

RPTR HUMISTON

EDTR ROSEN

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

INTERVIEW OF:

THURSDAY, APRIL 2, 2015

Washington, D.C.

The interview in the above matter was held in Room HVC-205,
Capitol Visitor Center, commencing at 11:08 a.m.

Appearances:

For the SELECT COMMITTEE ON BENGHAZI:

DANA CHIPMAN, CHIEF INVESTIGATIVE COUNSEL

CRAIG MISSAKIAN, DEPUTY CHIEF COUNSEL

SARA BARRINEAU, INVESTIGATOR

BRIEN A. BEATTIE, INVESTIGATOR

SHERIA CLARKE, COUNSEL

KIM BETZ, MEMBER OUTREACH LIAISON

HEATHER SAWYER, MINORITY CHIEF COUNSEL

PETER KENNY, MINORITY SENIOR COUNSEL

BRENT WOOLFORK, MINORITY SENIOR PROFESSIONAL STAFF

For _____ :

MARGARET KRAWIEC, ESQ.

GREG CRAIG, ESQ. _____

Ms. Clarke. This is the transcribed interview of 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 related matters pursuant to House Resolution 567 of the 113th Congress and House Resolution 5 of the 114th Congress.

Could the witness please state your name for the record?

Mr. _____

Ms. Clarke. Thank you. Mr. _____, the committee really appreciates your appearance at this interview. Good morning. My name is Sheria Clarke. I'm with the committee's majority staff. And we will just take a moment to go around the room and have everyone introduce themselves for the record, and we'll start with your counsel.

Ms. Krawiec. Margaret Krawiec on behalf of _____. And I'd like -- I'm sorry. _____ -- and I'd like to flag one issue that we'd ask for everyone to be mindful in the room. We are here today to obviously cooperate, and we want to be very respectful of classified versus unclassified delineations, and we understand that the State Department's position is that information regarding other government authorities and their investigations are classified, and so being respectful of that, we ask that everyone in this room, you know, be mindful of that distinction, and to the extent that you pose questions that you believe will cross that line, we ask that those questions be posed in a classified session to take place, you know, later this afternoon.

Ms. Clarke. Thank you.

Ms. Sawyer. Heather Sawyer, counsel for the Democratic members.

Mr. Kenny. Peter Kenny with the minority staff.

Mr. Woolfork. Brent Woolfork with the minority staff.

Ms. Barrineau. Sara Barrineau with the majority staff.

Mr. Beattie. Brien Beattie with the majority.

Mr. Chipman. Dana Chipman with the majority staff.

Mr. Missakian. Craig Missakian with the majority staff.

Ms. Betz. Kim Betz with the majority staff.

Ms. Clarke. Thank you. Before we begin, I'd like to just go over some of the ground rules and explain how the interview will proceed. The way the questioning proceeds is that a member from the majority will ask questions first for up to an hour, and then the minority will have an opportunity to ask questions for an hour as well if they so choose. We firmly adhere to the 1-hour time limit for each side. Questions may only be asked by members of the committee or designated staff members, and we'll rotate back and forth 1 hour per side until all of the questions are completed and the interview will be over.

Unlike a testimony or a deposition in Federal court, the committee format is not bound by the rules of evidence. The witness or their counsel may raise objections for privilege, subject to review by the chairman of the committee. If these objections cannot be resolved in the interview, the witness may be required to return for a deposition or hearing. Members and staff of the committee, however, are not permitted to raise objections when the other side is asking questions.

And this has not been an issue we have encountered in the past, but I just want to make sure you're clear on the process.

We are going to begin this interview in an unclassified setting. If there are any questions that you are asked that you believe calls for a classified answer, please let us know, and we have a classified facility available for us to discuss those questions at a later point in the interview.

You're welcome to confer with your counsel at any time throughout the interview. If something needs to be clarified, just let us know. We can reask the question, or if it's a compound question, we can break the question down. If you need to discuss anything with your counsel, we can go off the record and stop the clock to provide you that opportunity.

We'd like to take a break whenever it's convenient for you. This can be after every hour of questioning, after a couple of rounds, whichever you prefer. During the rounds of questioning, if you need anything, a glass of water, to use the facilities, to talk with your counsel, just let us know, and we'll be happy to take a break.

As you can see, there is an Official Reporter that's taking down everything that's said today to make a written record. We ask that you give verbal responses to all questions, "yes" and "no" as opposed to nods of the head. And I'm going to just ask the reporter to feel free to jump in in case you do respond non-verbally.

Do you understand that?

Mr. Yes.

Ms. Clarke. Also we should both try not to talk over each other. Sara's actually going to be doing the majority of questioning, and I may jump in as need be, but just so that we don't talk over each other, it's easier for the reporter to get a clear record.

Please, we want you to answer our questions in the most complete and truthful manner possible, and so we'll take our time and repeat or clarify questions if needed. If you have any questions or you don't understand, again, just let us know, and we're happy to clarify or repeat those questions. If you don't know the answer to a question or do not remember, it's best not to guess. Just give us your best recollection. And if there are things you do not know or can't remember, if you can provide a name of an individual that you think may be able to provide the information.

You are required to answer questions from Congress truthfully. Do you understand that?

Mr. . Yes.

Ms. Clarke. This also applies to questions posed by congressional staff in an interview. Do you understand that?

Mr. . Yes.

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

Mr. . Yes.

Ms. Clarke. And is there any reason you are unable to provide truthful answers to today's questions?

Mr. . No.

Ms. Clarke. Okay. That's the end of my preamble.

Is there anything the minority would just like to add?

Ms. Sawyer. Just briefly, and reiterate your counsel's, you know, concern that delineation between classified information and unclassified is respected. Generally we do not seek to solicit classified information, but at the end of the day, from the ranking member's perspective, the most important thing is that you feel comfortable sharing fully and completely any information that you think we need to know. So we certainly don't want you to feel uncomfortable policing that line, so you should feel free, if any question makes you uncomfortable, just to say you would like to follow up in the classified setting. We're happy to do so. We have made clear that that is an option that's available to us today.

So, again, we appreciate you being here and we look forward to hearing your testimony, but do feel comfortable just saying, "I'd like to answer that in the other setting" --

Mr. . Thank you.

Ms. Sawyer. -- if anything makes you feel that way.

Ms. Clarke. Okay. So the time is now 11:15 and we'll begin with our hour of questioning.

Ms. Barrineau. Thanks.

EXAMINATION

BY MS. BARRINEAU:

Q Agent , we really appreciate both you coming today

and your service to our country in Benghazi and elsewhere.

Can you tell us, to get started, about your professional experience before you joined DS?

A Okay. Before I joined the Department of State, I was a presidential management fellow with

. I was an international relations specialist. I worked there for approximately 2-1/2 years.

Prior to my job at I was a graduate student at , where I got an MPA

Prior to graduate school, I was working as a linguist contractor in for the DOD. This would have been about 2001 to 2003. And prior to that, I was a in from 1999 to 2001.

And during this time, I was also in the military, originally in the Marine Corps Reserves; most recently in the Army National Guard. And , I deployed with the National Guard to Afghanistan.

Q So when did you join DS?

A 2009.

Q What made you want to be a DS agent?

A I knew about the job from my time as a . And having been a former Marine, I knew the Marines in country and I knew the RSO, and I got familiar that way and found out about the job, and after graduate school, considered applying. And I applied to DS while I was on deployment to Afghanistan. When I came back from my

deployment, I interviewed, and several months later started with the Department of State in 2009.

Q So since 2009, what have your assignments been? What have you done with DS?

A My first assignment after training with DS was to the field office where, in addition to just the standard duties that we perform there, I did a 30-day TDY to Haiti after the earthquake in 2010. I was on the second rotation, so I was there from probably day 30 to day 60 of the earthquake. And I provided security, so it was a one-person team doing security for a couple U.S. staff hospitals right along the border between the Dominican Republic and Haiti.

After that, went back to the field office, and I did a 90-day TDY to Juba, South Sudan, where I supported SCRS, which was the Office of Stabilization and Construction. They were doing expedition diplomacy out in South Sudan in and around the referendum for independence. So I was a TDY RSO for 3 months in Juba for the referendum period and beyond.

After my tour at the field office, based on my experience with SCRS, I took a position assigned to what at that time was SCRS, which is now CSO, Conflict and Stabilization Operations, which is now part of the J Bureau after the restructuring, and which is the State Department's expeditionary diplomacy wing. So I was one of five DS agents that was designated as a security liaison to CSO for their overseas engagements.

That position was administratively housed in DS/IP, which is a

Diplomatic Security/International Programs, which was led by Charlene Lamb. So I was administratively assigned to them.

Work-wise, I was fully supporting CSO, so I had visi- -- I had a couple different chains. So Charlene Lamb was one chain of command, and then the J Bureau, sort of, I operationally worked with them and for them.

Q Okay.

A And I did that for 2 years. And with them, I did deployments to -- in that capacity at that time, I did my TDY to Benghazi, and with them, I also supported Conflict and Stabilization Operations in Zimbabwe, Kenya along the Mombasa coastal area, as well as supporting the Syrian opposition operations out of Gaziantep in Turkey, and I TDY'd for Turkey to assist with that as well.

Q That's it?

A That's it.

Q Okay.

A And then after my assignment at CSO, I was paneled to become the Assistant Regional Security Officer in _____, so I attended Foreign Service Institute for _____ language training. And then in summer of 2014, I departed Washington, D.C., for _____ where I've been the ARSO in _____ for the last 7 or 8 months or so.

I'd been through -- prior to going to Benghazi, I'd been through the DS high-threat course.

And that's kind of it in a nutshell.

Q So as part of your assignment in CSO, whichever acronym

we're using right now for it, did you volunteer to go to Benghazi or did they ask you to go to Benghazi?

A I volunteered to go to Benghazi for a couple of different reasons --

Q Okay.

A -- one of which was being housed in DS/IP, international programs, I knew -- I worked closely with _____, who was the desk officer for Near Eastern Affairs within IP. Because CSO had been looking to get a foothold into Libya prior to this, they were -- and they were trying to find out how they could run operations there, getting information about the reality on the ground and how feasible that was was difficult from back here in D.C.

And then I heard simultaneously from _____ that over the Thanksgiving and Christmas and New Year's holidays, the DS staffing in Benghazi was going to be down to one agent, and that was a very big concern for _____. And _____ a very good friend of mine, and I knew friends who were in Benghazi at the time, so I volunteered.

I only had about a 6-week window that I was free, but I knew that there was nobody else that could go and I knew that I would be able to get my chain of command to sign off on this because I could use it to justify if I go there for 6 weeks, I'll understand the security situation on the ground and specific to Benghazi, but I'd have a better understanding of Libya proper and that would assist me in helping CSO coordinate future operations in Libya if those ever came to fruition.

So I was able to get approval to go for 6 weeks. Sometimes it's

difficult to get approval to take a TDY, simply because you're working for another office and they don't want to give you up. So in that sense, I was helping both IP to staff it and CSO to get some ground troops on how Libya was in terms of operations.

So I volunteered. I didn't have to go, but I felt it was a good opportunity on several fronts.

Q So do I understand correctly that you started as an ARSO when you got there, and then the RSO left and you filled in for the second part?

A Yes.

Q Okay. As the acting RSO?

A When I got there, the RSO was . We were at three agents at the time. So was the ARSO,

out the New York field office was an ARSO who had already been there, and then I was the second ARSO. Several weeks before me, the staffing was at four total agents, a few weeks before that, it was at six agents, a few weeks before that, it was eight agents.

The November-to-December time period was a critical one in Benghazi, because the staffing pattern had gone from up to maybe 10 or a dozen agents when it was a protected detail and Christopher Stevens. And then as the sort of political power shifted from the opposition in Benghazi, they were moving to Tripoli, Chris Stevens was preparing to move to Tripoli, and so the agent numbers were dropping very quickly over the November to December time period from, you know, ten agents down to two and then one agent, and then it sort of bottomed

out in December and sort of maintained at that level throughout. So that was kind of a critical decision-making process as sort of the staffing pattern changed abruptly.

Q Okay. Let's back up just a little bit, and then I want to go back to the staffing.

Okay. So you volunteered to go. Did DS, or the State Department, provide you any kind of security brief, threat assessment, anything before you got there?

A They did. provided me with the sort of package that they were giving to TDY agents going out.

Q Right.

A To be fair, having already been in that office, already working in expedition diplomacy and already sort of tracking on Libya for the several months prior because of my CSO responsibilities, I was probably sort of gradually learning this as I went. So a lot of other agents, this was out of the blue, so they were given so maybe a more formal briefing.

Q Right.

A I didn't necessarily do that as a sort of 1 day, we're going to go through everything, because it was done sort of more informally between me and over several weeks.

Q So knowing that, that you sort of had a background in this to begin with, what were you expecting the situation -- let's start with security-wise, to be when you got to Benghazi?

A I was expecting it to look something like a consulate.

Q Okay.

A Even though it was -- and some people were informally referring to it as a consulate at the time. I was expecting this, again, to look something like a constituent post, like a consulate. So I was expecting something that reminded me of a diplomatic facility of some sort.

Q That you had seen before --

A That I had seen before.

Q -- on other TDY's?

A Yes.

Q What were you expecting about the security environment in Benghazi at large, like, out in the city, not just on the compound, but the city at large or the region?

A I mean, the expectation was that it was dicey, that it was unstable, that it was dangerous. So, I mean, we were fully aware that this was a -- you know, going to be a, you know, challenging TDY --

Q Right.

A -- and that there were lots of security issues and that there was a lack of information about who the groups were that were operating there and there were a lot of change in allegiances. So I knew full well going in there that it was a very unknown sort of threat environment.

Q And you said that you had had the high-threat training. So when you went to Benghazi, was the State Department considering that a high-threat environment or a high-threat post? I know a lot of those

designations came about after Benghazi, but did you understand that you were going to do a high-threat TDY?

A I don't recall at the time, because a lot of things changed administratively after that --

Q Right.

A -- but it was designated as high-threat-trained agents only. I do know that at the time, there had not been that many agents that had gone, so I know that was doing a very diligent and good job of hand selecting agents.

I don't remember high threat being the only criteria, but he was specifically trying to get agents that had military, and preferably combat experience or other relevant experience like medical EMT, some sort of experience that would lend itself to play in very much a sort of paramilitary type of setting.

I don't think at the time it was hard and fast rule that you had DS high threat, although it might have been, because I had it, so it wasn't an issue.

Q So it didn't matter?

A Yeah.

Q Okay. So you landed in Benghazi, expecting it to look sort of like a consulate.

A Uh-huh.

Q What did it look like?

A It was basically three residential villas, very nice ones, that we just knocked down a couple walls in between them and called

it a mission.

Q Did it have the official diplomatic status of a mission?

A At that time, I did not know, and at that time, it was not clear to me that that specific delineation -- exactly how that delineation worked and what exactly the repercussions of that were.

Q Okay.

A So at the time, it was never -- I was never told that you are not at a diplomatic facility. I sort of came to discover that as I was there, but it was very -- I don't think I was ever told directly, and it was difficult to be explained exactly what the status was.

I requested very strongly to get some sort of documentation or official designation or an explanation of what we were and what our legal status was, and I sent emails to that end, and I never really got a satisfactory explanation. So there was an element of confusion as to what exactly we were and what we were entitled to.

Q And did that concern you that you didn't know exactly what the legal or diplomatic status of the facility was?

A It concerned me greatly.

Q Why?

A At the time -- and, again, my -- I learned a lot in the, you know, 5 weeks that I was there, so my understanding of Benghazi at the end versus the beginning was completely different. And also, because of the position that I was in with an IP --

Q Right.

A -- I continued to learn about Benghazi. And stuff that I

had learned while I was in Benghazi helped inform me about things I saw after I left Benghazi.

Q Right.

A While I was in Benghazi initially, once I became RSO, the compound was woefully inadequate in terms of physical security. There were a whole number of things that we didn't have, and a lot of things that we did have were completely insufficient.

Q Okay.

A So once I became RSO, I started a flurry of requests asking for physical security upgrades --

Q Okay.

A -- funding for physical security upgrades. And I was getting non-committal and confusing answers as to why that was not going to happen, so I was pressing at DS/IP for a clear understanding of why, you know, seemingly simple and reasonable requests are somehow not occurring. And so , you know, gave me some explanation as to what the background on this was.

Q So what was the -- well, okay, first, let's go back before I ask you what the explanation was.

So you understood that with a consulate, and correct me if I'm wrong, or an embassy or an official mission, that there would be minimum security, physical security standards that would have to be met?

A Yes.

Q And you, when you got there, didn't think you had, forget the maximum, didn't feel like you had the bare minimum?

A No.

Q Okay. So let's start with what you requested before you tell me what the explanation is. Do you remember specifically what you thought Benghazi needed to meet just the minimum threshold to have a presence there?

A Yes. Towards the -- after several one op sort of requests, I put together a list of -- and for full context, I'll have go into the explanation about why I requested what I did.

Q Absolutely.

A So I put together a list of, call it a dozen requests in terms of guard platforms, sandbags, concertina wire, escape hatches, guard booths, lighting, requests towards the end of December. I sent that out initially in kind of an informal email, because we didn't have any ability to send cables.

Q Okay.

A sent it out again, because there was some confusion about it the week after I left, so it went out again under his name. So we made initial requests. I think the total estimate of all these things was about \$26,000.

Q Okay.

A And they were all deemed to be field expedient fixes that could be done with local labor and local material and that would have, you know, very little cost to implement and it could be done very quickly.

Q And this is to get us to, like, the minimum standards, not

we're building a fortress in Benghazi?

A No. This was to look outside the window and see glaring deficiencies and say, we could get this done in a week --

Q Okay.

A -- and we would be better off in a week than we are today.

Q So you sent that request in informally via email, because you could not -- you didn't have the capacity to send a cable from there --

A No.

Q -- right?

A No.

Q Okay. So who did you email?

A I'd have to take a look at the email to see if anyone was cc'd. Everything I did was channeled through --

Q Okay.

A -- who was the desk officer.

Q Okay.

A Just a point to clarify, because some people may have experience with constituent posts and consulates and other things. Typically a constituent post, like a consulate, would fall under the embassy.

Q Right.

A Benghazi was such a weird situation, that Benghazi was -- from my point of view, was being run out of Washington, D.C.

Q Okay.

A We had -- we had almost no relationship with Tripoli.

Q Okay.

A They would be cc'd on things, and they did some things administratively for us, some finance type, accounting things they would do, because we didn't have any personnel to do it.

Q But you didn't need a request to go through the RSO in Tripoli?

A We would see cc them --

Q Okay.

A -- on everything, but, again, it was a very unusual situation, where normally you would be under the embassy in Tripoli when -- patch everything through them. We were dealing almost exclusively with D.C., so I would email, primarily, as the point of contact to go up the DS/IP chain.

Q So you asked him -- tell -- one more time. So you asked him exactly for what? You asked for sandbags, you said?

A Sandbags, concertina wire, lighting, guard platforms that would go about halfway up the wall, because we had -- on three sides we had 10-foot walls --

Q Okay.

A -- and we didn't have cameras on them, so we couldn't see on the other side of the wall.

Q Okay.

A And they were too high for us to see over. We asked for guard platforms so that we could be able to get elevated so we could

look over the walls for observations, also so we could have fields of fire if we were being attacked, and also for an escape route if we had to flee the compound if we were attacked.

Q Okay.

A So we asked for things like that. We asked for lighting, because the compound was pitch black at night. And one of our walls was 4 feet tall in the back from the street, so there was zero ability to prevent anybody from hopping over the fence, and then you had just a pitch black area to then come into the compound.

Q And all of that wasn't covered with cameras, either?

A No.

Q Okay. So you sent this email. And what, if any, response did you get?

A That was -- that email was sent right as I was leaving.

Q Okay.

A So I didn't get much personal follow-up on that.

Q Okay.

A That was right towards the end.

Q Had you -- was that the first time you'd made any of those requests, or had you been making requests all along and that was kind of the consolidated effort?

A That was a consolidated effort. It was requested by that I do that.

Q Okay.

A I -- a lot of -- a lot of these conversations happened by

phone.

Q Okay.

A Most of the pertinent information was done verbally. And I had been told by that really no controversial information would be passed by email, so anything that was really of a sensitive nature would have to be done by phone; that anything that was sent by email that could be deemed later to be controversial would not be answered.

Q Did he explain why that was?

A He did. And this -- so this was a conversation I held with . And I'll complete the two things --

Q Okay.

A -- the issue of the physical security request that I wanted and also the inability to really communicate frankly via email.

Q Okay.

A When I took over as RSO, I called , because I was getting the runaround on some physical security requests, complaining to him vigorously, you know, what the problem was. I told him that, you know -- to use frank language, I told him that this was a suicide mission; that there was a very good chance that everybody here was going to die; that there was absolutely no ability here to prevent an attack whatsoever; that we were in a completely vulnerable position, and we needed help fast, we needed it quickly, or we were going to have dire consequences.

told me -- and he did this in good faith so I would

understand where I stood.

Q Right.

A He told me that -- , he said -- because I asked for -- the security force I asked for in that conversation, I said, , our perimeter security is non-existent, we have walls with lattices that somebody can shoot through; we have walls with footholds people can climb over; we have a 4-foot wall back here; we have no lighting. So all these physical security standards, especially around the perimeter of the building were completely insufficient, and we needed large amounts of money and this was going to take time, it was going to be expensive, but we needed this desperately to make this place safe.

Q Right.

A told me, he said, , he said, everybody back here in D.C. knows that people are going to die in Benghazi, and nobody cares and nobody is going to care until somebody does die. The only thing that you and I can do is save our emails for the ARB that we all know is coming.

So this was December of 2011. He made it very clear to me that in DS/IP, in the State Department, and he was speaking very broadly, that everybody knew that deaths in Benghazi were very likely, and that they were already talking about an ARB. And so he told me that everybody is being very careful about what they're putting in emails, because people are worried about how these emails are going to look --

Q When the ARB comes calling.

A -- when the ARB comes calling. So he told me, he said, you're not going to get answers to these questions by email. They're going to be by phone.

RPTR HUMISTON

EDTR HOFSTAD

BY MS. BARRINEAU:

Q And did that prove to be accurate?

A Yes.

Q Did he give any indication of who he was referring to, in terms of who knew that Benghazi was bad and knew that people were going to die and didn't want to deal with sensitive information via email? Did he --

A Specifically, who would not deal with sensitive information was -- specifically, he named Charlene Lamb --

Q Okay.

A -- and so the DS/IP chain.

In terms of how bad the situation was in Benghazi, he said everybody back in D.C. dealing with this. He was in meetings every day on this, and everybody knows. This is common knowledge. You're not telling us anything new. He said, you know, DS agents before you told me the same thing. Everyone knows. This is not news to us.

Q Who, since he -- and you may or may not know this. If you don't know, that's okay. But if he was in meetings about Benghazi back in D.C., who did you get the impression was calling the shots on how Benghazi was being run and on whether or not these upgrades were being denied? Does that make sense?

It sounds like he wasn't the one saying, no, you can't have it. Did you get any indication of who was saying, no, you can't have that?

A I could answer that in a couple of parts. He told me at the time that I was in Benghazi, he gave me some indication of why we were in the situation that we were in. Subsequent to that, you know, working in IP, I learned of other information that helped explain what I had been told in Benghazi.

So when I was in Benghazi and when I was asking about the inability to get these funds for the security upgrades we needed --

Q Right.

A -- told me this by phone. said, , you can't have any of the things that you want; there's no money. And he said, Pat Kennedy has not given any money for Benghazi. There's no money for you guys there for security.

He said, the only -- again, said this in good faith to try help us.

Q Right.

A said, the only thing you can have -- he said, put together a list of things that you can do local labor, local material, and they don't cost anything. Put that list together, and I, , will do everything I can to get some nickels and dimes from different budgets to try to fund those, you know, really field-expedient, low-cost upgrades.

He said, that's all you're going to get. He said, if you ask for anything more, all you're going to do is piss off the chain of command,

because you're going to embarrass them. So, you know, he's like -- and he even told me, he said, it's your choice. He said, you can ask for things you're never going to get and you're going to piss off the chain of command and you will probably get sent home.

And the purpose of this, I was an untenured 4 at the time, so it was -- you know, I was reminded of that, that I needed to be very careful about the tone of my email and the impact it's going to have on department leadership because I'm an untenured agent that does not have job security while being in charge of Benghazi.

So, yes, I was told that the only way that we can get you security upgrades is if they basically don't cost anything and we can, sort of, you know, steal a couple bucks here and there from other pots of money, that there is no budget for Benghazi.

Q How is there no budget for Benghazi?

A This is something I started to understand while I was in Benghazi, but this was the first time I had been faced with this situation, so I had to kind of muddle through the bureaucratic process. But it's something I became familiar with in IP again at a later date.

Q Okay.

A And one of the reasons I had continued familiarity with this was, as part of CSO, I dealt with on a daily basis, before and after Benghazi, expeditionary diplomacy, so sort of working outside of embassies in these sort of nonofficial compounds. So I, you know, learned about that and became more informed about this process both before and after Benghazi.

So, at the time, I didn't realize that, based on the memo, the action memo to Pat Kennedy to extend the mission in Benghazi, that we had been, I don't know if you would say designated a nonofficial diplomatic facility or just not designated as an official diplomatic facility, but that designation was not made. The way we were structured, we were not a diplomatic facility.

Q Okay.

A So notification was never made to the Libyan Government that we were a diplomatic facility.

And, again, this is what I was starting to understand then and what I learned later, that if you are a diplomatic facility within the State Department, you have physical security requirements that are in the FAM, the Foreign Affairs Manual. And it is a very detailed, large set of rules that you have to follow to operate a diplomatic facility. It requires you to have physical security standards that are typically going to be expensive and will take time to do.

If you are in a nondiplomatic facility, there are no security standards. They don't exist. So it's all or nothing.

And, again, the significance of that, initially, may have been a little lost on me, as I didn't understand necessarily the ramifications. But this is what I was getting as I was sending emails to different offices in Benghazi, that I would want, for example, to build guard booths for the guards, and I would ask the office in DS that funds guard booths, can I get, you know, \$1,500 to buy three \$500 guard booths that I can do here locally? And what I was told was, no,

you can't, because you are in a diplomatic facility -- or you're in a nondiplomatic facility that does not have any physical security standards. Statutorily, I can't give you any money out of my budget to pay for a guard booth that you don't rate.

So regardless of how much money was in a particular budget to pay for a particular thing, they weren't able to do it because we were not a diplomatic facility. For example, the perimeter wall should have been -- a lot of these things should have been done by OBO, the Overseas Building Operations. They wouldn't fund us because we weren't a diplomatic facility.

So we had a perimeter wall that was completely woefully inadequate, provided really no security for us, an obvious thing that needed to be fixed. And the problem was just, you don't have a requirement for a wall, for a perimeter wall, so we can't statutorily give you any money for something that you don't statutorily require. There's no FAM requirement for it.

And this continues to be an issue with expeditionary diplomacy, that there are no FAM requirements for what physical security is outside of a diplomatic facility. So once you leave that official diplomatic status, you are really in a gray zone, not just in terms of status but in terms of access to funding. The money can be there; you just can't have it.

And this is -- to kind of illustrate that, because, you know, it talks about access to particular funding versus other funding, our expenses -- and this is on the action memo. This was sort of an addendum

to the action memo that Pat Kennedy signed. Our expenses -- and this is recollection. I think we were paying \$70,000 a month for rent for the three villas --

Q Okay.

A -- and we were paying \$15,000 a month for a chef, cash. So we had a chef on the compound, an Egyptian guy. And I think it was based on 7 people at \$70 a day, let's call it 500 bucks a day, so it was about \$15,000 cash that we were paying this guy to cook a couple meals for us.

Because -- and I'm not a finance person, so I don't know the source of the funding that paid for that, but because that was funding for per diem food, travel expenditures, there was no limit to the amount of money we could have for that.

Q So there was money somewhere.

A We paid \$15,000 cash out of our office to a chef.

Q Okay.

A And we were getting denied \$500, \$1,000, \$2,000 for security upgrades.

Q Because the standards don't apply to a nondiplomatic facility.

A Because, yeah, the offices that control that money just statutorily can't give it to you.

Q Right.

A But wherever that food money came from is fair game. You can use that anywhere. But, again, I'm not a finance expert, so I can't

tell you why we could get \$15,000 a month for food --

Q Right.

A -- but we couldn't get any money for security. And it was just bureaucratic technicality. It was where the money came from and what you could legally use it for.

So that was the issue. We were in a nondiplomatic facility. No physical security requirements applied. Therefore, the offices that would normally fund the requests that we were making couldn't fund us.

BY MS. CLARKE:

Q I have a question. So you said that you don't know if it was that there was no designation or that it was designated as a nondiplomatic facility. But did you come to an understanding of why either there was no decision made or there was an affirmative decision to designate it as a nondiplomatic facility?

A The decision to do that was made by Pat Kennedy. I mean, well, the action to do it was made by Pat Kennedy. So I am assuming that that decision was made by Pat Kennedy or somebody above him. So I have no visibility on that decisionmaking process, but the memo that created that situation was the one that was signed by Pat Kennedy. So who decided that that was the route to go and why, you would have to ask them.

Operationally, practically speaking, if you had made it a diplomatic facility -- and this is just as me speaking about, from my experience, what would have happened in Benghazi if you had done that. If you had said this is an official diplomatic facility, you would have

immediately been completely out of standards and in violation of the entire FAM. And somebody would have had to have waived that and signed their name to it and taken responsibility, or you would have had to close the facility down immediately. By making it not a diplomatic facility, nobody had to sign a waiver to maintain it and there were no standards to meet.

One of the other issues that I think we encountered was, in terms of local security, we had five members of the February 17 Martyrs Brigade who lived on compound with us, and they were outstanding. We had them by way of a dipnote, so it was sort of an informal process. We'd given a dipnote to the entity that seemed to be the Ministry of Foreign Affairs in Benghazi, we asked for some security, and they provided us with these five soldiers that we only paid them a daily per diem. And they lived in a building on our compound.

They provided that for us, but my understanding -- again, towards the end, I understood this better. My understanding was the Libyans were doing that, sort of, voluntarily.

And, again, my understanding now of the designation of official versus nonofficial is that, had we been official, the Libyan Government would have been obligated to provide us security. If we're not an official diplomatic facility, I don't think there's any obligation under international law for the Libyan Government to protect us, to provide security.

So they provided us the five February 17th guys, which was great, but when we would ask for more, when threat levels -- this became an

issue, I believe, later -- I don't believe there was a legal obligation for them to do so because of our status as a nonofficial -- we weren't accredited, the building wasn't accredited, it wasn't a diplomatic facility.

So we were unable to even provide any funding for our own security; I don't think the Libyans were obligated, as well, to provide anything for us either.

BY MS. BARRINEAU:

Q Okay. So let's go back to that for just a second. Since you have spent some time in CSO both before Benghazi and after Benghazi, working with other expeditionary diplomacy posts, for lack of a better word, did you see anything before or after Benghazi that -- how shall I say this -- looked like the Benghazi model? The notion of just put it out there, don't call it a facility, and then you don't have to meet any standards.

A Yes. Some of that's going to talk about current operations.

Q Okay.

A And I prefer to do that in another setting --

Q Okay. That's fair.

A -- because if I identify current --

Q Absolutely. But you have seen --

A Yes.

Q Okay. Cool. We'll save that.

Okay. So let's go back -- sorry. Let's go back to Feb 17th. So

you had sent a dipnote. Well, not you specifically, I don't think, but DS or the people in Benghazi sent a dipnote to the Libyan Government, and they sent you, kind of on a good-faith effort, these Feb 17 guys.

A Yes.

Q Was there any sort of, for lack of a better word, contract for what they were going to do for you? Or was it just kind of they showed up, and it was a verbal agreement where you guys built the relationship with them?

A Ad hoc. We built the relationship with them.

Q So anything they did or didn't do was kind of an agreement where you just made it on the fly?

A We had no operational control over them, no. We provided them housing, and we gave them, I think, like, \$27 a day, which for them was a very good paycheck --

Q Right.

A -- so they were very happy to work for us.

Q Right.

A But, yeah, there was nothing that I ever saw that was any sort of contract obligation. It was just sort of done on an ad hoc basis.

Q So what did you expect that they were going to do for you, both on a daily basis and if things ever went south?

A On a daily basis, they were great to have. There were five of them. Typically, you know, there might be one to three of them around. They were armed with an AK and two magazines.

So, I mean, the biggest thing that we would use them for operationally daily was they could, if there was an issue, like, at the front gate, they could go engage it, because they speak the language, and they had a lot of street cred, so people would listen to them. They had pull. So if we had a situation, you know, again, a disgruntled person would come to the front gate or there was something going on, we could have one of them go out there and talk to somebody or address it. And they would, you know, typically handle it probably easier than we would.

We would use them sometimes to accompany us or take us places in Benghazi. That really wasn't part of what they were supposed to do, so we didn't always do it, but if we really felt we wanted to have one of them with us, sometimes we'd grab one and take them with us.

So they were a great comfort to have living there. But, again, there was only five of them, and, typically, you know, two or three might be there at any given time.

Q Did they generally -- did they speak English or --

A One or two of them spoke some English, and we dealt with them.

Q Okay. So what did you understand their role to be if there was ever any kind of a security incident or an evacuation necessary or an attack? What did you think their role would be?

A It was very undefined because it was not necessarily a formal relationship. So we understood their role to be to help us.

Q Okay.

A There was a large February 17th Martyrs Brigade camp in town, so we knew that, if we needed it, we had a line of communication with their people.

And, again, they sometimes were just fixers for us for little things that would come up. But it was just nice to have a couple extra guys on the compound.

Q Absolutely.

Did you think that if you had needed them -- and "them," the ones on the compound, and the larger unit in town -- did you expect that they would respond if you asked for help? I guess, what was your confidence level that that would happen?

A My confidence level was the five guys that we had when I was there, that I had full confidence in them individually.

Q Right.

A Those five had been part of the revolution, and they had been part of all the initial events in Benghazi with Christopher Stevens, with Susan Rice, with John McCain. They were intricate parts of all those operations. So I felt that they were personally extremely loyal to the U.S., to us, to Chris Stevens, to Susan Rice on a personal basis because they had had a pretty close relationship with all those people. I had no doubt that those five guys personally would be there for us.

I had no confidence that people from their organization would be there for us --

Q Okay.

A -- because they -- again, these five guys individually, it was irrelevant that they were February 17th Martyrs Brigade. These five guys had just been with the revolution and the U.S. mission there from day one. I felt they had a very personal stake in it, in our success. And, at that time, they were still passionate believers in the Benghazi revolution.

So I personally put my life several times completely in their hands, and I never had any doubts in doing so. I would not have felt the same way about any other militia members out there.

Q That showed up.

A Yes.

Q Okay. So you had the Feb 17 militia. Did you also have a local guard force or something like it?

A We did. We had a local guard force of sorts. It was 20 guys. They were pretty young kids, mostly just wearing plain clothes. So we had 2 10-man shifts. Typically five or six would show up per shift.

Q Out of 10?

A Out of 10.

Q Okay.

A This was not -- and this was one of those things where, you know, we had a local guard force, but in no way did what we have look like a local guard force program as it is supposed to exist in the Department of State.

Q Right.

A What we had were just a bunch of guys that we gave some money to who showed up, and they had a panic button. And, typically, for a 10-man shift, 5 or 6 would show up. So for a 13-acre compound with various exits, entrances, we had 5 or 6 guys that we would kind of post out there. And they were unarmed, untrained.

And our expectation of them, since they did work for us and we were paying them -- the Feb 17th, we gave them a stipend --

Q Right.

A -- but we paid the local guards. We were very clear in our expectation with them that if we get attacked and we have an incident, we have no expectation for you to defend us because you can't.

Q Right.

A It's, hit the panic button just to let us know, and then run.

Q Okay.

A They were fully -- we're okay with you doing that.

Q Okay.

A Just disappear.

So, typically, with those guys, you know, again, we'd have five or six. We had no coverage on, you know, blind spots on our compound with those five or six guys. We gave up a lot in terms of that.

So that was our experience with the local guard force program -- or the local guards at the time. And that was not the contractor. That was just the locally hired guys that we had.

Q So did every guard have a panic button, or was there, like,

one at each gate? Do you remember?

A I can't recall exactly if every single guard had it or just at the entrances.

Q Did they have radio coms with you?

A Yes.

Q Okay. So they could at least explain to you, if they spoke English, why maybe they had pushed the button as they were running off?

A They know. The February 17th guys had radios --

Q Okay.

A -- and so, sort of, the operational reality was the LGF would hit the panic button and the Feb 17th guys would sort of take some control of the local guards and that communication. So the communications were local guards to the couple February 17th guys who spoke some English and we had a daily relationship with, and they would probably come through that route.

Q Okay. So you're not going to know immediately -- if the local guards hit the button, you're not going to know immediately where the problem is on the compound.

A No.

Q You're just going to know there is a problem.

A Yes.

Q Okay. And was there a formal contract with the local guards, or was that, again, just some guys you hired locally?

A To be perfectly honest, I'm not sure. All the money stuff was being handled by the IMO.

Q Okay.

A The TDY information management officer, that was sort of their function, that they were there to make sure the unit worked, and also they were the money guy.

Q Okay.

A So they handled the disbursement of money and those contract issues.

Q Okay. So let me ask this, then.

Mr. Craig. There's a gazillion people. I'm sorry.

Ms. Barrineau. No problem.

Mr. Beattie. Let's go off the record.

Ms. Barrineau. Let's go off the record.

[Discussion off the record.]

Ms. Barrineau. Okay. We'll go back on the record.

And, for the record, we'd like to add the addition of an additional counsel. Mr. Greg Craig has joined us.

BY MS. BARRINEAU:

Q Okay. So I think when we stopped we were talking about the local guard force, and -- oh, you said you didn't know exactly where the money was coming from.

So my question is, when 5 or 6 guys out of 10 would show up for a shift, was there any recourse or chain of -- was there anything you could do about it, or were you just stuck with the 5 or 6 for the shift?

A In practical terms, no. There was nobody else to hire. There was really -- there was no management. And, to be perfectly

honest, we were overwhelmed. With two agents on the ground --

Q Right.

A -- I mean, we were working from 7 in the morning until midnight. And a lot of things administratively fall through the cracks simply because you're doing too many things in one day --

Q Right.

A -- and you're out driving around town doing this, so a lot of this week work you're trying to do in the waning hours of the day and the nighttime. So, no, there was very little that we could do.

Q And even if you had time, not really anybody you could call anyway and say, where are the rest of the guys?

A No. No.

Q So you brought up an interesting point that I was going to get to but we'll go there now.

So when you arrived, it was you and two other agents.

A Yes.

Q Did that staffing level stay pretty consistent while you were there, or did it go up or down?

A No. When I first got there, it was me and two other agents.

Q Okay.

A Several weeks later, it was down to two agents, myself and one other agent. And as I was getting ready to depart, we were going to go to one agent. And if the staffing pattern remained the way it was, with our expected incoming agents, we were going to go down to zero agents. And that would have been around January 4th or 5th or

so, we would go down to zero agents.

Q Who was going to do security of the compound if there were zero agents?

A That was a very good question. There's background on this, but in and around December 28, the staffing pattern got so bad that I sent an email and I also -- this was preceded by a phone call. I threatened to abandon the mission.

Q Okay.

A I threatened to pull everybody out and just unilaterally abandon Benghazi.

Q And what were you told when you threatened to do that?

A Can I backtrack --

Q Absolutely.

A -- a little bit?

So I began requesting additional support to come out of Tripoli from our MSD, Mobile Security Deployment, which is sort of our SWAT team, because I think they had 18 MSD agents in Tripoli. I asked for a couple to come to Benghazi to assist us, because, simultaneously with all this, we had open-source reporting in Benghazi that there was a potential vehicle-borne improvised explosive device attack planned against Western consulates in Benghazi over the Christmas-New Year's holiday. We assumed that to be us. And we were going to be at two agents and then down to one agent.

So I was asking for -- I think it might have been as early as the 23rd, 22nd or 23rd, I began asking for this TDY support. And I was

told we were not going to get it.

Q Who told you that?

A by phone. The MSD commander in Tripoli told me it's probably not going to happen. It has to be dealt with by DS/IP and MSD command --

Q Okay.

A -- and that it was not going to happen.

Q Okay.

A So, by February 28, it was getting to the point where I was going to leave and leave by himself for a day. And because of delays with visas, et cetera, there was going to be a gap of no agents if left when he was planning to leave, on January 4.

Ms. Clarke. And just to --

Mr. . Yeah.

Ms. Clarke. You said February 28. Did you mean --

Mr. . December 28.

Ms. Clarke. -- December 28?

Mr. . I apologize. I apologize.

So I called by phone, and I told him that if he didn't get me bodies, that I was going to abandon the compound.

BY MS. BARRINEAU:

Q Okay.

A That is not something I can put in an email.

Q Right.

A I would have faced retribution.

Q Right.

A So I submitted an email where I gave DS/IP three options. I said, based on the fact that we're going down to a zero-DS-agent staffing pattern and I can't get TDY agents to come out from Tripoli, which you could do in a day -- and there's, again, 18 agents in Tripoli -- I gave three options.

I believe they were, I can leave the two Americans on the compound, the principal officer and the IT guy, by themselves and just have

leave as planned by himself and leave the two Americans unguarded. Or I can evacuate the entire compound, and we just all go to the airport, get on a plane, and fly to Turkey and abandon the compound. And I gave a third option, which we'll discuss at a later time.

Q Right.

A And all those options were clearly not going to work.

Q Right.

A But I believe from the 23rd until the 28th, when I was requesting the MSD replacements, I actually was never denied. I never got an email. I never got a response. I was told off line by people, by colleagues, friends who were at MSD, that you're not going to get it. And I think it had been hinted at in emails that you're not going to get it, but I couldn't get a definitive answer. Nobody would answer those emails.

So I believe on the 28th I sent the email threatening and followed with a phone call saying I was going to abandon the compound. And then

I believe immediately after that I got an email from MSD saying, oh, we could probably send two agents out there. So it took me threatening to abandon Benghazi to get an indication that they might send two MSD agents.

Q And that response came from MSD, still not IP?

A From MSD.

They ended up -- I don't believe they ended up sending them, because at the last minute volunteered to extend another month to avoid this, to his credit.

Q So I assume from the fact that you were threatening to abandon the post that you didn't think that zero agents or one agent was sufficient for that compound. Did you think that two or three agents was sufficient for that compound?

A No.

Q What did you think -- bare minimum, how many agents did you think that compound needed to be able to secure it in the fashion that it needed to be secured for Americans to be there?

A If you asked me how many agents I think we needed to secure that compound, it would probably be in the dozens.

Q Okay.

A The compound as it was, there was really no way to secure that compound. I mean, there was no right answer on the number of agents.

Q That wasn't going to fix the problem.

A No.

Q Just more bodies would not have really helped you with --

A There would have had to be enough bodies to -- you know, again, we're talking dozens of agents with weapons to be able to defend that compound.

Q Do you know why -- and if you don't, that's okay, but I know you talked earlier about how the staffing decreased pretty drastically from 10 down to where you got down to about 3 when you got there. Do you have any idea why the staffing decreased so drastically or who made that decision?

RPTR MCKENZIE

EDTR HOFSTAD

[12:08 p.m.]

Mr. . Yes. Well, I was told by , the desk officer, when I asked him, why don't we have more agents here -- because the memo that Pat Kennedy signed on December 27 -- but I had seen the edits, so I knew it was coming, people knew what the content was -- it said staffing should be at five DS agents.

Also in that memo, we had inserted in there while we were there that only two of these five agents are currently staffed, indicating we were at 40 percent security staffing.

BY MS. BARRINEAU:

Q Right.

A It still ended up being signed. I asked why we didn't have five agents, which is not sufficient but --

Q But that's what you'd said we have.

A We need bodies. Why can't we at least have what's in the memo as a minimum?

Q Right.

A told me that Charlene Lamb had said under no circumstances are we ever going to have more than three agents in Benghazi at any one time.

Q And while you were there, were there ever more than three agents in Benghazi?

A No.

Q Okay.

A And so, yeah, when you have three agents as your cap, you are typically at one and two because somebody is always coming and going and visa issues.

Q Right.

A But we were told that we were capped unofficially at three, as a maximum, by Charlene Lamb.

Q By Charlene Lamb.

Ms. Barrineau. Do you have any --

Ms. Clarke. Just a couple of followup questions.

BY MS. CLARKE:

Q One, you said that you would need dozens of them, DS agents, to secure the compound and that you thought that it was impossible to defend the compound. Can you break that down? Why did you think it was impossible to defend the compound?

A There was no outer perimeter security that would prevent anybody from almost instantaneously coming in the compound. And inside the compound, there was no safe haven to go to to protect yourself.

So the discussions that I had with the principal officer, who was while was there, was we all knew that this ended in a firefight in the compound. And there's no way to survive a firefight in a villa compound. There's nowhere to go, there's nowhere to run.

I mean, all you can do is shoot everybody who is trying to attack

you. That's the only way you survive that. And there's no way that one, three, five guys can do that against any opposing force. You would literally need dozens of guys to hold off, you know, a group that was trying to attack you.

That's why.

Q So it was the size of the compound and then the way the -- the facilities that were in the compound, the walls, et cetera, that led you to believe that it was impossible to defend the compound?

A Yes. There was no ability to prevent people from getting in, and inside the compound there was no place for us to go to be secure.

At a typical embassy or consulate, you always have a safe haven. So you have what they call a "hard line," which, if the perimeter wall is breached, you can lock down what they call the hard line, which basically seals up the consulate building. And there's a safe haven room within that building that everybody can go to.

And so worst-case scenario, 1,000 guys come into an embassy or a consulate, there is a room that everybody can go to that nobody is ever going to be able to get into. You are safe there. And that did not exist at all in Benghazi.

So there was nowhere to go to internally, and there was no way to keep people out from the external.

Q You also talked about that you had submitted several requests for upgrades and that you kind of consolidated all of those requests into one email. But during your time in Benghazi, were any of those requests granted?

A The time was too short to actually see them granted. A few of them were.

The one that is most significant in terms of that would have been -- I requested, I think, 17 jersey barriers from the British -- what was their mission that they had abandoned because it was too big for them to defend. They had about 100 jersey barriers about 3 blocks from us.

No jersey barriers were set back from our compound, but Tripoli had been trying to get -- some of our gates didn't even lock. So we had to put armored vehicles to prevent them from opening. And there was no anti-ram to keep anybody from ramming through the compound. So we had to put armored vehicles at the gates just to block anything.

Tripoli was trying to take our armored vehicles. We were trying to fight that. Because they needed them to drive around; we needed them to prevent somebody from driving through our gates.

So I was trying to get funding to get these jersey barriers that we could use to create vehicle traps and standoff, and it was going to be a minimum of 17 to do so. This was, I think, . There's a lot of emails I have from him on this. He's with DS/PSD, and I think that's Physical Security Division, but I'm not positive on the acronym.

His role was just an advisory role. And he had said that OBO should fund this, but they won't because we are a temporary facility. So his office doesn't have any funding, but he was going to try to get some nontraditional ways to get some money to help us out to get these

jersey barriers.

But the only way he could justify it was by saying that, if we get these jersey barriers, that will free up three fully armored vehicles to send to Tripoli. So it benefits Tripoli. And because these jersey barriers are, you know, concrete objects, in theory, we could load them up on trucks and ship them to Tripoli when we eventually close Benghazi down.

So I was told after the fact by _____ that, in fact, that \$11,900 was, in fact, found and was sent to Tripoli and they did, in fact, get those jersey barriers. But this was, you know, I think months after the request went in. And it was predicated on the fact that you can have the money because it's freeing up the FAVs to go to Tripoli, and those are objects that can be removed from Benghazi and sent back to Tripoli.

And that, though, to me, was a success story. I mean, _____ and his office did what they could to get us something.

BY MR. BEATTIE:

Q I have a question about requests for additional security. When Ambassador Pat Kennedy testified in front of the House Foreign Affairs Committee --

A Yes.

Q -- he testified that all the requests made by Embassy Tripoli on behalf of the consulate in Benghazi were met, except one. And I believe his testimony was that there was a request for massive guard towers that was not granted. I was wondering if you were familiar

with that request.

A It's my request, and that was an inaccurate characterization of that.

Q That was your request?

A It was my request.

Q But it was inaccurate?

A Yes.

Q How was it inaccurate?

A Nobody ever requested guard towers. What I requested was a guard platform. So, again, we had 10-foot walls with no ability to see over them and no cameras. What I requested was a platform that would be built up about, you know, 5 feet up with steps.

That way, if there was something happening on the other side of the wall, I could go up the steps, stand on the platform, peer over the top, and be able to have a field of vision and a field of fire, if I needed it, for what was on the other side. And, also, that would be a way for us to evacuate over the wall.

Somehow this got into some idea of giant guard towers at, you know, the corners of the compound, with agents looming. I don't know where that came from, but that was never part of the request. But, again, nobody ever followed up with me and asked me for further clarification or what I meant by that request.

Q Okay.

A But that was my request he was referring to.

Q And then one last question on that. Ambassador Kennedy

used the specific formulation that requests made by the Embassy on behalf of the consulate in Benghazi were met, except for the guard towers or the -- whatever you want to call them.

Is there anything significant to you, from your perspective, about that formulation? In other words --

A Yes. I believe -- and this may have been -- this may be where some of that talk was coming from -- was, as I said, at the time, there was no ability for Benghazi to send cables, so everything we sent was in an email form. I believe he may have been referring to the fact that only referencing official cables that may have come from Tripoli and not referencing emails that were, in fact, identified by everybody as having the full effect of a cable because it was the only capability for us to send this out. That may be what that terminology is referring to.

Q Thank you.

A Could I add one thing? Because it's relevant --

Q Of course.

A -- to the opening question.

That is, yes, I believe you are accurate that that statement was made, that we fully funded all the requests that were made. But I would bring us back to the comment I made earlier, which was I was told by , "You can't have any of the things that you want. You can only request things that don't cost anything."

So the requests that were made were sort of caveated with, "They can't cost anything." So, yes, things that didn't cost anything were

fully funded.

And by "don't cost anything," I was told minimal, as cheap as you can do it. So, yes, requests that didn't cost anything were fully funded.

Q Relatively de minimis costs would be accepted.

A I was -- yes.

BY MS. BARRINEAU:

Q So the jersey barriers were eventually taken care of. Do you know of anything else, any other requests that didn't cost anything that were granted?

A I did not have personal visibility on when and how they were granted, but I know from my experience in IP that they, in fact, happened.

For example, when I was in Benghazi, there were no escape hatches on any of the villas. So while I was in Benghazi, I requested -- I asked in one of the requests, and I asked for schematics for how to build, sort of, field-expedient escape hatches for the windows.

I know for a fact that those occurred because that's how the special agent who was in the building escaped, was through one of those escape hatched. I can't tell you when and how it was procured. But, again, those are things that can be done for several hundred dollars.

Q Gotcha.

A So, yes, some things like that did, in fact, happen.

And all those requests that we made were good; they were things that we needed. I think some additional fencing and lighting were

done. But a lot of what was done was, there's a right way to do it, and then there was the cheap way that doesn't cost much to do it. And basically all the requests that were made were sort of the cheap and not correct way to do it.

You know, so you may have done this, but it wasn't done the right way, it wasn't done to any standard, you know. But some of them were, in fact, done, to some extent.

Ms. Clarke. So I see that we have reached our hour, so what we will do is go off the record and take a break, and then the minority -- if you all want to take additional time for a break, we will do that. And then we can get into some of the minority questions.

[Recess.]

Ms. Barrineau. All right. We'll go back on the record.

BY MS. BARRINEAU:

Q Did you, during your time -- I know you've talked about some of the decisions Pat Kennedy made. Did you ever have any conversations or videoconferences or anything like that with Pat Kennedy?

A I want to say -- the short answer is I, personally, no.

Q Okay.

A Did we as Mission Benghazi? Yes.

Q Okay.

A I believe it was December 24, Christmas Eve, we were told that Pat Kennedy was going to do a video teleconference with us.

Q Okay.

A I had a discussion the night before with . And,

as the RSO, I should have been in on that discussion. I emailed DS/IP and told them that I would like them to be on the call because I was very concerned about how this call was going to go.

Q Okay.

A And I talked to _____, the principal officer, and I told him that I was nervous about the VTC because I was going to directly challenge Pat Kennedy and have some very harsh things to say about physical security at Benghazi. I knew, though, that that was going to get me into hot water and cause me some difficulty.

And he was the principal officer. My allegiance at the time was to him, that I am advising him. So I gave him the option, would you like me to be a part of that VTC? If so, I can't promise I'm not going to go off on Pat Kennedy.

Q Right.

A If you don't want me to, I won't. But I can't promise I'm going to keep my mouth shut.

And _____ told me that it might be better for me not to participate in the VTC --

Q Okay.

A -- and that he told me that he would promise to try to bring up the same issues, because he knew what the issues were and what my position was. And he told me if the opportunity came up that he would address those in the VTC.

Q Okay. So did anyone from the RSO shop participate in that VTC?

A Yes. , the ARSO, participated.

Q Okay. What did you understand the purpose, beforehand, the purpose of the VTC to be?

A We were not sure.

Q Okay. Did you find out from either or , after the fact, what was discussed --

A Yes.

Q -- and how that went?

A It was to wish us a merry Christmas and to give us a pat on the back. Nothing substantive was discussed.

Q So there was not even any mention of the security --

A No.

Q -- of the compound.

A No.

Q Okay.

A That's what was told to me by --

Q Right.

A -- Principal Officer and ARSO .

Q But that's what they both told you.

A Yes. They said the opportunity just wasn't there, and Pat Kennedy never even got close to that direction. It was more of just a friendly "merry Christmas" call.

Q Okay.

Let me switch gears a little bit, since you said that you had described this as a suicide mission and that people were going to die.

In the event that you had a chance to evacuate Benghazi, what did you understand the evacuation plan to be, if you had time to do that?

A Save that discussion for later.

Q Okay.

And my last one, and then I will make sure they get to ask theirs.

Are you familiar with tripwires?

A Yes.

Q Did Benghazi have any tripwires?

A Yes.

Q Were you aware of them, as the RSO, during your time there?

A I became aware of them as the RSO during my time there, yes.

Q Were they formal and written down, or were they discussions of things that could go bad?

A They were not formal in the traditional State Department Diplomatic Security sense, as I understand tripwires and that process to be.

Q Right.

A They were done on an individual level by somebody who was in that office. It was just a, you know, Word document that had a couple tripwires and an evac plan.

When I found that document when I became RSO, it was outdated. It --

Q Okay.

A -- was back to when it was a protective detail and a lot of other things were happening. And it had options on there that, when

I called back to the DS/IP, I had been told that those options had been off the table for months.

Q What do you mean, "options"?

A In terms of how we would get out of there -- DOD support, helicopters, ships, et cetera -- that the document we had was still a reference to the reality, you know, from 3 months ago or 4 months ago.

Q So, during your time there, I mean, were any of the tripwires -- once you found the document -- were any of the tripwires crossed?

A The tripwires that I found were sort of irrelevant --

Q Okay.

A -- at that time, just because of the political dynamic. Like I said, they were outdated.

Q So let me ask this. While you were there, did you understand there to be any scenario where, if X happens, we leave?

A No. The tripwires, as they were written, were based upon, my guess, as the revolution was still happening. So if this city falls, then this might happen. And it was based upon not being in a physical compound but being a mobile protective detail around the person.

So they just bore no semblance of reality to where we were and what the tripwires were. It was just an outdated document that really had no function for our facility.

Q Okay.

Ms. Barrineau. I think we're good. We'll go off the record.

[Recess.]

Mr. Woolfork. The time is 12:44.

So, Agent _____, again, my name is Brent Woolfork, on the minority staff. I am joined by my colleagues Heather Sawyer and Peter Kenny. And so we're going to try and make this process as easy and straightforward as we can for you.

EXAMINATION

BY MR. WOOLFORK:

Q First, I kind of have some housecleaning issues in terms of your time in Benghazi. When did you first arrive?

A I don't remember the exact date. It was, I think, just after Thanksgiving. I was supposed to arrive the week before Thanksgiving, but there was a visa holdup.

Q Okay. So sometime around --

A November 20- -- late 20s, something like that.

Q Okay. And when did you leave?

A I believe it was December 31.

Q Okay.

A Just before New Year's.

Q And is it correct that when you first arrived you were the --

A ARSO.

Q -- ARSO?

A Correct.

Q And in your previous postings, you had mentioned you served in both Haiti and South Sudan. What were your roles in those posts?

A So, in Juba, South Sudan, I was a TDY, a 90-day TDY ARSO assisting the -- it was a one-man shop, the RSO who ran the Embassy. STRS at the time was doing a big, sort of, expeditionary diplomacy program out in the, sort of, provinces of South Sudan. So it was too much work for the RSO, who was focused on the Embassy, to focus on. So my main role was to assist him in dealing with that, sort of, outside-of-the-Embassy posture that we had.

Q Okay.

A And then in Haiti I was just sort of -- it was the earthquake. I was just sort of there on the border to make sure nothing bad happened to Americans. So I didn't actually work out of an embassy. It was a very vague type of situation. But it would have been as a TDY ARSO.

Q Okay.

And when you transitioned from ARSO to RSO, how long were you the RSO in Benghazi?

A 10 days.

Q Okay. So it was towards the latter part of your time there?

A Yes.

Q Okay.

Now, during your time in Benghazi, do you recall a threat by Qadhafi regime loyalists that occurred over the holiday period?

A Yes.

Q Could you tell me a little bit about that?

A So there was open-source reporting in a local newspaper that

Benghazi security officials had arrested -- I don't remember the number but a decent number of what were reported to be Qadhafi loyalists who had some vehicle-borne IEDs, RPGs, weapon caches, et cetera, and that when they were arrested they had said that they were going to attack Western oil companies and Western embassies in Benghazi over the holidays, and they were going to call it Operation Papa Noel.

We had no ability to vet that information. So, as the RSO of that facility, I mean, I took it as it was, that this was potentially a real threat, and started to make some preparations for that.

Q And what types of preparations did you start making?

A Primarily, I was asking for MSD support to come from Tripoli to Benghazi.

Q Okay.

And then, once you heard of this threat, did you hold any meetings at post?

A Yeah. We met every day. And, again, at the time, it was only _____, the principal officer; myself; and _____, the ARSO. So, yes, we held meetings to discuss this.

Q Did you recall holding an Emergency Action Committee?

A I do.

Q Okay. And could you tell me what an Emergency Action Committee meeting is?

A Let me backtrack for a second.

Q Sure.

A We held what we called an Emergency Action Committee. Not

unlike a lot of other things we discussed here, what we had as an Emergency Action Committee was not like what you would have an Emergency Action Committee anywhere else under any other circumstances. An Emergency Action Committee is just -- an EAC and an EAC cable is just the official way that you report threat information in the State Department. So we didn't do anything special.

Typically, in an EAC, you would get all the different relevant department heads at the Embassy, most of whom would not be aware of these issues as they are occurring. You bring them in to convene an EAC to put that on the record as sort of the opinion of the Embassy writ large.

Obviously, at a normal embassy, you might have 50 to 200 Americans working. Here we had four. So there was no real need to elaborate to other people what was happening. This was a discussion we were having 24/7.

So we had a brief discussion. And then, typically, at the end of the EAC, you write up a cable that you send out. And so wrote up an EAC cable and sent it out.

Q Okay. I am going to enter as Exhibit No. 1 a document.

[Exhibit No. 1
Was marked for identification.]

BY MR. WOOLFORK:

Q So this is Exhibit No. 1, which is an email that was forwarded from you on December 23, 2011, to an apparent listserv of DS/IP/NEA. And the document number is C05392213. And it's marked,

"Sensitive but Unclassified."

So I will give you a few moments to take a look at this document.

A Okay.

Q Now, I guess halfway down the page, there's a -- it looks like there would be an initial email that's dated also December 23, and it contains a document then that is, quote, "Benghazi EAC -- December 21, 2011."

And is this the document that you were referring to just a few minutes ago?

A Yes.

Q And did you --

A In terms of the document as being the EAC that would be the official correspondence you would send out regarding any security type of issues.

Q That's correct, yes.

You mentioned that Principal Officer had a role in drafting this; is that right?

A He wrote it.

Q Okay.

A He sent it.

Q Did you have any role in drafting it?

A No.

Q Okay.

A I commented on his -- I mean, we talked informally about it. But I didn't have a role in drafting this.

Q Okay.

Now, the top email mentions there is a listserv DS/IP/NEA. Can you explain what that is?

A Yes. That's DS, International Programs, Near East Affairs. So that would've been the -- was the desk officer for DS/IP/NEA, because within the International Programs Office, which was headed by Deputy Assistant Secretary Charlene Lamb, you would've had DS/IP/NEA, EAP, SCA, WHA for the different regional sections.

So this just would've -- because I believe I just saw the cc list, that it was, like, sent, for example, individually to , was the last person on the cc list, but not to his office writ large. So all I did was forward that on to the office out of protocol.

Q So would you say that this email was widely distributed within at least NEA and Diplomatic Security?

A This email would've been widely distributed amongst anybody that would've been dealing with Benghazi and Libya.

Q Okay.

I wanted to point you down to the second paragraph, which is conveniently labeled paragraph 2. And it says, quote, "On December 21, the Principal Officer (P/O) chaired a meeting of Mission Benghazi's core Emergency Action Committee (EAC). RSO and IMO also attended the meeting," end quote.

And you attended this meeting? Is that what you said earlier?

A Yes.

Q And did any -- you mentioned the RSO but also an IMO. What is the IMO?

A IMO is information management officer, who was . I believe he was a TDY IMO out of Cairo. So he came in there for however many -- 4, 6, 8 weeks -- his appointment was going to be.

Q Okay.

And you mentioned that Mr. had drafted the document. But does this document accurately reflect, to your understanding, the discussions that occurred during that particular EAC?

A No.

Q Okay. And what were some of the issues in here that you don't see that were accurately reflected?

A The EAC document does not accurately reflect the threat information, how vulnerable we were, and what our real needs for security were at the time. And the document identifies some of the concerns, but it doesn't explain them in very good detail, and it sort of soft-pedals them a little bit in this document.

Q And in terms of the disagreements, I guess, in that they weren't reflected, I guess, how did those discussions, I guess, unveil themselves during the course of this meeting?

A So there were no disagreements during our discussion. Everybody was on the same page.

When submitted this, I read it and told I didn't think it was a very good description of our concerns and our impression of Benghazi. And he told me, I know, but if I said anything more harsh

than this, it won't be accepted.

Q Okay.

A So this is as harsh a language as I can use and have it still be accepted by the State Department.

Q Now, in terms of your concerns, you had mentioned earlier your repeated requests to make physical security improvements at the compound. Were those some of the issues that you felt that were not adequately reflected in this document?

A Yes. And some of this is intentional. It's done to try to get what little we can get.

When I would send -- first of all, again, I was told that you can't have the physical security requirements that you want because there's no money to pay for them, but go ahead and submit some physical security requirements that are field-expedient, can be done very cheaply and quickly, and we'll try to get those funded.

Now, those emails, though, go through the, sort of, you know, DS/IP chain or through some of those specific offices that have funding. What assists people in making those decisions is when you have an EAC, which is something that goes out department-wide, as, sort of, rationale and justification.

So you will see in the document, there are some references to -- paragraph 4, you know, fourth line, "discussed a range of other additional, relatively low-cost security enhancements that should be made in the immediate term while the contraction of the Mission's footprint is considered in Washington."

This would be, sort of, contemporaneous with emails that we're sending to individual offices saying, we're trying to get funding for these relatively low-cost, temporary fixes that we could do. So the goal of putting that in there would be giving that office some sort of cover, that if they were asked, why did you give Benghazi money for this, they can say, if you look at the EAC, they asked for some of these improvements.

So this reflected some of the requests that we made after having been told, you can't have the request that you want. So I think

was trying to marry them up just to get approval for the little bit of funding that we were trying to realistically get.

Q Okay.

Now, as followup, I wanted to specifically get to some of the items, because some of them you had previously mentioned.

In paragraph 4, which you pointed to, it reads, "The EAC also discussed the pending request to condense the Mission's facility space and make related security enhancements, including improvements to the perimeter walls and emplacement of jersey barriers and/or drop arms at Mission gates."

And before getting to those, I actually want to kind of talk about some of the basics, kind of delve a little bit more into the basics of the compound itself. You had mentioned earlier that the compound was essentially residential villas. Is that correct?

A Yes.

Q And how were those villas, I guess, divided? Did you have

names for them?

A Yes. They were Villa A, B, and C when I was there.

Q Okay.

A Villa A, I believe -- and they're not backwards -- Villa A was eventually dropped.

Q Okay.

A So, yeah, there were three villas, A, B, and C.

Q And were you -- you said they were dropped while you were there?

A The discussion to drop was being done and made while I was there.

Q Okay.

A But while I was there, we had all three villas.

Q And were you involved in the process of making a decision on where the mission would continue in terms of its physical presence?

Ms. Krawiec. Please, can you clarify your question?

Mr. Woolfork. Sure.

BY MR. WOOLFORK:

Q Did you have a role in the discussions that were taking place in Benghazi regarding the physical location of the mission?

A Discussions regarding the present and future physical location of the mission were done sort of informally. And, to some extent, yes, again, because we were such a small mission, that, yes, I was part of those discussions.

And we had a TDY facilities maintenance guy come from Tripoli who

also did some work to look at potential options, and I would accompany him on those trips to look at some of the properties.

Q Can you recall that individual's name?

A .

Q Was it ?

A Yes.

Q Okay. And you just said that you accompanied him to some of those facilities?

A Yes.

Q Okay. And do you recall what, I guess, the options were in terms of those facilities?

A Yes.

Q Could you describe what those are?

A One I could describe later.

Q Okay. Or the ones that you can describe in this setting.

A Yeah. Nothing special other than other residential houses that they looked at. There was absolutely nothing remarkable about them. We looked at one other house, did a quick inspection, and determined that it was not going to work.

Q Not going to work in what way?

A In any way. There was just not a security structure. It was just, yeah, not going to work.

Q And from a security perspective, were there any concerns?

A There were security concerns about every single facility, yeah.

Q Okay.

A Yes.

Q But, I guess, given -- in Benghazi, did you see that there were limited options in terms of suitable facilities?

A Yes.

Q Okay. And so in terms of -- you said there were issues with, kind of, everything, including security. What did you find in terms of other facilities that you visited?

A We looked at one other one I'll discuss in more detail later. But, I mean, more generally speaking, everything that we looked at -- and this was just always where we were on everything in Benghazi. If you went with this option because it gave you this, then you started to give up something else. So if you went with another option to get this, then you gave up something else.

So nothing gave you what you needed. Something might be better in one respect, but then it would be worse in another respect. So there was no way to find something that met all of our needs.

Q Okay.

And you said that eventually Villa A was dropped.

A Yes.

Q Does that mean that the mission remained in the compound just with Villas B and C?

A Yes.

Q Okay. Do you have any insight in terms of why Villa A was dropped?

A Simply because, you know, with one, two, three agents, we just literally couldn't physically be there.

Q Okay.

A It was better just to board it up, I think, and get rid of it.

Q Okay.

I just want to point you to paragraph 3 in the EAC. And paragraph 3 starts, quote, "The EAC agreed that all COM personnel should be housed only in Villas B and C until the next EAC is held. With the current threat and the depleted number of security personnel currently at the Mission, it is not possible to provide adequate security for COM personnel in all three villas on the compound on a round-the-clock basis," end quote.

Now, the threat that's mentioned here, was that the threat you had discussed earlier that occurred over the holidays?

A Yes.

Q And what does "COM" stand for?

A Chief of mission.

Q Okay. That would represent all the Americans that were at the compound?

A Yes.

Q Okay.

And so the decision here was to -- at least due to this threat -- drop Villa A, at least on a temporary basis, and then consolidate at Villas B and C. Is that right?

A Yes.

The three different villas each had a primary building on it. So Villa A was, you know, a house on a compound. The wall had been knocked down to link it with Villa B, which had the office space which was the tactical operations center and the cafeteria. And then there was another wall that was knocked down, and that was where you had the other residential compound where the fire started and where the two lives were lost. And also on that same compound was the February 17th Martyrs Brigade building.

So when there were three of us, we would have one person in Villa A, one person in the tactical operations center at night sleeping through the night, and then the third agent would be in the Villa C residential compound with the principal officer and the IMO. So that way, we at least had one person in each compound if something happened.

But even at that level, each compound was about, you know, a 3- or 4-acre size compound. So when I would sleep at night, I was by myself in a 3-story house on a 4-acre compound -- no other support, with just a narrow hall between somebody else. And any one of us could've been attacked from either side.

So, obviously, with only two agents, we couldn't cover all three compounds. So we just decided to temporarily give up A, just consolidate to B and C. And I believe the final decision was permanently just to give up A.

Q And so, from a security perspective, based on the reasons you just outlined, did it make sense in the decision that basically -- to

drop Villa A, in your opinion, to drop Villa A on a long-term basis?

A These were discussions that we had, and there were no concrete answers. It depended on what happened.

And we would talk these things through, that with the three villas and two agents, we literally had part of our compound that we had no eyes on, other than, like, one or two unarmed local guards. So that is obviously a major concern.

On the other hand, giving up Villa A took away a potential egress route for us to get out, because we lost an exit and we lost a wall to go over. So, you know, it was one of those "damned if you do, damned if you don't." We were boxing ourselves in, making ourselves a smaller, more compact target with fewer options to escape, but we were at least giving ourselves better visibility on everything.

And, I mean, we talked about these things. So giving up Villa A was a good idea under certain circumstances, and it could be a bad idea under others, and there was no way to look into a crystal ball and guess. But we made the decision to go towards dropping it just because we didn't like the inability to have anybody in that whole compound for long periods of time.

Q Okay.

Now, in terms of the sentence -- this is, again, at the beginning of paragraph 4. We just discussed the first part of that sentence. The latter part regards, "make related security enhancements, including improvements to the perimeter walls and emplacement of jersey barriers" --

Mr. Craig. I'm sorry. Can you tell me where you are? Because I'm --

Mr. Woolfolk. Yes, sir. In paragraph 4, on the first page, the bottom two lines.

Mr. Craig. The first sentence. Okay.

BY MR. WOOLFORK:

Q And then that continues onto the second page, "and/or drop arms at Mission gates."

Now, you discussed earlier -- and, as you see, we're just going to walk you through this document -- the concerns that you had raised regarding these specific requests. And so you mentioned earlier that jersey barriers and drop arms were part of a later request that you made. Is that correct?

A This was December 21. The discussions were already in place. And I don't remember the date that the actual list came out, like, as a formal list, "Please do all these." Some of those had come out individually by then. It's all in the space of the same week.

But, yes. So some of these same security requests are the same requests that are in that list that we made for field-expedient chief recommendations.

Q And you mentioned that list was sent via email towards the end of your time in Benghazi. Is that right?

A Yes.

Q And then it was resent at some point after you left?

A Yes.

Q And, again, who sent, I guess, that followup?

A --

Q Okay.

A -- who was my ARSO, who then became the RSO.

Q Okay.

That paragraph continues, "The EAC discussed moving-up the timeline for implementing some of these enhancements, and discussed a range of other additional, relatively low-cost security enhancements that should be made in the immediate term while the contraction of the Mission's footprint is considered in Washington."

Now, in terms of, I guess, moving up the timeline -- so it sounds like you had discussions regarding these requests but, due to the threat, made a decision to just expedite those requests. Is that correct?

A No. That was diplo talk for, "You guys need to expedite funding these, because we made the request, we're not getting traction."

So post had decided to move up. Our decision is we need these things done sooner rather than later. And, again, that's supposed to hopefully give somebody cover back in D.C. that, hey, post is hinting strongly that they need this done now. That's what that language was for.

Q And, I guess, when you referred to "you," "you" would be -- who would be referred to as encapsulated by "you"?

A Could you give me the sentence again?

Q Sure. Well, in terms of how you said, like, this is diplo talk for "you" expediting your request.

A "You," meaning whoever the recipient of the -- whoever the request has been made to.

Q Okay. And, in this case, the request was made to whom?

A You would have to individually look at each of the different requests that were out there. Like I said, this would go out department-wide.

So if I had requested, again, guard booths from the local guard force program, the person who was in charge of that funding could look to this and say, hey, this is the official document coming out of Benghazi, that they're, you know, pushing this to happen sooner rather than later.

So, ideally, that's to try to marry this up with the request that we've sent directly to them so that they can go to their chain of command and say, you know, we've got to make this happen.

Because this makes it official department-wide. This other stuff we were doing is, you know, office-specific. And, oftentimes, that is enough, but this just helps give you a little more juice in getting that done.

Q Earlier, you indicated that in addition to emails you had also had phone calls. In, like, this particular case, would you have had phone calls regarding expediting the physical security requests?

A Yes. There's nothing in here that was not discussed in these phone calls and emails that were, again, flying out in the days

prior, the day of, and the days right after this. This is just sort of an overlay of some of those to kind of go along with that.

Q And with whom would some of those phone calls have occurred?

A A majority of the phone calls would've been with [redacted], simply because, again, he ran the Benghazi, sort of, portfolio for DS/IP. So he had his fingers in everybody's office; he knew who everybody was. Us at post did not. So most of the requests went through him.

Some people I reached out directly to. [redacted] is somebody who rings a bell. I believe he's from DS/MSG, Marine Security Guard program. Because I had some conversations with him by phone about some of these security requests. And [redacted], as well. But the majority of them went through [redacted].

Q It sounds like you talked to [redacted] -- Mr. [redacted] a number of times, I guess --

A Daily.

Q -- on a daily basis. And during those conversations, particularly on the physical security requests, what did he relay to you?

A That he and everybody else back there knew exactly what our security situation was and they knew how bad it was and they were sorry but it just -- we were going to have to deal with it.

Q Okay.

A And he said, in good faith, I'm going to try to get you what I can, but it's not going to be very much. I'll try. So you do your

best by, you know, sending these emails out and do what you can, and I'll do my best on this end, but don't expect very much.

Q You had mentioned that Mr. _____ was in DS, Diplomatic Security, International Programs.

A And then specifically NEA, desk officer.

Q NEA, desk officer.

I guess, what -- once you had spoken with him on the phone, I guess, where would that information have gone from Mr. _____, as far as the reporting chain, so to speak?

A Reporting chain for him would've been directly to _____, who was the regional director for DS/NEA, IP/NEA. And then above _____, it would've been Charlene Lamb, who is the Deputy Assistant Secretary for International Programs.

That would've been the chain of command from Benghazi up through DS/IP. Where it would've gone, sort of, you know, horizontally, you'd have to ask _____.

Q Okay.

And in terms of your discussions with Mr. _____, did he relay any of his conversations -- like, specific conversations he had regarding these requests, you know, whether it was with Mr. _____ or Deputy Assistant Secretary Lamb?

A You're talking about in terms of funding?

Q Yes, sir.

A In terms of funding, the only person that he referenced at the time was Pat Kennedy and his rule of, you know, not funding Benghazi

overall.

In terms of funding issues for programmatic stuff and security upgrades, he just said, you're not going to get the money because Pat Kennedy hasn't given you guys any money. So there's no money at all that exists for the security budget for Benghazi. Every single penny you get we have to take from some other operational budget from some other office somewhere.

Q Okay.

Now, I'm going to jump back, actually, to the first page. Because earlier in our conversation, over the last hour or so, you had talked about the need for, I guess -- was it additional agents to be sent to Benghazi? Is that right?

A Yes.

Q And, I guess, what types of agents would have been sent or were you hoping to have sent?

A Well, there were agents coming that were going to come from two possibilities. One were more TDY ARSOs that could come from anywhere, agents such as myself. The agents most likely to get there and more realistic would've been MSD, Mobile Security Deployment, special agents, I think three or four teams of which were in Tripoli.

So I was hoping to get some portion of those agents to come down for some periods of time to Benghazi to both provide us with some quick additional security but also to get more eyes on Benghazi, to get further assessments, also to get the word out about Benghazi because they would take that back.

Q And how are MSD agents different from a typical agent?

A So MSD agents, they serve a 3-year tour. The first 7 or 8 months or so is spent in training, and it's, you know, some of the best training in Federal law enforcement. And they specialize in -- they typically operate in a five-man team that trains together, always deploys together. And they're typically deployed 6 to 9 months out of the year. They typically go to hotspots.

So Benghazi is the perfect situation for MSD teams, although they were never, in this case, sent to Benghazi.

Q Okay.

So I just want to -- this is, perhaps, a precursor to them not being sent. This is in paragraph 3, probably about three-fourths down the paragraph. The sentence reads, quote, "The EAC also recommended that RSO Tripoli provide Mission Benghazi two TDY MSD agents for additional security support over the Christmas and New Year's holidays," end quote.

Was this the precursor to, I guess, your request to have those MSD agents sent out? Or the request had already been made?

A The request would've already been made, and no response was forthcoming.

Q Okay.

Now, you'd just said that the MSD agents did not come. And so, earlier, you had said that, at this point, I guess -- this is December 21 2011, so when the EAC was conducted -- that there were two DS agents, you and Mr. . Is that correct?

A , yes.

Q Okay. And then you left towards the end of December?

A Just before New Year's.

Q Okay. Which left Mr. as the lone DS agent, correct?

A Yes.

Q Okay.

And then there were supposed to be two additional agents that were not MSD that were supposed to take both of your places?

A Yeah. So let me just back up.

Benghazi was being staffed by TDY ARSO special agents. So announcements went out; people just volunteered. So there was no set thing. Some people come for 4 weeks, 6 weeks, 8 weeks, 12 weeks, depending on their schedule and what they could do.

So, as and I were supposed to leave, there was another group of agents that were going to be coming in. Their logistics were being delayed. So, again, it was looking like when we were set to depart there was nobody that was going to -- they were not going to be there on time to replace us.

Q And then, earlier, you had referenced a December 28 email regarding, I guess, an evacuation plan or what the options would have been if none of those agents could come. Is that right?

A Yes.

Q Okay. And so, to your knowledge, do you know if those agents did arrive?

A I don't think they did, because at the last minute

volunteered to remain --

Q Okay.

A -- and I think that took away the impetus for MSD to send those two agents.

If I could back up just a second to put this in context?

Q Sure. Yeah.

A This is where we get back to that distinction between, you know, repercussions of going with a nondiplomatic facility, and we talked about having physical security standards requirements versus not having any.

I know for a fact from verbal conversations with the MSD team commander in Tripoli that the rationale for not sending us MSD agents was that the 18 MSD agents who were in Tripoli were too busy training local staff from -- they were actually working operationally every day to escort people and provide security, but they were also providing training for LES, locally engaged staff, who were drivers, bodyguards, et cetera.

The, sort of, benefit to being an official diplomatic facility, such as the Embassy in Tripoli, is that everything that they do in terms of training local staff, in terms of writing an emergency action plan, all these things count towards fulfilling the requirements that are required by the FAM. So anything that's done for Benghazi, because we don't have any requirements, is -- I mean, I hate to say it, but it doesn't count for anything. We needed it to keep people alive, but it didn't check any box, it didn't fulfill any requirement.

So all you would do by sending people from Tripoli is train fewer local staff, train fewer drivers in Tripoli, take longer to check all your boxes and meet all your requirements there to provide us some help there. And that was part of the calculus, that Tripoli didn't want to give up -- or the Department didn't want to give up the agents in Tripoli to just sort of -- I hate to say it, but sort of to waste them on Benghazi.

Q You said earlier -- this is December 28 -- that there could've been just no agents on the ground, right --

A Yes.

Q -- unless two other agents had come into place?

A Unless anybody had come.

Q Okay. Those two agents that were scheduled to come in, do you know if they ended up coming before you resulted in having no agents on the ground?

A I don't believe we ever got to -- no, we never got to zero agents, because extended.

Q Okay.

BY MS. SAWYER:

Q If I could, I just had a few questions for you. Because I think you're doing a great job explaining some of the particularized frustrations about particularized requests and the dynamic around staffing. And we do want to have the opportunity, as well, to ask you about -- we know that you spoke with the Accountability Review Board and the extent to which their findings reflect your experience. So

I want us to be able to get to that.

But one of the things that I would like your help in trying to understand is the dynamic that you've articulated a number of times in different ways, and that is a dynamic whereby -- and this is, to me, a perfect example.

You described this as a EAC cable that is the post's opportunity to put on the record to people who wouldn't know about incidents those incidents and that it is broadly distributed department-wide. At the same time, you explained that you soft-pedaled in that EAC the seriousness of the incidents as well as the actual requests for security.

So with regard to that broader group of people, how would you have expected them to understand the seriousness of the incidents?

A You would have to ask . wrote that email. Those are, you know, his words. And when I told him that I didn't feel that accurately reflected the discussions we had in the EAC, again, he told me that this was as harsh a language as I can use in the State Department to send out on EAC. It's just not acceptable to say anything that's more harsh.

You would have to ask him to explain. You know, I have my opinions generally about what that is, because I have written EACs at other posts. But when you send out an EAC, because it goes out department-wide, you have to take into consideration every equity at post, in Benghazi, in Tripoli, in D.C. All those equities come into play, and you don't want to do anything that's going to upset any of

those higher-level equities. So you kind of get some generalized information that goes out.

Q So, in this instance, Mr. explained it that this is as harsh a language I can use. So it was his decision in this individual instance.

Did he indicate to you that someone had directed him to soft-pedal --

A No.

Q -- the seriousness?

Did you yourself, given that you disagreed with this as not accurately portraying the seriousness of the incidents, did you yourself -- I mean, you forwarded it without comment to an even broader group of people. To the extent you thought it was not accurate or serious enough, what concrete steps did you take to cure that misperception?

A First of all, it's not a broader group. That's a very narrow group, and that is --

Q My apologies. You forwarded it on to a smaller group.

A A smaller group who would've been in receipt of all the other specific things that we had.

And the only reason I forwarded it to them is because I think just didn't understand how our office was structured. So, by only emailing it to , he left out superiors. So, by them not getting it, that might reflect badly on . So I forwarded it to his whole office. That way, everyone would get it.

Q So then you forward this email. You didn't think it accurately captured the seriousness of the incident.

What concrete steps did you then take, beyond forwarding it to the folks that you felt also needed to have it, to make sure they did understand the seriousness, that this wasn't accurate, that they needed to know more?

A They would've -- and like I said -- I'll go back. This document was happening at the same time as these same phone calls about these same issues and other emails that are occurring. So this is not a, "This document happened now; what are we doing about it?" This was just simultaneous with all these other requests. We were told to put an EAC out, just to put it in that form.

So the concerns I had about that would've been expressed and all the emails that I was sending to _____ and DS/IP/NEA and all the phone calls I was having with him explaining to him our dire situation --

Q Okay. So let's just stop about the emails for just a second.

A Yeah.

Q So, earlier, when you were talking to our colleagues, you said that you also in email could not fully express the direness of the security situation.

So, we have a lot of your emails. Are those also inaccurate in terms of --

A They're soft-pedaled, yes.

Q Okay. So if they're getting a soft-pedaled email and a soft-pedaled cable, where is the actual seriousness of the incidents being conveyed to them, and how?

A For Benghazi, it's verbally. It's in verbal meetings.

Q And tell me who those verbal meetings are with.

A Done in Benghazi amongst everybody who was there. And then for myself, it would've been primarily with .

Q Okay. And these folks, do you believe that their recollection of how you've portrayed it to us will be consistent with yours? If Mr. has talked to congressional committees, would you expect for him to have portrayed the story in a way that is consistent with how you have?

A I can't speculate on how he would've portrayed the nature or the language of some of these conversations. I know that there is a -- within Diplomatic Security, we are always concerned about, if we speak out too loudly, we have to worry about retaliation and we have to worry about actions being taken against us for embarrassing our superiors if what we say is not consistent with what they want us to say.

Q So how is that -- I do want to get to that, too, because that is a concern. It's a concern of Congress. We don't want people to be penalized when they're trying to do the right thing. So I do want to get to that, as well.

But it is, I think -- you know, you've relayed a number of conversations directly with where you have said very

specific things. And I just want to make sure we have accurately understood and when those things occurred so we can ask him about them, as needed, with enough specificity so that he can remember them.

So you have said a couple of times that he relayed to you that, " , you can't have anything you want. Pat Kennedy is not going to give you any money for Benghazi." When did those conversations occur? When did he tell you that?

And -- let's just start there.

A I couldn't tell you the exact day. I was RSO approximately December 19 until the 30th or 31st.

Both and I were sitting on a lot of ideas and proposals that we wanted to push up the chain that weren't being pushed immediately prior to me becoming the RSO. So, as soon as I became RSO, we started pushing out these requests. And it would have been within a couple days of that, when I would have started to feel some frustration or pushback or not get an answer --

Q That you weren't getting traction.

A -- that I would've confronted with, "What is going on here?" And that's when he told me that.

RPTR BLAZEJEWSKI

EDTR HOFSTAD

[1:15 p.m.]

BY MS. SAWYER:

Q So that conversation would have at least occurred during your time in Benghazi.

A Yes.

Q Okay. And was Mr. party to these conversations?

A I couldn't remember with each one. It was a small compound, and very often he would've been in the same room, so he would've been listening to these conversations. And he would've been part of the discussions we had informally amongst ourselves in Benghazi. So, to some extent, yes.

Q Okay.

You also said that you relayed, because of your concerns, that -- you know, and, understand, we don't doubt the seriousness of your concern -- your belief that it was a suicide mission and that everyone was going to die. And you said that Mr. --

Ms. Krawiec. Sorry.

Did you say that?

Ms. Sawyer. Yes.

Mr. . I may have said that in earlier testimony.

Ms. Sawyer. Yeah. Put it however you --

Ms. Krawiec. You said that or someone said that?

Ms. Sawyer. He had testified he did. But, please, clarify. It wasn't me that said that.

Ms. Krawiec. Can we go back to the testimony?

Ms. Sawyer. Well, we don't need to. I don't want to put words in your mouth.

Ms. Krawiec. I just want to make sure the record is correct on that.

BY MS. SAWYER:

Q There was a conversation about someone describing the mission in Benghazi as a suicide mission.

A Yeah --

Q Was that you, or was that someone else?

A Yeah, that would've been something I would've said, yes.

Q Okay. And you said that his response was, "Everyone knows this." I think the first time you said, "And no one cares." But he said, "Everyone knows this."

A He said, "Everyone in D.C. knows that people are going to die in Benghazi, and nobody here cares."

Q Okay. And so when did that conversation occur?

A That would've been early in my RSO tenure for that 10 days.

Q Okay. And did he identify any single person in the "everyone in D.C. knows"?

A He did not.

Q So he didn't mention Pat Kennedy's name?

A Nope. He did not -- no.

Q He didn't mention Charlene Lamb's name?

A Not in that immediate conversation, no.

Q Did he mention _____ name?

A No.

He would have mentioned, for example -- Charlene Lamb's name would have been mentioned in the context of -- I think in that same conversation: Everybody in D.C. knows something is going to happen in Benghazi. Nobody cares. No one is going to care until they die. You know, save the emails for the ARB.

And when I'm pressing on, you know, our physical security lack and the lack of agents, that's when he would have told me, hey, Charlene Lamb said you're never going to have more than three agents. Stop asking. You're just never going to get it. This has been told to me in no uncertain terms.

Q Okay.

So put this together for me. If everyone knows, but the broad distribution of information on incidents and information about what you're actually requesting security-wise is not included in either the emails, which are soft-pedaled, and the EAC cables or more broadly distributed communications, from your perspective, how is it that everyone knows this?

A I couldn't answer. That's what _____ told me. I couldn't tell you how everyone knows. He tells me these -- everybody is aware of how bad the security situation is in Benghazi. Nothing that I'm saying is news to anybody.

You would have to ask him how he knows that information.

Q Uh-huh.

So with regard to his statements, I think you described it as Pat Kennedy has a rule -- you used the term "rule" -- that there would be no funding for Benghazi.

A I don't think I used the term "rule."

Q Okay. With regard to Pat Kennedy, how would you describe -- and give us, again, the basis of your understanding that Pat Kennedy would not provide funding for Benghazi.

A So, at the time, my understanding was direct from that, because of Pat Kennedy -- and we knew about the memo that was flowing through at the time, that Pat Kennedy was the decisionmaker on Benghazi, that he was the guy who was deciding everything -- there is no budget for Benghazi, there is no money.

And, again, subsequent to this -- I didn't know this at the time. I saw this later back in IP when I became more aware of the background on this issue from IP.

Q Uh-huh.

A I think the Kennedy memo was signed on December 27. I believe on December 23 DS approved the memo to go forward on Benghazi, you know, the -- I forget the name, but the action memo to Kennedy. And the DS approval, official approval, was, you know, Acting PDAS, Principal Deputy Assistant Secretary, approves the action memo to extend Benghazi for another year but confirms that this is an unfunded mandate and continues to be a drain on personnel resources.

So the official approval, I learned at a later date from DS, was that Benghazi writ large is an unfunded mandate and a drain on personnel resources. And then what followed from December 23 when that went out was being told that Pat Kennedy has given us no budget, there's no money, and we can't get enough bodies.

So, initially, I was told informally by _____, and later I saw where it was actually identified as an unfunded mandate, prior to being signed by Pat Kennedy, and a drain on personnel resources.

Q And do you recall who -- with regard to the action memo, you had previously indicated -- and I just want to confirm that you had not been involved in that process at all, that you hadn't been involved in the drafting of it or the reviewing of it or the approving of that action memo that went up to Mr. Kennedy for his signature. Is that accurate?

A Officially, that is correct. We snuck in one edit.

Q And what edit was that?

A The, I believe it was the second paragraph of the action memo says that there should be five Diplomatic Security agents in Benghazi, but currently there are only three -- originally, it was, "Currently, there are only three of five DS agent positions filled due to lack of funding and the desire to have a smaller footprint. Because there were two of us, _____ and I decided to edit that to "two of five" DS agents are currently in Benghazi. We were not asked or told to provide edits or anything else, but _____ kind of snuck that in as he saw it in the email chain.

Q So that accurately reflected the fact that you had not gotten the recommended five?

A So the memo, I believe, as signed, yes, accurately reflected the fact that we were at 40 percent of the required security staffing, yes.

Q And was there any retaliation against Mr. [redacted] for sneaking that into the memo?

A For that, I'm not aware of. You'd have to ask [redacted].

Q Okay.

A But it was already in, three of five, changing to two of five. So I don't think that would have been seen as inflammatory or -- but you would have to ask [redacted].

Q Okay.

So with regard to another thing that I'm just trying to grapple with and understand -- so the dynamic between you and Mr. [redacted] -- one of the things you indicated, that when you raised with him the concerns about it being a suicide mission -- and you've already explained that he didn't identify anyone in the "everyone knows"; he just said it -- he also instructed you to keep your emails because there would be an ARB. So, certainly, he never instructed you to destroy anything?

A No.

Q Did he ever instruct you to, kind of, cover anything up?

A [redacted], absolutely not.

And my impression of [redacted] was he was very angry at the way Benghazi was being run. So I took his advice as trying to help

me and understand how the situation was in Benghazi.

Q So if the anticipation back in December of 2011 was that you would want emails that accurately reflected what the problems were, so that an ARB could have an accurate assessment -- and we'll get to the ARB, because I do think the ARB identified and saw some of the very real problems that you were experiencing -- how is it that emails that are soft-pedaling and not telling the truth -- I'm just trying to understand that directive. Like, save your emails, but your emails don't accurately reflect from your perspective what people were being told.

A No, they don't necessarily reflect the severity of the concern. I think if you read the emails, I think they do accurately reflect the security concerns that we have.

And I, at that time, was faced with being in a difficult position. Again, I was an untenured 4 special agent, which means I was told, "You have zero job security." The other problem I'm faced with -- and also told that if you send emails that accurately reflect your opinion, you will be -- you will probably be gone. This is somebody speaking --

Q So let's talk about that.

A Yeah.

Q Who told you that? That's an important -- I mean, that's where I'm saying, like, obviously, we want the record to accurately reflect both for an ARB and for Congress. So if you're being told that --

A clearly gave me the impression that, if I sent

anything that was too dramatic, I would be facing repercussions from Charlene Lamb.

Q Okay. So he was very specific that -- it was who told you that if --

A And I also had warn me that you are, in fact, an untenured agent; you need to be very careful about things you put in emails to the State Department.

Q And where, from his perspective, did the threat come? Did he explain that to you?

A ?

Q I'm sorry. But he was saying you will potentially suffer repercussions. Did he identify who was going to mete out those?

A No.

Mr. Craig. Who is the "he" in this?

Ms. Sawyer. Mr. .

Mr. . No.

RPTR BLAZEJEWSKI

EDTR CRYSTAL

[1:30 p.m.]

BY MS. SAWYER:

Q So he didn't identify. So it was a vague --

A It was vague. And I take this -- I mean, the way I took this was, I'm an untenured junior agent, sort of, doing some things for the first time. He's an office director senior person who has a lot of experience in the Department. I didn't feel the need to press him. I feel advice coming from someone like that, and I trusted him as a person from our work together, so I trusted that advice.

Q So aside from Mr. and Mr. , did anyone ever convey to you that you might risk some sort of negative, what do they call it in the legal world, adverse employment action, retaliation, if you were more forthcoming about your concerns?

A That would have been from -- I'm sorry, from

Q .

A And then --

Q .

A .

Q No one else?

A I didn't really have contact with many other people.

Q So some people would have -- I'm not saying that you

did -- but some people would have, with those concerns -- and kind of obviously you had very serious concerns -- and also recognizing your feeling that it wasn't being accurately conveyed, did you take any steps to really either, for yourself, kind of record what you believe tells the kind of accurate story as to where you were feeling the stumbling blocks, or did you reach out to anyone other than Mr. [redacted] to truly express the seriousness, contemporaneously. We'll talk about your opportunity to talk to the ARB.

A Contemporaneous, I recall I sent an email to [redacted], who subsequently would be the RSO in Tripoli. I don't recall where he was at the time, but he had been the RSO in Juba, South Sudan, when I was the ARSO. I emailed him because I needed to send a request, and I had never done so before, a request for funding for security upgrades. I sent an email to him indicating how bad things were in Benghazi. And I do not recall at the time if I knew he was going to go to Tripoli at that time as the RSO or not. I can't recall at what point I learned that.

So I sent an email to him saying, in probably some of that exact language, this is a suicide mission, people are going to die, I've got to get some -- I'm desperate to get some money for funding here, can you help me out in terms of navigating State, because what I'm doing right now is not working. So he sent me a template of some requests that he had made while he was in Pakistan requesting security upgrades of a similar nature, so I at least had that as a template.

Q And did you follow his recommendations?

A Yes.

Q Did they help at all?

A I can't speak to follow-up on that. I was there for a short period, so I didn't necessarily see the follow-up.

I would like to say, and this is -- it's a fair question, and the situation I found myself in is, I was being told that people back in D.C. were doing things with their emails to practice -- I was told this -- CYA, that Benghazi at that point was CYA. It's just my personal nature, I don't practice CYA, I'm not going to do that.

So in hindsight, having worked now longer at the State Department, I probably should have written memo to self and done that. And I didn't expect that the aftermath of Benghazi would work out the way it was done in terms of the lack of investigative procedures and lack of transparency and lack of, you know, effectiveness of subsequent investigations. I did not see that coming.

Q Well, we will get to that in a moment.

A Yes.

Q But tell me, who told you that Benghazi is now CYA?

A That would have been in a discussion with .

Q So that was also still the discussion while you were still in Benghazi?

A Yeah, everyone back here in D.C. is practicing CYA on this. And the clear message to me was -- and, again, nobody knows it's going to end with people dying because that's crystal ball, but it was a very real expectation that a lot of people had because it was conveyed to

me that Benghazi being attacked and people dying was a very likely scenario and that people were already sort of preparing what they were saying now for that eventuality.

Q Okay. And, again, that conversation?

A .

Q , okay.

A I would also add that, I mean, and I worked together, so there was an element of trust. So I can't speak to what level of frankness would have had with a previous ARSO or with a subsequent ARSO or RSO. But we had a working relationship, we trusted each other, so we had very frank discussions.

Q Right. Well, tell me this, when you would convey -- did you share with, for example, that you felt you couldn't be honest in emails?

A Yes.

Q Had he heard the same thing from Mr. ?

A -- sorry, typically was not having conversations with as often as I was, and he didn't have a personal relationship with , they had never met. And , you know, didn't work in the same office that I did, so he wouldn't have had any visibility on how things were working at that level. You would have to ask about that.

I would also backtrack a little bit to add something else. The RSO before me was . So also where I got some of this sense was was the RSO before me. He was a 2, so he

is much more senior than I am, has been around for quite a while.

Both [redacted] and I -- well, I'll speak for myself. I felt that we were not really taking any proactive measures at all trying to get additional security resources in the period that I had gotten there that [redacted] was the RSO. I asked directly why aren't we doing more.

[redacted] told me that he had met with Charlene Lamb before coming out there as RSO, and Charlene Lamb made it very clear to him that it was his job to not make any waves, that the decision to be there had been made from way above the State Department, and nothing you say as the RSO is going to have any impact on, you know, what this mission does. It is what it is. And he said, I've been around the State Department long enough to know that when I get that information, I'm not going to make any waves.

And that's why when I became the RSO, both [redacted] and I started, again, this flurry of requests.

Q So tell me this, Mr. [redacted] relayed this to you directly?

A Yes.

Q And that occurred when?

A At some point between the end of November and December 19 or so when I took over. At some point we became very frustrated at our lack of movement or pushing back, and that's when [redacted] told me that, you know, it was made very clear to him when he came out here that his job was not to make any waves, and he wasn't planning on making any.

Q And he told you who had conveyed that to him?

A He said he was told that by Charlene Lamb.

Q Embedded in that you said that he said that Charlene Lamb said the decision to be there, presumably Benghazi, had been made way above at the State Department.

A This was paraphrasing. But, yeah, that this decision to be in Benghazi was made at a very high level, and nobody was asking for our opinion, nobody cared what we thought, that this was just going to happen.

Q Did he identify who --

A No.

Q -- at the high level?

A No.

Q Did you ever hear, independent of that conversation, that someone at a high level -- you, yourself, directly -- did you hear directly from someone at a high level that they had approved this and that that's why we were in Benghazi?

A Yes. Well, not phrased the way you said it exactly. Would you like me to address that comment?

Q Sure.

A Will you specify what comment, just for the record?

Q You had just indicated that the decision to be in Benghazi had been made at high levels of the State Department. And then I asked, did you ever hear that directly from anyone in a high level at the State Department?

A No, I have never heard that from anyone at a high level at the State Department because I didn't have any contact with people at a high level in the State Department. I was told by that -- again, I was told by directly that the decision to be there is coming down from -- and I believe, this is my recollection, this is above the State Department, so there is really no discussion about should we be here, how safe is it to be here, what we're doing here, that this is just a done deal, that we're going to be here. So --

Q So what is above the State Department?

A You would have to ask .

Q Okay. We only have a few more minutes, and then we'll break for lunch. And I know I've been pressing you hard, but we are just trying to get a real grapple on kind of the dynamic that you've conveyed, because it would be of concern, of course, if things are not being conveyed in a way that, contemporaneous with what's going on, accurate decisions can be made. And so if things are consistently being downplayed, soft pedaled, et cetera, and the Department-wide distribution is not accurate enough, that's troubling. So thank you.

But I do want to just skip ahead for a few minutes if I could.

A I would like to just clarify for the record. I mean, that sentiment comes from a clear feeling amongst myself, I had this feeling, and I know that other people had it as well, that the Department doesn't want our clear understanding of the threats as we see them. So we're put in a very, very difficult position where do you try to get what

the Department will give you or do you try to speak openly and risk getting nothing and putting the mission in a worse place. It's a very difficult decision.

Q Yeah. And we want to help solve that dynamic definitely.

A Yes.

Q And that's why I'm pressing you a little hard on trying to figure out if there is a message being conveyed. I mean, you've identified _____ and _____. It is helpful to then try to flesh out, if this is a systemic message, we do want to help cure that. I think, quite frankly, a number of people in the State Department would want to cure it too. You may not share that belief, but I don't think that people like the results here. So if they feel like there's a breakdown in the communication.

But I do want to just jump ahead for a few minutes and talk, if we could, while we're still in an unclassified setting, about the Accountability Review Board. You did speak with the Accountability Review Board?

A I did.

Q And that was in November of 2013?

A I believe. Was it '12?

Q I'm sorry, 2012 --

A Yes.

Q -- because they were done by December of 2012.

A Thanksgiving week of '12.

Q All right. And how did you come to find out about the

Accountability Review Board?

A It had been discussed informally. I mean, everyone knew it was going to happen because people had died. And then an email went out, I think, Department-wide saying if you have information for the Accountability Review Board, please reach out to this.

Q When you referred to everyone knew it was going to be convened because people had died, as a statutory matter that's a requirement, right, that anytime there's a significant loss of life or, quite frankly, property I think even, there is an Accountability Review Board convened?

A That's my general understanding, yes.

Q And then did you volunteer, voluntarily come forward to share your information?

A Yes.

Q Did anyone discourage you from coming forward?

A Nobody discouraged me from coming forward, but the Accountability Review Board person that I contacted made it seem that I was not going to be probably contacted for an interview.

Q But you were contacted at some point?

A I subsequent to being told I would probably not be contacted sent an email that I felt would try to convince them to have me come before the Accountability Review Board.

Q And then you were contacted?

A And then I was contacted, yes.

Q What was the content of that email, if you feel comfortable

sharing it?

A There were roughly 30 or so DS agents who had served TDY in Benghazi, and what I was hearing through the grapevine was that maybe one or two would be spoken to and that there wasn't an interest in speaking with those ARSOs. I contacted the Accountability Review Board, gave my information, told them that they should talk to me. And a person told me that the Accountability Review Board -- and I'm paraphrasing -- but kind of knows who they want to talk to, you know, probably shouldn't expect anything, but you never know, you might be contacted at a later date.

So I sent an email back to the Accountability Review Board, an email that said the DS agents that were there are going to probably have very critical information about the Department. If you only interview a couple of them, that information is going to be attributable to those people. There's a climate of fear in the Department, in Diplomatic Security right now, so this is having a chilling effect upon Diplomatic Security and agents who have served there. I think you should really consider speaking to a large number of DS agents who have served there so as not to perpetuate that climate of fear.

Something to those effects. And probably within 3 minutes I got a phone call asking when I wanted to come in.

Q And then did you subsequently go in and talk with them?

A Yes.

Q So your goal -- what was your goal in talking with them?

A My goal in talking to them was to try to accurately portray

the issues and challenges that I dealt with while I was in Benghazi engaged in this expeditionary diplomacy. And I had a secondary goal, because my job was one of the five agents specifically designated by the Department of State to deal with expeditionary diplomacy around the world. My job was to try to make sure that something like this did not happen again, and at the time I did not think we were on the right track to do that.

Q And given that goal, were you fully forthcoming with the ARB in sharing your information?

A Yes.

Q So to the extent you had previously had concerns about being fully forthcoming, you set them aside and were fully forthcoming about what you shared with them?

A Yes. And I'll backtrack a little bit on that question, because you raised this earlier, in terms of the decision to how forthcoming you're going to be in your emails with the Department of State. I knew I had a very short window of 5, 6 days to get what I was going to get for Benghazi, and I knew that based on my position in IP, based on my understanding of expeditionary diplomacy, based on the contacts I had in IP, and based on the actions of my predecessor, which was not very active, and I didn't know what was going to happen after me, I had to make the very difficult decision of do I try to stand my ground on my opinions and very likely alienate Diplomatic Security management, which is going to hurt Benghazi and hurt the funding, or do I try to get the type of funding, type of support that I've been

told I realistically might be able to get.

And I have no problem if anybody wants to question that decision. It's open. Maybe I should have been more forthcoming, maybe I should have rocked the boat a lot harder. But I could have lost all funding, I could have been sent home the next day, I could have faced retribution, and the next guy coming after me might have even been more afraid to ask for.

So were we going to try to do this incrementally or was I going to try to make a big statement on the 10 days that I was there? That's a difficult decision, and unfortunately it's not one that I should have had to make, but it's a position that I was put in. Do I try to make a stand in 1 day and embarrass the Department or do I try to get the funding that's realistic and try to set up my successors to be a little more successful, and then hopefully they can be a little more successful?

And, again, simultaneous to that, I didn't have a full understanding of where these problems were coming from. Part of me in that 10-day process was still hoping that there was just some misunderstanding, that this was a bureaucratic logjam and maybe this logjam could be broken. I didn't have full visibility on this.

Again, as I went back to IP, I got more visibility on what the problems actually were and realized that it wasn't really a logjam, that it was never going to happen. I was starting to feel that way while I was in Benghazi, but it was not 100 percent clear to me.

In hindsight, knowing that it was never going to -- the funding

stream was never going to open up, I probably would have been more open in my disagreement with the Department. But, again, I was not fully aware of that because, again, information was not fully forthcoming to us.

Q So when you talk about the 10 days, you're talking about the 10 days you were the RSO?

A That I was the RSO, yes.

Q Okay. When you did -- and we could spend some time figuring out how and the various avenues that you got greater visibility -- but when you did get greater visibility and you looked back and said, wow, this was my optimism, what did you do at that point to then bring it to people's attention that this was still an ongoing, very serious problem? And I guess it would help us understand, like you said you got more visibility in IP. What was that visibility?

A I was working in the office where these decisions were taking place. And, again, I was not directly in the NEA chain or Benghazi chain, but I was in the cubicle, you know, five down, so I had sort of headquarters visibility on what that process was.

And, again, by the time I had gone to Benghazi initially, that was November, I joined the IP office in, call it July. September would have been spent in New York for the U.N. General Assembly, October would have been spent in Hawaii for the APEC, the Asia-Pacific economic commission, and then I almost went immediately from that to Benghazi. So I had a relatively short span in IP at the time. So I was starting to understand it.

Once I went back to the office and having had that experience in Benghazi, I was much more comfortable working in that IP environment. So, again, my understanding was much better after Benghazi than it was leading up to it.

Q And that learning curve and what you learned, did you share that fully with the Accountability Review Board?

A Yes.

Q So the information that you then kind of put together was all shared fully with the ARB?

A Yes.

Q Have you had an opportunity to read the Accountability Review Board's report?

A Yes.

Q So the classified version?

A No.

Q The unclassified version?

A Yes.

Q On some of the things we've talked about today, you know, they make a number of findings and recommendations, but before we get to those, did you also talk with the Best Practice Panel? There was a Best Practice Panel convened.

A No.

Q Do you know anything about that panel or its process?

A Just to state this. I have never been spoken to by anybody in the Department of State about Benghazi, ever. I've spoken to the

ARB, and that's it. I've never had a single official discussion with anybody from the Department of State or Diplomatic Security about Benghazi.

Q Have you sought to have a conversation with --

A Yes.

Q Who have you sought to speak with?

A I've asked -- I asked Greg Starr.

Q When did that request -- was that after he had become the Assistant Secretary?

A So, yes, after he had been brought in as the Assistant Secretary, Greg Starr came. So the summer of 2013. I was in BRSO school, that's basic regional security officer school, it is a 10-week course before we go overseas as ARSOs. Greg Starr spoke to our class. He said something initially which I could talk about later if we talk about retaliation.

Q When we're in the classified setting.

A It doesn't need to be classified.

Q Oh. Okay.

A The climate that we work in, in Diplomatic Security. But after that he opened it up for a little bit of Q&A. We had seen in the BRSO school they had a very nicely and well done sort of after-action review for the evacuation of Tripoli. It was very well done.

In terms of Benghazi, I've never been spoken to ever by anybody from the State Department about Benghazi. I know other, many other DS agents who have critical information have never to this day been

spoken to by anybody in the State Department. I've never seen an after-action review, hot wash, whatever you want to call it of what happened in Benghazi by Diplomatic Security or the State Department other than the ARB. When I've asked sort of senior people within DS, is there -- about a DS review or after-action report on Benghazi, I was told we don't need one because we have the ARB.

So I've never been spoken to. Many people I know that said they've never been spoken to. I've never seen any sort of a real review of Benghazi and what happened by DS or the State Department other than the ARB.

So when Greg Starr spoke to our class I asked him, I said, we've seen a great AAR video done by DS about the evacuation in ^{Tripoli} ~~Benghazi~~, which is really useful. We've had -- but we've had Benghazi, we've had Tunis, we've had Khartoum, we've had Sana'a, we've had all these evacuations, and we hear rumors amongst agents about what happened, what worked, what didn't. We're not seeing good products or after-action reviews about what happened, time lines, real good information.

So I asked him, I said, has DS done or will we ever do a hot wash, an after-action review of Benghazi? And he looked at me and said, you're probably too inexperienced and young of an agent to know this, but there's something called the DS Daily, and everything you need would be in there. DS Daily is just a daily summary of what happened around the world.

So when I asked the Assistant Secretary of Diplomatic Security,

you know, in a room full of 30 people, will we, have we ever done, because we haven't been spoken to by anybody, and there's people that would like to speak, he was told that it's the DS Daily. I have no idea what to make of that answer.

Q So this was your request for a meeting with Mr. Starr?

A It wasn't a request for a personal meeting. It was a request for a review. Again, I didn't ask anybody specifically I want you to interview me because who would I make that request to specifically? I've made it very well known in DS/IP that there's a large number of us that have never been spoken to. I've made it very clear that I would like to be spoken to, a lot of agents would like to be spoken to. And the answer I --

Q What would help us, I think, is if you would give us their names, to the extent you're comfortable. I get that you might not be, but we're hearing from you that there's a large number of people who would like to be spoken to. Some of them may -- you know, we understand that some of them may have been spoken to unbeknownst to you, some of them may not have.

Q Yeah.

A But are there people in particular that you think need to be spoken to about Benghazi?

A Yes.

Q And who are those people?

Mr. Craig. You might want to take some time --

Mr. Yeah. I mean, that would just be --

Mr. Craig. -- and submit a list later on.

Ms. Sawyer. That's fine.

Mr. . That would just be naming anybody that had anything to do with anything in Benghazi.

Mr. Craig. Why don't we just hold off on that and supply names.

Ms. Sawyer. Yeah.

BY MS. SAWYER:

Q I also think -- I mean, you said you have read the Accountability Review Board report, some of the findings that they make, and we can talk about those specific findings, do reflect, I think -- and you went and talked to the ARB and have assured us that you were fully forthcoming. I think you had the opportunity to review your notes?

A I looked at those, yeah.

Q Were those -- did those accurately reflect what you told the ARB?

A Yes.

Q And this committee has been given those notes. So the committee also has those notes.

So in their findings, for example, you know, the ARB did make findings, you know, and I --

Mr. Craig. Could we have a break?

Ms. Sawyer. Yeah. You know, I was --

Mr. Craig. If you're going to carry on --

Ms. Sawyer. Let's go off the record for a second before you call

what I'm doing carrying on. We're off the record.

[Whereupon, at 1:59 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>
113	12	Replaced "Benghazi" with "Tripoli."

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

INTERVIEW OF: [REDACTED]

Thursday, April 2, 2015

Washington, D.C.

The interview in the above matter was held in Room
HVC-302, House Visitor Center, commencing at 3:10 p.m.

1 Appearances:

2

3

4

5 For the SELECT COMMITTEE ON BENGHAZI:

6

7 DANA CHIPMAN, CHIEF INVESTIGATIVE COUNSEL

8 CRAIG MISSAKIAN, DEPUTY CHIEF COUNSEL

9 SARA BARRINEAU, INVESTIGATOR

10 BRIEN A. BEATTIE, INVESTIGATOR

11 SHERIA CLARKE, COUNSEL

12 KIM BETZ, MEMBER OUTREACH LIAISON

13 HEATHER SAWYER, MINORITY CHIEF COUNSEL

14 PETER KENNY, MINORITY SENIOR COUNSEL

15 BRENT WOOLFORK, MINORITY SENIOR PROFESSIONAL STAFF

16

17 For [REDACTED]:

18

19 MARGARET KRAWIEC, ESQ.

20 GREG CRAIG, ESQ.

21

22

23

24

25

1 Ms. Barrineau. Okay. We'll go back on the record. And
2 for the record, I would note that we have moved to a
3 classified setting to restart the interview. We'll go as
4 high as secret. So if you think anything is going to go
5 above a secret clearance -- I suspect it won't -- but just
6 let us know and we'll stop and regroup.

7 Mr. ██████████ All right.

8 EXAMINATION

9 BY MS. BARRINEAU:

10 Q The first thing I want to go back to is I asked you
11 near the beginning of our hour if through your experiences in
12 IP and CSO, if you had seen any other posts that were like
13 Benghazi, for lack of a better phrase, and you said you would
14 rather discuss that here.

15 A Yeah. Prior to Benghazi, the situation I was
16 directly involved with that would have been similar to this
17 is Juba, South Sudan. This was one of the S/CRS' first big
18 types of deployments for expeditionary diplomacy. It was
19 similar in the sense that we were putting diplomats not at
20 the Embassy, not in USG facilities, but staying out in
21 various locations around the country that probably had pretty
22 poor safety standards, and it was considered a volatile,
23 high-threat environment. So that was an issue that we were
24 managing.

25 So I spent about 4 months total, 3 months on one TDY and

1 then a month later -- a year later -- for another TDY. And
2 so it had some similarities to this.

3 Q Do you feel like IP, DS, or the State Department,
4 do you feel like Juba was managed the same way Benghazi was
5 managed?

6 A It was managed much differently. There was a lot
7 of money that year in S/CRS' budget, so they put in -- they
8 ordered some armored containers to be shipped out there,
9 which never got there in time really to be used.

10 We managed it more with -- the difference there was none
11 of these were permanent locations. So we managed that with a
12 fairly restrictive travel policy to where people could spend
13 no more than 5 days at one of these locations. They varied
14 from staying at sort of a church center in one particular
15 town, a hotel in another town, or a U.N. outpost in another
16 town.

17 We mitigated against threat because the facility wasn't
18 very safe by, again, restricting and varying up travel, so
19 people only stayed for a short period of time, very
20 restrictive on travel plans, who they were meeting, where
21 they were going, transportation, et cetera.

22 It was done a little bit ad hoc. It was a good
23 experience for me. It wasn't necessarily a formalized
24 template. It wasn't necessarily the best way; it wasn't the
25 worst way. But it was a way. But it was similar in that you

1 had chief of mission personnel staying out in some of these
2 sort of austere conditions without really good, adequate
3 security measures in place. But we were definitely very
4 conscientious of the risks that put people in and the
5 inability of us to respond to those risks as they occurred.

6 Q So when you got home from Benghazi, were they
7 trying to use that model? Did anyone think that that had
8 been successful enough that we should use it elsewhere?

9 A Yes. So when I got back from Benghazi -- and some
10 of this will speak to an earlier question about, you know,
11 did I try to talk to somebody, what did I try to do.

12 Q Right.

13 A Benghazi was technically out of my chain at that
14 point. I went there as a TDY agent. I was, however,
15 assigned specifically to CSO to do expeditionary diplomacy
16 with them. Based on my experience from Benghazi, and before
17 the eventual attack on Benghazi, that hardened me to quite a
18 bit against the bureaucracy, and I became very much a thorn
19 in the side of the Department and CSO. I became a very vocal
20 supporter of security for our folks in the field doing this
21 sort of thing in the various engagements that I worked on.
22 And to be honest, we dealt with some of the same issues both
23 before Benghazi and continually after Benghazi. In the CSO
24 model, doing expeditionary diplomacy, some of those same
25 issues remained.

1 After Benghazi, another situation that is similar that's
2 ongoing, and this is the one I didn't want to talk about
3 earlier, [REDACTED] [REDACTED]
4 That was -- CSO was sort of one of the leading elements from
5 the Department on the engagement [REDACTED]. And
6 it was not my primary portfolio with CSO, there was another
7 agent who had that as her primary portfolio, but I would step
8 in from time to time and help out. I did a 30-day TDY to
9 [REDACTED] to assist and help get some things started in
10 [REDACTED]. And that's another model that's, you
11 know, that's similar.

12 In the discussions within CSO prior to being back from
13 Benghazi I would hear references at the Assistant Secretary
14 level in these meetings at CSO that the plan that CSO was
15 pushing was that [REDACTED]
16 [REDACTED] [REDACTED] [REDACTED]
17 [REDACTED] and we would do it on the Benghazi model.
18 At which point I spoke up and said I would not recommend
19 using the Benghazi model because the Benghazi model is going
20 to fail and people are going to be killed in Benghazi. It's
21 likely to fail; I would not implement that model in Benghazi.

22 Post-Benghazi the talk in CSO was we need a modified
23 Benghazi model [REDACTED]. So that's
24 not the [REDACTED] model. That was the talk of using the
25 Benghazi model [REDACTED] if we were ever given that space to

1 operate. And I know that other elements of the Department
2 were actively working on how we could, you know, develop a
3 diplomatic channel [REDACTED], establish an outpost, et
4 cetera.

5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 But [REDACTED] is a similar type of mission where you
10 have this maybe an ill-defined -- I'm not an expert on this
11 because I stepped in to help 2 years ago on this issue. I
12 can't tell you where it stands now. But at the time it was
13 this, again, looking like it was going to be a nondiplomatic
14 facility, a sort of gray area in terms of how we were going
15 to support it, how we were going to fund it, how we were
16 going to staff it. So faced with some of the similar choices
17 and decisions.

18 Q So what was the reaction when you said in the
19 meeting, don't do it on the Benghazi model?

20 A Nothing.

21 Q Do you think, after the Benghazi attacks, do you
22 think any changes were made to that plan or idea? Or I guess
23 what I'm saying, or were they still thinking that that was
24 the way that it should go, if you know?

25 A Yeah. I wouldn't speak to what they were saying

1 about that specifically, [REDACTED]

2 [REDACTED]

3 Q Okay.

4 A And obviously a lot of things changed on the ground
5 vis-a-vis opening diplomatic space [REDACTED] so I couldn't
6 speak to the later developments in that discussion.

7 Q Okay. Let's switch topics a little bit. Another
8 thing you said you would rather discuss here is when we were
9 talking about different options for the compound, you said
10 there was a third option. [REDACTED].

11 A The third option, yeah, was just that we take the
12 other two diplomats and dump them off [REDACTED] and then
13 have the DS agent take off.

14 And, again, I hope you appreciate, you know, the
15 position I was in to try to, you know, try to read between
16 the lines a little bit on some of these emails, that me
17 saying flat out I'm going to abandon a diplomatic post is not
18 something that's acceptable in the State Department. I
19 verbalized that threat by phone to emphasize the seriousness
20 of this to [REDACTED]. Hopefully, he would convey that. I hope
21 he did; I don't know if he did.

22 But in that email that I sent, I gave three options that
23 I knew were not acceptable to the State Department. There
24 was no way they were going to leave two Americans without any
25 security in Benghazi by themselves. There was no way they

1 were going to let me abandon the building. And the State
2 Department is not going to cede responsibility for their
3 people by dumping them off [REDACTED] with no other
4 security support. So the only other option for them was to
5 send us MSD replacements.

6 So, again, that was where I'm trying to put the
7 Department or put Diplomatic Security in a box and try to
8 force their hand to give me some TDY bodies. This was being
9 done on the fly, again, with a relatively inexperienced
10 agent, so I don't know that that was the best way to do it.
11 That was the way I decided to do it, you know, probably, you
12 know, getting 4 or 5 hours sleep a night, working around the
13 clock. When I had time to get on a computer, which was very
14 limited, that was the method that I chose to try to force the
15 Department to give me a few bodies.

16 So, again, that would be an example of where that email
17 in and of itself is not very harsh, but if you understand how
18 the Department works, you would see that that was very much
19 an aggressive push against the Department to try to get them
20 to give us some bodies for security.

21 Q And just to make sure we've got this on the record,
22 MSD ended up not coming because the two other -- I think it
23 was two other agents -- wound up getting visas, so they came
24 to Benghazi instead?

25 A I would have to defer to [REDACTED] on that. I

1 don't think those two MSD agents came. I know that initially
2 I was told they were not going to come. Then I made the
3 threat to abandon the post. And all this was happening as
4 I'm also packing my bags and getting ready to leave and
5 trying to finish up everything.

6 Immediately, I think, after sending that email
7 threatening to abandon post, I got an email response saying
8 MSD was going to send or try to send two MSD agents out.
9 Again, at the last minute [REDACTED] decided to extend, and
10 I think that they did not send the MSD agents then because
11 they were going to -- that kind of neutralized my threat of
12 having nobody there to cover it. And so I think that ended
13 in them not sending the two MSD agents, but I could not be
14 100 percent on that.

15 Q Understood. Okay, I'm sorry I'm jumping around. I
16 just want to make sure we hit all the things that we were
17 saving for this.

18 Okay, evacuation plans. You said you would rather
19 discuss that here too. What was the plan for if you did
20 evacuate? And you said that the tripwire documents with some
21 of the evacuation options had long since been irrelevant. So
22 what was the plan?

23 A So the tripwires that existed -- we found them on
24 paper -- talked about, again, if this city falls to Qadhafi
25 forces, then this will signify, you know, move to drive to

1 Egypt or something like that. The ground truth had already
2 made all of that sort of, you know, irrelevant.

3 There was also information about helicopter egress and
4 ships coming to rescue us. I called back to [REDACTED] at
5 DS/IP. I asked him if we still had helicopters on standby
6 and ships on standby, and he said we hadn't had that for
7 months. So that EAP plan was several months old, and it
8 wasn't even really an EAP plan.

9 [REDACTED] told me verbally. So what our discussion was, I
10 asked him, then, what is our evacuation plan? What I was
11 told is our evacuation plan is to link up [REDACTED] and
12 we will drive into the middle of the desert, and they will
13 call somebody. But that was basically our plan.

14 Q But there was, to your understanding, there was no
15 one on standby particularly waiting for that call so that you
16 knew you had a response time of X?

17 A Not to my knowledge. I would have no idea how or
18 who they were going to call. But there was no specific
19 place, no specific method. It was just we were all going to
20 jump in cars and pick a deserted spot to drive to and then
21 kind of deal with it from there.

22 Q Did you think that was a valid evacuation plan?

23 A No. I would mention this, and I would like to
24 mention this, specifically in reference to what I think,
25 unfortunately, has been a lack of -- we haven't really done a

1 real review of what happened in Benghazi. The ARB is looking
2 at a lot of different pieces, and what I asked the Assistant
3 Secretary for, what I've asked vocally a lot of people about
4 in DS is DS should -- and there's no reason why we wouldn't
5 when you've had people die -- to do a very detailed review of
6 how Diplomatic Security functioned in Benghazi for those 12
7 months and what all the mistakes were.

8 You brought up the question of the EAP. Something that
9 rings a bell to me is around May of 2012, I don't remember
10 exactly how it worked, but I saw an email exchange about --
11 so emergency action plans, EAPs, at most embassies it's a
12 very formal, large document that basically gives a very
13 detailed plan of how to deal with and what everyone's roles
14 are for any type of one of the many types of emergency
15 situations that could occur, an earthquake, a terrorist
16 attack, a bombing, a kidnapping, et cetera, a fire.

17 And it was a -- I think it was a discussion amongst --
18 and there's an office in DS headquarters that manages those
19 EAPs for all the embassies around the world. And it was
20 something along the lines of somebody was asking that they
21 can't find EAPs for Tunis and Benghazi.

22 And then it was a response is about, you know, is
23 Benghazi even a post? And then it's, oh, it's one of those
24 weird things, not sure what it is. And then it was a
25 response of, you know, if Libya were to somehow take the

1 spotlight, everybody is going to come looking for an EAP and
2 wondering why we don't have one, you know, maybe we should
3 think of doing an EAP-lite, you know, words to those effect.

4 And, I mean, there were dozens and dozens and dozens, if
5 not hundreds of small, systematic, little failures that all
6 contributed to what happened in Benghazi that have never been
7 looked at or exposed because all those details are, I think,
8 well below what the ARB was looking at in terms of some of
9 these little interoffice issues that a lot of us in DS are
10 acutely aware of.

11 Nobody in DS has done any sort of systematic or even ad
12 hoc, I think, analysis of what those failures were. And the
13 fact that we haven't done that means that when we do the next
14 go-round, [REDACTED] [REDACTED] [REDACTED] wherever
15 the next one is -- I'm all for expeditionary diplomacy, I've
16 done a lot of it, I really enjoy it, I think it's important,
17 but I also think we need to do a much better job of doing it.
18 I think there's a lot of easy fixes that we could do if we
19 really take a hard look at what we've done and where the
20 failures have been.

21 Honestly, I think in the Bureau of Diplomatic Security,
22 they've been more than happy not to be forced to look at
23 these because a lot of people are going to have to answer
24 some hard questions about decisions they made or things that
25 they did. I'm happy to answer hard questions about decisions

1 that I made and things that I did, you know, tough decisions
2 I made, if they were right or wrong. I think people would
3 learn from that if they're in a similar situation. And I
4 literally think there's probably hundreds of other scenarios
5 like that that should have been looked at and haven't been
6 looked at. So --

7 Q So I guess that brings me with two follow-up
8 questions to that. First, since we are -- we want to look at
9 everything, as Heather Sawyer said earlier, we really want to
10 get to the bottom of the truth in everything that happened.
11 So are there things that you think, below the level of the
12 ARB or whatever, that you don't think have been looked at
13 that we can look at?

14 A Yes. Again, if I were running things, I would want
15 to speak to every single person who was in Benghazi and run
16 through all these questions and issues with them. But I
17 would also want to look at all the different offices back
18 here in D.C. and what role they played, because there's a lot
19 of support from back here in headquarters that people play
20 out in the field. One or two people out in the field,
21 there's actually very little that they can do because a lot
22 of what they're doing is hands on. They rely a lot on the
23 support offices back here.

24 To the extent with expeditionary diplomacy, because
25 there aren't FAM regulations governing what has to be done or

1 what can be done, the offices back here don't have a clear
2 idea about, how do you do an EAP for an expeditionary
3 diplomacy post? Is an EAP required? I mean, maybe it's not
4 even required. But if it's not required, why isn't that very
5 well known and why isn't that something that from the step
6 one of the planning page that we understand that there will
7 not be a detailed EAP as it exists at every other post and
8 how are we going to compensate or mitigate for that going
9 forward? The fact that we haven't discussed that or haven't
10 acknowledged that means it's probably not going to be
11 implemented in, you know, from step one of the next mission.

12 So there's tons of things you can look at.

13 Where respect to Benghazi, I don't know why this
14 happened. There's scuttlebutt and rumor about why. But this
15 was a, from what I understand, it was a protection mission
16 from the get-go as opposed to an MSD mission. I think it's
17 reasonable to assume that a lot of the deficiencies that
18 followed may have been a result of not having had MSD in
19 there from the get-go. Or having MSD there from the get-go,
20 they might have been able -- they might have had the
21 credibility to make the assessment that this is a post that
22 cannot sustain itself, this needs to be stopped immediately.
23 An MSD team who does this for a living would have more
24 credibility than a random TDY agent that just came out there
25 for 6 weeks.

1 So we should look at all of those decisions, and
2 everybody should be, you know, I won't say held accountable,
3 but everyone should talk about the actions they took, the
4 decisions that they made. We should look at that and we
5 should learn. We should make a lot of recommendations about
6 how to do this better.

7 So that's what I would hope where we would go from this.
8 And, again, my fear so far has just been with only relying on
9 the ARB and the ARB only, the ARB wasn't looking at some of
10 these issues. And I think a lot of people that probably
11 should have did not testify as the ARB. The ARB had nobody
12 from Diplomatic Security on it, nobody really active in the
13 State Department on it. So there's a lot of offices and
14 issues that they wouldn't even probably think or know to ask
15 about or look at.

16 So they may have looked at accurately and thoroughly the
17 issues and the people that were brought to their attention,
18 but there's undoubtedly hundreds of other issues and people
19 and concerns that were never brought to their attention and
20 they wouldn't even be aware of.

21 So that would be what I hope the takeaway from this is.

22 Q So would it be fair to say that maybe by no one's
23 fault, but that the ARB wasn't a fully satisfactory review of
24 Benghazi just because of things maybe they didn't know, but
25 you don't feel like that was a comprehensive review or hot

1 wash of what happened in Benghazi?

2 A I don't think it was a very comprehensive review of
3 what happened in Benghazi. And I don't think that the ARB in
4 and of itself is a bad thing, and I think the ARB would have
5 been good in the context of having, again, maybe that more
6 specific Diplomatic Security thorough review. And so I think
7 you would have needed a couple different levels of review.

8 Obviously, the ARB is not going to necessarily interview
9 that many people at that level of detail. But Diplomatic
10 Security certainly could because everybody in Diplomatic
11 Security knows these programs and knows what these issues
12 are. I can't understand at all why Diplomatic Security
13 wouldn't want to review this the way that it has. But we
14 haven't.

15 And like I said, still to this day I have never
16 officially spoken to anybody in the Department of State about
17 what happened in Benghazi. And I'm confident that some of
18 the information I gave you today is probably relevant to the
19 discussion, and I think there's other people that also have
20 never been spoken to that also have information that's
21 relevant to the discussion that would help the Department go
22 forward. So the fact that doesn't happen to me does raise
23 some concerns about if we're ready, if we're prepared for the
24 future.

25 Q Will you go back a minute and explain to us the

1 difference between what you meant when you said a protection
2 mission versus an MSD mission?

3 A Yeah. And, again, I'm not an expert on this, this
4 predated me, but this was my understanding, was that the
5 Benghazi mission, because it started as sort of a protective
6 detail on the Special Envoy Chris Stevens, that -- and,
7 again, from what I've heard, it was sort of a turf battle
8 between MSD and the Office of Protection. I don't know that
9 that is, in fact, what occurred. I know a lot of people were
10 shocked and dismayed that this mission went to the Office of
11 Protection, which normally would have no reason to oversee a
12 mission like this. And then when it transitioned from a
13 protective detail into sort of the physical presence, if it
14 had been an MSD mission from the get-go -- and, again, MSD,
15 this is what they do, they operate in these environments,
16 they operate in teams, they train for this -- I think a lot
17 of -- I think there may have been some --

18 Ms. Barrineau. You're okay.

19 Voice. The whole space is cleared.

20 Ms. Barrineau. Oh, yeah, you're fine.

21 Mr. [REDACTED]. Okay. And so, from the time that I was
22 there, I don't think MSD -- they had come to Benghazi, but
23 only in the context of coming for VIP visits. If Senator
24 McCain or Susan Rice had come to Benghazi for a visit, then
25 MSD and some other DOD elements would fly in, but then fly

1 out. I don't know that MSD ever had a presence on the ground
2 specifically in Benghazi.

3 Had they had a presence, I think the situation would
4 have been better. A lot of the assessments, a lot of the
5 things that I was trying to do, me and [REDACTED] were trying to
6 do would have been better done by a five-, six-man, or by two
7 or three five-, six-man MSD teams that do this for a living.

8 So by not having made that decision early, I think it
9 set in motion, you know, sort of a perpetuation of some of
10 these failures that continued. MSD, I don't think, ever had
11 ownership of that, so there was a reluctance then maybe to
12 come back.

13 But, again, like I said, there are literally dozens, if
14 not hundreds of questions like this that could and should be
15 asked and answered that I think would make the Department
16 much stronger going forward in doing this type of thing.

17 Q Okay. Well, if you think of any more while we're
18 all here, keep telling us. We'll make an extensive list.

19 A I mean, again --

20 Q Seriously.

21 A No, something I would talk about or want to know
22 about, again, when we had a decision by the acting director
23 of Diplomatic Security, when you approve a memo and you
24 approve it with the caveat that this is an unfunded mandate
25 and a drain on personnel resources, again, that's a very

1 important -- I mean, that is a key component of how that
2 mission is going to go forward. And this, again, is above my
3 head in terms of how you make this happen.

4 I'm pretty sure the Department can find a way, given
5 those sorts of constraints, sort of structurally from the
6 beginning to go forward, but if you don't acknowledge that
7 from the beginning and if you're not transparent and you
8 don't let everybody know that these are the constraints we're
9 working with going forward, how do we compensate now to make
10 sure that these don't become impediments to security down the
11 road, that's important. The fact that we've really not
12 talked about or identified kind of that decisionmaking
13 process as being a key sort of point of failure in how we
14 were able to provide security to me is troubling.

15 Because, again, I think you can make that determination
16 that this is an unfunded mandate and it is going to be a
17 drain on our resources, you can make that determination and
18 still be successful, but you have to be very clear about that
19 determination early and come up with some creative,
20 transparent ways that you're going to mitigate and
21 compensate, and then make everybody buy into that, and then
22 go forward.

23 And we sort of just kind of deal with it as we go along,
24 which I think is -- I think that's where we are right now,
25 and I think that's unfortunate, because, again, a lot of

1 things are going to fall through the cracks.

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 [3:34 p.m.]

2 BY MS. BARRINEAU:

3 Q So is that essentially the difference between being
4 proactive and reactive?

5 A Yes.

6 Q To go back to something else that we were talking
7 about earlier, when we were talking about the local guard
8 force that you had, and then I know you went back to IP, so I
9 know you have kind of a unique perspective of being in
10 Benghazi but also being in IP and knowing how that works, was
11 your local guard force when you were there tied to the life
12 services contract with the chef and whoever else was there?
13 Do you know?

14 A I don't know how it was tied in terms of
15 financially.

16 Q Okay.

17 A It was -- I don't think it was tied -- I can't
18 remember exactly. It was -- there was a guy named [REDACTED], he
19 was a local guy, lived in one of the hotels that we had a
20 contract with. [REDACTED] was the IMO that dealt with
21 that. The contract was very problematic.

22 And one of the problems, again, that you get in is the
23 contract, because we looked at it, the contract was, like, a
24 page, it was like a Word document, maybe two pages. And so
25 when we had questions about it, I had people back in the LGF

1 office, they were citing to me, well, you got to look at this
2 provision, this provision, and this provision. And there's
3 no provisions. It's a Word document that somebody, you know,
4 ginned up on the computer one night.

5 So, you know, having that, it really wasn't up to any
6 sort of legal contractual binding standard at all. But,
7 again, that wasn't my primary purview, because that was the
8 IMO's job to deal with that.

9 Q So once you -- and you may not know -- but once you
10 got back to IP, do you have any idea how we transitioned from
11 that to the Blue Mountain Group?

12 A I only have an early view on that. I can't
13 remember. I don't think that the Blue Mountain Group had
14 been identified, but I know that the IMO when I was there,
15 [REDACTED] -- [REDACTED], something like this -- he was out
16 of Frankfurt, could not stand the guy who ran the contract
17 that we had, [REDACTED], and he was doing everything in his power
18 to get the contract voided with [REDACTED]. And it had more to do
19 with administrative and financial dealings with him and him
20 just not coming through on certain things. So he was having
21 a very hard time dealing with him and he was trying to get
22 the contract terminated.

23 The time I was there, there was no discussion of, well,
24 then what comes next? It was just this guy is too much
25 trouble for us to deal with, we've got to find an

1 alternative.

2 Q But at the time there weren't discussions about
3 what those specific alternatives would be?

4 A Not when I was there.

5 Q Okay. I think we touched on this earlier too, but
6 just to kind of flesh it out a little bit. So you said [REDACTED]
7 [REDACTED] was the RSO before you.

8 A He was the RSO when I arrived.

9 Q When you got there.

10 A Yes.

11 Q So I know you probably didn't necessarily have
12 turnover notes, because you guys overlapped for a while, but
13 what did he tell you about his time there or what did he pass
14 to you?

15 A We overlapped by a couple weeks.

16 Q Right.

17 A So we were there for a couple weeks. So I just
18 went to work as an ARSO for him. So when he left, I just
19 sort of took over. But typically this was one of the big
20 problems that we had and this was, again, part of the desire
21 to keep us, from what I understood from [REDACTED], capped at
22 three agents.

23 Turnover typically consisted of if a new agent was
24 coming in, an agent would drive out to the airport, pick him
25 up, bring him back to the mission, give him a couple-hour

1 brief, show him around the compound, show him where things
2 were, we might get in the car, drive around town, go to a
3 couple of the spots that we normally would go to, give him a
4 GPS, and then that other agent would take that other agent to
5 the airport that night and he would fly out.

6 So you would have, you know, sort of a left seat-right
7 seat for, you know, 6 hours sometimes, sometimes an
8 overnight, but it was in and out. So there wasn't very much
9 of a handover. That wasn't always the case, sometimes you
10 could overlap, but, I mean, that was very often the case.

11 BY MR. BEATTIE:

12 Q One question I had. You may not have any optic
13 onto this. It's fine if you don't. Typically, when the
14 Department operates in a semipermissive or more dangerous
15 environment, in theater, for example, there's a contract, a
16 standing contract for the Department to employ private
17 security contractors to beef up security at posts that may
18 face a higher threat. Is that correct?

19 A I don't have good optics on that process.

20 Q Okay. So you don't have a good optic on why that
21 was not the case, either in Benghazi or in Tripoli, for that
22 matter, why the Department did not employ any of these
23 existing contracts to bring in a company that would beef up
24 security, as they do in Iraq or Afghanistan?

25 A Yeah. That was not an issue that I was dealing

1 with.

2 Q Okay.

3 A I know it was being discussed, but I had no role in
4 that.

5 Q Okay. Thanks.

6 BY MS. CLARKE:

7 Q So we've talked a little bit about the ARB and that
8 you spoke with the ARB. I just wanted to flesh out a little
9 bit more details about your time at the ARB. Can you just
10 describe who was there, how long you spent with them, were
11 you the only person being interviewed?

12 A I mean, I was the only person being interviewed in
13 that room at that time.

14 Q Okay.

15 A I spoke -- it was over the week of Thanksgiving.
16 Pickering and Mullen were not present. I believe the rest of
17 the panel was. I think the interview probably went for about
18 an hour and a half, hour 45.

19 Q Was there anyone else present other than members of
20 the ARB panel, DOJ, FBI?

21 A No. It was the members of the ARB panel, and there
22 was, I believe it was one of the staff from the ARB that was
23 in there, maybe taking notes, administratively running that.
24 I was also with an AFSA lawyer. She was present.

25 Q During the previous hour, I think you said

1 something to the effect of there was a lack of investigative
2 procedures and transparency involving the ARB. Could you
3 kind of elaborate what you meant by that?

4 A Yeah. Like I said, the -- I think I was talking
5 about, you know, across the board as well, just from the time
6 of the attack to this day there's been a lack of an
7 investigative process in terms of what happened. And as I
8 mentioned in my comments earlier, that the ARB so far is the
9 only thing that's been done.

10 Again, the ARB -- my personal opinion, the ARB, the
11 process is okay, but it took -- it looked not just at
12 Diplomatic Security, it looked at a lot of different things.
13 It looked at the context it was taken in politically, it
14 looked at -- it was a very broad-stroke investigation. And
15 my understanding was there were quite a few people that were
16 never interviewed by the ARB. Like I said, I felt that I was
17 not going to be interviewed by the ARB. So if left to the --
18 if not for me pushing back what I felt pretty vigorously,
19 none of what I gave the ARB and gave you today would have
20 even been in that testimony.

21 And I know there's a lot of people that are probably
22 okay not testifying at the ARB. It was an intimidating --
23 not the ARB itself, but the atmosphere around it was a little
24 bit intimidating.

25 Q What do you mean by that?

1 A And this might link up a little bit earlier,
2 Heather, with what you -- we talked about earlier with, you
3 know, perception of one's ability to speak up and the
4 retaliation against them.

5 So we talked about the impression that I had talking to
6 people when I was in Benghazi. After the Benghazi attack, it
7 was evident that there was going to be a -- obviously an ARB.
8 The deaths trigger that. Again, Charlene Lamb, I worked in
9 her office, she scheduled -- we had a weekly meeting in that
10 office after it was clear, again, that the ARB was going to
11 be convened, and obviously everyone knew that Charlene Lamb
12 would be at the center of that storm.

13 Paraphrasing, but this is pretty accurate -- and, again,
14 I'm still at the time -- I'm probably a just barely tenured
15 now junior agent -- she told the room that, some of you are
16 likely to be interviewed by the ARB. I'm not telling you not
17 to cooperate, but you're going to be asked very, very
18 specific questions, and by all means you should give very,
19 very, very specific answers. There's no reason to feel like
20 you should, you know, elaborate too much.

21 And, again, everyone's going to take that differently.
22 I took that as, you know, not a vote of confidence to, you
23 know, go run out and start telling your story. Personally,
24 having been as, you know, personally invested in Benghazi as
25 I was, that clearly was not going to prevent me from going to

1 the ARB. It may have had an impact on other people.

2 And even that I was willing to go talk to the ARB, I was
3 nevertheless very cognizant of the fact that by me pushing to
4 go in front of the ARB and having heard the comment like that
5 from Deputy Assistant Secretary about testimony that was
6 likely to be very critical of her, among other people, that,
7 yeah, I felt that I was -- again, it was a, you know,
8 semihostile-type atmosphere, a threatening atmosphere.

9 Subsequent to that, and this -- I'll just maybe, again,
10 paint a picture of the atmosphere and the environment that,
11 you know, we as agents serve in -- subsequent to that, I
12 received -- again, I was in IP, which was kind of the center
13 of the focus of this -- an email went out to IP which was a
14 FOIA request asking anybody who had relevant documents on
15 Benghazi to provide hard copies to the DS FOIA office,
16 Freedom of Information Act, downstairs in SA-20.

17 When I looked at the -- and I was in IP, and, again, I
18 was one of the very few agents who served in Benghazi as a
19 TDY agent and was also in IP -- I noticed that the
20 distribution list was limited primarily to IP. So I
21 emailed or called several friends who I knew had been there
22 but were coming from TDY from field offices and who had
23 served in Benghazi and really had relevant information, and
24 none of them had gotten this FOIA request.

25 So I went downstairs to the FOIA office with all my

1 documents that I printed out, gave it to them, and I asked
2 the FOIA office, I said, you know, I don't know what the
3 issue is here, but a lot of the agents who served there have
4 not gotten this request.

5 And I asked this because I wasn't sure. I, you know,
6 don't know what the legalities are around this. I asked her
7 if it was okay for me to forward this FOIA request to people
8 that I knew that might have relevant documents or if this
9 should come from another source.

10 She said, by all means, yeah, you can forward this to
11 anybody. And I asked her why it wouldn't have gone out to
12 all the agents who had served there, and she said that DS had
13 told FOIA that DS/IP typically controls all the RSO shops, so
14 there's no reason for it to go out wider, because nobody else
15 would have relevant information.

16 So I explained to the FOIA office that, you know,
17 actually probably 95 percent of the agents who were out there
18 have nothing to do with IP and are out in the broader DS
19 community in the U.S. and around the world. The FOIA office
20 seemed concerned about this. They said that they would take
21 it up with DS and follow up.

22 A couple days later I got an email from somebody who
23 forwarded me the email chain, kind of looped it back to me,
24 where it had gone to the DS front office. And I don't
25 remember the name of the woman who said this, but it was

1 words to the effect of, yeah, DS has looked at this and we
2 thought that the TDY ARSOs who were out there, their emails
3 were probably just full of time and attendance sheets and
4 complaints about how bad the food was.

5 So post-Benghazi with, you know, 30 or so TDY ARSOs,
6 junior agents, a lot of whom had served in the RSO
7 capacity -- like, when I went out there, I went there as an
8 ARSO. And I only served as RSO by default because there was
9 a gap. So under normal circumstances I never would have been
10 an RSO, but I still would have had access to this
11 information.

12 DS front office determination was that my emails and
13 other people that you're probably going to interview next
14 week, this week, our information wasn't limited to time and
15 attendance sheets and complaining about how bad the food was.

16 You know, other agents I talked to, I had questions
17 about whether or not that was, you know, that the DS senior
18 management clearly just is that disconnected from what
19 happened in Benghazi that they don't understand who was
20 serving there or if it was a deliberate attempt to prevent
21 people who were there from getting this FOIA request. I
22 honestly don't know. And this is honestly a question we were
23 asking ourselves at the time.

24 The fact that we're asking those questions, I would
25 argue does not create, again, an atmosphere of ease and

1 comfort when you're trying to push these issues. And that,
2 you know, issue was raised by others as well.

3 I'll follow up with one more thing. This is a little,
4 you know, kind of -- it's a little sensitive, but just this
5 maybe show a trend. So that would have been around the time
6 just before the ARB. So if you fast forward, this is the
7 summer of 2013. This is the same meeting I discussed earlier
8 where I asked specifically Assistant Secretary Starr if there
9 had been or ever would be a detailed DS review of Benghazi.

10 I'll backtrack a little bit in that to the beginning of
11 our class's interaction with Assistant Secretary Starr, and
12 this, I think, will shed some light on the climate that we
13 work in. Assistant Secretary Starr walked into a room full
14 of, I don't know, 25 students and an instructor, sat down at
15 the table. This is going to be inappropriate language.
16 Should I just say directly what the quote was? Is that
17 appropriate?

18 Ms. Clarke. Yes.

19 Ms. Barrineau. Go ahead.

20 Mr. [REDACTED]. So Assistant Secretary Starr said, I'm
21 going to give you guys one piece of advice before you go
22 overseas. He banged his fist into the table and he said,
23 just shut the fuck up, shut your fuckin' mouths. He said,
24 you guys are about to go overseas. You guys think you know
25 more than your senior RSOs, you think you know more than

1 people back here in D.C. You don't know shit. Shut the fuck
2 up and do your job. And he said this yelling.

3 That was our introduction to Assistant Secretary Starr
4 as we were about to go overseas. Those were the one piece of
5 advice that the senior Diplomatic Security official gave a
6 new group of ARSOs going out for their first assignment.

7 Everybody in that room took that very poorly. Everybody
8 in that room was going to take that a little differently
9 based on their experience within the organization. So I have
10 my own sort of view about what that meant and where that was
11 coming from, but it's hard for me to believe that there's a
12 way to take that that's not negative.

13 So, again, I mean, I can only say that based on my
14 experience with the organization, I would say that Bureau of
15 Diplomatic Security and the Department writ large is not
16 really -- does not have an atmosphere conducive to junior
17 officers, junior agents being overtly critical or speaking
18 up, you know, or causing waves, making waves within the
19 Department. And I'm not alone in that. So --

20 Q When you were talking about this FOIA request that
21 went out to you, do you recall when that occurred?

22 A I'd be guessing, but it would be right before, I
23 think, the ARB. It was the first -- I believe it was the
24 first congressional FOIA. I'd have to go back and look at
25 old emails. I can't remember the exact date.

1 Q Okay. So some time in the fall of 2012?

2 A I believe so, yes. The ARB was 2012, correct?

3 Q Yes.

4 A It came out that same year, right?

5 Mr. Craig. Yes.

6 Mr. [REDACTED] Yeah.

7 BY MS. BARRINEAU:

8 Q You said you talked to the FOIA people and they
9 said you could forward the email. Did you forward the email?

10 A I immediately forwarded it to several people, and
11 then -- I mean, additionally the email loop that I got back,
12 it eventually did, because -- to their office, the DS FOIA
13 office, the response to -- you know, DS believes that that
14 would just be emails about, you know, complaining about the
15 food.

16 Q Right.

17 A I believe the FOIA office response was, why don't
18 you let the FOIA office make those determinations about who
19 has relevant information. So then it did -- it was dispersed
20 after the fact to domestic offices and other places. It
21 would not have been had I not brought it to the FOIA office's
22 attention, and a lot of people who had relevant documents
23 would not have gotten that FOIA request, or at least at that
24 time would not have gotten it. Maybe they would have gotten
25 it at a later date. I can't speculate on that.

1 BY MR. BEATTIE:

2 Q I know you said you don't remember here when that
3 email was. Do you have access to that email?

4 A I have to go back and look. Having switched from
5 D.C. to overseas and --

6 Mr. Craig. Are you talking about the F-O-I-A?

7 Mr. [REDACTED]. The FOIA.

8 Mr. Beattie. Yes, sir. To the extent that you have
9 access to it or can get access to it, is that something you'd
10 be willing to share with the committee?

11 Mr. [REDACTED]. Sure.

12 BY MS. BARRINEAU:

13 Q I have one more question, if you can be specific
14 and if you feel comfortable talking about this. You said
15 that agents in general, or junior agents don't feel
16 comfortable speaking up for fear of retribution of some sort.
17 What do you think that you specifically, or if other agents
18 have told you, what were you afraid that could happen? What
19 did you think would happen if you spoke up?

20 A I guess that would depend at what time, what
21 timeframe we're talking about, if I'm to speak to myself
22 specifically.

23 Q Sure.

24 A I mean, I can generalize in general terms what
25 people's fears are that have been expressed to me of the

1 general population of agents, but --

2 Q Let's do both, you specifically and then what you
3 think the general --

4 A Me specifically, at the time I was in Benghazi, I
5 felt that if I spoke up and said the things that I wanted to
6 say, that I would have been sent home the next day. And I
7 also felt that, -- again, I felt that I was in a better
8 position to try to get what support I could to Benghazi than
9 somebody else would be coming in right after me, just based
10 on the work that I had already done.

11 So I felt that if I had taken a stand to make myself
12 feel better, I might leave Benghazi in a worse place in the
13 short term. That's a difficult decision to make, to try to
14 make that call, and I wish -- and we never should have been
15 in a situation where I was forced to make that sort of
16 determination, but I did, I was faced with that.

17 Before the ARB came out -- again, you also have to
18 understand that as, again, a junior agent who's never been
19 through at that time an ARB process, you know, this time I'd
20 never been through any sort of hearing like this, people are
21 a little bit intimidated of these. We don't know how they're
22 going to go, we don't know what the outcome is going to be,
23 we don't know what the impact is going to be.

24 And we do have, generally speaking, we do have a
25 consider about retaliation. Me, personally, and even more so

1 now post-Benghazi, I'm not terribly concerned about
2 retaliation myself, but I'm also saying things that, I mean,
3 it should be self-evident that if some of the things that
4 I've said to you today were to get to certain people
5 tomorrow, that may affect my reputation and people might try
6 to take that out on me.

7 But to me, it's just unacceptable to work in an
8 environment where you have an Assistant Secretary who what I
9 would consider threatens a group of agents and we're cowed
10 into remaining silent, or if you speak up, you have to worry
11 about maybe you're not going to get your next assignment,
12 maybe you're going to be -- you know. And when you have
13 families to consider, people worry about, where am I going to
14 go next, am I going to get a good assignment career-wise, am
15 I going to get a good assignment family-wise, am I going to
16 be stuck doing something I don't want to do.

17 So those are considerations. I mean, I have to make
18 those considerations now, and I know that I'm potentially
19 risking my career within the Diplomatic Security by saying
20 some of these things, I'm going to make some enemies if they
21 hear this testimony. I think it's too important not to. But
22 out of a group of people there's only a certain number of
23 people that are going to listen to that advice to just shut
24 the fuck up and they're going to follow the party line and
25 they're just going to shut the fuck up.

1 And, you know, I would say across the Department, my
2 experience has been it's a similar atmosphere, although not
3 expressed as colorfully as the Assistant Secretary expressed
4 it to us and not as harshly. But there's a, you know, a
5 feeling of, you know, you kind of need to watch yourself in
6 the Department and don't rock the boat and -- you know.

7 So those, I think, are the fears that I would have, that
8 others have, that you really do face some career
9 repercussions. I mean, had an attack on Benghazi never
10 happened and had I started to adamantly speak out and
11 challenge ambassadors and challenge -- I mean, if you look at
12 it from that sense, if you have a junior, untenured agent out
13 there openly criticizing ambassadors and assistant
14 secretaries, that individual would look like, you know, a
15 raving lunatic within the Department. People would not
16 necessarily give that person credibility. You would look
17 like you're out of control and you're trying to, you know,
18 put the spotlight on you, in the absence of something bad
19 happening.

20 So it's easy in hindsight to say, why didn't you say
21 more or do more? But you don't know what's going to happen
22 in the future, and if you go out there and, you know, make
23 yourself, you know, that much of a spectacle within the
24 Department community, there's probably going to be
25 repercussions. And if nothing is to happen after that, you

1 know, you're going to have to deal with those repercussions.

2 Ms. Barrineau. Okay. I think we can go off the record.

3 [Recess.]

4 EXAMINATION

5 BY MR. WOOLFORK:

6 Q Go back on the record.

7 Again, my name is Brent Woolfork. I'm with my counsel,
8 Heather Sawyer. And so we just have some questions that we
9 wanted to go through earlier, a range of areas. And so one
10 of them I wanted to discuss was the Accountability Review
11 Board report. And I believe you had said earlier that you
12 had read the report. Is that correct?

13 A It was a while ago. When it came out, yeah.

14 Q When it came out in the winter of 2012?

15 A '12, yeah, I guess.

16 Q Okay. I wanted to enter as Exhibit Number 2 the
17 Accountability Review Board report. That did come out in
18 December of 2012.

19 [REDACTED] Exhibit No. 2
20 was marked for identification.]

21 Mr. Woolfork: And I'll give you a few moments to take a
22 look at that. What I'm actually going to do is point you to
23 specific pages. And so I'm not asking you to read to entire
24 report. I'll point you to specific passages within that
25 report.

1 Ms. Sawyer. So let's go off the record just for a
2 second.

3 [Discussion off the record.]

4 Mr. Woolfork. So, Agent ██████████ I just wanted to
5 point you to, as I said earlier, a few different parts of the
6 report. And the first one I want to point to, we're going to
7 jump around a little bit, is on page 31 of the report.

8 Mr. Craig. Right at the end.

9 BY MR. WOOLFORK:

10 Q And so it's the top of the page, in about the
11 middle of that paragraph, there is a sentence that I'll read,
12 and it reads, quote, "A comprehensive upgrade and
13 risk-mitigation plan did not exist, nor was a comprehensive
14 security review conducted by Washington for Benghazi in 2012.
15 The unique circumstances surrounding the creation of the
16 mission in Benghazi as a temporary mission outside the realm
17 of permanent diplomatic posts resulted in significant
18 disconnects and support gaps," end quote.

19 And earlier today you had talked about serious concerns
20 that you had regarding the temporary mission status or, I
21 guess, the nondiplomatic status of the post. Is that
22 correct?

23 A In general terms. And I would caveat this with,
24 you know, temporary versus nondiplomatic, I'm not -- you
25 know, and this is where some of the confusion lies, is we use

1 these terms, and it's not always clear exactly what those
2 ramifications will be. So just by using the term "temporary"
3 or -- I mean, words have meaning, and I can't tell you that
4 "temporary" is the key word. Benghazi was, in fact, a
5 temporary facility, because you have a temporary facility
6 that is in fact a diplomatic mission, sure, so we're
7 starting -- we can get into some of those issues as well. So
8 I don't want to split hairs over terminology. To me, it's
9 the principle.

10 Q Okay. And then just staying in that same thread
11 and just following up on that, I wanted to point to page 30,
12 and there's a section here that I'll read. It's at the
13 bottom of the page, it's the last paragraph that starts with,
14 "Another key driver."

15 And I just want to point out this because you just
16 talked about the difference between a temporary and
17 nondiplomatic, and so let me just read this particular
18 passage. Quote, "Another key driver behind the weak security
19 platform in Benghazi was the decision to treat Benghazi as a
20 temporary, residential facility, not officially notified to
21 the host government even though it was also a full-time
22 office facility. This resulted in the Special Mission
23 compound being excepted from office facility standards and
24 accountability under the Secure Embassy Construction
25 Counterterrorism Act of 1999 (SECCA) and the Overseas

1 Security Policy Board (OSPB). Benghazi's initial platform in
2 November 2011 was far short of OSPB standards and remained so
3 even in September 2012, despite multiple field-expedient
4 upgrades funded by DS."

5 Would you have anything to add to that?

6 A Yeah. And, I mean, all this is just off the cuff
7 and without having time to really think. And, again, this is
8 very technical, so, you know, looking at words like this, one
9 might want to go look at some of these acts and look at these
10 FAMs.

11 But if you're going to have a nondiplomatic facility, a
12 pretty key consideration that I learned through this is does
13 it talk about -- and, again, it may somewhere else in the
14 document, I'm not sure -- does it talk about the fact that,
15 you know, does designating it as a nonofficial compound, did
16 that make the Government of Libya not responsible for
17 security. I mean, that's one of those key issues that I
18 raised with that. And I don't see that in this. I don't see
19 that addressed. Maybe it's somewhere else, if we can find
20 it.

21 So, I mean, there's a lot of subcategories of this and
22 considerations. So, yeah, in general terms this kind of
23 captures some of this. But, again, I have a feeling that
24 this could have been more -- there's more considerations as
25 well.

1 BY MS. SAWYER:

2 Q So I just want to follow up on that, because one
3 thing you mentioned specifically was a concern that you felt
4 the mission had not been notified to the host nation. Now,
5 that was also a finding consistent that the ARB just said
6 right there.

7 A Yeah.

8 Q So you agree with that finding?

9 A But what are the consequences of that?

10 Q I think they lay them out here. One of the
11 consequences was it meant that it didn't comply with -- well,
12 that one consequence may have been that, you said, there may
13 not have been sufficient host nation support. The ARB did
14 find --

15 A That's not what I said, though. What I said was a
16 legal obligation under international law.

17 Q Okay.

18 A Big distinction. Because one of the issues that's
19 been raised with this is, even if they were, was there even a
20 Government of Libya to take responsibility, which is a
21 totally separate question, because if you have an entity
22 that's being considered the Government of Libya, even if,
23 again, you're in that gray area in terms of who they are and
24 what their capabilities are.

25 And, again, I'm not a lawyer, but I will speculate on

1 this based on my experience. If the Government of Libya
2 knows that under international law they have a responsibility
3 and there's very limited resources to go around, I would hope
4 that that might push them to give me a little more of their
5 limited responsibilities. If they're not and the resources
6 are very limited, maybe that means us getting a little bit
7 less. Again, I'm not qualified to speak --

8 Q So let me just -- because I am curious, because I
9 guess I misunderstood you, because you were very concerned
10 about parsing the words here. I mean, my question to you is
11 --- setting aside whether there was a legal obligation or not
12 does not seem to me the core question. If that helps a
13 government provide what we need, great.

14 But wasn't the concern that you expressed was that we
15 weren't getting sufficient host nation support at the end of
16 the day, whether or not -- and there may have been a number
17 of reasons. One may have been that they weren't taking
18 seriously a legal obligation. One may have been that they
19 had a lack of capacity. I think the ARB speaks to a number
20 of the reasons why we did not get sufficient host nation
21 support.

22 And so I guess what I'm having -- I am really in some
23 ways imploring you to help us do is to figure out -- you've
24 made a lot of very generalized statements about the need to
25 further investigate, and we want to make sure that this

1 eighth congressional investigation uses whatever time and
2 whatever resources we have to actually get at things that
3 haven't already been investigated.

4 So I understand we're asking you a tough task, because
5 you just said to us you read this in December of 2012,
6 probably when it came out, but you've now come before us and
7 you've suggested that things weren't adequately investigated.

8 A Yes.

9 Q So you did read the ARB report, you acknowledged
10 earlier today that you had not participated in the Best
11 Practice Panel. Were you aware of the Best Practice Panel
12 that was convened as a result of the ARB to do an additional
13 investigation?

14 A I don't believe so.

15 Q So you have not read the Best Practice Panel
16 report?

17 A Like I said, who was on the Best Practice Panel? I
18 mean, who --

19 Q Yeah.

20 A Was that the Department?

21 Q Todd Keil.

22 Mr. Woolfork. Todd Keil.

23 Ms. Sawyer. Do you know who Mr. Keil is?

24 Mr. Woolfork. Director --

25 Mr. Craig. I'm sorry. I can't hear you.

1 Mr. Woolfork. So Todd Keil, who was the cochair, he was
2 formerly with the State Department, as well as Director
3 Sullivan, former Director of the Secret Service --

4 Mr. [REDACTED]. Okay.

5 Mr. Woolfork. -- were the two heads. Mr. Sullivan was
6 the head of the panel.

7 Mr. [REDACTED]. I don't recall that, no. Like I said,
8 other than the ARB, nobody's ever spoken to me about anything
9 about Benghazi.

10 Ms. Sawyer. Right. Understood. No one has spoken
11 directly with you.

12 Mr. [REDACTED]. But, I mean, I think -- I understand
13 what you're saying, but I -- I understand it's a fine point,
14 but it's an important point, that there is a difference. If
15 I'm being asked is the Government of Libya providing
16 adequate -- providing adequate security, I mean, that's a
17 subjective term, but whether or not they're legally obligated
18 to is not as. So, I mean, that's a little more objective.

19 And it is important [REDACTED]
20 [REDACTED] I'm sure
21 [REDACTED] providing us security and probably pretty good
22 security, because we have a good relationship [REDACTED]
23 and they have a good security apparatus. To me, that would
24 be a key consideration to know concretely are they obligated
25 to protect us under international law or are they doing this.

1 as a favor to us or are they doing this as a best effort to
2 help us, which could go away at any time. That's a valid
3 question and a valid concern, and I can't give you the answer
4 to that right now.

5 And so, again, yeah, that consequence -- I mean, I agree
6 in general terms with this paragraph, but that was a
7 consequence that wasn't pointed out. And, again, I haven't
8 been responsible for having anything to do with this report
9 or studied up or making comments or analyzing this, so it
10 would raise my question as to what other consequences may not
11 be pointed out. So it's not -- to me it's not are there good
12 things in here, but are there things that could be here that
13 aren't here. And so to me, I still have some open questions
14 on that.

15 Ms. Sawyer. Well, that's what I'm wondering, what
16 specifically are those open questions?

17 Mr. Craig. You know what? We'd have to look at this
18 and provide you an analysis. He hasn't looked at this since
19 December. And to ask him where the, I think, the
20 shortcomings -- if you want to ask about specific passages, I
21 think that's fair, but to have him present a wholesale
22 analysis, I think, would not be fair.

23 Ms. Sawyer. Okay.

24 Mr. [REDACTED]. What I -- what I -- I mean, maybe --
25 well, maybe this would help, in terms of it's a 31-page

1 document, it's written in -- I'm sure it's been highly
2 scrutinized by lawyers and others. So, again, I wouldn't
3 want to speak to a specific sentence or a specific line. But
4 coming out of the ARB, you look at how it's written, and
5 people can, you know, parse words about what something means
6 or doesn't mean, but if we look at outcomes, what has DS done
7 or implemented because of this, again, to me and to others
8 raises some concerns about whether or not the right lessons
9 were learned from this document and they've made it into the
10 implementation process.

11 BY MS. SAWYER:

12 Q So currently there's an inspector general
13 compliance review that is ongoing about whether or not, of
14 the 29 recommendations made by the Accountability Review
15 Board -- we've held two hearings on this topic in this
16 committee on implementation of the Accountability Review
17 Board. There's an ongoing, current, right now compliance
18 review. I would strongly encourage -- I understand and I did
19 ask you a very difficult task. And to the extent I asked it,
20 it's because, again, I understand what you're saying, that
21 you have concerns that maybe there wasn't enough
22 investigation.

23 We are charged with the responsibility, unlike you, for
24 having read every single one of those reports, for trying to
25 understand what hasn't been investigated. And so I was

1 imploring you for your help in helping us identify that.
2 Because I understand what you're saying. I do believe it was
3 not the case that there wasn't an obligation. I think the
4 obligation was not fulfilled in terms of host nation support.
5 And I think that was identified as a critical failure and one
6 that was not taken seriously enough by the ARB --

7 A Yes.

8 Q -- and that some of the other things that you
9 identified very clearly, about the failure to meet OSPB
10 standards, also has been identified.

11 So I think part of what we were trying to help us
12 understand was with a lot of the specific deficiencies you
13 identified, they have been discussed.

14 A Can I ask you a question?

15 Q Yes, please.

16 A And, again, this is not at all me being
17 argumentative about things the Department has done. This is
18 a legitimate question that a lot of people, including myself,
19 still don't have a clear answer on. If you have an
20 unaccredited facility and you have unaccredited personnel
21 there, what are the legal obligations of the host government?

22 Q I'm not sure I understand what you're talking
23 about, unaccredited. That we are not a diplomatic mission?

24 A The mission is not a -- the host government has not
25 been notified that this is a diplomatic facility by the

1 various means that the Department does that under
2 international law and that the diplomats who are serving
3 there are not accredited diplomats.

4 Q Well, I am not certain that that was true the
5 entire time that we were in Libya. There was a period of
6 time when our Embassy was not up and running.

7 A No. It's a key distinction. I'm talking about the
8 mission in Benghazi.

9 Q All of those people were recognized as diplomats.

10 A In Tripoli, not Benghazi.

11 Q Right. The facility versus the persons, I think,
12 are two different distinctions.

13 A As far as I was told, we were not accredited
14 diplomats in Tripoli.

15 Q I'm not sure who you were told that by, but it
16 would help to know who told you that, when you were told
17 that, and if that's what you were told was the reason you
18 were not able to get resources.

19 A In fact, yeah, I do not believe we were accredited
20 diplomats in Libya.

21 Q Libya.

22 A And, again, that's a very, very legitimate
23 question. It's a relatively easy one to answer. And it's
24 been an answer that's been very difficult to get.

25 Q Who have you asked that question of?

1 A In IP, [REDACTED] and various other people in IP,
2 what our status was. And [REDACTED] told me this, [REDACTED]
3 [REDACTED] told me when he's been in meetings, broader State
4 Department and they were talking about the security dilemma
5 that we were in, [REDACTED] said, and he didn't tell me who
6 had brought it up, but he said, it's been brought up that
7 should we even consider them chief of mission personnel.
8 That was an open question at points, are they even chief of
9 mission. And chief of mission doesn't mean accredited
10 diplomat. I mean, so that's even a lower level of who we
11 were. That was apparently brought up.

12 So in the desire to be constructive and maybe do
13 something constructive with this, because this is a lot of
14 information to go through, a concern I have with this and how
15 it's been implemented are -- and, again, I'm not alone in
16 feeling like this -- a lot of recommendations have come -- a
17 lot of implementation has come out of these recommendations,
18 and some of us question how relevant they are to
19 expeditionary diplomacy. And give you a couple examples.

20 Out of this, we created and Congress funded some
21 30-some-odd Marine Security Guard detachments. There were
22 questions brought up during various hearings about, you know,
23 where were the marines and this had come up.

24 So a takeaway from this was more marines. So Congress
25 funded 36 more detachments. That's a lot of money, that's a

1 lot of marines. And those marines went places like Juba, the
2 Embassy, not the provincial areas; Hanoi; Casablanca; some
3 other places.

4 If Benghazi were to repeat itself today, how many
5 marines would be in Benghazi? Zero. Not a single marine
6 would be in Benghazi. Because it's not a diplomatic
7 facility, you can't put Marine Security Guards. The DOD can
8 send marines from the fleet in with the permission of the
9 Government of Libya, but you could not put Marine Security
10 Guards in Benghazi if it happened again today.

11 How many Marine Security Guards can you put in [REDACTED]
12 [REDACTED]? None. You can't put any. And that's not a
13 knock, and I'm happy that the -- you know, we got 36 new
14 marine detachments. They serve a vital function. At a lot
15 of consulates, official consulates and official embassies,
16 some of them up to now did not have Marine Security Guard
17 detachments. It's great that some of those have those now,
18 because that's an extra layer of security that they now have,
19 but in terms of doing expeditionary diplomacy, you can't use
20 Marine Security Guards outside of the embassy or the
21 consulate grounds.

22 May I continue or --

23 Q Umm --

24 A Well, I can talk about a few other. So that's a
25 valid question, is that was one of the outcomes of this, and

1 a lot of us question it wouldn't have done anything to help
2 in Benghazi.

3 Q Yeah. No. I understand that. It's also my
4 understanding there's other options besides Marine Security
5 Guards. And the committee has been briefed on the placement
6 of those guards. So I'm just torn about -- I understand what
7 you're saying.

8 I think part of the difficulty here is we have different
9 windows on information. We've read the classified version of
10 the ARB. You have not. We've read a number of these others.
11 So I don't want to belabor the process. I understand what
12 your concerns are. And I'm just trying to figure out if
13 there are avenues that we continue to need to explore,
14 without taking a lot of your time right here and now.

15 So I do think I would take your lawyer up on the offer
16 for you to follow up by letter, to the extent that you think
17 there are particular avenues for the committee that we need
18 to explore, so that we can see that and assess what we do
19 already know, without taking more time now. So we would
20 definitely take you up on that offer.

21 But while we do have you here, because you had asked
22 some specific -- you had said some specific things that we
23 just thought -- and, again, what we might hear from you or
24 your counsel is that you would prefer not to tell us now.
25 But you had indicated that you reached out to the ARB, you

1 felt like they might not interview you, so you then
2 immediately followed up to give them reasons why they should.
3 Do you know of any other single person who did volunteer to
4 speak to the ARB that they failed to speak to?

5 A I would want to -- before, I would want to confirm
6 that -- but I believe so, yes.

7 Q Okay. So if you could let us know who those people
8 are, that would be helpful.

9 And you indicated that during -- you know, that the ARB
10 environment was intimidating. I think it's possible that
11 Congress created the ARB to help it be less intimidating by
12 setting it outside the structure of -- to create
13 independence.

14 A Well, I didn't say that the ARB itself was
15 intimidating.

16 Mr. Craig. That's not right.

17 Mr. [REDACTED] That's not correct.

18 Ms. Sawyer. Okay.

19 Mr. Craig. That's not right.

20 Mr. [REDACTED]. I mean, the ARB was actually not
21 intimidating. It was fine. What I said was the --

22 Ms. Sawyer. Okay. My mistake.

23 Mr. [REDACTED] -- the atmosphere in Diplomatic Security
24 surrounding the ARB was intimidating.

25

1 BY MS. SAWYER:

2 Q And the example you gave us of that was Deputy
3 Lamb?

4 A Deputy Assistant Secretary for International
5 Programs and Diplomatic Security telling us, I'm not telling
6 you to not cooperate with the ARB investigation, but -- and
7 then telling us to be very careful about how we answer the
8 questions from the ARB and from investigators about this.

9 Q So did anyone else express to you that they were
10 not going to speak to the ARB because of what Ms. Lamb said?

11 A I didn't ask anybody.

12 Q Did anyone volunteer that to you?

13 A No.

14 Q And you, yourself, chose to speak to the ARB
15 despite what she had said?

16 A I chose to speak to the ARB despite what she said,
17 yes. I also knew that, because I had no idea what the
18 process was going to be, and knowing that I was probably
19 going to be one of the few agents who spoke, that there was
20 the possibility for facing some retaliation if it was known
21 that I was pushing myself on the ARB to speak. That's what I
22 personally felt.

23 Q And have you suffered any retaliation for having
24 spoken to the ARB?

25 A I have not.

1 Q You know, you said that you have become more
2 aggressive since, and not to put words, I think that's how
3 you put it, that you have been more vocal about concerns
4 since your experience in Benghazi. Have you suffered any
5 retaliation for that, for being more aggressive?

6 A I have not.

7 Q Are you alleging today that you are in fear of
8 retaliation or you have suffered any retaliation at the
9 Department?

10 A As of today, I have not suffered retaliation
11 because of the Department, but as of today I cannot speak for
12 whether or not I will face any retaliation after my testimony
13 today.

14 Q But to date, you've been in DS since 2009 --

15 A Uh-huh.

16 Q -- you have not suffered any retaliation?

17 A No.

18 Mr. Craig. Could I make a clarifying point about the
19 witness's attitude towards the ARB, because I think you may
20 be misunderstanding it. And if I'm wrong, you correct me.
21 But my understanding is that he's not generally critical of
22 the ARB. To the extent he has some concerns it has to do
23 with implementation. But by and large he was very positive
24 about the way he was handled by the ARB.

25 Ms. Sawyer. Yeah.

1 Mr. Craig. The report that was made was accurate, he
2 said. So I think if there's a misconception here, I'd like
3 to clear it up. His role here is not to be critical of the
4 ARB.

5 BY MS. SAWYER:

6 Q I mean, do you agree with that. If that's the
7 case, at times it felt --

8 A My --

9 Q But if that's the case, then absolutely clarify
10 that.

11 A My role is maybe a little bit broader than that.
12 My view is that the Bureau of Diplomatic Security and the
13 Department of State have not done a thorough investigation
14 about Benghazi, because they rely on the existence of the ARB
15 as the be all, end all, and since we have the ARB, there's no
16 need for us to do anything else, there's no need to talk to
17 anybody else, because we have the ARB.

18 And the ARB, I would say, is insufficient in terms of
19 getting a real deep dive into a lot of the issues that
20 surrounded Benghazi. There are some good attributes about
21 the ARB. And, in fact, the ARB would have some things in it
22 that a deep dive that DS would do would not have.

23 So I think in a perfect world you would have an ARB and
24 you would have this deep dive by Diplomatic Security. I
25 think what that probably would have done is -- I would make

1 the argument that a lot of the outcomes of the ARB are
2 inadequate and don't reflect the failings of Benghazi. If
3 you had had this in conjunction with a deep dive from
4 Diplomatic Security, I think you would have had a much better
5 chance of marrying up the appropriate outcomes with things
6 that would actually have prevented Benghazi or helped it in
7 the future. So that would be my take on the ARB.

8 And, you know, you asked if anybody who wanted to speak
9 to the ARB wasn't spoken to. Recollection, I believe, yes,
10 that people did respond and were never contacted. But I
11 would also say that, you know, there were -- when comments
12 were made by Deputy Assistant Secretary Lamb and others, that
13 there were people who were happy not to be contacted by the
14 ARB, who maybe didn't reach out themselves, because just,
15 especially after what had been said by DAS Lamb, I personally
16 felt that the mere fact of reaching out to the ARB ahead of
17 time potentially put one in a position where they could be
18 retaliated against.

19 And you asked if I had been retaliated against after
20 that. I have not. A lot of scrutiny's been placed on
21 people, and a lot of the people that may have retaliated
22 suffered adverse consequences and maybe weren't in a position
23 to do so. But it was not at all clear how that was going to
24 play itself out.

25 So I felt at the time that by volunteering myself to the

1 ARB it definitely raised the possible that I might face
2 adverse consequences. I didn't, and I'm thankful for that,
3 but there may have been other people at the time who still
4 felt that way and never contacted the ARB because of it, and
5 the ARB was not going to contact them.

6 So, again, that's a lot of speculation and we can't tell
7 what would have happened had something else not happened, but
8 that's how I felt. And, again, I would go back to I never --
9 I should not have felt that way and I should not have, you
10 know, been told the things that I was told by senior
11 management at that time. I felt that was highly
12 inappropriate.

13 Q And when you talked about it earlier, you said that
14 you read it a particular way and that you felt it was a
15 message of intimidation. And, again, did anyone else express
16 to you that they had felt it was a message of intimidation?
17 Just understanding that people can hear --

18 A Yeah.

19 Q -- what someone says in different ways. I mean,
20 it's possible she thought she was telling people that they
21 should feel free to talk to the ARB, not that they shouldn't.
22 And I understand that's not how you read it, but did anyone
23 else express to you that they felt that Ms. Lamb had told
24 them not to speak to the ARB?

25 A I talked to several people about it after it in the

1 office, and I can't put a particular word in somebody's
2 mouth, but everybody I talked to took it, you know, in
3 general terms the same way, that, you know, how galling of
4 Charlene Lamb to say that, that this was clearly designed
5 to -- that it was shocking that a law enforcement official
6 would say that to a room of law enforcement professionals.
7 That was the consensus from, you know, four or five people
8 that I spoke with immediately after I left my office.

9 I can't put individual words into their mouths, that
10 they used the word "intimidation" or didn't, but I don't
11 think anybody that I talked to thought for a second that that
12 was encouragement to go out and feel free to speak to anybody
13 about this. But I'll only speak to my own feeling.

14 Q Fair enough. And you don't have any specific
15 examples of anyone to share with us?

16 A Off the top of my head, no, I don't want to do
17 that. I could try to --

18 Mr. Craig. You have to say something.

19 Mr. [REDACTED] Hmm?

20 Mr. Craig. You can't just nod your head.

21 Ms. Sawyer. Right. I was just --

22 Mr. [REDACTED] No. Sorry.

23 Ms. Sawyer. -- signaling that you've got to give a
24 verbal response.

25 Mr. [REDACTED]. At this time, no. Sorry.

1 Ms. Sawyer. Okay. No. Not a worry.

2 Can we go off the record just for a sec? Because I
3 think we just have a couple other things.

4 [Discussion off the record.]

5 Ms. Sawyer. So we just have a few more questions. My
6 colleague's going to ask them. And these, he'll introduce
7 them to you. But, you know, part of what I, you know,
8 pressed you fairly hard on, and I appreciate your forbearance
9 and patience, is us really trying to figure out what we need
10 to focus on and what allegations out there really haven't
11 been fully explored.

12 So we're going to ask you a number of allegations that
13 have been made in the public domain over the past 2-1/2
14 years. Some of them will not be necessarily in your avenue
15 of firsthand knowledge, but what we are seeking is kind of
16 whatever evidence or firsthand knowledge you might have about
17 several of these allegations.

18 With that, I don't know if you had more, Brent.

19 Mr. Woolfork. No. And I'll attempt to go through these
20 pretty expeditiously.

21 Mr. Craig. And this is firsthand knowledge you're
22 asking him?

23 Ms. Sawyer. Yes, if he has firsthand knowledge or
24 evidence of any of the allegations.

25 Mr. [REDACTED] Is this a set list or are these things

1 that you think are specific to me or is this --

2 Ms. Sawyer. They're not specific to you necessarily.

3 Mr. [REDACTED] Okay.

4 Ms. Sawyer. Some of them will come within potentially
5 your realm of knowledge, some of them may not. But, again,
6 these are allegations that have persisted, and they are, you
7 know, kind of questions that this committee has been asked to
8 answer, among others. So we are just asking the people who
9 come before the committee if they have firsthand knowledge or
10 evidence. So --

11 Mr. Woolfork. So we have asked these of previous
12 witnesses.

13 Mr. [REDACTED] Okay.

14 Mr. Craig. Firsthand knowledge or evidence about the
15 allegation --

16 Ms. Sawyer. Yes.

17 Mr. Craig. -- related to --

18 Ms. Sawyer. And if you have any questions about any of
19 them, obviously you'll just ask us and we'll talk about them.
20 So --

21 Mr. Craig. All right.

22 BY MR. WOOLFORK:

23 Q So let me start. It has been alleged that
24 Secretary of State Clinton intentionally blocked military
25 action on the night of the attacks. One Congressman has

1 speculated that, quote, "Secretary Clinton told Leon Panetta
2 to stand down," end quote, and this resulted in the Defense
3 Department not sending more assets to help in Benghazi.

4 Do you have any evidence that Secretary of State Clinton
5 ordered Secretary of Defense Panetta to, quote, "stand down"
6 on the night of the attacks?

7 A I have nothing to add about what happened on the
8 day of the attack.

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

12 A No.

13 Q It has been alleged that Secretary Clinton
14 personally signed an April 2012 cable denying security to
15 Libya. The Washington Post Fact Checker evaluated this claim
16 and gave it, quote, "four Pinocchios," its highest award for
17 false claims.

18 Do you have any evidence that Secretary Clinton
19 personally signed an April 2012 cable denying security
20 resources to Libya?

21 A No.

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

25 A No.

1 Q It has been alleged that Secretary Clinton
2 misrepresented or fabricated intelligence on the risk posed
3 by Qadhafi to his own people in order to garner support for
4 military operations in Libya in spring 2011.

5 Do you have any evidence Secretary Clinton
6 misrepresented or fabricated intelligence on the risk posed
7 by Qadhafi to his own people in order to garner support for
8 military operations in Libya in spring 2011?

9 A No.

10 Q It has been alleged that the U.S. Mission in
11 Benghazi included transferring weapons to Syrian rebels or to
12 other countries. A bipartisan report issued by the House
13 Permanent Select Committee on Intelligence found that, quote,
14 "The CIA was not collecting and shipping arms from Libya to
15 Syria," end quote, and that they found, quote, "no support
16 for this allegation," end quote.

17 Do you have any evidence to contradict the House
18 Intelligence Committee's bipartisan report finding that the
19 CIA was not shipping arms from Libya to Syria?

20 A Can I go off the record for a second?

21 Ms. Sawyer. Sure. Yes.

22 Mr. [REDACTED] Okay.

23 Ms. Sawyer. I mean --

24 Mr. Beattie. Off the record.

25 [Discussion off the record.]

1 [4:47 p.m.]

2 Mr. [REDACTED] No.

3 Mr. Craig. That "no" was for the record.

4 Mr. [REDACTED] No was for the record.

5 BY MR. WOOLFORK:

6 Q So second question, follow-up to that, is do you
7 have any evidence that the U.S. facilities in Benghazi were
8 being used to facilitate weapons transfers from Libya to
9 Syria or to any other foreign country?

10 A No.

11 Q A team of CIA security personnel was temporarily
12 delayed from departing the Annex to assist the Special
13 Mission Compound. There have been a number of allegations
14 about the cause of and the appropriateness of that delay.

15 The House Intelligence Committee issued a bipartisan
16 report concluding that the team was not ordered to, quote,
17 "stand down," but that instead there were tactical
18 disagreements on the ground over how quickly to depart.

19 Do you have any evidence that would contradict the House
20 Intelligence Committee's finding that there was no stand-down
21 order to CIA personnel?

22 A I have no evidence or information about this.

23 Q Putting aside whether you personally agree with the
24 decision to delay temporarily or think it was the right
25 decision, do you have any evidence that there was a, quote

1 "bad or improper reason" behind the temporary delay of the
2 CIA security personnel who departed the Annex to assist the
3 Special Mission Compound?

4 A No.

5 Q A concern has been raised by one individual that in
6 the course of producing documents to the Accountability
7 Review Board damaging documents may have been removed or
8 scrubbed out of that production.

9 Do you have any evidence that anyone at the State
10 Department removed or, quote, "scrubbed" damaging documents
11 from the materials that were provided to the ARB?

12 A I have no evidence of that, no.

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

17 A No.

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

22 A No.

23 Q It's been alleged that CIA Deputy Director Michael
24 Morell altered unclassified talking points about the Benghazi
25 attacks for political reasons and that he then misrepresented

1 his actions when he told Congress that the CIA, quote,
2 "faithfully performed our duties in accordance with the
3 highest standards of objectivity and nonpartisanship," end
4 quote.

5 Do you have any evidence that CIA Deputy Director Mike
6 Morell gave false or intentionally misleading testimony to
7 Congress about the Benghazi talking points?

8 A No.

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

12 A No.

13 Q It's been alleged that Ambassador Susan Rice made
14 an, quote, "intentional misrepresentation," end quote, when
15 she spoke on the Sunday talks shows about the Benghazi
16 attacks.

17 Do you have any evidence that Ambassador Rice
18 intentionally misrepresented facts about the Benghazi attacks
19 on the Sunday talk shows?

20 A No.

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

25 Do you have any evidence to support the allegation that

1 the President was, quote, "virtually AWOL as Commander in
2 Chief," end quote, or missing in action on the night of the
3 attacks?

4 A No.

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

13 A Republican staff report issued by the House Armed
14 Services Committee found that, quote, "There was no
15 stand-down order issued to U.S. military personnel in Tripoli
16 who sought to join the fight in Benghazi," end quote.

17 Do you have any evidence to contradict the conclusion of
18 the House Armed Services Committee that, quote, "There was no
19 stand-down order issued to U.S. military personnel in Tripoli
20 who sought to join the fight in Benghazi," end quote?

21 A No.

22 Q It's been alleged that the military failed to
23 deploy assets on the night of the attacks that would have
24 saved lives. However --

25 Mr. Craig. Failed to do what?

1 Mr. Woolfork. That would have save lives.

2 Mr. Craig. No. Failed to do what, deploy?

3 Mr. Woolfork. It's been alleged that the military
4 failed to deploy assets --

5 Mr. Craig. Thank you.

6 Mr. Woolfork. -- on the night of the attacks that would
7 have saved lives. However, former Republican Congressman
8 Howard "Buck" McKeon, the former chairman of the House Armed
9 Services Committee, conducted a review of the attacks, after
10 which he stated, quote, "Given where the troops were, how
11 quickly the thing all happened, and how quickly it
12 dissipated, we probably couldn't have done more than we did,"
13 end quote.

14 Do you have any evidence to contradict Congressman
15 McKeon's conclusion?

16 A No.

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

21 A No.

22 Mr. Woolfork. Thank you.

23 Ms. Sawyer. I think that's it for us. I think our
24 colleagues may have had one or two follow-up questions.

25 Mr. Beattie. Yes.

1 BY MR. BEATTIE:

2 Q So just two substantive questions to finish up.

3 One, are you aware of any State Department employees
4 and/or contractors employed by the State Department that may
5 have been operating in Libya, whether Tripoli or Benghazi or
6 elsewhere in Libya, working on issues related to MANPADS?

7 A Could you say that question again?

8 Q Sure. Are you aware of any State Department
9 employees or State Department contractors employed by the
10 State Department working in Libya on issues related to
11 MANPADS?

12 A State Department?

13 Q Yes.

14 Mr. Craig. And you know what MANPADS is?

15 Mr. [REDACTED] Yes. I'm just trying to think before I

16 --

17 Mr. Beattie. Take your time. You can go off the record
18 if you want.

19 [Discussion off the record.]

20 BY MR. BEATTIE:

21 Q And the answer is?

22 A No.

23 Q And then one last question. The Best Practices
24 Panel, which I know you weren't familiar with at the time, we
25 have read the report. One of the recommendations that came

1 out of that panel was setting up a separate, I believe,
2 assistant secretary for security. In other words, moving DS
3 out from under the management --

4 A You mean under secretary or --

5 Q Yes. Sorry. Under secretary for security,
6 precisely.

7 One of the motivations for that recommendation, if you
8 look at the report, is to try and separate security in the
9 State Department, decisions about security, from diplomatic
10 or policy decisions.

11 From your perspective and from your experience as a DS
12 agent, is that a concern of yours, that in the State
13 Department security-related decisions sometimes are subsumed
14 by policy or diplomatic decisions, whether it's how things
15 look to a host nation or how things are perceived in a
16 diplomatic way, security-related decisions?

17 A Yes. That's very much a concern.

18 Q Could you elaborate on that at all, from your
19 perspective.

20 A The fact that Diplomatic Security reports to the
21 Under Secretary of Management puts the Assistant Secretary
22 for Diplomatic Security in a very difficult situation.

23 We are a law enforcement and a security agency, but our
24 decisions -- off the record for a second?

25 [Discussion off the record.]

1 Mr. [REDACTED] No. I wholeheartedly agree with that
2 recommendation. My experience in the Department has been
3 that when you are trying to balance policy with risk, with
4 resources, what I've seen, it's a little bit lopsided. We
5 need a quality presentation to decisionmakers in terms of how
6 they are going to evaluate those, and I don't think we have
7 that right now.

8 So I think security to some extent is a little bit on a
9 lower pedestal because of the fact that it goes through the
10 Under Secretary of Management. And I think that Diplomatic
11 Security, you know, is not able to fully express its views in
12 that policy climate in the way we would be able to if we were
13 more independent and had our own under secretary that could
14 sort of have that discussion at that level.

15 Just personal experience, I have worked outside of
16 Diplomatic Security in CSO, in the J Bureau, and just my
17 personal experience has been that I, as a junior, even
18 midlevel Diplomatic Security special agent have literally
19 zero contact with the Assistant Secretary. In other bureaus,
20 I see assistant secretaries who are, you know, managing
21 day-to-day operational issues within their units.

22 So when we have -- you know, I would never be
23 discussing -- and this is to the detriment of the
24 organization. I have no line of communication with the
25 Assistant Secretary. We are doing something like Benghazi,

1 as sensitive and important as that is, I am just dealing with
2 the next level above me.

3 When I am over in CSO, I have a direct line of
4 communication to the Assistant Secretary for CSO, and he is
5 involved in day-to-day operations of how many people, who
6 they're doing, what they're doing.

7 So in terms of weight, it's not usually, you know, an
8 equal distribution in terms of how we make those balances.
9 So I would wholeheartedly recommend -- agree with that
10 recommendation.

11 BY MR. BEATTIE:

12 Q And just to be clear for the record, when you said
13 in your experience you didn't have day-to-day contact with
14 the Assistant Secretary, you are referring to within
15 Diplomatic Security the Assistant Secretary?

16 A The Assistant Secretary with Diplomatic Security.

17 Q Okay.

18 A Yeah. So the same issue at the same level in
19 Diplomatic Security, I would be addressing, you know, with a
20 midlevel person. In another bureau it would be being
21 addressed directly by an Assistant Secretary.

22 So it's a different level of working on the same level
23 problem in the field, and I think that DS would benefit
24 greatly. And I think by DS benefiting, the Department would
25 benefit if we had a little more independence in terms of

1 addressing that on sort of a more coequal level. So I would
2 agree with that recommendation.

3 Q Very helpful. Thank you.

4 And just finally, anything else that you would like to
5 share with us before we conclude?

6 Mr. Craig. I think we owe you a couple of things.
7 Maybe we could review the to-do list and be complete here.

8 Ms. Sawyer. Sure.

9 And so before we go off the record, I do want to express
10 my appreciation, the committee's appreciation, the Members'
11 appreciation for you coming in voluntarily to the committee
12 and sharing your experience and your knowledge with us. We
13 do very much appreciate it.

14 You know, to the extent we can streamline any follow-up
15 we will do so and make it as easy as possible, because we do
16 appreciate you coming forward and helping us out with this
17 investigation. So thank you for what has been a few hours of
18 your day. And we will just -- we can go off the record and
19 talk about --

20 Mr. Beattie. I'm sorry. Actually, before you go off
21 the record, I just want to thank you also on behalf of
22 Chairman Gowdy for coming in voluntarily today. We really
23 appreciate your time and your service. Thank you very much.

24 Mr. [REDACTED] No, thank you.

25 Mr. Craig. I know you both have said "voluntarily."

1 But may I say that we view this appearance as compelled,
2 because he was under the impression that it was very likely
3 that if he didn't come he would likely get a subpoena.
4 Whether or not he would have come without a subpoena is a
5 different question. But we'd like to tell you that he's here
6 because he was anticipating that if he didn't come he would
7 probably get a subpoena.

8 Mr. Beattie. Understood.

9 Mr. Craig. Is that right?

10 Mr. [REDACTED]. Yes.

11 Ms. Sawyer. Well, I do want to make clear for the
12 record that thus far the ranking member has been very clear
13 that we haven't had someone who has said they would not
14 appear voluntarily. But the ranking member takes very
15 seriously the concerns that an individual might express.

16 So I'm sorry that that was the impression that was left.
17 I don't know who left the impression.

18 Mr. [REDACTED]. I believe I would have to check. I
19 believe it was the email from Assistant Secretary Starr to
20 those of us that were going to be asked that it was
21 voluntary, but if we didn't volunteer, very good chance there
22 would be a subpoena.

23 Mr. Craig. It's in the email.

24 Mr. [REDACTED]. I believe -- I'd have to double-check,
25 I'm not looking at it -- but that was my recollection.

1 Ms. Sawyer. Yes. And it is possible that the State
2 Department was told that the committee would -- the chairman
3 would compel testimony.

4 Mr. Craig. That's the reason.

5 Ms. Clarke. I'm not privy to those conversations. But
6 from your understanding it's that any compelling of your
7 testimony came from your understanding of the email from the
8 State Department?

9 Mr. Craig. Not from the committee.

10 Ms. Clarke. Thank you. And I just would leave it at
11 that.

12 Mr. Craig. If he had this understanding, it was from
13 the Department. But that clearly was his understanding.

14 Ms. Clarke. Okay. Thank you.

15 And with that, I think we can go off the record.

16 Ms. Sawyer. No. We are not going to go off the record
17 quite yet, because I do think that you may not have an
18 understanding of that, but there was in the press a threat
19 that individuals who had been requested to come before the
20 committee to testify would be served with subpoenas if they
21 were not going. That was publicly reported.

22 Ms. Clarke. And I think, as Mr. [REDACTED] said, that
23 his understanding came from the State Department. That's
24 what we were just trying to clarify.

25 Ms. Sawyer. Okay.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Ms. Clarke. Thank you.

Ms. Sawyer. Thanks.

[Whereupon, at 5:02 p.m., the interview was concluded.]

Certificate of Deponent/Interviewee

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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, certified its accuracy, and declined to provide corrections to the transcript.