

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
WASHINGTON, DC 20511

FEB 10 2017

The Honorable Devin Nunes
Chairman
Permanent Select Committee on Intelligence
U.S. House of Representatives
Washington, DC 20515

The Honorable Adam B. Schiff
Ranking Member
Permanent Select Committee on Intelligence
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Nunes and Ranking Member Schiff:

Vol. 161, Issue 185 of the Joint Explanatory Statement to accompany the Intelligence Authorization Act of Fiscal Year 2016 (P.L. 114-113) directs the Director of National Intelligence or the appropriate Federal official to conduct a declassification review and to facilitate the release to the public of the declassified closed circuit television videos of the 11 September 2012 terrorist attack on the Temporary Mission Facility (TMF) in Benghazi, Libya.

The Office of the Director of National Intelligence, in consultation with the Central Intelligence Agency (CIA), the Federal Bureau of Investigation (FBI), the Department of Defense (DoD), and the Department of State, conducted a review of U.S. Government videos taken during the attack on the TMF. The DOD and CIA videos remain properly classified. The State Department has classified portions of its videos at the request of the CIA upon the determination that the videos reveal classified intelligence sources and methods.

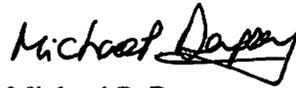
All of the videos contain sensitive law enforcement information. The videos are a primary tool used by the Department of Justice prosecution team to corroborate locations and identities of witnesses. The prosecution team has significant concerns that potential witnesses who appear on the videos could be identified, endangering their or their families' safety. This identification could make it more difficult to find witnesses or easier for those witnesses to be intimidated before trial. Making the videos publicly available at this time could also remove an important investigative tool that allows the prosecution team to validate and verify witness accounts, as well as confront potential suspects about their alibis or the details of their statements. Not only would this negatively impact the current prosecution, it would also impact on-going or future FBI operations by alerting suspects that they may have been captured on video. This may cause these individuals to change their security posture, making it more difficult for the FBI to effect an arrest or facilitate a capture.

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Due to these considerations, it has been determined that the videos are not appropriate for public release at this time.

Thank you for your interest in this very important matter. If you have any further questions or requests, please do not hesitate to contact Ms. Deirdre M. Walsh, Director of Legislative Affairs, at (703) 275-2474.

Sincerely,

A handwritten signature in black ink that reads "Michael Dempsey". The signature is written in a cursive style with a large, stylized "M" and "D".

Michael P. Dempsey
Acting Director of National Intelligence