's correct, trying to improve the ability to get the intelligence, get it to the State Department, and then the State Department, based on that, can make decisions as to whether or not they should request our help.

Senator HIRANO. Now, in listening to your earlier testimony I think that some of it was that there seemed to be gaps in terms of the information you were getting as to what was happening in Benghazi. So have steps been taken to make sure that those kinds of communications occur instantaneously or while the event is occurring?

Secretary PANETTA. Steps I know are being taken to try to improve that intelligence capability.

Senator HIRANO. Can you talk a little bit more—I think I still have a little bit of time—on what the impact of sequestration would be in terms of our ability to safeguard our men and women in these hundreds of embassies and offices throughout the world?

Secretary PANETTA. Well, if we had to—if sequester did take place and we had to take the amount of money that is required by sequester, clearly the one place we'd have to go is into our readiness and maintenance accounts. Readiness would require that we had to reduce training for our military in each of the branches. So that the problem you ultimately confront is that, while you have capable, trained people in the war zone and elsewhere, that you lack the capability to have well-trained individuals that you can deploy elsewhere. That creates a real readiness crisis for us.

Senator HIRANO. Thank you, Mr. Chairman.

Thank you.

Chairman LEVIN. Thank you very much, Senator Hirano.

Senator Blumenthal is next.

Senator BLUMENTHAL. Thank you, Mr. Chairman.

I want to join my colleagues in thanking you, Secretary Panetta, for your extraordinary service to our Nation and the personal association and time that you've devoted to all of us on this panel and other Members of Congress.

General Dempsey, thank you as well for your service, and to both of you for your very forthright and credible and significant testimony today explaining some answers to questions that are painful, I think, for all of us and I know for you, having attended the services and ceremonies in honor of these brave patriots and heroes, as you called them, and also your knowledge personally of them.

I am struck, as Senator Kaine was, by the provocative, I would prefer to call it powerful, statement that you've offered regarding the effect on the Nation's readiness in the event of sequester. Like Senator Kaine and other members of this panel, I believe that we ought to do everything we can to avoid those catastrophic consequences of across the board cuts. I share your alarm about them, not only in the effect on deployments, but also on the readiness that results from adequate training and preparation, which in turn affects our ability to respond to crises like Benghazi.

All of us are fond of saying that our people are our greatest asset, which is true. The failure to provide the training and career opportunities to them that are needed I think would be one of the most catastrophic consequences of sequester.

Secretary PANETTA. Senator Blumenthal, if I could.

Senator BLUMENTHAL. Please.

Secretary PANETTA. Specifically with regards to something that's in your State, Electric Boat and the magnificent work force that's up there that puts our submarines together. If we have to start—if we're in a situation where we have to cut back on maintenance and cut back on that kind of production, the worst thing that could happen is losing the skills in that kind of work force, because once they're laid off or once they don't have a job the ability to be able to regain that kind of expertise is not easy to do.

Senator BLUMENTHAL. Well, not only not easy to do; sometimes impossible to do.

Secretary PANETTA. That's right.

Senator BLUMENTHAL. And our defense industrial base is often unappreciated, our civilian workforce and the tremendous skills they bring to the production at Electric Boat; likewise at Pratt and Whitney, where the Joint Strike Fighter engines are produced; similarly at Sikorski, where helicopters are made; across Connecticut, across the country. I think the defense industrial base is under threat, and it is the skilled, dedicated workforce that is the companion asset to our men and women in uniform that are so important.

I would hope that, whatever the results in the next month, that we can continue to keep in place that workforce. I think you share that view.

Let me turn to another area of personnel that I think is very important. Because you are here for your last time—and I know you will deeply regret not appearing before this panel. You can agree with me because you're not under oath. I'm taking advantage of your being here to raise a question about an area that I think is very, very important, the decision of the Pentagon and the Department of Veterans Affairs to abandon the plan for a unified health care records system, announced very recently.

This decision is a tremendous setback for an effort that really has been ongoing for years, if not decades, to provide for a stream-

lined in timely process, faster decisions on benefits, less duplication of medical testing, more efficient, cost-effective treatment for both physical and mental health needs. This single unified health care system has been a longstanding goal and I am very, very regretful and disappointed that the decision has been made to abandon it after devoting a billion dollars, I think so far, a billion dollars, to create it. I would invite your explanation.

Secretary PANETTA. Thank you, Senator. First of all, let me say I do not believe that the idea of developing ultimately that unified system has been abandoned. What we wanted to do was we knew that developing that system has taken years, it's going to take more years, it's going to cost a great deal of money as we do that. But in the interim we have to do everything necessary to create interoperability between the Veterans Administration and the Defense Department so that doctors who are dealing with these individuals can bring that information together.

We can do that interoperability using existing systems, and we've been able to do it at some of the institutions. We wanted to develop that at about nine other institutions to do that. We can get that done by July of this year, and that's why we wanted to stress that.

But I want to assure you that the work on an ultimate single system that will require new technology to be able to get that accomplished is still going to continue to be worked on.

Senator BLUMENTHAL. Well, that's good news, and it also conflicts with some of the news reports I've seen, which, to quote one, "Defense Secretary Leon Panetta and VA Secretary Eric Shinseki announced on Tuesday that they were scrapping the one-time plan to create an integrated electronic recordkeeping system." You are saying that you and Secretary Shinseki are not doing so?

Secretary PANETTA. No. We're not scrapping that. Our intent is obviously to continue working on that. But what we wanted to do was to create this interoperability sooner and on a faster track so we could provide the information doctors need in order to be able to create some symmetry between Defense and the Veterans Administration.

Senator BLUMENTHAL. So if I can articulate it a different way, in oversimplified layman's language, in effect you're adopting a first stage solution that involves interoperability, but proceeding with the larger system and longer term more effective single health care records system that's contemplated?

Secretary PANETTA. That's correct.

Senator BLUMENTHAL. Thank you. Thank you very much to both of you for your testimony today. It's been very helpful, and thank you for your service as well.

Thank you, Mr. Chairman.

Chairman LEVIN. We're going to begin a second round and we're going to have a three-minute second round, and then our witnesses must leave by no later than 2:30 and I hope before because we have a vote scheduled for 2 o'clock.

I just have two questions. The first has to do with the question which was asked to you by Senator Graham. I think both of you answered this, I think mainly you, Secretary Panetta, about how many times did you talk to the President during the day of these

events. I think your answer was once during. I think, General, you also indicated once during.

Then there was sort of a question as, you mean he never got back to you to find out what was going on? I think you were starting to say, Secretary, that he has a number of other sources of important information, including his own chief of staff, and I presume too the chairman of the National Security Council or others that he would be in touch with could call, who were much closer at hand in the White House to him than you are in the Pentagon.

Do you know how many times that day, if any, the President talked to his chief of staff or to the National Security Council people?

Secretary PANETTA. I don't know how many times he was in contact, but we were in contact with the staffs there. There was a DC, which is a deputies meeting, of the National Security Council that met at I think 5 or 6, 6 or 7 o'clock that evening, in which everybody was represented, including obviously the national security team, as well as the teams from State and elsewhere, CIA, DNI.

In addition to that, obviously our staffs were in constant touch with the White House to alert them as to what was taking place and what information we had. So there—it's just the nature of the White House that Presidents of the United States make use of a broad sphere of staff that are involved with these issues to work these issues and continue to be in touch with him as to what's taking place.

Chairman LEVIN. Now, relative to those unclassified talking points that were prepared at the request of Congress by the Intelligence Community that were erroneous, through no fault of her own Ambassador Rice used them, bore the brunt of the criticism for the use, although she didn't prepare them. Are you familiar, either of you, with those talking points and did the DIA, the Defense Intelligence Agency, participate in the production of those talking points, do you know?

Secretary PANETTA. We did not and we were not aware of the talking points at the time.

Chairman LEVIN. Do you know whether or not the DIA was part of the Intelligence Community which prepared those talking points?

Secretary PANETTA. I am not aware that they were involved in that. I think it was the DNI that prepared the talking points.

Chairman LEVIN. Okay, thank you. You don't know how he could have been—have you talked to him as to how he could not have known or how they could not have known that the talking points that they handed to Rice and others were erroneous?

Secretary PANETTA. I have not.

Chairman LEVIN. Senator Inhofe.

Senator INHOFE. Thank you, Mr. Chairman.

I want to try to do this fast here, one more run at this same issue that no one else seems to be wanting to talk about. It could be argued that there are two attacks, one on the compound, one on the annex. I'm not sure how close they were together, but let's just assume that that's one of the possibilities. Let's forget about the compound one. Just the annex attack.

The Intelligence Community has said that it's irresponsible for any terrorist professional not to know that it was a planned terrorist attack at the moment the RPG and the six coordinated mortars took place. I think almost everyone else agrees with that. And that happened right on the same day or the morning after because it was in the middle of the night.

Secretary Panetta, do you believe that unequivocally at that time we knew that this was a terrorist attack?

Secretary PANETTA. There was no question in my mind that this was a terrorist attack.

Senator INHOFE. Oh. Okay, good. I was going to say that—and I appreciate that very honest answer. And that took place, that realization took place, at the time that the RPG and all these sophisticated things such as the coordinated attack took place; is that correct?

Secretary PANETTA. My own experience was that RPG's show up and these other arms show up, that there's something that's planned here.

Senator INHOFE. This was a planned terrorist attack. I was going to suggest—

Secretary PANETTA. It's a terrorist attack. And I think others—I think Secretary Clinton and others also identified it as a terrorist attack, and that was my view.

Senator INHOFE. And Mr. Brennan, who is going to be having a hearing later on today that I will not be able to attend, I would consider him to be one of the foremost intelligence experts around, with what, 20 or 25 years experience; would you agree with that?

Secretary PANETTA. Yes, indeed.

Senator INHOFE. Well, he stated to me and will state again this afternoon the same thing you just said, that we realized at that moment it was a planned terrorist attack.

Now, the only question I want to ask you, and I'll ask you for an answer now and I doubt if you will have a very good answer—but after that I'd like to have you think about it and give an answer for the record—and that is, with everyone agreeing, including the Secretary, Secretary Clinton, that right after this took place that it was in fact a planned terrorist attack, how in the world could Ambassador Rice say, quote, "The information"—this is 5 days later—"The information, the best information and the best assessment we have today is that in fact this was not a preplanned, premeditated attack"?

Secretary PANETTA. You know, again, I was not involved in the talking points that were presented to her, but obviously the intelligence community provided an assessment to her and she relied on that assessment when she went on the news.

Senator INHOFE. I certainly believe that it was to the benefit of the administration to try to push that. But it didn't work, and I would only suggest that people pay attention not to that fact, because to me, with all the things we've been talking about, this is one of the really significant things that has not yet been explored. I appreciate your very straightforward and honest answer to that.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Inhofe.

Senator Ayotte.

Senator AYOTTE. Thank you, Mr. Chairman.

I wanted to ask about—as I understand it, General Dempsey, you had, I don't know if it was on a show, but Senator Blunt had asked you, that looking back you didn't know anything you could do that could be done differently. As I understand it, we had a security team in Tripoli. Six of them came then to Benghazi. They arrived about 15 minutes at the annex before the second attack. Is that right?

They had two DOD personnel with them, remnants of the site security team that were in Tripoli. Originally we had a larger site security team in Benghazi. So they had to charter a plane to get there. That surprises me, to think about the fact that you testified earlier that you were aware from what Ambassador Stevens said that the consulate couldn't withstand a coordinated attack; the assets that we did have in theater, that they'd actually have to go out and try to charter a plane to get somewhere.

Why wouldn't we have an Osprey, a standard helicopter, any aviation assets there to be able to get to an area within country to provide assistance, in light of the fact that there was a deteriorating security situation, in light of the fact that you were aware that the Ambassador had said that the consulate couldn't withstand a coordinated attack?

General DEMPSEY. Thanks, Senator. While you were out I actually made sure I was clear about how I knew what I knew. Everything I know, knew, was from General Ham's report to the Secretary through me.

Second, in terms of—we didn't have an official DOD presence in Libya.

Senator AYOTTE. But I'm shocked that we had to rely on chartering a plane. Why wouldn't we have something there, some kind of aviation asset that would allow us to get from Tripoli to Benghazi, in light of what we knew about the security situation and the attacks listed on that board?

General DEMPSEY. I would just reiterate, we didn't have an official DOD presence in Libya.

Senator AYOTTE. But two DOD personnel had to charter a plane. I mean, I think about what it takes to charter a plane. If we had had aviation, some form of aviation assets there, we could have gotten to Benghazi sooner; would you agree?

General DEMPSEY. If they had a plane, sure, they would have gotten there sooner.

Senator AYOTTE. Also I wanted to ask you, Secretary Panetta. You had said that you didn't end up deploying based on a response—I think Senator Graham had asked you, why didn't we have people going, moving? We had them on deployment status, but we didn't have them moving. And I believe you said you thought that it was because it was over after the first attack.

Secretary PANETTA. Again, the forces were moving. We had deployed these FAST teams. They were moving. We did not in any way stop the movement forward. The problem was taking them then and deploying them to Benghazi. By the time we reached that point, the attack was over and we had evacuated all of the people out of Benghazi.

Senator AYOTTE. But were planes flying? Were troops moving? I mean, the minute this attack occurred we had an ambassador missing. Were people going to Benghazi?

Secretary PANETTA. We had alerted all of these task forces to be in place, to move in that direction, and they were moving to get there. The problem we had, as I've explained, is again the issue of time and distance and being able to move them quickly enough to respond before the event was over. That just was not the case.

The board that was headed up by the Ambassador and Admiral Mullen came to that conclusion. There was no time or space available to be able to respond in time. That was their conclusion.

Senator AYOTTE. I know my time is up, but when I look at your testimony or the list that we were given on page 2, there's a list of prepare to deploy, prepare to deploy, prepare to deploy. It's not deployment, actually going toward Benghazi. So it doesn't seem to me that we were moving with a sense of urgency, given that we had an ambassador missing.

General DEMPSEY. If I could just help with that one, Senator. The process as you tell a unit to prepare to deploy, when they report readiness you tell them to move. That's just a piece of the process. There was nothing that held them up.

Senator AYOTTE. Thank you.

Chairman LEVIN. Thank you, Senator Ayotte.

Senator Graham.

Senator GRAHAM. Mr. Chairman, I'd like unanimous consent to put this map into evidence here, as part of the file.

Chairman LEVIN. That would be fine. Can you tell us what map that is?

[The information referred to follows:]

[COMMITTEE INSERT]

Senator GRAHAM. Yes. It talks about different airbases, naval bases, within—surrounding Benghazi, Libya.

Chairman LEVIN. Thank you.

Senator GRAHAM. So I'll put that in the record.

One, you've been both very candid. Thank you.

I want to make sure I understand what you said about Syria. Both of you agreed with Petraeus and Clinton that we should start looking at military assistance in Syria; is that correct?

Secretary PANETTA. That was our position. I do want to say, Senator, that obviously there were a number of factors that were involved here that ultimately led to the President's decision to make it non-lethal—I supported his decision in the end. But the answer to your question is yes.

Senator GRAHAM. For both of you?

General DEMPSEY. Yes.

Senator GRAHAM. It's certainly up to the President to make all these.

Who was in charge in Benghazi? Were you in charge, Secretary Panetta?

Secretary PANETTA. What do you mean, in charge?

Senator GRAHAM. As running the operation, trying to find a way to save our Ambassador who was lost, trying to prevent our people from being killed, providing assistance to people who were under

attack. A simple question. If the families ask me, would it be fair to say that you were in charge?

Secretary PANETTA. It's not that simple, as you know. I think the people that were in charge were the people on the ground—

Senator GRAHAM. Would you say Secretary Clinton was in charge?

Secretary PANETTA. Pardon me?

Senator GRAHAM. Was Secretary Clinton in charge?

Secretary PANETTA. The people that were in charge were the Ambassador there at Benghazi during the course of the attack—

Senator GRAHAM. But they can't—they were trying to save their lives. They weren't in charge. Somebody had to be in charge of coordinating assistance. Was it you, the Secretary of State, or the President? Who was in charge?

Secretary PANETTA. I think we're all in charge in the sense of trying to move our forces as quickly as possible to save lives.

Senator GRAHAM. Did you ever talk to Secretary Clinton at all that night, September 11?

Secretary PANETTA. Not that night, but obviously we had people in touch with her and—

Senator GRAHAM. Did you as Secretaries of Defense and State ever consult each other before the attack was over?

Secretary PANETTA. Did we consult?

Senator GRAHAM. Yes, did you talk? Did you individually talk with each other?

Secretary PANETTA. No.

Senator GRAHAM. When did you talk to the President after your initial meeting around 5 o'clock? When did you talk to him again?

Secretary PANETTA. I'm not sure.

Senator GRAHAM. Was it on September 12?

Secretary PANETTA. It could very well have been that I—

Senator GRAHAM. Did you go to bed that night? Did you go to bed before the attack was over?

Secretary PANETTA. No. I was at the Department.

Senator GRAHAM. Nor did you, General Dempsey?

General DEMPSEY. No. We were—

Senator GRAHAM. Do you know if the President went to bed before the attack was over?

General DEMPSEY. I don't know, sir.

Senator GRAHAM. Do you know who was talking to the President at the White House?

Secretary PANETTA. I assume the chief of staff was talking to the President.

Senator GRAHAM. Do you know—but you don't know?

Secretary PANETTA. I don't know.

Senator GRAHAM. Do you, either one of you, understand some of the frustrations we have? This is the first time in 30 years we lost control of an ambassador and no small deal.

I would just conclude, Mr. Chairman, saying I want to know more about what the—finally, do you know if the President knew of these prior attacks, March, April, June?

Secretary PANETTA. I can't.

Senator GRAHAM. I want this committee to continue to ask questions about what the President knew before and during this attack. Apparently we're going to have to call other people.

Thank you very much, Mr. Chairman.

Chairman LEVIN. Thank you.

Secretary PANETTA. Senator, if I could just say, we share your frustrations. Any time you lose four Americans—

Senator GRAHAM. And it's not about you caring. I know the President cares. It's not about that. It's about were we ready. You know, we looked hard at the Bush administration. They screwed up a bunch. So you're going through nothing they went through. We're trying to learn.

And you will be missed. Leon Panetta, you have served this country well. And General Dempsey, thank you. But this to me is system failure at every level before, during. And after, and the President of the United States deserves credit for bin Laden. He was hands on. And we need to find out where he was at and what he was doing here.

Thank you.

Chairman LEVIN. Senator Blunt.

Senator BLUNT. Thank you, chairman.

Secretary Panetta, I want to say also that I think you've done a great job both at the CIA and here and in your other jobs. Frankly, I think you and Secretary Gates are two of the great public servants in these kinds of jobs in the history of the country. He knows I think that and I want you to know I think that as well.

I am concerned when Senator Graham asks who was in charge and there's not an answer. Somebody should have known that night that there is one focal point. Maybe I guess at the end of the day it's the President, though the President doesn't seem to be very engaged. I think that's a concern.

You said, I believe, to Senator Ayotte that you thought—what time did you—when did you think the attack was over?

General DEMPSEY. Could I help with the answer, who was in charge?

Senator BLUNT. You could have helped when the question was posed earlier.

General DEMPSEY. Well, it was pretty tough actually.

Senator BLUNT. All right. Who was in charge?

General DEMPSEY. The responsible agent inside of a country for security until the introduction of DOD is the resident security officer, who works for the ambassador, in collaboration with—

Senator BLUNT. I think what Senator Graham was asking, though, was who was in charge of our response from here. You can't just be talking with no thought of conclusion.

General DEMPSEY. Okay, but I can help with that concern. I got that. So internal to the country, before we arrive it's the RSO. Once we arrive, it's the combatant commander, commander of U.S. AFRICOM.

I want to assure you, had we been able to—there's been a whole bunch of speculation about we were risk-averse, we needed the country's permission to come in. If we had been able to get there with anything, we'd have gone in there under the command of the commander of U.S. Africa Command.

Senator BLUNT. On the Marines that were on the plane in Rota, Spain, did eventually—did those marines eventually go to Tripoli?

General DEMPSEY. They did.

Senator BLUNT. And why were they taken off the plane and told to change from their uniforms to other clothes?

General DEMPSEY. At the request of the host nation, relayed through the embassy.

Senator BLUNT. How much did that slow that response up?

General DEMPSEY. Probably 30 minutes.

Senator BLUNT. Now, I've read other places an hour and a half to 2 hours. You think 30 minutes?

General DEMPSEY. I'm saying that it would—that's my estimate. I just know that it was an occurrence.

Senator BLUNT. Why did they go to Tripoli instead of Benghazi?

General DEMPSEY. By the time they were arriving there, there was no one left in Benghazi.

Senator BLUNT. When did we get the last person out of Benghazi that we brought out?

General DEMPSEY. I'd have to look at the time line.

Secretary PANETTA. I think it was within 12 hours we had moved all of the people there out.

Senator BLUNT. Did they go the Germany?

General DEMPSEY. We did move them to Ramstein.

Senator BLUNT. A question I've had since the very start of this is why didn't somebody ask them at that time what happened before this all started, which would have solved the question about whether there was a demonstration going on or not. I asked that question once before and, well, only the FBI was allowed to talk to them, which made no sense to me at all and still makes no sense to me.

We're talking to people who were in Algeria a few days ago. We were talking to them the next day. I don't know of anybody that's really talked directly on this committee, Mr. Chairman, to people who were in Benghazi and who within 12 hours were somewhere where they could have been talked to to ask what happened.

Now, I'll go back to my original question, Secretary Panetta. When did you think that this was—that the activity was over and under some reasonable level of control?

Secretary PANETTA. It was—it was soon after the second attack, and at that point our biggest concern, Senator, was the fact that we couldn't find the Ambassador. We were then teeing up the rescue team to get ready to go in because we thought we had a hostage rescue mission that we were going to have to conduct.

Senator BLUNT. And the second attack was the attack that was over around midnight?

Secretary PANETTA. At the annex, that's correct.

Senator BLUNT. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Blunt.

Senator Cruz.

Senator CRUZ. Thank you, Mr. Chairman.

A couple of areas of brief inquiry. I want to make sure I understand your testimony from earlier this morning correctly, that you said post-September 11 the State Department requested additional security in Yemen and DOD has provided that additional security?

Secretary PANETTA. No, no. Pre-September 11.

Senator CRUZ. Oh, that was pre-September 11.

Secretary PANETTA. Right.

Senator CRUZ. Is it correct then that had the Department of State responded to the request from the Ambassador for additional security and requested from DOD additional security, that that would have been provided in Benghazi as well?

General DEMPSEY. Yes. If we'd have been asked, we would have responded. But I was going to make it clear: I'm not clear on whether the embassy in Tripoli ever sent a request. I don't think they did. I think they were still in internal deliberations inside of Tripoli.

Senator CRUZ. And if the State Department had requested additional security so that there was additional boots on the ground in Benghazi, is it your military judgment that that would have prevented the loss of four lives, including our Ambassador, in Benghazi on September 11?

General DEMPSEY. You know, honestly, not dodging the question, that's a hypothetical that's just actually hard to process. I think, first of all, the request would have come in to put augmentation in Tripoli, and then the question would have been could you get to Tripoli and back. But we could very well have put lift there to support it. So it's so hypothetical I just can't answer it.

Senator CRUZ. In your judgment, would additional troops on the ground in Benghazi have prevented the loss of life from the assault that we sustained?

General DEMPSEY. Additional or any troops on the ground in Benghazi would have added to the security of the consulate.

Senator CRUZ. One other topic that has not been focused on yet. A lot of this focus has been on the events of September 11 and September 12, and I'd like to shift to the nearly five months that have transpired since then and ask about the topic of retribution. A number of terrorists murdered four Americans, including the U.S. Ambassador. To the extent you are able in open hearing, I would like to know what our progress is in tracking down those terrorists and exacting serious retribution?

Secretary PANETTA. Obviously, a fuller explanation ought to be done in a more classified setting. But what we have is an FBI team was immediately assembled that involves the CIA plus DOD, and that team has made very good progress in identifying individuals that were associated with that attack. We now have a list of those that we are all looking for to determine exactly where they're located. I think the Justice Department is part of that team, and also trying to see what kind of cases can be developed should we either be able to capture or detain them in some way.

Senator CRUZ. Two final questions. Had the compound been secured in a timely manner rather than 23 days later, do you think that would have assisted in the effort to track down who committed these acts of terrorist?

Secretary PANETTA. Again, hard to tell what the crowd did there and what that scene looked like. Obviously, the ability to get into a scene and gather evidence, just based on my own legal background, anything you find can help you make a case.

Senator CRUZ. My final question. In the months that have followed since then we have seen other terrorist attacks. We have seen, tragically, a suicide bomber in Ankara in Turkey, and we have seen the horrific attack in Algeria that murdered, among others, two Texans, Victor Lovelady and Frederick Buttaccio. Do you think the lack of a public visible response and retribution for this terrorist attack may have had the effect of emboldening those who would seek to do harm and take the lives of Americans?

Secretary PANETTA. Senator, these people are emboldened, period. Their basic intent is to go after—is to go after our citizens, to go after our facilities, to attack us in any way possible. I don't think we ought to be surprised that they are making every effort to try to do that in every location that is convenient for them.

So I would just tell you that I am not surprised by the fact that we see these attacks taking place, because that is what this enemy does, and that's why we having to do everything possible to make sure that al Qaeda never has that opportunity.

Senator CRUZ. Do you agree with the reports that have suggested that Osama bin Laden was emboldened by what he perceived as the lack of vigorous response of the United States to prior terrorist attack and that that was a contributing factor to September 11, 2001?

Secretary PANETTA. They were planning that for a long time. I think a lot of this has been gone over time and time again, but the reality is that at some point I think they were going to try to conduct an attack that would make clear to the world their intent to come after the United States, and they were successful at doing that.

I will tell you this, that as a result of what happened on 9-11 and the fact that we have gone at them in every way possible, I think it is because of that effort that we have been able to deter attacks up to this point.

Senator CRUZ. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you.

We stand adjourned.

[Whereupon, at 2:26 p.m., the committee adjourned.]