



United States Department of State

Washington, D.C. 20520

APR 08 2015

Case No.: F-2014-11262

Segments: S/ES-1 & S/ES-2

Ms. Kate Bailey
425 Third St., SW, Suite 800
Washington, DC 20024

Dear Ms. Bailey:

I refer to our letter dated February 11, 2014, regarding the release of certain Department of State material under the Freedom of Information Act (the "FOIA"), 5 U.S.C. § 552.

The review has been completed for part 3 of the records retrieved from the Office of the Secretary, which consist of seven documents responsive to your request. We have determined that five may be released in full and two may be released with excisions. All released material is enclosed.

An enclosure provides information on FOIA exemptions and other grounds for withholding material. Where we have made excisions, the applicable exemptions are marked on each document.

We will keep you informed as your case progresses. If you have any questions, you may contact Assistant United States Attorney Robert Prince at (202) 305-3654 or Robert.Prince@usdoj.gov. Please be sure to refer to the case number shown above in all correspondence about this case.

Sincerely,

 For

John F. Hackett, Acting Director
Office of Information Programs and Services

Enclosures: As stated.

The Freedom of Information Act (5 USC 552)

FOIA Exemptions

- (b)(1) Withholding specifically authorized under an Executive Order in the interest of national defense or foreign policy, and properly classified. E.O. 12958, as amended, includes the following classification categories:
- 1.4(a) Military plans, systems, or operations
 - 1.4(b) Foreign government information
 - 1.4(c) Intelligence activities, sources or methods, or cryptology
 - 1.4(d) Foreign relations or foreign activities of the US, including confidential sources
 - 1.4(e) Scientific, technological, or economic matters relating to national security, including defense against transnational terrorism
 - 1.4(f) U.S. Government programs for safeguarding nuclear materials or facilities
 - 1.4(g) Vulnerabilities or capabilities of systems, installations, infrastructures, projects, plans, or protection services relating to US national security, including defense against transnational terrorism
 - 1.4(h) Information on weapons of mass destruction
- (b)(2) Related solely to the internal personnel rules and practices of an agency
- (b)(3) Specifically exempted from disclosure by statute (other than 5 USC 552), for example:
- | | |
|--------|---|
| ARMEX | Arms Export Control Act, 22 USC 2778(e) |
| CIA | Central Intelligence Agency Act of 1949, 50 USC 403(g) |
| EXPORT | Export Administration Act of 1979, 50 App. USC 2411(c)(1) |
| FSA | Foreign Service Act of 1980, 22 USC 4003 & 4004 |
| INA | Immigration and Nationality Act, 8 USC 1202(f) |
| IRAN | Iran Claims Settlement Act, Sec 505, 50 USC 1701, note |
- (b)(4) Privileged/confidential trade secrets, commercial or financial information from a person
- (b)(5) Interagency or intra-agency communications forming part of the deliberative process, attorney-client privilege, or attorney work product
- (b)(6) Information that would constitute a clearly unwarranted invasion of personal privacy
- (b)(7) Information compiled for law enforcement purposes that would:
- (A) interfere with enforcement proceedings
 - (B) deprive a person of a fair trial
 - (C) constitute an unwarranted invasion of personal privacy
 - (D) disclose confidential sources
 - (E) disclose investigation techniques
 - (F) endanger life or physical safety of an individual
- (b)(8) Prepared by or for a government agency regulating or supervising financial institutions
- (b)(9) Geological and geophysical information and data, including maps, concerning wells

Other Grounds for Withholding

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

RELEASED IN FULL

REVIEW AUTHORITY: Archie Bolster, Senior Reviewer

From: Randolph, Lawrence M
Sent: Wednesday, September 12, 2012 6:21 AM
To: Macmanus, Joseph E (S); S_SpecialAssistants
Subject: RE: SPOT REPORT 09/12/I (SBU)

Calling Ops now.

From: Macmanus, Joseph E (S)
Sent: Wednesday, September 12, 2012 6:20 AM
To: S_SpecialAssistants
Subject: Fw: SPOT REPORT 09/12/I (SBU)

Need a breakout: Americans KIA, LES KIA, and same for injured/wounded, etc.

From: OpsAlert
Sent: Wednesday, September 12, 2012 06:08 AM
Subject: SPOT REPORT 09/12/I (SBU)

SENSITIVE BUT UNCLASSIFIED



EXECUTIVE SECRETARIAT
Operations Center

SPOT REPORT

Attack On U.S. Diplomatic Mission in Benghazi

Wednesday, September 12, 2012
 0600 EDT

LATEST DEVELOPMENTS

- (SBU) Four COM personnel were killed and three were wounded in an attack by dozens of fighters on the U.S. Diplomatic Mission in Benghazi beginning approximately 1550 Eastern Time. *(Ops/DS Command telcon and e-mail)*
- (SBU) All COM personnel have evacuated Benghazi and are in Tripoli. The wounded are receiving medical treatment at a local hospital pending evacuation. *(Ops/DS Command telcon and e-mail, Ops/Embassy Tripoli telcon)*
- (SBU) The U.S. Mission is drawing down to emergency personnel. U.S. military aircraft are scheduled to arrive in Tripoli at 1030 Eastern Time to evacuate COM personnel. A military medevac flight will arrive at 1110 Eastern Time. *(Ops/Embassy Tripoli telcon)*
- (SBU) A Marine FAST team is en route to Tripoli from Spain. *(Ops/Embassy Tripoli telcon)*
- (SBU) Embassy Tripoli has drafted an Emergency Message to Americans announcing the drawdown and encouraging Americans to leave Libya via commercial flights. *(Ops/Embassy Tripoli telcon)*
- (U) A number of media sources report the death of U.S. Ambassador Stevens. *(Reuters, Al Jazeera)*

Please see our classified website at <http://ses.state.sgov.gov>

Drafted: JSArmiger

Approved: AVeprek

Dist: State (all bureaus), NSS, OSD, NMCC, JCS, CIA, OSC, NCTC, DHS, DNI

SENSITIVE BUT UNCLASSIFIED

RELEASED IN FULL

REVIEW AUTHORITY: Archie Bolster, Senior
Reviewer

From: Operations Center
Sent: Tuesday, September 11, 2012 6:57 PM
To: SES-O_S-Calls
Cc: SES-O
Subject: The Secretary has requested to Speak with DCM Hicks, Embassy Tripoli

*Kathryn E. Porter
Watch Officer
State Department Operations Center
202-647-1512*

RELEASED IN PART
B6REVIEW AUTHORITY: Archie Bolster, Senior
Reviewer

From: Sandy [redacted] <slcharles1 [redacted]>
 Sent: Tuesday, September 11, 2012 8:52 PM
 To: Allen Keiswetter; Rox; Melissa Mahle; Cor
 Subject: Shocking news: US consulate staffer dies in Libya mission clash

B6

THE JERUSALEM POST

Israel's best-selling English daily and most-read English website



Photo by: REUTERS

'US consulate staffer dies in Libya mission clash'

By REUTERS

12/09/2012

Armed gunmen attack US consulate compound in Benghazi injuring several
 Libyan security sources say; attack in protest of US film that they say insults
 incident follows demonstration in Egypt.

BENGHAZI, Libya - An American staff member of the US consulate in the eastern Libyan city of Benghazi died following fierce clashes at the compound, Libyan security sources said on Wednesday.

"One American staff member has died and a number have been injured in the clashes," Abdel-Moniem spokesman for Libya's Supreme Security Committee, said, adding that he did not know the exact number injured and could not say what the cause of death was.

Armed gunmen attacked the compound on Tuesday evening, clashing with Libyan security forces who withdrew as they came under heavy fire. The armed group is said to have been protesting a film banned in the United States.

The incident followed a protest in neighboring Egypt where demonstrators scaled the walls of the US consulate, tore down the American flag and burned it during a protest over what they said was a film that insulted Prophet Mohammad.

Reuters reporters on the scene could see looters raiding the empty Benghazi compound, walking through the debris, chairs and washing machines.

Unknown gunmen were shooting at the buildings while others threw handmade bombs into the compound, causing small explosions. Small fires were burning around the compound.

Passersby entered the unsecured compound to take pictures with their mobile phones and watch the chaos.

No security forces could be seen around the consulate and a previous blockade of the road leading dismantled.

"The Libyan security forces came under heavy fire and we were not prepared the intensity of the attack," he said.

Libya's interim government has struggled to impose its authority on a myriad of armed groups which refuse to lay down their weapons and often take the law into their own hands.

A number of security violations have rocked Benghazi, Libya's second biggest city and the cradle of the 2011 revolt that toppled Muammar Gaddafi.

Sent from my iPad

RELEASED IN FULL

REVIEW AUTHORITY: Archie Bolster, Senior
Reviewer

From: Nuland, Victoria J
Sent: Tuesday, September 11, 2012 11:27 PM
To: Sullivan, Jacob J
Subject: I hear u r drafting

The Chris statement. Let me know is u need anything.

REVIEW AUTHORITY: Archie Bolster, Senior
Reviewer

RELEASED IN PART B6

From: Benaim, Daniel
Sent: Wednesday, September 12, 2012 9:38 AM
To: Schwerin, Daniel B; Rooney, Megan; Russo, Robert V; Sullivan, Jacob J
Subject: details from Hague DCM and Smith's supervisor

- Enrolled in correspondence courses at Penn State.
- Go-to guy on IT.
- Served with his supervisor in Baghdad 2007-2008.
- Served in Praetoria, South Africa before Iraq. After Iraq, to Montreal, and then to Hague.
- Sean Smith started his career in the Foreign Service as a Radio Technician working with the Regional Information Management Centers.
- According to supervisor at Embassy (not written record as yet) he was in Air Force from 1996 to 2002.

B6

Daniel Benaim
Office of Policy Planning
Department of State
benaimd@state.gov
(202) 647-4293

RELEASED IN FULL

REVIEW AUTHORITY: Archie Bolster, Senior
Reviewer

From: Brian Katulis, Center for American Progress <progress@americanprogress.org>
 Sent: Wednesday, September 12, 2012 2:09 PM
 To: Sullivan, Jacob J
 Subject: Death of Ambassador Stevens in Libya

Center for American Progress

September 12, 2012 | [View Online](#)

Statement from CAP Senior Fellow Brian Katulis on the Death of Ambassador Stevens in Libya

By [Brian Katulis](#)

The attack in Benghazi that killed U.S. Ambassador to Libya Christopher Stevens, his colleague Sean Smith, and two other colleagues is a terrible reminder of the risks American diplomats around the world take every day. The Center for American Progress honors the ultimate sacrifice Ambassador Stevens and his colleagues made in the service of their country.

As the Obama administration made clear today, the United States will work with our Libyan government partners to bring the perpetrators of this despicable act to justice.

This attack underscores the urgency of the work Ambassador Stevens and his colleagues were in Libya to accomplish: to help the Libyan people establish the rule of law, eliminate terrorist networks, and disband militias. As our former colleague Sarah Margon noted last July, disbanding Libya's militias and establishing a fair and effective justice system remain critical tasks for Libya's newly elected government and its international supporters.

[Read the full statement here.](#)



In this photo taken Monday, April 11, 2011, then-U.S. envoy Chris Stevens speaks to local media before attending meetings at the Tibesty Hotel where an African Union delegation was meeting with opposition leaders in Benghazi, Libya. [Read more.](#)

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Center for American Progress | 1333 H Street NW, 10th Floor | Washington, DC 20005

This email was sent to sullivanjj@state.gov.

RELEASED IN FULL

REVIEW AUTHORITY: Archie Bolster, Senior
Reviewer

From: Rapid-Response <Rapid-Response@STATE.GOV>
 Sent: Thursday, September 13, 2012 7:52 AM
 To: RAPIDRESPONSE@STATELISTS.STATE.GOV
 Subject: Rapid Response 09-13
 Attachments: Rapid Response 09-13.doc

Rapid Response

September 13, 2012

HOT TOPICS: LIBYA

'Nothing Justifies Murder': While broadcast media highlight ongoing demonstrations around US Embassies in Cairo and Sanaa to protest a film "offensive to Islam," Middle East and African observers deplore the "dastardly and outrageous" killing of US diplomats in Libya and express concern the spreading violence may jeopardize the Arab Spring. South Africa's *Daily Maverick* laments "the US ambassador to Libya pays the ultimate price of religious madness." Jordan's *Al-Dustour* depicts the Benghazi attack as "a huge gift to all Islamophobes which will create a more negative image of Islam than a thousand films could have." Pan-Arab *Al-Hayat* calls the killing of Ambassador Stevens "sad and shameful," arguing that "however insulting the film, it does not justify violence," and concludes "the film makers and the attackers share the same totalitarian mentality." *The Jordan Times* regrets that the "undertaking [of US diplomats] seems to have been lost on extremist elements who, wittingly or unwittingly, vindicated the goals of the producer of the movie." Qatar's *Peninsula* stresses the need for Muslim countries to take all "security measures to protect the lives of foreigners in their land. The so-called guardians of Islamic faith must realize that the attack on Americans will only defeat their objective." Meanwhile, the UAE's *Khaleej Times* worries "the Middle East, in the aftermath of Arab Spring, is too ticklish to stand such upheavals," urging "respective governments and community leaders to rise to the occasion to suppress undercurrents of hatred and bias." Pan-Arab *Al-Hayat* is concerned a "five- million dollar film will destroy the Arab Spring." Lebanon's *Daily Star* conjectures that, based on past incidents, the "violence should not have been a surprise, thus more efforts must urgently be made to contain the spread of such hateful media." Saudi Arabia's *Al-Riyadh* contends "freedom does not mean disdain of religions and prophets," and implores the US to "protect religions equally."

'The Arab Spring Turns Sour for America': As commentators in the rest of the world condemn the "reprehensible" violence at the US consulate in Libya, some analysts fear militant Islam thrives in the unsecured state, several worry the incident will derail the Arab Spring, and others in China criticize Washington for its "failed Middle East policy." Germany's *Die Welt* rejects the controversial anti-Islam film's "clear provocation," though "this cannot excuse what the mob in Cairo and Benghazi has done." China's *Global Times* argues "killing an ambassador is against the humanitarian bottom line." Afghanistan's *Daily Outlook* condemns the tragedy "in the strongest words," advocating "ignoring such bigots who want to...provoke reaction." The UK's *Telegraph*, meanwhile, suspects that, "in a country where the state is too weak to govern and guns are readily available, it was only a matter of time before anti-Western radicalism cost lives in Benghazi." Germany's *Frankfurter Allgemeine Zeitung* fears "the new rulers are not yet in the position to guarantee law and order." Italy's *Corriere della Sera* laments "not even the death of Bin Laden has stopped the threat [of militant

Islam].” Spain’s *ABC* contends “the whole US [presence] in the rise and fall of the Arab Spring is now in question.” Japan’s *Yomiuri* adds “democracy and freedom have not yet prevailed in Arab nations as the US had hoped for.” Canada’s *Toronto Star* predicts the recent violence “will grow until it sweeps away the Arab Spring’s gains.” The UK’s *Sky News* predicts “further violence across the Islamic world” and Turkey’s *Hurriyet* warns of a “chain reaction.” China’s *Global Times* depicts the tragedy as a sign of “a major failure of the US’ Mideast policy,” and chides Washington for “lacking basic understanding and respect for other cultures.” Spain’s *El Mundo* prescribes a “strong and renewed commitment against terror.” The UK’s *Guardian* declares “Libya’s new democracy must not be derailed,” urging “robust and effective action” in Libya.

Message:

- ✓ *President Obama called President Magariaf of Libya ... [and] expressed appreciation for the cooperation we have received from the Libyan government and people in responding to this outrageous attack. (Readout of President Obama’s call with Libyan President Magariaf)*
- ✓ *President Obama said that the Libyan government must continue to work with us to assure the security of our personnel going forward. (Readout of President Obama’s call with Libyan President Magariaf)*
- ✓ *The President made it clear that we must work together to do whatever is necessary to identify the perpetrators of this attack and bring them to justice. (Readout of President Obama’s call with Libyan President Magariaf)*
- ✓ *The two Presidents agreed to work closely over the course of this investigation. (Readout of President Obama’s call with Libyan President Magariaf)*

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