



Obtained by Judicial Watch, Inc. Via FOIA
DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, DC 20350-2000

5720

Ser DNS-36JP/15U107311

October 2, 2015

Sent via email to: sdunagan@judicialwatch.com

Mr. Sean Dunagan
Judicial Watch
1911 N Fort Myer Drive Suite 600
Arlington, VA 22209

Dear Mr. Dunagan:

This is in reference to your Freedom of Information Act (FOIA) request dated June 12, 2014, originally addressed to the Department of State (DOS). DOS referred records responsive to your request to this office for processing on May 6, 2015. That referral was received in our office on June 1, 2015, and assigned DON FOIA Case Tracking Number **DON-NAVY-2015-006427**.

A redacted copy of this record is released, as enclosed. On review of the responsive records, we have determined that portions of the records should be withheld under 5 U.S.C. § 552 (b)(1). These records contain information that, per Executive Order 13526, Section 1.4, parts (c) and (d), is currently and properly classified. Additionally, certain personally identifiable information, such as the names, dates of birth, or social security numbers, have been withheld under 5 U.S.C. § 552 (b)(6) and (b)(7)(C), as release of this information would result in a clearly unwarranted invasion of an individual's personal privacy. Information has also been withheld under 5 U.S.C. § 552 (b)(7)(D) and (b)(7)(E), as these portions concern information compiled for law enforcement purposes, as disclosure would potentially reveal the identity of a confidential source, or reveal law enforcement techniques and procedures, respectively.

Because your request is partially denied, you are advised of your right to appeal the denial of your request. Redactions recommended by the Naval Criminal Investigative Service (NCIS) may be appealed by writing to:

Office of the Judge Advocate General
1322 Patterson Ave, SE, Ste 3000
Washington Navy Yard, DC 20374-5066

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Your appeal must be postmarked within sixty calendar days from the date of this letter. A copy of your initial request and this letter must accompany the appeal. The appeal should be marked "FREEDOM OF INFORMATION APPEAL" both on the envelope and the face of the letter. In order to expedite the appellate process and ensure full consideration of your appeal, your appeal should contain a brief statement of the reasons you believe this decision to be in error.

Redactions recommended by the DOS may be appealed by writing to:

Chairman, Appeals Review Panel
c/o Information and Privacy Coordinator/Appeals Officer
U.S. Department of State
A/GIS/IPS/PP, SA-2
Washington, DC 20522-8100

The appeal should be received within 60 days of the date of when you received this denial. The appeal letter should state why you disagree with the determination and provide any additional supporting information.

Questions regarding the action this office has taken during the processing of your request may be directed to our FOIA service center at (202) 685-0412.

Sincerely,

A handwritten signature in black ink, appearing to read "Robin Patterson", with a stylized flourish extending from the end.

ROBIN PATTERSON
Head, DON PA/FOIA Program Office

DOS - (b)(6), (b)(7)(C)

From: [REDACTED] on behalf of DS Command Center
Sent: Wednesday, September 12, 2012 9:02 PM
To: DSCC_E TIA/ITA; DS-IP-NEA; DSCC_C DS Seniors; DSCC_E TIA/PII
Cc: DS Command Center; DSCC Management Team
Subject: NCIS - (b)(1) E.O. 13526 1.4 (c) & (d)

Classification: UNCLASSIFIED
SensitivityCode: Sensitive
SMARTCategory: Working

ALCON,

*Evcs sent, logged
KJB*

NCTC requested that the DSCC pass the following cable:

~~SECRET//NOFORN~~

Sensitive

MRN: 12 DIA IMADS WASHINGTON DC 9125788

Date/DTG: Sep 12, 2012 / 121513Z SEP 12

From: DIA IMADS WASHINGTON DC

Action:

Captions: Sensitive, NOFORN

Subject: (U) IIR 5 398 1185 12/INFORMATON ON ATTACK OF US CONSULATE in Benghazi, Libya, on 11Sep12 DATE OF INFORMATION: (U) 12 Sep 2012. CUTOFF: (U) 12 Sep 2012.

SUMMARY: (U) SEE EXECUTIVE SUMMARY, TEXT PARAGRAPH 1, BELOW.

CLASSIFICATION: ~~SECRET~~

~~SECRET//NOFORN~~

QQQQ

SERIAL: (U) IIR 5 398 1185 12.

DATE OF PUBLICATION: 121508Z SEP 12.

DEPARTMENT OF DEFENSE

INFORMATION REPORT, NOT FINALLY EVALUATED INTELLIGENCE.

COUNTRY OR NONSTATE ENTITY: (U) LIBYA (LBY); UNITED STATES (USA).

***** THIS IS A COMBINED MESSAGE *****

SUBJECT: (U) IIR 5 398 1185 12/INFORMATON ON ATTACK OF US CONSULATE in Benghazi, Libya, on 11Sep12

DATE OF INFORMATION: (U) 12 Sep 2012.

CUTOFF: (U) 12 Sep 2012.

SUMMARY: (U) SEE EXECUTIVE SUMMARY, TEXT PARAGRAPH 1, BELOW.

NCIS - (b)(1) E.O. 13526 1.4 (c) & (d), (b)(7)(D)

WARNING: (U) THIS IS AN INFORMATION REPORT, NOT FINALLY EVALUATED INTELLIGENCE. REPORT CLASSIFIED ~~SECRET//NOFORN~~

TEXT: 1. (U//FOUO) EXECUTIVE SUMMARY. A Salafi group (NFI) is

believed to be responsible for the 11 September, 2012, attack on the US Consulate in Benghazi, Libya. The attack was in retaliation for the killing of an Al Qaeda operative. The Salafi group attended the protest and returned at night using overwhelming firepower to overtake security forces of the Consulate.

2. (U) The general atmosphere in Benghazi and Tripoli, Libya, relevant to the attack on the US Consulate, on 11 and 12 Sept 12, is that of shock and disbelief. A Salafi group is reported to be behind the attack. The Salafi group responsible for the violent are believed to be the same group who defaced the Islamic shrines and old historic monuments. Some business owners are siding against the Salafi group, believed to be the culprits, and hoping for international intervention to assure stability and justice. A majority of the local population is reported to hold anti-Salafi views.

3. (U//~~FOUO~~) The attack was an organized operation with specific information that the US Ambassador was present. The Salafi group attended the protest at or near the US Consulate earlier on 11 September, 2012, and then returned at 2300 firing small arms weapons and between 25 to 30 RPGs at the Consulate and other unknown targets (NFI). The local police tried to defend the Consulate but were out matched by the group's size and their superior firepower.

4. (U//~~FOUO~~) The attack was in carried out in retaliation for the killing of the Al Qaeda's number two man, Abu Yah Ya ((Al LIBI)).

COMMENTS: (Source Comments) 1. (U//~~FOUO~~)

NCIS - (b)(7)(D)

2. (U//~~FOUO~~) There has been no reports of any continuation of the protests or violence, but source suspects there could be additional violence since the attack seemed well coordinated. The majority of the population is against these violent actions, but will not openly condemn them as it will align them with those who support the creation and promulgation of the anti-Muhammad/Islamic video or view. It is believed that most of the businesses and population would support this as the majority hold anti Salafi views and are against such violence.

NCIS - (b)(1) E.O. 13526 1.4 (c) & (d)

4. (U//~~FOUO~~) There was a plan to protest in Tripoli on 11 Sep 12, but law enforcement officials squashed the protest with roadblocks and enforcement efforts.

5. (U) One business owner was heard expressing, "I hope the building has cameras," to help catch the ones responsible.

(Field Comments) 1. (U//~~FOUO~~) To aid collection efforts, analysts are encouraged to send evaluations and additional source directed requirements (SDRs) via HOT-R. If HOT-R is unavailable, please send evaluations and SDRs to DIRNAVCRIMINVSERV QUANTICO VA//0025//. For foreign disclosure and release of information contained in this IIR,

(U) Source A is available for recontact.

FUNCTIONAL CODE: (U) IFC1500; IFC1570; IFC1590; IFC2210; IFC2390;
IFC2400.

REQUIREMENT: (U) LBY2008A.1.1.1.2; LBY2008A.1.1.1.8;
LBY2008A.1.1.1.11; LBY2008A.1.1.2.8; LBY2008A.1.1.3.2;
LBY2008A.1.1.3.3; LBY2008A.1.1.4.7.

MGT CODE: (U) ZC; ZD; ZI.

INSTR: (U) U.S. NO.

PREP: (U) NCIS - (b)(6)

***** START OF SECTION 2 *****

JOINT REP: (U) NONE.

DATE OF ACQUISITION: (U) Sicily, Italy (20120912).

POC: (U//~~FOUO~~) POC Information: Direct any further questions concerning this IIR to NCIS HO Collection Management via

WARNING: (U) THIS IS AN INFORMATION REPORT, NOT FINALLY EVALUATED INTELLIGENCE. REPORT CLASSIFIED ~~SECRET/NOFORN~~.

=DISSEMINATION

AGENCY: (U) None.

S. MISSION: (U) None.

MILITARY: (U) None.

STATE/LOCAL: (U) None.

CLASSIFICATION

CLASSIFIED BY: 5N2671.

DERIVED FROM: OPNAVINST 5513.4E, SCG ID #04-17.2.

DECLASSIFY ON: 25X1, 20370912.

~~SECRET//NOFORN~~

Derived From: OPNAVINST 5513

Declassify On: 25X1, 20370912

Action Post:

Dissemination Rule: Archive Copy

~~SECRET//NOFORN~~

Sensitive

This email is UNCLASSIFIED.