

RPTR BAKER

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SELECT COMMITTEE ON BENGHAZI,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, D.C.

INTERVIEW OF: [REDACTED]

TUESDAY, MARCH 3, 2015

Washington, D.C.

The interview in the above matter was held in Room HVC-205,
Capitol Visitor Center, commencing at 10:02 a.m.

Appearances:

For the SELECT COMMITTEE ON BENGHAZI:

SHARON JACKSON, DEPUTY CHIEF COUNSEL

SARA BARRINEAU, INVESTIGATOR

SHERIA CLARKE, COUNSEL

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For the U.S. DEPARTMENT OF STATE:

CATHERINE DUVAL, SENIOR ADVISOR

Ms. Jackson. Let's go on the record. This is a transcribed interview of [REDACTED] conducted by the House Select Committee on Benghazi. This interview is being conducted voluntarily as part of the committee's investigation into the attacks on the U.S. diplomatic facilities in Benghazi, Libya, and matters related to it pursuant to House Resolution 567 at the 113th Congress and House Resolution 5 of the 114th Congress.

Mr. [REDACTED], would you give us your full name this morning for the record?

Mr. [REDACTED]. [REDACTED].

Ms. Jackson. Okay. We appreciate your appearance here today. We appreciate the fact that you have agreed to voluntarily come and talk with members of this committee today. Again, my name is Sharon Jackson. I am with the committee's majority staff. To my left is Sheria Clarke, also a counsel with the majority staff, who will be doing the bulk of your questioning today.

I am just going to go through a few preliminary procedural matters this morning before we get started, but first, I will make sure that you know everyone in the room. You are here with the State Department counsel, Catherine Duval. Is that correct?

Mr. [REDACTED]. Correct.

Ms. Jackson. And we will start with Heather and go around the room.

Ms. Sawyer. Heather Sawyer, counsel for minority.

Mr. Kenny. Peter Kenny with the minority staff.

Mr. Woolfork. Brent Woolfork with the minority staff.

Ms. Barrineau. Sara Barrineau with the majority staff.

Ms. Jackson. Obviously in any type of congressional committee there are ground rules to go over, and I just want to make sure that you understand the process that we are going to use today. I am sure you have consulted with Ms. Duval before coming here today. The way this works is that members of the majority staff will ask questions for up to an hour, and then we will turn it over to our colleagues on the minority staff, and they will have a similar period of time.

At the conclusion of that, if we need to, we will either go to additional rounds here in this setting, or we may move to a different location. This setting here is an unclassified setting, so we are intending to ask you questions that we believe will elicit answers that are unclassified. We have reviewed a lot of documents, and so we have based our questions on those documents that have been marked unclassified. But if you feel that any answer to a question that is posed to you would get into the realm of classified information, please just let us know, and we will either withdraw the question or hold it until we move into a classified setting, and we do have facility available to us to do that after the first round of questioning.

In this setting, questions can only be asked by a member of the committee, a Member of Congress that is assigned to the committee, or a Member of their staff. We have had members in the past that have been present and asked questions. Given what is going on in the House today, I don't anticipate that we will have any Members, but it is

possible that one or more may come in. And we will continue in these alternating rounds until each side has asked all the questions that they would like to.

Unlike testimony or a deposition in Federal court or even State court, the committee's format is not bound by any rules of evidence, so hearsay is admissible. Your opinion about certain things is admissible in this. The only objection that would be considered would be one for privilege. Those matters then go to the chair of the committee, and he would decide whether or not that question would be answered. Members and the staff are not permitted to raise objections to any questions when the other side is asking questions, and this has generally not been an issue, but I just bring it to your attention.

You are here with Ms. Duval today. You are welcome to confer with her at any time if you want to do so. I am sure she has explained her position as the agency's counsel and not your personal counsel, but you are certainly welcome to confer with her whenever you want. So if you want to step out of the room and have a private conversation with her, we will certainly afford you the opportunity to do that. If you just want to lean over and whisper something to her, that is also perfectly fine. But we want to make sure that you are comfortable with the questions that we are posing for you today. Along that same route, it is important that you understand what we are asking today, so if, as my mind will do, occasionally go off someplace and I miss part of a question, or you just don't understand, or you need some clarification as to any questions, please ask that we repeat it or rephrase it, because

it is very important that you understand what we are asking so that we get the best information possible. Do you have any questions about that?

Mr. [REDACTED]. No.

Ms. Jackson. Okay. And again, we are asking for your best recollection of events. We know that some these events happened close to 4 years ago. Things may not be crystal clear anymore, but we are asking you to give your most full and complete recollection possible. If there is something that you simply know that happened but you don't recall, please do tell us. We will probably follow-up with a question about was there anybody else there; was there anybody else present that might have a similar -- might have a recollection of those events. But, again, we ask that you give us everything that you can today in response to our questions.

We will take a break whenever it is convenient for you. Usually at the end of the first hour of questioning, we will take a short break because the minority staff will come and sit across from you. But if you need a break in between those hour periods, just let us know. Again, we have coffee, tea, water, whatever you want. Please don't hesitate to ask. We will try and make this process as easy, comfortable, and painless as possible.

As you see we have an Official Reporter here who is taking down everything that is said to give us a complete record of these events. It is important that you give verbal responses. We get into the habit of nodding and shaking our head, and that is very difficult for the

reporter to take down. The other thing that she would really appreciate is if we avoid as much as possible talking over each other. It is easy to start an answer before the question is finished, and it is also very easy, and I am very guilty of this, of starting the follow-up question before the answer is done. So I promise to make my best effort not to interrupt, and I am probably going to be successful because I am going to turn the questioning over to someone else today.

And then just a few final questions. Do you understand that you are required to answer truthfully the questions that are posed to you by Congress?

Mr. [REDACTED]. I do.

Ms. Jackson. And do you understand that that extends to members of congressional committee staff?

Mr. [REDACTED]. Yes.

Ms. Jackson. Do you understand that witnesses who knowingly provide false testimony could be subject to criminal prosecution for perjury or making false statements?

Mr. [REDACTED]. I just heard you say that.

Ms. Jackson. Okay. Is there any reason that you know of, as you sit here today, that you would not be able to provide truthful testimony to this committee?

Mr. [REDACTED]. No.

Ms. Jackson. Well, that is the end of my introduction. Does the minority staff have anything they would like to add?

Ms. Sawyer. No.

Ms. Jackson. Okay. The clock now reads, I have 12 after 10. We will get started with the first hour of questioning, and I will turn it over to my colleague, Sheria Clarke.

EXAMINATION

BY MS. CLARKE:

Q Thank you, Mr. [REDACTED], for your willingness to come today, and thank you for your service to our country.

I just wanted to get started with a little bit about your background. Can you kind of give me an overview of your experience with the State Department?

A Sure. I joined the State Department in 1998, in the fall of that year. I have been at the State Department since in a variety of capacities, primarily in the Political Military Bureau, Counterterrorism Bureau, the Middle East or NEA Bureau. I also did 2 years overseas at the U.S. Embassy in Tripoli from 2006 to 2008, and I am currently working in the Political Military Bureau.

Q And did you spend some time, in one of your assignments, were you ^{assigned} ~~signed~~ to Benghazi?

A Yes, while I was permanently assigned to the PM Bureau, I was temporarily assigned to Benghazi from November to February 2011 -- 2012.

Q Did you volunteer for that assignment or were you recruited?

A I was recruited.

Q How much time before you actually went to Benghazi did you have before you were recruited for that assignment?

A I am sorry. So how much time -- could you restate the question?

Q I am sorry. When you were recruited for that assignment, about how long did it take before you actually arrived in Benghazi?

A A little less than 2 weeks.

Q And what did you know about the length and scope of your assignment and then the Benghazi mission in general?

A On the length of the assignment, it was undetermined prior to my going out, so a couple of months, but there was no fixed end date.

Q Okay. And then what about the mission in Benghazi? What was your understanding of the length and scope of that mission?

A At the time I was asked to go out, I didn't have a sense of what the length and scope of the mission would be.

Q Once you arrived, did you get a better sense of what that length and scope was?

A I would say that during my preparations to go out after I had been asked to go out, I gained a better appreciation, I think, of what the length and scope would be.

Q What were some of the things that you did to prepare to go to Benghazi?

A I had office calls with offices that had ongoing issues that was of interest to the mission, so I met with individuals who were working on MANPADS, shoulder-fired rockets, economic issues, political issues, those sorts of things, did office calls to prepare myself to go out.

Q Did you speak with the Special Envoy before you went out to Benghazi?

A He was, the Envoy was in Benghazi at the time, so we exchanged emails. I don't recall that we spoke.

Q Okay. When you arrived in Benghazi, had the Envoy already left Benghazi?

A Yes.

Q Before going out to Benghazi, what were you told that your purpose in going to Benghazi was going to be?

A What I was told was that I would pick up the work of the Envoy after his departure for a sort of undetermined period.

Q And can you describe what that work was?

A I can describe what I did, what my expectation was, was to run the mission there in Benghazi, to be responsible for its activities and provide direction to its activities.

Q Once you arrived, do you recall the number of DS team members that were present? Describe for me the security situation there and the security teams that were present in Benghazi.

A Could you rephrase that a little bit and narrow it for me a little bit?

Q Sure. Well, let's just start with the number of DS agents that were there in Benghazi at the mission. Do you recall how many were present at the time, and did that change over the course that you were there?

A Upon my arrival, there were quite a few DS agents at the

compound, in part because we had a senior visitor at that time. So it was not immediately clear to me what the permanent staffing level was upon my arrival.

Q And who was that senior visitor?

A Susan Rice.

Q And how long after your arrival did Ms. Rice arrive, and then when did she leave?

A She arrived the following day and left that same day.

Q So were you involved in any of the preparation for her visit?

A I met with the, or I was part of the team, mostly security folks, describing the security arrangements for her visit; but I was not involved in setting up her appointments or her schedule per se. I came in really at the very, very end of planning. I was there mostly just to hear how the day was going to roll out. It had already been planned before I arrived.

Q You said there was a number of security agents, DS agents there, due to her visit. Once she left, do you recall about how many DS agents were there, and were you able to get a better sense of the normal number of agents that were in Benghazi?

A Yeah. I don't recall the exact number that were present or the exact number that left, but after the sort of the surge for the visit, it was clear what the steady state was; and then, of course, I was on the ground and able to talk to my RSO and have those discussions. So the regional security officers are able to get a better sense of what the complement looked like.

Q And what did that complement look like?

A It was on the order of three to five, I think, at that time.

Q The surge of DS agents, do you recall where those DS agents came from, that came for Ambassador Rice's visit?

A I can't recollect exactly. I think they were pulled from various areas, including from Tripoli.

Q Were you aware of any other security personnel present in Benghazi during your time there?

A Yes.

Q Were there other western countries that were present in Benghazi during your time there as well?

A Yes.

Q Can you name a few of them?

A Sure. Let's see. We had the French. We had the British. We had the Turks. We had the Italians. We had the EU.

Q And these are all present in Benghazi?

A Yes. The Maltese. Those are the ones that come to my memory.

Q So we talked a little bit about the number of DS agents that were in Benghazi and how your understanding changed once you arrived there and things kind of settled down. What was your understanding of the actual security situation in Benghazi before going there and once you arrived there?

A So before going out, I had consulted with the Libya desk prior to going out and the NEA Bureau, for example. I recall having,

that was probably where I got my sense of what the environment was first and foremost in the amount of time I had to prepare to go out. And was there a second part to your question?

Q And did that sense change? Did your understanding of the security situation change once you arrived in Benghazi?

A In terms of changing once I arrived, I mean, then I was obviously on the ground and was able to talk to the RSO who was there, and I think got a more fulsome appreciation of what the security was like on the ground just by being there also.

Q And how would you describe the security during your time there?

A Was your question what was my sense of security when I arrived or during my whole time there?

Q When you arrived, and did it change during your whole time there?

A Upon arrival I would say it was fluid. It was a post-revolutionary, post-conflict environment, and I would say that was how I would characterize it when I left honestly.

Q What do you mean by fluid?

A There were a lot of -- the central government was still forming itself. Just prior to my arrival it had moved from -- the seat of authority had moved from Benghazi back to Tripoli. The security organizations were either rebuilding, forming new, or didn't exist. The lines of authority weren't necessarily clear between them. You had combatants and forming militias and other groups of that type that

were in various states of being demobilized or still mobilized. So there were a lot of actors, and it was fairly chaotic.

Q Before going to Benghazi, did you have to complete any type of training, like FACT training or anything similar to that?

A I was not asked to conduct any such training.

Q Had you ever been assigned to a high-threat post before?

A No.

Q Were you aware of any other individuals that were assigned to Benghazi had to go through specific types of training before going there?

A I am not aware. I should say, to clarify, you are asking me of people in my position or anyone?

Q People in your position, or any of the DS agents that were there or any of the other U.S. Government personnel that was in Benghazi.

A Thank you. I was told by my RSO, and I had been told in an email that Diplomatic Security officers had to undergo high-threat training before being assigned to Benghazi.

Q But do you know if there was a requirement for anyone, say, the individual that replaced you, were they required to have any type of training before going to Benghazi?

A I am not aware if there was a requirement.

Q What was your understanding of the U.S. interest in being in Libya and specifically in Benghazi?

A So what was my understanding of why we were there, in

essence?

Q Yes.

A The Libyan revolution had started in the east. It had been where the seat of government had been. It was one of the key locations during the revolutionary period. As I mentioned, that is where the government had been. That is where the political leadership had been up to that point. Also historically, the eastern part of Libya is very important economically, politically, and for other reasons, so Benghazi was also the second-largest city in Libya at the time. So the eastern part of the country, there is a lot of issues that are of interest to the United States, so that was the reason for the location there, to have a better sense of what was going on in that part of the country.

Q Now, not long before you arrived, the Embassy in Tripoli had reopened. Is that correct?

A That is correct.

Q Do you know why there was an interest in still maintaining a presence in Benghazi versus moving the mission and moving the personnel all to Tripoli?

A So you are asking do I know why there remained interest?

Q Why was the mission in Benghazi continued -- why did the mission in Benghazi continue to be held open when the Embassy in Tripoli had already reopened?

A As I mentioned, there was a lot of good political reporting to do. There were a lot of contacts that could be made that were

still -- the leadership of the country still sort of oscillating back and forth between Tripoli and Benghazi. As the seat of government was moving to Tripoli, there was still a lot of traffic through there. There were important political leaders and other leaders that still were resident in the eastern part of the country. The eastern part of the country was also reasonably difficult to get to, so there was a lot of work that could be done in sort of that diplomatic sphere in that part of the country by having a presence.

Q What made it difficult to get to the eastern part of the country?

A Just travel internal to the country was challenging.

Q What made the travel challenging?

A That is really more of an RSO question, but there were infrequent flights, and travel by road was not always done for security reasons.

Q Did you have an understanding of the mission's official status in Benghazi? Did it have an official status as a representative of the U.S. Government?

A With the local authorities, which equated to national authorities in that sense, we had an official relationship with their ministry of foreign affairs, so they were aware of our presence, and they provided some courtesies and support to us as a diplomatic entity.

Q What were some of those courtesies and supports that they provided?

A Visa support for individuals that were working there, sort

of some elements of diplomatic status in terms of identification, how you would be identified and how you would be handled by authorities, things of that sort.

Q You mentioned earlier the MANPADS issue. Were you involved at all in anything that dealt with MANPADS as far as gathering information about sites of MANPADS, or how they were being collected and disarmed?

A Yes. To some degree, particularly earlier in my tenure, there were some ongoing programs in that department that I was aware of.

Q Were you involved in them, or you just were aware that they were going on?

A I probably could answer that more fulsomely in a separate session.

Q What was your awareness of the type of intelligence that was being collected in Libya?

A That is another one I would have to answer in a separate session, I think.

Q And you were aware that there was intelligence being collected?

A I would have to answer that in a separate session.

Q Let's just talk a little bit about the compound at Benghazi. So once you arrived, you were in a particular part, you were in several villas, and at some point, the location of the compound changed. Can you describe for me your understanding of why the mission moved and

some of the factors that went into actually moving the mission?

A So the location of the mission didn't change per se. It condensed.

Q Right. There were three villas, and one villa was released at some point?

A Right. So that was an effort that was made during my tenure to shrink the footprint of the mission, given the number of personnel that we were expected to house at any given time, plus TDYers, or people on temporary duty, that might come out to the mission. Also being mindful of the resources we had to put to security and other things. The three-villa compound was very large stretch of property, all of it to the resources that we had and practically the needs that we had to house and support people. So during my tenure, we asked for and received permission to shrink the footprint of the mission.

Q So during your tenure, you consolidated to Villas B and C. Is that correct?

A That is correct.

Q Was that your original recommendation to consolidate to those villas, or were there other sites that you thought would be a better fit for the mission?

A So in considering that issue, which was a significant one, we looked at a number of locations in Benghazi to see if there was a better alternative that we could locate. We looked at several different ones. The mission was supported by a facilities expert from Embassy Tripoli in looking at those, and also Diplomatic Security to

obviously look at the security footprint to see what was advisable. And the option to condense into B and C was my recommendation after looking at the various options.

Q You mentioned earlier that there was other U.S. Government presence there, and you were aware of that presence. Was there ever discussion about co-locating with that U.S. Government presence? Those bells are -- you will probably hear various ones, signals to the Members of what they should be doing.

A If I may, I would like to address that in a separate session.

Q Was there a particular reason why Villa A was released versus retaining Villa A and moving to Villa A? Why was B and C chosen over Villa A?

A So during that process, the mission produced sort of a cost benefit, sort of standard pro-con, sort of argumentation for keeping or not keeping various properties, putting the new ones. Villa A had advantages and disadvantages, as anything would. Some of the key disadvantages were that it was not centered in the property. It was very close to one of the walls, so it didn't have, in the estimation of our regional facility officer experts, sufficient setback from the road that ran behind it. Further, the walls, particularly in that compound, were perforated. They were ornate and were decorative and structural. So one could -- you could stick your arm through the wall at any point you cared to. It also didn't provide a lot of security in that respect. So those were two of the primary considerations.

Q Were there any issues or any concerns regarding Villas B

and C as far as security? Any similar issues such as holes in the walls because they were ornate or anything similar to Villa A?

A The consideration was that those were more suitable, that they were, the ~~residents~~^{residences} and the office were sort of more centrally located in the middle of the property, among other things. I mean, this is a longer analysis, part of a longer analysis of the pros and cons of those properties. So that was one of the main considerations.

Q Were there changes that would have to be made to Villas B and C in order for the mission to be occupied there?

A Well, at the time, the mission was already resident there.

Q I guess, were there any changes, or was there discussion about improvements that needed to be made to Villas B and C?

A Yes, there were discussions about that.

Q And what were some of those improvements?

A My recollection is that later in my tenure, we put forward -- the mission put forward a series of requests for security upgrades to get to a higher level of standard security for the mission in conjunction with that move.

Q Do you recall what some of those requests were?

A I do.

Q And what were some of those requests?

A Asked for Jersey barriers, drop arms, sandbags, egress gates cut in the bars on the windows. There is no way to get out otherwise. And some other things, I believe, like I think additional lighting.

Q You mentioned the mission was already occupied there. What did you think about the fact that these items weren't already in place?

A I felt that the things I described, I felt were a bare minimum level security upgrades.

Q And were you surprised that those minimum security upgrades had not already been made, especially since the mission had already occupied that space?

A I am sorry. So the question was whether I was surprised?

Q Surprised, or what did you think about the fact that these bare minimum security upgrades had not already been made? You arrived, you said that these requests, you made these requests closer to the end of your tenure there, so you had been there a month or two, and other people had already been in -- the mission had already occupied the space, and these upgrades had not been made. What did you think about that fact?

A Well, when we were going through the process of that move, as I mentioned, to Villa B and C, drawing on the best professional advice of the RSO, we did our best to come up with a set of improvements for those items, which having been there for then some weeks and able to work through them with them to see what was required, just, my feeling was that, you know, these were things that needed to be done, in addition to a safe haven, if one could be created, in one of the villas.

Q Before your tenure ended, were any of these upgrades made?

A I believe, yes, some of them were made, and some were not. My understanding upon my departure is that some were in progress and

some had already been done.

Q Were any of them denied?

A I don't recall precisely because, again, it was sort of mid-course when I left.

Q Do you recall having any security upgrade requests that you made during your time there that were denied or that you were aware of were made during your time there that were denied?

Ms. Duval. Can you break that down just so that we have got a clean record?

BY MS. CLARKE:

Q Sure. Do you recall during your tenure any security requests that you made that were denied?

A During my tenure at a couple of junctures, I asked for additional Diplomatic Security officer support, and those requests were not always filled. We had asked for some of these security upgrades at an earlier juncture. I don't know that I would say that they were denied, but they weren't, to my recollection, they just weren't filled at that time.

Q Were you given any reason why the additional Diplomatic Security resources were not provided?

A The reasons I was generally given was worldwide availability of agents.

Q What prompted you to request additional resources?

A Talking to, again, the RSO and making our estimate of what would be required to support mission operations, we attempted to set

a level of what should be a steady state of Diplomatic Security presence there.

Q What did you set that level at?

A During my tenure, we sought to have a level 5 at a steady state.

Q And did it drop below that number?

A Yes.

Q What was the lowest number that it dropped to?

A One.

Q How did that impact your ability to complete, your understanding, of what your task was in Benghazi?

A Not having a higher level of Diplomatic Security staffing, limited movements off the compound. Also put, certainly, you know, if we had determined that a certain number was required below that number, obviously it leaves you in a lesser sort of security posture obviously generally, but it particularly made it difficult to conduct movements off the compound and also to host TDYers, people who were coming out from USAID or from any organization that wanted to come in, because, again, they could potentially come to the mission, but then they can't get about town.

Q Let's talk about movements for a moment. What were the parameters for actually conducting a movement? How many agents did you have to have in order to conduct a movement, and how many would you have liked to have to remain at the mission compound?

A So in my experience, typically -- and again, the regional

security officer is the expert in these matters -- was that normally you would travel with one DS agent, and there would be one back at the compound, at a bare minimum.

Q And during your time in Benghazi, was that the protocol, or did you travel with more than one DS agent?

A That was typically the protocol when available to travel with more than one.

Q Do you recall ever going out with just one DS agent?

A Yes.

Q And in your estimation, which was more common, to travel with more than one or to just travel with one?

A I would say it was about even.

Q About how many movements per day did you make during your tenure in Benghazi?

A So how many movements off compound did I make?

Q Yes, on average.

A I would have a difficult time putting a number on that. It did vary fairly considerably based upon the schedule and availability of resources, so it is hard to say.

Q Could you give an average of the number of movements that you made during a week?

A It falls into the same difficulty. I mean, it could be anywhere from none on a particular day to, you know, four, somewhere in that range, depending.

Q And did that variation depend -- what were the factors for

that variation? Was it the number of DS agents available?

A Sure. It was schedule, what events ^{we}~~they~~ needed to attend or meetings they needed to attend off the compound, also the availability of resources. Sometimes for the agents, there would also be things like picking up somebody at the airport which they would do, depending on what the business of the day may be, or travel inside the city.

Q Can you describe, during your time in Benghazi, were you aware of any security incidents that occurred in Benghazi?

A Yes.

Q And can you describe those?

A Can you help me narrow down "security incidents"?

Q Were you aware if there was an incident of small arms fire [REDACTED] in Benghazi, near the farm that was located [REDACTED] [REDACTED]? Were you aware of that incident?

Ms. Duval. If you can answer in this setting.

Mr. [REDACTED]. Yeah. I can speak to small arms fire.

BY MS. CLARKE:

Q Sure.

A Small arms fire was not infrequent to hear that actually from our location, and so Villas A, B and C it was pretty much a regular occurrence, particularly at night. So in terms of small arms fire, that was fairly routine, or regular, I should say.

Q In January of 2012, there was a violent protest at the TNC headquarters. Were you aware of that incident?

A Yes.

Q Can you describe what that incident was regarding?

A My recollection of the incident was the Prime Minister, Abdul Jalil, was in Benghazi at the time for a meeting with some opposition protest leaders. He was essentially cornered in a building which was a Transitional National Council, TNC, building. There was some violence that ensued out front or a disturbance there. This was in the downtown part of the city.

Q And were there any changes regarding movements or any changes made at the mission compound in response to the protests?

A Not that I can recall.

Q Do you recall any other incidents in January, any other security incidents in January?

Ms. Duval. I'm assuming this is January --

Ms. Clarke. 2012.

Mr. [REDACTED]. Security incidents is fairly broad, so it may be, but I can't think of anything specific.

BY MS. CLARKE:

Q Around the 27th of January, do you recall an incident where an RSO motorcade was stopped by an unmarked police car?

A I don't recall that.

Q Do you recall an incident where there was a potential breach of a compound wall by an individual?

A I remember at least one such incident, yes.

Q Can you describe that?

A I can recall one incident, but I don't know the date, recall the date.

Q Can you describe that incident?

A So one evening there was, the alarm went off on the compound. That was triggered by the local guard force, which caused the Diplomatic Security officers and our QRF, or the Quick Reaction Force, on the compound to react to that individual. It was determined the individual wasn't a threat to the compound, but there was that reaction to the individual coming over the wall.

Q And were there any changes made at the compound because of that incident?

A I don't recall that there were specific changes to that particular protocol or reaction, but that incident certainly tended to the broader request for resources.

Q Now, during your time there, did the Deputy Director of NEA visit, [REDACTED] ?

A She did.

Q Was that incident around the same time? Do you recall?

A I don't recall precisely. I think it was beforehand.

Q Do you recall if there were any incidents during her visit in Benghazi?

A I don't.

Q During your time in Benghazi, we talked about Ambassador Rice's visit and then the Deputy Director [REDACTED] visit. Were there any other high-level individuals that visited Benghazi during your time

there, if you can recall?

A Yes, I can think of one offhand.

Q And who was that individual?

A I will have to discuss that in separate session.

Q Okay. During your tenure there, Deputy Secretary Nides and Senator Lieberman visited Tripoli. Did they also visit Benghazi?

A No, they did not.

Q We talked a little bit about the number of DS agents, and you mentioned that due to the number, sometimes if there were TDY individuals that came to Benghazi, they might not have fulfilled their purpose for being in Benghazi. During your tenure, were there ever instances where TDY individuals were denied coming to Benghazi because of the number of DS agents available?

Ms. Duval. There is a lot in that paragraph. Can we boil it down to a question?

Ms. Jackson. Let's first ask if the witness can answer it in the form that it is.

Mr. [REDACTED]. So I may attempt to restate. So your question is during my time as principal officer, were there TDYers who were told not to come to Benghazi because they couldn't be supported?

BY MS. CLARKE:

Q Yes.

A Yes.

Q And do you recall, was the reason for them being told that they cannot be supported, was that because of the number of DS agents

available?

A I recall going back to our executive office and to the desk, the Libya desk at the Department, at least on one occasion to tell them that we weren't resourced to host visitors.

Q Do you recall whether that was an individual from the Fulbright Program? This would have been early in your tenure at Benghazi, or was this later?

A I don't recall.

Q Okay. What do you recall about any denials of TDY individuals coming to Benghazi?

A Particularly late in 2011, when ~~we are~~^{our} staffing, diplomatic security was low. I believe, to my recollection, that was a time where we gave notice that we were not in a position to host TDYers on the basis that we didn't have the resources for them to go and do the work that they wanted to do in town.

Q Once you made that note, gave that notice, did that change? Did you go back and withdraw that notice and say now we are capable of hosting TDYers?

A We did host TDYers throughout my tenure.

Q During your tenure there, I wanted to talk a little bit about the local guard force. I think you mentioned them earlier, that they helped in response to the individual breaching the compound. What was in place when you arrived as far as a local guard force?

A On my arrival we had the local guard force, that is as I am referring to them, were unarmed, essentially contractors who we had

obtained by going through sort of an intermediary in Libya.

Q And was there a change in the contract that you had with the local guard force? Was another company or another outfit brought in to service the compound?

A The RSO's advice to me was that they were dissatisfied with the local guard force, and late in my tenure, we were moving toward replacing it with a different contractor.

Q What were some of the reasons for their dissatisfaction?

A What I was told was, again, was that the quality of the guards wasn't necessarily what it could be. There were also problems with the individual who was providing them and paying their salaries, that sort of thing.

Q What do you recall were some of those problems?

A I specifically remember that they weren't being paid on time.

Q And as a result, how did that impact the service that they were providing to the compound?

A It is difficult for me to say what influenced their behavior per se. I can only speak to how they were behaving and sort of how the RSO viewed their performance, which was subpar.

Q And how were they behaving?

A Again, issues of performance, absenteeism, or not standing watch as they might were the sorts of things that were reported to me.

Q Were you personally aware of the individuals not performing as expected?

A At times, yes, it came to my attention.

Q Can you elaborate on some of the instances that you were aware of?

A Just noticing the local guards sort of huddled in one place instead of being spread out as they were supposed to be, and things like that, they were things that were pointed out to me by the RSO.

Q And at some point was that contract terminated?

A That is my recollection, but I don't know the timing of it. I don't recall the timing of it.

Q Do you recall, during your tenure there, was a new guard force brought on?

A My recollection is that that was done at the very end of my tenure, and I don't recall if it was while I was there or just after, but it was in train toward the end of my tenure there.

Q So did the 17th February Militia Brigade provided protection for the compound while you were there?

A They did.

Q And what did you think about their services? Were you satisfied with their services?

A Can we break that down a little bit more?

Q Did they have similar issues that the local guard force had as far as absenteeism or not actually performing their duties?

A No, not in my experience.

Q So they were also in place when you arrived in Benghazi?

A Yes.

Q Do you know how it came about that they were a part of protecting the Special Mission compound?

A My understanding of it stemmed from my time forward.

Q Okay.

A And I had engaged with their leadership on occasion, and my understanding is they had been, in essence, assigned to us by the Libyan government, but I don't know how that came to pass exactly.

Q Did the Libyan government or the TNC provide any other assets to the compound while you were there?

A At a certain juncture I asked for additional resources on a temporary basis, and those were granted.

BY MS. JACKSON:

Q Can you elaborate on that? Was there a particular event? What did you ask for, and was it -- and what did you get?

A So during late in 2011, there was an open source cited threat against Western interests in eastern Libya and elsewhere, and at that particular time, we were not fully staffed with Diplomatic Security officers, so I made a request for an armed roving patrol, vehicular patrol, to individuals from 17 February Protective Services to patrol the exterior of the compound.

Q And was that request granted?

A Yes.

Q And for how long did that last?

A Roughly 2 weeks, to my recollection.

Q And how many DS agents did you have there at the time?

A One to two, possibly three, but more in the one-to-two range.

BY MS. CLARKE:

Q Were there other instances that you made similar requests?

A I recollect that I may have, but I can't remember the specifics.

Q Do you recall -- as a political officer, would you have been aware of if there were tripwires in place for Benghazi and what those tripwires were?

A Sure. My role was principal officer, so I had sort of responsibility for all aspects. When I was there, I asked the RSO to review the tripwires, which I found needed to be updated, so they were updated.

Q Was this early on in your tenure, or do you recall about when this occurred?

A I would say it was within the first month or so.

Q And did you do the same thing regarding the evacuation plans?

A Yes, started a process to that as well.

Q And that occurred early within the first month of your time there?

A I don't recall the specific dates. It may have been later. I don't recall exactly.

Q And during your time in Benghazi, do you recall if any of the tripwires were ever crossed?

A I don't recall.

Q If they had been crossed, was that a call that would have been made on the compound, or was that a call that someone in D.C. would have made?

A I can't really answer that. I am unsure of what the answer to that would be.

Q So if in your knowledge, if there was a tripwire in place and it was crossed, what were the steps that would have been taken after that?

RPTR KERR

EDTR SECKMAN

[11:00 a.m.]

Mr. [REDACTED]. So you're asking me to tell you what I would have done about something that didn't -- that I can't remember that it occurred or may not have occurred?

BY MS. CLARK:

Q Well, I'm asking you to tell me what your plan was for once a tripwire was crossed?

A So, during my tenure, we had several Emergency Action Committee meetings, EAC meetings, where these were the sorts of issues that we would discuss looking at the security environment. And it would be typically through those sorts of engagements or sort of more one-off engagements with the RSO that we would have discussions about that and report to Tripoli and Washington those sorts of matters for consideration.

Q And you also -- you said that the evacuation plans were revised during your time there. Can you describe what the plans were?

A My recollection is that the evacuation plans cited a number of conditions that were no longer relevant to the current condition or the current posture of U.S. assets and the situation in this part of the country.

Q And what were the revised plans?

A Again, I can't recall all the specifics, and I'm not sure that this -- I don't recall if these were completed or not. Some of

the -- so, I mean, I can tell you that.

Q Okay. Was there ever an instance where you requested that MSD agents come to Benghazi to augment the understaffing of DS agents?

A I recall having a discussion with Tripoli about having some augmented security, yes, I do recall.

Q And what do you recall about that discussion?

A And, again, to my recollection, servs was during a period of low staffing, and I was exploring with Tripoli what additional resources could be brought to assist the mission.

Q And what was the result of this discussion?

A Those resources were unavailable is my recollection.

Q And you said that this was during a period of restaffing -- understaffing. Do you recall specifically when that period was?

A The lowest period of staffing during my tenure was late 2011. So December, late December.

Q And was it the entire month, or was it for 1 or 2 weeks?

A My recollection is pronounced, particularly pronounced for a couple of weeks.

Q And that -- was that the period where it dropped down to 1 DS agent?

A Yes.

Q When you -- at the end of your tenure, were you debriefed, or did you have some type of writeup regarding your time in Benghazi?

Ms. Duval. Can I ask a clarifying question? Well, at the end

of his tenure in --

Ms. Clarke. In Benghazi, yes.

Ms. Duval. -- Benghazi. That's what you were talking about.

Mr. [REDACTED]. I recall I had discussions when I came back with Libya desk. I don't remember with whom or exactly when, but I think there was -- there was some of that discussion, yes, when I came back.

BY MS. CLARKE:

Q Do you recall, was this an informal discussion or did you have -- did you submit any type of written report?

A No. That would be informal discussion with -- back in Washington.

Q Okay.

A I did have a successor who I met with. We overlapped before I departed.

Q And what did --

BY MS. JACKSON:

Q Did you have any type of turnover document that you prepared and left with your successor?

A Yes.

Q Do you recall what that document was entitled? Was it in hard copy? Was it in electronic copy, you know, in what format? Did you email it to your successor? Did you leave it in the compound? What can you tell us about the attributes of that document?

A My successor, as I said, overlapped with me in person. So we did have a little -- lots of conversations just with the two of us.

I recall SO had done a thing or two in emails just to have something just sort of -- just thoughts on activities he may undertake, people he may choose to meet; also updated the contact database as well prior to my departure.

Q And were those documents left in a directory, or the documents that you created, how were they transferred to your successor?

A I don't recall.

Q Would you --

A My recollection, certainly, there was email. I don't know how the documents were stored.

Q Okay. So you would have emailed -- sent an email to your successor with a document attached?

A I don't recall precisely.

Q Was that your custom and usual -- and usual practice at the time?

A But I can't recall. So I can't tell you if it was my custom and practice.

Q Well, people can have customs and practices --

A Sure.

Q -- without recalling a specific event, just for general purposes.

A Most of the work of the mission was done on email. So there were -- I think there were common folders for storage, but I don't remember the specifics of how they were configured.

Q And were these common folders on the State Department's network?

A I don't know.

BY MS. CLARKE:

Q When were you made aware that this committee wanted to speak with you?

A Some weeks ago. I think in the order of 4 to 6 weeks ago, the Libya desk informed me that the committee had interest in speaking with me.

Q In your -- are you aware -- you are aware of the ARB and its report regarding this incident?

A Yes.

Q Were you requested to provide any documents to the ARB?

A I responded to a request for documents. I don't recall if it was for the ARB or some of the other document requests. And I should clarify that I'm aware of the ARB, and I'm aware of their unclassified report. I understand they have a classified report. I'm not aware of the contents of that.

Q Okay. Do you recall when -- when you were requested to provide documents, about the timeframe when that happened?

A Not precisely. Should have been late 2012, but I don't know when.

BY MS. JACKSON:

Q And what did you gather? You said you gathered some documents in response to a request either for the ARB or congressional

committee. What type of records did you gather and turn over?

A I don't recall the specifics of the instruction, but I followed the instruction and provided the documents as requested.

Q What did you search? Did you search your email account? Did you search directories? Do you -- what do you recall about how you conducted your search?

A Again, I don't recall. I do recall that -- the request for documents had very clear instructions and that's what I followed, but I don't recall specifics of what I searched.

Q Okay.

Ms. Clarke. So we have about 3 or 4 minutes remaining, but I think those are all of our questions for now. So we'll go off the record, and if you like, we can take a break. And then the minority will have their hour of questioning.

[Recess.]

Mr. Woolfork. We'll go back on the record.

It's currently 11:21.

EXAMINATION

BY MR. WOOLFORK:

Q My name is Brent Woolfork. I'm with the minority staff. I'm joined this morning by Peter Kenny and Heather Sawyer, who you met earlier this morning. And so we want to talk to you at least -- at least first going back to some of the questions that we had discussed in the previous hour as it pertains to kind of why we were in Benghazi. And I kind of want to go back to the beginning in terms of your response

as a principal officer on kind of what that entails

A So looking for more details on why we were there or my role as principal officer?

Q To your role as principal officer in terms of meetings that were held, in terms of the need to meet with people because earlier you had mentioned the need to do political monitoring and things like that while you were there.

A So you're asking for how my role as principal officer was relevant to -- I'm sorry.

Q Well, how your role as principal officer was relevant to the mission, as you understood it, in Benghazi.

A Okay. So one of their -- the mission as a diplomatic mission, I had several responsibilities for political reporting, economic reporting, reporting on the general environment in that part of the country, reporting on the east's political transition, Libya's political transition, security issues, refugee issues, any number of things along those lines.

So, as principal officer and, for the bulk of my time there, the lone reporting officer, given feedback I received from Washington, in particular, about the sorts of things they were interested in knowing, about what's going on that helped inform the sort of thing that I was attempting to determine through contact and liaison work reporting-wise.

Q And as a reporting officer, how did you obtain that information? Was it through phone calls or face-to-face meetings?

A Both.

Q Okay. And in terms of the importance of face-to-face meetings, why is that -- is that -- why is that necessary?

A Face-to-face meetings, in my experience, they were more useful for having a relaxed, more fulsome conversation getting additional details. My experience, you know, when you're meeting with somebody, if they are at ease, they're more likely to talk to you about, you know, various matters that are of interest to you.

Q And, during the course of your various conversations, what was your impression of those you were talking with about the United States?

A I would say that that varied fairly significantly.

Q And in terms of the variance, was it -- did you find that some people were favorable to the U.S. presence?

A I certainly found that some of the contacts I was talking to were favorable, certainly.

Q Okay.

Mr. Woolfork. Now, I want to enter as an Exhibit No. 1, a December 27, 2011, memo that's titled, quote, Future of Operations in Benghazi, Libya. This is from then Assistant Secretary Jeffrey Feltman to Under Secretary for Management Patrick Kennedy. I'll give you a few moments to take a look at that document.

████████ Exhibit No. 1

Was marked for identification.]

Ms. Duval. Can we go off the record for awhile?

Mr. Woolfork. Yes.

Ms. Duval. This is a long document. So that he can --

Mr. Woolfork. Yes. Off the record.

[Discussion off the record.]

Mr. Woolfork. Go back on the record.

Now that you've had a chance to take a look at the document, I just wanted to point out that the first 3 pages of the document have a Bates number of 5261557, with the third page mentioning an attachment. Then, following that third page and the next 14 pages, there is a Bates number of 5391931. Based on your understanding, was this the attachment to the December 27 memo?

BY MS. SAWYER:

Q I think, as an initial matter, just first off, we just want to ask you, have you seen this document before, Mr. [REDACTED]?

A Yes.

Q Okay. And it bears the date December 27, 2011. Do you remember whether you saw it around that time?

A I'm sorry. It bears the date?

Q Up at the -- on the first page up at the top it says December 27, 2011, on the very first page of that document.

A Okay.

Q Do you recall if you saw it around that time?

A I recall this memo being in play, if you will, under discussion during the month of December.

Q And were you involved in those discussions?

A Yes.

Ms. Sawyer. Okay. Go ahead.

Mr. Woolfork. I wanted to point you to page 2 of the memo.

BY MS. SAWYER:

Q Were we able to confirm whether the attachment -- sorry. I jumped in and I probably confused the situation, but after the third page, if bears a different Bates number for the remaining 14, I think, pages. Do you recall whether that was the attachment? Because on the page 3, it references an attachment. You see down at the bottom of page 3 it says, "Tab -- Benghazi proposal." Do you recall whether this was the attachment as the Benghazi proposal?

A I don't recall whether this was the attachment to the document.

Q With regard to that second document with the Bates No. 5391931, did you recall seeing that document? Are you familiar with it?

A Yes.

Q Okay. You just don't recall whether it was an attachment to the memo.

A That is correct. I do not know if it was attached or not.

Ms. Sawyer. Okay. So what I'm going to suggest that we do for this time period is actually just separate that and call it a separate exhibit, so we'll just call that Exhibit 2, I think, just for purpose of keeping the record clear.

[REDACTED] Exhibit No. 2

Was marked for identification.]

BY MR. WOOLFORK:

Q Mr. [REDACTED], now looking at Exhibit 1, which was the document with the Bates No. 5261557, I wanted to direct you to page 2, the second full paragraph. It starts with, quote, "A continued presence of Benghazi will emphasize U.S. interest in the eastern part of Libya. Many Libyans have said the U.S. presence in Benghazi has a salutary, calming effect on easterners," end quote. Goes on to say that many Libyans, quote, "strongly favor a permanent U.S. presence in form of a full consulate," end quote. Were you able to locate that section?

A Uh-huh.

Q And then it discusses a little bit later in that paragraph the monitoring of political trends, which you had mentioned earlier, and public sentiment for the elections as well as assistance to help build Libyan civil society. Would you agree that maintaining a presence in Libya was important?

A So is your question, is it time-based, or are you asking me now, or are you asking me in my experience then?

Q During your time in Benghazi.

A So, during my time in Benghazi, did I consider our presence there important?

Q Yes.

A Yes, I did.

Q And what were the reasons you thought it was important?

A They are highlighted here, as I previously discussed.

Q Okay.

A So U.S. engagement during the revolutionary period, during the conflict there was important, and our presence there afterwards was similarly important to try to have a positive impact on the -- Libya's transition from that conflict to its future.

Q Okay. Now, a little bit further up on that page, on the first full paragraph, about halfway through the first paragraph, the memo refers to continuing to, quote, "host" activities, and it lists, for the activities of USAID, PM, and any other U.S. Government TDY personnel.

I want to focus on PM. Is it correct that PM stands for political military?

A I believe, in this context, yes.

Q Okay. And do you know or can you say in this setting what activities were being hosted?

A During my tenure, we hosted, at least on one occasion, a member of the Political-Military Bureau for the Department of State. The Political-Military Bureau ran contracts in Libya for MANPADS removal, demining activities, things of that sort. So there was -- there were programmatic activities ongoing that were managed by PM Bureau.

Q Why was it necessary at the time to have these types of contracts to locate MANPADS?

A During my tenure, there were -- there were -- there was ongoing work locating and destroying MANPADS that was implemented and

through the PM Bureau.

Q Was there an issue with the number of MANPADS in Libya? Was that a concern of the State Department?

A Absolutely, yes, and the broader U.S. Government.

Q What types of threats did those MANPADS or other weapons pose?

Ms. Duval. To the extent that you can answer in this setting.

Mr. [REDACTED]. Right.

I would say, generally speaking, I mean, MANPADS are a threat to civil aviation, among other things.

BY MR. WOOLFORK:

Q And during the course of your work -- or sorry, the PM's work on these contracts, would those contracts involve work with local Libyans?

A I don't know the details of the contracts.

Q Generally speaking, was it known that -- to the public that this work was ongoing in terms of the threat of the MANPADS but also the work to locate them?

A My recollection was that the work on removing MANPADS from Libya was, in fact, was -- it was discussed publicly.

Q Was discussed publicly by whom?

A It was a matter of public discourse through the, I believe, through the Department itself.

Q Okay. I want to discuss briefly, there is a House Permanent Select Committee on Intelligence report that was issued on a bipartisan

basis that found, quote, "the CIA was not collecting and shipping arms from Libya to Syria," end quote, and that they found, quote, "no support for this allegation," end quote.

Do you have any evidence that the State Department was collecting and shipping arms from Libya to Syria?

A No.

Q Okay. Now, we had talked in the previous hour on the requests that were made following the decommissioning of Villa A and the consolidation to Villas B and C, but I want to kind of unpack that a little bit if I could, and I want to talk about kind of the process that led up to those decisions being made.

First off, were there efforts to identify alternative locations?

A Yes.

Q Could you discuss what some of those -- what those efforts entailed?

A Yes. I sought -- as principal officer, I sought expert advice from facilities expert of Embassy Tripoli and also the advice of my RSO and -- in looking at the additional options for the mission complex.

Q Was that something that you undertook soon after you arrived in November of 2011?

A To my recollection, that took place in December, so --

Q Okay.

A I can't state a particular day or what date.

Q And so your recommendation on this was based on that of

the -- this was the -- a facilities manager and your RSO. Is that right?

A We did it as a team.

Q Okay.

A In terms of looking at options. We -- in terms of finding new places, that was -- we had drawn from suggestions we received from different -- different places to check out properties, in essence.

Q Okay.

A See if they were suitable.

Q Well, let me refer to Exhibit 2, which is what would be the attachment to the December 27 memo, and that's again, the document with the Bates number --

Ms. Jackson. I think it's incorrect to refer to it as the attachment since this witness has not identified it as the attachment.

Mr. Woolfork. That's fine.

So we'll refer it to as the Document 5391931.

Ms. Duval. Just Exhibit 2.

Mr. Woolfork. Exhibit 2.

Ms. Duval. Uh-huh.

BY MR. WOOLFORK:

Q Now, that exhibit indicates that there's a number of options, as you just said and as I said earlier, that the top recommendation was -- seemed apparently accepted, which was to stay at the mission and consolidate into Villas B and C.

Now the attachment on page 1 indicates there were several key factors that were considered listing at the top, quote, current and

likely future security posture, and that's about halfway on the page. Were you able to locate that?

A Uh-huh.

Q Now, what was your understanding of the current security posture?

A The documents aren't dated, as far as I can see. I recall the document in question, but I couldn't say what specific date this was written.

Q Okay. Was it a document you encountered while you were principal officer in Benghazi?

A That's my recollection.

Q Okay.

A So it would be -- it's difficult to say because I don't know what -- I can't recall exactly when it was -- when it was written.

Q Okay.

BY MS. SAWYER:

Q So just a quick question. Up at the top it references a [REDACTED], so it's apparently addressed to [REDACTED].

A Uh-huh.

Q Who is your understanding of who that might have been?

A My expectation is that's [REDACTED].

Q Okay. And then it indicates in that second paragraph, authored by -- you'll find attached a breakdown of at least the costs by [REDACTED]. And do you have an understanding of who [REDACTED] might have been? I'm on the first page of Exhibit 2, just in that second

paragraph.

A That would like may be [REDACTED], who was the IMO/management officer.

Q Gotcha. And then, in that first paragraph, it's got an opening sentence, says, Here is our best effort to spin out a few more detailed options for a contraction of our footprint here in Benghazi.

So it would appear, just from the face of this, that this was something that you were -- was being contemplated as part of the recommendation to contract. So does that help you figure out the relative timeframe that you would have seen this?

A Yes. I mean, I would expect this was in the mid-December timeframe, but I can't give you a week or a day.

Q And is it fair to say -- and is it fair to say that this would represent the articulation of the overview, because it has -- when we turn to page 2, it has a discussion section, and it starts with an option 1, Villas B and C; option 2, Villa E; turn the page, option 3, Villas A and B; option 4, Villa D. So would it be fair to say that this was an effort to provide a more robust description of the options that had been considered?

A Yes, I think that would be fair.

BY MR. WOOLFORK:

Q I just want to clarify who is [REDACTED].

A [REDACTED] was the post-management officer during my tenure in NEA/SA EX back one.

Q Did you have regular interactions with her?

A Yes.

Q And what types of interactions would you have had with her?

A My interactions with her were on resources, visas, anything that was relevant to staffing resources, money issues, things of that sort.

Q Just a follow up to Ms. Sawyer's questioning in terms of the Exhibit No. 2. The memo also notes that there were discussions on what co-location. As you know, that was not done, but do you know ultimately why that was not possible?

A I would say it wasn't a question of possibility. It was a question of preference and considering it against other options, which is laid out in this exhibit.

Q And, therefore, the preference was?

A To not pursue that option.

Q Okay.

Ms. Sawyer. Before we leave that topic, I just have a question for you because it does indicate, you know, in the review of the various options, kind of under some of them, as a disadvantage, it sometimes says, no co-location. And then it says, which also has its advantages. It looks like the fourth option was the only option that allowed for co-location and it said, which also has its disadvantages. So could you just talk to us in a general sense as to what were the advantages of co-location and what were the disadvantages?

Ms. Duval. To the extent that --

Ms. Sawyer. -- you can in this setting.

Ms. Duval. If you can.

Mr. [REDACTED]. Yeah, my answer would have to be limited in this setting.

BY MS. SAWYER:

Q We can go -- we can talk about it in classified. Can you answer at least what the preference on the ground was? Was it for co-location?

A I think opinions on that evolved over time, so I think it's difficult to say. I think, as is laid out here, there were advantages and disadvantages to all of the different courses of action. And there were things about it that were appealing and other things that were not. It's difficult to get into the specifics, though, in this setting.

Q And just returning to Exhibit 1 for a moment, on page 3 of that document, there is the discussion of co-location there on page 3 of that document of Exhibit 1. It's in the right, under "Facilities."

A Uh-huh.

Q That second sentence, and I'll just read it: Although all groups have come to the conclusion that co-location is the best and most economical option for continued presence, the State presence cannot be accommodated [REDACTED], and the current State facility is not large enough to permit co-location.

To the best of your recollection, was that the ultimate conclusion that the group agreed on to send this memo up?

A I'm sorry, clarify when you said, "the group," what are you referring to?

Q Yeah. Well, you had said you were involved in the discussions about this memo.

A I was.

Q Who else was involved in those discussions with you?

A I can only speak to what we were doing in Benghazi and, as I mentioned, the individuals that I consulted in forming that recommendation.

Q Sure.

A I mentioned the facilities manager in Tripoli. I mentioned the RSO. And then also I was -- should have mentioned the IMO/management officer was also involved in that discussion.

Mr. Woolfork. Who was the management officer?

Mr. [REDACTED]. [REDACTED], the gentleman I mentioned previously.

But in terms of others who were -- I don't -- I don't have -- I don't know who reviewed this memo or -- and was not -- I recall contributing to it, but it's not --

BY MS. SAWYER:

Q Sure.

A -- but not like that.

Q Did you personally agree with that? Did you agree with the overall memo? Did you sign off on this? Did you get a chance to see it before --

A I recall seeing a version of the memo. I don't know if I cleared up on this specific text or not.

Q Okay. Do you agree with that particular statement?

A I'm sorry, which statement specifically?

Q The one that I read on page 3 about co-location?

A The co-location option had -- was economical, but certainly, we agreed that it wasn't sufficient in size. And as it was -- as discussed here, had other shortcomings as well, from a physical plan standpoint, which helped outweigh all the benefits.

Q Right. The next sentence, it does indicate that there were particularized concerns about the Villa D in that next sentence, the study of proposed Villa, and that one, it would negate any cost savings. Do you know if there were any other concerns about Villa D?

A Yes.

Q That -- what were those concerns with Villa D?

A I have to talk about that separately.

Q Okay. We can talk about that in a classified setting.

Mr. Kenny. Can you, without touching on any classified information, can you share with us whether there were any security concerns about Villa D?

If he feels uncomfortable, that's fine.

Ms. Duval. He can talk --

Mr. [REDACTED]. Well, I mean, I can talk -- I can talk about part of it. Here it referenced in the memo, it mentions physical security. So, in the estimation of the RSO and facility manager, the facility

option had structural, physical drawbacks that could be easily remediated or mitigated. ^{not}

Ms. Duval. I think it may be more sufficient if we move to a different setting so we that can just cover this all, rather than doing little pieces of it.

Ms. Sawyer. We are agreeable to that. I think we can at least leave this, finish up our few other questions and move and finish the interview in the classified setting if that's fine with everyone.

Mr. Kenny. I think I just have one -- one last clarifying question on this.

BY MR. KENNY:

Q So you had mentioned that you'd been given the opportunity to review this document or a version of this document, but you couldn't recall if you cleared on this specific text.

A Correct.

Q Do you recall that you ultimately did clear on the final product that was the December 27 memo?

A I can't recall or I don't know if that's true or not. In a clearance process, one will receive a document and, at a certain point in time, provide input, and one does not always have the option to see the absolute final version. I recall seeing the final version as presented here, but I don't know -- I don't recall whether I was allowed to review the absolute final version of the document.

Q Okay. But did you clear on some version of the document?

A I did clear on some version of the document.

Ms. Sawyer. And you cleared on the recommendation and agreed with the recommendation to contract a footprint by going to Villas B and C?

Mr. [REDACTED]. Yes, is my recollection.

Ms. Sawyer. So just cover the other topics, and then we'll go into -- we'll go off the record just for a sec.

[Discussion off the record.]

Mr. Woolfork. Ready to go back on the record.

BY MR. KENNY:

Q Mr. [REDACTED], before we move on, I just wanted to ask one quick followup question. You mentioned in the beginning of the first hour that you had spent 2 years serving at Embassy Tripoli. Is that right?

A That's correct.

Q Okay. Was Ambassador Stevens also at Embassy Tripoli at that time?

A He was for roughly my last year there.

Q Okay. And did you have the opportunity to get to know him well through your work at the Embassy?

A Fairly well.

Q You had also mentioned some of the discussions you had perhaps over email prior to undertaking your mission as the principal officer in Benghazi. Did the Ambassador, then Special Envoy Stevens, ever share with you his opinion about the U.S. presence in Benghazi?

A Upon my -- upon or just prior to my arrival, I had an email from him that sort of laid out some things that he saw as things to

pursue, ways I might spend my time while I was there, that sort of thing. So I would say that's what I had, sort of top-level suggestions.

Q Okay. So those were more focused on how you could carry out your duties while you were there; is that --

A Correct.

Q -- fair? Okay.

A I would say it was clear from our engagements that he thought the mission's work was important.

Q Okay.

BY MR. WOOLFORK:

Q Mr. [REDACTED], previously, you had discussed the ARB and you had said that you did not recall just what information you had provided. Is that correct?

A I don't recall. I know that I did provide documents. One has to do so in accordance with the instructions. I don't recall what the documents were used for or whether they -- I just provided them, and then I don't know what became of them. I don't know what was for which inquiry.

Q Okay. Were you ever asked or ordered to not provide information to the ARB?

A No.

Q Were you asked or ordered to conceal or destroy information from ARB?

A No.

Q Okay. Now, during the course of that conversation, you had

talked about a few different issues, one dealing with physical security, another dealing with the number of agents that were placed in Benghazi, during your tenure in Benghazi, and I just wanted to kind of discuss briefly some of the findings of the ARB which you had said you had been familiar with. Is that right?

A I met with the ARB. I recall when the ARB's ^{unclassified} ~~classified~~ report came out. I believe I read it. That was several years ago.

Q Okay.

A I have not looked it since.

Q So you read the unclassified?

A Some years ago.

Q Some years ago. Okay. I was going to ask you, you may or not remember, but I'll read some of the findings to you. Now, let me ask you, have you had the opportunity -- let's see, sorry. With regard to physical security, the ARB found that, quote, Given the threat environment, the physical security platform in Benghazi was inadequate.

Would you agree with that finding?

A Could you repeat that, please.

Q Sure: Given the threat environment, the physical security platform in Benghazi was inadequate.

Would you agree with that finding?

A I'm not sure in what context you are asking me the question. My tenure ended in -- on or about February 1, 2012. So the ARB is reporting on events that happened after my tenure. So I don't know

how to answer your question.

Q Okay. Now, in terms of your time since Benghazi, since the ARB report came out in December of 2012, have you seen any evidence, perhaps through your experience since the attacks, the Department has made changes to improve security at overseas posts?

A I am aware, by reading statements by Department officials, that the ARB measures were adopted in whole or in part. I know there have been changes to the Bureau of Diplomatic Security, but I don't know the specifics. I have not followed it closely.

Q Okay.

BY MS. SAWYER:

Q Just a couple of quick questions, and then I think we're about ready to break.

When you were talking earlier in the first hour, you talked about the handover between you and the -- your successor. Can you remind us who your successor was?

A His name was [REDACTED].

Q Okay. And you mentioned you had a number of discussions with Mr. [REDACTED] about your experience in kind of handing things off. And you mentioned that there were potentially some documents. And I just wanted to get a sense, did you have a clear recollection that you actually wrote what would have been a turnover memo for Mr. [REDACTED]?

A I recall writing a fairly short memo with just -- or email or something that ticked off suggestions or sort of just reminders of things that had been ongoing or that may be upcoming. Most of the

handover we had was face-to-face, in person.

Q Okay. And then one of the other topics that you discussed during that first hour was the assessment of whether or not during your time in Benghazi you could support TDYers --

A Uh-huh.

Q -- being at the facility, and there was a specific discussion, I think, of someone who was on a Fulbright fellowship. Do you recall that conversation?

A I don't remember or recall the conversation about the Fulbright individual or related individual specifically.

Q With regard to requests that would come to the mission for people to visit as TDYers, would you be involved in the decision as to whether the mission could support their presence there at a particular time while you were there?

A Yes.

Q And would you be the ultimate decisionmaker as to whether or not the mission could support them at a given time?

A That was never fully tested, but that would have been my expectation.

Q And when you say "it wasn't fully tested," did you make recommendations that people could not come because the mission couldn't support it at the time?

A I did make those sorts of recommendations, yes.

Q And were they -- were those recommendations respected?

A Yes.

Q Did anyone ever indicate to you that -- put pressure on you to change your mind once you made a recommendation that, at that point in time, that posture was not sufficient to support the TDYer or another visit?

A Not that I recall.

Q And when you went about making those decisions, what were the factors that you would consider?

A The primary factor was our security staffing posture and in coordination with the RSO. Those were -- those were -- that was really the primary consideration.

Q And during your time and in your efforts to try to make sure that you had sufficient resources to support the mission, what was your sense as to what might have improved those efforts?

A I'm sorry, what would --

Q Well, you indicated --

A Efforts specifically --

Q Let's talk just specifically on --

A Yeah.

Q -- you had indicated at one time staffing was at -- for a period, at 1 DS agent.

A Correct.

Q And you had made some requests to -- for alternatives. I think you said you requested an MSD detail.

A Uh-huh.

Q And at that point in time, the MSD wasn't available, how

did that situation then resolve itself?

A So the situation in question is my requesting resources, and then that, in essence, not being met. It just wasn't met.

Q It wasn't met, but then were there additional DS agents sent to Benghazi? There was one at the time.

A So, during my tenure, we went to a low of one for a period of roughly about a week, and then climbed up to two, and I think it went from there. So one was the low point. I don't recall specific numbers, whether we got to five or close to five or -- but it was -- the numbers just -- numbers fluctuated based upon arrival and departure schedules, visa availability, that sort of thing.

Q And was that something that you had an opportunity to talk to the Accountability Review Board about the fact the challenges, about staffing of, in particular, DS agents?

A I recall that I did.

Q And did you happen to, in the unclassified version, see their recommendations about the staffing posture?

A I don't recall seeing what their recommendations were.

Q Okay.

A Any specific. Again, as I said, I read the report, but it's been several years. I can't recall.

Q Do you recall when you did read the report -- we don't want you to have to read it again for us right now -- whether you felt that there were significant issues that the ARB had missed?

A I don't recall thinking there were issues they had missed.

Q Did you think that they had done a good job pointing out what some of the -- in your experience, during your time in Benghazi -- not speaking to the time after February 2012 -- that you had experienced with regard to the staffing issues, to the extent you remember it?

A I don't remember enough of the specifics. I don't recall at the time of reading the report feeling that there were glaring shortcomings, but I can't -- at this time, I'm just not familiar with the report at this juncture.

Q And do you feel if you had felt there were glaring shortcomings that you would have brought it to someone's attention had that been the case?

A I can't say. I really don't know. Possibly.

Q And then, just going back to Exhibit 1 for a moment, up at the top it indicates there's an action memo for Under Secretary Kennedy, dash, M. Who was that at the time? Do you know?

A That should have been Pat Kennedy.

Q And so, on that first page, it says, "Recommendation 1," and right under that it says, quote, That you approve a continued U.S. presence in Benghazi through the end of calendar year 2012.

So is it your understanding that this memo, part of its recommendation was making the determination as to whether or not the U.S. would stay in Benghazi?

A Yes, I think to codify that decision.

Q And this memo recommended that the United States stay in

Benghazi through the end of calendar year 2012?

A That's my understanding.

Q And you agreed with that recommendation?

A Yes.

Q And then, as we discussed earlier, the additional recommendation was to contract the footprint, and that's in recommendation 2, and you agreed with that recommendation?

A Yes.

Q And what was your understanding as to the reasons for contracting the footprint in Benghazi at that point in time?

A In my experience, upon my arrival, the facility was sized for a footprint that wasn't -- U.S. footprint that wasn't current during my tenure. It was the -- the facility was -- was too large for, quote, the footprint of the personnel and the resources we had to put to securing the footprint.

Q And the footprint that was going to then be in place in Benghazi, given that the Embassy, I think, a month before you got there had reopened, did that make sense, from your perspective, to have the footprint that was contemplated in this memo?

A Our assessment was that, of the available options, that was the best one.

Q And when you say "of the available options," you're just talking about in terms of picking the Villas B and C?

A And looking at the other options in town that we could -- that we could find.

Q In terms of the overall presence, though, and I'll just point you back to the recommendation 1, the second part of that is that, And that you approve a combined footprint of 35 U.S. Government personnel in Benghazi, including 8 State Department and USAID and 2 TDY beds.

So the footprint of that size, was that one that you agreed with given that the Embassy had reopened in Tripoli?

A So, to clarify, the decision on the number of U.S. personnel stationed in Benghazi was not my decision. So --

Q Whose decision would that have been?

A The memo is to Under Secretary of Management Kennedy.

Q Okay. And so this memo took for granted that footprint and then set out the options and recommended that, with that footprint, we continue into 2012. Is that fair to characterize it that way?

A Could you repeat that, please? Sorry.

Q I said so the memo, as you're explaining it, took the footprint as the presumption that had been approved for 35 U.S. Government, including 8, and then set out the options and recommended that the U.S. stay and recommended staying in the Villas B and C at that point in time?

A I think that would be fair.

Q Okay.

BY MR. WOOLFORK:

Q Mr. [REDACTED], I'm going to run through a series of allegations that have been made regarding the attack, and so I neither -- nor my

colleagues -- necessarily think these allegations have merit. So I'll basically lay out what the allegation is and ask you whether or not you have evidence or not to support that allegation. So I'll go through this quickly.

It has been alleged that Secretary of State Clinton intentionally blocked military action on the night of the attacks. One Congressman has speculated that, quote, "Secretary Clinton told Leon Panetta to stand down," end quote. And this resulted in the Defense Department not sending more assets to help in Benghazi. Do you have any evidence that Secretary of State Clinton ordered Secretary of Defense Panetta to, quote, to stand down on the night of the attacks?

A I have no information on that.

Q Do you have any evidence that Secretary of State Clinton issued any kind of order to Secretary of Defense Panetta on the night of the attacks?

A I have no information on that.

Q It has been alleged that Secretary Clinton personally signed an April 2012 cable denying security to Libya. The Washington Post Fact Checker evaluated this claim and gave it, quote, "Four Pinocchios," end quote, its highest award for false claims. Do you have any evidence that Secretary Clinton personally signed an April 2012 cable denying security resources to Libya?

A I don't have any information on that.

Q Do you have any evidence that Secretary Clinton was personally involved in providing specific instruction on the

day-to-day security resources in Benghazi?

A Could you repeat that, please?

Q Sure. Do you have any evidence that Secretary Clinton was personally involved in providing specific instruction on day-to-day security resources in Benghazi?

A I don't have any information on that.

Q It has been alleged that Secretary Clinton, misrepresented or fabricated intelligence on the risk posed by Qadhafi to his own people in order to garner support for military operations in Libya in spring 2011. Do you have any evidence that Secretary Clinton misrepresented or fabricated intelligence on the risk posed by Qadhafi to his own people in order to garner support for military operations in Libya in spring 2011?

A I don't have any information on that.

Q It has been alleged that the U.S. mission in Benghazi included transferring weapons to Syrian rebels to or other countries. A bipartisan report issued by the House Permanent Select Committee on intelligence found that, quote, "The CIA was not collecting and shipping arms from Libya to Syria," end quote, and that they found, quote, "no support for this allegation," end quote. Do you have any evidence to the contrary to contradict the House Intelligence Committee's bipartisan report finding that the CIA was not shipping arms from Libya to Syria?

A I don't have any information on that.

Q Do you have any evidence that the U.S. facilities in

Benghazi were being used to facilitate weapons transfers from Libya to Syria or to any other foreign country?

A I don't have any information on that.

Q A team of CIA security personnel was temporarily delayed from departing the Annex to assist the Special Mission Compound, and there have been a number of allegations about the cause of and the appropriateness of that delay. The House Intelligence Committee issued a bipartisan report concluding that the team was not ordered to, quote, stand down, but that instead there were tactical disagreements on the ground over how quickly to depart.

Do you have any evidence that would contradict the House Intelligence Committee's finding that there was no standdown order to CIA personnel?

A I don't have any information on that.

Q Putting aside whether you personally agree with the decision to delay temporarily or think it was the right decision, do you have any evidence that there was a, quote, bad or improper reason behind the temporary delay of the CIA's security personnel who departed the Annex to assist the Special Mission Compound?

A I don't have any information on that.

Q A concern has been raised by one individual that in the course of producing documents to the Accountability Review Board, damaging documents may have been removed or scrubbed out of that production. Do you have any evidence that anyone at the State Department removed or, quote-unquote, "scrubbed," damaging documents

from the materials that were provided to the ARB?

A I don't have any information on that.

Q Do you have any evidence that anyone at the State Department directed anyone else at the State Department to remove or scrub damaging documents from materials that were provided to the ARB?

A I don't have any information on that.

Q Let me ask these questions also for documents that were provided to Congress. Do you have any evidence that anyone at the State Department removed or scrubbed damaging documents from the materials that were provided to Congress?

A I don't have information on that.

Q It has been alleged that CIA Deputy Director Michael Morell altered unclassified talking points about the Benghazi attacks for political reasons, that he then misrepresented his actions when he told Congress that the CIA, quote, "faithfully performed our duties in accordance with the highest standards of objectivity and nonpartisanship," end quote.

Do you have any evidence that CIA Deputy Direct Michael Morell gave false or intentionally misleading testimony to Congress about the Benghazi talking points?

A I don't have any information on that.

Q Do you have any evidence that CIA Deputy Director Morell altered the talking points provided to Congress for political reasons?

A I don't have any information on that.

Q It has been alleged that Ambassador Susan Rice made an,

quote, "intentional misrepresentation," end quote, when she spoke on the Sunday talk shows about the Benghazi attacks. Do you have any evidence that Ambassador Rice intentionally misrepresented the facts about the Benghazi attacks on the Sunday talk shows?

A I don't have information on that.

Q It has been alleged that the President of the United States was, quote, "virtually AWOL as Commander in Chief," end quote, on the night of the attacks and that he was, quote, missing in action.

Do you have any evidence to support the allegation that the President was, quote, "virtually AWOL as Commander in Chief," end quote, or missing in action on the night of the attacks?

A I don't have any information on that.

Q It has been alleged that a team of four military personnel at Embassy Tripoli on the night of the attacks who were considering flying on the second plane to Benghazi were ordered by their superiors to, quote, stand down, meaning to cease all operations. Military officials have stated that those four individuals were instead ordered to, quote, remain in place in Tripoli to provide security and medical assistance in their current location.

A Republican staff report issued by the House Armed Services Committee found that, quote, "there was no standdown order issued to U.S. military personnel in Tripoli who sought to join the fight in Benghazi," end quote.

Do you have any evidence to contradict the conclusion of the House Armed Services Committee that, quote, "there was no standdown order

issued to U.S. military personnel in Tripoli who sought to join the fight in Benghazi," end quote?

A I don't have any information on that.

Q It has been alleged that the military failed to deploy assets on the night of the attack that would have saved lives. However, former Republican Congressman Howard "Buck" McKeon, the former chairman of the House Armed Services Committee, conducted a review of the attacks, after which he stated, quote, "given where the troops were, how quickly the thing all happened, and how quickly it dissipated, we probably couldn't have done more than we did," end quote. Do you have any evidence to contradict Congressman McKeon's conclusion?

A I don't have any information on that.

Q Do you have any evidence that the Pentagon had military assets available to them on the night of the attacks that could have saved lives but that the Pentagon leadership intentionally decided not to deploy?

A I don't have any information on that.

Mr. Woolfork. Thank you very much. We'll go off the record.

[Whereupon, at 12:15 p.m., the interview proceeded in classified session.]

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.

Witness Name

Date

Errata Sheet

Select Committee on Benghazi

The witness reviewed the accompanying transcript and certified its accuracy by providing the following corrections. These corrections are reflected in the transcript as identified below.

<u>PAGE</u>	<u>LINE</u>	<u>ALL CORRECTIONS MADE BY WITNESS</u>
8	18	Replaced "signed" with "assigned."
10	3	Deleted the comma between "was" and "the."
20	4	Replaced "residents" with "residences."
25	2	Replaced "they" with "we."
29	11	Replaced "when we are staffing" with "when our staffing"
56	1	Replaced "could be" with "could not be."
59	6	Replaced "classified" with "unclassified."