

[REDACTED]

Classification Key:

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EXECUTIVE SESSION

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,

joint with the

COMMITTEE ON ARMED SERVICES,

SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS,

U.S. HOUSE OF REPRESENTATIVES,

WASHINGTON, D.C.

INTERVIEW OF: REAR ADMIRAL BRIAN LOSEY

Friday, March 14, 2014

Washington, D.C.

The interview in the above matter was held at Room 2203, Rayburn House

[REDACTED]

Office Building, commencing at 10:06 a.m.



## Participant Key

AR = Armed Services Committee Republican staffer

AD = Armed Services Committee Democratic staffer

OR = Oversight and Government Reform Committee Republican staffer

OD = Oversight and Government Reform Committee Democratic staffer

OR2 [REDACTED] Good morning. This is a transcribed interview of Rear Admiral Brian Losey.

Welcome, Admiral, and thank you for coming today.

Those in the room have already introduced themselves, and the record of our proceedings will show who was in attendance. However, for the record, I am OR2 [REDACTED] a professional staff member with the House Oversight and Government Reform Committee.

As you may know, the Committee on Oversight and Government Reform and the Committee on Armed Services are among the committees in the U.S. House of Representatives that are investigating many aspects of the attacks on U.S. facilities in Benghazi, Libya, in September of 2012. The topics being considered include how the U.S. Government was prepared in advance of these attacks, how it responded once the attacks started, and what changes have been instituted as a result of lessons learned.

I am joined today by colleagues representing the chairmen and ranking minority members of the Committee on Oversight and Government Reform and the Committee on Armed Services. In order to simplify our proceedings, I am making these introductory remarks and will start the questioning, but please understand that this interview is an equal and joint effort of both committees.

We will proceed in the following way: I and a representative of the committee's chairman will ask questions for the first hour. Then representatives of the ranking minority members will have an hour to pose questions. We will alternate this way until our questions are completed.

We will recess for a short lunch and take other breaks, but please let us know when we're switching questioners if you need some additional time for any reason.

[REDACTED]

During our questioning, we will aim to have only one questioner at a time. An exception to this may occur if an additional staff member requires a follow-up or a clarification. In such an instance, it is usually most efficient to do that as we proceed rather than at the end.

Because obviously the transcriptionist cannot record gestures, we ask that you answer orally. If you forget to do this, the transcriptionist may remind you to do so. The transcriptionist may also ask you to spell certain terms, unusual phrases, or acronyms that you might use in your answers.

We hope to proceed methodically and generally chronologically. Some of our questions might appear to be basic, but this is done to help us clearly establish facts and to clearly understand the situation in Libya. We ask that you give complete and fulsome replies to questions based on your best recollections.

Please provide unclassified information to the greatest extent possible. If it is necessary to provide classified information in response to your questions, everyone in this room is cleared to the Top-Secret level, and, therefore, you should not hesitate to provide relevant information or details up to that classification level.

Furthermore, if a question is unclear or you're uncertain in your response, please let us know. If you don't know or remember the answer to a question, simply say so.

You should also understand that, although this interview is not under oath, by law, you are required to answer questions from Congress truthfully, including questions posed by staff members in interviews such as this. Do you understand these circumstances?

Admiral Losey. I do.

OR2 [REDACTED] Is there any reason that you are unable to provide your own

[REDACTED]

[REDACTED]

truthful answers to today's testimony?

Admiral Losey. There is not.

OR2 [REDACTED]. Pursuant to agreement between the Armed Services and the Oversight and Government Reform Committees and the Department of Defense, a transcript of today's proceedings will be provided to the Department as soon as it is prepared. The Department will confirm that the transcript contains Top-Secret material or, alternatively, will apply a lower classification to the document.

The Department has also agreed to return the original transcripts to the committees, along with a second version that includes only Secret information.

In conducting this work, the Department has agreed not to share the contents of previous interview transcripts with interviewees subsequently appearing before the committee or to use these documents to prepare interviewees for their appearances.

With this in mind, has the Department made any classified transcripts from previous interviews available to you today for preparing?

Admiral Losey. They have not.

OR2 [REDACTED]. Finally, I note that you are also accompanied by an attorney from the Department of Defense. I would ask the DOD counsel to please state his name for the record.

Mr. Richards. Edward Richards.

OR2 [REDACTED]. Thank you.

With these preliminary remarks concluded, are there any other introductory remarks that you or your counsel would like to make?

Mr. Richards. Not at this time.

OR2 [REDACTED]. Thank you.

[REDACTED]

[REDACTED]

We appreciate very much your uniformed service and your patience and participation today.

The clock now reads 10:10, and I will start the first hour of questions from the representatives of the committee chairman.

EXAMINATION

ORA

BY [REDACTED]

Q So if you could just please state your current rank and your assignment.

A Rear Admiral. Commander, Naval Special Warfare Command.

Q And if you could just briefly walk us through your educational and your professional background.

A Education?

Q Sure.

A United States Air Force Academy, class of 1983. Master's in National Security Affairs from International War College, 2004. That's about the extent of it.

So, I guess, relevance, working backwards, previously I was the commander of Special Operations Command Africa. Prior to that, I was the commander, Combined Joint Task Force, Horn of Africa. So I spent 4 years under the United States Africa Command, most recently.

And prior to that, the National Security Council, Office of Combating Terrorism, both under President Bush's administration and President Obama's administration.

Prior to that, I was a commander and deputy commander of Naval Special Warfare Development Group, Dam Neck, Virginia. Prior to that, National War

[REDACTED]



College, 2004. Prior to that, commander, SEAL Delivery Vehicle Team I, SDV Team 1.

I think that covers about --

Q Thank you.

A -- the last 12 or 15 years.

Q Appreciate it.

And with respect to your assignment at SOCAFRICA, could you just describe what your role was and your mission also at SOCAFRICA?

A Plan and conduct special operations in support of United States Africa Command. Principally, build partner capacity, support the naval partner capacity, be prepared to respond to contingency and crisis as directed by United States Africa Command.

Q Okay. Thank you.

And how did you come to be assigned to that role as commander of SOCAFRICA? How did it play out? How did you get the assignment?

A Well, previous to that, I was also an Echelon 2 commander under Africa Command. So I was a commander of one of their other subordinate components, Combined Joint Task Force, Horn of Africa.

Why they assigned me to SOCAFRICA I really don't know, but it's a reasonable fit to roll from one part of Africa to the whole of Africa. It's underneath the same combatant command. It was a unique opportunity.

Q And specifically with respect to U.S. involvement in Libya, what was your mission at SOCAFRICA?

A In general, our role was to ascertain how we could interface with the Libyans, increase security and stability through efforts to built partner capacity.

Q And have you ever been to Libya yourself?

A Yes.

Q Okay. How many times, roughly, would you say you've been to Libya?

A Three, four times.

Q Okay. And when you went to Libya, have you been to -- I take it you've been to Tripoli?

A I have been.

Q Have you ever been to Benghazi?

A No.

Q Okay.

**AR1** [REDACTED] Excuse me. Were your visits to Libya before or after the attack? Or both?

Admiral Losey. Definitely after. And I don't believe I went before. Actually, I did go before. One before and two or three after. Yeah.

**OR2** BY [REDACTED]:

Q Was the before during the Qadhafi era or subsequent to that?

A No, it was in coordination for our efforts to build partner capacity.

Q Post-Qadhafi.

A Yes.

Q Yeah.

A Absolutely.

Q Got it.

And if you could just describe for us what your reporting chain was within AFRICOM as SOCAFRICA commander.

[REDACTED]

A I reported directly to General Ham, the commander of the United States Africa Command.

Q Okay. And I take it there was a deputy commander for Africa Command for General Ham at the time?

A There is. He had a deputy commander for operations, Vice Admiral Leidig.

Q Okay. And did he also have a deputy commander for, I believe it was military -- or, sorry -- for civil military engagement or something along those lines?

A Yes. Yes.

Q Who was that?

A His name escapes me, but yes.

Q Okay. Okay.

A He was an ambassador.

Q A State Department ambassador?

A Yes.

Q Okay.

And if you could just describe SOCAFRICA's operational relationship within AFRICOM, kind of, what the role of SOCAFRICA was within AFRICOM.

A Okay. Well, SOCAFRICA, Special Operations Command Africa, is a sub-unified command, uniquely, under Africa Command, "sub-unified" meaning it had components of each of the services embedded within it, all of them special operations. And our role, our mission was to carry out special operations in support of AFRICOM objectives.

Q And specifically with relation to the Joint Special Operations Task Force -- Trans-Sahara, or JSOTF-TS, what was your operational relationship to

[REDACTED]



[REDACTED]

JSOTF-TS?

A I was the operational commander for Joint Special Operations Task Force -- Trans-Sahara, which migrated from EUCOM over several years. The subordinate commander, the commander of that task force, was Colonel [REDACTED] who has appeared before the committee.

Q And, then, if you could just describe your relationship as SOCAFRICA commander to the State Department personnel that were assigned to AFRICOM, integrated into the AFRICOM command structure. What would your interaction with them and your relationship to them be?

A Routine. Coordinate, collaborate, find ways to maximize the effects of whole-of-government approaches. So a very positive, collegial environment, but also recognizing the inherent tension sometimes between the State and DOD approaches. I think it was something I had become quite accustomed to at Combined Joint Task Force, Horn of Africa, and before that working at the NSC.

Q Yeah. I mean, our understanding -- we looked a little bit at the way AFRICOM was structured when it was set up. I mean, our understanding of it is it was somewhat of a unique experiment -- I think it's fair to say that -- with the State Department and the military, kind of, integrated together.

Was that, sort of, your -- I mean, I don't know if you have other experiences with other combatant commands or not, but, I mean, how would you describe -- just maybe unpack a little bit what that relationship, how that would be different, perhaps, from a more traditional military command structure.

A Uh-huh. Well, again, I think given Africa Command's role at the outset of its establishment, one that was founded in building long-term, trusted partnerships and relationships and, again, founded in whole-of-government

[REDACTED]

[REDACTED]

approaches aimed at preventing conflict where possible, I thought it made pretty good sense to have an interagency flavor and a functional arrangement.

That wasn't necessarily unique just to Africa Command, but Southern Command under Admiral Stavridis also had a similar structure for similar reasons.

Q And it's our understanding that the engagement in Libya, the Operation Odyssey Dawn, then into Unified Protector, that was essentially the first, sort of, military-type engagement that AFRICOM had really engaged in, sort of, along the more traditional lines of a central command or something like that.

I mean, was that a challenge, moving into those operations? Was that, sort of, a new way of doing things for you all, different from what you'd been engaged in before? I mean, how did that work as far as --

A I think it worked fine. I'm not sure what you mean by "different." A lot of the traditional military activities of the COCOM were executed under AFRICOM prior to Unified Protector or Odyssey Dawn. The scope and scale might have been a little bit different, okay, the publicity a little different. But a full range of military activities were conducted since the inception of the combatant command.

Q Okay. That's helpful.

Now, with respect specifically to the U.S. engagement in Libya during your time there, what was your level of interaction or the nature of the interaction with the State Department, specifically as it relates to Libya?

A Well, as it relates directly to Libya, I had discussions with Ambassador Cretz, also directly with Ambassador Stevens with respect to SOCAFRICA's role in how we would partner, how we might build partner capacity, how we might identify and mitigate risks.

Q Okay.

[REDACTED]

Let's shift gears a little bit. Prior to the 11 September 2012 attack in Benghazi, were you aware that there was an annex in Benghazi?

A No.

Q You were not.

A No.

Q When did you become aware of that facility?

A The night of the attacks.

Q And how did you become aware of that facility?

And this -- we're going to walk through, chronologically, as best we can, the night of the attack. But if you could just give us a brief --

A In the context of the events unfolding and the identification of various locations that were impacted, we became aware of the facility.

Q Were you aware that there was an [redacted] prior to the attack?

A No, I wouldn't say that.

Q When did you become aware of the -- was it the night of the attack also that you --

A Yes.

Q -- became aware of the [redacted]

A The movement to. Yeah.

Q Do you recall how you became aware of that? Was it just in communication with --

A Not really. In the course of events.

Q Sure.

And prior to the attack, were you aware of the Department of State temporary mission facility that was initially attacked in Benghazi? Prior to the attack, were you

[REDACTED]

aware of that facility?

A Not specifically, no.

Q Okay.

A The assumption that there was some activity that our government had there was not lost on me. Exactly who owned it and what it was comprised of was not apparent to me.

Q So, I mean, I understand exactly what you're saying. Just to be 100 percent clear, because this has been a question subsequently in reports from other committees, for example, so I just want to make sure we separate -- in Benghazi, we have two American facilities. We have a State Department temporary mission facility, which is where Ambassador Stevens was on the night of the attack when the attack began. Then, of course, there's an annex nearby.

A Uh-huh.

Q So two separate -- so your testimony, just to be clear, is you were not aware of either of those facilities prior to the night of the attack.

A No.

Q Okay. Thanks.

I just want to shift gears a little bit, talk a little bit about DOD programs and personnel in Libya prior to the attack.

Could you just tell us what your understanding about the -- what was your understanding of the role and the mission of the SST in Libya prior to the attack?

A To provide enabling support for the reestablishment of the United States mission in Tripoli. Specifically, that included medical support, communications support, small-scale protective details, reinforcing the RSO.

Q Okay. Were you ever aware of any plans or discussions that had

[REDACTED]



[REDACTED]

taken place concerning sending a permanent contingent of SST personnel to support Benghazi? Or were they always, to your knowledge, only ever to be in Tripoli?

A The original conception was to support the establishment of the U.S. mission in Tripoli. The mission could have flexed, had the need arisen.

Q But to your knowledge, then, were there any discussions of flexing that mission to support --

A Not that I'm aware of.

Q -- Benghazi with SST?

A Not that I'm aware of.

Q Thank you.

What was your understanding of why the SST mission was not extended past 3 August 2012? So, in other words, our understanding, historically, is that the mission ended as of, let's say, 4 August 2012, a transition to another command structure. So what was your understanding of why the SST mission specifically was not extended past that date?

A My understanding is because the State Department declined the service.

Q Okay.

So, on 9 July of 2012, Embassy Tripoli sent a cable to Washington requesting additional security personnel, to possibly include members of the SST. Were you aware of that cable request at the time?

A You know, I've got to tell you, whether I was aware of it at the time, I don't know. I'm not aware of it right now --

Q Okay. Fair enough.

[REDACTED]

A -- given the amount of time that's passed.

Mr. Richards. Can you just clarify when you say "Washington" what you mean?

OR2 [REDACTED] Yeah, sure. Sorry.

So Ambassador Stevens, in his capacity as the Ambassador at Embassy Tripoli, sent a cable from Embassy Tripoli to the State Department on 9 July 2012. One of the components of this cable was to request a certain number of security personnel that the Ambassador or the RSO believed were necessary to defend the Embassy in Tripoli. Now --

Admiral Losey. This was a military request?

OR2 [REDACTED] No, no, sorry. It was a request from the State Department --

Mr. Richards. To the State Department.

OR2 [REDACTED] Yes.

Admiral Losey. For military people?

OR2 [REDACTED] Right.

OR2 BY [REDACTED]

Q And what we can do is we can -- unfortunately, I don't have copies of it here, but I can get you a copy of the cable if you want to take it look at it later. We can come back to this. But this is just to lay it out --

A The short answer right now is, no --

Q Okay.

A -- I don't recall that.

Q Okay. Fair enough.

So you may have answered the question, but were you aware of any views that Ambassador Stevens or other members of the country team may have had

[REDACTED]

about the value of SST remaining in Libya past their expiration date of 3 August 2012?

A Other than what was evidenced in the decision, no.

Q Okay. So our understanding is that the Ambassador may have come to AFRICOM in August of 2012 and had meetings with General Ham and his staff. Do you recall that?

A Oh, yeah. I had dinner with him.

Q Yeah. Okay.

A I had plenty of personal interaction with him.

Q Yeah, that was our understanding. So did SST come up at all in his -- or, let's say, not just SST, but concerns about security of the U.S. facilities in Tripoli or in Benghazi, did that come up in conversation with Ambassador Stevens at that time, to your recollection?

A No. The focus of the conversation was on building partner capacity, what structure that would take, how we would do that.

Q Okay.

So, actually, that brings up something I wanted to ask you about. And what I can do is just put this in front of you so you can see it because you haven't seen this, probably, before.

I'll mark this as Exhibit 1.

[Losey Exhibit No. 1  
was marked for identification.]

OR2 BY [REDACTED]

Q So what this is, this is an excerpt. The Senate Select Committee on Intelligence put out a report -- I don't know if you've seen it or not -- on Benghazi.

[REDACTED]

10

[REDACTED]

And there was a particular section that we wanted to ask you about, so let me just hand this to you. The marked portion, you can just read that. And I'll read it into the record.

So it's just -- yeah, on to that next page there. So I'll just go ahead and read this. Page 20, at the bottom here, on to the next page, it says, "DOD confirmed to the committee that Ambassador Stevens declined two specific offers from General Carter Ham, then the head of AFRICOM, to sustain the SST in the weeks before the terrorist attacks.

"After the reading the August 16, 2012, emergency action committee cable, General Ham called Ambassador Stevens and asked if the Embassy needed the SST from the U.S. military, but Stevens told Ham it did not. Shortly thereafter, Stevens traveled to Germany for a previously scheduled meeting with Ham at AFRICOM headquarters. Ham again offered to sustain the SST at the meeting, and Stevens again declined."

So I just wanted to ask you, first of all, were you involved in the discussion Ambassador Stevens had with General Ham on either of these two occasions?

A Not with General Ham, although I did have several discussions with him that were in alignment with this.

Q So is it your recollection that Ambassador Stevens -- I mean, in other words, let me ask you this. Is your understanding of this that Ambassador Stevens declined two specific offers from General Ham to sustain the SST in the weeks before the attacks? Is that consistent with your recollection?

A I have no idea what he discussed with General Ham or what their interaction was.

Q Yeah.

[REDACTED]



[REDACTED]

A But parallel discussions and my military advice to him, as SOCAFRICA, was to keep the elements in place.

Now, a confusion of whether it was an SST at the time -- this was an SST in a transitory period -- whether it was going to stay under the Ambassador's authorities or shift to the combatant command. But the short of it is we had the personnel on the ground with capability. We wanted to keep them in place for the benefit of security.

Q And I just want to just note, you know, our understanding from documentation was that the SST mission itself, as SST, under chief of mission authority, had actually ended as of 4 August 2012. Is that roughly consistent with your recollection?

A That is.

Q Okay. So I just -- would you agree that it seems unlikely Ambassador Stevens could have been in a position to refuse an extension of SST after 4 August 2012, considering SST had ended at that point?

A I'm not sure.

Q So when the SST --

A The function --

Q Yeah, go ahead.

A Yeah, go ahead and clarify the question for me.

Q The question, what we're trying get at is, I think our understanding is that SST, as SST, in other words, as a force on loan to the State Department under chief of mission authority, that mission ended as of 4 August 2012.

And so, you know, our understanding is that, for example, Ambassador Stevens -- for example, the EAC cable here that's referenced is August 16th, 2012,

[REDACTED]

[REDACTED]

which is, you know, a couple of weeks after that date. So we're just trying to understand whether Ambassador Stevens may have, in fact, declined, you know, offers from General Ham to specifically, you know --

A I have no idea, but I do know this: The State Department was in control of whether they were going to have an SST or not. And it's because -- the State Department made the decision on declining the SST. If Ambassador Stevens wanted to reinstate the SST, he could have so stated. There is no ambiguity on the notion that he wanted a reduction in the footprint.

Q Okay. And we'll talk about that. And that's actually consistent with our understanding, but I just wanted to get your --

A Yeah.

Q -- any recollections you might have about that.

A And these weren't things driven by us. I have no idea what he talked about --

Q Understood. That's consistent with our understanding. It's just that I think, you know, this language has created some confusion among some people, so we just want to clarify that as best we could.

EXAMINATION

ARI BY [REDACTED]

Q Excuse me. Admiral, let me ask you this. So just before, let's just say in August 1st, before the SST mission concluded, is it your recollection that the SST was 16 personnel?

A That's correct.

Q And do you recall Lieutenant Colonel [REDACTED] [REDACTED] was the commander of that unit?

[REDACTED]

[REDACTED]

A I do.

Q And am I to understand that then on 4 August that that mission ceased but those 16 personnel and Colonel [REDACTED] remained in country; is that your understanding?

A Exactly when Colonel [REDACTED] transitioned with Colonel [REDACTED] I do not recall. And I don't recall when Colonel [REDACTED] transitioned out of the SST.

Q Fine. Setting aside who led the unit, am I correct in understanding that the 16 remained under someone's leadership in country even after their SST mandate expired?

A Whether it was after the mandate expired or not, I am uncertain. There was some point where it was very clear that Ambassador Stevens wanted to draw the footprint down. The exact date, I can't recall right now. I'm sure it's in the records, and if somebody pulled all the emails, you could define exactly what it is. But I don't have that at my fingertips.

Q And did you discuss with General Ham the reduction in size, the fact that it was 16 and was going to go to some lower number --

A Oh, yes, I discussed it with him.

Q And did you discuss that reduction -- sorry. And what was the tenor of your discussions with him about that reduction?

A There was two pieces to it. One, that we had capability in place. It was an integrated unit with integrated capabilities, an entire ODA plus augmentation -- Operational Detachment Alpha. It's a standard unit of issue for special forces. Okay, so we had an entire ODA in place with integrated capabilities.

We had begun partnering with our host-nation counterparts, Libyan SOF,

[REDACTED]

okay, and begun the process of building a long-term relationship. And what is really disruptive to that relationship is pulling out once you've initiated, once you've made a commitment. So I was concerned about that dimension.

And then the other dimension I've already covered. The capabilities of an integrated unit were already in place. And then recognizing the additional energy that would have to be expended to reinsert the team after we pull parts and pieces of it out.

So there was no ambiguity on my part that I wanted them to remain in place, for reasons well beyond security.

Q Sure, I understand that. And do you have any recollection if General Ham shared that concern about the reduction and the size of the unit that was SST that was --

A General Ham registered my position. He knew my position. What he said and what transpired between him and Ambassador Stevens, I have no idea on. Ambassador Stevens was also very clear on my concerns and my position. And I offered my best military advice, and he made his intent and decision clear, and we complied.

Q And how about Colonel [REDACTED] Did you ever discuss with him or did he ever discuss with you -- did Colonel [REDACTED] ever discuss with you his impressions or opinions about the --

A Absolutely, he did. And they were in alignment.

Q In alignment with --

A My position.

Q -- yours?

A Yeah. We shared a common view and understanding of the cost and



[REDACTED]

benefit of what was going on there. Colonel [REDACTED] was the driver of what stayed behind, what the composition was, what functionalities remained. And that was also in coordination with the Ambassador.

Q And I don't want to jump too far ahead, but when the unit was eventually reduced to a -- do you know that the unit was eventually reduced to six?

A Yes.

Q And I take it from your testimony you were displeased with that reduction.

A No, sir. Not for me to be pleased or displeased. I registered my position, a decision was made, and I complied.

*ORA*

BY [REDACTED]

Q It may be helpful to share your -- I think you've mentioned you had specific views that may have differed from the Ambassador's views in this discussion. I mean, what were your views? And what did you share with the Ambassador that your concerns or your views were?

A Exactly what I just told you.

Q And what were the Ambassador's views, to the best of your recollection?

A His concern was making sure that the Government of Libya, such that it was at the time, was aware of and consented to our presence in the form that it was there. In my interactions with Ambassador Stevens, I came to draw the perception that perhaps they did not have that and he wanted to make sure that he had their consent. And we weren't sure how long that was going to take.

He wanted to draw down in that period to minimize the cross-section. My view was we were already there and there was no value to be gained in drawing that

[REDACTED]

[REDACTED]

down, although -- you know, fundamentally different views.

I was also concerned about maintaining partner relationships, which are -- you know, you erode trust and confidence when you come and go at the drop of a hat. And so, you know, we wanted to keep a steady level of engagement in there, steady contact.

But, again, neither pleased nor displeased. I registered, you know, my views the best I could.

AR1 BY [REDACTED]

Q Again, I understand you to say that your views were that there were reasons to retain a larger number.

A Yes, sir.

Q Do you know who made the decision to reduce to the number that was reduced to?

A I take my orders from General Ham. My customer, in this case, was the Ambassador. So, you know, whether I agreed with the Ambassador or not, if he says it's not going to happen, and we're in a Title 22 environment, it's not going to happen. It's effectively, you know, how it works.

But the order -- you know, my orders do come from General Ham. And he was in the loop on this process.

Q Were you ever under the impression that the suggestion to yield six came from someone in country? Sorry, not the Ambassador. Colonel [REDACTED] --

A I'm not aware of that.

Q All right.

AR2 BY [REDACTED]

Q If I could help maybe, our understanding -- and I should state, actually,

[REDACTED]

[REDACTED]

in response to something you said earlier, the committees have access to many of the relevant documents, emails and things. And so we're not here to quiz you, you know, 18 months or whatever it is later about the --

A Yeah, I'm sorry, because I don't have access to stuff like that.

Q No, totally understand. Yeah. No, I think what we're interested in more is just your recollection of the policy discussions and the personalities that were involved. I mean, we have all the dates and the documents, so rest assured about that.

I just wanted to say, you know, our understanding is that Ambassador Stevens had some specific concerns about the loss of diplomatic privileges and immunities, or P&Is, for the personnel who had been SSTs, which, to our understanding, occurred -- they lost those P&Is as of 4 August 2012 when the team reverted to COCOM authority.

So I'm just wondering, were you aware of those specific concerns?

A Yes, sir, part of the dialogue. To the extent that P&Is could be exercised in the state that that government was in, you know, it kind of -- it loops back around to the amount of time it took to get the consent of the government in the form that it was in, which was rather complex. It took a lot of time.

Q Yeah.

A So, yes, but -- and that's a legitimate ambassadorial concern, however, not something that our forces are unfamiliar in operating in that kind of environment. A lot of times, you know, governments that aren't fully functioning and the like. Although technically having those pieces in place is important.

Q It might be helpful to -- without being specific, in situations where you do have a host-nation government that is not, as you put it, perhaps as fully

[REDACTED]

[redacted]  
functional, is it uncommon for these types of military personnel to operate without P&I, such as Ambassador Stevens was concerned about here?

A At the point that the Ambassador has taken it on in the nascent stage of the government, I think it was a legitimate concern.

Q Uh-huh. Okay.

ARI

We also understand -- and this is to [redacted] point about, you know, the reduction of levels of personnel. We also understand that on 6 August 2012 there was an incident involving two U.S. military personnel at a checkpoint. There was an exchange of fire. Do you recall that incident?

A I do.

Q Could you just -- I mean, we know what happened, I guess. I don't need to ask you about your recollection of what happened, but --

ARI [redacted] How did you learn that it had happened?

OR2 [redacted] Yeah.

Admiral Losey. I got a report from the field within probably an hour of it happening.

ARI [redacted] You recall that --

Admiral Losey. Yeah. Well, the ops center took the report. It probably came in from the guys that were involved.

We have a standing set of what's called CCIR, commander's critical information requirements. It has to do with, you know, if you have an engagement, if you have a discussion with general-officer-level or diplomatic-level officials, I get a report. If something untoward happened that could impact relations in a country, I get a report. If you have something that could trigger media interest, I get a report. And that stuff goes right up the chain.



[REDACTED]

And the CCIR are broken down in categories. Some are immediate reporting; others are, you know, tell me in the morning; others are "wake me up immediately." That one is a "wake me up immediately." And it didn't need to; it came in during the daytime.

So, yes, we were tracking it. And we saw that as kind of a holistic indicator of the environment that we were operating in. And this is why we put an O5 down there in charge of 16 people, which is a little out of character for military structure.

OR2 BY [REDACTED]

Q And so, just, again, we've seen the reporting that you saw, so I think we're clear on how that came about. I guess what we're wondering is how that incident may or may not have affected the ongoing debate at this time about the numbers of Title 10 personnel to leave in country in Libya.

Do you recall, did that incident in 6 August feed into that discussion?

A Yes, it did feed into the discussion. If we're going to maintain a presence to build partner capacity, two things need to happen: One, we need to have adequate footprint, the ability to protect ourselves; and, two, we need to coordinate closely with our host-nation counterparts to ensure they're looped into the force protection dimensions.

We're in their country as their guests, even recognizing the relative instabilities at the time. But to the extent that we can enlist their support in protecting our troops, we do that to the maximum extent possible.

Q Okay. That's helpful.

OR2 [REDACTED]. How about you? Do you have anything else?

ARI BY [REDACTED].

Q Did you ask for any sort of -- do you remember if you asked for any

[REDACTED]

[REDACTED]

sort of, you know, after-action report or anything after the attack at the checkpoint to discern more about what happened or what -- you know, was there a failure along the line someplace?

A I think, as a commander, I felt like I knew everything I needed to know. The purpose of an after-action report is to surface all the issues that we can improve upon. I had not just email reports but I also had verbal conversations with Commander [REDACTED] routinely and was able to identify what the issues were. And, again, wanting to step up the level of Libyan SOF support and force protection would be one of the key takeaways of that.

Remember, unique features, too -- I'll just amplify on this a little bit.

Q Please. Sure.

[REDACTED]

Q You mean after the attack.

[REDACTED]

[REDACTED]

A Oh, even before.

Q Oh.

A Yeah, this was part of going in --

Q Okay.

A -- and understanding the environment we were going to operate in.

This is standard business, not driven by -- you know, we don't bump into things and then -- you know, it's standard business to understand the force protection dimensions.

Q Sure.

OR2 BY [REDACTED]

Q And just, with respect to that, you know, obviously, having analyzed the environment in Libya, as a professional, I mean, what was the assessment of the environment in Libya? Was it nonpermissive? Semi-permissive? What was the general assessment about what Libya was like for U.S. personnel that may be operating there?

A If I were to characterize it as a commander, I would call it semi-permissive and uncertain.

Q Okay. Did the analysis, to your recollection, did it look at the regional breakdown of Libya? In other words, did it view, perhaps, eastern Libya differently from western Libya or southern Libya? Or was it just generally your recollection that it was as you said it?

A We had a general awareness of the history of Libya, three specific regions and the fissures in between them, absolutely.

But in the context -- I mean, we're looking at a very set picture here specific to our engagement. So when we start dialing in on specifics, what force protection

[REDACTED]

measures to take, what random antiterrorism measures to take, all those things are specific to the bubble that we have to operate in.

Q Okay.

With respect to the security force assistance program, just if we could step back to that for a minute, we alluded to it a little bit already.

A Uh-huh.

Q Were you were aware of any arrangement whereby the SST personnel, at the time under chief of mission authority, had engaged in any 1208-related training of Libyan security forces prior to the official approval of a 1208 program?

A That -- no. You couldn't -- I mean, the very statement you just said there, you can't do 1208 before the program's approved. So the answer is no.

Q That's helpful. I just wanted to mention --

A Were they engaging with counterparts? Had we assessed and identified a candidate pool for training? Yes.

Q Okay.

A That was with the consent of Ambassador Cretz and General Ham.

Q That's our understanding, as well.

A Yes.

Q So just to be clear, then, there's a separation, then, between the assessment process and formal 1208 activity that --

A Oh, yeah. Formal 1208 activity commences with the approval of the program and the consent of the Ambassador.

Q Do you remember when, specifically, the 1208 program for Libya was eventually approved formally?

[REDACTED]

A I do not.

Q Do you remember if it was perhaps before the attack on 12 September 2012 or after the attack?

A I don't remember specifically, but, yeah, I believe it would have been well after the attack.

Q Okay. That's helpful.

**AR1** BY [REDACTED]

Q And, by definition, would Colonel [REDACTED] have had to have been in charge and Colonel [REDACTED] be gone for the 1208 mission to begin? In other words, could [REDACTED] have supervised the 1208 or --

A Well, [REDACTED] [REDACTED] rolled out before the 1208 was implemented.

Q That's my question.

A There's no question about that in my mind.

Q So I think he about left 15 August, if that helps at all.

A Okay. Yeah.

Q You have no recollection of that?

A At this point, I don't.

Q Fine.

A It was a long time ago --

Q No, no. I appreciate that. It's not a quiz. I'm just trying to get it straight in my mind.

Were you out-briefed by Colonel [REDACTED]

A Yes.

Q And as orally or maybe a PowerPoint presentation or both?

A Both. And not only that, but I had weekly direct communications with

[REDACTED]



him by phone and by VTC.

Q And did he perhaps provide a written SITREP, a daily SITREP or periodic SITREP?

A He did.

Q And did you review those SITREPs?

A I did.

And to some of your points here -- and I'm having a hard time recalling whether it was -- he had indicated at one point he had gone out and done a survey and assessment and indicated a need to step up. He was concerned about the security environment and situation. And I can't recall if that was specific to Benghazi or not.

But, again, you know, we're in dynamic tension constantly. Our military view of how we should provide security or how we should engage then has to meet with the concurrence of the Ambassador and their country team. And what form we take, what functions we perform, all these things are to and fro, to and fro.

So Colonel [REDACTED] could have said, hey, we think this; the RSO could have said, we don't think so. Other members of the country team ultimately -- you know, it was never operationalized. His desires were never operationalized by a decision from the country team.

OR2 BY [REDACTED]

Q And, actually, just to help you out, we do know that members of SST did transit out to Benghazi for short trips --

A Yes.

Q -- to do security evaluations --

A They did, yep.

Q And I believe Colonel [REDACTED] actually happened to be out there in June of 2012 around the time of the attack on the U.K. Ambassador.

So I'm just wondering, I mean, you know, we understand you would get SITREPs from him and his unit. Do you recall in those SITREPs whether he discussed the security environment in Benghazi, number one? And, two, you know, what the delta on that security environment was? I mean, was it getting better or worse? Do you recall any of that from your SITREPs from Colonel [REDACTED] and his team?

A I don't. I recall him registering concerns. This is not unique to Benghazi. We're in a number of different places --

Q Sure.

A -- where you've got insecurity and instability, and guys register their concerns.

You know, the bottom line is it's got -- you know, what we end up doing in terms of a footprint on the ground has to be coordinated through the State Department, Title 22 environment.

Q Right. Understood.

Other than 1208, were there any discussions about a security force assistance programs other than 1208 that were under discussion prior to the attack?

A We look at a full range of programs and options. 1208 is CT Advise and Assist, Combating Terrorism Advise and Assist. It has a different set of authorities than 1206, Train and Equip. So, yeah, we look at the full continuum. We look at the amount of time it takes to implement and push these initiatives for approval through a pipeline and implement them.

So if you're to go with 1206, normally the flash to bang or the initiation of

[REDACTED]

coordination to actually realizing material benefit on the ground can be up to 18 months. That drives the selection of what we use. And sometimes we layer. You know, we get things that are more responsive up front, smaller unit, and then we can reinforce them with broader initiatives and programs that take a little longer to go through the coordination pipeline.

Q That's helpful.

So, obviously, we know that there was a 1208 program under consideration for Libya prior to the attack. Do you happen to recall whether there were 1206, 1207 programs being considered prior to the attack?

A Yes, there were.

Q Okay. Anything under the Global Security Contingency Fund, by any chance?

A That's 1207.

Q Okay. That's our understanding. So they were actively being considered?

A They were all layered in, that's correct.

Q Okay.

OR2 [REDACTED] Can I shift gears, or do you want to --

ARI [REDACTED] Just a couple other questions.

ARI BY [REDACTED]:

Q So when the organization in Libya was reduced to six and Colonel [REDACTED] was put in charge of that smaller unit, did you have any role in selecting Colonel [REDACTED] for that assignment?

A I did.

Q And can you help us understand why it is that you selected him for that

[REDACTED]



[REDACTED]

position?

A He was nominated. I approved his nomination from the JSOTF-Trans-Sahara Commander --

Q Colonel [REDACTED]

A -- Colonel [REDACTED] yeah. He was the best qualified officer to command at the time. We needed an O5 with significant experience, and, as you know, he has significant experience, well over 2 decades.

And, you know, given the uncertain environment, given the focus that was on the environment and the sensitivities, obviously, that the Ambassador would have, we needed to put some weight up front. And that's why we -- you know, first, we put Colonel [REDACTED] down there, and we followed with Colonel [REDACTED]. And we put a lot of focus and attention on his activities down there.

Q Sure.

And did you and Colonel [REDACTED] or Colonel [REDACTED] ever discuss the composition, maybe not by name but by capability, of the other five individuals who would form that team?

A We did. And that was, again, in consultation with the Ambassador and what functions he wanted to have resident or remain behind. And, again, the medical function, the communications function, less concerned about the personal security detail function. Okay? But some of the other -- the services.

Q Sure.

A Yeah. Service support-type functions he wanted.

Q Sure.

A And that's kind of -- that's what was left behind, principally.

Q So is there an easy way to describe the differences in what that

[REDACTED]

[REDACTED]

6-person team was to do in comparison to what the 16-person SST had done in the near term? I know what ultimately the goal was, but what were those six folks to do?

A Okay. Well --

Q And maybe there's no easy answer to that.

A You know, what we left behind were medics, log, and comms.

Q "Log" means --

A Logistics. Again, to help implement any of the material solutions that would be required to bring the 1208 team back in.

Q I understand.

A But all of the folks that would be the trainers for the tactical training, the guys who would provide the core expertise for tactical maneuver, security details, the actual functionals, if you will, to do the tactical training, not the support or combat support or combat service support function. So they retained the support functions; they cut away the toothy end of the functions.

Q Okay.

*OR* BY [REDACTED]

Q And was that a decision that was sort of reached in concert with the State Department folks, between State Department and AFRICOM, as far as you're going to leave somebody behind, who would be logical to leave behind, in lieu of, you know, sort of a full restart on the training?

A As I stated before, my military advice is it was not logical. I understand the decision. They wanted support functions.

Q Yeah.

A They didn't want the security functions. They didn't want the core

[REDACTED]

[REDACTED]

military function, the tactical function. To me, that's very important. It was part of an integrated unit. Those support functions that we cut out of the team and left behind were what supported the whole of the team. Okay?

Q So to be clear --

A So we left the split end and the quarterback and we took all the linemen out --

Q Got it.

A -- is kind of where we ended up.

Q Yeah. And so, just to be clear, that division of forces or that decision was a State Department request?

A Yes, it was entirely driven -- DOD's position, my position at SOCAFRICA -- and these are my forces -- Colonel [REDACTED] position as the JSOTF Commander, more closely, okay, that was our input to General Ham, that was what we communicated up the chain: integrated capability on the ground. The footprint was already in place. The environment was already sensitized to our footprint. We already had a foothold. Our advice was to retain it.

**ARI**

BY [REDACTED]

Q Do you have any recollection that there was some suggestion that the team ought to be smaller even than six? It ultimately went to six, but do you have any recollection that on the table was some number lower than six?

A Yes. There was discussion, and it went through a range of, you know, what is the right footprint for the functionalities that the Ambassador desired. So I can't recall exactly, but it was as low as four and it was as high as, you know, eight or nine for the retained.

Once there was a decision to reduce the footprint, then we went through the

[REDACTED]

process of what is the right, you know, number of bodies --

Q Sure.

A -- to form the functions that were desired.

Q Sure.

OR2 BY [REDACTED]

Q I just want to shift gears a little bit.

A Sure.

Q So were you aware of any concerns that there may have been about the safety or security of the U.S. Embassy in Tripoli prior to the attack, to the best of your recollection?

A Not specifically. And that would be the RSO's function and the State Department's function.

Q Sure.

A Yeah.

Q And, obviously, you've got military people on the ground sending SITREPs in. But you don't recall specifically whether there was any concerns communicated to you about the security of the Embassy, the defensibility of the Embassy if there was an incident?

A I think other than the innate concern for being in an uncertain environment with all the things that were going on, that was -- that's baseline. To say that there was no concern there is not accurate.

It's kind of like the 9/11 thing. Every year since 9/11, the entire military pretty much goes to red alert. We run all our trap lines, look for our vulnerabilities, knowing that there might be an extremist out there who wants to make a point of the anniversary of 9/11.

Regardless of specific indicators or not, that is kind of a -- we're sensitive in that environment, just like we're sensitive in the environment in Tripoli. It's sensitive, reestablishment of the U.S. mission. You know, the baseline was already sensitized.

Q Sure.

**ARI** BY [REDACTED]

Q But part of the SST team's responsibility was to help provide physical security of the Embassy compound, correct?

A Yes, when it's full up, that's correct -- no, not of the compound. Selected activities designated by the Ambassador. Physical security of the compound is a little bit of a --

Q Okay. Excuse me. Point well-taken. So let me say it this way: Part of the SST's responsibilities, when it was the SST, was to help provide physical security to the diplomats and some of the activities that went on at the Embassy. Maybe --

A Right. Movement --

Q Movement and so on, PST movement --

A -- route surveys, convoys, yes.

Q So, given those responsibilities, if the SST commander had particular acute concerns about certain movements that were dangerous, a certain threat environment, that possibly would have come to your attention.

I mean, the question was, I think, were you aware of any concern that the SST had about security on the ground. And I think you said that was the RSO's responsibility.

A For the Embassy.



Q For the Embassy. Okay.

A Yes. As an Embassy, as a mission function, that's the RSO's responsibility. Our folks are there to augment that, okay, and do tasks as assigned. But the strength of that team was more in personnel security detachments, route surveys, and the like. Not standing on the wall, necessarily.

Q I understand.

A Okay.

Q I understand.

002

BY [REDACTED]

Q What about any role that AFRICOM may have had in providing evacuation support for the Embassy in Tripoli, should there be a need for evacuation? Was there any discussion about that prior to the attack?

A The function that you describe, I mean, we generically call it noncombatant evacuation operations.

Q Yes.

A And that's a standing function of all combatant commands for countries in their area of responsibility.

Q Understood.

A And that would've been sensitized, again, in the case of Libya, not something left dormant. We had situations in Mali the same year, where we went to authorize departure. We had an ordered departure from Bangui not much after that. So, I mean, this is part of the AFRICOM construct, yes.

Q Okay.

We've got a few more minutes on the first hour. Let me switch gears, maybe, again.

When did you learn that Ambassador Stevens planned to travel to Benghazi?

A I'm not sure I ever learned of it. The attack was my indication that he was there. You know, was it reported that the Ambassador would be going? If we went back through the SITREPs, you know, it never -- I don't track the Ambassador's travel.

Q Understood.

A Generally speaking, the guys don't send their concepts. You know, if they're getting ready to do a escort or a convey or anything, they don't send those back to the headquarters. That's part of their daily business, and their authoritative direction comes from the Ambassador there.

Where I get calls is, we need more resources, we need more funding, we need some guidance with respect to our operational envelope, can we do this or can we not do that.

So when there's sea changes is when we get -- those are the things we tee up on, not on the routine, you know, day-to-day minutia that is actually managed by other folks and executed by other folks.

Q Yes. And I think I understand exactly what you're saying. To be clear, then, when SST was, in fact, SST, Title 22, and they are engaging in personnel security detail for Embassy personnel, to include the Ambassador, then AFRICOM or SOCAFRICA were not getting regular updates from them about, you know, we're going to this place or that place.

That's what you're saying; is that right, sir?

A We could get reports on what their daily activities were, what they did. We would get it -- you know, there's two parts of the --

Q After the fact.

[REDACTED]

A Well, we'd also get, you know, anticipated actions, next 24, next 72 hours --

Q Okay.

A -- you know, boom.

Q Sure.

A But they wouldn't register as anything specific, unless they asked for guidance, hey, you know, this is out of type, we need some additional guidance or we need some additional support.

And to be clear, you know, the extent that they exercised these functions, I'm just -- I'm using a representative example here. For example, when they were moving in convoy, that wasn't an escort function. All right? They were going to survey their training facility and interact with their partners that day when that incident happened.

Q Uh-huh. Uh-huh.

A Okay.

Q Okay.

**AR 1** BY [REDACTED]

Q Just a couple things I want to make sure I understand before we switch over here.

So you said you were in Libya, I think you said, three or four times --

A Uh-huh.

Q -- once before the attacks and then a couple times afterwards.

Again, I'm not trying to hold you to the dates, but was your first -- how soon after the attack was your first post-attack visit? I mean, immediately thereafter? Months later?

[REDACTED]

A It was to basically assess the implementation of the 1208 program, to look at the berthing facilities where our people were going to be living, make sure we're comfortable. Talk to the guys about what the requirements were on the ground, if they need any additional support.

So it was after -- after the attack, the purpose was to go down there and basically get a sense of what was happening on the ground, the 1208 implementation, how our partners were responding and the like, what their future intentions were so we could adapt the program to their needs.

Prior to that --

Q But hold on. Excuse me.

A Yes?

Q That was maybe a couple months after the attack? Couple weeks?

A I can't recall exactly.

Q Okay. And had you anticipated that trip maybe before the attack in anticipation of evaluating the berthing arrangements or the other arrangements and so forth?

A That is standard business, again, for -- we have a program where folks are in an uncertain environment. Yeah, I do, I want to get eyes on. I want to make sure our folks are well-supported for what they're trying to do.

The travel I went before that was to go down and basically assess the environment for program implementation -- you know, what were the concerns, you know, who were the players, establish some relationships.

Q I guess what I'm asking is, was your first post-attack visit one that maybe you had scheduled originally and it was delayed because of the attack?

A You know, to be candid, the whole idea of going down right after the

[REDACTED]

attack was -- this was a State Department issue. Okay? A lot of fur, kind of, standing on end. My assistance not required. I had an O5 on the ground. He was engaged, sending reports back daily. Didn't need my help, didn't ask for it.

However, when we get into situations -- again, we started getting into 1208 implementation -- there's an uptick right there. There's a lot of stress. Guys got -- you know, they're trying to manage their berthing. They've got transits to make. They're absorbing equipment and trying to get that equipment down to the training site. They've got dynamics with the partners. These are things that, you know, that I want to make sure I'm getting my thumb on the pulse.

My equity pool in that part right after the attack, I was very confident that Colonel [REDACTED] had a handle on things. I was getting reports. He didn't need anybody's assistance down there at the time. That was my perception. So I didn't press it.

Q Great. Okay. Thank you. That's helpful.

[REDACTED]



[11:05 a.m.]

AR1

BY [REDACTED]

Q And I just want to make sure I understand also, we know, of course, that there were a whole set of military folks, uniformed folks, in Tripoli at the time of the attack. Of course it was Colonel [REDACTED] and his three other folks, or Colonel [REDACTED] and five other folks, I should say --

A Yeah.

Q -- a total of six in the post-SST team, the team that supplanted the SST team. There was a defense attache and an assistant. That attache is not in your reporting chain, am I correct?

A That's correct.

Q And there was a lieutenant colonel --

A Although he informally coordinates with me.

Q Okay.

A We're in communication informally, we discuss. Because I'm providing the resources that they're having to implement.

Q Fine.

A So we do have informal coordination, but he doesn't report to me specifically.

Q Fine. And did you have informal coordination with the attache?

A Yes, sir, I did.

Q And, similarly, there was a lieutenant colonel who was in charge of the Office of Security Cooperation. Again, not in your formal chain, correct?

A That's correct.

Q But you informally had contact, communication with him?

A Not really, not so much. More with the DAT. And not through any specific intention, it's just how it worked out. I felt like the DAT had the lead on things, and he was keeping me up on things I needed to know and what we needed to do to help.

Q Fine. Thank you.

A Yes, sir.

DR2 [REDACTED] I think that's about it for our hour, so we'll go off the record and take a break for 5 minutes.

[Recess.]

OD2 [REDACTED] We can go back on the record. It's 11:15.

Admiral Losey, I would like to take the opportunity to thank you for your service and for speaking with us today.

OD2 My name is [REDACTED]. I'm with the minority staff of the Oversight and Government Reform Committee. And I'm joined by my colleagues on both the Oversight and Government Reform Committee and the Armed Services Committee,

OD1 [REDACTED] to my left, [REDACTED] from the Armed Services Committee, and [REDACTED]

[REDACTED] down on the end here. AD2 AD1

During our discussion, my colleagues and I would like to ask you a series of questions about the attacks in Benghazi, some of which you may revisit topics already discussed during the previous hour. By no means is our intent to go over material to test your patience but, instead, to develop a complete and as accurate a record as possible.

We can only begin to appreciate how challenging the circumstances were for

[REDACTED]

you and your colleagues on the night of the attacks. And, again, we appreciate your service and being here today.

Admiral Losey. Thank you, sir.

EXAMINATION

QPS

BY [REDACTED]

Q Admiral Losey, I would like to begin by discussing some statements you previously made during a June 26, 2013, briefing before the House Armed Services Committee. I would like to read aloud some of your statements concerning allegations that a four-man special forces team was told to, quote, "stand down," end quote, on the night of the attacks, as well as some of the explanations for decisions made that night. And then I would like to ask you some follow-up, clarifying questions.

And I'd like to give you a copy of that transcript, which is publicly available on the House Armed Services Committee's Web site. And I don't need to make this an exhibit, but we can decide if we want to have it as an exhibit. I'm going to refer to it a fair amount.

So on page 105 of this transcript, you said, quote, "There was never any order from Commander, Special Operations Command Africa, myself, nor Commander, Joint Special Operations Task Force-Trans-Sahara to any elements in Libya to 'stand down from responding to Americans under attack.' The team deployed to Libya and had the inherent authority, direction, approvals, and rules of engagement to protect Americans and America's interests."

And I just would like to ask you again if you could elaborate on that and just to be as crystal-clear as possible. Was there ever an order given to Colonel [REDACTED] to stand down on the night of the attacks?

[REDACTED]

TU

[REDACTED]

A Yes, sir. There was never an order to stand down. The order, as I communicated it to the director of operations, was to remain in place and continue to provide security in Tripoli because of the uncertain environment. That's piece number one.

When we talk about the inherent authorities that Colonel [REDACTED] had to move in order to accomplish his mission, and if Americans are under attack, part of that mission would be to protect Americans, he had the latitude and the rules of engagement to do so at will.

That was affirmed in the discussion that Colonel [REDACTED] had with him and further affirmed by me when Colonel [REDACTED] passed the contents of that discussion to me while I was on watch that night.

So Colonel [REDACTED] had the latitude to move with the initial element that responded to the attacks had he chosen to do so. He chose to remain in place because of the security situation in Tripoli, the uncertainties, and the possibility of a cascading effect or plans that we didn't know about.

I think the second piece -- and you mentioned Americans under attack. And I note that, even as DCM Hicks recounted that evening's events, he said specifically that that four-man element would have moved forward to provide airfield security, which was our understanding at the time that we said, remain in Tripoli.

Because, at that point, our understanding was that the Americans had been consolidated. We were already in retrograde with Americans moving to the airfield or at the airfield. Uncertain exactly when that happened, but the idea that the Americans were already linked up with Libyan militia counterparts and moving to the airfield was in effect. Coordination for aircraft to bring back the wounded were already in effect. And the aircraft that was to take Colonel [REDACTED] back to

[REDACTED]



[REDACTED]

Benghazi could not go wheels-up until sunrise. And that sunrise time was 0649 in Tripoli.

If you count in before morning nautical twilight, which I think is 15 minutes or so, and an hour-and-a-half transit for 416 miles at 300 knots, you're looking at not getting there until well after Americans had consolidated.

And still the primary concern, uncertainties of the security situation in Tripoli. The only four Americans, military, that were providing situational awareness on what was happening in Tripoli: the medic that was there, and, again, DCM Hicks specifically mentioned his nurse, Jackie, that stayed on station there. Ryan Self was later awarded for his actions in saving some lives down there on the ground.

So we didn't see a lot of benefit; we saw a significant tradeoff. Four guys could've -- could have -- added some measure to the airfield in Benghazi, but it was Colonel [REDACTED] and his communicator and a medic and a weapons operator, a weapons NCO with a broken foot or a foot in a cast. And our calculus was, you know, the tactical value of that as opposed to the situational awareness they were already providing for us in Tripoli and the uncertainties there were part of what drove our decision.

Q Okay. So thank you for that. I think you jumped further, and I'm unfortunately going to have to re-plow through some of that ground.

A Okay.

Q So, again, apologies for that.

On page 105 of that same testimony, you also said, quote, "Although the principal focus was on Americans under siege in Benghazi, there was concern of potential attack in Tripoli against Americans, which remained a consideration throughout the crises and drove the additional security measures rightfully taken in

[REDACTED]



[REDACTED]

Tripoli," end quote.

Admiral Losey, can you elaborate further on what your concerns were for Americans in Tripoli and what drove those concerns?

A Well, the concern was uncertainty, the same uncertainties that we had prior to the Benghazi situation. No prior indications. We had no prior indications in Tripoli, but an important emphasis earlier in the evening on consolidating Americans to an area where they could be safe. And that was Colonel [REDACTED] primary reason for not moving forward earlier in the evening when he had the opportunity.

Again, the situation in Tripoli was one that was uncertain. The one node that we had communicating directly with us was Colonel [REDACTED] with his communicator.

The time that the -- I think I've already covered, but at the time that the question was raised, we were already in retrograde. And, in fact, as soon as we had indications that the Ambassador's body had been located, really the primary focus at that time was to consolidate Americans and recover them to Tripoli, to a safe area -- or a safer area, I should say.

001 [REDACTED] Admiral, do you recall at what time you learned that the Ambassador's body had been recovered?

Admiral Losey. No, I don't. It was earlier than the time that I got the request from Colonel [REDACTED] I think it's a matter of the record.

002 BY [REDACTED]

Q And so how many Americans were on the ground in Tripoli that you were concerned about?

[REDACTED]

[REDACTED]

[REDACTED]

And did you have any idea of, if there was to be an attack or an event in Tripoli, could it be a large-scale attack? Did you have any understanding of what could unfold in Tripoli?

A No specific indicators. Again, a general concern. I think at the time, that time of the evening in Benghazi, we didn't have any specific idea of how many people were attacking, but the nature of any group of folks massing with RPGs and automatic weapons is a concern. So if it was just one person, it would have been a concern.

Q Okay.

On the same page of your testimony, you stated, quote, "At some point during or after the marshaling of Americans at the airfield in Benghazi, around dawn on the 12th, the SOCAFRICA operations director and JOC watch officer raised a request to my deputy commander and I from Lieutenant Colonel [REDACTED] to move to Benghazi. In short order, we collectively identified the same concerns. Between the three of us, we have about 90 years of collective special operations experience," end quote.

Admiral Losey, you had mentioned that between yourself, the deputy commander, and I believe SOCAFRICA operations director, you had about 90 years of collective special operations experience. How important is that real-world experience in forming good judgment in emergency-type situations, and how did that help inform you on the night of the attacks?

A Well, I think it's very important, having a broad range of experience in responding to contingencies and crises. I think these gentlemen, by virtue of their position, had demonstrated that they had some of the capabilities, but I think it's also a matter of their record.

[REDACTED]

We all seized on the same issues at once. You know, run to the sound of guns was not what was in our head. Yes, there was a concern in Benghazi. Our understanding was that Libyan counterparts had already helped marshal Americans. Whether they had gotten to the airfield or not, you know, moving to the airfield, aircraft being coordinated to medevac the wounded already in progress, all of us had a concern about, okay, we can't leave Tripoli uncovered here because we don't know what might happen next. We don't know who is talking to who, if there was a bigger plan, just the uncertainty alone.

And the fact -- again, I talked about the composition of the team. That's not a security team. It was a good team to organize an effort to consolidate Americans, to ensure security, to communicate, to provide medical support. That would have been a diminution of their value, to set them on an airfield with guns pointing in four directions, when already there was enough force massed, arguably, to provide security to Americans. That was part of our calculus.

Q On page 106 of that same testimony, you stated, quote, "Reporting indicated that Americans in Benghazi had consolidated and been reinforced by Libyan militia, were not actively being attacked, and had already begun to retrograde with coordination in effect to transport the wounded back to Tripoli."

Admiral Losey, in your testimony, you say, quote, "reporting indicated," end quote. Can you help us understand what your sources of reporting were on the night of the attacks? And how did that shape your understanding of the situation? And spend as much time as you want on what your inputs were, where they were coming from.

A I was getting routine reports from my director of operations. I was in contact with Admiral Leidig repeatedly throughout the evening, and as we received

[REDACTED]

[REDACTED]

different things from our watch officers, we called each other to talk about them. So those were my two principal nodes of communication.

My watch officers had communications both from the Joint Special Operations Task Force and the numbered task force. So they were consolidating a lot of the information flows and passing it to me and the deputy.

Q Okay.

In that same testimony, you stated, quote, "Given this understanding of the situation, the daylight flight limitations of the available airlift, and the uncertain security situation in Tripoli, it seemed prudent to maintain the balanced distribution of the special operations forces between Tripoli and Benghazi. This was the rationale expressed to me by Lieutenant Colonel [REDACTED] for not moving to Benghazi earlier with the initial response element," end quote.

What do you mean that Lieutenant [REDACTED] did not move earlier with the initial response element? Was a rationale for balancing SOF forces between Tripoli and Benghazi persuasive when Lieutenant Colonel [REDACTED] first expressed it to you? And is it fair to say that this rationale remained the guiding, if not imperative for the night?

A What did I mean? As I indicated earlier, Colonel [REDACTED] through Colonel [REDACTED] had the authorities to execute the mission. That was passed to him earlier in the evening. So had he wished to move to Benghazi earlier in the evening, he could have done so. It would have been his call.

He chose not to. He chose to stay in Tripoli because of the function that he felt was important there. And I'm not sure if the DCM tasked him, but clearly he saw the need for it. So he marshaled Americans to a safe area and made sure that was done safely.

[REDACTED]



At the completion of that task, okay, he felt that perhaps he had the latitude to move forward. Had he done so, I probably wouldn't have questioned it. He's on the ground, he's assessing the situation. I think he made the right call by calling to higher headquarters and checking. Okay? Because we could have a different view; we could be pulling in a lot more information than he is doing. And most of us understand that, and that's why we call our higher, because they are talking with a bunch of different folks, not just tactical people but also folks that are in the policy and operational-level decision-making to determine what's important.

So when he called at that point, okay, and asked us, you know, if he could do something, he opened the door for us to weigh in. And based on what we knew at the time, it seemed prudent, as I explained, to remain in Tripoli. Retrograde had already begun. The center of gravity was shifting from Benghazi back to Tripoli. My only situational awareness in Tripoli was already sited in Tripoli, and I was concerned about moving that offsite at a point where I really needed them there for reception of the forces coming back in.

And then perhaps most importantly is the idea that we really didn't know what the linkages were, what the driving influences were that perpetrated the attack in Benghazi and how that might translate into Tripoli.

Q Okay.

A And you asked about -- I forget. Can you -- there was a third component to the question, about persuasive. How persuasive was that?

Q How persuasive was his argument the first time you were in communication with him about not getting on that first plane and protecting the Americans at the Embassy in Tripoli?

A I did not perceive -- I don't know, the descriptor "persuasive" is



[REDACTED]

something, you know -- the facts were brought to us. The director of operations said, Colonel [REDACTED] is asking to move to Benghazi. And we all looked at each other and said, but everything's moving back the other way at this point.

And then what is he going to do? Provide security. We said okay. I think we need to have security in Tripoli, so have him remain in place, okay, and continue his security function in Tripoli.

Now, what was said between Colonel [REDACTED] and the battle captain and the director of operations, I don't know. But in the end, Colonel [REDACTED] stayed in place, as he was directed, and he offered no pushback, which he was entirely free to do. It would have been not at all out of the norm for a guy on the ground to push back and say, hey, I don't think -- you know, here's what I'm seeing and here's why I think I should do this. He didn't do that. Okay? He accepted the order, and we carried on from there.

In the end, in retrospect, unknowing of this at the time but in retrospect, I still think we made the right call. When you look at the composition of those four guys, what skills they had, putting them on a security perimeter is not appropriate use of that force. The guy's command and control, he's communications, medical. I've got one weapons guy with his foot in a cast. Didn't make a lot of sense.

Q Okay.

#### EXAMINATION

Q

BY [REDACTED]

Q Admiral, thank you. I think that's very helpful.

I think one of the things that we were keying in on in your previous statement was perhaps an earlier conversation that Lieutenant Colonel [REDACTED] may have had with the JOC, with the battle captain, or the current ops director --

[REDACTED]

A Uh-huh.

Q -- in which he may have explained his reasoning or his rationale for not moving to Benghazi earlier in the night, perhaps with the seven-man -- the initial seven-man response element.

And do you recall whether there was any information communicated or that that reason was communicated up through the JOC?

A I have no knowledge of that.

Q Okay.

DD2 BY [REDACTED]:

Q On page 107 of your testimony, you said, quote, "It could be debated whether providing security at the airfield in Benghazi already secured by Libyan militia and consolidated Americans would have been a higher use of force than receiving the incoming wounded and being prepared to respond to any potential emergent security threats to the Americans' center of gravity shifting back to Tripoli.

"The decision was informed by what we knew at the time and was accepted without any further discussion or feedback to the deputy commander or to myself, which would have been taken under due consideration."

I think you answered this, but, again, for the record, when Americans were consolidated at the Benghazi airport -- well, actually, you didn't. What was the understanding of the combined firepower that they had at their disposal in Benghazi, including that of the Libyan militia?

[REDACTED]

[REDACTED]

[REDACTED]

But the addition of four Americans, again, with the functions that I've described that are not aligned with being riflemen, was part of the factor.

Q Okay.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

"When weighed against taking four individuals, one with a foot problem and one a medic who would be required back at Tripoli to begin with, one a command and control guy, and the other his communicator, really the amount of firepower that they brought relative to what already had been consolidated you could argue was probably not significant.

"But, you know, I can take that point on and work that with you if there is concern. What would have been compromised is the only military element that was in Tripoli that had any security expertise whatsoever."

So my question, Admiral Losey, is, when you were making your decision on the night of the attacks, what was your understanding of the security capability of the Americans in Tripoli? And when I say "Americans," I'm referring to your team, in addition to those that they were helping.

A Their security capacity, I believe, is not measured so much in firepower that they deliver, okay, but you've got mature judgment. Again, the reason we selected Colonel [REDACTED] as an O5, to be in charge of a contingent that arguably you could put a senior NCO in charge of, all right, is for his maturity and his

[REDACTED]

judgment and his seasoning, his ability to assess a situation and report on it with the level of fidelity that we would need to make decisions. I think that was important to keep in Tripoli.

The medical function, with wounded coming back, is important. The communication function, you know, how he was communicating back -- at some point, they shut down their secure communications and they went to cell phone. So, you know, at a certain point, they shifted into cell phone communications, and we lost a little bit of fidelity but not enough, I think, for us not to understand what was going on.

And he wasn't the only, again, node that we were getting information from. I'm also pulling information from AFRICOM through Admiral Leidig, who is getting dimensions from the DAT, from the interagency components that are down there. And we're putting the picture together to better understand it.

Q Okay.

And was there a Marine Security Guard detachment at Embassy Tripoli on the night of the attacks, to your knowledge?

A Not to my knowledge.

Q Okay.

A I know a FAST team was being mobilized to respond, and they did not get there in the bubble of those events.

Q Okay.

And have you become aware of any circumstances or limitations that may have prevented Lieutenant Colonel [REDACTED] on the night of the attacks from telling you specifically about [REDACTED] -- for instance, insecure communications? Or is it your understanding that he just didn't engage in much of



[REDACTED]

a back-and-forth after receiving his order to remain and secure the U.S. personnel?

A I think the facts speak for themselves. He did not engage me. So, you know, I took it as he registered the order and was complying. I would have welcomed -- I mean, had he wanted to discuss -- I don't believe that he did, but had he wanted to discuss it further, he certainly could have.

Q So on the night of the attacks when the Americans were moved from the Tripoli U.S. Embassy [REDACTED] did you have situational awareness of what the capabilities were [REDACTED] You had mentioned earlier that you didn't know [REDACTED] So would you have had some clear understanding of what their capability was with respect to being able to defend Americans?

A No, but I would have presumed some organic level of capability. And I think that organic level of capability was scoped by the level of importance that Colonel [REDACTED] put on remaining behind to make sure that they followed through to get everybody [REDACTED]

So through direct reporting, not necessarily. Through the commander's actions on the ground, it tells you a little bit of something of what he thinks is important. And he didn't ask for my guidance, you know. That's why he's down there, is to make those kinds of calls and mobilize the force in the most effective manner.

Q I mean, to sum up, you essentially have two occurrences taking place at the same time. You have what's going on, what's unfolding in Benghazi, and you have two DOD officials there. And then you have the potential for an attack in Tripoli, and you have four individuals there.

So you have, in a sense, two scenarios of what you're trying to apply your military personnel equally to, correct?

[REDACTED]



[REDACTED]

A Sure. And we had to maintain awareness of both situations and be postured for both.

Q And what would it have taken in order to take the four out of Tripoli and send them to Benghazi? Would you have had to have known that the Americans were absolutely, positively safe and that the four were no longer needed in Tripoli?

A If Colonel [REDACTED] asked me, then we would deal with that situation based on what was known at the time. Okay? He asked me at a certain time and place if he could move. We assessed all the variables at that time and place and decided, no, stay in place and maintain security, okay, and your functions there in Tripoli. Okay?

At any time, outside of that one instance where he asked for my guidance, okay, he was at liberty to move. If you go back through the testimony, you'll find that Colonel [REDACTED] spoke to him earlier in the evening and said, do what you need to do, support the DCM. And he did that in the best way he could.

And, you know, he did ask the question -- you know, he felt he was done with his functions in Tripoli at a certain time and place, and we acknowledged that. And he wanted to move forward to Benghazi, where he thought he could contribute more. Okay? The awareness that we had that I don't think he was considering was, hey, already in retrograde, significant movements already happening. When you look at the time of flight and the amount of time left before he could take off and when he would actually get on the other side, I mean, there was a very clear possibility that the wounded coming back and he would cross in flight.

Again, in the end, not knowing this at the time but in the end, knowing it now, I think the right call was made. And it's not about being right or wrong. It was about assessing the whole of the situation and being postured for all the potential

[REDACTED]

outcomes.

Q And your situational awareness in order to see those two options was educated how? Again, what are your inputs that are telling you, for example, when that second plane is going to go wheels-up at daylight? And, sort of, what was taking place over in Benghazi to make these comparisons? If you can just, sort of, walk us through --

A My watch floor is the primary node. I have watch-standers coordinating with all the different elements that are involved. They're feeding their inputs to the battle watch captain, who is talking to the director of operations. All right? And then that director of operations, when he needs a command-level decision, will come to me and ask.

The second line of communication or line of situational awareness came from AFRICOM. Because there are some things that we don't have situational awareness of, necessarily, so it's always good to compare notes. And Admiral Leidig did have some of that awareness, and we did commiserate and mesh our pictures together and our understanding and what we might do.

I did not confer with Admiral Leidig on the decision to keep the folks in Tripoli. That was borne of the situational awareness that I had from discussions with him and with my director of operations.

Q All right. Thank you, sir.

Page 116, you stated, quote, "My principal coordination point at that time was U.S. Africa Command. The deputy commander, Vice Admiral Leidig, who was on station actively engaged with his staff, did call to see what assets we had out and about. And we did have all that stuff rostered, again, for immediate reference, to include airlift assets. There was some discussion about our nonstandard aviation

assets and could they be mobilized and should they be mobilized and so on and so forth," end quote.

And I'm just wondering if you can elaborate for us on what it means to have assets rostered? In other words, it would appear by your statement that Africa Command had some sense of what military assets, including aircraft, were available on the night of the attacks. And so, is that accurate? And, second, if you can explain, you know, how such assets do get rostered.

A Well, to cover your second question first, we maintain awareness of all the assets under our control and their locations and, effectively, their availability. So, I mean, that's all there is to it.

Q So would you, for example, know what Aviano would have at its disposal at any given time?

A Those -- yeah, those aren't my assets.

Q Okay.

A So the short answer to that one is no.

Q So those assets you do have control over, then would you understand, sort of, what their mission capability would be and, sort of, how long it would take to move an asset from point A to point B?

A Yes.

Q Okay.

A And when we talk about NSAV, or nonstandard aviation, you're talking basically about a contract air platform that has no electronic countermeasures, has no ability to defend itself, is not armored. It's basically a civilian aircraft for administrative lift. It can be used, I suppose, for tactical situations, but the environment that we were in there probably was not that situation.

Q Thank you.

On page 127, you refer to the medics. And here's what you said, because it appears that the medics -- by your testimony, the medics in Benghazi may have been communicating with at least the medical staff in Tripoli, and I just want to sort of run that down.

Quote, "Well, there was communication between the two of them. There was communication between the medic, in particular, and the two guys that went forward. They relayed back medical conditions. They also notified the guys on the ground that the wounded were coming back. So I do not know that level," end quote.

And I'm just wondering if you can flush that out. Did personnel in Tripoli have some knowledge of the medical conditions of folks in Benghazi so that they could further help inform decisions on that four-man team who I understand had a medic in it?

A The short answer is yes.

**ADI** [REDACTED] I just want to go back and readdress some of the -- some small points.

#### EXAMINATION

**ADI** BY [REDACTED]

Q Admiral, I want to do is -- I'm going to jump around a little bit because I was just taking notes, but you did a good job about describing the duties and responsibilities of the TSOC commander. And I want to make sure that we flesh that out a little bit so we understand what's realistic.

So when we talked about -- earlier, when we were discussing were you aware of the facilities in Benghazi and you said no, but those were -- at least there's



[REDACTED]  
a temporary mission facility and then the annex, and the annex was [REDACTED]  
[REDACTED]

Do you imagine that there were other such activities elsewhere in the AOR, just based on your general military experience? Not the same size and scope, but things that you weren't aware -- U.S. Government activity of which the TSOC commander would not be aware.

A I believe so.

Q Probably so --

A Yes.

Q -- based on your assignment history, as well. And so what do you think their reasonable expectation is, had it not been Benghazi, had it been one of these other hypothetical places? I mean, the continent's got a lot of things going on. Do those activities have reasonable expectation of a military response if they get in trouble?

A If we're called on to respond, there will be a military response.

Q There will be a military response.

A Yeah.

Q But it's going to be a cold start, from your perspective.

A Well, when you say "cold start," sir, I mean, let's be clear, there is a crisis extremis force.

Q Right. We're going to talk about that.

A So there are forces on standby. Every military footprint has a tactical response. You know, what can we take care of within our own footprint. You know, every embassy has an emergency action plan. For a NEO, they have their F-77 guy.

[REDACTED]



So all the contingency planning for potential contingencies, there are modules of that out there. And, again, they are part of standard operating procedure, particularly if you're operating in an uncertain environment.

When you go to high-level crisis, like what we experienced at that point, now you're starting to move up the scale towards the commander's in-extremis force. Okay? That's an AFRICOM function, not a SOC function. We provide the forces for that. Okay? And, in this case, they were provided by EUCOM and shared by AFRICOM.

Q So at TSOC, the commander does not exercise command and control over the C-CIF?

A The CIF, yeah, commander's in-extremis force. They can, okay, but the owner -- it is the combatant commander's response force. Generally speaking, the combatant commander will, when that force is employed, will chop them over to the SOC, because there's more of a tie-in --

Q Right.

A -- for pushing through on crisis or contingency response.

Q But day to day, it doesn't report.

A That's right. It reports its readiness status, material readiness. So we always had reports on what aircraft were up. If there were any material conditions in the force that would hinder their operational effectiveness or their response, we have awareness of that. That's reported as part of daily readiness.

Q But then, just to circle back, so it's not a reasonable expectation that a TSOC commander would be aware of all U.S. Government activity within the AOR, the combatant map?

A That's reasonable, sir.

Q Okay.

Then the other [REDACTED] we went through the military personnel. Assigned to the Embassy is Colonel [REDACTED] and his guys, then the normal Embassy guys, the DAT and that office, and the OGC.

Were you aware of the other two guys that were in Tripoli, the numbered task force guys?

A Yes.

Q Okay.

A They were actually organized with us.

Q Okay. So you had a direct communication with them?

A They were part of the special operations footprint that was on the ground.

Q But --

A When they tripped into crisis response, they reverted back to their operational. So I explained this in my last testimony.

Q No, I --

A So, no, I'm just covering it again.

OPCON, or operational control, resided with the higher headquarters of the numbered task force. Okay? The numbered task force retains control of them. They shifted TACON, or tactical control, to us for day-to-day activities that were centered on our mission, which was engagement.

So we had a command relationship on a day-to-day basis with it, but when they flipped into contingency response, which is more in the primary lane of the numbered task force, they reverted their reporting to there and not to us.

Q But I guess my question is, just to be clear, were you aware that they

██████████  
were not physically located on Embassy proper in Tripoli for their day-to-day activities?

A I was aware they were moving around. I would say that --

Q Like, their office or --

A I was aware they were dispersed, yes.

Q Okay.

So, just to be clear, when we went back and we talked about whether or not you knew that there was an annex and activity in Benghazi, no, but you knew in Tripoli there was extra Embassy grounds activity of some sort. But it's not reasonable to know --

A Yeah. I mean, this is -- I think this is kind of everywhere. The government --

Q Right.

A Yeah.

Q And that's why I want to make sure to understand --

A ██████████  
██████████

Q No.

A ██████████ Were you aware that there was dispersed buildings and functions outside of the mission itself? Yes.

Q Right, but it's not something as a TSOC commander you would necessarily concern yourself with as --

A Not necessarily, unless --

Q Right.

██████████

A

Generally speaking, you've got to -- sometimes they do and sometimes they don't. It depends on what we're working on together.

Q And -- okay, yeah.

So the C-CIF, the FAST -- oh, wait. I want to just clear up the notion of Colonel [REDACTED] providing pushback. Because some of the confusion is when people read the testimony and they don't necessarily have military experience or it's not within their lane of comfort.

So I'll ask you, then, in a sort of leading fashion, and tell me if this is right. So if he had had a problem with the direction the ops guy, whoever was on the other end of the phone with him, who is not a commander, he's a staff officer, if he had had a problem with that direction, the way to push back would have been, "I need to talk to Admiral Losey" or "I need to talk to a commander," something like that. That's the significant -- is that a fair estimation?

A I think that's reasonable, yes.

Q He might have complained to that guy, but if he felt strongly enough, the way to go about pushing back is to actually get his actual boss on the phone.

A Yes.

Q Okay.

**ODI** [REDACTED] Given his experience, then, is it reasonable to assume that he would have also known that that was within the realm of possible?

Admiral Losey. Yes. I think so. He could have requested to talk to me.

**ADI** [REDACTED] Right.

Admiral Losey. He didn't.

I think, in retrospect, illuminated by this discussion in particular, I can see why

[REDACTED]

the director of operations came to me. He's not a commander. Perhaps -- I don't know this, but perhaps they didn't agree. He asked to go, and the director of operations perhaps told him, I don't think you should. And then he said, well, you better make sure that a commander is giving me that decision, which prompted him to come down and say, here's the situation, here's what he's asking, what do you want to do? And then he got my direction, although he didn't talk to me directly.

But I would have entertained more discussion, had it been warranted. Had he felt the need to push back, he could have done so. It would have been welcomed.

ADI BY [REDACTED]:

Q And that's, sort of, a common way command structures operate.

A Yes, sir.

Q You mentioned the CIF. When did you become aware that AFRICOM was activating, mobilizing a CIF? How did that news get to you?

A The night of the attack. The exact time I don't know. It's standard to mobilize the CIF when something like -- you know, any kind of crisis occurs.

Q Is it standard to mobilize the special operations task force out of the east coast?

A Well, there's -- I think you're asking me components of the numbered task force and their command structure.

Q No. I'm asking about -- we know that there were two special operations task forces mobilized in response to Benghazi. One came from Europe, and [REDACTED]

A Okay.

Q Did you know about the one moving [REDACTED]

[REDACTED]



[REDACTED]

A To be clear, yes, I did. But, you know, there's a whole bunch of special operations on the east coast. You're talking about a very distinct group --

Q I am.

A -- that I'm aware of. And to mobilize them and move them is a national-level decision. Yes, I was aware of it.

Q Okay. But being a national-level decision, it speaks pretty clearly to the emphasis that the national command authority was placing on the problem that was developing in Benghazi?

A Yes.

Q Okay. I think that's all.

DDI BY [REDACTED]

Q Admiral, I would like to, if we may, return to a discussion that we had during the last hour. We were talking through some of your interactions with Ambassador Stevens, and you had indicated that you had worked in certain proximity to him or with him on issues and had, in fact, even dined with him during a trip that he had made to AFRICOM.

Just, in your opinion, how knowledgeable was Ambassador Stevens about Libya?

A I think he was very knowledgeable. He had a -- it wasn't just knowledge. I think he had a passion and an emotional attachment to the cause and the people. It was pretty clear in interacting with him. And he was, you know, rightfully -- I mean, very competent.

Q Were you aware of whether he had any specialized knowledge about eastern Libya or Benghazi in particular?

A Well, I was aware that he had relationships having to do with the

[REDACTED]

Libyan revolution and some of those relationships were in Benghazi, yes. That's what I'm talking about with, you know, contact with the people and a passion for their cause.

Q Okay.

Was your opinion of his level of knowledge about Libyan affairs, was that generally shared, in your opinion, by your military colleagues at AFRICOM?

A I don't see -- you know, given his assignment history and his role in the history of that, I don't see how that would be possible. I mean, his personal relationships and his connection with the people, I think, was unique.

Q Okay. Sorry, just to clarify that, then, so your military colleagues, in your opinion, felt that he possessed a level of knowledge that --

A Oh, yeah, I believe so.

Q Okay.

A But, you know, how can I definitively say what they believe?

Q Sure. I'm just asking -- I appreciate that. Thank you.

A I think his reputation, however, was acknowledged.

002 [REDACTED] That's what he's asking. Was his reputation as a competent authority on Libya well-known amongst your colleagues?

Admiral Losey. Yes.

002 BY [REDACTED]

Q Were you aware at all of Ambassador Stevens' views on the U.S. presence in eastern Libya and whether he felt that that may have been important?

A I believe that's evidenced in his presence there, yes.

Q Okay.

There was some discussion during the last round about the conversion of the

site security team, the 16-person Operational Detachment Alpha, I think --

A Uh-huh.

Q -- that you referred to. You had mentioned at one point that one of the reasons, the rationale for drawing that team down from a 16-person element to a 6-person element was to reduce the cross-section. And just to clarify for the record, I wanted to understand, was that a DOD concern or desire or was that State Department-driven?

A In my view, it was State Department-driven. It was absolutely not my view.

Q Okay. And can you just elaborate on what it is you mean when you say "reduce the cross-section"?

A More people moving around potentially equals more risk, more strain on the services and support in a mission that's already tight.

The tradeoff, again, was you have an Operational Detachment Alpha that's an integrated unit, that has integrated capabilities. Among those capabilities are the capacity to provide security.

The second piece was the relationships that that ODA had begun to establish with the Libyan SOF -- again, another factor. Once you go in, you want to maintain steady tension on the relationship and not pull out and try and reinsert. Pulling out has an effect of eroding trust and confidence with your host-nation counterparts. And we've seen this in a number of different places, you know, not unique to Libya, but this is normal knowledge for doing these kinds of engagements.

And the second is the bureaucratic and staff friction it would take to get the team back in place.

So with those three factors in mind, it was our position at SOCAFRICA to

hold the team in place, and it was also the position of JSOTF-Trans-Sahara.

**ADI** [REDACTED]. Could I ask real quickly --

Admiral Losey. Yes, sir.

**ADI** [REDACTED]. We talked a minute ago about your understanding that the CIF was moving, the east coast guys were moving, the FAST team was spinning up. To your understanding, how much was that pushed down to Colonel [REDACTED]. Like, how much of that during realtime was he aware of? Because that informed your view of the situation. I want to know how much we think Colonel [REDACTED] was informed by that.

Admiral Losey. I don't know.

**ADI** [REDACTED]. Okay.

**DDJ** [REDACTED]. And I think that we also learned that Colonel [REDACTED] was, towards the latter part of the evening, early morning, talking on an unsecured line. Would that have any impact on those above him to push down information, should they even want to?

Admiral Losey. If we felt there were critical information requirements, I believe that the battle captain, the people that were talking directly to Colonel [REDACTED] would pass it. I'm sure they had fairly constant contact going back and forth. I'm sure there was an information flow. Whether it was specific to the posturing of other potential response forces, I don't specifically know that.

**ADI** [REDACTED]. But Colonel [REDACTED] -- is it reasonable to assume that Colonel [REDACTED] experience would have given him -- he would have worked through in his mind what probably his higher command was doing in parallel with what he was reporting?

Admiral Losey. I believe that's reasonable.



001 [REDACTED] I would like to mark Exhibit No. 2.  
[Losey Exhibit No. 2  
was marked for identification.]

001 BY [REDACTED]:

Q This is an opinion piece that appeared in The Wall Street Journal, dated January 22nd, 2014. And the title of this is "Gregory Hicks: Benghazi and the Smearing of Chris Stevens." It's authored by Gregory Hicks. I'll provide that to you.

It's a two-page piece here, but we'll plan on focusing on just one portion of this on the second page. But I'd like to give you the opportunity to read the entire thing.

A Please. I appreciate that. Thank you.

Yes, sir.

Q I'd like to draw your attention to the middle of the second page and begin reading, it's a paragraph that starts, "The Senate Intelligence Committee's report accurately notes that on August 6th, after the transfer of authority, two special forces team members in a diplomatic vehicle were forced off the road in Tripoli and attacked. Only because of their courage, skills, and training did they escape unharmed. But the incident highlighted the risks associated with having military personnel in Libya unprotected by diplomatic immunity or a status-of-forces agreement.

"As a result of this incident, Chris was forced to agree with General Ham's withdrawal of most of the special forces team in Tripoli until the Libyan Government formally approved their new training mission and granted them diplomatic immunity. Because Mr. Kennedy had refused to extend the special forces security mission,





And that the Ambassador raised it I think is a legitimate concern. To the extent that I can comment on this as, you know, a junior flag officer, I think those are legitimate concerns. But the practicality of what you're dealing with on the ground are not -- it's not like being in Kenya, okay, where a U.S. military response to criminality could trigger these kinds of concerns. You're basically in a post-revolution, near-wartime environment that's very uncertain, and a decision has been made to begin partner engagement and capacity-building.

So there's a bit of a gray area. This would be one version of a narrative. Another version would be, SOCAFRICA was very, very clear in the functions provided by an integrated unit already in place on the ground and why those were important to keep in place. That was my military advice. Okay?

[12:09 p.m.]

**ODI** BY [REDACTED]

Q I'm confused. Are you suggesting that P&Is are not necessarily required in order to do certain Title 10 functions elsewhere? And so, therefore, why would that have been a sticking point in Libya?

A I'm not saying that at all.

Q Because I guess I'm getting the impression that there's multiple governments or nonfunctioning governments. So really the possession of a P&I at the end state wouldn't have an influence over a servicemember who got himself in trouble, because whoever he got himself in trouble with might not recognize the P&I. Is that --

A No. I think you're extrapolating a little bit.

Q Okay.

A I just stated that the Ambassador raised the issue makes it legitimate. He is concerned with it, it's legitimate. Okay. What I saw was our posture was in place. Our recommendation was to keep it in place. Discussions that happened between General Ham and Ambassador Stevens, I will not comment on because I don't have the knowledge of them. Okay. But our position at SOCAFRICA was to keep the elements in place.

**ODI** [REDACTED]. Okay. And just to be clear. So I --

**API** BY [REDACTED]

Q Regardless of whether the P&Is were in place, your recommendation was --

A That's right.

Q -- to assume that risk?

A Right. They were already are there.

Q That's the only thing I want to make clear.

A Yes, sir. They were already are there. They had gotten there previous. And now the discussion starts to center on that. This article centers on that. But it wasn't an issue when they went into position.

Q Well, I'm drawing the distinction between what's in the article here. It says that General Ham was concerned about the P&Is and wanted to withdraw the team. And what you're saying here is, at least your recommendation was, regardless of whether those P&Is were in place, we ought to keep our force in place.

A Again, I'm not going to commented on General Ham --

Q Just commenting on the article that was quoted.

A That's right.

Q And so it's different.

A That's right.

Q Okay. That's what I'm --

A It's DCM Hicks' view.

Q I'm with you. I just wanted to make sure it was clear.

**002** BY [REDACTED]

Q I just have one quick final housekeeping for our round. If you go page 127. Guess you actually have to look at that one. At the very top. Tell me when you're there.

A On 127?

Q Yes, sir.

A Yes, sir.

Q Okay. Chairwoman Roby was asking you a question. And then she says, "To your knowledge, did they ask anybody?" referring to the two-man team.

And your response was, "I don't know that. But I do know that reporting -- they were reporting up the other chain of command because the other chain --" and it ends there.

And I know Chairwoman Roby meant no disrespect, but she jumps in, and that thought gets lost. And I couldn't find in the testimony where you ever picked up that thought. And I'm just wondering if you might be able to fill that in for us here.

A And the question --

Q What were you referring to? You were saying, "They were reporting up the chain of command because the other chain --"

A This was the numbered task force chain, whose primary role and mission is crisis response, contingency and crisis response. At the point that that crisis triggered, I'm not sure -- the request to move did not come to me. They were well within their authorities to move. Okay. And that's why I said they would know. Okay. And their chain of command obviously knew. And the reporting went up their chain of command. I mean, that was evidenced in what came back across my JOC floor, so and we had awareness of what was happening.

Q Yes, sir. That's what I was trying to get at. That chain ultimately at least has a branch to your floor of reporting.

A Yes.

~~ADI~~ BY [REDACTED]

Q But it's not done directly to SOCAF.

A That's correct.



Q It's done through other entities --

A It's coordination.

Q -- and then back around. And then it's coordination. So they're just informing, not asking permission.

A That's correct.

DDI

BY [REDACTED]

Q And I was just, you know, wanting to understand that this is another component of information by which you can then get your situational awareness on the ground?

A Yes.

Q This is another place that feeds it. Okay.

DDI

BY [REDACTED]

Q But to your knowledge, did they at any point check in with Colonel [REDACTED]

A Not to my knowledge.

ADI

BY [REDACTED]

Q That wouldn't have been out of the ordinary because Colonel [REDACTED] wasn't in there.

A In this context, that's correct.

I go on to say in here, again, knowing what they're on the ground for, they've got the ROE. And one of their obligations is to protect Americans. Okay. They've got the ROE to do so, they acted on that. They were entirely, in my view, within their authorities to move at that point. Just as, you know, based on Colonel [REDACTED] telling Colonel [REDACTED] you do what you need to do down there as the DCM sees fit. Okay. Colonel [REDACTED] could have moved as well. I mean, they are

there. They don't need to check, they need to do what they need to do. And if there's uncertainty, that's when they call up. In the case of, you know, after he completed -- Colonel [REDACTED] completed his functions in Tripoli, he called up. I think it's just evidence of the system working.

Q Right. I think what we're getting at is not everybody understands the system, so it's hard to judge whether or not it's working. So part of these questions are to illuminate parts of the system that don't get illuminated very often.

A Right, sir.

OD2 [REDACTED] I think our hour is up. We can go off the record.

[Recess.]

OR2 [REDACTED] On the record.

ARI BY [REDACTED]:

Q Admiral.

A Sir.

Q So we'll got back on the record.

Admiral, just two quick questions from me just to stage set this next portion so that I understand this.

Where were you and how did you learn about the attack on the annex in Benghazi? I beg your pardon, the events in Benghazi.

A I lived at the time in Stuttgart, about two blocks from work. I got a phone call on the initial report. I went in to work and then was updated off that initial attack on the evening of the 11th. And then I remained there until the backflow of Americans started, so around 10:30, 11:00 the following morning.

Q But you were actually at quarters when you were notified. And you, I was going say, recalled yourself. You weren't recalled, you reported, walked to

work. And how were the events, when you received that phone call, how were the events characterized?

A I can't recall exactly at this point. I'm sorry. It was enough to get me into work. I don't believe we've characterized it anything as other than an attack from the get-go in our own reporting and in our own description.

Q And when you say you went to work, I mean, more specifically, you went to the Joint Operations Center?

A Yes. Which is within my headquarters there, right.

Q And I think physically the layout, another witness has explained, there's the operations floor and then you have an office on a different floor?

A Yes. I'm on the second floor. And the JOC, the Joint Operations Center, is on the third floor, along with the director of operations.

Q Sure. And did you get any kind of brief on the phone or you just essentially got a warning order and you came -- went to the JOC?

A Five W's. You know, quick, who, what, when, where, why, and then it was enough to get me in.

Q And upon arriving, did you get a brief then in person, say, on the operations floor or elsewhere?

A Yes.

Q And then you went to your office?

A Yes.

Q Fine. Thank you.

OR2

BY [REDACTED]

Q So, Admiral, I'm going to apologize ahead of time. I've got a set script I game planned out very carefully. What I'd like to do is just walk through these

again. And the result of that, unfortunately, is going to be that we're going to revisit some of the territory that was discussed in the last hour. I just want to emphasize that it is by no means to question the answers you gave. It's just for our benefit to make sure we walk through everything we want to walk through. Obviously, sometimes there's a difference between a question and then kind of the clarity or the precision with which that question is asked. So just for our benefit, I would just ask your indulgence as we walk through this.

A Yes, absolutely.

Q The reasoning there.

So I'd like to start with you testified in front of the Armed Services Committee on 26 June, 2013. I have copies; I'm happy to show them to you if you want.

On it was page 106 and 107 of that testimony, I'll just read, you stated that on September 12th at 0138 EET, an entry for 11 September -- do you want to -- I'm sorry, did you want to flip to that?

A I'm all right. Go ahead.

Q Yes, sure. I'll wait for you, 106.

A Okay. I'm there.

Q So I'll restart. So it says, September 12th, 0138, EET, an entry, so that's 0138 local time, an entry for 11 September at 2345 is reflected in the Joint Operations Center log. It states, quote, "The Joint Special Operations Task Force Trans Sahara commander -- that was Colonel [REDACTED] -- gave the [REDACTED] a green light and also in subsequent discussion indicated that he talked directly to Lieutenant Colonel [REDACTED] to use special operations forces in Libya as Team Libya as needed and communicates that same update to Rear Admiral Losey," unquote. Internal quote.

And you continued for HASC, you said, "I do recall that discussion, and the JOC log accurately reflects that discussion," end of quote.

So I guess my question is, maybe two parts. Is it your understanding that -- we understand that Colonel [REDACTED] JSOTF-TS commander, had a conversation with Lieutenant Colonel [REDACTED] the night of the attack.

A Uh-huh.

Q But is it your understanding, then, based on your statement in front of HASC that I've read, that Colonel [REDACTED] also spoke with the [REDACTED] on that night? Am I reading this correctly, I guess is my question.

A That's correct.

Q Okay. And then am I reading it correctly further to say that when Colonel [REDACTED] called the [REDACTED] and communicated here what you've described about giving him the green light to use special operations forces in Libya as needed that, you know, essentially Colonel [REDACTED] is putting Lieutenant Colonel [REDACTED] and his men, his team, excuse me, at the [REDACTED] disposal? Would that be a correct interpretation?

A I don't believe so.

Q How would you interpret it?

A I believe that the [REDACTED] I would interpret that as [REDACTED] has things that he wants SOF to do. Colonel [REDACTED] has the authority to decide whether or not he wants to support that. That fits inside the envelope. It's not --

Q Yeah. Just to be precise. I didn't mean in command of --

A It's not to direct his authority over the force.

Q Yeah. So just to say it again then, perhaps more precisely, would it



██████████

be fair to say to say that Colonel ██████████ was giving the ██████████ leave to coordinate Lieutenant Colonel ██████████ team's movements with Colonel ██████████

A Yes.

Q Okay. Thank you.

Now, again, I mean this as a question of technicality here, I think, but you refer to the 0138 entry for 11 September at 2345. Could you just clarify that? Forgive me, I'm just a little confused about it. Is it that that Colonel ██████████ conveyed the order at 2345 -- or, excuse me, Colonel ██████████ had the discussion at 2345 or is it at 0138?

In other words, I think my understanding of this is that Colonel ██████████ discussed with ██████████ at 2345, and then there was an entry at 0138 in the log. Is that the delay then between the discussion and then the log entry?

A Right. Delayed entry.

Q Thank you.

And another question about this. Given Colonel ██████████ conversation with the ██████████ would it then have been appropriate for Lieutenant Colonel ██████████ to have coordinated his plans and efforts with the ██████████ in order to be in compliance with Colonel ██████████ instructions?

A He had the authorities to do so.

Q Okay. If you had been in Lieutenant Colonel ██████████ shoes -- this is hypothetical -- but if you had been in his position, and your commanding officer had given such an instruction to ██████████ would you viewed it as, you know, incumbent upon you to work cooperatively with ██████████ in that circumstance?

A Yes.

Q Okay. Thanks.

██████████

██████████

And then, to your knowledge, did Lieutenant Colonel ██████████ so coordinate with the ██████████ on the night of the attack?

A I have no direct knowledge. But again as evidenced in the activities performed, I believe those necessarily would have been in coordination with the ██████████ I don't -- I mean, I'm just inferring that --

Q Sure.

A -- based on how -- he never called up and said, I'm having of issues with the ██████████ here. I mean, the intent is to be supportive of the country team.

Q Yes. Just wanted to clarify that. That's helpful. Thank you.

Now, I think what I'm going to do now, Admiral, is -- and I did this with -- we have also interviewed recently both now Colonel ██████████ and also Lieutenant Colonel ██████████ In both instances, what I did was actually introduced into the record an excerpt from Colonel ██████████ testimony in front of HASC, which was on the same day that you were there also, which was 26 June, 2013. And the reason I do this is simply to -- it can form a baseline. I think it's a fairly concise account. And then we can have a conversation about, you know, whether your recollections are confident with this or not. But just to be helpful, I can put this in as Exhibit 3.

[Losey Exhibit No. 3

was marked for identification.]

OR2

BY ██████████

Q And I'm going to put it in front you so you can follow along. I'm just going to read it into the record. And what I'll do is I'll direct your attention to the marked portion on page 81, starting page 81. And you can just follow along, and I'll read that into the record.

██████████

[REDACTED]

So just to orient you here, where we're jumping into the narrative, but at this point Lieutenant Colonel [REDACTED] and his team are still located at Embassy Tripoli. Okay. And then he says, quote, "At some point we received word that the Libyans were providing another aircraft that would be taking off at sunrise. I am unsure of the time that we received this report. There were also various reports of one person confirmed killed and the Ambassador remained unaccounted for. I briefed the team that once we get everyone over to the annex compound, we would turn and head to the airport to get on the Libyan C-130 heading to Benghazi.

"Of my four-man element, I had one person that was being treated for stress fractures to his foot, and his foot was in a support cast. I asked the medic if the soldier was physically able to go. The soldier took off his cast, put on his combat boot, tightening up his bootlaces in order to provide enough support, and I planned to take him with me.

"In the early morning hours, we began our move [REDACTED]. At approximately 4:45 a.m., I contacted the SOCAFRICA operations center and informed them we were beginning our movement [REDACTED]. At approximately 5:00 a.m., the movement was complete [REDACTED] and all U.S. Embassy personnel in Tripoli were secure. We had successfully protected, transported, and secured all Department of State personnel in Tripoli during an uncertain and potentially volatile time.

"I then told the team to prepare for movement. We took all of our weapons and combat gear and were preparing to move to the air base. We were unsure how long the situation in Benghazi would continue or when additional forces would be available. I was unsure how we would move from the Benghazi airport and what type of reinforcement we would provide, but I believe we needed to support our

[REDACTED]

efforts in Benghazi. I went to Deputy Chief Mission Greg Hicks and told him we were preparing to move to the airport. He shook my hand and told me to bring the guys home.

"At this same time, at approximately 5:05 a.m., I contacted the SOCAF current operations director, who was in the SOCAFRICA operations center, and informed him that we were preparing to conduct movement to the airport for armored movement for Benghazi. I was calling to inform them of the movement so that they could track personnel. At this point, the SOCAFRICA current operations director told me to hold on. He relayed to me that I was to remain in place [REDACTED] and not board the aircraft. I questioned the SOCAFRICA current operations director about the origin of this directive. He stated it was from the SOCAFRICA operations director who had returned from the SOCAFRICA command deck.

"At this point I fully understood I no longer had the approval from my command to reinforce efforts in Benghazi. I also fully understood that I no longer had the tactical latitude previously allowed by JSOTF-TS commander. I informed DCM Greg Hicks that I was ordered to remain in place and not board the aircraft." End of quote.

So just a couple of clarifying questions if I could, Admiral. Where Colonel [REDACTED] refers to the SOCAFRICA command deck in this quote, were you essentially the SOCAFRICA command deck that he was referring to.

A Yes.

Q Okay. Thanks.

A He was coming down to the office up and down the floor.

Q Okay. So just what's your recollection of how Lieutenant Colonel [REDACTED] stated intention to join the second response flight to Benghazi on the



Libyan C-130, what was your recollection of how that was relayed to you on the SOCAFRICA command deck?

A The director of operations, who is not the current operations guy, but the director of operations came down and said that Colonel [REDACTED] intended to move to Benghazi or wanted to move to Benghazi. And at that point, given the knowledge that we all shared at that juncture, decided that he would be better placed in Tripoli for the reasons I've covered earlier.

Q Sure.

**ARI** [REDACTED] I'm sorry, who is the current operations director?

Admiral Losey. Current ops was Colonel [REDACTED]

**ARI** BY [REDACTED]:

Q And the operations section was Captain [REDACTED] I believe?

A Captain [REDACTED] That's right.

And on the other thing, so the idea that, yes, he did complete his task in terms of consolidating U.S. citizens [REDACTED] in our mind that doesn't mean that it's over.

Q Understood.

A Again, we're still postured for potential outcomes. Okay. So that's one part of it, you know. Securing the classified information, destroying the keymat, and then securing all the people, consolidating to a safe area.

So that didn't mean in our minds that the situation was over. Clearly, you know, the task and potential priority there in Colonel [REDACTED] mind.

Q Understood.

A And also acknowledging here that the Libyan aircraft would not be taking off until sunrise, and sunrise was 0649.



Q Understood.

A Okay.

Q Now, just before we move on, did you at the time speak with anyone else about Lieutenant Colonel [REDACTED] intention to go to Benghazi? So in other words, what I'm really asking is, I mean, were you -- you were in your office, I take it?

A Yes. And the deputy commander.

Q And the deputy commander --

A Was there. Yes.

Q Okay. That would be -- who would the deputy commander be?

A Colonel [REDACTED]

Q Okay. Right. For SOCAFRICA.

A Yes.

Q Right. Okay. So not the AFRICOM deputy commander. It was the --

A Exactly. My deputy.

Q And then did you confer with anyone else at AFRICOM other than Colonel [REDACTED] at that time. In other words, I mean, for example --

A Not at that time.

Q Okay. And then I have to ask this, and I know it was a long time ago -- we'll talk more about it -- but to the best of your recollection, exactly what time was this information relayed to your office?

A I don't know exactly what time that was.

Q Okay. So, you know, it was just helpful to state. One of the goals of our investigation is to try and understand, you know, why decisions were made or not made given the information available, you know, at the time, much as perhaps

an after action review might do. And we're looking for that as opposed to, you know, any ex post facto information. There's been discussions about planes passing in the air or the role a medic ultimately played at Tripoli vice in Benghazi. So that information, it's obviously of a historical interest in reporting events. But I think for our purposes what we're really trying to get as is what was known at the time that fed into decision making. And part of that is just that we can then identify if there are any gaps in the information that was flowing and kind of understand how these different pieces were interrelating. So that's really what we want to get at here.

Having said that, I mean, we want to acknowledge that as someone in command, we fully recognize you have to make split-second decisions and you have to make those decisions based only on the information available to you at the time. And I've just got to say we're not here to question your decisions --

A Appreciate that.

Q -- at all. But we do want to better understand how decisions were made with contemporaneously available information so we can identify, like I said, where the gaps might have been.

And we also understand, frankly, as you've alluded to, that we are many months removed now from these events and also that the fog of war was very much operative during these events, as it often is. But, frankly, your perspective from where you sat at the time is still extremely valuable to us as we conduct our investigation. I just wanted to say that --

A Thank you, sir.

Q -- as I include these questions.

So just referencing your HASC testimony, because I think it's useful again as

[REDACTED]

a baseline to kind of frame the discussion. You know, in front of HASC you stated that, and I'm going to quote it, and actually it's page 105, if you want to follow along. I'll give you a chance to look at it there. So it's starting at, "At some point -- "

A Uh-huh.

Q So quoting, "At some point during or after the marshaling of persons at the airfield in Benghazi, around dawn on the 12th, the SOCAFRICA operations director and JOG watch officer raised the request to my deputy commander and I from Lieutenant Colonel [REDACTED] to move to Benghazi," unquote.

So just basic question first. The request from Lieutenant Colonel [REDACTED] that you mentioned here, to be clear, are you referring to the event that we've been discussing that Colonel [REDACTED] called in and that was relayed to you and your deputy commander? Is that the same --

A There's only one request to move to Benghazi.

Q Okay. Got it.

And so one thing that's confusing us, we just want to clarify, is Colonel [REDACTED] testified that he viewed his call to SOCAFRICA as simply, you know, informing the command of his intended movement for purposes of blue force tracking.

A Uh-huh.

Q -- as opposed to a request for permission to do so explicitly. He's also testified that he had received previously tactical latitude from his immediate superior, Colonel [REDACTED] earlier in the evening subject to his completing his primary mission, as we've discussed, which was to secure the Americans at the Embassy in Tripoli.

So I just want to ask you, from your perspective at that time, as you sort of got

[REDACTED]

[REDACTED]

the information in from the operations director, what was your understanding of Lieutenant Colonel [REDACTED] call at the time it was conveyed to you? Was it that Lieutenant Colonel [REDACTED] was requesting permission to go or that he was simply informing SOCAFRICA of his intended movement for purpose of blue force tracking, for example?

A By initiating the communication, effectively it's the same.

Q Okay. Could you --

A By raising the issue, he opened himself for command by negation.

There's requesting permission, all right, command by direction.

Q Yes.

A And then there's command by negation: Stop what you're doing.

Okay. I want you to stay in place. I do not want you to move to Benghazi.

Q Okay.

A So effectively, by raising the issue, he asked the question.

Q He opens it up, as it were.

A Yes.

Q Yeah. Okay.

And then another question just about timing. You testified -- when you testified before HASC, as I read, you testified that, to your recollection, Colonel [REDACTED] call occurred, quote, "during or after the marshaling of Americans at the airfield in Benghazi," unquote.

So just to be clear, were you referring that that marshaling of Americans at the airfield in Benghazi, is that a reference to the evacuation of the annex in Benghazi and then the subsequent movement of American personnel to the airplane in Benghazi? Is that what you --

[REDACTED]

A Yes.

Q Okay.

A As it was communicated, that's our situational awareness at the time, that that was in progress or completed.

Q Yeah. So I'm just going to put one more thing in front of you. I think I'm done with that. But just the issue of the timing is important just because we're trying to understand --

A I understand.

Q -- what was going on when. So I'm going to put in the record, I think this is 4, Exhibit 4.



[Redacted]  
[Losey Exhibit No. 4

was marked for identification.]

OR2 BY [Redacted]

Q So what this is, it's an appendix from -- the Senate Select Committee on Intelligence did a report recently on Benghazi and they pulled together a bunch of different timelines. This is one that is easily available on the public domain that we can refer to. And I just want to put in front of you page -- the last page, 56. I'm going to put this in front of you here.

So let's deal with what Colonel [Redacted] said first. So he's testified in front of HASC, and then we had him back here fairly recently. And we asked him a couple of different times and he was very explicit both times that to the best of his recollection he made the call to SOCAFRICA at about 0500, 0505 is what he said.

A Uh-huh.

Q On the morning of the 12th. But then, you know, the timeline here from SSCI talks about at 6:33, it was 0633, it was when the U.S. personnel left the annex actually for the airport. And the mortar attack had actually happened at 0515.

A Okay.

Q So I guess the question is, and again knowing that it was a long time ago, do you happen to know whether Colonel [Redacted] recollection of a call at about 0500 is consistent with the records that you talked about earlier, the chat logs, the things that you referred to in front of HASC?

A I don't, at this point.

Q Okay.

A I will say, though, in DCM Hicks' testimony, if you go back to it, he was

[Redacted]

[REDACTED]

very clear in his understanding at the time that the function that would be performed by that four-man security team was airfield security. It wasn't to stem attacks. So clearly his own understanding already was that security would be consolidated at the airfield. It wasn't in response to attacks.

Q Okay.

AR 1 [REDACTED] When you say airfield, you mean the Benghazi airfield?

Admiral Losey. That's right.

OR 2 BY [REDACTED]

Q So, yeah, and I understand that. You know, I guess the question I have, and I know you can't answer this now, you're not prepared to answer this, and in fact I just want to note that when you were in front of HASC, you had mentioned in your statement that your statement was consonant with the official DOD timeline, as well as the JOC in chat logs for both JSOTF-TS and SOCAFRICA.

And I was just wondering if, given the importance of the timeline to our investigation, would you or DOD counsel support providing copies of those logs to the committees for the time period under discussion?

We obviously understand that these would be, you know, classified documents. And obviously they would be handled appropriately. But just given the timeline questions, I think it's really, you know, of interest to us to establish, because Colonel [REDACTED] been quite clear about the time that he believed he called. And I think we just want to understand exactly when that was and how it related to the other timeline.

Mr. Richards. The Department's happy to accommodate any written request from the chairman regarding this investigation.

OR 2 [REDACTED] Okay. I appreciate that.

[REDACTED]

OR2 BY [REDACTED]

Q Now --

A And to be clear on this --

Q Yes, sir.

A -- on your question of timing.

Q Yes.

A In my previous statement I said, "Although I cannot recall the exact timing of events not reflected in the log or record, I am confident that the sequence in relation of events are accurate."

Q That's a fair point.

A What --

Q So, yes. Go ahead.

A I already knew what my deputy commander already knew and what Captain [REDACTED] had as a common understanding, based on information flowing across the watch floor. And the sum of our interactions, okay, was we're already in retrograde at that point. And the marginal benefit of deploying that force with the unknowns remaining in Tripoli -- the situation was not over in Tripoli and there was a lot of uncertainty in terms of what might unfold.

So again to your point about the decisions made at the time that they were made with the information that we knew --

Q Yeah.

A -- that was the awareness that we had.

Q And actually, and in fairness to Colonel [REDACTED] I mean, he's told the committee that at the time he received the order, you know, not to take his team on the second response flight, he said that, you know, he assumed the decision was

based on information available to SOCAFRICA which wasn't available to him.

So with respect to the issue of information that was available that was informing the decision at the time, maybe I could just walk you through -- we would like to understand what flows of information were coming in to you and kind of what those revealed to kind of form your picture. And you alluded to this a little bit in the last hour. I'm going to walk through them again kind of very methodically.

So in your testimony at HASC on the 26th, on actually page 111, if you want to follow along, so you talk about here three different kind of flows of communication, if you will. You mention, number one, communications from the defense attache through AFRICOM. Number two, you mention communications from the task force that was on the ground through their JOC. And then, three, you mentioned communications from the Joint Special Operations Task Force JOC.

So if you would just maybe, please, you know, one, two, three, would you just walk us through each of those lines of, you know, communication, what kind of information you were receiving through each of them?

A My watch floor, as I stated earlier, my watch floor consolidated, they talk JOC to JOC. The JOCs -- they're not -- a JOC would never report to another commander.

Q Yeah. And Colonel [REDACTED] mentioned that when he testified. I understand.

A So they are all talking to each other on the watch floor. And it's the watch sections that form the common operational picture, the common understanding, so that, you know, if somebody has information that another doesn't, this shared awareness, so everybody is -- they have the same shared understanding and can interact and make decisions based on the same

[REDACTED]

understanding of what's going on, on the ground. So that's what my watch section was doing. That's what Colonel [REDACTED] as the current operations director, was responsible for.

Q So, for example, we know then the defense attache in Tripoli was speaking directly to AFRICOM.

A Yes.

Q That was sort of one flow of information. And that was available to you, I take it, in some form?

A Through my discussions with Admiral Leidig. The DAT reports to AFRICOM --

Q Right.

A -- through the J5. They don't report to SOCAFRICA. But I did indicate on various programmatic issues over time I did have direct interactions with Colonel [REDACTED]

Q Okay. That's helpful.

**ARI** [REDACTED] You were receive the sort of input that he was receiving by way of Admiral Leidig.

Admiral Losey. Yes.

**OR2** BY [REDACTED]

Q And then the communications from Joint Special Operations Task Force JOC, how would that come to you? I take it, it would come through -- would it come through the AFRICOM JOC to the extent that --

A No. The JSOTF --

Q Yes.

A -- Trans Sahara JOC --

[REDACTED]



Q Sorry. I meant SOCAFRICA JOC.

A Yeah. It's a subordinate component of mine.

Q Right.

A They are located about 300 yards physically away from us. So there's both a physical interaction of guys that walk back and forwards between the JOCs, and there's also complete connectivity through the various computer systems, the NIPR and the SIPR and basically the chat logs, okay, because everybody is up and they are communicating real time. You can hear all the radio communications.

Q Right?

A You can interact. So, I mean, it's real time, and it's also nailed down by other types of interactions, whether they are face to face or through email.

Q Now, so we know that as far as personnel on the ground, so we know that Colonel [REDACTED] his communications were going through AFRICOM JOC, and you were interacting with Admiral Leidig. What personnel would the JSOTF JOC have -- what personnel would they be getting information from? Do you know?

A Yeah. Their only element -- their element is down range.

Q Right. And so their element at the time of the attack, where were they located?

A That element is Colonel [REDACTED]

Q Right.

A Colonel [REDACTED] works for JSOTF Trans Sahara. Colonel [REDACTED] was reporting dual track. The commander, Colonel [REDACTED] was already on the continent --

Q Yeah.

A -- and not in position. Okay. And that's why he interacted and said, okay, interact with the [redacted] Colonel [redacted] Support the [redacted] You got the green light to do that. Colonel [redacted] do what you need to do to support. And that's where that interaction came from.

So from that point forward, I think Colonel [redacted] was doing a lot of his discussions with Colonel [redacted] My understanding. I wasn't a part of any of those conversations.

Q That's correct. That's my understanding as well.

A And based on my operations director would carry the different decisions to be made.

[redacted]

Q Okay. And then, to be clear, were you receiving any information from individuals on the ground in Benghazi during the attack?

A I was not.

Q Okay.

ARI [redacted] You were not directly.

Admiral Losey. Not directly. That's correct. Nobody was calling me directly.

OR2 BY [redacted]

Q What about indirectly information --

A Through my watch section, through the JOC.

[redacted]

[REDACTED]

Q I see what you mean. Sure.

A That is their function. That's what they exist to do. Nobody from the field would call me up. You know, even Colonel [REDACTED] wouldn't call me up directly without going through the watch captain, because that's the guy that's responsible to me for maintaining a coherent picture.

ARI [REDACTED] Sure.

Admiral Losey. So everybody would automatically go to the JOC.

[REDACTED]

OR2

BY [REDACTED]

Q So SOCAFRICA was not in direct communication with individuals on the ground in Benghazi?

A I believe through the watch floor they were. It's clear that Colonel [REDACTED] was talking with Colonel [REDACTED] on the phone. That's direct communication from the ground to SOCAFRICA.

Q In Benghazi?

A Oh, in Benghazi.

Q In Benghazi, sir.

A Yeah. I don't know.

Q Okay. Okay.

A The normal --

Q Yeah.

A -- based on the two individuals that were there, I would not expect so. I would expect that they would be calling to their JOC. And not just to the JOC that was in underneath AFRICOM, but they are one higher level up.

Q Understood. Was, to your knowledge, SOCAFRICA in communication with the [REDACTED] other than Colonel [REDACTED]

A I don't know.

Q Okay. And did that SOCAFRICA have real time access to the drone feed that was coming in from Benghazi?

A I don't know that.

Q Okay. Did SOCAFRICA have information about the medical status of those who were wounded on the ground in Benghazi?

A That was passed.

Q By?

A By through Colonel [REDACTED] to the section. We had medical reporting.

Q Okay. So in other words, Colonel [REDACTED] speaking to Benghazi and then that information would be coming?

A Yeah. I'm not sure how he's getting that information, but my watch floor was getting that.

Also, it may have come from the task force JOC coordinating laterally.

Q Okay.

A But we had situational awareness of the casualties that they intended to move.

Q Okay. Can I shift gears again?

**AR1** BY [REDACTED]

Q I just have one question, Admiral. On two occasions, to the Armed Services Committee and then I think again today, you made reference to three officers with combined 90 years of special operations experience. You're one. Who are the other two?

A Colonel [REDACTED] my deputy.

Q Right. And Captain [REDACTED]

A Captain [REDACTED]

Q Okay, fine. I just wanted to make sure I understood there were two others that you most directly consulted in some of these matters.

A Right.

**OR2** BY [REDACTED]

Q Just shifting gears slightly. So at the time that Lieutenant Colonel [REDACTED] called into SOCAFRICA and notified of his intention to move to Benghazi, he



[REDACTED]

testified that he had just completed supporting the evacuation of the Embassy in Tripoli to the [REDACTED]. At that time, the night of the attack, what was your understanding of the security situation at the [REDACTED] specifically?

A At the time that Colonel [REDACTED] called?

Q Yes.

A [REDACTED] That all the functions to either safeguard or destroy classified information had been completed. And they had basically taken care of some of the cryptographic material also, which is why he had gone to a cell phone.

Q Okay. Now, I guess maybe to help clarify, one of the reasons I'm asking is, you know, you mentioned, for example, at HASC on 26 June that having [REDACTED] team travel to Benghazi would have compromised the only military element that was in Tripoli that had any security experience.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

And so I guess what I'm trying to get at is, what was your level of awareness of the ability of the [REDACTED] to defend itself at that time?

A I was aware they had basic functionality.

Q Okay.

A I was aware that they had integrated host nation security forces. I'm

[REDACTED]

[REDACTED]

also aware that you have to be cautious about how much trust you put in a host nation security force.

Q Sure.

A Okay. Their accesses are attractive to many people that may exercise their intentions in a different way. And that's not to disparage our partners, 99 percent who have true intentions and are good partners. But it only takes one or two insiders, and you have to be cautious about that.

Did the mission organically have number DS personnel to provide for its security needs. It really raises the question, why was Colonel [REDACTED] and his team so heavily relied upon to ensure the safe marshaling and consolidation of the American citizens in the hours of uncertainty? That continued. So, again, I was aware of some modicum of capability there, but I was also aware of specifically what we provided.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Now, you know, our understanding from talking to Colonel [REDACTED] was that he was aware of the first response flight which left Tripoli to Benghazi prior to the evacuation of the Embassy. He was aware of the flight. He's told us he didn't seriously consider joining that flight because he recognized the Embassy was insecure, and that his last orders from Colonel [REDACTED] were to protect the persons at

[REDACTED]

the Embassy, that the Embassy was his priority.

Now, fast forward, you know, they evacuate the Embassy and move [redacted] which again has its own organic American defense force and its own host nation. So at the time -- our understanding is at the time that Colonel [redacted] called SOCAFRICA to notify SOCAFRICA of his movement, intended movement to Benghazi on the second flight, a Libyan C-130, which wasn't taking off till dawn, that he viewed his mission of protecting the Embassy as essentially completed [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

So at that time then that that call is coming in to SOCAFRICA and you are made aware of it by your staff, that's what I was trying to get at, was your understanding, your awareness of the security posture, the security capabilities of [redacted]

A All right. Well, first, let me go back to Colonel [redacted] as I understand it, didn't tell them to protect the Embassy. As I understand it, he was told to use Team Libya in a manner to support the mission. Okay. So I can quote that here. It says that "Colonel [redacted] gave the [redacted] a green light and also in subsequent discussion indicated that he talked directly to Lieutenant Colonel [redacted] to use special operation forces in Libya as Team Libya as needed and

[redacted]

[REDACTED]

communicated the same update to Rear Admiral Losey."

So I don't know. I don't have the specificity in what I understood that said it was specifically for the Embassy. But, you know, was the Embassy -- was his role to protect the Embassy at that time complete, given the uncertainties that were in front of us? I can't say that with confidence.

[REDACTED]

[1:15 p.m.]

*OR2* BY [REDACTED]

Q And is that because it wasn't conveyed to you or you weren't aware of what the security situation was [REDACTED] Or what was the --

A No, because I didn't -- I wasn't aware if a potential attack could unfold subsequent to the Benghazi piece. We have seen situations down there in Africa, some of the disrespect to Islam, perceived, that has created firestorms in several missions at the same time, to the level of coordination of the attack or the level of, you know, they had something synchronized in Tripoli perhaps. I just didn't know.

Again, we had a distribution of forces. Indications were in Benghazi that marshaling had commenced or was complete. We were already starting retrograde, aircraft were being coordinated for the exfiltration of people, Americans had basically been consolidated there.

Now, Americans had been consolidated in Tripoli, but the center of gravity is shifting. [REDACTED]

[REDACTED]

So still not a high degree of certainty with how secure Tripoli is or what could happen there. And, again, situational awareness, center of gravity shifting, primary command and control function with communications centered with Colonel [REDACTED] casualties coming back, they've got the one medic that's in our team, and then the

[REDACTED]



weapons NCO with a foot problem. Now, stress fractures or broken foot, I didn't know. I heard he was in a cast, and that's all I knew.

Q Yeah. Right. And that's a good point. Just to be clear, I mean, we're not questioning the decision at all, again as I -- just trying to understand the basic information.

A No, just trying to tell you what we understood.

Q Yeah, yeah. I think, because the challenge for us is, you know, Colonel [REDACTED] -- or, I'm sorry, Colonel [REDACTED] perspective as sort of being a man on the ground that night in Tripoli, he sees what the security arrangements are, the abilities of both the Embassy, which he has deemed to be not very good, [REDACTED]

[REDACTED] Also, you know, we know from Colonel [REDACTED] that he was, you know, his planning was in coordination with both the DCM and the [REDACTED]

A Yes, sir.

Q And so, you know, when we interviewed him, he was -- sort of had one view of what the security situation was such that it would allow him in good conscience, if you will, to consider even getting on that second response flight. And so what we're trying to understand is then, you know, what Colonel [REDACTED] sort of level -- how that compared, his level of awareness, being on the ground there, compared to what you were aware of in Stuttgart. We're trying to see if that, you know, if you were getting the information, you know, enough of the information that Colonel [REDACTED] maybe had to, you know, kind of inform your decision or not.

A All I can say is I had the information that I had, I issued my orders based on that information. He complied with those orders without rebutting. And in the end, you know, had he moved to Benghazi under the authorities that he had

entirely of himself, he would be held to account for that. May have been no outcome, okay, but he was at liberty to do that until he asked the question.

And he asked the question by communicating his intent. That is opening the topic for negation or for affirmation, okay? So based on our understanding at the time, we said hold your position. Had he moved, okay, people would have come back, arguably, and not had RSO&I. They would have been one medic shorter, and I would have lost complete situational awareness on what's happening in Tripoli.

So, I mean, I just -- I can accept that if somebody wants to say that was the wrong decision, I can accept that, but based on what I knew at the time and the logic of the way things were flowing and what functions we had to have in what nodes, I think I would make the same call again.

ARI

BY [REDACTED]

A Uh-huh.

Q You didn't share that assessment, for whatever reason --

A Because I can't predict the future. In that time and space, he was probably right, but he's thinking he wants to move to Benghazi, all for good reasons, to provide airfield security, right?

Q Sure.

A But that's not -- okay, and that's where -- we can have a disagreement about that, and he could have pushed back. But equally important is the idea that

[REDACTED]

with the center of gravity shifting back and my only situational awareness and command and control node sitting where that center of gravity is shifting to, it's still not a good time to move.

Q Sure. So that's the point I'm trying to make. He had a certain opinion of the situation. You had a different opinion of the situation. Based upon your differing opinion of the situation, you gave him orders contrary to what he had originally intended, because of your differing situation. And if I understand correctly, at no time did he raise to you, I see this differently than you do, here's why I should move forward. Is that correct?

A That's correct.

OR2

BY [REDACTED]

Q Yeah. And you actually touched on something I wanted to mention, too, was I guess from Colonel [REDACTED] perspective and also what we understand from other folks is that at the time that Colonel [REDACTED] called in, it was 0505 or when exactly it was, that although the aircraft wasn't -- the Libyan C-130 wasn't intended to leave until dawn, [REDACTED]

[REDACTED] and so Colonel [REDACTED] testimony was he had a very short amount of time to convey the information. But at any rate, it sounds like, if I understand your testimony correctly, is Colonel [REDACTED] didn't convey the picture of what necessarily the security situation was [REDACTED] to the current operations director, or at least it wasn't conveyed to you if he did. Is that fair?

A Yeah. All I know is what I know, sir. I'm not trying to hide any of that, reflect any of it. It's in here.

Q No, and I'll say, I've said it before, we're not questioning the decision. We just want to understand, really, what information was available to you and to

[REDACTED]

everybody else at the time.

A The fundamental premise, if I could, on this --

Q Yeah.

A -- what I perceive is the question, the question about the order, okay, being couched as stand down -- which it was never an order to stand down, it was to remain in place and continue to provide your security role in Tripoli, okay -- was based on the idea that they would have been obviated from responding to Americans under attack. That's what got this whole thing on fire, okay?

Like I said before, DCM Hicks' testimony, it was already clear to him, okay, that the only function they would provide by going forward was airfield security in Benghazi. And again. That awareness, we knew that. We knew that at that time. He knew that at that time. If Colonel [REDACTED] didn't know that at that time, I can't account for that. That's, you know, where he's getting his information from and how he's putting it together. And they couldn't take off until sunrise.

Q Right.

A And when you go to the almanac and you look at when sunrise is, you're looking at a significant time.

Q I have actually. Yeah. Actually I could just say this at this point, you brought up the stand down issue. You know, one of the things that we've noticed going back and looking at the record is, you know, it seems like with stand down there was perhaps a misunderstanding by, you know, people who were civilians, misunderstanding what the, you know, definition of stand down was in the military sense vice what a civilian understanding may be. So I understand what you're saying, there seems to have been some confusion about stand down and how it relates or doesn't relate to what actually transpired that night.



A Yes, sir.

OR2 [REDACTED] Yeah, I understand.

[REDACTED], did you have anything else? I think we're running a little bit short.

ARI BY [REDACTED]

Q Let me just ask this as a clarifying question. So the testimony which I think we read to you today from the time Colonel [REDACTED] appeared, the same day that you appeared before the Armed Services Committee, and he used the phrase something like, I believed the Americans were secured [REDACTED]

[REDACTED] Now, again, that's his characterization to us in June.

Am I to understand you to say -- and I don't mean this in an accusatory way -- that you didn't understand when he called and suggested he was moving forward, you didn't understand that he believed -- or do you believe that he was saying that because he believed the Americans were sufficiently secured [REDACTED]

A In Tripoli?

Q Correct.

A I don't know what he was thinking, but I don't believe that it matters, okay? Because at that time and place, I will acknowledge, I fully acknowledge that Americans were secure [REDACTED]. That wasn't the issue I left him back in place for. That was one part of a function that took care of security in that time and place. It didn't cover the potential for another attack and the need for somebody on the ground with some kind of maturity and experience to be able to help them work through the situation and keep higher headquarters informed so we could push more assets, because the stack was starting to build, things were starting to close.



██████████  
Didn't know.

██████████ And again I'll go back to center of gravity shifting from Benghazi, we're trying to move people. Again, prime directive after the Ambassador's body was found is to get our Americans out of there. We knew they had been consolidated, we knew they were marshaling to the airfield or were near to doing that. We had airlift coordinated to get them. It just did not seem to be the time to lift and shift my primary command and control node out of Tripoli for the benefit of four riflemen who weren't really even riflemen for security, you know. I don't know how else to put it.

ARI ██████████ Understood.

OR2 ██████████ That's very helpful. Appreciate it. We have a few more minutes. Can I just shift gears now. So I just want to shift to after the attack, just a few questions.

OR2 BY ██████████

Q Were you ever debriefed by your chain of command or other U.S. military personnel about what had taken place on the night of the attack from your perspective at AFRICOM?

A Say that again.

Q Were you ever debriefed by your chain of command or by any other U.S. military personnel about what had transpired from your perspective on the night of the attack?

A I was not.

Q To your knowledge, did the U.S. military conduct a formal after-action review of what took place in Benghazi?

A I don't --

Q To your knowledge.

██████████

A Yeah. Not to my knowledge. Actually I should say, I really don't know. I don't know what the Joint Staff did, you know, or what OSD did, what they looked at.

We lived through it. Everything is so documented, okay, all the emails, all the commentary afterwards from Colonel [REDACTED] I think we extracted pretty much everything we needed to extract from that. The awareness from the ARB that started to expand the bubble into other departments and agencies and what their role is was a function that is not covered by our AAR process.

Q Sure.

A And I think there's some illumination there that's extremely valuable.

Q With respect to the ARB, the Accountability Review Board, were you interviewed by the ARB yourself?

A I was not, sir.

ARI [REDACTED] Were you ever requested by either the ARB or Department of Defense to produce records, memoranda, emails, anything short of an interview, documents?

Admiral Losey. I was asked in my function as the SOCAFRICA commander to get different statements up to AFRICOM, and that came through our chain of command. So I was asked to compile different bits of testimony, so to speak, or accounting of what happened.

ARI [REDACTED] Okay.

OR2 [REDACTED] Okay, that's helpful. I think we've got a few more minutes, but I don't have anything else for now. So do you have anything else before I wrap up on the hour?

ARI [REDACTED] Were you going to go to another topic?

OR2 [REDACTED] No, not at this time.

ARI [REDACTED] Can we go off the record for a few seconds?

[Discussion off the record.]

ARI BY [REDACTED].

Q Sorry, Admiral, just one other question, just to play this out. Again, our understanding is, so Colonel [REDACTED] remained in place in Tripoli and carried out the activities as directed. Sometime after having the discussion about the possibility of moving to Benghazi, he floated the possibility up through Colonel [REDACTED] that he would go to -- he and his team would go to the Tripoli airport to meet the inbound aircraft. And we understand that initially he was told, no, stay in place [REDACTED] and continue those responsibilities. Is that your understanding?

A I'm not sure I had that understanding. I didn't have visibility on any requests or the distinctions there.

Q Okay. Well, then, let me ask you further, then. So we understand, then, that there were some discussions about whether or not he should go to -- he and his team should go to the Tripoli airport, and they were told, no, to remain in place, and then maybe Colonel [REDACTED] asked, raise it up higher, maybe to you, maybe not to you, and it went back then to Colonel [REDACTED] that, yes, in fact you are free now to move to the Tripoli airport to receive the incoming.

A Okay.

Q But you don't know that or remember that?

A I have no recollection of that.

ARI [REDACTED] Okay. Thank you.

Admiral Losey. Thank you.

OR2 [REDACTED] Okay, I think that's all we've got for this hour, so why don't we go off the record.

[Recess]

002 BY [REDACTED]

Q We can go back on the record.

Admiral, this won't take long, but I would like to just very briefly summarize that last hour just a bit. If you could go to page 88 of the transcript that we've been using.

A Eighty-eight?

Q Yes, sir. And at the very top of that page it's Colonel [REDACTED] testimony, and he's commenting on the decision that was ultimately made that night not to get on that second plane and the value that his medic provided to the returning Americans coming back from Benghazi, and here's what he says. Quote, "The Special Forces medic was instrumental in providing the support to the wounded that returned. We would not have been in Tripoli in order to provide that support if we would have got on the plane. The decision by my higher headquarters to not get on that plane was the correct decision in hindsight."

Sir, Colonel [REDACTED] seems to believe that the call that you made that night not to get on that second plane was the correct decision. Do you agree with him?

A To the extent that it matters, yeah, I stand by my decision. I mean, I can only -- I'm accountable for it always. You can only make a decision based on what you know. And when he accepted the decision without pushing back, I took that as this is within the acceptable range. It wasn't worth arguing about to him. So, you know, to the extent that it matters that I agree with him, I appreciate, you know, his viewpoint, but I would be fully accountable for my decision regardless.



Q But did it turn out that the medic that was part of that four-man team did, in fact, provide valuable service at the airport for the returning Americans?

A Yes. And more important than that, I think that had something gone awry in Tripoli, we'd have been postured to understand what was happening, and I would have lost that had I not. That's as much of an issue.

Q Yes, sir. And let me just walk through that one final time. The night that the attack was unfolding, from where you sat, did you think that there was a potential threat to Tripoli?

A Not through specific reporting, but through what we didn't know and what was going on with the extremists.

Q And that's based on your judgment of the instability of the region, the fact that there had been attacks --

A We had lots of experience observing all kinds of stuff grow fur in unintended ways, yes.

Q This was a serious possibility, in other words?

A I believe that it was.

**AD1** BY [REDACTED]

Q Could I just ask, you mentioned in the last hour incidents of unrest due to perceived slights to Islam. Were there any of those unrest crises happening concurrently, was your ops center monitoring? I mean, you have steady state ops in AMISOM, counter array, all those sorts of things, but were there other hot spots that you were monitoring simultaneously on September 11th?

A Okay, so September 11, across the world in the military when September 11 comes around, since 2001, we're always watching for somebody to make a statement. So that's already the baseline. And in recent, in proximity to



[REDACTED]

that event, there were attacks on our embassies in Khartoum, and I can't recall if it was before or after, guys trying to come through the Embassy in Tunis with a pick axe, going through 16-inch plexiglass, and we've got video of guys trying to pick their way through to get to Americans inside the Embassy. So, yes, I mean, and when it goes, it goes bad quickly.

Q Are those sorts of things that they would have called you at home to tell you that, hey, we've got a problem in Khartoum?

A Absolutely, they would have called, and they did call when that occurred. I just can't remember if it was before or after. I mean, there was a hair fire every day in Africa.

Q Right?

A Every day there was something, Arab spring, Libyan uprising, Tuareg rebellion, Malian coup, Seleka rebels in Bangui, Joseph Kony, you know, M23, ADF in that Kivus, and just on and on and on, every day was a hair fire.

002

BY [REDACTED]

Q And so that evening you understood that that four-man team commanded by Colonel [REDACTED] was able to provide at least two functions. One was to protect roughly three dozen Americans and also provide communications back to where you sat. Is that correct?

A Yes.

Q Okay. And the value of that communication line is that it provides you a situational awareness should something unfold. Is that correct?

A Yes.

Q Okay.

001

BY [REDACTED]

[REDACTED]

Q And just to add to that, there was a medical capability as well that was added. Is that also correct?

A Yes, sir.

Q And to drill down a little bit further on that, there were two -- were there two medics that were part of the six-man DOD team that was originally in Tripoli, to your knowledge?

A I can't recall.

Q Okay. Are you aware if there was a medic that was part of that two-man team that had initially deployed as part of the seven-man response?

A I can't recall if one of them was a medic. He may well have been.

ODI [REDACTED] Okay.

OD2 BY [REDACTED]

Q Okay. So to summarize, Colonel [REDACTED] four-man team provided medical capability, was able to provide protection to the roughly three dozen Americans, and also could communicate to you should something unfold, and that's --

A Right.

Q Okay. And they could also augment whatever security they were joining up with [REDACTED] Is that correct?

A They could.

Q Okay.

A That would have been -- yes, they could. I think it would have been a misuse of his level of experience and the fact that he was a COM node. You put a guy behind a gun, your world view goes. You know, you have some dimensional awareness, but it's pretty tactical, and I need guys like Colonel [REDACTED] to be looking

[REDACTED]

at the big picture. That's why we put a guy of his seniority in that position.

Q Okay. So now it's roughly, you know, around that 5:00 period when Colonel [REDACTED] calls your -- Colonel [REDACTED] was in communication with up to --

A Our battle captain.

Q Your battle captain to be precise. Was it ever communicated to you that the situation in Tripoli was over and that these four individuals were no longer needed in Tripoli?

A No, it was not.

Q Was it ever communicated to you that all Americans were safe and there was a very, very unlikely possibility that there could be another attack?

Mr. Richards. In Tripoli?

002 [REDACTED] In Tripoli. ✓

Admiral Losey. First of all, if somebody had called me under those circumstances and told me that it was over and that Americans were safe, I would have rejected it, and then we'd have had a discussion with whoever thought it was over.

002 BY [REDACTED]

Q And why, sir?

A Well, it's just it's not over. That's the whole point is, you know, you don't -- we don't know. That was the whole point. We didn't know what was going to happen in Benghazi, we didn't know what was going to happen in Tripoli, and these things catch like wildfire. You don't -- we had no idea. We had to maintain a posture to understand, to be able to command and control if that thing did pop.

So, you know, I accept -- you know, you can say that Americans are secure. That's only for that time and space, you know. You could say it's over. It's only

[REDACTED]

over for that time and space until somebody kicks it off again. And it's just this kind of discussion happened in the previous, you know, there was one attack and then it was over. No, it wasn't over. There was a second attack, and then it was over. No, it wasn't over then, either.

As I recounted in my previous testimony, I wouldn't consider it over until Americans are consolidated in a safe area, and as long as Americans are on the ground in Benghazi it wasn't over in my mind. But the reason to not push those guys forward was, you know, what was the trade benefit here? What would I have lost here? What did they already have here? And you know, would using these guys as riflemen in Benghazi been useful? It didn't seem so to me.

Q And just one final question in this area. Can you explain what the communication capability, both in terms of, say, the hardware, but also the knowledge Colonel [REDACTED] and his team would have that others, whether they're State Department personnel or other government entities, would not be able to provide? I mean, how are they trained and what would the value of that information be should something have, in fact, unfolded in Tripoli?

A I don't know how long Colonel [REDACTED] has been in service, but I know he's got a lot of time. He's probably 25, 26 years special forces officer, used to dealing with, you know, contingency-type environments. I think he was absolutely the key guy to keep on the ground in that situation of uncertainty, all right?

The tactical situation, the best we could tell, was already consolidated and had been secured effectively in Benghazi. Not knowing what was going on here, [REDACTED] original description about why he wanted to stay in Tripoli and the functions he needed, all that was telling us, hey, they need this kind of help. Otherwise I think he would have got on the plane, had there been the seats, I don't know if there



[REDACTED]

were, and he would have moved on to Benghazi. But he saw the need, the need to have to support the DCM there in that regard. We're just following through. But, you know, the whole situation was migrating, again, with an emphasis back towards Tripoli. Really it didn't make a lot of sense at that point to try to move them.

Q I said this was going to be my final, but this one definitely is. To understand sort of the tenor of the seriousness of the situation as it was unfolding in Tripoli, it's my understanding that when they evacuated the Tripoli Embassy they smashed hard drives or they destroyed classified information. They essentially evacuated the place, correct?

A That's my understanding.

Q And is that something that is done lightly or is that something that is typically done if you are fearful that something could, in fact, occur where that Embassy sits?

A It's time to be -- that's serious time. When you start destroying your classified because you anticipate being overrun, that's an indicator right there that they also had some concerns. And there was nothing in that continuum of 6 hours that said, okay, turn the switch off, it's over, nor was there any switch in Benghazi that said turn the switch off, it's over, until the Americans were gone.

Q And, in fact, the FAST team ultimately ends up going to Libya to provide continued support to continue the protection. Isn't that correct?

A It is.

ADI BY [REDACTED]

Q So when you're talking about it's not over until it's over, were you comfortable, knowing that the CIF was spinning up, the FAST team was spinning up, those other guys were spinning up, was that enough to make you comfortable

[REDACTED]



that whatever response we generated would match whatever contingency might occur or were you making recommendations to AFRICOM about readying other defense assets?

A I think the posturing of those forces that you just specified is the right thing to do. When you come to a decision point of how you employ those forces and where, there's a lot of things to consider.

Q So you were comfortable that the machine was moving to provide that and to be able to be in a position to provide the assets for the range of contingencies that we might encounter, so in the back of your mind it's not over until it's over?

A Let me just say once -- you could put a CIF in after the crisis starts. If you'd have put, you know, 50 guys on the ground in the Benghazi situation, if you had flown a fighter over the top, bombs on racks or not, or if you'd have dropped a bomb, you know, you would have achieved effects for a certain amount of time, maybe 3 or 4 minutes, all the folks that were sitting on the fence watching not picking a side would have picked a side at that point, and it wouldn't have been our side, okay? And then you would have to ask, can you sustain that level of impact to suppress until you can get all the Americans out?

I mean, there's a whole bunch of questions that come into play when you inject force into a situation that's gone awry. And if you can't follow through all the way and you can't provide the protection for the forces you inject in there, you need to think very carefully about what you're trying to do. The time to do that, okay, I think we're addressing this in the new normal, is you put the security in, in place, before the crisis emerges and you use that to tamp down things from happening. Once it's come off the rails, you know, the outcome, the guys coordinating with their Libyan Shield counterparts and working an internal solution that was low in kinetic

but high in effectiveness, you know, I don't think we could have come out of that situation any better than we did.

Q So those three response forces were sufficient and appropriate in your opinion?

A I think -- for what?

Q Well, I mean, the argument -- some are making the argument is you didn't know it was over until -- we didn't know it was over until it was over so why then did we not see --

A There is an obligation --

Q -- you know, to extrapolate the argument to the ridiculous, why did we not see the redirection of a carrier battle group? I mean, all the way down, right? So what I'm getting at is your assessment of -- your level of comfort knowing the way that the current situation was developing, knowing the range of possibilities, the most likely --

A I think it was absolutely proper to posture them and to put them into forward lean and to inject them when the time was right to reinforce security, I believe that was absolutely the right thing to do, without question.

Q And sufficient?

A Yeah, it was everything we had.

001 BY [REDACTED]:

Q Admiral, I just would like to clarify something that you had stated before during a previous round. You had mentioned that the positive identification or the recovery of the remains of Ambassador Stevens, at that point in your view the mission began to change. So can you elaborate on that and just explain to us, was that kind of the tipping point in the evening in terms of what the mission is for the

Americans in Benghazi?

A I think it's almost self-contained in the very question. At the point, you know, where Americans are at risk and we probably need to pull out of that situation, isolate ourselves from that situation, and all Americans are accounted for, the Ambassador has been accounted for, okay, all Americans were mustered up, yes, I think that is a time to go ahead and shift gears and get everybody out of there, and that was the emphasis.

Q Okay.

A I agree with you.

Q Admiral, I would just like to ask one final question here, and it's about a public statement that was made, and I'll just paraphrase. But on the night of the attacks did you or to your knowledge anyone in your command receive any order from then Secretary of State Hillary Clinton to stand down?

A No.

ADI [REDACTED] Thank you.

Mr. Knauer. We can go off the record.

[Recess]

ARI ~~ARI~~ BY [REDACTED]

Q So, Admiral, I just want to ask you a couple specific questions. You've made references a couple times in our discussions about 9/11 in a generic sense and the dangers that that date might pose and the posture that that might imply. So let me ask you a couple of specific questions about your recollection.

At AFRICOM headquarters in Stuttgart in connection with the 9/11 anniversary, say on the 10th through the 11th and so forth, were there any particular force protection posture measures put in place at headquarters in connection with

the attack anniversaries?

A You mean a force protection condition --

Q Correct, correct. Do you have any recollection?

A I don't have a recollection of that.

Q And how about deployed TSOC on your command, did you give them any particular force protection instructions in connection with the anniversary, stay close to assigned station, anything like that, having to do with force protection?

A Yes, we did. Every morning we had a -- well, I say every morning, depending on the week, but at least three times a week we had a commanders update brief where all of my deployed nodes were up in the sort of directions given, and this is not, again, standard business for folks with dispersed elements in unstable environments. So, yes, everybody was aware.

Q But I want to be specific. So for your deployed forces in connection with the anniversary in particular, there were force protection measures instituted or mandated, maybe stay close to home, maybe --

A Yes, heightened awareness, protect yourself, be more alert. And, again, the detachment, officers in charge or the noncommissioned officers in charge of all these little detachments out there are watching and monitoring, they're talking to the country teams of the countries they're working, they've got their thumb on the pulse, and then they're adjusting the posture of their people.

But it's particularly heightened around 9/11. And even in the weeks coming up to 9/11 I think our awareness, watching for indicators of potential nefarious activity or attacks, always steps up in the weeks preceding 9/11.

Q And, again, you're talking about SOCAFRICA when you're making these?



[REDACTED]

A I'm talking about every command I've been in since 9/11.

Q In your specific discussion earlier, though, about reaching out to your nodes, was this SOCAFRICA?

A Yes, sir.

Q Now, how about one step beyond that, in anticipation of the anniversary, did you forward deploy any forces, heighten or shorten the response times, make any preparations key to the 9/11 anniversary in the event that your forces were called upon to make any particular response key to something that might happen on 9/11?

A We did not move anything around for that. There wasn't a need to.

Q Fine. Is there any other, short of moving around, is there any heightened response alert? And I'm just hypothesizing here. Was there any other -- short of moving somebody -- is there any way to bring your forces to a heightened alert?

A There is. And again, the CIF, as I explained, at that time and place the CIF belonged to EUCOM, was shared by memorandum of understanding with AFRICOM, okay? The crisis hadn't emerged, so there was no additional posturing of the CIF that I'm aware of. The crisis triggered the movement of the CIF down to Italy, and that's how that piece unfolded, but that was not under my control.

[REDACTED]

[REDACTED]

[REDACTED]

Q Fine. So thank you. And again to clarify, the CIF was shared between EUCOM and AFRICOM, but not with SOCAFRICA?

A Yes, that's correct, because the commanders in extremis force rests

[REDACTED]



[REDACTED]

with the combatant commander, not with the TSOC, Theater Special Operations Command.

**AR1** [REDACTED]. Understood. Okay. Thank you. I just wanted to clarify your posture on that day. But that's very helpful, thank you.

**OR2** [REDACTED]. So I guess with that I think we're done. I just want to, on behalf of Chairman Issa, just thank you for making the trip and thank you for your time. Appreciate it.

**AR1** [REDACTED]. All the members of the committees thank you for your participation. Thank you.

**DD2** [REDACTED]. Just up here on the record, we also appreciate you coming in and your service and spending a portion of the day answering our questions.

**OR2** [REDACTED]. Off the record.

[Whereupon, at 2:00 p.m., the interview was concluded.]

[REDACTED]



Certificate of Deponent/Interviewee

I have read the foregoing \_\_\_\_ pages, which contain the correct transcript of the answers made by me to the questions therein recorded.

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Witness Name

