

United States Senate  
WASHINGTON, DC 20510

February 12, 2013

Mr. John Brennan  
1600 Pennsylvania Avenue, NW  
Washington, D.C. 20500

Dear Mr. Brennan:

We write to you today to seek clarification to a particular line of questioning that occurred during your February 7, 2013, confirmation hearing before the Senate Select Committee on Intelligence (SSCI). Our concern stems from an apparent disparity between your sworn testimony regarding Ali Ani al-Harzi and that given by former Secretary of State Clinton before the Senate Foreign Relations Committee (SFRC) on January 23, 2013.

In response to a question asked by Senator Risch during the January 23, SFRC Hearing Secretary Clinton stated that, “We have been assured that he (al-Harzi) is under the monitoring of the court. He was released because at that time—and Director Mueller and I spoke about this at some length—there was not an ability for evidence to be presented yet that was capable of being presented in an open court.” However, in response to a line of questioning by Senator Rubio during your SSCI hearing you stated that, “The Tunisians did not have a basis in their law to hold him... We didn’t have anything on him, either, because if we did, we would have made a point to the Tunisians to turn him over to us, but we didn’t have that.” As you can see, there is a discrepancy in the testimony regarding what information the U.S. government has in its possession and what we have or have not shared with our foreign partners.

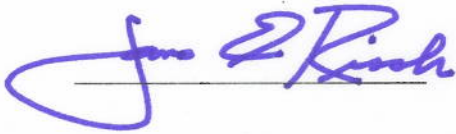
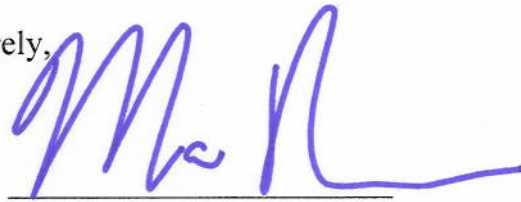
We ask that you provide to the SSCI any information presented to the Government of Turkey regarding Mr. al-Harzi so that they could initially detain him. Additionally, please provide any information passed to the Tunisians so that he could be rendered there and detained for as long as he was. This is to include information passed through diplomatic, intelligence, and law enforcement channels, whether done formally or informally. Finally, we would like you to provide all additional information the U.S.

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government has regarding Mr. al-Harzi and his involvement in the September 11, 2012, terrorist attacks in Benghazi, Libya. We would appreciate these answers as well as the response to the January 24, 2013, letter sent to Acting Director Michael Morell regarding Mr. al-Harzi before the Committee acts on your confirmation to be Director, Central Intelligence Agency.

We thank you for your prompt attention to these matters of national security.

Sincerely,

A handwritten signature in blue ink, appearing to read "James O. Rife", written over a horizontal line.A handwritten signature in blue ink, appearing to read "Michael Morell", written over a horizontal line.