

The Hon. Frank R. Wolf
Special Order on the Terrorist Attack in Benghazi
January 23, 2013

Mr. Speaker, more than four months have passed since the terrorist attacks in Benghazi -- which killed four Americans, including our ambassador, injured many others and destroyed two U.S. facilities. Yet despite the months that have passed, we're hardly closer to bringing those responsible to justice than we were in the weeks immediately following the attack. Put bluntly: the lack of progress in identifying and hunting down the terrorists responsible is stunning.

Consider the current state of the Obama Administration's investigation and response to the attack:

- Four months later, the administration still cannot – or will not – name the terrorist groups responsible for the attacks, or the names of these groups' leaders.*

- Four months later, despite consular video footage and many eyewitnesses, not a single Benghazi terror suspect is in custody.*

- Four months later, the FBI has had access to only one suspect, Ali Harzi, for just three hours – and the Tunisian government kept the FBI team waiting for more than five weeks before they were finally granted access.*

- Four months later, the administration still hasn't disclosed the serious connections between the groups behind the Benghazi attack and the leaders of the attacks on the U.S. embassies in Cairo, Tunis and Sana'a that same week of September 11.*

- Four months later, and following the release of the Pickering Report on State Department failures leading up to the attack, not a single State Department employee has been fired and held responsible for their role in denying adequate security for the consulate in Benghazi.*

· *Four months later, despite Secretary Clinton's September 21 declaration that, "What happened was a terrorist attack, and we will not rest until we have tracked down and brought to justice the terrorists who murdered four Americans," this administration seems to not only have rested, but have moved on - and apparently hopes that the Congress and the American people will too.*

And today, the New York Times is reporting "several Egyptian members of the squad of militants that lay bloody siege to an Algerian gas complex last week also took part in the deadly attack on the United States Mission in Libya in September."

Mr. Speaker, four months later, this is an unacceptable state of affairs.

Quite frankly, the Obama Administration has failed. They have failed to prioritize this investigation. They have failed to bring the necessary pressure to bear on the Libyan, Tunisian and Egyptian governments.

But more fundamentally, the administration has failed to respond to a terrorist attack appropriately; treating it as a law enforcement and diplomatic issue rather than as a security issue.

At its core, this is yet another reflection of President Obama's schizophrenic counterterrorism policy. The same administration that unapologetically reigns down lethal drone strikes on some al-Qaeda-affiliated terrorists in Pakistan, Yemen and Somalia will not use other counterterrorism resources to identify, locate and detain the terrorists involved in the death of our ambassador in Libya.

This inconsistent policy may stem from the president's hasty campaign promise to shut down Gitmo and prematurely transfer detention facilities in Iraq and Afghanistan. In doing so, the president effectively ended America's ability to detain and interrogate terrorists; depriving the FBI, CIA and other agencies of critical opportunities to obtain information on al-Qaeda networks.

Today, as the case of Benghazi suspect Ali Harzi has demonstrated, the United States is completely reliant on the cooperation of host countries to detain on our behalf and selectively allow access to suspects. And as the case of Harzi has demonstrated, this approach is fraught with diplomatic roadblocks – costing critical time in getting information from suspects to track terrorist networks.

Perhaps that is why President Obama so often opts to use lethal drone strikes to kill terrorists, knowing that the U.S. would be unable to get access to interrogate these terror suspects by working through the host government, or because he no longer has a way to detain them in U.S. custody, short of providing them the full privileges of an Article III court.

In short, the president has tied his own hands, compromised U.S. national security, put the FBI in an impossible position and laid the groundwork for the administration's inept response in the wake of the terrorist attack in Benghazi.

To make matters worse, the administration is not even seeing any significant success from its diplomatic-focused response. When Tunisia refused to allow the FBI access to Harzi for more than five weeks, the administration took no public steps to use diplomatic tools, like U.S. foreign assistance, to pressure the Tunisians to make Harzi available. In fact, the FBI only gained access after members of Congress threatened amendments to cut off or restrict Tunisia's future foreign aid if they continued to obstruct the FBI investigation.

I was among those Members of Congress. In the interim I urged the administration to act immediately to suspend foreign assistance if the Tunisian government persisted in obstructing the investigation. On January 4 I received a tepid response from the acting deputy assistant administrator for legislative and public affairs at USAID, which I submit for the record, with bland assurances that the Tunisian government was cooperating. Days later Ali Harzi was released. Today, I again wrote USAID, expressing my disappointment that the administrator himself could not respond directly to a Member of Congress who serves on the committee of jurisdiction. And further, pointing out what should be obvious—the Tunisian government did not cooperate. The Tunisian government never seriously thought the aid, precious taxpayer money, was in jeopardy. The Tunisian government has not faced a single consequence for undermining U.S. national security. I submit my letter for the Record.

Sadly, the failure to respond forcefully and appropriately to the Benghazi attack will undoubtedly encourage our enemies, and make the world a more dangerous place for Americans working in hostile environments. This failure to respond has endangered future embassy staff and ambassadors – the federal employees who serve our country at great risk.

Rather than demonstrating that there will be no quarter, no respite and no safe haven for a terrorist who threatens American officials abroad, the message the administration has sent is that there is no apparent consequence for these actions. This will only embolden our enemy to plan the next Benghazi, knowing that under this administration, there is less consequence than ever for their involvement in such an attack.

In this context, perhaps it is not surprising that the al-Qaeda-affiliated terrorist group Ansar al-Sharia brazenly took pictures of the FBI agents interviewing Harzi and posted the pictures on their Web sites. And when the Tunisian government released Harzi, Ansar al-Sharia was there to welcome him and post a video of their celebration of his release. Again, these antagonistic actions have been met by silence from this administration.

As Steve Hayes and Thomas Joscelyn reported in The Weekly Standard this week, "U.S. officials tell The Weekly Standard that the release of the photos was a clear attempt to intimidate the Americans and show that the FBI could not act with impunity.

In its posting, Ansar al-Sharia Tunisia warned the Tunisian people that their government had allowed the FBI 'to begin investigating your sons under post-revolutionary protection.'"

Consider that the same week of the Benghazi attack, our embassies in Cairo, Tunis and Sana'a were also overrun in an increasingly-apparent coordinated plot. In each case, the American flag was ripped down and burnt and a black al Qaeda flag was flown in its place. We are fortunate that none of these incidents resulted in a loss of life; they were nonetheless a public attack on America by hostile groups. As the administration's own State Department Web site states, "any attack on an embassy is considered an attack on the country it represents."

Each embassy and consulate that was overrun the week of September 11 represents, in its own way, a public attack on America. And in the months that have followed, this administration demonstrated that there are no consequences for breaching our embassies or killing our personnel.

I fear that the latest hostage-taking and killing of Americans and other Westerners in Algeria is a manifestation of a newfound confidence by our enemy – knowing that they may face no serious consequences from this administration for their murderous acts. It is telling that neither President Obama nor any others in his administration have made a public statement on the recent terrorist activities in Algeria.

All the while, the "Arab Spring," which was fanned by this administration to much fanfare, has become an "Arab Winter" for many of the peoples in the Middle East and North Africa. And in this "Arab Winter," a new safe haven for al-Qaeda-affiliated groups is forming – ideologically fueled by the release of terrorists and extremists from prisons and flush with weapons provided to anti-Qaddafi rebels last year.

We are witnessing the potential formation of the next front in the War on Terror, but we increasingly have an administration that no longer considers it a war worth fighting – no matter the cost to American power or the safety of our people abroad.

While some have described the Obama Doctrine as leading from behind, it is increasingly clear that the Obama Doctrine means not leading at all.

While most of the responsibility falls on the president and his administration, the Congress and the media share some blame for failing to adequately investigate and bring attention to the many questions surrounding the administration's response to Benghazi.

Aside from a handful of reporters who have stayed with this story and continued to raise questions about the administration's words and deeds, I can't help but wonder, where are the New York Times, The Washington Post, or the network news programs? Why, in the wake of last week's deadly terrorist attack in Algeria, are no reporters investigating the serious links between al-Qaeda's affiliates in North Africa and the connection between the groups?

Equally important, where has the Congress been in investigating both the circumstances of the attack and the administration's response over the last four months? Despite a handful of hearings, many in a classified setting, the American people have not been provided anything close to an adequate answer to the following questions:

- *Secretary Panetta, Attorney General Holder and DNI Clapper still haven't testified before Congress – what steps did they take during the attack and in the days that followed?*
- *What were the President's activities during the seven-hour period of attack?*
- *Why wasn't the U.S. military deployed to assist? On the anniversary of the worst terrorist attack in American history, and after multiple attacks this year on U.S. and Western interests, why were U.S. military units and assets in the region not ready, alert and positioned to respond? After all, two of the four people killed were murdered seven hours after fighting began.*
- *Why do we still not have clear answers on the internal process that produced the inaccurate, and frankly misleading, talking points on which Ambassador Rice relied several days after the attack?*
- *Why were the testimonies of the U.S. personnel who were evacuated from Benghazi on September 12 - eyewitnesses who knew there never was a demonstration outside the Consulate - not immediately factored in to the judgments of our intelligence community?*
- *Why wasn't Secretary Clinton interviewed by the Pickering Commission?*
- *Was the White House aware of the FBI investigation of Gen. Petraeus? If not, why not?*

To date, the Congress has failed to get these answers and has not developed a coordinated or substantial investigative plan to fully explore this critical matter which has a direct bearing on U.S. national security. And in the absence of serious oversight, the media has moved on. And the administration, which has so much to account for to the American people, receives a "carte blanche" from the Legislative Branch to continue its questionable policies.

These matters are too serious to be brushed aside. There are critical legislative decisions the next Congress will have to make based on the answers to these questions. But more importantly,

the American people deserve answers to these questions -- including open hearings and an unclassified report.

Mr. Speaker, for these reasons, I remain convinced that a House Select Committee on the Terrorist Attack in Benghazi is needed more than ever. That is why last week I reintroduced my resolution, H. Res. 36, with 20 of our colleagues joining as original cosponsors.

A select committee is essential to combine the myriad existing investigations into a single, comprehensive and exhaustive review. I believe such a combined effort will yield even more information regarding the true nature of these terrorist attacks and the administration's response and will not allow administration officials to offer up siloed accounts to various committees.

The select committee I am proposing should draw from the existing congressional investigations by including the chairman and ranking member of each committee of jurisdiction -- Intelligence, Foreign Affairs, Judiciary, Armed Services, Homeland Security and Oversight and Government Reform -- as well as five additional Republicans appointed by the Speaker and two additional Democrats appointed by the Minority Leader.

I appreciate the support I have received for this resolution from the original cosponsors, as well as the Heritage Foundation, former Senator Fred Thompson, the counsel on the Watergate Select Committee, former Ambassador John Bolton and Gen. Jerry Boykin, a former special operations officer and CIA operative who is widely respected in the intelligence community.

Mr. Speaker, we owe it to the families of the victims, and the American people, to fully investigate this terrorist attack. I urge my colleagues to support my resolution to create a House Select Committee.