

# THE QUICKIE FBI VISIT TO BENGHAZI AND THE ARRESTS IN TURKEY

Two updates to the Benghazi attack story I've become obsessed with.

Multiple reports say the FBI has finally visited the attack site in Benghazi. The AP reports they were only onsite (the assumption being the sites include the consulate, the safe house, and presumably another safe house location) for about 12 hours.

Agents arrived in Benghazi before dawn on Thursday and departed after sunset, after weeks of waiting for access to the crime scene to investigate the Sept. 11 attack.

The agents and several dozen U.S. special operations forces were there for about 12 hours, said a senior Defense Department official who spoke anonymously because he was not authorized to speak publicly about the ongoing investigation. The FBI agents went to "all the relevant locations" in the city, FBI spokeswoman Kathy Wright said. The FBI would not say what, if anything, they found.

The FBI visit comes less than 24 hours after the WaPo visit on Wednesday when they discovered a bunch of documents.

More than three weeks after attacks in this city killed the U.S. ambassador to Libya and three other Americans, sensitive documents remained only loosely secured in the wreckage of the U.S. mission on Wednesday, offering visitors easy access to delicate information about American operations in Libya.

At first, I wondered whether this was a response to the WaPo's apparent ease of access to the compound—that may have added urgency. But the AP story suggests that the FBI asked for military transport to Benghazi several days before the trip—so Tuesday at the latest.

Little said it was “a matter of days” between the request for the FBI to access the Benghazi crime scene and the team's arrival Thursday, Libya time, when the U.S. military airlifted them to the city.

The request to the Pentagon to transport the FBI to Benghazi came several days ago and it took a few days to get authorization from the Libyan government and to make other necessary arrangements to get the team there, the senior Defense Department official said.

U.S. officials also suggested that there may have been some disagreement between the State Department and the FBI over whether or not the FBI team would use Libyan security or seek approval for the U.S. military to handle the mission. The U.S. Army Delta Force troops flew into Benghazi with the FBI team on three C-130 transport aircraft.

Three C-130 transport aircraft? This is our idea of a light footprint? What did we lug away with us when we left? (The NYT said there was just one, and suggested the transport planes had also brought armored vehicles for the drive to the compound.)

I'm also interested in the account of disagreement over whether to use Libyan security forces or not (particularly given the quote from a top militia leader in the WaPo saying Benghazi was still too dangerous for Americans), an account McClatchy examines too. To some degree, it seems like the same policy of letting the Libyans take control that Ambassador Stevens

reportedly espoused. But it does seem that part of the delay came from waiting for Libyans to provide security for the trip, at which point State finally gave up and let FBI ask DOD to provide their 3 C-130s of security.

Assuming the FBI first asked DOD for transport on Tuesday, it would put it on the same day that Libya's Deputy Foreign Minister still had not committed to such cooperation, even while suggesting it was imminent.

Deputy Foreign Minister Mohammed Abdel Aziz said the prosecutor general had given only verbal approval for a joint investigation.

"We are getting ready for the FBI team to go to Benghazi and meet with our team and start joint investigations together and also visit the site," he said.

"The FBI team is now in Tripoli. There are others who will come maybe soon to join the team ... Hopefully in the coming days we will reach an agreement as to how the (U.S.) team will work with the Libyan team ... We are now in the context of (awaiting) written permission."

And on the same day Libya's President said publicly the FBI could participate in Libya's investigation.

Speaking to Arabic daily al-Hayat, Libyan President Mohammed el-Megarif said Tuesday the FBI can participate in Libya's investigation. He suggested the slowness of the process wasn't only Libya's fault. The FBI says its agents in Libya can't reach Benghazi because it's dangerous.

So just two days ago, perhaps the same day the FBI asked the DOD to fly them over to Benghazi, el-Megarif seems to give permission for the FBI to join Libya's investigation, even while he

says FBI security was also driving the delay. And it takes a few days to arrange for permission to access the site, and in the interim period the WaPo gets access themselves. In other words, it at least seems—though State appears to want to avoid saying—that Libya caused part if not most of the delay. And remember, after the first week of the delay, Libya's Deputy Interior Minister, Wanis al Sharif, who had been leading the investigation, got fired (though he wasn't fired until September 16), partly for the overall security problems in Benghazi, partly for delays in responding to this attack. Along the way, though, Sharif was alone among Libyans in tying the attack to a protest.

Now consider this detail, also from the WaPo, suggesting the State Department may have expected the Libyan government to secure the compound.

No government-provided security forces are guarding the compound, and Libyan investigators have visited just once, according to a member of the family who owns the compound and who allowed the journalists to enter Wednesday.

[snip]

"Securing the site has obviously been a challenge," Mark Toner, deputy spokesman at the State Department, said in response to questions about conditions at the Benghazi compound. "We had to evacuate all U.S. government personnel the night of the attack. After the attack, we requested help securing the site, and we continue to work with the Libyan government on this front." [my emphasis]

In her briefing today (which started at 12:47, so probably when the FBI was still onsite in Benghazi), spokesperson Victoria Nuland said State had had challenges securing the site 6

different times. State asked Libya to secure the compound. But it has been left open for people to come and go.

As you know, I've got questions about the provenance of the documents CNN (Chris Stevens' journal) and WaPo found and this security arrangement—or lack thereof—is a big part of that. Recall the first report that documents had been taken from the compound and the safe house.

Sensitive documents have gone missing from the consulate in Benghazi and the supposedly secret location of the "safe house" in the city, where the staff had retreated, came under sustained mortar attack. Other such refuges across the country are no longer deemed "safe".

Some of the missing papers from the consulate are said to list names of Libyans who are working with Americans, putting them potentially at risk from extremist groups, while some of the other documents are said to relate to oil contracts.

As a threshold matter, documents listing "names of Libyans who are working with Americans" isn't that far different from documents—described by WaPo—providing extensive detail on the Libyan contractors working for the Americans (though I suspect the earlier reported document includes sources). And the Chris Stevens' itinerary includes details of his meetings with the Arabian Gulf Oil Company, though I expect the documents taken away provided even more details. But these documents weren't that far off what WaPo found at the site yesterday.

Yet today Nuland assured reporters "we don't have any reason to believe that classified material were compromised," even while avoiding saying more about what happened the night of the attack.

All of which seems to suggest the documents described in the Independent were sensitive but

not classified documents, whereas the CIA knows they took or destroyed everything when they evacuated (the evacuation plan—included among the documents WaPo found—says to gather and remove or destroy the documents).

In other words, the documents reporters keep finding are similar to the kind of documents that got taken from the compound after the attack.

Those kind of documents can be useful in telling certain kinds of stories.

In any case, the entire saga says two things: we're not (or weren't) getting complete cooperation from Libya—and there may have been people predisposed to not finding the killers. The investigation so far is reminiscent of the one in the USS Cole, in which both the US and our host country had reasons not to press the investigation too quickly, both out of sensitivity for the relationship and, perhaps, out of fear for what we'd find.

And then one other detail: Turkey arrested 2 Tunisians yesterday trying to fly into Istanbul with fake passports. The arrest is going to introduce all sorts of legal squeamishness into things: do they get extradited to the US, which will lead Republicans to insist they be sent to Gitmo, or are they sent to Libya, where we're having all these difficulties? But also, the apparent involvement of Tunisians in the Benghazi attack would seem to suggest wider involvement in the attack. Finally, I find the timing rather curious: while Bloomberg doesn't say they flew directly from Libya or anywhere close, it seems a remarkable coinkydink they were arrested on the day the Libyans finally started fully cooperating with this investigation.