

IS THIS A BENGHAZI QUESTION?

Particularly given some of the rumors about what the CIA was doing in Benghazi when Ambassador Chris Stevens got killed, I wonder whether this question – from the follow-up to John Brennan’s confirmation hearings – pertains to Benghazi.

In your responses to the Committee’s pre-hearing questions, you wrote that Chiefs of Mission must be kept fully and currently informed of the activities of U.S. government agencies in their countries, consistent with the provisions of 22 USC 3927. That statute also requires that U.S. Ambassadors “shall have full responsibility for the direction, coordination, and supervision of all United States Government officers and employees in that country,” and that “any department or agency having officers or employees in a country shall... comply fully with all applicable directives of the Ambassador.

Is it your understanding that intelligence activities are subject to the approval of the Chief of Mission?

Yes. Pursuant to the President’s instruction, codified in a 1977 agreement between the Department of State and the CIA, the Chief of Mission has a responsibility to express a judgment on all CIA activities in his or her country of accreditation in light of U.S. objectives in the host country and in the surrounding areas and to provide assessments on those activities to Washington. Further, if the Chief of Mission believes a CIA activity might impair U.S. relations with the host country, the Chief of Mission may suspect a CIA or other intelligence activity. If disputes arise between the

Chief of Mission and the Chief of Station that cannot be resolved locally, they are referred to Washington for adjudication by Principals. In order to enable the Chief of Mission to meet these responsibilities, the Chief of Station must keep the Chief of Mission fully and currently informed of CIA activities in the host country (unless the President or Secretary of State has directed otherwise).

"Unless the President or Secretary of State has directed otherwise." A rather big caveat.

MInd you, this question could be as much about Pakistan as it is about Libya. After all, the Pakistan exception to the drone rulebook arose, in part, because of Cameron Munter's past objections to the drone strikes in Pakistan. Nevertheless, as written, the drone rulebook appears to let the CIA – that is, John Brennan, once he is confirmed – to do whatever he wants with drones in Pakistan.

None of those rules applies to the CIA drone campaign in Pakistan, which began under President George W. Bush. The agency is expected to give the U.S. ambassador to Pakistan advance notice on strikes. But in practice, officials said, the agency exercises near complete control over the names on its target list and decisions on strikes.

Imposing the playbook standards on the CIA campaign in Pakistan would probably lead to a sharp reduction in the number of strikes at a time when Obama is preparing to announce a drawdown of U.S. forces from Afghanistan that could leave as few as 2,500 troops in place after 2014.

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So it's not clear what weight Brennan's answer has given that it appears the President has already written an exception for Pakistan and drones.

All that said, given the many reports that Chris Stevens didn't know what the CIA (or, allegedly, Brennan, running ops out of the White House) was doing in Benghazi, I find DiFi's effort to get Brennan on the record on this question rather interesting.