

MERKLEY) was added as a cosponsor of S. 3062, a bill to suspend temporarily the duty on knit tank tops of stretch fabric with textile or polymer-based electrodes knit into or attached to the fabric and that incorporate connectors designed to secure an electronic transmitter that transmits physiological information from the electrodes to a compatible monitor.

S. 3063

At the request of Mr. WYDEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 3063, a bill to suspend temporarily the duty on knit garments of stretch fabric with textile or polymer-based electrodes knit into or attached to the fabric and that incorporate connectors designed to secure an electronic transmitter that transmits physiological information from the electrodes to a compatible monitor.

S. 3227

At the request of Mr. NELSON of Florida, the names of the Senator from North Carolina (Mr. BURR) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 3227, a bill to enable concrete masonry products manufacturers and importers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products.

S. 3526

At the request of Mr. WICKER, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 3526, a bill to amend title 10, United States Code, to protect the rights of conscience of members of the Armed Forces and chaplains of members of the Armed Forces, and for other purposes.

S. 3562

At the request of Mr. SANDERS, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Hawaii (Mr. INOUE) were added as cosponsors of S. 3562, a bill to reauthorize and improve the Older Americans Act of 1965, and for other purposes.

S. 3565

At the request of Mr. CASEY, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 3565, a bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition.

S. 3584

At the request of Mr. PRYOR, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 3584, a bill to reauthorize the National Integrated Drought Information System, and for other purposes.

S. 3598

At the request of Mr. BLUMENTHAL, the name of the Senator from Rhode Is-

land (Mr. WHITEHOUSE) was added as a cosponsor of S. 3598, a bill to protect elder adults from exploitation and financial crime, to prevent elder adult abuse and financial exploitation, and to promote safety for elder adults.

S. 3608

At the request of Mrs. GILLIBRAND, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 3608, a bill to modernize voter registration, promote access to voting for individuals with disabilities, protect the ability of individuals to exercise the right to vote in elections for Federal office, and for other purposes.

S. J. RES. 45

At the request of Mrs. HUTCHISON, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. J. Res. 45, a joint resolution amending title 36, United States Code, to designate June 19 as "Juneteenth Independence Day."

AMENDMENT NO. 2874

At the request of Mr. KERRY, the names of the Senator from Vermont (Mr. SANDERS), the Senator from Oregon (Mr. MERKLEY) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of amendment No. 2874 intended to be proposed to S. 3525, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

#### SUBMITTED RESOLUTIONS

##### SENATE RESOLUTION 592—RECOGNIZING THE RELIGIOUS AND HISTORICAL SIGNIFICANCE OF THE FESTIVAL OF DIWALI

Mr. WARNER (for himself and Mr. CORNYN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 592

Whereas Diwali, a festival of great significance to Indian Americans and South Asian Americans, is celebrated annually by Hindus, Sikhs, and Jains throughout India, the United States, and the world;

Whereas Diwali is a festival of lights that marks the beginning of the Hindu new year, during which celebrants light small oil lamps, place the lamps around the home, and pray for health, knowledge, peace, wealth, and prosperity in the new year;

Whereas the lights symbolize the light of knowledge within the individual that overwhelms the darkness of ignorance, empowering each celebrant to do good deeds and show compassion to others;

Whereas Diwali falls on the last day of the last month in the lunar calendar and is celebrated as a day of thanksgiving for the homecoming of the Lord Rama and worship of Lord Ganesha, the remover of obstacles and bestower of blessings, at the beginning of the new year for many Hindus;

Whereas, for Sikhs, Diwali is celebrated as Bandhi Chhor Diwas (The Celebration of Freedom), in honor of the release from prison of the sixth guru, Guru Hargobind; and

Whereas, for Jains, Diwali marks the anniversary of the attainment of moksha, or liberation, by Mahavira, the last of the Tirthankaras (the great teachers of Jain

dharma), at the end of his life in 527 B.C.: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the religious and historical significance of the festival of Diwali; and

(2) in observance of Diwali, the festival of lights, expresses its deepest respect for Indian Americans and South Asian Americans, as well as fellow countrymen and diaspora throughout the world on this significant occasion.

##### SENATE RESOLUTION 593—EXPRESSING THE SENSE OF THE SENATE THAT THE UNITED STATES SHOULD LEAVE NO MEMBER OF THE ARMED FORCES UNACCOUNTED FOR IN THE WITHDRAWAL OF FORCES FROM AFGHANISTAN

Mr. TOOMEY submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 593

Whereas the United States is a Nation of great honor and integrity;

Whereas the United States has made a sacred promise to members of the Armed Forces who are deployed overseas in defense of this country that their sacrifice and service will never be forgotten; and

Whereas the United States can never thank the proud members of the Armed Forces enough for what they do for this country on a daily basis: Now, therefore, be it

*Resolved*, That the Senate—

(1) believes that abandoning the search efforts for members of the Armed Forces who are missing or captured in the line of duty now or in the future is unacceptable;

(2) believes that the United States has a responsibility to keep the promises made to members of the Armed Forces who risk their lives on a daily basis on behalf of their fellow Americans;

(3) supports the United States Soldier's Creed and the Warrior Ethos, which state that "I will never leave a fallen comrade"; and

(4) believes that, while the United States is beginning the strategic withdrawal of forces from Afghanistan, the United States must continue to fulfill these important promises to any member of the Armed Forces who is in a missing status or captured as a result of service in Afghanistan now or in the future.

##### SENATE RESOLUTION 594—ESTABLISHING A SELECT COMMITTEE OF THE SENATE TO MAKE THOROUGH AND COMPLETE INVESTIGATION OF THE FACTS AND CIRCUMSTANCES SURROUNDING, AND THE RESPONSE OF THE UNITED STATES GOVERNMENT TO, THE SEPTEMBER 11, 2012, TERRORIST ATTACKS AGAINST THE UNITED STATES CONSULATE AND PERSONNEL IN BENGHAZI, LIBYA, AND TO MAKE RECOMMENDATIONS TO PREVENT SIMILAR ATTACKS IN THE FUTURE

Mr. MCCAIN (for himself, Mr. GRAHAM, and Ms. AYOTTE) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 594

Whereas, on September 11, 2012, Glen A. Doherty, Tyrone S. Woods, Sean P. Smith, and Ambassador J. Christopher Stevens were murdered during a sophisticated assault on the United States Consulate in Benghazi, Libya, conducted by a group of militants affiliated with al-Qaeda;

Whereas this tragedy has raised many important questions that affect the national security of the United States and the safety of Americans who serve our country abroad;

Whereas Congress has an unique and essential responsibility under the Constitution to conduct oversight of the Executive Branch;

Whereas more than two months have passed since the tragic deaths of these four Americans in Benghazi, and many essential questions remain unanswered;

Whereas Members of Congress have sent numerous letters to senior Executive Branch officials requesting information on the events of September 11, 2012, most of which have not been answered;

Whereas the Executive Branch has not been forthcoming in providing answers to the many questions that have emerged regarding those events;

Whereas the failures that led to the deaths of four Americans traverse multiple Executive Branch agencies and come under the jurisdiction of a number of Senate committees, including the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, and the Select Committee on Intelligence;

Whereas several different committees of jurisdiction in both the Senate and the House of Representatives are currently holding briefings and hearings to analyze narrow aspects of the overall failure in Benghazi before, during, and after the attacks;

Whereas the death of four Americans in Benghazi was the result of a whole-of-government failure, and any solution to prevent such events from happening again will need to be holistic and comprehensive, cutting across agency jurisdictions and jurisdictions of committees of Congress;

Whereas a full and independent accounting of the failures in Benghazi and the development of a comprehensive solution to prevent such tragedies in the future require the establishment of a temporary Select Committee in the Senate;

Whereas many other important investigations have been conducted in the past through the creation of a select committee of the Senate for a specific purpose and a set time; and

Whereas the American people deserve straight answers to the many questions that have been raised about the terrorist attacks in Benghazi and what actions should be taken to prevent similar attacks in the future: Now, therefore, be it

*Resolved*, That

**SECTION 1. SELECT COMMITTEE ON INVESTIGATION OF THE SEPTEMBER 11, 2012, TERRORIST ATTACKS IN BENGHAZI, LIBYA.**

There is established a select committee of the Senate to be known as the Select Committee on Investigation of the September 11, 2012, Terrorist Attacks in Benghazi, Libya (in this resolution referred to as the "Select Committee").

**SEC. 2. PURPOSE AND DUTIES.**

(a) **PURPOSE.**—The purpose of the Select Committee is to—

(1) investigate the facts and circumstances surrounding the September 11, 2012, terrorist attacks on the United States consulate and personnel in Benghazi, Libya;

(2) investigate the response of the United States Government to those attacks; and

(3) make recommendations to guide executive and legislative changes to policy in light of such investigations.

(b) **DUTIES.**—The Select Committee is authorized and directed to do everything necessary or appropriate to conduct the investigations specified in subsection (a). Without restricting in any way the authority conferred on the Select Committee by the preceding sentence, the Senate further expressly authorizes and directs the Select Committee to investigate the facts and circumstances surrounding the September 11, 2012, terrorist attacks on the United States consulate and personnel in Benghazi, Libya, and report on such investigation, regarding the following matters, including, where applicable, the adequacy of such matters:

(1) The intelligence assessments and other threat reporting that preceded the attacks.

(2) The security measures and manpower decisions taken to protect United States personnel in Benghazi before the attacks.

(3) The United States military force posture in the region at the time of the attacks and the resulting ability of the United States Armed Forces to respond in the event of such attacks.

(4) United States intelligence assets available in the region at the time of the attacks and their ability to respond or assist the United States consulate and personnel in the event of such attacks.

(5) The response of United States Government officials once the attacks began.

(6) The public characterization by the Executive Branch of the attacks in the days and weeks that followed the attacks.

(7) United States intelligence and intelligence-sharing during the attacks.

(8) Lessons learned from the attacks.

(9) Actions to prevent a recurrence of such attacks.

**SEC. 3. COMPOSITION OF SELECT COMMITTEE.**

(a) **MEMBERSHIP.**—

(1) **IN GENERAL.**—The Select Committee shall consist of eight members of the Senate of whom—

(A) four members shall be appointed by the majority leader of the Senate; and

(B) four members shall be appointed by the minority leader of the Senate.

(2) **DATE.**—The appointments of the members of the Select Committee shall be made not later than 30 days after the date of the adoption of this resolution.

(b) **VACANCIES.**—Any vacancy in the Select Committee shall not affect its powers, but shall be filled in the same manner as the original appointment.

(c) **SERVICE.**—Service of a Senator as a member, Chair, or Vice Chair of the Select Committee shall not be taken into account for the purposes of paragraph (4) of rule XXV of the Standing Rules of the Senate.

(d) **CHAIR AND VICE CHAIR.**—The Chair of the Select Committee shall be designated by the majority leader of the Senate, and the Vice Chair of the Select Committee shall be designated by the minority leader of the Senate.

(e) **QUORUM.**—

(1) **REPORTS AND RECOMMENDATIONS.**—A majority of the members of the Select Committee shall constitute a quorum for the purpose of reporting a matter or recommendation to the Senate.

(2) **TESTIMONY.**—One member of the Select Committee shall constitute a quorum for the purpose of taking testimony.

(3) **OTHER BUSINESS.**—A majority of the members of the Select Committee, or 1/3 of the members of the Select Committee if at least one member of the minority party is present, shall constitute a quorum for the purpose of conducting any other business of the Select Committee.

**SEC. 4. RULES AND PROCEDURES.**

(a) **GOVERNANCE UNDER STANDING RULES OF SENATE.**—Except as otherwise specifically provided in this resolution, the investigation and hearings conducted by the Select Committee shall be governed by the Standing Rules of the Senate.

(b) **ADDITIONAL RULES AND PROCEDURES.**—The Select Committee may adopt additional rules or procedures if the Chair and the Vice Chair of the Select Committee agree, or if the Select Committee by majority vote so decides, that such additional rules or procedures are necessary or advisable to enable the Select Committee to conduct the investigation and hearings authorized by this resolution. Any such additional rules and procedures—

(1) shall not be inconsistent with this resolution or the Standing Rules of the Senate; and

(2) shall become effective upon publication in the Congressional Record.

**SEC. 5. AUTHORITY OF SELECT COMMITTEE.**

(a) **IN GENERAL.**—The Select Committee may exercise all of the powers and responsibilities of a committee under rule XXVI of the Standing Rules of the Senate.

(b) **POWERS.**—The Select Committee or, at its direction, any subcommittee or member of the Select Committee, may, for the purpose of carrying out this resolution—

(1) hold hearings;

(2) administer oaths;

(3) sit and act at any time or place during the sessions, recess, and adjournment periods of the Senate;

(4) authorize and require, by issuance of subpoena or otherwise, the attendance and testimony of witnesses and the preservation and production of books, records, correspondence, memoranda, papers, documents, tapes, and any other materials in whatever form the Select Committee considers advisable;

(5) take testimony, orally, by sworn statement, by sworn written interrogatory, or by deposition, and authorize staff members to do the same; and

(6) issue letters rogatory and requests, through appropriate channels, for any other means of international assistance.

(c) **AUTHORIZATION, ISSUANCE, AND ENFORCEMENT OF SUBPOENAS.**—

(1) **AUTHORIZATION AND ISSUANCE.**—Subpoenas authorized and issued under this section—

(A) may be done—

(i) with the joint concurrence of the Chair and the Vice Chair of the Select Committee; or

(ii) by a majority vote of the Committee;

(B) shall bear the signature of the Chair or the Vice Chair or the designee of the Chair or the Vice Chair; and

(C) shall be served by any person or class of persons designated by the Chair or the Vice Chair for that purpose anywhere within or without the borders of the United States to the full extent provided by law.

(2) **ENFORCEMENT.**—The Select Committee may make to the Senate by report or resolution any recommendation, including a recommendation for criminal or civil enforcement, that the Select Committee considers appropriate with respect to—

(A) the failure or refusal of any person to appear at a hearing or deposition or to produce or preserve documents or materials described in subsection (b)(4) in obedience to a subpoena or order of the Select Committee;

(B) the failure or refusal of any person to answer questions truthfully and completely during the person's appearance as a witness at a hearing or deposition of the Select Committee; or

(C) the failure or refusal of any person to comply with any subpoena or order issued under the authority of subsection (b).

(d) AVOIDANCE OF DUPLICATION.—

(1) IN GENERAL.—To expedite the investigation, avoid duplication, and promote efficiency under this resolution, the Select Committee shall seek to—

(A) confer with other investigations into the matters set forth in section 2(a); and

(B) access all information and materials acquired or developed in such other investigations.

(2) ACCESS TO INFORMATION AND MATERIALS.—The Select Committee shall have, to the fullest extent permitted by law, access to any such information or materials obtained by any other governmental department, agency, or body investigating the matters set forth in section 2(a).

**SEC. 6. REPORTS.**

(a) INITIAL REPORT.—The Select Committee shall submit to the Senate a report on the investigation conducted pursuant to section 2 not later than five months after the appointment of all of the members of the Select Committee.

(b) FINAL REPORT.—The Select Committee shall submit to the Senate a final report on such investigation not later than 10 months after the appointment of all of the members of the Select Committee.

(c) ADDITIONAL REPORTS.—The Select Committee may submit to the Senate any additional report or reports that the Select Committee considers appropriate.

(d) FINDINGS AND RECOMMENDATIONS.—The reports under this section shall include findings and recommendations of the Select Committee regarding the matters considered under section 2.

(e) DISPOSITION OF REPORTS.—All reports made by the Select Committee shall be submitted to the Secretary of the Senate. All reports made by the Select Committee shall be referred to the committee or committees that have jurisdiction over the subject matter of the report.

**SEC. 7. ADMINISTRATIVE PROVISIONS.**

(a) STAFF.—

(1) IN GENERAL.—The Select Committee may employ in accordance with paragraph (2) a staff composed of such clerical, investigatory, legal, technical, and other personnel as the Select Committee, or the Chair and the Vice Chair of the Select Committee, considers necessary or appropriate.

(2) APPOINTMENT OF STAFF.—The staff of the Select Committee shall consist of such personnel as the Chair and the Vice Chair shall jointly appoint. Such staff may be removed jointly by the Chair and the Vice Chair, and shall work under the joint general supervision and direction of the Chair and the Vice Chair.

(b) COMPENSATION.—The Chair and the Vice Chair of the Select Committee shall jointly fix the compensation of all personnel of the staff of the Select Committee.

(c) REIMBURSEMENT OF EXPENSES.—The Select Committee may reimburse the members of its staff for travel, subsistence, and other necessary expenses incurred by such staff members in the performance of their functions for the Select Committee.

(d) SERVICES OF SENATE STAFF.—The Select Committee may use, with the prior consent of the chair of any other committee of the Senate or the chair of any subcommittee of any committee of the Senate, the facilities of any other committee of the Senate, or the services of any members of the staff of such committee or subcommittee, whenever the Select Committee or the Chair or the Vice Chair of the Select Committee considers that such action is necessary or appropriate to enable the Select Committee to carry out

its responsibilities, duties, or functions under this resolution.

(e) DETAIL OF EMPLOYEES.—The Select Committee may use on a reimbursable basis, with the prior consent of the head of the department or agency of Government concerned and the approval of the Committee on Rules and Administration of the Senate, the services of personnel of such department or agency.

(f) TEMPORARY AND INTERMITTENT SERVICES.—The Select Committee may procure the temporary or intermittent services of individual consultants, or organizations thereof.

(g) PAYMENT OF EXPENSES.—There shall be paid out of the applicable accounts of the Senate such sums as may be necessary for the expenses of the Select Committee. Such payments shall be made on vouchers signed by the Chair of the Select Committee and approved in the manner directed by the Committee on Rules and Administration of the Senate. Amounts made available under this subsection shall be expended in accordance with regulations prescribed by the Committee on Rules and Administration of the Senate.

**SEC. 8. EFFECTIVE DATE; TERMINATION.**

(a) EFFECTIVE DATE.—This resolution shall take effect on the date of the adoption of this resolution.

(b) TERMINATION.—The Select Committee shall terminate two months after the submission of the report required by section 6(b).

Mr. MCCAIN. I thank the Presiding Officer.

This resolution calls for the establishment of a select committee of the Senate to make a thorough and complete investigation of the facts and circumstances surrounding the response of the United States Government to the September 11, 2012, terrorist attacks against the United States consulate and personnel in Benghazi, Libya, and to make recommendations to prevent similar attacks in the future. I send the resolution to the desk in behalf of myself, Senator GRAHAM of South Carolina, and Senator AYOTTE of New Hampshire.

Before I go into the need for this select committee—and there clearly is a need because there is a huge credibility gap amongst the American people because of the now going on 8 weeks of contradictory reports, contradictory statements, beginning with the President of the United States. The President of the United States, on the day of September 12, went to the Rose Garden and stated that he opposed terrorist attacks. Then, that evening, as we found out after the election via an interview with “60 Minutes,” the President stated—and I will provide the quotes for the record: “We don’t know who was responsible for these attacks.” So he went from condemning terrorist attacks to saying to Mr. Croft of “60 Minutes” that he didn’t know who was responsible, and then in the days following, in various venues, whether they be late night talk shows or the United Nations, the President went on to allege that this was a hideous video that triggered a spontaneous demonstration. Not true. Not true. The President of the United States did not tell the American people the truth

about the attacks that took the lives of four brave Americans and that went on for 7 hours, for which we were totally unprepared.

Four brave Americans died. It has now been 8 weeks. The American people have received nothing but contradictory statements from all levels of our government.

One of the more salient events occurred 5 days after, when clearly it had been identified as an al-Qaida-affiliated terrorist attack. The United Nations Ambassador, at the direction of the White House, went on all the Sunday talk shows to allege that this was a spontaneous demonstration triggered by a hateful video, as did our Secretary of State, as did, most regrettably, the President of the United States.

The American people deserve the facts. The American people need to know why the security at the consulate was so inadequate despite two previous attacks on that facility, including an assassination attempt on the British Ambassador. What did the President know, when did he know it, and what did he do about it? Did the President’s national security staff make him aware of these attacks and, if they did, why did he not take the lead? What actions, if any, were taken to respond to a classified cable that was sent from our Embassy in Libya to the State Department on August 16, weeks before the September 11 attack, stating there were numerous armed groups in Benghazi that posed a threat to American interests, and that the consulate in Benghazi could not survive a sustained attack such as the one that eventually occurred a month later at the hands of one of these militia groups which was al-Qaida-affiliated? What actions, if any, did the Secretary of State take in response to these repeated warnings?

I saw Christopher Stevens in Tripoli on July 7. He told me of his security concerns then. The Senator from South Carolina and others wrote an article in the Wall Street Journal talking about the need for security, the problems that the nascent Libyan Government was having. Obviously, those were ignored.

Why were repeated requests for greater security in Libya turned down by officials at the State Department? On the anniversary of the worst terrorist attack in American history and after multiple attacks this year on our consulate in Benghazi and other western interests there, why were U.S. Armed Forces in the region not ready—not ready—and positioned to respond to what was clearly a foreseeable emergency?

The fight went on for 7 hours. Why did senior administration officials seek to blame a spontaneous demonstration when there was no spontaneous demonstration, which they were seeing in real-time, which the surveillance cameras within and without our consulate clearly indicated? Why is it that anyone, including our Ambassador to the

United Nations, would believe that spontaneous demonstrations are composed of people with mortars, with rocket-propelled grenades and heavy weapons? No one believes that. Why did President Obama insist that he labeled events in Benghazi an act of terrorism on September 12 when we know now—I repeat, we know now—that in an interview with “60 Minutes” on the same day he explicitly refused to characterize the attack in this way and he then spent nearly 2 weeks putting the emphasis on a spontaneous protest to a hateful video, including in his address to the United Nations on September 25?

We need a select committee. Americans deserve to know. The families of those slain and murdered Americans need to know. And why in the world the administration or our friends on the other side of the aisle or anyone would resist the appointment of a select committee I do not know. We have to have a select committee. The people of the United States deserve it and the families of those murdered deserve it. They deserve answers. For 8 weeks now, they have not gotten the answers. The only credible way of getting those answers is with a select committee.

Today I understand that the President of the United States took some umbrage at statements Senator AYOTTE, Senator GRAHAM, and I have made concerning this issue. We believe whoever it is must be held responsible, I say to the President of the United States. Most importantly, the President of the United States, who is Commander in Chief, who so far, in my view, has not exercised those responsibilities and has not informed the American people of the facts—this President and this administration have either been guilty of colossal incompetence or engaged in a coverup, neither of which is acceptable to the American people.

If it appears that I feel strongly about this issue, I speak with the families, I believe, of those who were murdered. I speak as a friend of Christopher Stevens. I speak as a person who knows something about warfare. I speak with some authority that this attack clearly could have been prevented if the facts on the ground had been taken into consideration, including the ample warnings—including the warnings that were sent on August 16—stating that the consulate could not successfully resist a concentrated attack by al-Qaida-affiliated groups. That alone convinces me, and I believe most Americans when they find out, that the actions to prevent these murders were clearly insufficient, if not totally incompetent.

I see the Senator from South Carolina is here to join me as well as the Senator from New Hampshire. I ask unanimous consent to engage in a colloquy with both the Senator from South Carolina and the Senator from New Hampshire.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAHAM. Mr. President, I am very grateful to engage. Here is the request of the body: Benghazi needs to be investigated. We need to find out what happened so it never happens again. We have four Americans killed, the first Ambassador killed in the line of duty in 33 years. That is worthy of our time. DIANNE FEINSTEIN is doing a very good job with SAXBY CHAMBLISS on the intel side. General Petraeus must testify. I think Secretary Clinton must testify.

Here is the problem that I have with the approach we are taking. Armed services need to ask DOD: How could you not come to the aid of the consulate for almost 8 hours on September 11, of all days? The State Department needs to be asked: Why did you deny additional security requests that had been made for months, and could you not see this coming? And the CIA needs to be asked a lot of questions also.

A select committee where we have members of intel, foreign relations, and armed services listening to all three agencies explain themselves I think is essential to get to the truth. I will not know what General Petraeus says in the intel committee, and I want to get to ask him questions. There will be people on the intel committee who will not be able to ask Secretary Panetta, General Hammond, and others about the DOD piece. This is a failure on many fronts and I think the best thing for the Senate to do is have a bipartisan select committee where we combine the resources of all three of the committees that have jurisdiction over different pieces, and create a professional approach to solving the problem. It will be run by our Democratic colleagues because they are in charge of the body, and should be.

There have been times in the past—Iran Contra and other examples—of where committees combined their resources to make sure they fully understood what was being said. If we stovepipe this and one committee goes one way and the other committee goes another way, we are not going to get the complete picture of what happened in Benghazi. That is what we are asking, that the minority leader and majority leader create a select committee of the three committees that have primary jurisdiction over each moving part so we can get to the bottom of this.

Here is why it is important: There are a lot of conspiracy theories going around on the Internet, and I wish to be able to say that is just not so because here is what we found. There are a lot of accusations being made against people I know and like. I wish to be able to say this accusation is unfounded. If unfortunately there is some accountability to be had by somebody I like, I can say here is why we had to do it. It would help us all to go to the public and say we did this together and in a professional and logical way and here are the results of our work product, so we can get Benghazi behind us and move forward. Until we do that, I think we are failing the American people.

I think the process we are engaging in today is going to lead to uncoordinated fact-finding and pieces of the puzzle will never be put together because we are not talking and working together. I think we are going to let families down. The process we are engaging in today will not get to the truth.

Mr. MCCAIN. Will the Senator yield for a question?

Mr. GRAHAM. Yes.

Mr. MCCAIN. One of the most salient points of this whole scenario was 5 days after the attack when the Ambassador of the United Nations went on all the Sunday talk shows to allege that this was a spontaneous demonstration triggered by a hateful video. Those talking points the Ambassador used didn't come from the CIA, it is my understanding; they came from the White House. Who in the White House—was it the President of the United States, was it one of his people—who was it that gave her talking points that clearly indicated something for which there was no basis in fact, certainly not after 5 days? Did the President ask about this situation? Did the President of the United States say, Wait a minute, is she going out there, when right after, on the program I was on, “Face The Nation,” the President and the Libya national assembly came on right after and said this is an al-Qaida attack, this is a terrorist attack, and then for days afterwards, the President of the United States goes out—including the United Nations—saying that this was a hateful video that triggered a flash mob. None of this has a shred of credibility.

So when we talk about the need for a select committee, when the White House is responsible for these talking points, if they were, then that covers all of the different oversight committees that we have in the U.S. Senate.

Mr. GRAHAM. I will turn this over to the Senator from New Hampshire, but my response would be as follows: There is a news article coming from somewhere within the State Department suggesting the CIA was responsible for consulate security because this mostly was a CIA operation. But there is an article coming out of the CIA corners basically saying: We responded very quickly and efficiently to the attack.

Here is my problem. If you do not have a select committee listening to all the stories, it is pretty hard to put the puzzle together. My response would be, why did the people in the State Department assigned to Benghazi ask for support from the State Department if this was, in fact, a CIA responsibility? I want to hear the State Department explain that. In a news article, you are trying to create the impression that “we are a secondary player.” That would be news to every State Department official in Libya because they were asking the State Department for security.

I wish to challenge the CIA's narrative of what they did and how they did it. But I want to hear the complete story.

The Senator from New Hampshire has been an attorney general prosecuting cases, and I wish to get her input into how efficient she thinks it would be for three committees to do their own investigations, never talk to each other in a coordinated fashion, have a stovepipe investigation versus a coordinated, one-body-listening-to-everybody approach?

Ms. AYOTTE. I would answer the Senator from South Carolina by saying if we do not establish a select committee and bring everyone together, what you can envision is an incomplete story from each.

First of all, we know that CIA sources put out a timeline for the CIA. You have the State Department talking about prior security requests and their view on it and e-mails that they sent on it. And then you have the Department of Defense talking about putting out another timeline. Where you are left is: No investigation would be conducted in that way, from your most basic incident to this, which is, of course, where four brave Americans were murdered during what appears to be a terrorist attack.

So how are we then going to follow up to make sure we get the complete picture for the American people to make sure it does not happen again, so we can understand what went wrong, and so we can understand what lessons we need to learn from this?

But if each committee—the Senate Foreign Relations Committee deals with the State Department piece and the Senate Armed Services Committee deals with the Armed Services piece—meaning, why was the greatest military in the world not in a position to respond when the attack occurred over 7 hours?—that is an important question that has to be answered in the military context—and then also thinking about the intelligence piece, the intelligence beforehand about the prior attacks—what was happening at the annex? What response, what information was provided?—also to the President, in terms of the prior attacks, so that he could be informed to make sure that the consulate was protected, and why was the consulate not protected?

If we conduct this separately we will not have a full picture for the American people in order to make sure that we take the lessons learned so that this does not happen again. We saw that. That is why we had a post 9/11 Commission, because many agencies were involved in wanting to get to the bottom of it. This is so important with four brave Americans who have been killed. So many more questions are raised than there are answers right now.

Most of all, we need to make sure that the complete picture of facts comes forward. As the Senator from South Carolina said, many people have very different impressions about this, and there are a lot of conspiracy theories. So a full bipartisan committee that has full jurisdiction over every area of this to come up with a complete

picture and recommendations makes sense, and it is a way for us to answer these important questions for the American people and, of course, the families of those who lost their loved ones in Benghazi.

Finally, I would say, with respect to my colleague from Arizona, Senator MCCAIN, today the President did say that with respect to Ambassador Susan Rice on the Sunday shows, that she did that on behalf of the White House. Well, one of the questions that needs to be answered is, within hours there were e-mails sent to the White House from the State Department that explained that a terrorist group, Ansar al-Sharia, was taking responsibility for this attack. So I think a question that needs to be answered is, why then would the Ambassador to the U.N. on behalf of the White House, 5 days after the attack—even though this e-mail went to the White House within hours stating that a terrorist group is taking responsibility—go on every major news station and say this was a spontaneous reaction to a video? She expressly said: This was not a preplanned or premeditated attack. Why was that done?

I think those are important questions that need to be addressed by this committee as well because, clearly, this was not what happened. It was a misstatement of what occurred, and we need to understand why that was done. The American people deserve answers when you have four brave Americans who were murdered in a terrorist attack.

Mr. MCCAIN. I only have one additional comment, and that is, I understand at the President's press conference today, he said not to, quote, pick on his Ambassador to the United Nations, to, quote, pick on him. That statement is really remarkable in that if the President thinks that we are picking on people, he does not have any idea of how serious this issue is. I am a U.S. Senator. The Senator from New Hampshire is. We have our obligations. We have our duties representing the people who sent us here, and we are not picking on anybody. I doubt if the families of these brave Americans who were murdered would believe we are, quote, picking on anyone, that when we are trying to find out the facts, the American people deserve to know the facts.

We cannot ever let this happen again. We cannot let a security situation evolve that our lives are in danger. We cannot ignore recommendations. We cannot not have sufficient military available on a September 11, where we know that tensions are incredibly high. The American people are owed an explanation, and it is our duty to try to get that explanation for them. And if someone carried a message to the American people that was totally and utterly false with no basis in fact, then that person also has to be held accountable as well.

But first and foremost, the President of the United States, the Commander

in Chief, is the most responsible. I hope the President has no illusions about our view of his responsibility, which I believe is that of the American people as well.

So we need this select committee. There is no credibility left because of all the conflicting stories that have come out and the different rumors and different statements and contradictory statements and finger pointing. The American people deserve answers, not only because of those who were murdered, but to make sure that a tragedy like this never happens again.

I repeat, everybody has their responsibilities. We have ours. The President has his. And we intend to pursue this until the American people have the answers they deserve and they have confidence that these kinds of mistakes will never be repeated. We take that very seriously, and we have some disagreement when it is called "picking on someone."

SENATE RESOLUTION 595—EX-PRESSING SUPPORT FOR THE GOALS OF NATIONAL ADOPTION DAY AND NATIONAL ADOPTION MONTH BY PROMOTING NATIONAL AWARENESS OF ADOPTION AND THE CHILDREN AWAITING FAMILIES, CELEBRATING CHILDREN AND FAMILIES INVOLVED IN ADOPTION, AND ENCOURAGING THE PEOPLE OF THE UNITED STATES TO SECURE SAFETY, PERMANENCY, AND WELL-BEING FOR ALL CHILDREN

Ms. LANDRIEU (for herself and Mr. INHOFE) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 595

Whereas there are millions of unparented children in the world, including 400,540 children in the foster care system in the United States, approximately 104,000 of whom are waiting for families to adopt them;

Whereas 59 percent of the children in foster care in the United States are age 10 or younger;

Whereas the average length of time a child spends in foster care is approximately 2 years;

Whereas for many foster children, the wait for a loving family in which they are nurtured, comforted, and protected seems endless;

Whereas in 2011, nearly 26,000 youth "aged out" of foster care by reaching adulthood without being placed in a permanent home;

Whereas every day, loving and nurturing families are strengthened and expanded when committed and dedicated individuals make an important difference in the life of a child through adoption;

Whereas a 2007 survey conducted by the Dave Thomas Foundation for Adoption demonstrated that though "Americans overwhelmingly support the concept of adoption, and in particular foster care adoption . . . foster care adoptions have not increased significantly over the past five years";

Whereas while 4 in 10 Americans have considered adoption, a majority of Americans have misperceptions about the process of