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

INTERVIEW OF: JACOB SULLIVAN

FRIDAY, SEPTEMBER <sup>4</sup>~~8~~, 2015

Washington, D.C.

The interview in the above matter was held in HVC-302,  
commencing at 8:45 a.m.

Present: Representatives Gowdy, Westmoreland, Jordan,  
Brooks, and Cummings.

1       Appearances:

2

3       For the SELECT COMMITTEE ON BENGHAZI:

4

5       PHILIP G. KIKO, STAFF DIRECTOR AND GENERAL COUNSEL

6       CHRIS DONESA, DEPUTY STAFF DIRECTOR

7       DANA CHIPMAN, CHIEF INVESTIGATIVE COUNSEL

8       SHARON JACKSON, DEPUTY CHIEF COUNSEL

9       CRAIG MISSAKIAN, DEPUTY CHIEF COUNSEL

10      MARK GRIDER, DEPUTY GENERAL COUNSEL

11      MAC TOLAR, SENIOR COUNSEL

12      CARLTON DAVIS, INVESTIGATOR

13      BRIEN A. BEATTIE, INVESTIGATOR

14      KIM BETZ, MEMBER OUTREACH LIAISON

15      HEATHER SAWYER, MINORITY CHIEF COUNSEL

16      PETER KENNY, MINORITY SENIOR COUNSEL

17      SHANNON GREEN, MINORITY COUNSEL

18      DANIEL REBNORD, MINORITY PROFESSIONAL STAFF

19

20      For MR. SULLIVAN:

21

22      BETH ANN WILKINSON

23      ADAM SCHWARTZ

24      MARISSA DORAN

25

1           Mr. Missakian. Okay. Let's go on the record. Good  
2 morning everybody. Good morning, Mr. Sullivan. This is the  
3 transcribed interview of Jake Sullivan -- Jacob Sullivan  
4 conducted by the House Select Committee on Benghazi.

5           The interview is being conducted voluntarily as part of  
6 the committee's investigation into the attacks on the U.S.  
7 diplomatic facilities in Benghazi, Libya on September 11,  
8 2012 and related matters, pursuant to House Resolution 567 of  
9 the 113th Congress and House Resolution 5 of the 114th  
10 Congress.

11           Mr. Sullivan, would you please just state and spell your  
12 name for the record.

13           Mr. Sullivan. Jacob Sullivan, J-A-C-O-B'. Last name  
14 Sullivan, S-U-L-L-I-V-A-N.

15           Mr. Missakian. Thank you. First of all, we are  
16 grateful for your cooperation here. We understand you are  
17 appearing voluntarily, and we appreciate that and your time.

18           Good morning. For the record, my name is Craig  
19 Missakian, and I'm a member of the majority staff, and I'll  
20 be doing the questioning today primarily. There will most  
21 likely be questions from the Members that are present, as  
22 well as the minority staff that are here today.

23           Before we get into the housekeeping rules, I'll just ask  
24 everybody to introduce themselves in the room so you're aware  
25 of us. Again, my name is Craig Missakian. I'm with the

1 majority staff, and why don't we go this way around the table  
2 first.

3 Ms. Betz. Kim Betz with the majority staff.

4 Mr. Gowdy. Trey Gowdy.

5 Mr. Jordan. Jim Jordan.

6 Mr. Westmoreland. Lynn Westmoreland.

7 Mrs. Brooks. Susan Brooks.

8 Ms. Sawyer. Heather Sawyer with the minority staff.

9 Mr. Kenny. Peter Kenny with the minority staff.

10 Mr. Rebnord. Dan Rebnord, minority.

11 Mr. Schwartz. Adam Schwartz.

12 Ms. Wilkinson. Beth Wilkinson.

13 Ms. Doran. Marissa Doran.

14 Mr. Kiko. Phil Kiko with the committee.

15 Mr. Donesa. I'm Chris Donesa with the committee.

16 Mr. Grider. Mark Grider, committee.

17 Mr. Chipman. Dana Chipman with the committee.

18 Mr. Davis. Carlton Davis.

19 Mr. Beattie. Brien Beattie.

20 Ms. Jackson. And Sharon Jackson.

21 Mr. Missakian. Mr. Sullivan, have you ever had your  
22 deposition taken in a civil litigation before?

23 Mr. Sullivan. No, I haven't.

24 Mr. Missakian. Okay. Well, it's probably good. The  
25 rules are slightly different here in this context. I'd like

1 to just go over some of those ground rules with you now.

2 Generally, the way questioning has proceeded in these  
3 interviews is that a member of the majority will begin the  
4 questioning and will go for an hour or so, and then we will  
5 turn over the floor to a member of the minority staff, and  
6 then they will go for an hour, and then the sides will switch  
7 off, go back and forth an hour at a time and until the  
8 questioning is completed.

9 Unlike -- also unlike a testimony in a trial or in a  
10 deposition in Federal court, the committee format is not  
11 bound by and does not follow the Federal Rules of Evidence.  
12 The witness, or your counsel, may raise objections for  
13 privilege only, subject to review by the chairman of the  
14 committee. If these objections cannot be resolved today  
15 during the interview, you may be required to return for a  
16 deposition or hearing.

17 As I said -- well, the members and staff of the  
18 committee, however, are not permitted to raise objections  
19 when the other side is asking questions. So when I'm asking  
20 questions, the minority will not be raising objections, and  
21 we will afford them the same courtesy.

22 Because this interview may involve some classified  
23 information, we are going to treat the session as classified  
24 and will conduct the entire interview at the secret or top  
25 secret level. Do you understand that?

1           Mr. Sullivan. I do.

2           Mr. Missakian. Now, at any time during the interview  
3 you are welcome to confer with your counsel. Just ask to do  
4 so. We'll be happy to take a break. If you'd like to take a  
5 break for any other reason at any point in the day, just  
6 speak up and we'd be happy to accommodate that.

7           You'll notice that there is a court reporter here in the  
8 room. She'll be taking down everything that we say. We just  
9 ask that we try not to speak over each other, and I'll do my  
10 best not to do that for you, and I'll just ask for the same  
11 in return. It's for the benefit of the court reporter and  
12 the integrity of the record.

13           Now, do you understand, Mr. Sullivan, that even though  
14 we are in a congressional setting here, you are required to  
15 give truthful testimony to the congressional committee in  
16 this investigation?

17           Mr. Sullivan. Of course.

18           Mr. Missakian. And you also understand that that  
19 obligation applies to questions that are posed to you by  
20 congressional staff in addition to Members of Congress?

21           Mr. Sullivan. Yes.

22           Mr. Missakian. Okay. And do you also understand that  
23 if you fail to do that, if you provide false testimony, you  
24 may be subject to criminal penalties for doing so?

25           Mr. Sullivan. I understand.

1           Mr. Missakian. Is there any reason today why you  
2 believe you are unable to give your best testimony or your  
3 most truthful testimony?

4           Mr. Sullivan. No. I will do everything I can to give  
5 my best testimony and truthful testimony.

6           Mr. Missakian. All right. Thank you. I don't have  
7 anything further in the housekeeping area.

8           Heather, do you have anything you would like to put on  
9 the record at this point?

10          Ms. Sawyer. Yeah, I think we do just have a couple of  
11 clarifying remarks.

12          Mr. Sullivan, it's our understanding that you testified  
13 previously almost 2 years ago, I believe. I just wanted to  
14 confirm that you had an opportunity to review your  
15 transcript?

16          Mr. Sullivan. Yes. I gave an interview to the House  
17 Oversight Committee in September of 2013. And a couple of  
18 days ago I had an opportunity, thanks to Dana, to review my  
19 transcript.

20          Ms. Sawyer. This committee has also had the benefit of  
21 having your transcript, so we're appreciative that you had a  
22 chance to review it as well. And I also think, at the  
23 outset, we probably need to designate whether this is going  
24 to be secret or top secret level and decide which one it is  
25 and make sure that everyone is cleared to that appropriate

1 level because there is a difference in terms of the clearance  
2 level. So is everyone in the room is cleared to top secret?

3 Mr. Missakian. I believe so.

4 Ms. Sawyer. So I think just to clarify for the  
5 record --

6 Ms. Wilkinson. I don't know that we are. I don't know  
7 whether the State Department considers us --

8 Mr. Schwartz. We are marked as top secret.

9 Ms. Wilkinson. Okay. So we are top secret. Then we're  
10 fine. We don't want to do anything --

11 Ms. Sawyer. So we're in agreement that it would  
12 designated at the top secret level?

13 Mr. Missakian. Yes.

14 Ms. Sawyer. And with that, we certainly thank you for  
15 being here today. We look forward to your testimony.

16 Mr. Sullivan. Thank you.

17 Mr. Missakian. And I'm glad Ms. Sawyer brought up the  
18 fact that you had been interviewed previously by Congress.  
19 I'm going to do my best not to go over old ground.  
20 Occasionally I may run across an area that you were asked  
21 about before. I may just be trying to follow up or fill in  
22 gaps based on your previous testimony. I will do my best not  
23 to go over the same grounds before, just focus on new  
24 material here today.

25

EXAMINATION

1 BY MR. MISSAKIAN:

2 Q So let's begin by going to the night of September  
3 11th, and before I get into the details of that night, I'd  
4 just like to ask you a few questions about your access to  
5 classified information in general and your position then as  
6 the deputy chief of staff and the policy -- chief of policy.  
7 Did I get your titles, right?

8 A So I was the deputy chief of staff for policy and  
9 also the director of policy planning at the State Department  
10 on the night of September 11th.

11 Q Very good. Thank you. Now, the office you had at  
12 that point, [REDACTED]?

13 A Yes. [REDACTED]  
14 [REDACTED]

15 Q Did you have a secure phone at your desk?

16 A Yes. I had three phones at my desk. I had a phone  
17 that was rated up to top secret/SCI, I had a phone that was  
18 rated up to secret, and then I had an unclassified phone.

19 Q And did you have a classified computer at your desk  
20 as well?

21 A I had two computer systems. I had a classified  
22 computer system and an unclassified computer system. Both of  
23 them were at my desk.

24 Q And did the classified system allow you to send  
25 classified information by email?

1           A     Yes, it did. So you could send classified  
2 information by email but only to another computer on the  
3 classified system. You couldn't send classified information  
4 from the classified system to an unclassified computer.

5           Q     Mr. Sullivan, did you have access to what is  
6 typically referred to as the PDB, or the President's daily  
7 briefing book?

8           A     No, I did not.

9           Q     Did you ever have occasion to read what we  
10 typically refer to as raw intelligence products?

11          A     There would be times when raw intelligence  
12 products, [REDACTED]  
13 [REDACTED] [REDACTED] [REDACTED] would  
14 be flagged for me. I wasn't a daily consumer of large  
15 quantities of intelligence at the State Department. In  
16 subsequent jobs, I became one, but in that position, I would  
17 read intelligence reports but not in great volume.

18          Q     Did you know that there were intelligence officials  
19 stationed at the State Department?

20          A     There was a bureau at the State Department called  
21 the Intelligence and Research Bureau, which is part of the  
22 intelligence community, and there were also other designees  
23 of the intelligence community who, for a variety of reasons,  
24 might be working at the State Department, but I guess I'm not  
25 quite sure what you mean by "stationed at."

1 Q [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 A [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 Q Now, focusing specifically on the evening of  
13 September 11th, but still staying within the realm of the  
14 type of intelligence you received, do you recall what  
15 intelligence information you received that night from the  
16 intelligence community?

17 A On the evening of September 11th?

18 Q Yes, on the evening of September 11th.

19 A The only thing that I can remember is that in the  
20 context of an interagency, what we call a SVTCS, a secure  
21 video teleconference. The intelligence community would have  
22 orally communicated -- did orally communicate some  
23 information that they had that evening, but I don't remember  
24 exactly what it was, and it was -- they were -- took great  
25 pains to say they didn't have a very good sense of what was

1 going on. And so nothing in particular stands out to me from  
2 that night in terms of intelligence information.

3 Q What time did that SVTCS begin; do you recall?

4 A I think it was sometime around 7:30 or so, but it  
5 was 3 years ago, and I -- I couldn't tell you the exact time.

6 Q I understand. Do you recall roughly how long it  
7 went?

8 A I don't. It was pretty lengthy, but I couldn't  
9 tell you how long it went.

10 Q Pretty lengthy. Would you say like more than an  
11 hour?

12 A More than an hour.

13 Q More than 2 hours?

14 A I don't know.

15 Q Definitely more than an hour, possibly more than 2.  
16 And your best recollection is that the intelligence  
17 information you received that night came to you during that  
18 SVTCS?

19 A That's right.

20 Q You don't recall receiving any written intelligence  
21 information either before the SVTCS or after during that  
22 night?

23 A Not that night, not that I remember, no.

24 Q Now, moving now to a different period. Now, moving  
25 beyond the day of the attacks, September 11 to the period

1 from September 12 to, say, that following Sunday.

2 Do you recall what intelligence information you received  
3 during that next period?

4 A I remember the --

5 Q I'm sorry. Maybe I should start with do you recall  
6 the form you received it in versus the content? Let's start  
7 with the form.

8 A Yeah. I don't remember reading any intelligence  
9 reports that week. As I said before, I wasn't regularly  
10 reading raw intelligence. I was tending to get briefed on  
11 intelligence by people who were working on the issue, and I  
12 remember being told over the course of that week that, by  
13 Friday, the CIA had determined that they believed that this  
14 was -- that this had begun as a protest and then it had  
15 escalated into an attack on the compound in Benghazi, and  
16 that formed the basis for the conversations that took place  
17 that Friday evening and Saturday.

18 Q Now, the conversation you just referred to or where  
19 you were briefed by the CIA, where did that briefing occur?

20 A [REDACTED] -- [REDACTED] [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED] --

24 Q I'm sorry. I misunderstood. Okay. Who conveyed  
25 information to you about what the CIA was concluding?

1           A     I can't recall. I think it was probably someone --  
2 you know, one of the foreign service officers on the 7th  
3 floor, but I couldn't tell you who it was.

4           Q     And how many are there to choose from?

5           A     [REDACTED] [REDACTED]  
6 [REDACTED] [REDACTED] [REDACTED]  
7 [REDACTED]  
8 [REDACTED]  
9 [REDACTED]  
10 [REDACTED] [REDACTED]  
11 [REDACTED]

12          Q     Did you get any better information about where they  
13 were getting their information? In other words, were they  
14 speaking one-on-one to their individual contacts or were they  
15 getting this information from some official CIA briefing that  
16 they participated in and then it was conveyed to you?

17          A     Honestly, I don't remember. I have to say, during  
18 that period, my main focus was on each of the individual  
19 ongoing assaults and disturbances that were happening, so I  
20 wasn't kind of looking back to the precursors, earlier ones.  
21 I was trying to stay on top of the unfolding violence over  
22 the course of the week. So as the week went on, I wasn't  
23 that focused on the question of intelligence predating  
24 September 11th.

25          Q     Did you have one conversation or more than one

1 conversation with whoever this foreign service officer or  
2 officer may be about the information they were getting from  
3 CIA, was that one conversation or multiple, if you recall?

4 A You know, it was a incredibly busy time where we  
5 were talking all the time about different things, and I  
6 just -- I couldn't tell you exactly how many conversations I  
7 had about Benghazi or intelligence or so forth. I just  
8 remember that this was -- on that Friday, that's what people  
9 were saying.

10 Q Okay. And you believe you were hearing this on  
11 that Friday right around the time where you saw the talking  
12 points that the CIA prepared?

13 A It was right around that time, yeah. It was  
14 probably -- yeah, it was right around that time.

15 Mr. Westmoreland. So could I just interrupt for just  
16 one second and ask a question?

17 Mr. Missakian. Of course.

18 Mr. Westmoreland. Sorry about that. But these field  
19 service officers, I mean, you were the Under Secretary of  
20 policy, right?

21 Mr. Sullivan. I was the deputy chief of staff of  
22 policy.

23 Mr. Westmoreland. Deputy chief of staff of policy.

24 Mr. Sullivan. But there is actually an -- yeah, yeah.

25 Mr. Westmoreland. And the director of --

1           Mr. Sullivan. Policy planner.

2           Mr. Westmoreland. So is it normal for these guys just  
3 to walk up and start telling you information that they had  
4 heard or that they were sure of?

5           Mr. Sullivan. I would converse maybe 20, 30, 40, 50  
6 times a day with different people on the 7th floor of the  
7 State Department. We worked in very close quarters, and  
8 especially in an emergency situation like this where, on that  
9 Friday, we were dealing with Tunisia.

10          Mr. Westmoreland. But this kind of information at that  
11 time period, not to quote Joe Biden, but that was a big deal  
12 at that time to get that kind of information. I mean, that  
13 doesn't stick in your memory at all who would have told you  
14 that?

15          Mr. Sullivan. All I can tell you is what we were  
16 focused on was what was going on on the ground in the region,  
17 and people were saying things about what had happened. It  
18 was an incredibly fluid situation. We just weren't focused  
19 at that point on exactly what had happened and how because  
20 our job was to try to stay ahead of the curb on the protests  
21 that were happening.

22          Mr. Westmoreland. There were a lot of people at the  
23 State Department that was focused on what you all were going  
24 to say with the talking points, because there was a lot of  
25 people from the State Department involved, making sure those

1 talking points said what they wanted them to say, but I'll  
2 yield back.

3 Mr. Missakian. Thank you.

4 BY MR. MISSAKIAN:

5 Q At some point during the day, did you hear about  
6 the protest in Cairo?

7 A Yes.

8 Q And I know it's a long time ago, but when did you  
9 hear about it, as best you can recall?

10 A I heard about it -- honestly, I don't recall the  
11 time of day. Shortly after it began, I remember being told  
12 that there had been protesters that had scaled the wall of  
13 our embassy, had taken down the American flag, and were on  
14 the inside of the wall of the compound.

15 Q So when you say you heard that shortly after it  
16 began. So shortly after the protest began or shortly after  
17 they breached the wall, shortly after the flag --

18 A Shortly after they breached the wall.

19 Q Prior to that, you don't believe you had heard  
20 about it?

21 A I don't believe so.

22 Q Do you have a sense of -- I mean, was that  
23 something you would have expected to have heard, that there  
24 was a big protest in front of an embassy?

25 A Not necessarily. You know, I wasn't in an

1 operational role like the line people in the NEA bureau who  
2 would hear about that. You know, I dealt with everything  
3 world over from more of a general policy perspective, so I  
4 wouldn't be the first person you would call if a protest  
5 happened.

6 Q Do you recall how you heard about it?

7 A I don't.

8 Q Do you recall hearing that there were indications  
9 on social media that there might be a protest at the Cairo  
10 embassy?

11 A I don't remember hearing that, no.

12 Q To your knowledge, was Secretary Clinton apprised  
13 of the Cairo protest?

14 A She was apprised of it, yes. Of the -- you mean of  
15 the protest or of the breach of the wall?

16 Q Let me start with the protest first.

17 A I'm not sure if she was. I know she was apprised  
18 after the protesters began to go over the wall.

19 Q How did you learn that?

20 A I was involved in conversations with her after she  
21 had learned of it.

22 Q Okay. Who else was -- took part in those  
23 conversations?

24 A It would have been -- I'm trying to recall. I  
25 think Steve Mull would have been involved. I don't remember

1 who else.

2 Q Do you recall where those conversations took place?

3 A It would have been -- they took place on the 7th  
4 floor of the State Department.

5 Q Do you recall if those conversations took place  
6 shortly after the walls had been breached at the embassy?

7 A That's what I remember, but honestly, it was a, you  
8 know, fast-moving situation, so I couldn't tell you for  
9 certain.

10 Q Do you recall anything that was said during those  
11 conversations?

12 A I don't other than the Secretary wanted to make  
13 sure -- be updated and directed her team to make sure that we  
14 did whatever we could to resolve the situation without any  
15 damage or injury or loss of life.

16 Q Was there anything specific discussed? How to  
17 accomplish those objectives?

18 A I don't remember what, if anything, specific was  
19 discussed.

20 Q Now, focusing again on the attacks in Benghazi. Do  
21 you recall how you first heard about the attacks in Benghazi?

22 A Yes. I first heard about the attacks in Benghazi,  
23 I was sitting at my desk, and I both received an email and  
24 someone came and told me that there was an attack at the  
25 compound in Benghazi.

1 Q Have you had a chance to review your emails from  
2 that evening?

3 A I looked very briefly at my emails from that  
4 evening a couple of days ago. I got basically to skim them,  
5 so I didn't get to read them in detail or really get to  
6 refamiliarize myself with them in a significant way.

7 Q Okay.

8 Ms. Wilkinson. Mr. Missakian, can I just make one thing  
9 clear on the record.

10 Mr. Missakian. Of course.

11 Ms. Wilkinson. So you know and everyone does. Mr.  
12 Sullivan's clearance was just reactivated yesterday.

13 Mr. Missakian. Yesterday, I believe.

14 Ms. Wilkinson. So when we went to the State Department  
15 to review documents, he was not allowed to see his classified  
16 documents. Just so when you're questioning him, you know he  
17 could look at unclassified, but he has been unable to look at  
18 the classified documents.

19 Mr. Missakian. Thank you.

20 Mrs. Brooks. I have a brief question on that. When did  
21 you request that the clearance be reinstated?

22 Ms. Wilkinson. I think we -- well, we thought for a  
23 long time he had it, but we weren't allowed to go over to the  
24 State Department until recently, and then we -- when you all  
25 set the date, we checked with the State Department, and then

1 they said he didn't have a clearance, but they said they  
2 would work on it. And in fact, it was Mr. Sullivan who  
3 recalled that he had one. He had done a new -- what's it  
4 called?

5 Mr. Sullivan. SF 86.

6 Ms. Wilkinson. SF 86 at the White House, so we told the  
7 State Department to look there, and they did, and that  
8 enabled them to, you know, reactivate.

9 Mrs. Brooks. Approximately when was that?

10 Ms. Wilkinson. Last week sometime we started, I think.  
11 I really am not sure when I asked them. When I asked the  
12 State Department, I presumed it was still active, and then  
13 when I realized I was mistaken.

14 Mrs. Brooks. Thank you.

15 Ms. Sawyer. Yeah, and just to make clear on the record.  
16 We were only notified last Friday that there had been a  
17 request from the committee last Friday, an inquiry of you all  
18 as to what the status of the clearance of your client's was,  
19 and that that conversation from the committee that they would  
20 be able to request to discuss classified information was only  
21 made last Friday. Is that accurate?

22 Ms. Wilkinson. It is. And just to be clear to  
23 everyone, the State Department was in touch with us night and  
24 day this past week. They sent over a security officer to our  
25 firm to brief -- Mr. [REDACTED] was here yesterday. He's a

1 former military officer. And to brief Mr. Sullivan to get  
2 them back up. I mean, Mr. Schwartz was communicating late at  
3 night with Mr. Evers. They really did do everything they  
4 could to help us get his clearance reactivated.

5 Mrs. Brooks. Thank you.

6 Ms. Betz. And I think it's important to note on the  
7 record that we just received a package of classified  
8 documents that involved the witness today last Friday, so,  
9 you know, all of this has transpired in a very short period  
10 of time.

11 Ms. Wilkinson. Totally understandable. Just, you know,  
12 we didn't -- I guess yesterday you were allowed to see those.  
13 I don't think Mr. Sullivan saw those either.

14 Ms. Betz. Okay.

15 BY MR. MISSAKIAN:

16 Q Mr. Sullivan, let's go back to the night of the  
17 attack.

18 A Uh-huh.

19 Q And I just want to get a sense of the kind of  
20 information that you were receiving about what was going on.

21 There's obviously the operation center at the State  
22 Department where you were receiving information from the op  
23 center?

24 A Yes. We -- the op center would sort of scour  
25 public news reports and some other information and then share

1 it with officials throughout the State Department. That was  
2 their job. That's what they would do in any circumstance  
3 like this.

4 Q Did their obligation to collect information go  
5 beyond collecting information that was in the public domain?

6 A If they came to something, yes, but their typical  
7 responsibility was to review open source information.

8 Q And did you recognize that night that there was  
9 information coming directly from Tripoli to the State  
10 Department?

11 A Yes. The diplomatic security --

12 Q Did you --

13 A Oh, I'm sorry.

14 Q I'm sorry, go ahead.

15 A The diplomatic security office at the State  
16 Department, I understood, was told that night had a phone  
17 line open with Tripoli, and they were speaking with them  
18 about what was unfolding on the ground.

19 Q Okay. So you understood that there was somebody in  
20 Benghazi relaying information to somebody in Tripoli that was  
21 internally relaying it to the State Department?

22 A Right.

23 Q And the DS command center, is that -- I understand  
24 it's located some place other than at the State Department?

25 A Yes. I'm not exactly sure where it's located, but

1 it's located off site.

2 Q Mr. Sullivan, I'm going to mark a document here as  
3 exhibit 1.

4 [Sullivan Exhibit No. 1  
5 was marked for identification.]

6 Ms. Wilkinson. Mr. Missakian, just to make one thing --  
7 Mr. Missakian. Yes.

8 Ms. Wilkinson. Will you make clear on the record if we  
9 are looking at a classified document?

10 Mr. Missakian. Yes. None of the documents that we are  
11 going to be showing him at this point are classified  
12 documents.

13 Ms. Wilkinson. Great. Thank you.

14 Mr. Missakian. If we get to one, I will definitely make  
15 it clear.

16 Mr. Kenny. Do you have copies for your minority  
17 colleagues as well?

18 Ms. Wilkinson. You can have one of ours.

19 Ms. Betz. Oh, I'm sorry.

20 BY MR. MISSAKIAN:

21 Q Mr. Sullivan, this is an email dated September 11,  
22 2012 at 4:06 p.m. coming from ops alert to a lengthy list of  
23 recipients. I don't see your name on here, but there are a  
24 number of groups. The scanning that listed groups, would  
25 your name fall into any of them?

1           A     Nothing jumps out at me, but it's possible that I'm  
2     in one of these groups. I received ops alerts --

3           Q     You did receive ops alerts?

4           A     -- pretty regularly, so I'm not certain.

5           Q     Okay. Reading the text, could you read the text  
6     and tell me if you recall receiving that information on that  
7     evening, and in particular, I'll read a portion of it.

8                     "Embassy Tripoli reports approximately 20 armed people  
9     fired shots. Explosions have been heard as well." Do you  
10    recall getting that information?

11          A     I don't recall precisely 20 armed people, but this  
12    was consistent with the information that I was getting that  
13    night.

14          Q     Mr. Sullivan, I've just given you what's been  
15    marked as exhibit -- oh, this should be -- could you remark  
16    that exhibit 2? Do you have a pen? That should be marked as  
17    exhibit 2.

18                                 [Sullivan Exhibit No. 2  
19                                 was marked for identification.]

20          Ms. Wilkinson. Done.

21          Mr. Missakian. Thank you.

22                     BY MR. MISSAKIAN:

23          Q     This is a one-page document that consists of two  
24    emails. The bottom email is from Scott Bultrowicz to  
25    S\_SpecialAssistants dated September 11, 2012, at 4:32 p.m.,

1 and then the email above that, which appears to be forwarding  
2 the bottom email, is from [REDACTED] to you, Cheryl  
3 Mills, Joseph Macmanus, and again, the group,  
4 S\_SpecialAssistants, and that was forwarded at 4:38 p.m. on  
5 September 11.

6 Looking at this document, do you recall receiving it  
7 that night?

8 A I don't recall the precise email, receiving it that  
9 night, but again, as I said before, this is, you know,  
10 consistent with my memory of what unfolded that night.

11 Q What you understood that night?

12 A Yeah.

13 Q Let's dig a little deeper into the bottom email.  
14 Do you recall that night knowing that the DS command center  
15 had received a call from somebody in Benghazi?

16 A Yes.

17 Q So you understood that there was a direct line of  
18 communication to somebody on the ground in Benghazi?

19 A I understood that some people in Benghazi were  
20 using cell phones to call back and convey information.

21 Q And a portion of this email at the bottom, I'll  
22 read it into the record, says, "There are no injuries at this  
23 time, and it is unknown what the intent of the attackers is."

24 Do you recall getting any information after 4:38 p.m. on  
25 September 11th regarding the intent of the attackers at the

1       Benghazi complex?

2           A     I don't. I think we didn't really know what the  
3       intent of the attackers was on the -- on that night.

4           Q     The bottom email also refers to the fact that --  
5       down at the bottom it says, "Annex QRF is responding and  
6       taking fire."

7           At the time, did you know that there was a CIA annex in  
8       Benghazi?

9           A     [REDACTED]  
10       [REDACTED] [REDACTED] [REDACTED]  
11       [REDACTED] [REDACTED] [REDACTED]  
12       [REDACTED]  
13       [REDACTED] [REDACTED]  
14       [REDACTED]

15          Q     I gather that nothing related to the CIA's presence  
16       in Benghazi crossed your desk prior to September 11th, 2012?

17          A     [REDACTED]  
18       [REDACTED]  
19       [REDACTED] [REDACTED]  
20       [REDACTED] [REDACTED]  
21       [REDACTED]

22          Q     I see.

23          A     -- until that night.

24          Q     This is probably a tough question also. Did you  
25       know what "QRF" meant that night?

1           A     QRF is a general reference to quick reaction force,  
2 so, you know, I recognized the acronym, but when it said,  
3 "Annex QRF is responding and taking fire," I assumed that  
4 that was some, you know, diplomatic security term. I wasn't  
5 sure what it was referring to.

6           Q     And with regard [REDACTED],  
7 we'll get into that in a little more detail later on, but  
8 right now I just want to focus on the evening of September  
9 11th.

10                                 [Sullivan Exhibit No. 3

11                                 was marked for identification.]

12                                 BY MR. MISSAKIAN:

13           Q     Mr. Sullivan, I've just given you what's been  
14 marked as exhibit No. 3. It's a one-page email from [REDACTED]  
15 [REDACTED] dated September 11, 2012, sent at 4:49 p.m., to a  
16 variety of individuals, including you. The subject line is  
17 "Libya update from Beth Jones." So when you've had a chance  
18 to review it, just let me know.

19           A     Yeah.

20           Q     Okay. Thank you. I'd just like to work through  
21 the email. So first off, who is Beth Jones?

22           A     Beth Jones was the assistant secretary for the Near  
23 Eastern Affairs Bureau, which was basically all of North  
24 Africa and the Middle East that included Libya.

25           Q     I know you don't recall sitting here today whether

1 you received exhibit No. 2, and I assume that's the same here  
2 for exhibit No. 3, correct?

3 A Yeah. I mean, the -- this is -- everything in this  
4 is consistent with my memory of that evening, but you know, I  
5 don't specifically remember getting the email.

6 Q And that's fine. I understand that. That's fair.  
7 But I just want to establish, I mean, you were reading your  
8 emails that night?

9 A Yes, on and off. I mean, I was in my office, I was  
10 across the hall, I was down the hall, I was all over the  
11 place that night, but I was doing my best to keep up with my  
12 email.

13 Q So you may not have read them as soon as they hit  
14 your inbox, but at some point that night, you believe is you  
15 read what was coming in?

16 A It's possible I missed some. It's almost certain I  
17 skimmed some, but I did my best to keep up with my email over  
18 the course of the night.

19 Q So far, the documents we've seen, you have no  
20 reason to believe you did not receive them that night?

21 A That I didn't receive them?

22 Q Yeah.

23 A No, no, I have no reason to believe I didn't  
24 receive them.

25 Q All right. Let's go back to the text of the email.



1           A     I don't recall receiving it. I don't have a reason  
2 to believe I didn't receive it.

3           Q     Let's focus on the second email from the top on  
4 first page, the one at 5:32 p.m. Do you see that one?

5           A     Yes.

6           Q     And at 5:32, word just goes out that "The fighting  
7 has stopped, DCM Greg Hicks just confirmed to me."

8                   Do you recall that night, Mr. Sullivan, learning that  
9 the attack on the Benghazi state facility stopped at some  
10 point and then there was a second attack later in the evening  
11 at the CIA Annex?

12          A     Yes.

13          Q     So it was clear that night in your mind that there  
14 were two separate attacks?

15          A     I guess. The way I'd put it is I knew there was a  
16 first attack. I then learned that we had these two separate  
17 facilities, and then there was a second attack on the second  
18 facility. I learned all of that that night, as the night  
19 unfolded.

20          Q     When did you learn of the second attack, do you  
21 recall, or how did you learn it? Maybe that's an easier  
22 question to start with.

23          A     I don't remember exactly who told me, but I was  
24 still at the State Department. It was very late at night,  
25 and someone either came up or called up to say that there was

1 an attack on the second compound, and there were casualties.

2 Q What -- well, let me go back to that. When you  
3 first heard about the second attack, did you hear that there  
4 were casualties in that conversation or did that come in a  
5 later conversation?

6 A I can't be certain. I'm sorry.

7 Q What time did you leave the State Department that  
8 night; do you know that?

9 A I don't remember exactly when I left. I think it  
10 was probably somewhere around 2 o'clock in the morning, and I  
11 left only to go to work on the Secretary's statement for the  
12 following day, so I stayed up most of the night that night.

13 Q Did you learn that night what's reflected in this  
14 email -- now I'm looking at the very top email. "Greg said  
15 his team reports that the extremist group Ansar al-Sharia has  
16 taken credit for the attack in Benghazi."

17 Do you recall learning that -- of that fact that night?

18 A Yeah, I remember somebody saying that Ansar Al  
19 Sharia had gone on Facebook and said it was taking credit.

20 Q And prior to that night, did you recognize the  
21 group Ansar Al Sharia as a terrorist organization or was this  
22 the first time you had heard of the group?

23 A I think this is the first time I had heard of the  
24 group Ansar Al Sharia. I can't be certain, but it wasn't a  
25 name that stood out to me.

1           Q     Did you attempt to get any more information that  
2 night about the group?

3           A     Not that night. We were really focused on figuring  
4 out how we were going to get our people out of Benghazi.

5           Q     Did you come to learn that night that the group  
6 Ansar Al Sharia, or some other group had threatened another  
7 attack on the Tripoli embassy?

8           A     I saw, or heard, discussions of the possibility of  
9 attacks in Tripoli; and, in fact, one of the considerations  
10 we had that night was, you know, we want to send guys by  
11 plane as quickly as possible to Benghazi, but we can't send  
12 everybody because we got to have some people to be able to  
13 protect Tripoli because there could be an attack there as  
14 well.

15          Q     When you say that you believed there could be an  
16 attack there as well, is that -- was that a conclusion that  
17 was drawn because you were just been cautious with regard to  
18 embassies generally, or was it based on what appears to be a  
19 specific threat that there will be a -- an attack on the  
20 Tripoli embassy?

21          A     As I remember it, Embassy Tripoli had reason to  
22 believe that there was a possibility of an attack, or had  
23 cause for concern that there might be, and we obviously  
24 wanted to be very attentive to that.

25          Mrs. Brooks. I have a question on -- did the State

1 Department have a social media monitoring platform that you  
2 were aware of where anyone was monitoring social media around  
3 the globe?

4 Mr. Sullivan. I wouldn't say there was systematic  
5 monitoring, some kind of filter that was looking at  
6 everything everywhere. What the op center would do is it  
7 would look for reports from social media as well as other  
8 reports and draw some out, but I would describe that as a  
9 more informal process as opposed to some very technical  
10 social media monitoring.

11 Mrs. Brooks. Was that part of your role in planning --  
12 was planned -- strategic planning and so forth?

13 Mr. Sullivan. Policy planning, yeah.

14 Mrs. Brooks. I mean, did they provide you information  
15 or reports about social media monitoring, so to speak, of  
16 issues around the globe like this?

17 Mr. Sullivan. So policy planning was much more focused  
18 on medium- and long-range planning, not on what's happening  
19 in the next 24 or 48 hours or how do we respond immediately  
20 to things. So in my capacity as director of policy planning,  
21 I'd be looking out sort of over the horizon as opposed to  
22 immediate time, so we wouldn't be engaged with the op center  
23 on anything related to social media in that context.

24 But of course, I sort of wore two hats. I was also the  
25 deputy chief of staff of policy, and there I was much more

1 involved in day-to-day policy things. But beyond alerts and  
2 reports that I would get from the op center, I didn't --  
3 there wasn't any kind of specialized social media monitoring  
4 reports that would come to me.

5 Mrs. Brooks. As deputy chief of staff, how much  
6 interaction did you have with the diplomatic security  
7 division of State?

8 Mr. Sullivan. Well, I traveled with the Secretary, and  
9 so I went everywhere she went. So we went to 112 countries  
10 over the course of our 4 years; and obviously, diplomatic  
11 security travels with us, so I became very friendly with a  
12 lot of agents. You know, we were in close quarters traveling  
13 the world together.

14 In terms of dealing with diplomatic security in a more  
15 operational way, you know, how they deal with embassies and  
16 posts around the world, I really didn't have any dealings  
17 with them because I wasn't focused on operations, I was  
18 focused on the policy side.

19 Mrs. Brooks. And had you been to Libya with the  
20 Secretary prior to the attack?

21 Mr. Sullivan. Yeah. I went with her in October  
22 of 2011.

23 Mrs. Brooks. In October of 2011?

24 Mr. Sullivan. I believe -- I think so. I think it was  
25 October 2011.

1 Mrs. Brooks. Okay. Thank you.

2 Mr. Missakian. Mr. Sullivan, Mr. Westmoreland has a  
3 question or some questions for you about a document that I  
4 just marked as Exhibit No. 5. When you've had a chance to  
5 look at it, let us know and Mr. Westmoreland will ask you  
6 some questions.

7 [Sullivan Exhibit No. 5  
8 was marked for identification.]

9 Mr. Sullivan. Okay.

10 Mr. Westmoreland. Mr. Sullivan, when you mentioned the  
11 field service officer telling you, I guess, what -- either  
12 what the talking points were or what the CIA came up with,  
13 we -- I'm on the intelligence committee also, and we  
14 interviewed Mr. Morell several times about coming up with the  
15 talking points, so -- and this was a sheet that he gave us.  
16 And you'll see down on the bottom right, there's a group of  
17 names, and I'm assuming you -- could you just tell me if you  
18 know those folks and what -- where they work, what their  
19 position was?

20 Mr. Sullivan. Yes. Robert Cardillo was the deputy  
21 director of the DNI, the -- well, you know DNI. [REDACTED]

22 [REDACTED]

23 [REDACTED] [REDACTED] [REDACTED]

24 [REDACTED] Matt Olsen was the

25 head of the NCTC. Obviously, I was me. Mark Guiliano was

1 the deputy director of the FBI. Lisa Monaco was the  
2 assistant attorney general for national security at the  
3 Justice Department, and Ben Rhodes was the deputy director --  
4 deputy national security advisor for strategic communications  
5 with the white House?

6 Mr. Westmoreland. Okay. When -- was this a phone call  
7 that you all were all on or was it a -- I couldn't remember  
8 if it was a phone call or a video conference, or what this  
9 list was.

10 Mr. Sullivan. I believe this list was the list of  
11 people that he wanted to say okay when he sent around the  
12 talking points.

13 Mr. Westmoreland. Okay. So you weren't on a conference  
14 call or a secure video or anything.

15 Mr. Sullivan. So we weren't on a conference call. On  
16 Saturday morning, there was a secure video conference. That  
17 was on a range of issues related to the unrest and  
18 disturbances and attacks in the region. I think, for the  
19 State Department, there were probably somewhere between 10  
20 and 15 people in the room, and you know, it would be set up  
21 in a room like this, and we'd have the monitor up there. You  
22 probably -- we have five or six people around the table, and  
23 then a few of us just sitting around the back, and that was  
24 true for all the other agencies.

25 So dozens and dozens of people on this interagency video

1 conference, which was chaired by the NSC, and the purpose the  
2 SVTCS was to review our security posture, see if there were  
3 going to be more attacks or more assaults at our embassies.

4 At the very end of that, Mike Morell raised the talking  
5 points and said, I've got these points, I'm not satisfied  
6 with them, I'm going to take my hand at editing them, and the  
7 chair of the meeting said, When you do, just, you know, make  
8 sure you get final signoff, including from Ben and Jake, Ben  
9 Rhodes and Jake Sullivan.

10 And so after that ended, I didn't speak on that. I  
11 didn't say anything, neither did anyone else. It was just  
12 Morell and the chair. Morell sent around the final points,  
13 and we all signed off on them, and it was this list of people  
14 that were signing off on them.

15 Mr. Westmoreland. So that would on the 15th, Saturday,  
16 right?

17 Mr. Sullivan. Right.

18 Mr. Westmoreland. So you did -- did you or any of these  
19 other people you know of have any input into what the talking  
20 points were going to be?

21 Mr. Sullivan. I don't know about the rest of the  
22 people. I do know that Cardillo and Olsen and Guiliano and  
23 Monaco all signed off on the document that Mike Morell sent  
24 around on Saturday that I also signed off on.

25 Mr. Westmoreland. But you signed off on it, too, right?

1 Mr. Sullivan. Yes.

2 Mr. Westmoreland. Just you signed off on them. Did the  
3 Secretary have to sign off on them? Did Cheryl Mills or just  
4 Jake Sullivan?

5 Mr. Sullivan. It was just me. Yeah. No, the -- and I  
6 made two small changes as well.

7 Mr. Westmoreland. Oh, you did?

8 Mr. Sullivan. Yeah.

9 Mr. Westmoreland. What were they?

10 Mr. Sullivan. The first was that I asked Mike to change  
11 the word "Consulate." You see how it says "U.S. Consulate"  
12 here in the first bullet, to "Post" or "Diplomatic Post." I  
13 don't recall exactly, but it wasn't actually a consulate, and  
14 so I asked him to change the words. And then the second was  
15 that I asked him to add the word "the."

16 Mr. Westmoreland. What? The word?

17 Mr. Gowdy. The.

18 Mrs. Brooks. The.

19 Mr. Sullivan. "The." I don't remember exactly where in  
20 this, but there was a grammatical -- there was a grammatical  
21 issue, so I asked for those two, and then I said fine from  
22 our perspective. And the reason why --

23 Mr. Westmoreland. So it wasn't a draft. He sent you  
24 the final version.

25 Mr. Sullivan. Right.

1           Mr. Westmoreland. And then you say could you make these  
2 changes?

3           Mr. Sullivan. Right.

4           Mr. Westmoreland. And then he went back and made those  
5 changes?

6           Mr. Sullivan. That's right. And the reason why I could  
7 be the person who did that and I didn't have to go to Cheryl  
8 or the Secretary and anyone else is, at that point, what he  
9 was presenting to us, was intelligence-derived information,  
10 and the State Department didn't really have a -- anything to  
11 offer to that. The only thing we had to offer was that it  
12 wasn't a consulate, it was a post so --

13           Mr. Westmoreland. Do you know if any of the other  
14 people made any suggestions?

15           Mr. Sullivan. I remember from the email chain that  
16 Cardillo, Olsen, Guiliano, Monaco, these four top  
17 counterterrorism officials all signed off with no changes.

18           Mr. Westmoreland. Okay. Thank you, sir.

19           Mr. Gowdy. Mr. Sullivan, the fourth paragraph, "The  
20 agency has produced numerous pieces on the threats in  
21 extremist linked of al Qaeda in Benghazi and eastern Libya."  
22 It looks as if that's been crossed through. Who would be  
23 responsible for crossing through that?

24           "Since April there have been at least five other attacks  
25 against" -- I can't read that word.

1 Mrs. Brooks. "Foreign interests."

2 Mr. Gowdy. "Foreign interests in Benghazi by  
3 unidentified assailants, including the June attack against a  
4 British ambassador's convoy." The fourth talking point, who  
5 would have crossed through that?

6 Mr. Sullivan. I didn't know this at the time, but since  
7 these all ended up getting produced publicly, this was Mike  
8 Morell's personal handwritten edits, so he crossed it out.

9 Mr. Gowdy. During a conversation with the folks listed  
10 or he did that sua sponte?

11 Mr. Sullivan. I honestly don't know when he did it. I  
12 don't know if he did it Saturday morning, Saturday afternoon,  
13 I don't know. It wasn't during a conversation with us. We  
14 didn't have a conversation.

15 Mr. Gowdy. The reason I'm asking, and then I'll let  
16 Craig get back to asking his questions, is he is on the  
17 record as saying that he made some edits at the request of  
18 7th floor principals at the State Department because he  
19 thought the initial iteration of the talking points cast the  
20 State Department in a negative light by placing them on  
21 notice that this could have happened. But you, nor anyone at  
22 the State Department, to your knowledge, was instrumental in  
23 having that talking point crossed out?

24 Mr. Sullivan. So I've heard Mike Morell speak publicly  
25 on this many times. I never heard him say that 7th floor

1 principals asked him to do anything, and if he did say that,  
2 that would be news to me. I never asked him to make any  
3 changes, and no one else that I know of on the 7th floor  
4 asked him to make any changes.

5 Mr. Gowdy. All right. So the CIA both created and  
6 eliminated that fourth talking point?

7 Mr. Sullivan. Yes, but, of course, on Friday night,  
8 there was some discussion involving Victoria Nuland and Dave  
9 Adams back and forth with the agency at their level on this.  
10 So the State Department was involved in the back and forth on  
11 this, so I'm just saying that with respect to the 7th floor  
12 telling Mike Morell to do anything, absolutely not.

13 Mr. Missakian. Mr. Sullivan, Ms. Betz has a quick  
14 question for you.

15 BY MS. BETZ:

16 Q I just want to clarify, to go back to your change  
17 with regard to "Post."

18 A Yes.

19 Q I think there has been some question as to "post"  
20 versus "mission," and "post" connotes some sort of permanent  
21 existence, correct, versus "mission"? So was it your  
22 understanding with regards to the entity in Benghazi, was it  
23 permanent? Was it temporary? And your use of the word  
24 "post" versus "mission."

25 A I guess on that Friday night, I didn't really even

1 remotely think about the difference. I didn't know if it was  
2 temporary or permanent. To me, "post" versus "mission" was  
3 honestly just a choice of words. What I wanted to make sure  
4 happened was that we didn't say "consulate" because I knew  
5 for a fact that it wasn't a consulate, but we could have used  
6 "mission," we could have used "post." For me, that wasn't a  
7 relevant distinction.

8 Q But "post" would recognize that there would be some  
9 OSPB security requirements involved with the premises,  
10 correct?

11 A I'm sorry. I didn't even know what OSPB security  
12 requirements are. I mean, I didn't choose the word "post"  
13 with any sense of --

14 Q Okay.

15 A -- diplomatic bureaucracy in mind. It was -- I was  
16 trying to use a colloquial term to describe it rather an  
17 official term because I didn't want to mislead people that  
18 this was a formal consulate.

19 [Sullivan Exhibit No. 6  
20 was marked for identification.]

21 BY MR. MISSAKIAN:

22 Q Mr. Sullivan, I just want to ask you a couple of  
23 follow-up questions on exhibit No. 5, the one that  
24 Westmoreland questioned you about, and I just had someone  
25 hand you exhibit 6, which I'll get to in a moment.

1           But with regard to exhibit 5, I just want to get a clear  
2 understanding of your purpose for being on the list of people  
3 that had to clear this statement. If I heard you correctly,  
4 you weren't clearing it to make sure the substance was  
5 correct. You were just looking for -- what were you looking  
6 for?

7           A     I was looking for anywhere where the State  
8 Department had a role to play in commenting on the talking  
9 points. So when he sent it to me, obviously, I wouldn't  
10 comment on the intelligence information he had, but I could  
11 obviously comment on the U.S. consulate piece, and that's  
12 what I did.

13          Q     Right. And you couldn't comment on the  
14 intelligence because, if I understood your earlier testimony,  
15 at that point, the only understanding you had of the  
16 intelligence had essentially come to you secondhand from  
17 somebody at the State Department. Is that fair?

18          A     But even if I had firsthand knowledge, even if the  
19 CIA had briefed me, I still wouldn't second-guess the CIA's  
20 intelligence statements. That's not -- as deputy chief of  
21 staff of the State Department, I had no business doing that.

22          Q     Right. But as a matter of fact, at this point in  
23 time, it's like it's September 14th, you did not have  
24 firsthand knowledge of the intelligence information, correct?

25          A     That's right.

1           Q     All right. Now take a look, if you would, at  
2 exhibit No. 6. Exhibit No. 6 is a multi-page document. Just  
3 for the record, it has document identification number  
4 C05580497. The very first page is an email from [REDACTED]  
5 dated September 11, 2012, at 6:25 p.m. to [REDACTED].  
6 That's spelled [REDACTED]. "Subject: FYI - S call sheet.  
7 Urgent call with President Magariaf." Am I pronouncing his  
8 name correctly?

9           A     Yes, you are. At least as well as I could. Being  
10 from Minnesota, I don't -- you know.

11          Q     Once you've had a chance to look this over, let me  
12 know, and I'll ask you a couple of questions about it.

13          A     Just the first page?

14          Q     Whatever you feel comfortable with. You want time  
15 to look at them all, that's fine, but it's really just the  
16 general nature of the document that I'm going to be asking  
17 you about, not necessarily the specific contents.

18                 First off, generally speaking, what is a call sheet for  
19 the Secretary?

20          A     Call sheet would provide points and background so  
21 that she'd have a reference when she makes the call. She  
22 knows what the purpose is, what she's trying to accomplish.  
23 Sometimes it's important to register how to put things for a  
24 particular leader that she might be calling, and then any  
25 background that would be relevant for her as she conducts the

1 back and forth with the foreign official.

2 Q Would you typically have any role in either  
3 drafting or editing a call sheet for the Secretary?

4 A Sometimes. I would say majority of the time not,  
5 but there would be ones I would edit and sometimes, in  
6 certain circumstances, it would be ones I create myself.

7 Q Now, how about with respect to this one in  
8 particular, the call sheet for President Magariaf?

9 A I can't remember. I don't think I participated in  
10 this one. It was a pretty straightforward call. We knew  
11 what we had to do. She had to call him and say, Get your  
12 people there stat; we need help.

13 Q Did you participate in that call with the  
14 Secretary?

15 A I didn't.

16 Q Were you present in the room?

17 A No.

18 Q Why not?

19 A At the time, I was trying to multi-task and be  
20 working to figure out what else needed to be done that night,  
21 so there was nothing I could do to contribute to the call.  
22 The Secretary had that handled.

23 Q Do you know if anybody participated in the call,  
24 and by that, I mean was there anybody else in the room with  
25 the Secretary during the call?

1           A     Usually there would be somebody else, either in the  
2 room or listening on the phone. I don't know if there was in  
3 this case.

4           Q     Is somebody taking contemporaneous notes during  
5 these phone calls?

6           A     Often somebody might -- someone would take notes,  
7 but not in every case.

8           Q     Is that person listening to both sides or just the  
9 Secretary's side?

10          A     Oftentimes they'd listen to both sides. As I was  
11 saying, oftentimes they would also be on the phone. But  
12 again, not always. It would vary with practice. But the  
13 typical practice was someone would listen to the phone call  
14 and take some notes.

15          Q     Okay. I understand the term of art for -- well,  
16 let me -- would somebody prepare a -- as close to a verbatim  
17 summary of these calls as they could?

18          A     Right. It would be that -- we had what are known  
19 as S Special Assistants, Secretary Special Assistants, or  
20 foreign service officers, said they would produce something  
21 that's called a MEMCON, in most of these cases.

22          Q     With regard to the MEMCONs, did you ever take part  
23 in editing or revising a MEMCON that reflected a call between  
24 the Secretary and anybody else?

25          A     If my 4 years, it is certainly possible that I

1 would look at a MEMCON of a call I listened to and say I  
2 don't think he got that quite right. That was really rare,  
3 though, and I didn't listen to any of the calls in this  
4 timeframe, so of course I wouldn't edit any MEMCONs from the  
5 around the general period of the disturbances.

6 Q Do you recall reading a summary of the call the  
7 Secretary had with President Magariaf?

8 A I don't.

9 Q Okay. I think my time is almost up. I'm going to  
10 be going into a slightly different area, so I think I'll stop  
11 at this point and pick back up after the minority is  
12 finished.

13 A Okay.

14 Ms. Betz. So we'll go off the record.

15 Mr. Missakian. Off the record.

16 [Recess.]

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1 BY MR. KENNY:

2 Q Just for the record, this is a State Department  
3 cable 12 State 092809, dated September 11, 2012, with the  
4 subject, quote, "Security Advisory: Cairo protestors  
5 reaction to controversial film and Pastor Terry Jones  
6 internet event," close quote. The document number is  
7 C05389820. I'll give you a moment to review this document.

8 A Okay.

9 Q And do you recall this cable, seeing this cable  
10 around the timeframe the cable was issued?

11 A I don't recall seeing it. I recall hearing that it  
12 was being prepared and sent out.

13 Q Okay. Again, can you just perhaps you could  
14 explain for us to read the caption, cables are written, we  
15 understand, in a certain format, but what is your  
16 understanding of who the sender of this cable is and who the  
17 recipients of this cable would be?

18 A So this is cable is what is known in the State  
19 Department as an ALDAC, which is all diplomatic and consulate  
20 posts, and you see that under the action item. So the copy  
21 we have got here is the one that went to Tripoli, but there  
22 would have been a copy just like this basically to every  
23 diplomatic and consular post around the world. The sender is  
24 listed as SECSTATE WASHDC, but that's true of every cable  
25 that comes into and out of the State Department. That's

1 hundreds of thousands, millions, a year between going in and  
2 coming out. And all-DACs are sent for a variety of purposes.  
3 One of the purposes is if there needs to be a notification of  
4 posts to be on heightened alert because of some potential  
5 security threat. And that was the obvious purpose of this.

6 Q Thank you. That's helpful. You indicated that the  
7 from line reads SECSTATE. I'll just note on the second page  
8 at the bottom, there's a signature that appears to bear an  
9 electronic stamp from Clinton. I'd just like to ask for your  
10 understanding; does that mean that the Secretary herself has  
11 personally authorized or written this cable?

12 A No. The same as with the from line SECSTATE  
13 WASHDC, it will always finish with Clinton. So every single  
14 cable sent in from a post would be to Clinton, and everything  
15 coming out from a post would be from Clinton. And that's  
16 just diplomatic practice and protocol. But, obviously, she's  
17 not reading all of the millions of cables that go out.

18 Q I'd just like to direct your attention to what's  
19 marked as the second paragraph in here, and I'll read this  
20 portion into the record. It reads, cable paragraph 2 reads,  
21 quote: "In response to the upcoming release of a  
22 controversial film entitled 'Muhammad's Trial,' hundreds of  
23 demonstrators converged on the U.S. Embassy in Cairo on  
24 September 11, 2012, with a number of protestors breaching the  
25 compound. This film, clips of which have recently appeared

1 on YouTube, was reportedly produced by U.S.-based Egyptian  
2 Coptic Christians, allegedly with the support of Pastor Terry  
3 Jones. Jones has also scheduled an international Judge  
4 Muhammad Day in Florida for the evening of September 11,  
5 2012. Jones reportedly stated that he would symbolically put  
6 the Prophet on trial and play it out over the Internet."

7 I believe you were asked in the last round to  
8 differentiate your knowledge between when you were aware  
9 first that there was a protest at the Embassy versus when a  
10 breach had occurred, but it appears by at least at the point  
11 that this cable was sent out, that the Embassy in Cairo had  
12 been breached by protestors. Is that your understanding as  
13 well?

14 A That's consistent with what is in here, yeah.

15 Q Just so that we can understand the significance of  
16 an event such as that, when protestors breach a compound,  
17 does that raise significant security concerns?

18 A Of course. It's the highest form of security  
19 concern. If, you know, foreign protestors with obvious  
20 intent to cause mayhem, damage, even death, get over the wall  
21 of an Embassy, that will take us to very high alert.

22 Q Did this particular incident then, when protestors  
23 breached the compound perimeter, the compound wall, at U.S.  
24 Embassy Cairo, did that raise security concerns within the  
25 Department?

1           A     Of course. So NEA, the Near East Affairs Bureau,  
2           and Diplomatic Security would move quickly to try to tell  
3           everyone else around the world: Hey, you got to be on notice  
4           because something similar may be soon coming your way.

5           Q     Sure. And the paragraph refers to a film, claims  
6           that it was -- reportedly it appeared on YouTube, and did you  
7           have an understanding of what that film was at this time?

8           A     I learned about the film that day. I came to  
9           understand that it was a film that portrayed Islam in a way  
10          that offended some people, and it, therefore, partly  
11          contributed to what happened in Cairo. And I have to say, as  
12          soon as I heard about that, you know, this was something we  
13          had some experience. Pastor Terry Jones, who is referenced  
14          in here, had previously done a televised, gone out and said,  
15          I'm going to burn a Quran on television and so forth. And it  
16          was actually Bob Gates, who was Secretary of Defense at the  
17          time, who called him up and said, Please don't do that. We  
18          had had incidents in Afghanistan. So we knew going all the  
19          way back to the cartoons in Denmark, that these kinds of  
20          things could cause violence, damage, death, and so it was  
21          something that we were immediately concerned about.

22          Mr. Kenny. I would like to note that we are joined by  
23          the ranking member, Congressman Cummings.

24          Mr. Sullivan. Yes, sir.

25                   BY MR. KENNY:

1           Q     And you just mentioned Pastor Jones. He was an  
2 individual that the Department was aware of previous to this  
3 incident?

4           A     Yes.

5           Q     And you mentioned an incident in Afghanistan.  
6 Could you provide a bit more detail on that?

7           A     As I recall, that involved reports of American  
8 service members burning Qurans. And when those reports got  
9 out, it caused several deaths in Afghanistan.

10          Q     Do you perhaps recall another incident? There was  
11 an incident that service members --

12          A     I think there was also an incident relating to  
13 defiling bodies. I mean, over the course of our time, I  
14 remember repeatedly convening because of similar  
15 circumstances and similar kinds of potential triggers for  
16 violence. And I just want to underscore that, from the  
17 Department's perspective, we put no credence in people's  
18 response of this sort. Obviously, there's no justification  
19 for murder because there's some cartoon or some film. That's  
20 completely awful and ridiculous. But the reality is the  
21 reality. This is what was happening as a result, and we had  
22 to be ready to respond to that.

23          Q     Do you recall in any of those previous instances in  
24 which Terry Jones may have promoted other material or himself  
25 created material, and you specifically referenced

1       Afghanistan, whether that had resulted in any sort of  
2       violence or whether it had resulted in any deaths?

3           A     Well, the earlier Terry Jones exercise, even though  
4       Bob Gates had tried to talk him out of it, he was unable to  
5       do so, and the net result was in part the generation of  
6       protests and attacks in Afghanistan that caused the loss of  
7       life.

8           Q     Just so that I understand, is the concern here that  
9       something similar could happen as a consequence of the  
10      release of this film?

11          A     Right. So once the Diplomatic Security, NEA, the  
12      rest of us, saw what happened in Cairo, everybody recognized  
13      we had to move fast to tell posts around the world: You've  
14      got to look out for the potential for protests and violence  
15      outside your Embassy, and you've got to look out for the  
16      possibility that people are going to try to get over the wall  
17      and come inside and potentially even kill Americans.

18                And there is no more higher imperative for us than to  
19      take swift action to stop that from happening.  
20      Unfortunately, even after sending this out, our fears on this  
21      actually materialized in the days that followed. In some  
22      ways, it was lucky this was an ALDAC and it wasn't just sent  
23      to Muslim posts because we had efforts to break into or scale  
24      the walls of our embassies and consulates, not just in the  
25      Middle East but in India and Australia and in other places as

1 well. So in the days that followed, the way things played  
2 out confirmed the concerns that were laid out in this cable.

3 Q So for a security adviser of this type, would those  
4 have traditionally just been sent to all diplomatic or  
5 consulate posts, or would that somehow reflect some  
6 assessment of the risk that's involved, and which regions  
7 might possibly be affected?

8 A So this can come at basically every level. It's  
9 possible that there is an event or a trigger or warning that  
10 would lead to a cable coming from Washington to a particular  
11 post, to a group of posts, to a region, or to the whole  
12 world. And it's the worldwide warnings of this kind that are  
13 obviously the most expansive and; you know, aren't, I would  
14 say, altogether common. It would take something that we  
15 would be deeply concerned about to send something out of this  
16 sort.

17 Q And please correct me if I'm wrong, but you had  
18 seemed to indicate that it was fortuitous that this had been  
19 sent to multiple posts because ongoing, the violence that  
20 did, in fact, erupt affected various parts of the world. Is  
21 that a fair characterization?

22 A Yeah. We had over the course of that week after  
23 September 11, there was protestors who came over the wall in  
24 Yemen, in Sudan, in Tunisia. There were deaths associated  
25 with the efforts to go after our consulates and embassies in

1 Pakistan. I mentioned Chennai and Sidney. I think all in,  
2 it was three dozen or so posts that were threatened as a  
3 result of protests that stemmed from this.

4 Q And just to circle back, you had mentioned that you  
5 had learned about the video at some point during that day.  
6 Do you recall the circumstances under which you had learned  
7 of the video?

8 A I don't remember specifically. I just remember  
9 receiving a report that the protestors had gone over the wall  
10 in Cairo, and that part of what had triggered them was this  
11 video.

12 Q Okay. I'd like to direct your attention now to the  
13 third paragraph, and here the cable continues, quote:  
14 "Violent extremist groups could use Pastor Jones' recent  
15 statements and actions as motivation to target U.S. interests  
16 overseas. As a precaution against any potential  
17 anti-American fallout, posts should consider convening EAC as  
18 appropriate to assess what impact this activity may have on  
19 your security environment. You should review the security  
20 posture for both official and private U.S. interests and  
21 determine what actions need to be taken to counter any  
22 potential threat, to include requesting host government  
23 security support as appropriate. EACs should carefully  
24 review internal and external procedures for mobs and possible  
25 attacks and consider conducting drills to reinforce the

1 necessary security measures to be taken in the event of a  
2 serious incident."

3 I would just like to ask. There's a specific reference  
4 here to violent extremist groups. Do you recall at this time  
5 whether that was a factor in the protests at U.S. Embassy  
6 Cairo?

7 A I don't recall there being a specific group  
8 identified, but we were concerned, obviously, that in the mix  
9 of the protestors who were there, that some of them obviously  
10 could be members of or associated with violent extremist  
11 groups.

12 Q Okay. The paragraph here indicates that any  
13 violent extremist groups could use the statements, in here it  
14 says, as a motivation to target. I'm just wondering what's  
15 your understanding of why that language may have been  
16 included?

17 A Well, violent extremist groups of all shapes and  
18 sizes around the Middle East, North Africa, and across the  
19 world, might be looking for any trigger, any motivation, any  
20 opportunity to try to take American life, especially American  
21 government official life. And these videos and cartoons and  
22 other things in the past, had led some of these groups to gin  
23 up violent actions and violent protests, and so we had to be  
24 prepared for that to happen in the future.

25 Q And there's a reference here to an EAC, which we

1 understand to be emergency action committee meetings. You  
2 had indicated in the last hour that you in your position as  
3 the Deputy Chief of Staff/Director of Policy Planning did not  
4 have an operational role. I believe you made that statement  
5 in connection with the night of the attacks. And I would  
6 just like to ask, with respect to EACs and security posture,  
7 did you have any parole with respect to security resources?  
8 Did you manage security resources for posts around the world?

9 A No.

10 Q And who within the Department would have had that  
11 responsibility?

12 A That responsibility would have been lodged with the  
13 Bureau of Diplomatic Security, and they would work with the  
14 regional bureaus and then with the posts, with the embassies  
15 and consulates, to make determinations about security  
16 posture.

17 Q I'd like to shift gears just a little bit. There  
18 were a series of exhibits that were entered into the record  
19 last hour. I believe at least five or six. They were put in  
20 front of you. A series of these are some of the initial  
21 reports of the attack. I would just like to ask for your  
22 understanding, you had mentioned that you, yourself, were not  
23 focused -- and please correct me if I'm wrong -- that you,  
24 yourself, were not focused on what some of the precursors to  
25 the attacks may have been. And just reviewing some of these

1 initial reports, there's an ops alert; there's an alert from  
2 the Diplomatic Security Command Center. Were those reports  
3 also, were those reports at all focused on the precursors or  
4 conditions that led up to the attacks?

5 A No. They don't appear to be. Everybody on the  
6 night in question was focused on job No. 1, which was, how do  
7 you get all of the American personnel in Benghazi safe? How  
8 do you get them out of Benghazi as quickly as possible, and  
9 then how do you make sure to move rapidly to try to ensure  
10 that this kind of thing wouldn't happen at other posts around  
11 the world? And so that's where all of our energy and efforts  
12 were devoted. And especially in this context where we didn't  
13 know where Ambassador Stevens was, a huge amount of the  
14 energy and effort during that timeframe was trying to locate  
15 him, trying to get him safe. So the question of what had  
16 transpired before was not as relevant to us as what we could  
17 do right then and there to try to find our Ambassador,  
18 protect our people.

19 Q And you had mentioned that the Ambassador at some  
20 point had gone missing, or it was reported that he was  
21 missing on the night, Ambassador Stevens. I would just like  
22 to ask your understanding; that night prior to learning of  
23 the attacks, were you aware that Ambassador Stevens was in  
24 Benghazi?

25 A No, I wasn't.

1           Q     There have been some statements to the effect that  
2 Ambassador Stevens may have been in Benghazi on the night of  
3 September 11 perhaps because the Secretary had dispatched him  
4 there or directed him to go there. Do you have any evidence  
5 to support that?

6           A     No. The Secretary, as far as I know, did not  
7 direct him to go, did not know he was there until she also  
8 learned on September 11 that he was missing.

9           Q     Is that fairly typical for an Ambassador to be able  
10 to travel within the country in which he is accredited  
11 without seeking permission of Main State?

12          A     Of course, Ambassadors not only have the freedom to  
13 do that, but they make their own decisions about where in  
14 country they're going to travel. I don't think they even  
15 need to notify their own Bureau let alone let the Secretary  
16 know when they're going.

17          Q     As the events unfolded that night, you had provided  
18 us with some helpful, I think, indications of where the focus  
19 was and where your energies were being directed that night.  
20 We have also heard that this was, because given the crisis,  
21 given the magnitude of what happened, this was described as  
22 an all hands on deck type of situation. Is that your  
23 understanding as well?

24          A     Absolutely. Absolutely all hands on deck.  
25 Everybody who had anything to contribute was putting their

1 full effort into trying to find Chris, protect the other  
2 people, and resolve the situation as effectively as possible.  
3 You've got to understand, for the State Department, when  
4 diplomats are under fire, it's the most extreme possible  
5 circumstance you can imagine. There is not a person in the  
6 building that wasn't going to do whatever they could do, I  
7 mean, from top to bottom, in a circumstance like this.

8 Q Thank you. That's helpful. Would that have  
9 extended then to your colleagues in the Bureau of Near  
10 Eastern Affairs, for instance, that they were involved in  
11 response on the night of?

12 A Oh, absolutely. This is a tight-knit group. Chris  
13 was close with a lot of people in the Bureau. Libya was  
14 obviously incredibly important to us. So the NEA folks were,  
15 you know, you used the phrase "all hands on deck"; it was  
16 that and then some.

17 Q And would this have also included your colleagues  
18 in the Bureau of Diplomatic Security? Were they engaged,  
19 fully engaged, in the response on the night of the attacks?

20 A I mean, I wasn't there in the Bureau or in their  
21 response center, but everything that I saw that night from  
22 Diplomatic Security was as swift, as comprehensive, as  
23 effective -- I couldn't second guess a single thing they did  
24 that night.

25 Q Just to help us understand, were you in the ops

1 center for a portion of that evening?

2 A So for a portion of the evening I was in the ops  
3 center. Sometimes I was in the Secretary's office.  
4 Sometimes I was in other offices. I was moving around to  
5 wherever I could be where I could be most helpful.

6 Q And in the exhibits, in exhibit 1, 2, and 3, it  
7 appears there is several threads, conduits of information  
8 that were coming into the Department that seem to be  
9 identified, one being the ops center, who may be in touch  
10 with Embassy Tripoli; one being the Diplomatic Security  
11 Command Center, who may have been receiving reports from RSOs  
12 either in Benghazi or Tripoli; and the third being the NEA  
13 Bureau, who appeared to be in charge with the DCM. At that  
14 time, what was your sense, or if you could characterize for  
15 us, of the completeness of the information that you received.  
16 You see these reports now; it may be a little difficult to  
17 isolate what you were thinking at that time, but would just  
18 like to ask if you do have a recollection of that?

19 A What I remember is everybody was doing their best  
20 to get as much information as they could, reaching out to  
21 every channel, the Libyan Government, our people on the  
22 ground, coordinating with everyone across the interagency.  
23 But, you know, the fact was there was a lot of fog in all of  
24 this. We didn't know exactly what was going on. There were  
25 conflicting reports. Someone would say something about where

1 Chris was, and someone else would say something else. You  
2 get pieces of information that would just be like a kick in  
3 the gut, you know, when we heard that Sean Smith had died or  
4 that our Ambassador was missing. And then, you know, there  
5 was reports that maybe he was somewhere on the compound.  
6 There were reports he was at the hospital. So I think people  
7 were doing their best to piece together the information that  
8 night, but it was really hard to get a complete sense of what  
9 was going on.

10 Q So given that we have identified a few official  
11 channels of information that were coming in, were you or your  
12 colleagues also resorting to some of the maybe unofficial  
13 channels of information, such as press reports, to try to get  
14 a handle and understand what was happening?

15 A Yeah. And part of that was the ops center sending  
16 things around. Part of it was people were monitoring, were  
17 looking, was anyone in the press reporting on things that are  
18 happening, and what are they saying? What do they know?  
19 That was true with respect to press coming out of the region.  
20 It was true with respect to American press that was reporting  
21 on it as well.

22 Q Do you just happen to recall maybe some of those  
23 initial press reports, what they may have said about the  
24 attacks?

25 A You know, information was really sketchy and

1 spotty. You know, some of the initial reporting was linking  
2 what happened in Cairo with what was happening in Benghazi,  
3 but, you know, I think everybody was doing their best just to  
4 try and figure out what was happening.

5 Mr. Kenny. So at this point, I'd like to mark, and this  
6 will be exhibit 8.

7 [Sullivan Exhibit No. 8  
8 was marked for identification.]

9 BY MR. KENNY:

10 Q And for the record, this is an email, dated  
11 September 11, time stamp of 9:04 p.m., from Bernadette Meehan  
12 to the witness, Victoria Nuland, and [REDACTED]. The  
13 subject reads, quote, "FW: Libya General National Conf.  
14 Statement," close quote. I'll give you a moment to review  
15 that document.

16 A Yeah.

17 Q Ready? Before we dive into the content of the  
18 email, I'd just like to first ask who Bernadette Meehan is?

19 A Bernadette Meehan was, she is a Foreign Service  
20 officer, a Foreign Service professional. She had been  
21 detailed to the White House has a spokesperson for the  
22 National Security Council.

23 Q And in this email, she appears to forward on to you  
24 and others a document, it's a statement, but it's an original  
25 email from Mr. Woog. Do you have any idea who he is?

1           A     Yeah. I didn't know Carl well, but I knew that he  
2 was in the Public Affairs Office at the Office of the  
3 Secretary of Defense.

4           Q     Mr. Woog had forwarded you what appears to be a  
5 readout from an official Twitter account of the General  
6 National -- here it's Conference. We understand that may be  
7 Congress. Those may be interchangeable. I'd just like to  
8 read into the record, his email reads, quote: "According to  
9 their official Twitter posted in English within the last  
10 hour, the General National Conference of Libya expresses  
11 outrage at the unfortunate attack against the American  
12 Consulate in Benghazi tonight. This criminal attack has led  
13 to the regrettable injury and death of a number of  
14 individuals, not to mention damage to public property. The  
15 General National Conference expresses disapproval in the  
16 strongest terms against tonight's attack, which reflects  
17 total disregard for the sanctity of life and undermines  
18 Libya's obligation to protect the country's guests. Whereas  
19 the General National Conference firmly believes in the right  
20 of every citizen to practice his or her right to peaceful  
21 demonstration, there is no justification for tonight's  
22 cowardly act," close quote.

23                     Just before we begin, what is the General National  
24 Conference or General National Committee?

25           A     It was the interim government. I'm sorry, it was

1 the government of Libya, basically the equivalent of  
2 parliament, but Libya had a kind of unique setup with respect  
3 to its democratic transition, so I describe it as something  
4 between a parliament and executive; but the GNC essentially  
5 was responsible for administering affairs of state in Libya.

6 Q So at this point in time, are they essentially the  
7 government of Libya?

8 A Yes. That would be a less wonky way of saying what  
9 I just said.

10 Q And in the email I just read to you, it appears  
11 that this is a statement by the GNC. Is that your  
12 understanding as well? It was posted to a Twitter account,  
13 and it was forwarded to you?

14 A That's what it looks like, yes.

15 Q So this statement then is a statement made by the  
16 government of Libya?

17 A I don't remember the statement specifically from  
18 the night in question, but looking at this now, the official  
19 Twitter account of the GNC would essentially be the  
20 government of Libya speaking.

21 Q And just in the third paragraph here, there is a  
22 reference to respecting the right of every citizen to  
23 practice his or her right to peaceful demonstration. There  
24 is a reference to a cowardly act. Was it your understanding  
25 that that was a reference to the attack on the temporary

1 mission facility in Benghazi?

2 A Like I said, I don't remember this email  
3 specifically. I mean, I received it that night obviously.  
4 But that is certainly what it looks like here, yeah.

5 Q And understanding that you may not remember having  
6 received this at the time, where it says "a right to a  
7 peaceful demonstration," do you, now looking back on this, or  
8 looking back, do you have any understanding of what "peaceful  
9 demonstration" maybe referring to?

10 A Well, over the course of that week, starting that  
11 night, with reporting and over the course of that week, there  
12 were obviously a lot of references to protests outside of the  
13 compound in Benghazi before the attack, you know, including  
14 American press reporting that were, quote, eyewitnesses on  
15 the scene saying that they saw or were part of a protest  
16 beforehand, so this probably basically fits into that line of  
17 kind of understanding of what was going on.

18 Mr. Kenny. I think that's a good transition point to  
19 exhibit 9.

20 [Sullivan Exhibit No. 9  
21 was marked for identification.]

22 BY MR. KENNY:

23 Q This is an email dated September 2012. The time  
24 stamp 6:16 p.m. from an Arshad Mohammed at Thompson Reuters.  
25 It's to [REDACTED], Victoria Nuland. And the document

1 number is C05561847?

2 A Okay.

3 Q And just picking up on where we just left off a  
4 moment ago, you had indicated that there may have been some  
5 reporting around this time. This appears to be a Reuters  
6 article. Do you recall seeing this article on the night of  
7 the attacks or having this forwarded to you? I'll just note  
8 that you don't appear in this email thread.

9 A I don't remember this specific article, no. I  
10 remember seeing reporting that night that, as I said before,  
11 was linking Cairo and Benghazi, but I can't say that I  
12 remember this specific article.

13 Q Okay. And this article does reference an armed  
14 group that appears to have protested over a film attacking  
15 the U.S. Consulate Office in Benghazi, and it also indicates  
16 that it followed the protests in Embassy Cairo. There's a  
17 quote here from a member of the Libya Supreme Security  
18 Committee, Abdel-Monen Al-Hurr. Is that a name you've heard  
19 before?

20 A No. But a spokesman for Libya's Supreme Security  
21 Committee is a position I would understand.

22 Q What is your understanding of that position?

23 A The Supreme Security Committee was Libya's effort  
24 to try to bring a monopoly on the use of force under a single  
25 umbrella. Obviously, that was not succeeding in 2012, but it

1 was the security apparatus for Libya; and this person would  
2 be the spokesperson for that committee.

3 Q And the quote here just reads, quote: "There is a  
4 connection between this attack and the protests that have  
5 been happening in Cairo per se. They are trying to take  
6 advantage of the security situation in Libya and cause more  
7 instability in the country," close quote. This article here,  
8 I'll note the byline on the second page, a parenthetical  
9 there indicates that there are two reporters who were in  
10 Benghazi. To your knowledge at this time, were you aware  
11 that there were many other Western news organizations in the  
12 City of Benghazi?

13 A I did know that there were Western news  
14 organizations in Benghazi at that time, yeah.

15 Q And they had reporters who were on the ground?

16 A Yeah.

17 Q Do you recall if that was a large number or a small  
18 number of reporters?

19 A No. I remember that there was a fair amount of  
20 reporting interest in Libya from Western news organizations.  
21 I couldn't tell you if it was a large number.

22 Q Looking at this now, does it appear that some of  
23 the reporting in this article may have come from reporters  
24 who were in fact Benghazi on the night of the attacks?

25 A I think it's a reasonable conclusion, but I

1       couldn't say for sure.

2             Mr. Kenny. Well, that concludes my questioning for this  
3 round. I'd like to turn it over now to the ranking member.

4             Mr. Cummings. Thank you very much for being here, Mr.  
5 Sullivan. We are now approaching the 3-year anniversary of  
6 the attacks in Benghazi, and since that tragic day, there  
7 have been numerous public allegations against Secretary  
8 Clinton, and now Presidential candidate Clinton related, to  
9 her handling of the attacks.

10            Following the independent ARB report, seven  
11 congressional committees have investigated the Benghazi  
12 attacks, and not a single one of them found any evidence to  
13 support numerous allegations against Secretary Clinton. For  
14 example, none have found any support for the claim that she  
15 issued a standdown order to Secretary of Defense Leon Panetta  
16 on the night of the attacks or personally authorized cables  
17 that reduced the State Department's security profile in  
18 Benghazi. Yet today, almost 3 years after Benghazi, the  
19 attacks, these and similar allegations persist.

20            And, so, Mr. Sullivan, as one of Secretary Clinton's  
21 closest and most trusted advisers, I expect that you may be  
22 well positioned to help us set the record straight. Of  
23 course, the Secretary herself has tried to do this, briefing  
24 members immediately following the attacks, testifying  
25 extensively before the House and Senate, and answering more

1 than 200 questions for the record from the moment this  
2 committee reached out to her last fall, and she similarly  
3 pledged her cooperation with us. To that extent, some of our  
4 questions today are more appropriately asked and should be  
5 asked of Secretary Clinton when she appears before us on  
6 October the 22nd. Nonetheless, I appreciate you being here,  
7 and I just have a few questions.

8 The Benghazi Accountability Review Board found that, and  
9 I quote: "The total elimination of risk is a nonstarter for  
10 U.S. diplomacy given the need for U.S. Government to be  
11 present in places where stability and security are often most  
12 profoundly lacking and host government support is sometimes  
13 minimal to nonexistent," end of quote. Do you think that  
14 Secretary Clinton understood the risks that the men and women  
15 of the State Department assume when she asked them to serve  
16 overseas in dangerous places?

17 Mr. Sullivan. She absolutely understood the risk, and  
18 she saw it firsthand when we would go to conflict zones, like  
19 Afghanistan or Iraq, difficult places like Pakistan and  
20 Yemen. She would go there, and she would meet with personnel  
21 who were honestly putting their lives on the line by being  
22 out there. Obviously, working at the State Department, you  
23 don't get the same kind of profile for being in a risky  
24 circumstance as if you go out as a member of the Armed  
25 Forces, and it's certainly not the same thing as being in

1 combat. But it is dangerous; it is risky. And she knew  
2 that.

3 Mr. Cummings. Do you believe she would have placed  
4 Americans' lives at risk unnecessarily.

5 Mr. Sullivan. Of course not.

6 Mr. Cummings. And what was your understanding of why  
7 the United States had a diplomatic presence in Libya leading  
8 up to September 11, 2012? And in answering that, explain how  
9 Benghazi fit into this strategy as well.

10 Mr. Sullivan. So after Qadhafi fell in 2011, we were  
11 focused, the United States Government, was focused on trying  
12 to help Libya execute an effective transition to democracy  
13 and also bring stability to the country. We felt that was  
14 important to give the Libyans a chance. We also felt it was  
15 important for our own national security interests. We were  
16 looking to empower the moderates, marginalize the extremists,  
17 and help Libya emerge from this civil war to end up with more  
18 positive future. So we looked quickly to reestablish our  
19 Embassy in Tripoli, but our experts, people who knew Libya  
20 well, including Chris Stevens, felt it was very important to  
21 maintain a presence in Benghazi as well. Benghazi had been  
22 the place where the revolution had started. An important  
23 part of making sure that Libya held together and could be  
24 stable was making sure that we could tamp down the east-west  
25 divide, so having a presence in the east as well as in the

1 west was important. And there were a lot of powerful  
2 political forces and other forces in Benghazi where having a  
3 presence there to engage could advance our interests in  
4 pursuing those objectives.

5 So the broad consensus at State and elsewhere among  
6 those people who really understood Libya was that it was  
7 important for the U.S. to maintain not just a presence in  
8 Tripoli, but also one in Benghazi as well.

9 Mr. Cummings. Turning now to the night of the attacks,  
10 I'd like to ask you about how Secretary Clinton responded to  
11 the news that American diplomats and personnel were in  
12 danger. Do you recall when and how Secretary Clinton first  
13 learned that the Special Mission Compound in Benghazi was  
14 under attack?

15 Mr. Sullivan. I don't remember the exact time. I do  
16 remember a senior Foreign Service officer, Steve Mull, coming  
17 into her office.

18 Mr. Cummings. Were you with her at that time.

19 Mr. Sullivan. I was called into the office as well when  
20 she was told about it. And he told her that our mission in  
21 Benghazi was under assault.

22 Mr. Cummings. And what was the Secretary's initial  
23 response.

24 Mr. Sullivan. First, she asked a series of questions  
25 about the situation. Then she told Steve Mull, let's spare

1 no effort. We have to do everything we possibly can to  
2 protect that facility and get our people out safely; and then  
3 she got on the phone with the national security adviser to  
4 make sure she was coordinating across the interagency as  
5 well.

6 Mr. Cummings. Did she take any other steps that evening  
7 that you can recall?

8 Mr. Sullivan. She took a number of steps that evening.  
9 I mentioned the call to the National Security Advisor. She  
10 was in touch with him several times. She also touched base  
11 with David Petraeus because Steve Mull told her about the CIA  
12 involvement in this as well. So she called Petraeus. She  
13 called, as we discussed earlier, the president of the GNC,  
14 Magariaf, to push him as hard as she could to provide help  
15 and security so our people could get out safely. She was in  
16 touch with Diplomatic Security, with NEA, with her senior  
17 leadership team, to figure out what steps we could take, and  
18 then she personally participated in a secure videoconference  
19 with representatives from the Joint Staff, the Defense  
20 Department, the intelligence community, and the NSC. Look,  
21 it was a long night. There was a lot going on. I'm sure I'm  
22 leaving out plenty of the other things that she did, but  
23 basically she took charge of the situation. And where it was  
24 appropriate, she deferred to the experts who were executing.  
25 And where it was appropriate, she gave specific direction to

1 try to get things done.

2 Mr. Cummings. Did you ever get a sense or impression  
3 that she was not fully engaged with regard to crisis  
4 response.

5 Mr. Sullivan. No. Quite the opposite. She was so  
6 engaged that she took the really unusual step of a cabinet  
7 Secretary walking into a working level operational SVTCS  
8 because she wasn't going to stand on ceremony. She wanted to  
9 be there to make sure that we were doing everything we could,  
10 that we were providing DOD and the intelligence community  
11 with everything we could provide them in terms of  
12 information, and that we were getting all the help we needed.

13 Mr. Cummings. What was her demeanor like.

14 Mr. Sullivan. It was -- I would describe her as  
15 resolute but feeling an enormous sense of urgency to try to  
16 resolve the situation in a way that could rescue our people.

17 Mr. Cummings. Did she seem uncertain as to how to  
18 respond.

19 Mr. Sullivan. No. She -- I mean, it's a colloquial  
20 term, but she just kind of kicked it into high gear, and she  
21 got very focused and began the process of trying to execute a  
22 strategy to get our people out of Benghazi safely.

23 Mr. Cummings. You know, one thing that is often  
24 overlooked is the fact that the Secretary, like others in the  
25 Department, lost members of her team. You talked a little

1 earlier about how close folks are there in the State  
2 Department and these individuals who were a part of her State  
3 Department family. Can you share with us on a more personal  
4 level what it meant to her, to your knowledge?

5 Mr. Sullivan. Well, first she knew Chris. They weren't  
6 personally close, but she knew him. She had asked him to go  
7 to <sup>Libya</sup> ~~Benghazi~~ in the first place. She respected him  
8 enormously. She felt a personal responsibility in connection  
9 with him based on everything that had unfolded with Libya.  
10 And then more broadly, I mean, the Secretary has always had  
11 an extremely heightened sense of responsibility for every  
12 single person who works for her. And the idea that she asks  
13 them to go out and serve in risky places, it weighs on her.  
14 And she believes it is her job to do everything in her power  
15 to try to keep them safe.

16 So, you know, when she got the news that Sean Smith had  
17 died, that was, I remember standing there in her office, and  
18 it was just like, it was really hard to take. But she had to  
19 push through that because there was more work to be done.  
20 And when she heard that Stevens was missing, you know, it was  
21 like -- it's kind of hard to describe. You hear an  
22 ambassador is missing in a murky circumstance involving an  
23 attack and fire and everything else. You know, I think she  
24 thought, you know, I am not going to rest until we get Chris  
25 Stevens back, and I'm going to do everything in my power to

1 make that happen. She was also aware at the time, based on  
2 what had happened in Cairo, that this might not be the end of  
3 it. Benghazi might not be the last place where American  
4 personnel would be put in danger. Over the next few days, we  
5 had our posts assaulted by protestors in a number of cities,  
6 and every day she'd show up early and go home late, helping  
7 manage the response, calling foreign officials where she  
8 needed to get more help, calling interagency colleagues when  
9 she needed to get marines or other security personnel in  
10 place. You know, I remember being with her that Friday when  
11 we were going through the Tunisia situation -- and the  
12 Tunisia attack on that Embassy; they were breaking through  
13 doors; they were trying to get their way inside -- and she  
14 got on the phone with the Tunisian Prime Minister and said:  
15 You get your people there or you are going to have hell to  
16 pay from the United States. And then she had to turnaround  
17 and go from there -- excuse me -- go from there Chris  
18 Stevens' memorial service where, you know, she had to, and  
19 the memorial service of the other three fallen Americans.  
20 And she had to give a eulogy. And it was just an incredibly  
21 emotional week, and I was impressed by how cool, calm, and  
22 collected she was throughout it all, even though she was kind  
23 of deeply feeling the responsibility of what was going on.

24 Mr. Cummings. This is the last question. Speaking of  
25 the next day after the attack, she spoke to the staff in

1 Tripoli and in the United States. Do you know why she did  
2 that and what was -- I mean, did you discuss that with her?

3 Mr. Sullivan. I actually didn't discuss it with her.  
4 She came in that morning and said: I want to get on the  
5 phone with everybody in Tripoli, and I want to tell them, you  
6 know, what a good job they did to save the lives of so many  
7 people, how quickly they responded and how effectively they  
8 responded because she knew they would be feeling terribly  
9 about what happened, not just personally terribly about the  
10 loss of their colleagues but also that some of them would  
11 probably be sitting there second guessing things. And she  
12 wanted to call them and tell them: You guys did a great job.  
13 She wanted to speak to the entire staff of the State  
14 Department that week as well to communicate to them: You  
15 know, we are going to pull together. America is bigger and  
16 stronger than all of this. And we are going to show the  
17 world just how capable and effective we are as a diplomatic  
18 service and a family. That was one of the big things that  
19 she was able to communicate that week. And I think for  
20 people who worked at the State Department, her leadership  
21 over the course of that week meant a great deal.

22 Mr. Cummings. You know, a transcript, Mr. Sullivan,  
23 will never reflect the emotion that I am watching from you.  
24 And I just want to thank you for your service.

25 Mr. Sullivan. Thank you.

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Mr. Kenny. We'll go off the record.

[Discussion off the record.]

1           Mr. Missakian. Okay. Let's go back on the record. It  
2 is now 11:15. We'll begin our hour.

3           The chairman of the committee, Mr. Gowdy, is going to  
4 begin questioning.

5           Mr. Gowdy. Mr. Sullivan, I have a family obligation in  
6 South Carolina tonight, so, at some point, I have to leave,  
7 and I do not want you to take my leaving as any sign of  
8 disrespect to you, the committee, or what we're talking  
9 about, which is why my good lawyers are letting bad lawyers  
10 go now, so I don't miss an opportunity.

11           What role, if any, did you play in the ARB process?

12           Mr. Sullivan. I didn't really play a role in the ARB  
13 process.

14           Mr. Gowdy. When you say "really," what do you mean?

15           Mr. Sullivan. I guess I'm not entirely sure how to  
16 answer the question. I knew the ARB was going on. I was  
17 aware of what they were doing.

18           Mr. Gowdy. Did you have any input in the selection of  
19 the members of the ARB?

20           Mr. Sullivan. I was aware of the selection process as  
21 it unfolded, but I didn't do any of the selecting.

22           Mr. Gowdy. Did you suggest names?

23           Mr. Sullivan. I don't remember suggesting names. It's  
24 possible I did, but I don't remember selecting names --  
25 suggesting names.

1 Mr. Gowdy. Were you interviewed by the ARB?

2 Mr. Sullivan. No.

3 Mr. Gowdy. Did you provide any documents to the ARB?

4 Mr. Sullivan. I don't think they asked me for any  
5 documents, so I don't think I provided any.

6 Mr. Gowdy. My friend from Maryland -- and he is my  
7 friend -- used the word "independent" last hour in conjecture  
8 with -- in conjunction with ARB, and I'm trying to square the  
9 word "independent" with selecting your own arbiters, which is  
10 -- my understanding is the State Department selected those  
11 members of the ARB who then conducted the investigation. Is  
12 that your understanding?

13 Mr. Sullivan. I think with -- you know, consistent with  
14 the way that these ARBs happen, the State Department selected  
15 the five members. I believe that's accurate, yeah.

16 Mr. Gowdy. Were you aware of whether or not anyone at  
17 State Department was able to review a draft of the ARB  
18 findings and recommendations before they became public?

19 Mr. Sullivan. Yes. My understanding was that ARBs  
20 typically -- I think there's been 18 or 20 of them -- a draft  
21 goes to the Secretary's office and people in the Secretary's  
22 office can review it before it goes final.

23 Mr. Gowdy. Did you review it?

24 Mr. Sullivan. I did.

25 Mr. Gowdy. Did you make any recommended changes?

1           Mr. Sullivan. I didn't make any changes to the report,  
2 no. Cheryl asked me to give some reactions. I gave her some  
3 reactions. I can't remember exactly what they were. None of  
4 them went to the core findings or recommendations, and I  
5 didn't make any changes to the report.

6           Mr. Gowdy. What is your -- what distinction do you make  
7 between reactions and changes? You said you had reactions,  
8 but made no changes.

9           Mr. Sullivan. I think I just said to her, you know:  
10 "This is what I think of the report. Here are my general  
11 comments." But I certainly wouldn't have asked to change a  
12 finding or a recommendation.

13          Mr. Gowdy. Did you share your insights with Ms. Mills  
14 in writing or orally?

15          Mr. Sullivan. Just orally. I looked at it once and  
16 gave some comments.

17          Mr. Gowdy. Were you aware that Admiral Mullen had  
18 called the State Department in conjunction with Charlene  
19 Lamb's testimony before another congressional committee?

20          Mr. Sullivan. No. I don't think I was aware of that.

21          Mr. Gowdy. Raymond Maxwell, I saw an article  
22 yesterday -- you may not have seen it. It's not necessarily  
23 important that you do see it, unless you want to see it --  
24 that has made allegations with respect to the securing of  
25 documents as part of the ARB process. Are you familiar with

1 these allegations?

2 Mr. Sullivan. I certainly am familiar with them, yes.

3 Mr. Gowdy. All right.

4 Mr. Sullivan. Because it's hard not to be familiar when  
5 someone accuses of you something that is totally outlandish.

6 Mr. Gowdy. Now, when you say "outlandish," what do you  
7 mean by that?

8 Mr. Sullivan. I mean, the allegation he made, as I  
9 understand it, is that I somehow destroyed or burned or  
10 ripped up documents; and nothing of the sort ever happened,  
11 period.

12 Mr. Gowdy. Those may have been some of his allegations.  
13 He also had more nuanced allegations, and I want to go  
14 through them just to get your perspective.

15 Were you ever in a room with Ms. Mills where Raymond  
16 Maxwell was also present?

17 Mr. Sullivan. I don't think so, no. I don't think I've  
18 ever met Raymond Maxwell.

19 Mr. Gowdy. All right. Were you part of any team that  
20 was assembling documents for the ARB?

21 Mr. Sullivan. No. I was not part of assembling  
22 documents for the ARB.

23 Mr. Gowdy. Did you recall any weekend document parties  
24 where you and Ms. Mills would have both been working on the  
25 ARB on a weekend at the State Department?

1           Mr. Sullivan. I wasn't working on the ARB, and I don't  
2 remember working there during the week or on the weekend on  
3 the ARB.

4           Mr. Gowdy. Were there any documents that you reviewed  
5 that you thought would not be appropriate for the ARB to have  
6 access to?

7           Mr. Sullivan. No.

8           Mr. Gowdy. Okay. Sidney Blumenthal, were you aware  
9 that he was being contemplated for a job at the State  
10 Department?

11          Mr. Sullivan. I think I remember there being talk that  
12 he might end up at the State Department, yeah.

13          Mr. Gowdy. Did you know him prior to working at the  
14 State Department?

15          Mr. Sullivan. I met him a couple times. I didn't know  
16 him well.

17          Mr. Gowdy. Did you consider him to be an expert on  
18 Northern Africa or the Middle East?

19          Mr. Sullivan. I'm not an expert on Libya or Northern  
20 Africa, no.

21          Mr. Gowdy. Did you receive memos or cables that he sent  
22 to the Secretary?

23          Mr. Sullivan. Yes.

24          Mr. Gowdy. Did you receive them from him or from whom.

25          Mr. Sullivan. The Secretary would get them from him.

1 She'd send them to me.

2 Mr. Gowdy. Do you know who his sources were?

3 Mr. Sullivan. At the time, I didn't know. I've since  
4 learned about some of who his sources were. At the time, he  
5 was simply referring to unnamed individuals who had  
6 information.

7 Mr. Gowdy. Did you do anything with that or test the  
8 reliability or credibility of any of those sources?

9 Mr. Sullivan. The sources?

10 Mr. Gowdy. The sources.

11 Mr. Sullivan. I mean, at the Secretary's request, I  
12 would ask people who actually were experts if they had any  
13 reaction to what he was saying; and they would give their  
14 reaction. I considered that sufficient, and that was kind of  
15 the end of the matter.

16 Mr. Gowdy. You had spoken at some length this morning  
17 about your own intelligence apparatus and access to  
18 intelligence that you have in the State Department.

19 Why would you rely on someone who doesn't know, by his  
20 own admission, a damned thing about Libya to provide  
21 expertise to the State Department?

22 Mr. Sullivan. Well, from my perspective, we didn't rely  
23 on Sid Blumenthal in any way, shape, or form. He would send  
24 in some information. The Secretary would ask me if anyone  
25 had any reactions to it. I'd ask them, and they'd give their

1 reactions and that was it.

2 We relied on the professional experts at State and other  
3 parts of the government for input on policy on Libya, not on  
4 Sid Blumenthal.

5 Mr. Gowdy. Now, when you use the word "we," it suggests  
6 to me, at least two people and maybe more. Who do you mean  
7 by "we did not rely on it"?

8 Mr. Sullivan. I'd say "we" the -- all of the folks on  
9 the seventh floor, the Secretary, the Deputy Secretary, the  
10 Under Secretary, everyone who was involved in policymaking on  
11 Libya at a senior level.

12 Mr. Gowdy. If she did not rely on it, why didn't she  
13 put an end to his sending it.

14 Mr. Sullivan. I think she didn't see the harm in  
15 checking to see whether any of the information he was  
16 providing might be helpful or not, and so she asked me to  
17 find out is there anything useful in here, and that was that.

18 Mr. Gowdy. Would you ever forward his memos to other  
19 people?

20 Mr. Sullivan. Yes.

21 Mr. Gowdy. And to whom did you forward those memos.

22 Mr. Sullivan. I'd decide who might be in a position to  
23 say, "Hey, is there something here or not," and I would send  
24 it to that person.

25 Mr. Gowdy. And did you leave his name on the memos when

1       you forwarded them.

2           Mr. Sullivan. I would indicate this was information  
3       from a friend of HRC's.

4           Mr. Gowdy. Why would you not use his name?

5           Mr. Sullivan. I thought it made more sense just to  
6       describe the context of who he was and provide the  
7       information and then have them comment on the information.

8           Mr. Gowdy. Why does that make more sense, since the  
9       best way -- the way that most people judge credibility is  
10       that they're going to want to know who the source is, and you  
11       knew who the source was, but you washed that information off.  
12       So why?

13          Mr. Sullivan. Well, I wouldn't describe it as washing  
14       it off. I took his name out, and I put in "friend of HRC."  
15       And to be totally honest with you, I knew publically that Sid  
16       Blumenthal was associated with HRC. People knew they were  
17       close. And I wanted people just to respond to the  
18       information straight up without thinking, "oh, this is  
19       someone who knows HRC really, really well."

20          Mr. Gowdy. Did you know that the White House had nixed  
21       him for employment?

22          Mr. Sullivan. I know that now because I've read about  
23       it. I'm not sure if I knew that before. It's possible that  
24       I did.

25          Mr. Gowdy. Do you know if his memos -- and we'll just

1 use that for want of a better word -- his memos ever made it  
2 to the White House?

3 Mr. Sullivan. I don't. I don't remember them making it  
4 to the White House.

5 Mr. Gowdy. Who was on your forward list? Who would you  
6 forward his memos to?

7 Mr. Sullivan. Like I said before, I would send it to --  
8 you know, he'd send a memo with some information. I'd try to  
9 figure out who is in the best position to say, "Hey, thanks"  
10 or, you know, "that's not helpful" and "that's who I would  
11 send it to." And it would be someone in the State  
12 Department.

13 Mr. Gowdy. Do you know if the ambassador, Ambassador  
14 Stevens, ever received any of Mr. Blumenthal's memos?

15 Mr. Sullivan. I can't recall.

16 Mr. Gowdy. Who was Blue Mountain?

17 Mr. Sullivan. Blue Mountain.

18 Mr. Gowdy. Have you heard of that entity?

19 Mr. Sullivan. I think I've heard of it in connection  
20 with security in Libya, but I don't know really anything  
21 about it.

22 Mr. Gowdy. You don't know who would have been  
23 responsible for contracting with, interviewing Blue Mountain?

24 Mr. Sullivan. I couldn't tell you who was. I would  
25 assume it would be Diplomatic Security, but I'm honestly not

1 sure.

2 Mr. Gowdy. Did you ever use private email upon which to  
3 conduct public business?

4 Mr. Sullivan. My regular practice was to use my State  
5 Department account and that's what I did in the overwhelming  
6 majority of instances. But in a small fraction of cases, I'd  
7 use my private email. And, in those instances, I kept the  
8 records, and I've given them over to the State Department for  
9 the time I was working for Secretary Clinton.

10 Mr. Gowdy. When did you give them to the State  
11 Department?

12 Mr. Sullivan. This year.

13 Mr. Gowdy. This year when?

14 Mr. Sullivan. I couldn't tell you exactly when. I  
15 asked my lawyers -- I gave my lawyers access to my account so  
16 they could go through and make sure they captured everything  
17 that could even potentially be a Federal record and then turn  
18 it over.

19 Mr. Gowdy. You used the words "overwhelming" and  
20 "substantial." Can you give me -- can you assign a number to  
21 the emails where you would have used private email?

22 Mr. Sullivan. I'm sorry, I can't. As I said, I asked  
23 my lawyers to go through it and turn them over. So I  
24 couldn't give you a number, but it was a very small fraction.  
25 In the overwhelming majority of cases, I was using my

1 state.gov account.

2 Mr. Gowdy. And what dictated whether you used private  
3 or state.gov?

4 Mr. Sullivan. Well, I'd use state.gov in the ordinary  
5 course of business because I thought that, you know,  
6 obviously that was the right thing to do.

7 Just to give you an example of where I might use my  
8 personal emails: Say, I'm sitting on a tarmac somewhere  
9 overseas, and I can't access the State system easily here --  
10 the connection is spotty or something else -- and I've got to  
11 get a press statement out fast, I might use my personal email  
12 in that circumstance and other circumstance like that.

13 And I did my very best to keep the government on  
14 government and the personal on personal, but sometimes  
15 personal would end up on government and government would end  
16 up on personal. But it was certainly very much the exception  
17 and not the rule.

18 Mr. Gowdy. You've stressed a couple of times now your  
19 overwhelming reliance on state.gov. Why did you think it was  
20 important to use state.gov as opposed to your personal email?

21 Mr. Sullivan. General practice, you know, at the State  
22 Department was to use the State Department system.

23 Mr. Gowdy. General practice according to whom? Is that  
24 a policy? Was that just something folks got together and  
25 decided? Who set that policy?

1           Mr. Sullivan. Oh, I couldn't tell you who set the  
2 policy. Just that was what I understood.

3           Mr. Gowdy. From whom, that that was the general  
4 practice?

5           Mr. Sullivan. I couldn't tell you who told me that.  
6 Sort of like you show up at State and, you know, I used the  
7 state.gov account. It was assigned to me, and I felt like it  
8 made sense for me to use state.gov to conduct State business.

9           Mr. Gowdy. Why.

10          Mr. Sullivan. For purposes of conducting government  
11 business, I had a work government email account and using  
12 that work government email account for that government  
13 business just sort of made sense to me.

14          Mr. Gowdy. Why did it make sense for you to use a  
15 state.gov for work-related emails?

16          Mr. Sullivan. You know, I had worked in the Senate, and  
17 I used a Senate.gov account. I worked at the courts and used  
18 the court accounts. It was just what I did.

19          Mr. Gowdy. Was it the security features of the  
20 state.gov?

21          Mr. Sullivan. Well, I --

22          Mr. Gowdy. Was it the recordkeeping features?  
23 What made you conclude that you should use it in overwhelming  
24 or a substantial amount of the time?

25          Mr. Sullivan. So I had a classified system for

1 classified email, unclassified for unclassified email. So I  
2 considered the unclassified state.gov system just that, an  
3 unclassified system. So I didn't think that it would be  
4 appropriate to send classified information on the  
5 unclassified system. So it wasn't that.

6 You know, while I was at State, I didn't -- given  
7 everything that was going on and my trying to manage a very  
8 broad policy portfolio, I wasn't putting a huge amount of  
9 thought into the recordkeeping process. But, you know, if  
10 you had asked me at the time if I had been thinking about it,  
11 I would have said: Yeah, sure. You want to make sure that  
12 Federal records end up in the possession of the Federal  
13 Government.

14 Mr. Gowdy. Do you know whether the Secretary used  
15 state.gov or used a personal account?

16 Mr. Sullivan. She used a personal account.

17 Mr. Gowdy. Do you know why she used a personal account  
18 instead of the state.gov, given what you've just testified  
19 to?

20 Mr. Sullivan. You know, I'm not sure. I had worked for  
21 her during the time when she was a Senator, and she used a  
22 personal account then. I was used to corresponding with her  
23 on a personal account. Other people I worked with in the  
24 Senate corresponded with their bosses on personal accounts.  
25 So it didn't strike me at the time, and I never asked her

1 about it.

2 Mr. Gowdy. Previous testimony has indicated that one of  
3 Ms. Abedin's roles was to help the former Secretary with  
4 respect to planning travel. Is that fair?

5 Mr. Sullivan. Yes.

6 Mr. Gowdy. Did she plan travel for anyone other than  
7 Secretary Clinton?

8 Mr. Sullivan. Well, she was involved in broad trip  
9 planning, which meant planning not just the Secretary's  
10 travel, but the travel of the entire delegation.

11 Mr. Gowdy. The delegation would always include  
12 Secretary Clinton, though, right.

13 Mr. Sullivan. Right.

14 Mr. Gowdy. So she would not be planning a trip that  
15 Secretary Clinton was not going to be part of?

16 Mr. Sullivan. No. Not ordinarily. I'm not sure if  
17 there were circumstances, given her capacities where a bureau  
18 might bring her in for some reason. I didn't have any  
19 visibility into that.

20 Mr. Gowdy. If she were planning a trip to Libya in  
21 October of 2012, would you have known about that?

22 Mr. Sullivan. So I believe -- I don't remember  
23 specifically if it was October, but we were hoping that  
24 Secretary Clinton would be able to return to Libya in 2012,  
25 because, you know, we thought it was important that, given

1 the priority of the policy, that she'd be able to check back  
2 in with the government there.

3 Mr. Gowdy. Now, there's a difference between hoping and  
4 planning. Were you planning to return to Libya in the fall  
5 of 2012?

6 Mr. Sullivan. I had certainly -- it's certainly  
7 possible that Huma was doing some planning. I mean, our goal  
8 was to get to Libya in the fall of 2012.

9 I wasn't involved in trip planning that I remember, but  
10 we wanted to get there. I mean, so the goal was let's get  
11 there. And Huma very well may have started the process of  
12 planning for that.

13 Mr. Gowdy. Why was it important to get there in the  
14 fall of 2012?

15 Mr. Sullivan. Well, the Secretary likes to go, be on  
16 the ground, be engaged in any priority country. And Libya,  
17 obviously, was a priority for her, so she wanted to be able  
18 to get back to talk to the government, civil society, and  
19 others about our various interests there.

20 Mr. Gowdy. There's been some testimony about policy and  
21 presence and not with specific reference to Libya but just in  
22 general since you're an expert in the field. It can be  
23 desirous to have a presence in a country, but it's too  
24 dangerous to do so; correct? Is that fair?

25 Mr. Sullivan. That is fair. In fact, at some point

1 along the way, we removed our presence from Tripoli.

2 Mr. Gowdy. I'm not talking about Libya yet. I'm just  
3 talking about in general as an expert in policy. You can  
4 pursue a really laudable policy but the country itself could  
5 be too dangerous to have a physical presence, in general, not  
6 with respect to Libya. Is that fair?

7 Mr. Sullivan. Yeah. That's a fair comment, yeah.

8 Mr. Gowdy. All right. Help me understand the sliding  
9 scale of policy, presence, and danger. How would you balance  
10 those three considerations?

11 Mr. Sullivan. To a large extent, you would defer to the  
12 security experts on the question of whether they felt that  
13 they could provide the necessary level of security for a  
14 facility in a dangerous place. [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 There is a very considerable policy reason to be there  
20 relating [REDACTED]

21 [REDACTED], but we wouldn't stay there unless  
22 the security experts at the State Department said we can do  
23 this. If they said, "you know what, it's now untenable.  
24 We've got to pull up stakes and get out," we would get out.

25 Mr. Gowdy. Would you rely on the assessments of those

1 on the ground in making that determination?

2 Mr. Sullivan. That would be a considerable part of the  
3 equation, and ultimately it would be some combination of the  
4 Diplomatic Security Bureau, the -- you know in this case [REDACTED]

5 [REDACTED]  
6 who would understand some of the dynamics of how the threat  
7 might get worse. They would probably consult with the  
8 intelligence community and others, and then they would talk  
9 to the folks on the ground who have firsthand knowledge of  
10 what was happening.

11 Mr. Gowdy. But you'd also want to understand what  
12 policy you were pursuing so that you could do that balancing.

13 Mr. Sullivan. Right.

14 Mr. Gowdy. If you had no policy, then, the slightest  
15 episode of violence might give you cause to withdraw. On the  
16 other hand, if you had a really valid policy, you might be  
17 willing to withstand more episodes of violence, right? I  
18 mean, it's a sliding scale.

19 Mr. Sullivan. Right. [REDACTED]  
20 [REDACTED], part of the calculus is how important is it that we  
21 be here to pursue U.S. national interests. And I think  
22 that's always a question.

23 Now, I would underscore that there is a baseline at  
24 which presence itself carries some significance for the  
25 United States. The U.S. flag flying in places is really

1 important. We're one of the few countries in the world that  
2 has truly global reach and if that began to change in some  
3 dramatic way because we just decided a few countries weren't  
4 important enough, I think it would have knock-on effects on  
5 our global leadership. So there is some basic element to  
6 which being present is important.

7 But in the balance of security and national interests  
8 for presence, you have to very much take security into  
9 account and the larger the security threat is at play, the  
10 more you have to consider potentially withdrawing from a  
11 place.

12 But, ultimately, it's the determination of the security  
13 experts as to whether you got to fold up tents and go. And  
14 if someone comes in and makes a recommendation and says, "you  
15 know what, I think we've got to leave because I just don't  
16 think it's tenable for us to be here anymore," the leadership  
17 of the U.S. Government would be incredibly attentive to that.  
18 That has happen more recently in places like Libya with  
19 Tripoli. I can't recall a circumstance where it happened  
20 while I was at the State Department.

21 Mr. Gowdy. If the recommendation to leave would be  
22 taken incredibly seriously, would the recommendation for  
23 additional security being taken equally seriously?

24 Mr. Sullivan. Of course. I mean, the whole point of  
25 the setup between Diplomatic Security and posts is for them

1 to work out the degree of security that they need.

2 So, you know, as another example, the U.S. is present in  
3 active war zones with embassies in Kabul, Afghanistan; in  
4 Baghdad in Iraq; and also with consulates in Basra, in heart,  
5 and others places. We know -- I mean, those are happening in  
6 places where active conflict is going on. And what  
7 Diplomatic Security does incredibly well, in almost every one  
8 of those instances, is figure out what it's going to take to  
9 secure those facilities, even when they come under attack.  
10 And our Embassy in Kabul, our Embassy Baghdad, consulate in  
11 Basra have all come under attack.

12 So you look to the security professionals at the  
13 Department and the process works quite well for them to get  
14 together and figure out what's required to secure a given  
15 facility or compound.

16 Mr. Gowdy. What policy were we pursuing in Libya  
17 generally and Benghazi specifically that you balanced against  
18 the escalating violence taking place in the country leading  
19 up to the fall of 2012.

20 Mr. Sullivan. I'd say that the core issue for the  
21 United States and Libya was to try to produce a stable and  
22 effective democratic transition, so that there wouldn't be a  
23 power vacuum in the country, so that it wouldn't be something  
24 where extremists could gain ground and take footholds.

25 But we had other interests as well. We had interests

1 related to humanitarian and democratic elements. We had  
2 interests related to the collection of loose weapons. We had  
3 interests related to chemical weapons. We had interests  
4 related to MANPADS, Man Portable Air Defense Systems.

5 And while that may seem like some kind of technical  
6 thing to a lot of people, Libya is not that far from Israel.  
7 And if MANPADS get into the hands of a terrorist group and  
8 they can port them across Egypt, it could shoot down an  
9 airliner that's flying out of Eilat or out of Jerusalem. So  
10 that was another aspect of the interests that we had there.

11 And then, obviously, we, along with Europe, had economic  
12 interests in Libya as well. So you had a constellation of  
13 interests there, the core of which was really about security,  
14 but a broader set as well. And we had a stake because  
15 obviously we had participated in the civilian protection  
16 mission and into the end of the civil war that led to the  
17 fall of Qadhafi and the installation of a new government.

18 So when you put all that together, it was very important  
19 that we be present in Libya.

20 To be present in Benghazi, you had specific missions,  
21 like the MANPADS would be one, but you also had a general  
22 need to ensure this country hung together. It had a long  
23 history of cleavage between east and west, and Benghazi was  
24 the center of gravity for the east. And so having a presence  
25 there as well was important.

1           Now, I'm not personally an absolute expert in Libya.  
2           People have years or decades of experience, know all the  
3           players on the ground. One of those people, of course, was  
4           Chris Stevens, and people gave a lot of weight to what Chris  
5           Stevens had to say and for good reason. And Chris especially  
6           felt it was important that we be present in Benghazi to be  
7           able to carry out our effective strategy and policy toward  
8           Libya.

9           Mr. Gowdy. I get that, and I respect that.

10           I guess my question is, if you gave that much weight to  
11           his decision to have a presence in Benghazi, why would you  
12           not give equal weight to his request for additional security?

13           Mr. Sullivan. I think what the ARB said is that the  
14           Bureau of Diplomatic Security should have given more weight  
15           to his request for more security.

16           Mr. Gowdy. Do you view ARBs as being cumulative, ARBs  
17           in the past? Do we have to rediscover the wheel every time  
18           there's a tragedy, or can you look to past ARBs to try to get  
19           an indication of what should have been done?

20           Mr. Sullivan. Every ARB has a series of recommendations  
21           and findings. And I think it's, you know, important for the  
22           State Department to be trying to implement all of those  
23           recommendations as it goes forward.

24           Mr. Gowdy. So, in other words, Secretary Kerry would  
25           not undo or unravel the recommendations made by the Benghazi

1 ARB simply because there's a new administration.

2 Mr. Sullivan. I would hope not.

3 Mr. Gowdy. All right. And, similarly, Secretary  
4 Clinton would not undo recommendations done by previous ARBs?

5 Mr. Sullivan. Right. In fact, as the ARBs went along,  
6 you know, you tally them up, whatever it was, a dozen or two  
7 dozen of the ARBs, there were, you know, 100, 200, 300  
8 recommendations. And there were people in the State  
9 Department implementing, you know, nearly all of those  
10 recommendations as time went on.

11 Mr. Gowdy. What are those recommendations related to  
12 the security of our facilities? Do you know what that ARB  
13 said? That may have been the Nairobi-Tanzania ARB. Do you  
14 know what that ARB said?

15 Mr. Sullivan. I'm afraid I don't. I mean, I was  
16 working on sort of general policy matters. I didn't really  
17 get into the operations or security of facilities.

18 Mr. Gowdy. I'll summarize it.

19 The Secretary of State himself or herself shall  
20 personally review the security of our facilities. What do  
21 you think "personally review" means?

22 Mr. Sullivan. Honestly, I'd have to look at the ARB to  
23 know.

24 Mr. Gowdy. You don't have to look at the ARB to know  
25 what "personally review" means.

1           Mr. Sullivan. Well, "personally review the security of  
2 our facilities" could mean any number of things. I mean, I  
3 wouldn't think --

4           Mr. Gowdy. Including what.

5           Mr. Sullivan. It could mean that she personally reviews  
6 some sort of general plan for how the Diplomatic Security  
7 intends to go about ensuring our securities get -- our  
8 facilities get secured.

9           I just -- I don't know. I don't know what the  
10 recommendation is, so it's hard for me to speak to it.

11           What I can tell you is that the Secretary very rightly  
12 placed great weight and confidence in Diplomatic Security.  
13 These guys were securing our facilities in Afghanistan,  
14 Pakistan, and Yemen and all of these other very dangerous  
15 places. They were doing so without going to her and asking  
16 her because she wasn't the expert. They were the experts.  
17 And so it wasn't surprising, of course, that she wouldn't be  
18 weighing in on how many security officers should be at the  
19 facility in Benghazi. That just wasn't part of her  
20 responsibility -- part of her day-to-day responsibility as  
21 Secretary of State.

22           Now, that all being said, she obviously took overall  
23 responsibility for what happened because she is Secretary of  
24 State. And she made it her mission, after this happened, to  
25 make sure that she did everything in her power for it not to

1       happen again.

2           Mr. Gowdy. Do you know if any ambassadors had Secretary  
3 Clinton's personal email address?

4           Mr. Sullivan. I don't.

5           Mr. Gowdy. Were you ever forwarded any emails from  
6 ambassadors by the Secretary?

7           Mr. Sullivan. It's possible. I don't know.

8           Mr. Gowdy. Were you ever forwarded any emails from  
9 Ambassador Stevens that he -- where he personally contacted  
10 Secretary Clinton?

11          Mr. Sullivan. I don't remember getting one, if I did.

12          Mr. Gowdy. Can you understand why someone might wonder  
13 why Sidney Blumenthal was able to contact Secretary Clinton  
14 directly about Libya when he knew nothing about it, but we  
15 can't find a single email from the Ambassador?

16          Mr. Sullivan. Well, the Ambassador had a variety of  
17 ways to be able to get to Secretary Clinton, including  
18 talking to her in person, which he did. So, you know, he was  
19 able to --

20          Mr. Gowdy. Did Huma Abedin have other ways of getting  
21 in touch with the Secretary as well like in person?

22          Mr. Sullivan. Did Huma?

23          Mr. Gowdy. Yeah.

24          Mr. Sullivan. Yeah. She was with her a lot.

25          Mr. Gowdy. Well, then, why would Huma Abedin email the

1 Secretary about milk and gasoline in Libya if she could have  
2 asked for it in person, under your theory.

3 Mr. Sullivan. I'm sorry, honestly, I don't have a  
4 theory. I was just saying that Chris Stevens was able to get  
5 his recommendations and his analysis to the Secretary when he  
6 felt he wanted to do so. And I can't tell you why he didn't  
7 have her personal email address.

8 As far as Sid goes, Sid and the Secretary have been  
9 friends for a long time. They communicate about a lot of  
10 things. The Secretary communicates with a lot of her  
11 friends, and of course, they would have her email address.

12 Mr. Gowdy. Were you part of prepping Susan Rice for her  
13 Sunday talk show appearances?

14 Mr. Sullivan. I wasn't.

15 Mr. Gowdy. Do you know who picked Susan Rice?

16 Mr. Sullivan. Who what?

17 Mr. Gowdy. Who picked her to go on the Sunday talk  
18 shows?

19 Mr. Sullivan. I don't.

20 Mr. Gowdy. Do you know why the Secretary didn't go on?

21 Mr. Sullivan. At the time, I didn't know. You know,  
22 I've since read what she said and what others have said that,  
23 you know, that she was at the end of a very long week of  
24 focusing on our security around the world, was still bracing  
25 for more attacks as things came on. So she just didn't feel

1 like it made sense for her to go on.

2 And I think she hadn't been on in a couple of years  
3 before that or a year before that. So it wasn't a common  
4 thing for her to go on the Sunday shows.

5 Mr. Gowdy. Did you watch Susan Rice over the five  
6 Sunday talk shows?

7 Mr. Sullivan. I didn't watch the shows, no.

8 Mr. Gowdy. Did you get a transcript of them?

9 Mr. Sullivan. I did.

10 Mr. Gowdy. How soon after her appearance did you see  
11 the transcript?

12 Mr. Sullivan. A couple few hours.

13 Mr. Gowdy. Were you surprised that she linked the  
14 attacks to a video?

15 Mr. Sullivan. No.

16 Mr. Gowdy. Why not?

17 Mr. Sullivan. Because that was the information that had  
18 been provided to her.

19 Mr. Gowdy. From whom.

20 Mr. Sullivan. From the CIA.

21 Mr. Gowdy. Did the CIA link the attacks to the video?

22 Mr. Sullivan. The CIA's talking points spoke about how  
23 there was a protest spontaneously inspired by --

24 Mr. Gowdy. How do you know the CIA talking points made  
25 reference to a video?

1 Mr. Sullivan. I was asked to review them.

2 Mr. Gowdy. Do you know that the talking points that  
3 ultimately got to her made reference to a video?

4 Mr. Sullivan. I actually don't know what actually ended  
5 up in her hands.

6 Mr. Gowdy. Well, then how would you be able to answer  
7 the question I asked three questions ago? You didn't prep  
8 her.

9 Mr. Sullivan. I was referring to the CIA talking  
10 points.

11 Mr. Gowdy. Do you know if those made it to Ambassador  
12 Rice?

13 Mr. Sullivan. All I know is that one of her staffers  
14 got them. I don't know what material she actually received  
15 from the show.

16 Mr. Cummings. Mr. Chairman.

17 Mr. Gowdy. Yes, sir.

18 Mr. Cummings. Why don't we show him the talking points?  
19 You asked him about it.

20 Mr. Gowdy. Well, my point, Mr. Cummings, is which  
21 iteration of the talking points?

22 Mr. Cummings. Whatever you're talking about so he can  
23 answer.

24 Mr. Gowdy. I would have no idea which iteration. They  
25 were edited a number of times, so how would I know which

1 iteration made it to Ambassador Rice?

2 And since he didn't prep her, I doubt this witness would  
3 know which iteration made it to Ambassador Rice. He may.

4 Mr. Sullivan. So I have no idea what Susan Rice got in  
5 terms of materials for prep. All I know is what I had seen  
6 the day before for Mike Morell, which talked about the  
7 protests that were linked to what had happened in Cairo the  
8 day before.

9 Mr. Gowdy. One more question, and I'll let Craig go.

10 Have you seen -- we went through four or five emails  
11 that were pretty soon after the attacks -- probably exhibits  
12 1, 2, 3, 4, 5 would be my guess -- where the word "video"  
13 wasn't mentioned.

14 Do you remember that? Greg Hicks, others?

15 Mr. Sullivan. Yeah.

16 Mr. Gowdy. There was also an email from someone, I  
17 believe, on the ground in Libya that said "not/not a  
18 protest." Do you remember that?

19 Mr. Sullivan. No.

20 Mr. Gowdy. [REDACTED] -- who was that? [REDACTED]? No.

21 There's -- there's an email that says "not/not a  
22 protest."

23 Have you seen our -- the government's memo in support of  
24 the motion to detain in the Khattala case?

25 Mr. Sullivan. No. I haven't seen it.

1           Mr. Gowdy. I would encourage you at some point -- I'm  
2 not going to read it to you. I would encourage you at some  
3 point to read it.

4           This is what we filed with the judge. I don't know your  
5 background. I don't know if you're an attorney. You may be.

6           Mr. Sullivan. I once was. Briefly.

7           Mr. Gowdy. You want to take great care to be accurate  
8 with filings that you make in front of a judge.

9           Mr. Sullivan. Absolutely.

10          Mr. Gowdy. There's not a single solitary mention of  
11 video or protests. So, initially, it wasn't a video or a  
12 protest. Now, it's not a video or a protest. But at some  
13 point in the interim, it became a video and a protest.

14          Mr. Sullivan. Well, I'd say a couple things about that.  
15 The first is that information was changing rapidly over the  
16 course of time. And our best information, as of that  
17 weekend, was that this was a protest inspired by Cairo.  
18 That's what the CIA was telling us.

19          Presently today, as I sit here today, I have to tell you  
20 that the combination of investigations into this incident,  
21 many of which are still ongoing, really hasn't been able to  
22 determine what the mix of factors at play are. But it is not  
23 implausible to believe that the video played some part in  
24 what happened in Benghazi on that night. That's certainly  
25 what some have concluded. And it may be that we all never

1 know exactly what the motives or identities of all of the  
2 attackers were.

3 But given -- I was just going to say, given that the  
4 video clearly inspired people to go after our embassies in  
5 places from Cairo to Tunis to Khartoum, you name it, the idea  
6 that it played absolutely no role whatsoever in Benghazi to  
7 me does not seem totally credible.

8 So I don't know what role it played, sitting here today.  
9 What I do know is that, on that weekend, we went with the  
10 information we had, which is what the CIA had provided.

11 Mr. Cummings. Mr. Chair, the document, what's the date  
12 of the filing for the record?

13 Mr. Gowdy. July 1st, 2014.

14 I can tell you that it made reference to this  
15 defendant's concern in opposition to the presence of a U.S.  
16 facility in Benghazi, but it doesn't say a single solitary  
17 word about a video.

18 Mr. Sullivan. Well, Khattala, the defendant in the  
19 case, has obviously publicly talked about the fact that the  
20 video played a role. But, of course, we would all, sitting  
21 here today, he's a terrorist and could have been making that  
22 up or could change his story a hundred times. But he  
23 certainly said publicly that it was about the video.

24 Mr. Gowdy. I'm done, Craig.

25 Mr. Westmoreland. Could I just follow up on a couple of

1 things that the chairman said?

2 When is the last time you talked to Ms. Mills or  
3 communicated with her, whether by email, phone, fax, over the  
4 fence, dinner table that you have communicated with her.

5 Mr. Sullivan. I gave her a big hug last night after she  
6 spent 9 hours with you guys.

7 Mr. Westmoreland. She will probably give you one  
8 tonight.

9 Mr. Sullivan. She's gone to the beach. She's leaving  
10 me here to fend for myself.

11 Mr. Westmoreland. So you just saw her briefly?

12 Mr. Sullivan. I literally gave her a hug. I didn't  
13 talk to her about what she said.

14 Mr. Westmoreland. Did you see her here?

15 Mr. Sullivan. Sorry.

16 Mr. Westmoreland. Did you see her here?

17 Mr. Sullivan. No. Here in the Capitol.

18 Mr. Westmoreland. Where did you give her the hug at?

19 Mr. Sullivan. It was over in downtown D.C.

20 Mr. Westmoreland. Okay. You didn't have any  
21 conversation.

22 Mr. Sullivan. I didn't talk to her about what she did  
23 here. And I -- you know, honestly, I was careful not to  
24 because I assumed you'd ask and I thought it was appropriate  
25 for each of us to give our own view of this without talking

1 to one another about it.

2 Mr. Westmoreland. You mentioned, when the chairman was  
3 talking about this mission, the reason that said you were  
4 there, you were talking about Tripoli and Benghazi, you  
5 mentioned MANPADS for Benghazi. You specifically said  
6 MANPADS.

7 What was the State Department doing there as far as  
8 concerns as far as MANPADS?

9 Mr. Sullivan. What do you mean?

10 Mr. Westmoreland. Well, you said that was one of the  
11 reasons --

12 Mr. Sullivan. Yeah.

13 Mr. Westmoreland. -- that you need to have a presence  
14 was these MANPADS.

15 Mr. Sullivan. Right.

16 Mr. Westmoreland. What was -- what was the State  
17 Department doing as far as MANPADS? I mean --

18 Mr. Sullivan. You mean, what were the State Department  
19 personnel themselves doing in terms of MANPADS?

20 Mr. Westmoreland. Yeah.

21 Mr. Sullivan. So what the State Department was doing  
22 was creating a circumstance in which a U.S. presence in  
23 Benghazi could be sustained and justified to the Libyan  
24 Government. Having a State Department presence there, in  
25 large part, [REDACTED]

1

[REDACTED]

2

Mr. Westmoreland. [REDACTED]

3

[REDACTED]

4

Mr. Sullivan. [REDACTED]

5

[REDACTED]

6

Mr. Westmoreland. Okay. You were talking about the Secretary and her emotions and how upset she was, and I can certainly understand at night how upset she was losing friends and fellow workers.

10

What would you say her demeanor was like when she found out that some of the security requests that had been put in by both DS, RSOs, principal officers, and other things, had not been done?

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Mr. Sullivan. I would say she was fit to be tied about it. I mean, this was toward the end of her tenure, so this is just a few months before she's leaving. So she spent 4 years working with Diplomatic Security and had spent a lot of time with the Secret Service when she was First Lady and as a Senator. And by the time we left, she had so much faith and confidence in Diplomatic Security because these guys had done just an unbelievable job of protecting dangerous facilities around the world. So it came as a huge surprise to her that there was -- that the ARB found what it did about these challenges with responding to security requests in Benghazi.

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Mr. Westmoreland. So did she order an immediate

1 investigation within the Department to find out who was the  
2 person that said, "No, we're not doing upgrade. No, it's  
3 not -- it's not within our budget. We're just not going to  
4 do them"?

5 I mean, did she say, "by God, I want to know who made  
6 these decisions. We have a dead ambassador. We have got a  
7 dead information officer. We've got two dead SEALs, I want  
8 to know who made the decision not to honor their request for  
9 additional security"?

10 Mr. Sullivan. If I remember correctly, she asked for  
11 that investigation into what happened and how we could stop  
12 it from happening again before she found out about the denied  
13 security requests. She had already gotten that underway.

14 Within days of this happening, first -- I mean, the  
15 first thing we had to do those next few days was just keep  
16 people safe. I mean, you can -- it is hard to convey,  
17 sitting here today, as we look back, Benghazi has kind of  
18 been isolated from the context of everything else going on,  
19 but it was relentless. It was country after country, embassy  
20 after embassy, for that week.

21 But very, very quickly she said, "I want to know what  
22 happened in Benghazi. I want to know how it happened. I  
23 want to know who was involved, and I want to make sure this  
24 never happens again." And she launched that investigation.  
25 And she said, when they come back with their recommendations,

1 I'm going to make sure, before I leave as Secretary of State,  
2 we're going to implement every single one of them.

3 Mr. Westmoreland. But when she found out that the  
4 security cameras, not all of them were working, that some of  
5 the agents didn't feel like they had enough weaponry, they  
6 didn't have a defensive position, that the compound was too  
7 large and a lot of vegetation and other things needed to be  
8 removed and that those requests had been denied, who was --  
9 who did she find out denied those requests?

10 Mr. Sullivan. Well, she asked for an independent  
11 investigation to determine who denied those requests.

12 Mr. Westmoreland. Well, who was it?

13 Mr. Sullivan. And it was people within the Diplomatic  
14 Security Bureau at State.

15 Mr. Westmoreland. Was it -- so they did it as a group,  
16 or was there one person that was over this?

17 Mr. Sullivan. I believe --

18 Mr. Westmoreland. I mean, that's a pretty big -- you  
19 know, when you've got all this stuff coming in and then  
20 something like this happens, to me, that's a pretty big deal  
21 because the Secretary knew it was going to reflect on her  
22 because, as the chairman mentioned, she is personally  
23 responsible for reviewing the security or whatever it was  
24 that ARB had come out with.

25 So who was the individual that did this? And did she

1 fire him, reprimand him, change his position or what?

2 Mr. Sullivan. She didn't want this to be a political  
3 thing. She wanted this to be an independent investigation,  
4 so she asked the ARB to do its job. The ARB found --

5 Mr. Westmoreland. No. I'm not talking about the ARB.  
6 I'm talking about an internal investigation -- I'm just  
7 picturing myself as her. I would say, I want to know who  
8 denied -- I want to know how many requests there were, I want  
9 to know when they were, and I want to know who denied them.

10 Mr. Sullivan. But, of course, that's exactly what the  
11 ARB is for. When these things happen --

12 Mr. Westmoreland. The ARB didn't find out from them how  
13 many --

14 Mr. Sullivan. Well, they identified --

15 Mr. Westmoreland. -- I mean, she just said -- well, I'm  
16 not going to find out.

17 Mr. Sullivan. They identified individuals who they said  
18 were -- should bear responsibility for this, and they  
19 recommended a course of action with respect to those  
20 individuals, and the Secretary accepted their recommendation.

21 Mr. Cummings. Sorry. Are we getting into the  
22 classified portion of the ARB?

23 Ms. Jackson. We're in a classified setting.

24 Mr. Gowdy. Yeah. This is a classified --

25 Ms. Sawyer. Well, we are in a classified setting. I

1 think part of the question is that if some -- it is true that  
2 in the public domain I think there has been some discussion  
3 about who the individuals were. That is contained. The  
4 names that I think the Representative would like is contained  
5 in the classified version of the ARB.

6 I think the real question here is if we want to have  
7 that level of granular discussion about exactly who was  
8 identified in that classified version, we should just simply  
9 help refresh Mr. Sullivan's --

10 Mr. Westmoreland. All I want to find out is if she  
11 found somebody --

12 Ms. Sawyer. Okay.

13 Mr. Westmoreland. -- that she said --

14 Ms. Sawyer. Yeah. Then I think it's --

15 Mr. Westmoreland. -- the Secretary said this is who  
16 denied the security requests.

17 Ms. Sawyer. Fair enough. Okay.

18 Mr. Missakian. Are you done?

19 Mr. Westmoreland. That's it.

20 BY MR. MISSAKIAN:

21 Q Mr. Sullivan, you just said something that I think  
22 is important. I wrote it down to make sure I got it right.

23 Some of the events surrounding Benghazi had been  
24 isolated from the context. Do you recall saying that?

25 A Yes. Today. I mean today, not then.

1 Q Right. Definitely.

2 A Now, we --

3 Q Exactly. Right. So I agree that it's important to  
4 view events in Benghazi in the context in which they  
5 occurred. Was that fair?

6 A Of course.

7 Q All right. And one of those contexts is the  
8 broader context that was going on in the world with protests  
9 here, breaching compounds there. That's one context.

10 But another context is the context that was specific to  
11 Libya and actually specific to Benghazi at the time. So what  
12 I'd like to do now just briefly is kind of just ask you a few  
13 questions to see how aware you were of what, I think,  
14 everyone agrees was a deteriorating security situation in  
15 Benghazi at the time these attacks occurred.

16 A Uh-huh.

17 Q And I just want to focus on some specific events,  
18 so just bear with me as I go down this list.

19 There was an attack on April 10, 2012, an explosion hit  
20 at U.N. convoy in Benghazi. Do you recall being aware of  
21 that at the time it occurred?

22 A I believe so, yes.

23 Q And then, in May -- May 22, 2012, a  
24 rocket-propelled grenade attack on the International Red  
25 Cross. Do you recall that at about the time it occurred?

1 A Yes.

2 Q And then June 6th, 2012, there was an attack on the  
3 State facility there. I assume you were aware of that  
4 attack?

5 A Right.

6 Q Do you remember any details about that attack?

7 A I believe that June attack involved an IED that was  
8 placed at the base of a wall that blew out a portion of the  
9 wall.

10 Q And then just about a week later on June 13th,  
11 2012, there was an assassination attempt on the life of the  
12 British Ambassador. Do you recall hearing about that at the  
13 time?

14 A Yes. It's hard to know exactly when I heard about  
15 it, but I believe I heard about it at the time, yes.

16 Q Okay. Roughly contemporaneous with the events?

17 A Right.

18 Q Do you recall having any specific discussion with  
19 Secretary Clinton about the attempt on the British  
20 Ambassador's life?

21 A Not about the attempt on the British Ambassador's  
22 life, no.

23 Q And on June 18, 2012, there was an Ansar al-Sharia,  
24 the Benghazi battalion, attack of 20 armed men overran the  
25 Tunisian consulate. Do you recall hearing about that?

1 A Sitting here today, I don't remember.

2 Q Okay.

3 A I don't remember that.

4 Q And on June 29, 2012, there was an attack on a  
5 hotel that, I believe, Americans and maybe others from the  
6 international community were using. Do you recall hearing  
7 about that?

8 A I do. Yes.

9 Q On July 31st, 2012, there was a kidnapping of some  
10 Iranian ICRC members. Do you recall that?

11 A Yes.

12 Q What does ICRC stand for? I know we've used a lot  
13 of acronyms. To the extent I remember, I want to make sure  
14 we get the actual words on the record. So what does that  
15 stand for?

16 A The International Committee of the Red Cross.

17 Q Okay. And on August 15, 2012, there was an  
18 Emergency Action Committee convened with regard to the U.S.  
19 facility in Benghazi to discuss this deteriorating security  
20 situation. Do you recall being aware of that at the time?

21 A No.

22 Q Now, I have heard Libya and Benghazi described over  
23 time as becoming somewhat of a terrorist safe haven,  
24 especially the eastern portion, including Benghazi. Would  
25 you agree with that assessment at the time back in 2012?

1           A     I thought, at the time, that the situation was  
2 deteriorating, that militias were operating with greater  
3 freedom, but I don't recall thinking this was a terrorist  
4 safe haven at the time.

5           Q     Okay. Do you recall having any knowledge that  
6 there were terrorist organizations that were based in Libya  
7 or Benghazi or the eastern part of Libya at that time?

8           A     I knew that there was a number of jihadists,  
9 militant jihadists and terrorist fellows who -- some of whom  
10 had participated in Afghanistan and returned home. Some of  
11 whom had participated elsewhere. But I don't know that,  
12 unlike, say, for example, AQIM, Al Qaeda in the Islamic  
13 Maghreb, I don't think I knew about any particular  
14 international terrorist group in Libya.

15          Q     In your mind, there's been a lot of discussion  
16 about the term "terrorist" versus "extremist" versus  
17 "militant." What is your understanding of the meaning of  
18 those words? Are they synonyms? Do they have different  
19 meanings? Tell us just so we can have a baseline to work  
20 from here.

21          A     Well, the reason that I just lamely said "terrorist  
22 fellow" is I'm just trying to get the right words is because  
23 I've now come to know that, for some people, "terrorist"  
24 means something different from "extremist" means something  
25 different from "militant." For me, those three terms are

1 jihadists. They're all basically the same.

2 Q And that was your understanding back at the time in  
3 September of 2012?

4 A Yeah. September of 2012, I thought a gun-toting  
5 bad guy intent on harming Americans was any of those things.  
6 He was a jihadist. He was a militant. He was an extremist.  
7 He was a terrorist. All I cared about was what he was trying  
8 to do and, you know, what we could do to stop it.

9 Q Fair enough.

10 I only have 3 minutes left, so let me see what I can get  
11 done. I think I will use the time to just ask you a couple  
12 of questions about something that my colleagues in the  
13 previous hour asked you about.

14 The first question -- I could have heard this wrong, so  
15 if I did just tell me. I thought you were asked about  
16 whether you were aware of any precursors to the attack in  
17 Benghazi. The word "precursor" stuck out in my mind. Do you  
18 recall being asked that?

19 A I wish I did.

20 Q If you don't recall it, I will ask the question in  
21 a different form.

22 A Not specifically.

23 Q Okay. Were you at the time aware of any precursors  
24 to the attack in Benghazi?

25 A Precursor, not -- not precursors to the attack, no.

1 Q And you were also shown in a couple of documents,  
2 exhibits 8 and 9 -- you probably have them there in front of  
3 you --

4 A I have 8.

5 Okay. Yeah.

6 Q Okay. Let's start with exhibit 9. I don't see you  
7 as having received this email, this set of emails.

8 Do you recall specifically receiving the article that  
9 appears to be circulating that starts at the bottom of the  
10 page and goes to the second page entitled, "Clashes at U.S.  
11 Consulate Eastern Libya, Libyan city"?

12 A No. I was saying before I don't remember the  
13 particular article. I remember generally that there were  
14 articles that night that I was reading that were linking the  
15 two, but I don't remember this article.

16 Q As far as reading articles, news reports, whatever,  
17 I mean, did you rely on any of the information contained in  
18 any of those reports to come to any conclusion about what had  
19 occurred in Benghazi that night?

20 A All I was focused on that night was figuring out  
21 how we were going to find our Ambassador and get our people  
22 out of Benghazi. I wasn't thinking about who did it or how  
23 they did it. I was thinking about what we were going to do  
24 with what was right in front of us, so I wasn't relying on  
25 any of this.

1 Q I have a few more minutes.

2 Now, Mr. Sullivan, you testified that there were some  
3 media reports that were linking what occurred in Cairo to  
4 what occurred in Benghazi. You're aware of those media  
5 reports. You were aware of them at the time, it sounds like.  
6 Correct?

7 A Yeah. Generally.

8 Q But at that point in time -- again, we're talking  
9 about the evening of September the 11th -- there was no  
10 information, either from the ground or from the intelligence  
11 community, that linked the two, meaning Benghazi and Cairo.  
12 Is that correct?

13 A No. I don't remember any intelligence information  
14 that was linking the two.

15 Q And certainly that night the State Department -- in  
16 its public statements about what had occurred, the State  
17 Department was not linking the two. Correct?

18 A I'm struggling to answer the question because we  
19 weren't -- it's just -- that's not what we were thinking  
20 about that night. It's not what we were --

21 Mr. Missakian. Let me show you an exhibit, and we can  
22 focus the question on that. I think it might be easier.

23 [Sullivan Exhibit No. 10  
24 was marked for identification.]

25 BY MR. MISSAKIAN:

1 Q What I've just marked as exhibit 10 is a 1-page  
2 document. The document consists of two emails. The bottom  
3 email is from Victoria Nuland to a number of people,  
4 including you. And then the top email is an email from  
5 Bernadette Meehan to a number of people, including you as  
6 well. The bottom email -- oh, right here.

7 Now, the bottom email -- and I'll read it into the  
8 record -- is coming from Victoria Nuland. Who was Victoria  
9 Nuland at the time?

10 A She was the spokesperson at the State Department.

11 Q And in her email -- and this is at 6:09 p.m. -- she  
12 says, as follows: "[REDACTED], please put out as two separate  
13 statements to bullpen ASAP. On record, me."

14 First off, what is a bullpen?

15 A The bullpen is the group of journalists who cover  
16 State. It's -- I'd guess you'd call it something similar to  
17 the White House Press Corps, [REDACTED]

18 [REDACTED]  
19 Q Fair enough.

20 Ms. Wilkinson. [REDACTED]

21 Mr. Sullivan. [REDACTED]

22 BY MR. MISSAKIAN:

23 Q She goes on to say -- and these are the two  
24 statements I gather. We can confirm their office in  
25 Benghazi, Libya has been attacked by a group of militants.

1 We are working with the Libyans now to try to restore  
2 security.

3 Then there is a line separating the following statement:  
4 "In Cairo, we can confirm that Egyptian police have now  
5 removed the demonstrators who had entered our embassy grounds  
6 earlier today."

7 A little further down, it says: "For press guidance, if  
8 pressed, whether we see a connection between these two, we  
9 have no information regarding a connection between these two  
10 incidents."

11 So, at least at 6:09 p.m., on the 11th, officially, the  
12 State Department was not connecting what had occurred in  
13 Benghazi with what occurred in Cairo. Is that fair?

14 A That looks right.

15 Q Okay. And do you have an understanding of what  
16 this means, "if pressed"? I mean, I know what it means, but  
17 do you have any insight into what Ms. Nuland would be  
18 thinking, why that wouldn't be put into the statement and  
19 would only be shared if pressed by a reporter?

20 A I don't.

21 Q Okay. Did you have any conversations with anybody  
22 about this statement?

23 A I don't remember having any conversations about it.

24 Q Okay. At this point, I think my time is almost up,  
25 so I'll reserve the remainder of the questions for the next

1 hour.

2 Since it's now 12:15. We can go off the record, I  
3 think, at this point.

4 [Discussion off the record.]

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1 [Sullivan Exhibit No. 11  
2 was marked for identification.]

3 Mr. Missakian. Let's go back on the record.

4 BY MR. MISSAKIAN:

5 Q Mr. Sullivan, you were just given a document that's  
6 been marked as exhibit 11. This document is a classified  
7 document, and so we have a limited number of copies. One of  
8 them will go with the transcript. The others will be  
9 collected at the end of the interview.

10 If you can just take a moment to read through it. It's  
11 a multi-page document. The first page is an email from  
12 Steven Mull dated March 9, 2011, and goes to a variety of  
13 people, and I believe you are one of them.

14 Just let me know when you've had a chance to skim  
15 through it.

16 A I can't say I've digested the whole thing.

17 Q I understand. It's small print.

18 A Very lengthy document with a lot of very dense  
19 material in it, but if I need to pause to --

20 Q Feel free.

21 A -- take another run through some section of it,  
22 I'll ask to do so, but in the meantime, I'd be happy to have  
23 you ask your questions.

24 Q Thank you. And I bring this document out as a way  
25 to shift the focus of the interview away from the night of

1 September 11th and move it back into a different period of  
2 time. We are interested in some of the policy decisions that  
3 went into the ultimate decision to intervene in Libya, in  
4 particular, how some of those policy decisions may have  
5 affected the security on the ground in Benghazi and elsewhere  
6 during September 2012.

7 And as the former policy director at the State  
8 Department, we're hoping you might be able to shed some light  
9 and give us your unique perspective on some of those policy  
10 issues that drove this country's decision to move into Libya.

11 But before getting into the memo, why don't we just  
12 start a little bit with some of the basics. Can you give us  
13 your perspective on the chronology, the genesis of the  
14 decision to think about going into Libya and how that all  
15 kind of came about?

16 A Well, the Arab Spring was unfolding in the region.  
17 There were protests in a number of countries. Earlier, in  
18 2011, Tunisian protestors had driven Ben Ali, the President  
19 of Tunisia from office. He fled the country. And in  
20 February 2011, protestors in Cairo helped bring down the  
21 downfall of Mubarak, and there were protests going on  
22 elsewhere as well across the region.

23 What began as protests in Tripoli, fairly quickly  
24 escalated across Libya into a civil war because aspects of  
25 the military and other folks with arms began to consolidate

1 control over portions of the country and to clash militarily  
2 with the Qadhafi regime.

3 Meanwhile, Qadhafi was using force against peaceful  
4 protestors. He was killing people in cold blood. He was  
5 marching through cities. Innocent civilians were dying, and  
6 he was threatening much more. And so the question that was  
7 presented to the United States was what, if anything, would  
8 we, along with our allies and partners in the region, do  
9 about it, and that was the same question that was being posed  
10 to each of our allies and partners, all of whom were trying  
11 to come to grips with what the right international response  
12 should be, both from the perspective of our values, our  
13 humanitarian interests, and our hard core national security  
14 interests.

15 Q Okay. I mean, it's a very good description of the  
16 circumstances that I think went into it, but in terms of the  
17 U.S. involvement -- let me be more specific -- would you say  
18 the decision to consider joining an international coalition  
19 or going at it alone originated in the State Department or  
20 did it originate in the White House, for example?

21 A Well, I think the easiest way to answer that  
22 question is to say it originated in the circumstances, which  
23 is to say, here we are faced with a conflict unfolding in  
24 Libya, and so the question is presented to the White House,  
25 the State Department, DOD, everyone across the U.S.

1 Government, what do we do about it, and all of us have to  
2 make a judgment about how we're going to respond.

3 Q I understand that everybody was faced with a set of  
4 circumstances, but in your mind, did the White House take the  
5 lead in considering how to respond to those set of  
6 circumstances? Or was it the State Department? Or can you  
7 say one way or the other?

8 A The National Security Council is basically the  
9 convening body for the whole national security apparatus of  
10 the U.S. Government, and the way the process works is  
11 whenever a policy question comes up that touches on U.S.  
12 national security that involves more than one agency, and  
13 this would certainly be one of those cases, the National  
14 Security Council would run a process to determine what the  
15 U.S. Government response would be, and that's what happened  
16 in the Libya case as well.

17 Q So it's fair to say that the National Security  
18 Council took the lead role in coordinating the consideration  
19 of the government's response to the circumstances that you  
20 described?

21 A Right, as they would and did in any circumstance  
22 that would be similar to this.

23 Q Is there anybody in particular at the National  
24 Security Council who took the lead on this issue?

25 A I don't remember who the sort of working level

1 person was who was doing it, but the deputy national security  
2 advisor would convene deputies' committee meetings. The  
3 national security advisor would convene principals' meetings.  
4 That's the cabinet agency head, including the Secretary of  
5 State and bring people together to make decisions about what  
6 would happen and how we would respond in Libya, and  
7 ultimately, this would result in a convening of the full  
8 National Security Council, that is, the President himself  
9 chairing a meeting of the secretaries of all the major  
10 national security cabinet agencies where they would make  
11 final decisions about what the response to the Libyan crisis  
12 would be.

13 Q Did that occur in this instance?

14 A It did.

15 Q Did you attend that meeting?

16 A I did not.

17 Q Did you ever see a summary of the meeting or come  
18 to understand what was discussed and what decisions were  
19 made?

20 A I was briefed on what was discussed and the  
21 decisions that were made at that meeting, yes.

22 BY MS. BETZ:

23 Q Does Ben Fishman ring a bell?

24 A Yes, Ben Fishman was, at the time, on the national  
25 security staff, probably would have been working on Libya.

1           Q     And would he have drafted something similar to this  
2 memo? Let me put it this way: Was each agency tasked with  
3 drafting sort of a proposal?

4           A     I'm not sure if we were tasked or if in my role in  
5 policy planning, which is basically to surface big-think  
6 policy questions, I generated this myself. I couldn't tell  
7 you what the circumstances of that were at this point. But I  
8 think the normal course would be the NSC would be sharing  
9 information, both internally with the staff and back and  
10 forth with the State Department, DOD would certainly be  
11 looking at this, the joint staff probably had three times as  
12 many people as we did looking at this and studying options  
13 and weighing up interests and values and everything else and  
14 generating content, and that would be, in the normal course,  
15 each agency that had anything that might touch upon the  
16 decisionmaking here would be engaged in a policy conversation  
17 with the relevant people in their departments.

18          Q     Was this shared with them?

19          A     Honestly, I'm looking at a document from 4-1/2  
20 years ago. I couldn't tell you.

21          Q     But the concepts, were the concepts something that  
22 would have been discussed and shared?

23          A     Which concepts are you referring to?

24          Q     The six concepts that are outlined, I believe, in  
25 the initial email thread.

1           A     Well, I have -- I have no idea whether those  
2 specific concepts got shared or not.

3           Q     Uh-huh.

4           A     What I can tell you is, that's a pretty good  
5 summary of the range of options, so I would -- you know,  
6 someone sitting in OSD, someone sitting in joint staff would  
7 likely be cooking up a memo that has roughly the same  
8 options, and in the conversations that were coordinated by  
9 the National Security Council, it would be natural to run  
10 through the full range of options and consider the pros and  
11 cons of each of them, the inputs, the ends/means connection,  
12 the whole -- the whole nine yards in a policymaking process.  
13 But the final destination of this particular email that  
14 you've just showed me, I couldn't tell you.

15                   BY MR. MISSAKIAN:

16           Q     Mr. Sullivan, you did a very good job, I think, of  
17 articulating and summarizing the goals that the United States  
18 looked at in going into Libya. Obviously, one of the goals  
19 that is important to this committee, because I think it  
20 relates directly to the security of our facility, was  
21 ensuring that in a post-Qadhafi Libya that there was a  
22 controllable, reliable, organized host country police force  
23 that we typically rely upon in other countries to provide  
24 perimeter security. Would you agree with that goal?

25           A     I mean, in every country, you'd want to have a host

1 nation security force that can protect you, but what I would  
2 say is that the key thing, from a policy perspective, that I  
3 was thinking about was to help create a democratic transition  
4 with a government that would have a monopoly on the use of  
5 force in its country, and I would state it more in those  
6 terms. I didn't really think about the security of  
7 individual facilities when I was considering Libya policy.

8 Q That's fair. That's fair. But you did consider  
9 the importance of having a -- I don't know how you'd  
10 articulate it, but a controllable, reliable police force that  
11 is controlled by the democratic government that hopefully  
12 will spring up after the fall of the dictator essentially.

13 A Yeah. I mean, the way I put it was the government  
14 having a monopoly on the use of force in the country.

15 Q Fair enough. And did you see any challenges to  
16 achieving that objective in the period before we went into  
17 Libya, before we supported the international coalition?

18 A Yes. Anytime you have the fall of a dictator,  
19 the -- what can emerge afterwards might not be neat and tidy,  
20 and we have plenty of experience in the United States,  
21 including recent experience, where that was, in fact, the  
22 case. So this is an obvious consideration.

23 BY MS. BETZ:

24 Q Well, to that point, was Libya unique in the sense  
25 of the infrastructure and the eradication of the

1 infrastructure under Qadhafi, and was that something you --

2 A Sadly, Libya was both unique and not unique. It  
3 was unique in certain circumstances, it had its own history.  
4 It was not unique in the sense that there was a general rot  
5 across the entire Arab world, well catalogued in the 2002  
6 Arab human development reports where dictators had hollowed  
7 out institutions and the like.

8 But, you know, Libya had its own specific circumstances  
9 that it had had a dictator for four decades, it had had a  
10 dissemination of its own institutions, and those were factors  
11 that were certainly present as we were considering what to do  
12 in Libya in March of 2011.

13 BY MS. MISSAKIAN:

14 Q And how did that factor into your thinking on the  
15 timing of going into Libya? In other words, you knew from  
16 the outset that the State would not have a monopoly on force  
17 in the post-Qadhafi Libya. Did that factor into anybody's  
18 thinking in terms of the timing of sending in a U.S. mission  
19 and having a U.S. presence there?

20 A I'm sorry, can you repeat that question?

21 Q Yeah. Let me try to rephrase it. It sounds like  
22 that you recognize that in a post-Qadhafi Libya, that the  
23 State may not have a monopoly on force in the country. Is  
24 that correct?

25 A That that would be something we would have to work

1 hard to help the Libyans establish.

2 Q And they never did, correct?

3 A I think it's fair to say they never accomplished  
4 it.

5 Q And so did that recognition of that reality, that  
6 condition on the ground impact anybody's thinking in terms of  
7 when to send in a U.S. presence?

8 A Of course. I mean, part of the debate that we were  
9 having at the time was can we intervene in a way that is  
10 going to improve circumstances, both for U.S. national  
11 security interests and for the Libyan people over the long  
12 term. And that's a balance in the factors of what do you do,  
13 you know, if Qadhafi stays, what happens, and what happens if  
14 Qadhafi leaves?

15 And one of the things that we were registering at the  
16 time was, is this a choice between the dictator reasserting  
17 control and what does that mean, or the dictator falling and  
18 us having to have a transitional government, and part of our  
19 answer to that was probably not. Probably the dictator  
20 doesn't completely reassert control. Probably you end up in  
21 some sort of long-term protracted civil struggle, maybe not  
22 dissimilar to what we see in Syria today, where, of course,  
23 the United States did not intervene.

24 So our considerations at the time had to factor in the  
25 possibility that the government had already lost its monopoly

1 on the use of force. Qadhafi had armed groups and military  
2 forces running around the country, and so this was not a neat  
3 choice for us between going back to the way things were  
4 before or ending up with a new transitional government.

5 Q So ultimately, rather than being able to rely on a  
6 host country police force, ultimately, the United States had  
7 to rely on local militia to provide that same sort of  
8 perimeter security; is that correct?

9 A That's right.

10 Q And did you recognize that, that that would be the  
11 case going in, or is that something that emerged and  
12 presented itself over time?

13 A Going into what?

14 Q Well, when I say "going in," like before making the  
15 decision to support the international coalition to support  
16 the rebels, whatever form that support took, did you  
17 recognize in a post-Qadhafi Libya that the United States  
18 would have to rely on militia to provide security for  
19 whatever facility may be open there?

20 A So we didn't have a facility in Libya at the time  
21 that we were making these decisions. The embassy in Tripoli  
22 had been closed because of threats to our Ambassador, so  
23 there was no U.S. facility in March of 2011 to think about  
24 security for.

25 Q Right. But the hope was if the rebels were to take

1 control of the country, establish a provisional government,  
2 that the United States would go in and open up a facility.  
3 That was an expectation, I assume?

4 A I think what we were looking at was something more  
5 straightforward, which was not how do you get to an end point  
6 of presence, but rather how do you achieve America's national  
7 security objectives. And once Qadhafi fell and we were then  
8 thinking do we go back in, then the security professionals  
9 and the policy people got together to determine whether or  
10 not to open a facility and whether it could be secured. But  
11 of course, we weren't thinking about the security of a  
12 facility that didn't exist in March of 2011.

13 BY MS. BETZ:

14 Q What were those national security objectives?

15 A So there was a few national security objectives  
16 that we were thinking about. One of them was what I was just  
17 describing before, which is does a protracted civil war in  
18 Libya end up harming our security in three ways:

19 One, create more terrorists; two, allow for spillover  
20 that destabilizes neighboring countries. Remember, Libya  
21 borders Tunisia on one side and Egypt on the other, both of  
22 whom have just gone through very difficult times. And third,  
23 let's not forget that the guy in charge of this country,  
24 Qadhafi, had American blood on his hands, and that his  
25 continued sustenance in power, especially at a time when he

1 was lashing out in all of these ways could present a national  
2 security threat to us. So there were those security issues.

3 Then, of course, there was the economic issue. Libya is  
4 an oil-producing country. It was important to our allies in  
5 Europe. It was important to others, and we needed to think  
6 about that. And then, of course, there were the humanitarian  
7 interests, which, you know, I think American foreign policy  
8 is unique in that our interests and values combine to make up  
9 our national security objectives, and as a country, we care  
10 deeply about the welfare of citizens, not just here, but  
11 around the world, so that was part of our calculation as  
12 well.

13 Q Was there unanimity in the administration with  
14 respect to those objectives?

15 A I would say everything I've just said, everybody  
16 would agree to. How to balance them all off against each  
17 other, there was probably a disagreement about.

18 Q Was Secretary Gates concerned about what the  
19 national security nexus and implications would be?

20 A I think he felt that the level of national security  
21 interest in Libya was not as high as some other people felt  
22 it was.

23 Q What about Congress?

24 A I don't remember exactly where Congress stood. I  
25 do remember a number of members expressing very strong views

1 that we should do something and do something fast, and other  
2 members, I'm sure, probably said don't do anything at all.  
3 So my guess is that, as on most issues, there was a diversity  
4 of opinions in Congress about the issue.

5 Q Did the backdrop of Congress play any role in terms  
6 of your thinking as you were contemplating some type of  
7 intervention and what I would say -- and presence isn't the  
8 right word, but sending then-Envoy Stevens in into -- as part  
9 of a mission, per se, was the backdrop of this sort of  
10 discontent back here in D.C., did that play into any of your  
11 decisions or thoughts as you were putting him in for the next  
12 several months?

13 A I'm afraid I don't understand what you mean by the  
14 backdrop of discontent back here.

15 Q Well, I guess as we just talked about that there  
16 were some in Congress that weren't happy, there might have  
17 been some concerns within the administration as to the  
18 national security objectives and nexus, was there any  
19 hesitation, I should say, with respect to sending then-Envoy  
20 Stevens in and any implications that might follow?

21 A I will do my best to answer your question. I'm not  
22 sure I fully understand it, so feel free to ask a follow-up  
23 to clarify, but President Obama made the decision to proceed  
24 with an U.N. Security Council resolution, and then with the  
25 civilian protection mission. And as part of that effort, as

1 we were working through that, the decision was taken to send  
2 a special envoy to Tripoli, and it -- you know, in the weeks  
3 running up to that final decision.

4 That determination to have American eyes and ears on the  
5 ground, to engage with the transitional national council, to  
6 try and figure out exactly what was happening, to represent  
7 U.S. interests, that was completely divorced from any  
8 politics in Washington. It didn't have anything to do with  
9 politics at all.

10 BY MR. MISSAKIAN:

11 Q Mr. Sullivan, I would just like to show you a  
12 couple of documents. One is marked as exhibit 12. The other  
13 one is marked as exhibit 13.

14 [Sullivan Exhibits Nos. 12 and 13  
15 were marked for identification.]

16 Mrs. Brooks. Which one are we doing? Which one is  
17 which?

18 Mr. Missakian. Sorry, it's --

19 Ms. Wilkinson. The shorter one, I think, is 13.

20 Mr. Sullivan. This one is 12.

21 Mr. Kenny. Is that CV0060917?

22 Ms. Wilkinson. No, 917 is number 13.

23 Mr. Kenny. That's number 13.

24 Ms. Wilkinson. It's a short one.

25 [Sullivan Exhibit No. 14



1 Ms. Mills and Ms. Nuland?

2 A Yes.

3 Q And why did you draft it?

4 A I don't recall the exact circumstances, but I think  
5 that there were press inquiries about Secretary Clinton's  
6 leadership and ownership of Libya policy, and I was letting  
7 Cheryl and Toria, who is the spokesperson who would be  
8 fielding some of those press inquiries know what I had  
9 because I'd been participating in it in my head and in my  
10 notes about what she had done.

11 Q And now let's flip to Exhibit No. 12. This appears  
12 to be possibly the same or similar version of what we just  
13 looked at. This is an email from you, Jake Sullivan, to H,  
14 again who I assume is Hillary Clinton, dated April 4, 2012.  
15 "Subject, Libya," first sentence worded as "Secretary  
16 Clinton's leadership on Libya."

17 Now, this one, April 4, 2012, the other one was  
18 August 22nd, 2011. Can you recall why you revisited the  
19 topic of the Secretary's leadership and ownership of Libya in  
20 April of 2012?

21 A I don't remember, to be honest with you. I don't  
22 remember why I sent this same set of points in April of 2012.

23 Q Do you recall having any discussions with anybody  
24 about the points in the email either in 2012 or 2011?

25 A Well, like I said, back in 2011, I remember that --

1 again, that there were press inquiries about this. People  
2 were asking, can you please tell us what examples of how  
3 Secretary Clinton participated in this. It would be standard  
4 practice for me to write out, okay, here's the thing she did,  
5 that's what I did. I sent it to Cheryl and Toria.

6 It's interesting. I remember this email in particular  
7 because I think we were sitting on a tarmac somewhere as I  
8 was doing it. I couldn't get onto my State system, but the  
9 reason I was trying to do it quickly is Toria was trying to  
10 get back to the press on it.

11 But I don't remember in the 2012 case why I would have  
12 sent her that document from 2011 and 2012.

13 Q Putting aside whether or not it was a -- generated  
14 by a press inquiry or not, was it your purpose, and did it  
15 reflect your thinking at the time, to demonstrate that, in  
16 fact, Secretary Clinton had, to use your words, leadership,  
17 ownership, and stewardship of this country's Libya policy  
18 from start to finish?

19 A I think what I was trying to do was show all of the  
20 ways in which she had played a leadership and ownership role  
21 of the entire mission, you know, starting with the uprising  
22 in Libya, all the way up through when Qadhafi fell.

23 Q And what did you --

24 A And August 22nd -- I'm sorry, or August 21st -- I  
25 didn't mean to interrupt you, but would have been right

1 around the time Qadhafi fell, so it would have covered the  
2 period from startup until that point.

3 Q What did you mean when you used the word  
4 "ownership"?

5 A That, you know, she was the Secretary of State who  
6 was executing diplomacy to pull together a coalition to pass  
7 a security council resolution to respond to the requests of  
8 the Arab league and our NATO allies to get engaged, and that,  
9 in that role, she executed and did a huge amount of the heavy  
10 lifting in carrying forward all of the nonmilitary aspects of  
11 our campaign in Libya from February through August of 2011,  
12 which was the height of the action in advance of the period  
13 that Qadhafi fell.

14 Q I would like to -- let's focus on that, the last  
15 exhibit, the one that's marked exhibit No. 13. In reading  
16 over this document, someone could come -- get the impression  
17 that you personally were in a rush to get a presence in  
18 Libya, and if you read through the email, I think you'll see  
19 what I'm referring to.

20 The very bottom email dated August 30th, 2011, from you  
21 to [REDACTED], the subject is, "What's it going to take  
22 to get a team on the ground in Tripoli?"

23 Who is [REDACTED], first off?

24 A He worked for me in the policy planning shop.

25 Q What was his title, if you recall?

1 A Member of the policy planning staff.

2 Q And Mr. [REDACTED] responds with three bulleted  
3 points, and I'll read them into the record.

4 "Exception to BOG for explosive ordinance detection and  
5 Marine FAST team, an Ambassador to Libya who actually wants  
6 to go, locking Pat Kennedy in a closet for long enough to  
7 actually take some real risks."

8 Do you recall what prompted your question, your initial  
9 question to Mr. [REDACTED] on August 30th?

10 A This is after Qadhafi fell, and I don't think what  
11 you said in your opening comments were quite fair. You said  
12 I was in a rush to get an embassy open or a presence. What I  
13 wanted to do was get a team to look at whether the conditions  
14 were appropriate for a presence. And --

15 Q Yeah. I didn't mean to -- please.

16 A And I thought it made sense for us to go take a  
17 look at when and under what circumstances it would be  
18 appropriate for us to establish a presence, subject to all of  
19 the right security requirements, because, as we discussed  
20 previously with Chairman Gowdy, American -- there is no  
21 substitute for an American presence, if it's safe and secure  
22 to have it, in order to carry out our national security  
23 interests. And the reason that we had closed down our  
24 presence in Tripoli beforehand had been because of threats  
25 from the Qadhafi regime.

1           Now that the Qadhafi regime was gone, it made sense to  
2 look at reopening a presence. But, of course, all I wanted  
3 to do was just make sure we had a team looking at it. That  
4 team should be a team of professionals making its own  
5 determinations about security.

6           Q     And I didn't mean to suggest that you were in a  
7 rush. I thought I said that, looking at the document,  
8 someone might conclude that you were in a rush, and I want to  
9 know whether you were or were not. It sounds like you were  
10 not in a rush to get there, but do you -- you don't recall  
11 what prompted this request at this particular time?

12          A     I believe what prompted the request is basically  
13 what I just said, that we came out of Tripoli because of  
14 Qadhafi. Qadhafi fell in that period at the end of August.  
15 So it was only natural to pose the question, okay, should we  
16 go look at getting back into Tripoli and get the right  
17 experts on the ground to figure out when and under what  
18 circumstances.

19          Q     So it's just the next logical step. There wasn't  
20 any particular incident that prompted your question?

21          A     There may have been a particular incident. I don't  
22 know. I'm doing my best to remember, but that would be the  
23 context in which this issue was taken.

24          Q     Okay.

25          Mrs. Brooks. Who -- excuse me. Who specifically would

1 be the security professionals that you would have relied upon  
2 in helping you and [REDACTED] make that decision?

3 Mr. Sullivan. So [REDACTED] and I wouldn't make the  
4 decision. We're in policy planning. We're just, in this  
5 context, thinking about what we would recommend to others in  
6 the Department. So I just want to establish, first off, we  
7 wouldn't make the decision.

8 But just to give you an example. When Chris Stevens  
9 went into Benghazi back in -- earlier in 2011, he was  
10 preceded by a team of diplomatic security agents and other  
11 security experts from the Department. There may have been  
12 people from other departments as well, I'm not quite sure who  
13 went, whose specialty it is to go look at security conditions  
14 on the ground, facilities, and everything else and determine  
15 whether you can go back. And that's sort of what I had in  
16 mind when was I thinking about when we could go back to  
17 Tripoli.

18 Mrs. Brooks. But who would be -- at this time in August  
19 of '11, who was making the security decisions at that point  
20 in -- on the 7th floor?

21 Mr. Sullivan. Which security decisions?

22 Mrs. Brooks. As to whether or not it would have been  
23 safe to open up an embassy or a consulate or a post?

24 Mr. Sullivan. Diplomatic security would sign off on it.

25 Mrs. Brooks. But who, specifically, would you go to

1 with respect to security questions?

2 Mr. Sullivan. If I had a security question, I would  
3 take it to diplomatic security.

4 Mrs. Brooks. Do you have any recollection of anybody  
5 you dealt with at diplomatic security?

6 Mr. Sullivan. So the assistant secretary for diplomatic  
7 security was Eric Boswell, but I didn't deal with security,  
8 so that wasn't something I did. All I was asking, from a  
9 policy perspective, was -- sorry, am I --

10 Mrs. Brooks. No, I understand that. I know you didn't  
11 deal with security, but because security influenced decisions  
12 that were made, who was your counterpart influencing, and  
13 you're saying it was Eric, is that correct? Who would have  
14 been influencing the security recommendations to who then  
15 would have made the decision to go back in?

16 Mr. Sullivan. So ultimately, the decision to go back in  
17 to Tripoli would be sort of an interagency decision. It  
18 would be signed off on by the various agencies. Everyone  
19 would kind of agree. But diplomatic security, I -- probably  
20 under the signature of Eric Boswell, but I'm not sure. There  
21 might have been a more specific person assigned to Libya, I  
22 don't know, would have to say, you know what, we've looked at  
23 it, we decided it's definitely safe, and it's okay to go and  
24 nothing would proceed without that.

25 Mrs. Brooks. Okay. Thank you.

1 BY MS. BETZ:

2 Q Let me ask this: What role did Under Secretary  
3 Kennedy play?

4 A He oversaw the diplomatic security bureau from the  
5 Under Secretary position that he occupied. So he didn't do  
6 the day-to-day security work, but the reporting line would go  
7 up to him ultimately.

8 Q And taking a step back, would you have worked with  
9 him early on in sending Envoy Stevens in in early March?  
10 Would he have been responsible for the diplomatic security  
11 teams that accompanied Envoy Stevens -- then Envoy Stevens?

12 A I don't know. I wasn't part of that decisionmaking  
13 process. I didn't send them in or -- and so I didn't know  
14 who they were or who decided to send them. I just knew they  
15 had gone.

16 Q Well, let me ask you this: Who would have made the  
17 decision to extend the period of time in which Envoy  
18 Stevens -- then-Envoy Stevens remained in Benghazi?

19 A I'm not sure who made that decision.

20 Q So the decision to stay 1 day and then 8 days and  
21 then 30 days and then to transfer from the Tibesti Hotel to a  
22 villa, those decisions were made by?

23 A I don't know. I don't know who exactly made those  
24 decisions.

25 Mrs. Brooks. Would it be fair to say that Cheryl Mills

1 was involved in making those decisions as chief of staff?

2 Mr. Sullivan. I would not be surprised if she wasn't  
3 involved. I mean, I wouldn't be surprised if she was, but I  
4 don't know if she was or not.

5 Mrs. Brooks. Wasn't there a regular weekly, or if not,  
6 even more than weekly, senior leadership discussion group  
7 about big issues in the Department? Did you participate in  
8 that?

9 Mr. Sullivan. Right. There were a number of different  
10 weekly meetings. There was a weekly meeting with all of the  
11 assistant secretaries and envoys that the Secretary chaired,  
12 and then there were twice weekly meetings with a smaller  
13 group of assistant secretaries to cover major policy issues.

14 Mrs. Brooks. Okay. And you participated in that?

15 Mr. Sullivan. Sometimes, and sometimes I didn't.

16 BY MS. BETZ:

17 Q Let me ask you this: If sending Envoy Stevens in  
18 was part of a mission, a mission of which we've discussed,  
19 you know, or outlined early in March, would you not have been  
20 involved in those decisions, given the magnitude of the  
21 policy and the role that Envoy Ambassador Stevens was playing  
22 at the time?

23 A From a policy perspective, obviously, I was aware  
24 of the fact, and supportive of sending a special envoy to  
25 Benghazi in March of 2011. How he got in there, what

1       happened there, you know, where he stayed, those wouldn't  
2       have been things that would come to me. I'm not the expert  
3       on that. I wouldn't be able to give good guidance on should  
4       he be at this hotel or this villa.

5           Q     No, but the decisions to continue the presence in  
6       Benghazi, where he stayed and the logistics -- you know, I  
7       think we can stipulate that might be somebody else, but the  
8       decisions to keep him there, were you involved in those?

9           A     I don't remember there being a 1-day, 8-day. I  
10      remember the decision for him to go, and then I don't recall  
11      interim decisions extending his stay for days at a time. I  
12      think if someone had said, hey, we're pulling him out, you  
13      know, that obviously would have come back up and, you know,  
14      people -- if he had been leaving Benghazi because people  
15      decided he can't stay any longer, that would have probably  
16      come up.

17          Q     Well, let me ask you this: There were instances,  
18      at least documents that we have, that suggested that in some  
19      instances, in April, he was ready to evacuate, would you have  
20      been made aware of that?

21          Ms. Sawyer. You know, I'm just going to interject for a  
22      moment because I understand the question, but if there is  
23      such a document that actually suggests that there was a  
24      recommendation for him to be removed, we should put it before  
25      the witness. I am not aware of any document that does state

1 that, so I just don't want us to -- you know, I want the  
2 record to be clean. If you've got the document, if you can  
3 just share it with the witness.

4 BY MR. MISSAKIAN:

5 Q Just a few more follow-up questions on the document  
6 you have in front of you, exhibit 13.

7 Do you have an understanding of what Mr. [REDACTED] meant  
8 when he referred to "exception to the BOG for explosive  
9 ordinance detection and Marine FAST team"?

10 A I don't know exactly what he was referring to on  
11 the exception of BOG for explosive ordinance detection. I  
12 understand Marine FAST team to be a complement of Marines  
13 specifically designed for heightened embassy security.

14 Q To your knowledge, did anybody explore or obtain an  
15 exception to either one of those requirements?

16 A No.

17 Q The second point is "An Ambassador to Libya who  
18 actually wants to go." What did he mean by that?

19 A Honestly, I'm not sure what he meant by that. I  
20 think he and I were focused on different things. I was  
21 focused on getting a team to examine reopening the embassy.  
22 I think he was focused on how you'd actually set up the  
23 embassy.

24 Q Okay. It's a pretty strong statement. It doesn't  
25 stand out in your mind as something you discussed with him

1 back then?

2 A It doesn't.

3 Q And the last one, also a fairly strong statement,  
4 "Locking Pat Kennedy in a closet for long enough to actually  
5 take some real risks." What did he mean by that?

6 A As you can see, [REDACTED] is a pretty colorful guy.  
7 He remains so. He writes publicly now. You can read similar  
8 terms and phrase in the way that he conducts his business, so  
9 that didn't stand out to me. That was pretty vintage [REDACTED].

10 Q Okay. What did you think he meant?

11 A I mean --

12 Q And obviously, there's an element of seriousness in  
13 what he's saying. I mean, he does refer to "take some real  
14 risks." Did you have any discussion about what he meant by  
15 that?

16 A I don't recall anything beyond just the quick back  
17 and forth in this email.

18 Q Okay. And then jumping up, he suggest, and this is  
19 the part of the email that I was referring to, he suggests  
20 that you convey your impatience to [REDACTED] or Pat  
21 Kennedy, Eric Boswell -- sorry. "I suggest you reach out to  
22 Pat Kennedy and Eric Boswell to convey your impatience."

23 So was that an unfair characterization of you at the  
24 time, you were not in fact impatient to get a team there or  
25 you were?

1           A     Well, yeah. I think he's -- we are having some  
2 cross signals here, right. I was asking to have a team get  
3 out to examine the embassy, and he, in fact, says in this  
4 email, "DS wants to go in," so they're going to go. So I  
5 took from that that what I wanted to have happen, which is to  
6 get people out there to take a look about what was going to  
7 happen. So I think -- I think we were talking past each  
8 other a bit in this email.

9           Q     Okay. Now, you also say in the middle of the email  
10 here, this is the one dated August 30, 2011, at 4:51 p.m.,  
11 I'll read it into the record, quote, "Would be good to be  
12 able to say we will send a team to examine reopening the  
13 embassy," close quote.

14                 Say to who?

15           A     I don't remember who I had in mind with that.

16           Q     Okay. Do you recall why it would be good to be  
17 able to say it to whoever you're referring to?

18           A     I don't.

19           Q     Mr. Sullivan, I'm just going to mark exhibit 15.  
20 Went you've had a chance to scan through, just let me know.

21                                 [Sullivan Exhibit No. 15  
22                                 was marked for identification.]

23           Mr. Sullivan. Okay. Again, it's a fairly lengthy  
24 document with quite a bit of substance, so I may need to take  
25 a pause to read a section, but I'd be happy to try to answer

1 your questions.

2 BY MR. MISSAKIAN:

3 Q Thank you. And for the record, this is a  
4 multi-page document. The first page is an email from [REDACTED]  
5 [REDACTED] to you and others dated August 29, 2011. "Subject,  
6 U.S. interests in post-Qadhafi Libya," and the attachment to  
7 the document is entitled, "Note for the Secretary," also  
8 dated August 29, 2011, from Jake Sullivan, "Subject: U.S.  
9 interests in post-Qadhafi Libya."

10 Focusing first on the email. The first line from  
11 Mr. [REDACTED] says, "Here is a note version of the squeeze the  
12 lemon memo."

13 Do you know what he's referring to when he refers to  
14 "squeeze the lemon"? I mean, I see what you mean by his use  
15 of colorful language, but do you understand what he meant in  
16 this context?

17 A I don't, and this is not -- looking at it, I can't  
18 figure it out. I don't know what he means by squeeze the  
19 lemon.

20 Q Do you recall receiving this email?

21 A I don't remember this email, no.

22 Q Do you remember the memo that is attached to it?

23 A I now remember it. I wouldn't have remembered it  
24 before. I now, looking at it, I remember, generally, the  
25 memo. I didn't remember the specific content.

1 Q Okay. Is it possible that he was using a version  
2 of the phrase "trying to make lemonade out of lemons?"

3 A I can't speculate on that.

4 Q Now, the attachment is a memo you drafted, correct?

5 A It's actually a memo he drafted.

6 Q He drafted. Okay. Did you review it?

7 A I -- honestly, I don't remember how this all played  
8 out.

9 Q Do you recall what prompted -- I assume you asked  
10 him to write the memo. Do you recall what prompted that  
11 request?

12 A I don't know that I asked him to write it. [REDACTED]  
13 would routinely write his own memos, and that was common for  
14 members of the policy planning staff. They would write  
15 memos, propose them to me, and they would -- if I agreed to  
16 send them forward to the Secretary, they would go under my  
17 signature to the Secretary.

18 But in most instances, there would be some instances  
19 where I would direct a staff member to write a memo, but a  
20 lot of their work was self-directed.

21 Q Okay. In this instance, you just can't recall one  
22 way or the other whether you asked or he did it on his own  
23 initiative?

24 A I can't, although this is consistent with his  
25 strong views about how to deal with certain aspects of Libya.

1 Q On the last page, next to the word "Approved,  
2 colon," has your name. Does that suggest you reviewed it and  
3 gave it some official approval before it being sent on to the  
4 Secretary?

5 A That would be the standard form that it would say,  
6 "Approved: Jake Sullivan, Drafted, S/P," but to go forward  
7 to the Secretary, it would have to have my signature on it.

8 Q And to your recollection, is this the first time  
9 these various interests had been discussed during the  
10 intervention?

11 A Yeah. I think what [REDACTED] was doing was saying now  
12 that we've gotten to the final phase of the conflict, here  
13 are some things, I think, we should focus on as really  
14 tangible demonstrations to the American public that the U.S.  
15 is very directly getting some return on investment for what  
16 we put in.

17 Q Now, there has -- I mean, I think we can all agree  
18 that Libya was not a complete success for the United States  
19 and international coalition. Now, some have suggested that  
20 one of the problems was that there should have been ground  
21 troops that were introduced into Libya after the fall, a U.N.  
22 peacekeeping force, some sort of, to use the common phrase,  
23 boots on the ground. You understand what I mean when I use  
24 that term?

25 A I do.

1           Q     Okay. At any point in the continuum of the  
2 decision to go into Libya all through the conflict, the fall  
3 of Qadhafi, the setting of a U.S. presence there, was there  
4 an ongoing discussion about that issue, about sending in  
5 ground troops, either to help the rebels or to ensure the  
6 peace after?

7           A     If I remember correctly, the President indicated  
8 that he did not intend to send ground troops into Libya.

9           Q     And I think I saw a memo here that uses the term --  
10 and we can make it part of the record, a red line regarding  
11 boots on the ground. Do you recall that sort of definitive  
12 no boots on the ground sort of position by the President?

13          A     I don't know if I'd use that phrase, but he was  
14 clear that he did not intend to send boots on the ground to  
15 Libya.

16          Q     When was that conveyed?

17          A     I couldn't tell you exactly when.

18          Q     Try to place it into context of the various events.  
19 Was it before, during, obviously not after, maybe after, you  
20 know?

21          A     I think when the decision was taken to pursue an  
22 air campaign in Libya, the President made it clear at that  
23 point that he was not intending to send ground troops into  
24 Libya.

25          Q     Did any -- anyone or did the State Department ever

1 approach the President or his advisors to have him reconsider  
2 that decision?

3 A I can't recall anyone at a senior level advocating  
4 for American combat troops in Libya.

5 Q Does that include the Secretary?

6 A I don't believe that she ever advocated for combat  
7 troops in Libya.

8 Q And could you give us a sense of the discussions,  
9 the pro and the con surrounding the issue of use of ground  
10 troops in Libya?

11 A Yes. The -- our experts on Libya indicated to us  
12 that there was no possibility that the Libyan rebels, when  
13 they were rebels, and then the transitional national council  
14 would accept foreign boots on the ground in Libya. Their  
15 judgment was confirmed by the U.N. mission in Libya. The  
16 leadership of that mission made clear that the Libyans would  
17 never accept foreign troops, Western troops in Libya. And,  
18 you know, that was consistent with what our intelligence  
19 community and our experts were telling us about the fierce  
20 sense of nationalism and pride that the Libyan people felt  
21 going back quite a long way. So that was a significant  
22 factor.

23 But in addition, I think the President and the Secretary  
24 judged that we could accomplish our objectives of civilian  
25 protection during the conflict without the use of American

1 troops, and that after the conflict, if there were going to  
2 be troops in Libya to help stabilize, they should be from  
3 elsewhere other than the United States, a U.N. mission or  
4 something like that, and the Libyans would never accept such  
5 a mission, nor would they accept us. So it was a bit of an  
6 academic question in a sense, because -- and by academic, I  
7 don't mean abstract. I mean, the Libyans weren't going to  
8 accept it. We knew that, and the President also felt that  
9 putting American soldiers in harm's way in Libya did not rise  
10 to that level that we should do that.

11 Q Okay. Thank you. Ms. Betz has a follow-up  
12 question to one of the documents you have in front of you.

13 BY MS. BETZ:

14 Q So turning back to that squeeze-the-lemon memo.  
15 Just in your opinion, what do you think squeeze the lemon  
16 means, just in your opinion, what do you think he was trying  
17 to convey?

18 A Honestly, I'm not sure. I mean, he's saying, look,  
19 we've had a success here. Let's find very specific tangible  
20 things to show the American people that this is a success  
21 that we're very much sharing it. So I don't -- I don't know  
22 how that relates to squeeze the lemon.

23 Q Speaking of which, if you could just direct your  
24 attention to the last page, I just want to read the last few  
25 sentences and just get your thoughts on what he was trying to

1 convey.

2 "As we move into the final phase of the Libyan  
3 revolution, we need to quickly pivot toward a stronger  
4 defense of U.S. interests to accomplish these four  
5 objectives. If we do not, the American people will soon come  
6 to question why we so vigorously supported the Libyan  
7 uprising. In contrast, if we can deliver on some of these  
8 goals, we can tangibly prove the value of the humanitarian  
9 interventions and create space of pursuing a similar approach  
10 in the future."

11 What do you think he meant by that?

12 A What do you mean by what do I think he meant by  
13 that?

14 Q Well, was there concern about what the public was  
15 thinking?

16 A I think his view was when the United States acts  
17 overseas, we ought to be able to demonstrate to the American  
18 people that our actions are going to benefit them, and that  
19 the more that we are effective in being able to show that to  
20 people and have them see that, then when our national  
21 interests are at stake or our values are at stake, we will  
22 have more of an opportunity to pursue those interests and  
23 values overseas.

24 Q Okay. But this comment is very specific to Libya  
25 and the Libya -- the Libyan revolution, the Libyan uprising.

1 Was there concern within your sphere about some of the public  
2 perceptions of the U.S. sort of intervention with respect to  
3 Libya?

4 A I think the comment is specific to Libya because  
5 the memo is about Libya, so --

6 Q Right.

7 A -- naturally, it would be a comment about Libya..

8 But, you know, just taking a step back, I think [REDACTED]  
9 is actually raising a very appropriate issue here, which is,  
10 if you're an American citizen who doesn't follow foreign  
11 policy on a daily basis, you're asking yourself the question,  
12 why are U.S. warplanes flying over these cities that I've  
13 never heard of, dropping bombs on these people I've never  
14 heard of, and that's not just true in the Libya case, of  
15 course. It's true elsewhere.

16 And part of the job of the foreign policy community in  
17 the United States is not just to execute the policy, it's to  
18 explain the policy to the American people. And frankly, in  
19 policy planning, that was part of our job as well. Policy  
20 planning had the speech-writing shop for the State Department  
21 housed in it, and one of the things that I emphasized was  
22 policy articulation, trying to connect what we were doing  
23 overseas to the lived experience of Americans at home. That  
24 was really important.

25 It's doubly important when you're talking about putting

1 American servicemembers in harm's way as we did when we had  
2 them fly over Libya. So I think the point [REDACTED] is trying  
3 to make is a pretty simple but important one, that when we  
4 engage in these major foreign operations, being able to show  
5 the American people that they matter helps create the kind of  
6 durable support for a robust American foreign policy that I  
7 believe is very much in our country's national interest.

8 I'd like to see a larger Defense Department budget. I'd  
9 like to see a larger State Department budget, because I think  
10 when American leads abroad, we do better for ourselves at  
11 home, but you only get that if you can convince the American  
12 people that that's important. That was true in the Libya  
13 circumstance. It's true in a wide variety of circumstances,  
14 and it's a case that I go out and make publicly when I speak  
15 to groups, and it's certainly a case I was thinking about  
16 when I sat in policy planning.

17 Q Is it easier to convince these certain cases versus  
18 others, like, for example, were you worried about being able  
19 to make the case to the public with regard to Libya?

20 A Well, some things are self-evident.

21 Q Correct.

22 A You know, coming to the defense of Israel, I think  
23 everyone can understand, okay, why would we do that. It  
24 doesn't take a whole lot of explanation. Other things are  
25 much more complicated. Take the Iran nuclear deal that is

1 coming before the House next week. Obviously there's  
2 incredibly divided opinion on that, and we're talking about  
3 something that is hyper-technical.

4 I mean, we're having American people debate centrifuges  
5 and SWU and all these things that nobody thinks about on a  
6 daily basis. So it really depends on the issue, the degree  
7 to which the explanatory power of your actions needs to be  
8 connected.

9 In the Libya case, as in any use of military force  
10 abroad, I think there's a heightened importance of explaining  
11 to the American people why you do it, because we shouldn't  
12 use force lightly, and we should be able to communicate to  
13 the American people why we're doing it and what it is that  
14 they are getting out of it.

15 Now, what I would say about this particular set of  
16 contributions that [REDACTED] was making was, he was trying to  
17 take this down to a very granular level. Earlier in our  
18 discussion, I talked about things like MANPADS and spillover  
19 and terrorism, he talks about terrorism here, but what he's  
20 really focused on are specific tangible things like Magariaf  
21 or recovering our costs, and I think what he had in mind is  
22 that can help tell a story about American leadership in the  
23 world that is right and true and accurate, and also serves  
24 the purpose of shoring up a bipartisan commitment to American  
25 leadership around the world.

1 Q Do you know if the memo ever got sent?

2 A I'm not sure if it did. I know that this draft  
3 that you have sent me here is not -- this didn't get sent  
4 because it doesn't bear the markings of what would be sent  
5 forward. But I don't know if a further version of the memo  
6 got sent or if it never got sent or if we completely  
7 rethought the whole thing and did it some other way. I'm  
8 just not sure.

9 Q Okay.

10 Mr. Missakian. Could we go off the record for a moment?

11 [Discussion off the record.]

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1           Mr. Kenny. The time is now 2:35.

2           Mr. Sullivan, again, thank you. It has been a long day,  
3 and we appreciate your patience. I just wanted to note at the  
4 outset that we had an agreement with the majority that we  
5 would waive one of our rounds in order to help them address  
6 and answer some of their questions and help work through some  
7 of the outstanding questions they may have for you.

8           To give you a bit of an overview of how I'd like to  
9 proceed this round, we touched on several topics over the last  
10 2 hours, and I'm going to be moving from topic to topic, and  
11 in the process of doing so, I'm going to do my best to help  
12 guide you. But if at any point I lose you, please feel free  
13 to let me know.

14                       BY MR. KENNY:

15           Q     I would like to return first to exhibit 11, which  
16 was a classified document with the subject of Libya Options,  
17 And I know that you may not have had the chance to fully  
18 review all the documents. I'll ask kind of a higher level  
19 discussion here, and this is more to understand, you know,  
20 none of the members of this committee sit on the Foreign  
21 Affairs Committee, which is a standing committee of this  
22 Congress that has direct oversight over the State Department,  
23 and so a document such as this to us, just would like your  
24 understanding of what exactly is at play here? It appears to  
25 me at least to be a discussion and a back and forth, if you

1 will, between various proposals that are being either  
2 developed, discussed, weighed and discussed amongst a number  
3 of individuals. I was wondering if you would just walk us  
4 through what that process is and why some of these  
5 participants would be included in a process such as that.

6 A Sure. First of all, depending on the issue at the  
7 State Department, things would get handled differently, but  
8 if we were talking about a significant matter like the  
9 potential application of American force in a country,  
10 relatively senior officials in the Department would begin  
11 weighing in early on in the process. And part of what the  
12 Policy Planning Office does is try to help bring some more  
13 systematic rigor to the process, not so much to be the  
14 decisionmaker -- the Policy Planning Department doesn't have  
15 responsibility like that -- but rather just have a  
16 conversation that moves through in a methodical way what the  
17 major options are, what the pros and cons are, what the  
18 various considerations would be. So the email that I laid  
19 out in the first instance here was an effort to do exactly  
20 that and to put on the table for various Department officials  
21 some of the things that we should be thinking about. Just  
22 looking at the To line, those officials would include the  
23 Deputy Secretary of State, the Under Secretary of State For  
24 Political Affairs, the Assistant Secretary of State for Near  
25 East Affairs, the Assistant Secretary of State for European

1       Affairs, the Assistant Secretary of State for Human Rights  
2       and Democracy, the key people on, key person, Gene Cretz, on  
3       Libya; the Department's legal counsel, Harold Koh; the  
4       Executive Secretary; as well as some others.

5             And, you know, the goal was to have an open and  
6       substantive discussion on how to develop a common, coherent  
7       State Department position as part of that larger interagency  
8       Nation Security Council process I described so that we could  
9       help tee up for the President all of his options and have the  
10      Secretary be in a position to give her recommendation to him.

11            Q     So would it be fair to say you were generating  
12      options and engaging in some sort of a process where you  
13      would vet those options before they would be proposed for  
14      senior members of the government to include the President to  
15      make a decision. Is that fair?

16            A     You just said in three sentences what I took 15  
17      sentences to say. Thank you for that.

18            Q     One of the things I wanted to ask you about in this  
19      document, there appears to be a discussion, and again it's an  
20      option, my words, generating options, not your term, to  
21      provide some sort of material support to the Libyan  
22      opposition; and I was just wondering if you could perhaps, to  
23      the best of your recollection, set the table for us, if you  
24      will, what was occurring at this point in time. This is  
25      early March 2011? My understanding is that we're fairly well

1 along into the Libyan revolution at this point in time, and I  
2 think you had mentioned in the previous round about how  
3 circumstances seemed to be driving some of the need for the  
4 State Department and perhaps the wider interagency to reach  
5 some sort of decision about how to best approach those sort  
6 of circumstances. So perhaps if you have anything to share  
7 on that?

8 A Right. So the context here was that, as you note,  
9 the Libyan civil war was underway. Qadhafi's forces were  
10 engaging in military conflict with rebel forces, which would  
11 be some combination of regular Libyan military units that had  
12 defected and then more irregular units that had sprung up as  
13 the revolution unfolded. And Qadhafi's forces were making  
14 progress through much of March in retaking territory that had  
15 been taken from them. And so one of the questions on the  
16 table, an option that would naturally have to be considered,  
17 would be as opposed to direct U.S. military action, could  
18 there be indirect support through the provision of various  
19 forms of assistance to the Libyan rebel forces.

20 Q And had any decision been made at this particular  
21 point in time as to how to proceed?

22 A No.

23 Q And so, as you may know, the United Nations passed  
24 Security Council Resolution 1973. That was in the middle of  
25 March. And would it be fair to say that a document such as

1 this would be perhaps laying the groundwork, beginning the  
2 discussion, in anticipation of that possibility of putting  
3 forth a proposal such as that Security Council Resolution?

4 A I don't recall the exact date of the resolution.  
5 It may have been March 19 or March 20, somewhere in that  
6 neighborhood. So from the 8th of March, when I sent this  
7 email until then, a week to 2-week period, that would have  
8 been a period of intensive discussion up to and including the  
9 President of the United States about how the United States  
10 wanted to proceed. And, meanwhile, lots of stuff is  
11 happening both in Libya and in the region, all contributing  
12 to a decision by the President to go to the U.N. to seek that  
13 resolution, 1973, and what Resolution 1973 said was that it  
14 gave authorization for all necessary means to protect  
15 civilians of Libya, which was the legal basis for the  
16 coalition military mission.

17 Q Okay. And in a previous round, you had mentioned  
18 the position of some of our European partners. And around  
19 this time, do you recall the U.S., our European partners,  
20 what their position would have been towards Libya?

21 A So two of our very closest allies, maybe our two  
22 closest allies, Britain and France, in the month of March  
23 made clear at the highest levels to the United States that  
24 they wanted the U.S. to participate with them in some kind of  
25 mission to protect civilians in Libya.

1           At the same time, our closest partners in the Gulf, our  
2 closest Sunni allies in the region were strongly expressing  
3 their view and asking, one might even say vigorously asking,  
4 us to participate. In the run-up to 1973, the Gulf  
5 Cooperation Council passed a resolution calling for a no-fly  
6 zone; the Arab League passed a resolution calling for a  
7 no-fly zone. Britain and France were speaking out publicly,  
8 so there was a lot of demand from our partners in the region,  
9 some of our best friends in the region and the world, for the  
10 United States to exercise leadership in Libya.

11           Q     Do you happen to recall the position of some of our  
12 Arab partners in the region as well with respect to what our  
13 policy should be towards Libya?

14           A     Right. I was just referring to that, whether you  
15 were talking about the Saudis or the United Arab Emirates or  
16 the Jordanians or the Bahrainis, our closest allies in the  
17 region who we cooperate with against terrorists, against  
18 Iran, against a range of threats in the Middle East, they  
19 were all coming to us and saying we need your help on this.  
20 Please step up.

21           Q     And do you recall at all, first, I can ask, did you  
22 participate in any way with United Nations Security Council  
23 Resolution 1973?

24           A     In an indirect way, I did. Secretary Clinton  
25 worked to help garner the necessary votes and abstentions

1 that allowed the Resolution to go through. So just as one  
2 example, in order to pass Security Council Resolution 1973,  
3 we needed to make sure the Russians didn't veto it, which was  
4 no small thing because the Russians take a very dim view of  
5 any American military intervention anywhere. So that  
6 basically fell to Secretary Clinton to convince her  
7 counterpart, Sergey Lavrov, the Foreign Minister of Russia,  
8 that they should simply abstain. We were in Tunisia at the  
9 time. I don't recall the exact date. But it was the day of  
10 or the day before the Resolution was voted on, and I helped  
11 develop the Secretary's strategy for talking to Lavrov. She  
12 had that conversation with him in Tunis. He agreed that they  
13 would abstain. She also spoke with some other foreign  
14 ministers to ensure we had the necessary votes.

15 Q Okay. Thank you. Do you recall if there was a  
16 particular catalyst for that Security Council Resolution, for  
17 instance, an event or potential event that might occur on the  
18 ground in Libya, that was a driving force for moving that  
19 Resolution?

20 A I would say there were two related factors. One  
21 was that Qadhafi had already killed a number of innocent  
22 people, and his forces were moving rapidly east. The second  
23 was that Qadhafi was directly threatening the major city in  
24 the east, Benghazi, and was indicating that when he took  
25 Benghazi, he was prepared to hunt people down like rats, to

1 shoot them in the streets. And given his murderous,  
2 sometimes barbaric, consistently tyrannical history, that  
3 seemed like a very credible threat.

4 Q The reason I'm asking some of these questions, I'm  
5 just trying to square the date of this document along with  
6 the Security Council Resolution, some of the events that  
7 occurred as you just described in Benghazi. And one of the  
8 things I was hoping you would help explain for us would be to  
9 address the potential criticism, some criticism that has been  
10 lodged, that the U.S. was being led or was leading itself on  
11 some sort of a March to war in Libya or whether that was some  
12 sort of an irreversible course that we were on as the result  
13 of perhaps the State Department or another entity within the  
14 U.S. Government. How would you respond to that criticism?

15 A So what you can see here as of March 9, is a  
16 vigorous debate about the pros and cons of any kind of  
17 military intervention. The Secretary herself was unresolved  
18 as to whether military intervention made sense as of  
19 mid-March. And it took a combination of factors to fall into  
20 place for her to be convinced that this was a good idea.  
21 Those factors included the requests and urging of our  
22 partners, but that wasn't good enough. She also wanted to be  
23 sure that Arab forces would actually participate in this  
24 thing so they had skin in the game, so it wasn't just going  
25 to be us and other Western powers. It included knowing that

1       there would be a sufficient legal basis to do this, and that  
2       was the U.N. Security Council Resolution. It included  
3       knowing that the stakes had grown sufficiently high.  
4       Qadhafi's forces were advancing on the gates of Benghazi, and  
5       the forces on the ground weren't going to be able to stop  
6       them. It included very crucially the opportunity to sit down  
7       and take the measure of the representative of the  
8       Transitional National Council to know that there was a  
9       credible opposition, organized political group, that we could  
10      partner with in carrying out the civilian protection issue.

11             Secretary Clinton traveled abroad in an effort to  
12      establish all of these facts. And until they had all fallen  
13      into place, and until she was confident that the  
14      circumstances warranted it, she was not prepared to make a  
15      recommendation to the President that he engage in any  
16      military action in Libya.

17             Q     And at one point in the last round, there was a  
18      characterization of how we can view the events or the results  
19      of what ended up being the U.S. foreign policy; but to those  
20      who would maybe look at this as some sort of a stark  
21      black-and-white issue, it seems like it is much more complex  
22      than that. So would this be the appropriate process then for  
23      weighing those views, for instance, within the State  
24      Department to bring different parties and different views  
25      into the process?

1           A     This would be, you know, if there's a better way to  
2 do it, I'm not sure I know what it is. You want to lay out  
3 all the options from the most modest, which is just some  
4 support to the opposition but not action, all the way up to  
5 the most dramatic, and have a full airing of all of those  
6 options. And both [REDACTED] and Steve, [REDACTED] and Steve Mull,  
7 in this email give very thoughtful comments on what to do and  
8 what not to do. And I can just say unequivocally,  
9 categorically, that nobody in a senior position in the  
10 U.S. Government had their mind made up on taking military  
11 action in Libya until very close to that date of the U.N.  
12 Security Council Resolution because so much was shifting, so  
13 much was changing; there were so many factors at play. And  
14 it wasn't until circumstances warranted it that Secretary  
15 Clinton and others, including the President, decided to go  
16 ahead.

17           Q     You were also asked in the last round whether  
18 Congress had expressed any views in what actions the U.S.  
19 should take in Libya. I think you had indicated that there  
20 were some voices to do more there. Do you recall if any of  
21 those voices would have included the option or discussed the  
22 option of inserting ground forces in Libya at this point in  
23 time?

24           A     I don't recall that anyone was arguing for ground  
25 forces in Libya, but I wouldn't rule it out. I might have a

1 mild conflict of interest on this issue because my wife  
2 worked for Senator McCain -- not at the time. But he  
3 probably would have been the most assertive person on this  
4 issue. I don't recall him actually arguing for ground troops  
5 at the time.

6 Q Do you recall anything about his positions at the  
7 time?

8 A I recall him being very passionate about the need  
9 for the United States to get more directly involved in Libya.

10 Q Thank you. That's very helpful.

11 Mr. Kenny. I think at this point we'll introduce what  
12 will be marked as exhibit 16.

13 [Sullivan Exhibit No. 16  
14 was marked for identification.]

15 BY MR. KENNY:

16 Q And for the purposes of the record, this is a June  
17 15, 2011, letter from Joe Macmanus, Acting Assistant  
18 Secretary Legislative Affairs, Department of State, and  
19 Elizabeth L. King, Assistant Secretary Legislative Affairs,  
20 Department of Defense. It's addressed to the Speaker of the  
21 House, the Honorable John Boehner. And for the purposes of  
22 our discussion, I'm going to refer you to page 26. And this  
23 is an attachment that's included with the letter. And so I  
24 would just like to note beginning on page 26 through 31, the  
25 attachment here lists what's referred to as Libya-related

1       hearings, briefings, calls, and other communications and  
2       consultation between Congress and the executive branch. I  
3       would just first like to establish the time period here is  
4       March 1 going forward, so this would have also included the  
5       time we were just discussing in exhibit 11. Is that correct?

6             A     Yes.

7             Q     Okay, and did you have any role whatsoever in  
8       preparing for briefings or personally briefing Members of  
9       Congress on Libya-related issues in this time period?

10            A     I didn't personally brief Members of Congress  
11       during this timeframe that I can remember, and I don't  
12       remember a specific instance of it. But I'm confident that I  
13       talked to officials at the State Department about their  
14       briefings.

15            Q     Were you aware at this time period that Congress  
16       was being briefed on some of the matters related to Libya  
17       policy?

18            A     Of course.

19            Q     And so just note at the top of page 26 in the  
20       summary it reads, quote: "Since March 1, the administration  
21       has testified at over 10 hearings that included a substantial  
22       discussion of Libya, participated in over 30 Member and/or  
23       staff briefings, including the March 18 Presidential meeting  
24       with congressional leadership, committee chairs, and ranking  
25       members. All three requested 'All Members Briefings,' two

1 requested by the Senate, one in the House, and all requested  
2 'All Staff Briefings.' Conducted dozens of calls with  
3 individual Members, and provided 32 status updates via email  
4 to over 1,600 congressional staff," close quote.

5 I know perhaps contemporaneously there may have been  
6 some discussion or some debate about the role of Congress  
7 with respect to what the administration was doing or planning  
8 on doing in Libya. But based on this list here, does it  
9 appear that Congress was being regularly briefed on matters  
10 in Libya?

11 A Based on this list here and also just based on my  
12 memory, I recall we all put a high premium on making sure we  
13 were staying regularly in touch with Congress on these  
14 issues. As I was saying before, when you are even  
15 contemplating, even considering the option of engaging in  
16 military action somewhere, you think very hard as a member of  
17 the executive branch about everything you can possibly do to  
18 keep Congress apprised. And I worked in the Senate. I  
19 personally care deeply about making sure that we have a  
20 positive partnership between the two branches when it comes  
21 to matters of war and peace.

22 BY MS. SAWYER:

23 Q Just a couple quick questions before we leave this  
24 exhibit. You had indicated when you were talking with my  
25 colleague that there was a period of intensive discussions

1 that dated from around that memo through the time of voting  
2 on the U.N. Resolution, which you remembered to be around the  
3 19th?

4 A It might have been a little later. I don't  
5 remember exactly. It might have been the 26th. I can't  
6 recall the date of it.

7 Q So if you just take a look at the exhibit we're  
8 looking at, 16, it actually lists out with some description  
9 the actual briefings that were given.

10 A Right.

11 Q So if you take a look at page 31, it starts with  
12 March 1, and then it moves forward in time as you go up,  
13 March 1, March 2, March 4, and even just in this time period  
14 that you're talking about of intensive consideration. I  
15 think I counted 20 briefings. We can recount and make sure  
16 I'm right, but one on the 18th, I just wanted to direct your  
17 attention to that's on page 29. And it just reads there:  
18 "President Obama invited Congress' bipartisan, bicameral  
19 leadership to the White House to consult on the situation in  
20 Libya and brief them on the limited, discreet, and  
21 well-defined participation that he envisioned for the United  
22 States to help implement the U.N. Resolution," end quote.

23 The next page lists the attendees who were able to be  
24 there, and I think we can read through some of them. I think  
25 the document speaks for itself. It's a pretty strong plate

1 of the leaders of both the House and the Senate. It includes  
2 the majority leader, Harry Reid, Speaker John Boehner,  
3 Democratic leader, Nancy Pelosi; Senator Diane Feinstein, at  
4 the time the chair of the Senate Intelligence Committee; I  
5 believe both the Democratic and the Republican leaders of our  
6 House Foreign Affairs Committee at the time. And this would  
7 have been, it says to consult on the Resolution. This would  
8 have been prior to the United States actually taking a vote?

9 A I believe that's correct. I don't have in front of  
10 me the date of the actual vote on the Resolution.

11 Q And then just briefly on page 11 of the document,  
12 and again this document is sent a few months later, so it's  
13 also a recap, page 11, fourth paragraph down states, quote:  
14 "As President Obama has clearly stated, our contributions do  
15 not include deploying of military ground force into Libya  
16 with the exception of personnel recovery operations as may be  
17 necessary," end quote. So, once again, it appears to me that  
18 the position had been stated very clearly to Congress as to  
19 the range and role that our military was anticipated at that  
20 point in time to play. Does that seem accurate?

21 A Yes, and that statement there was consistent with  
22 my understanding of what the policy was.

23 Q And then just to make clear for the record where  
24 this document comes from, the document itself that you are  
25 looking at is available on the Internet. The classified

1 annex has also been provided to this committee, so we do have  
2 the classified annex. This document itself is 31 pages and  
3 has some of the information that the committee fully has and  
4 it is available to them also the classified annex that was  
5 available at the time. So I just wanted to make that clear  
6 for the record.

7 A Just looking at this, it does look like the  
8 Resolution was actually passed on the 17th, so I just wanted  
9 to clarify my answer that there was an All Senators Briefing  
10 on the 17th on Libya, but the meeting with the President was  
11 on the 18th.

12 BY MR. KENNY:

13 Q At this point, we'll be jumping around a little  
14 bit. I'll direct your attention to exhibit 13.

15 This is the email from [REDACTED] on August 17,  
16 2011. You described in the last hour how your recollection  
17 is that this discussion related to the insertion of a  
18 security team that would assess the conditions on the ground  
19 in Tripoli to determine the suitability for possibly  
20 reopening the Embassy. Is that a fair summary?

21 A Correct.

22 Q And the top email, which is authored by [REDACTED]  
23 [REDACTED], begins by stating, quote: "It is in train but slow.  
24 NEA is trying to hurry it up. Looking for a combined  
25 political and DS team to go out on 9/5 led by [REDACTED]"

1 [REDACTED]," close quote. The beginning where he mentions  
2 that this, "it is in train," what -- is the "it" there  
3 referring to the security team that would be going?

4 A You know, I said initially I didn't really remember  
5 this email. Just from context, it looks like he's talking  
6 about a team to look at what to do with the Embassy, and he's  
7 talking about a combined political and DS team.

8 Q Sure. The reason I asked that, there was some  
9 discussion about whether the request was being pushed or made  
10 in haste. I would just like to note that the time stamps  
11 between the first email you send at the beginning of the  
12 thread, which is 4:47 p.m., and the top email when the  
13 response is 4:59 p.m., so the fact that this, the process or  
14 whether a combined political DS team was being considered is  
15 already, quote-unquote, "in train," would that mean that  
16 planning was already underway to send a team into Tripoli?

17 A That would be a natural reading of this. And as we  
18 discussed in the last conversation, what [REDACTED] is also  
19 reporting is that DS was already itself planning to go. The  
20 only question whether it was going to be DS along with  
21 political or not. But DS appeared to already be prepared to  
22 go. So when I asked the question, he told me just a few  
23 minutes later that DS was already planning to go.

24 Q And when it says here "NEA," is that referring to  
25 the Bureau of Near Eastern Affairs?

1 A That's right.

2 Q And was your understanding based on this or at the  
3 time separately that the Bureau for Near Eastern Affairs had  
4 already been engaged in planning for the possible reopening  
5 of Embassy Tripoli?

6 A I don't remember from the time, but just looking at  
7 this email, it appears that NEA was working to try to get a  
8 team on the ground to judge whether it would be appropriate  
9 to open a mission.

10 Q Let me ask it this way. Do you recall in this  
11 period or the time before, that Embassy Tripoli staff had  
12 been retained for a period of time and served in what was  
13 referred to as Embassy in Exile in Washington, D.C.?

14 A Oh, I that, yes, I certainly remember that. In  
15 fact, [REDACTED], who is mentioned here, was Ambassador  
16 Cretz' -- she worked for Ambassador Cretz at Embassy Tripoli  
17 beforehand and was part of the group that evacuated from  
18 Embassy Tripoli when we had to shut down our operations there  
19 during the civil war. And she would have been part of  
20 Embassy Tripoli Washington, which was trying to operate as  
21 many of the functions of that Embassy from back here as they  
22 could given that they weren't on the ground.

23 BY MS. SAWYER:

24 Q The other phrase I had heard it referred to was the  
25 Embassy on the Potomac. To me it sounds more optimistic than

1 Embassy in Exile?

2 A You know, I hadn't remembered that, but now that  
3 you remind me, yes. That was a term that was being used at  
4 the time.

5 Q So that would kind of indicate that there was the  
6 thought that at some point in time, it would be potentially  
7 appropriate and desirable to have the diplomatic presence on  
8 the ground back in Libya?

9 A Right. Our goal in a post-civil war Libya would be  
10 to get an American presence on the ground once security  
11 conditions permitted it, to be able to carry out our  
12 interests and our objectives.

13 BY MR. KENNY:

14 Q And I'd just like to ask here, in viewing this  
15 discussion here, were you or perhaps [REDACTED] -- first  
16 let me ask it this way. Did you feel any pressure to reach  
17 an outcome to send a team into Tripoli to the detriment of  
18 security in this time period?

19 A No. I'm sorry.

20 Q Let me re-ask it this way. At this time period,  
21 during this time period, did you feel any pressure to reopen  
22 Embassy Tripoli without adequately considering security in  
23 Tripoli?

24 A Really quite the contrary. What I was focused on  
25 was a team that would examine reopening the Embassy, and the

1 central consideration, since all the political and diplomatic  
2 considerations would have been in favor of doing it, the  
3 central consideration of any team that would go look would be  
4 could we secure it effectively; could it operate effectively,  
5 in the context of a post-civil-war Tripoli? So I absolutely  
6 felt we had to have a team go look and determine whether it  
7 was appropriate.

8 Q Do you recall if this particular team did, in fact,  
9 go to Tripoli?

10 A I don't know what you mean by "this particular  
11 team," but a team from State that was composed in part of  
12 security experts went to Libya, went to Tripoli, looked at  
13 the facility that we had there, looked at everything else  
14 associated with it, and ultimately made a determination that  
15 the security conditions were sufficiently robust that we  
16 could reopen.

17 Q Thank you. And referring you to the third email in  
18 the thread here, you were asked about one line here, the  
19 third tick, which reads, quote, "locking Pat Kennedy in the  
20 closet for long enough to actually take some real risks,"  
21 close quote. I read that to indicate that Pat Kennedy, the  
22 Under Secretary for Management, perhaps wasn't as  
23 risk-accepting as others. Did he have a reputation in the  
24 Department as somebody who didn't take security seriously?

25 A Absolutely not.

1 Q What was his reputation for security?

2 A You know, Pat, who, frankly, I think has just been  
3 unfairly maligned in public, is a guy who has served his  
4 country for going on four decades now, Republican and  
5 Democratic Presidents. I think he came in when President  
6 Nixon was in office. And this guy is a consummate public  
7 servant behind the scenes. And he is careful, and he is  
8 methodical, and he takes his responsibilities incredibly  
9 seriously. And that includes the security of our posts. And  
10 he was very focused on risk management and ensuring that the  
11 personnel of the State Department had the best possible  
12 protection.

13 Q You were asked a series of questions in the last  
14 hour about the capabilities of host nation security forces,  
15 specifically in Libya, and I would just like to ask whether  
16 you had an awareness of whether the U.S. was engaged, either  
17 directly with the Libyans or with the international  
18 community, on how to support the Libyan Government's efforts  
19 to build that capacity?

20 A So starting almost right away after the fall of  
21 Qadhafi, this became a very high priority for the  
22 U.S. Government. The Secretary spoke with her counterparts  
23 at the Pentagon about reaching out to the Libyan security  
24 services to help them be able to build their capacity. That  
25 included everything from training to technical assistance to

1 certain forms of equipment, and it involved the allocation of  
2 various pots of money to try to help them as well. And  
3 ultimately what we approved was a special joint State-DOD  
4 fund that would be in part focused on helping shore up  
5 Libya's security and help the Libyan security services be  
6 able to extend the writ of the government across the country,  
7 secure their borders, push back against extremists and  
8 terrorists, and get the capacity of the actual forces up to a  
9 level where they could actually effectively perform their  
10 duties.

11 Q And was there an awareness within the Department of  
12 the challenges that the Libyan Government faced in terms of  
13 developing their internal capacity to provide security?

14 A Yes. The Department was well aware of the fact  
15 that the security institutions in Libya, like many of the  
16 other institutions, had a lot of weaknesses in them, and that  
17 between training and assistance and support in every way in  
18 which we could provide it, we did our best to try and help  
19 fill those weaknesses, and it wasn't just us. We worked very  
20 closely with our European partners, who were doing their own  
21 work. We worked very closely with UNSMIL, which was the U.N.  
22 Mission in, which had its own set of technical advisers to do  
23 the same thing. As I discussed before, the Libyans were  
24 averse, allergic, to having foreign boots on the ground in  
25 Libya in any numbers; and so that put us in a position where

1 the imperative on security was try to train them up, provide  
2 them capacity to as great a degree as we possibly could over  
3 the course of the period post the fall of Qadhafi.

4 Q So were you personally optimistic that those  
5 challenges were being addressed?

6 A Well, I recognized the challenges. I was  
7 clear-eyed that this was going to take work and that it is  
8 very difficult to operate in a post-conflict environment  
9 without a strong set of security institutions, especially  
10 when it's not plausible to have a peacekeeping presence on  
11 the ground. I believed that we were pursuing assertive  
12 efforts to try to help them, and I believed that we were  
13 making some progress, but I was also very much aware of the  
14 fact that the gaps were enormous, and this was a big uphill  
15 battle.

16 Q You were asked in the last round about a series of  
17 security incidents that occurred in Libya and your awareness  
18 of those incidents. One of the things I would first like to  
19 ask you was whether you were also aware of any positive  
20 developments that were occurring in Libya in, say, the summer  
21 of 2012, going forward?

22 A Right. So a lot of things did not go right in  
23 Libya. Some things did go right. We were able to secure the  
24 chemical weapons stockpiles, and in July of 2012, we were  
25 able to support the first democratic election maybe ever, or

1 at least in 40 years, in Libya's history. And it was a  
2 successful election that produced a moderate-led interim  
3 government.

4 Q And my recollection is the security incidents that  
5 had been provided to you were from the April 2012 time period  
6 through the June 2012 time period, and do you recall when the  
7 election took place?

8 A The election was in July of 2012.

9 Q Was that viewed as a success?

10 A It was viewed as a success. It was viewed as a  
11 credible election with sufficient security on the day, and as  
12 I said, it produced an outcome where we felt that there was a  
13 government that we could work with. Of course, that  
14 government was an interim government, and it was a government  
15 that was quite nervous about too much association with  
16 foreigners because of what I described earlier, which was  
17 Libya's fierce nationalism and sense of pride and desire to  
18 be independent, but the election, I believe, was a success.

19 Q You were asked if you had an awareness as well of a  
20 specific Emergency Action Committee meeting that occurred,  
21 and I would just like to ask first generally, the EAC  
22 process, is that a process you're familiar with, how those  
23 function and work at post?

24 A Generally speaking, I'm familiar with them.

25 Q Can you explain for us just generally what EAC is

1 and what it does?

2 A What I understand is the EAC, the Emergency Action  
3 Committee, is convened by the Ambassador, and it's the  
4 relevant security personnel and other senior leadership of  
5 the Embassy. And, basically, they review the potential  
6 threats to the Embassy, the Embassy's posture, and make  
7 determinations about whether or not they need to alter that  
8 posture in some way. So, for example, do they need to send  
9 dependents, spouses and children, out of the country? Do  
10 they need to evacuate some of the personnel? Do they need to  
11 shut down altogether? That would be the kind of thing that  
12 an EAC would look at.

13 Q So they would make a recommendation based on, for  
14 instance, security conditions or potential threats at post?

15 A That's correct.

16 Q Would there be recommendations then that would also  
17 come out of EAC?

18 A Sometimes there would be. My guess is sometimes  
19 maybe there wouldn't. I'm not sure how common a practice  
20 that was.

21 Q And you, again, had indicated you weren't familiar  
22 with the specific EAC; but if there were an EAC that made a  
23 recommendation, for instance, that a post should suspend  
24 operations or should go on a different status, ordered  
25 departure or otherwise, is that something you would have

1 received in your position as the Deputy Chief of Staff or as  
2 the Director?

3 A Maybe not in every case. But in general if a post  
4 decided they had to evacuate some of their people or shut  
5 down altogether, I would know about that.

6 Q Do you recall ever receiving an EAC from either  
7 Embassy Tripoli or Special Mission Benghazi that referred to  
8 a recommendation that a post status should change, that there  
9 should be an evacuation?

10 A Well, in 2011, before Qadhafi fell, I learned that  
11 there was a recommendation to shut down Embassy Tripoli  
12 altogether. And that recommendation was accepted back in  
13 Washington, and the post shut down.

14 Q Do you remember or recall generally when that  
15 occurred?

16 A I believe that that was in either February or March  
17 of 2011. It might have been February.

18 Q And other than the one example you just cited, do  
19 you recall receiving or viewing or hearing of an EAC that  
20 made a recommendation for ordered departure or other  
21 evacuation status of either Embassy Tripoli or the temporary  
22 mission facility in Benghazi?

23 A No, I don't.

24 BY MS. SAWYER:

25 Q Just tying that back to something you mentioned

1 before we asked you about the EAC, you had said there was a  
2 realization certainly by you that this was going to be a  
3 challenge; it was going to take time. I think you used the  
4 term gaps were enormous in terms of making sure there was  
5 going to be host nation support and ability. Given that  
6 dynamic, had there been a recommendation that came from the  
7 ground that there was a need to evacuate, to go on ordered  
8 departure, even authorized departure, do you believe that  
9 recommendation would have been handled seriously? Do you  
10 think it would have been granted?

11 A Whenever a post came in and said, we think we need  
12 to evacuate some of our people, we took that deadly  
13 seriously, and we acted promptly and immediately on it, so I  
14 believe that would have happened in this case. Just to  
15 clarify one thing, when I was talking about the gaps, what I  
16 was focused on was just the general gaps in the Libyan  
17 security sector and its ability to extend the writ of the  
18 State to all of Libya. I wasn't as focused on the issue of  
19 host nation support at post. That wasn't something I really  
20 dealt with. It was more a question of, can we help bring the  
21 Libyan security services up to a point where they can provide  
22 the kind of stability in Libya that will allow Libya's  
23 democratic transition to proceed?

24 Q I want to make one thing clear and give you an  
25 opportunity to comment on it as well. I think you often hear

1 hindsight and you say, "here's a list of security incidents  
2 that happened in Libya; how could you not know about what was  
3 happening at the security at the post in Benghazi," which I  
4 think was the thrust of the questioning from earlier, what I  
5 think people need to understand about the State Department is  
6 that we operate in dangerous places all over the world. We  
7 operate in active war zones. We act in countries where host  
8 nation security services aren't that great. And we have top  
9 notch, top flight Diplomatic Security specialists who secure  
10 our facilities and do it in an unbelievably effective way.  
11 Even in cases where there are RPG attacks, rocket attacks,  
12 indirect fire, Shia militias in Baghdad, even when there are  
13 people crawling over the walls like there were in Yemen and  
14 in Khartoum, Sudan in the days after the attack. So neither  
15 the Secretary of State nor other senior policy people on the  
16 seventh floor are interfering with the security decisions  
17 that are being taken. They are obviously deferring to the  
18 expertise, the judgment, and the hard-won experience of the  
19 people who decide, how many people do you need at post; what  
20 do the physical security restrictions need to be? Now, if  
21 somebody says, hold on a sec; this isn't working and they  
22 raise that up, or we need to leave, or something's got to  
23 change, or we really don't feel like we can continue our  
24 presence here, if they raise that question up to the senior  
25 leadership of the Department, the Department, the Secretary,

1 the phrase "hindsight is 20/20 vision," and so I do think  
2 it's very easy looking back to say someone should have really  
3 sounded the alarm bell and just said evacuate. It's much  
4 easier after the fact. You had indicated moments ago how  
5 seriously the Under Secretary of Management, Patrick Kennedy,  
6 took security. You have talked a lot about the mechanism and  
7 the expertise within the Diplomatic Security Department. The  
8 Accountability Review Board did a very hard-hitting  
9 assessment of where there were issues and where things could  
10 be changed. But I would just like your sense. I mean, my  
11 sense has been that everyone was doing their very best and  
12 making assessments. You've indicated to us it would be an  
13 ongoing assessment process; you'd always balance in an  
14 ongoing basis. It's not as if the decision you make in  
15 October 2011 to go back and reopen the Embassy is one that's  
16 set in stone, and we're going to stay no matter what the risk  
17 is?

18 A Uh-huh.

19 Q I'd just like your sense to help us understand and  
20 kind of put these questions to rest once and for all.

21 A Let me start by saying that four Americans died in  
22 Benghazi, and so I absolutely understand everyone asking what  
23 happened, what went wrong, and how do we make sure this  
24 doesn't happen again, because it doesn't get more grave than  
25 that. I also understand that if you're looking at it in

1 and everyone on down, acts quickly and decisively on that,  
2 and there are many examples of it.

3 In this case, the folks on the ground in Libya did not  
4 believe that they needed to close down. They didn't say we  
5 got to get out. They didn't raise to the highest levels any  
6 kind of sense that this posture wasn't going to work. They  
7 were having a normal give and take between Diplomatic  
8 Security and the Embassy that you would expect. And the fact  
9 is, that didn't work. And that's what the ARB said.

10 Q I'm kind of curious about, I just want to ask you  
11 this question because the one thing that I've always wondered  
12 is, the numbers range, but you often hear 20 to 60 armed  
13 attackers came in moments and swarmed the Embassy. When we  
14 say it didn't work, I'm kind of curious, what posture would  
15 we have needed to have really done anything against that kind  
16 of attack -- did people foresee that level of attack? Should  
17 she have foreseen that level of attack?

18 A That was unforeseen. At some level, there is just  
19 no way to fortify an embassy enough to stop against a massed  
20 attack. You just can't do it. You know, I think the ARB and  
21 some of the Diplomatic Security professionals who have been  
22 on the ground in Benghazi have said publicly that, you know,  
23 even if you had had more guys there or a few of the other  
24 things, it probably wouldn't have stopped an attack like  
25 this. But that being said, we always strive to do our best

1 and to provide the best level of security we can. If there  
2 is a way in which we haven't succeeded in doing that, or if  
3 there are changes in the process that can be made, and the  
4 ARB made a number of recommendations on that, then I think  
5 it's incumbent on the Secretary to follow through on that.  
6 That's what Secretary Clinton did. That's what Secretary  
7 Kerry is doing. So we can never eliminate risk. We can only  
8 work to reduce risk as much as possible. And the history,  
9 unfortunately, of American diplomacy is that attacks happen,  
10 and people lose their lives. And what's kind of incredible  
11 about the Foreign Service is people keep getting back out  
12 there. One of the things that I heard shortly after Benghazi  
13 is that after there are attacks where American diplomats are  
14 killed, applications to the Foreign Service actually go up,  
15 which is kind of an incredible thing to say about Americans,  
16 that they step up when that happens. We have a history of  
17 this going back decades that hundreds of diplomats have lost  
18 their lives because it's not a risk-free proposition.

19 Mr. Kenny. At this point, we'll go off the record.  
20 Thank you.

21 [Discussion off the record.]  
22  
23  
24  
25

1 [3:43 p.m.]

2 Mr. Missakian. Let's go back on the record.

3 BY MR. MISSAKIAN:

4 Q Mr. Sullivan, I just wanted to close out the policy  
5 area and then kind of jump, I guess, ahead in time to  
6 September 11th.

7 Was the issue of whether or not to provide -- I know the  
8 issue of whether or not to provide weapons to the Libyan  
9 rebels was on the table.

10 A Yeah.

11 Q Was there ever a decision made one way or the other  
12 whether or not to provide weapons to the rebels?

13 A I believe we never decided to provide weapons to  
14 the rebels.

15 Q Okay. Who made that decision? Was that a White  
16 House decision, or was that a State Department decision?

17 A It would have been a White House decision.

18 Q Do you recall who was most involved in considering  
19 that issue at the White House.

20 Ms. Wilkinson. Can I have a moment off the record with  
21 my client?

22 Mr. Missakian. Of course. Let's go off the record.

23 [Discussion off the record.]

24 Mr. Missakian. Back on the record.

25 BY MR. MISSAKIAN:

1           Q     Who at the White House was most directly involved  
2     in that issue?

3           A     I don't remember who would have -- in fact, I may  
4     not have even known. I wasn't a central player in the  
5     conversations about whether to provide weapons to the rebels.

6           Q     Okay. Do you recall about when that decision was  
7     made by the White House?

8           A     I don't.

9           Q     Whenever it was made and whoever made it, the  
10    decision was conveyed to the State Department?

11          A     You know, like I said, I don't believe we ever  
12    decided to provide weapons to the rebels, "we" being the  
13    U.S. Government. I couldn't tell you, sitting here today,  
14    about a particular decision point on the issue.

15          Q     Okay. Can you put the decision point in the  
16    context of the continuum of the revolution? Toward the  
17    beginning? The middle? The end?

18          A     Honestly, I remember -- obviously, it was among the  
19    options being considered. I don't recall -- I honestly don't  
20    recall how the issue was resolved, if it was ever resolved or  
21    if it was just kind of constantly pushed off and a decision  
22    was just never taken.

23          But my best memory is that we never -- we, the  
24    U.S. Government, never went ahead and provided weapons to the  
25    rebels.

1           Q     So as you sit here today, you're not sure if the  
2           decision was ever made one way or the other. Is that fair,  
3           or do you believe that a decision was made not to provide  
4           weapons to the rebels by the United States?

5           A     All I can tell you is that my best memory is that  
6           we did not provide weapons to the rebels. I couldn't tell  
7           you about particular decision points. I just don't remember.

8           Q     Okay. Do you recall whether or not the issue of  
9           providing of weapons to the rebels was a controversial one,  
10          either within the interagency or, broadly speaking, in  
11          public?

12          A     I don't remember so much the public debate, about  
13          the issue. I remember having discussions inside the State  
14          Department about the pros and cons of it. I don't know if  
15          I'd go so far as to say controversial. Obviously, it's a  
16          weighty decision providing weapons to foreign irregular  
17          forces. So certainly I remember discussing it. But I don't  
18          know, sitting here today, who outside of the State Department  
19          was engaged and how exactly they were resolving the issue.

20          Q     Okay. What were some of the arguments against  
21          providing weapons to the rebels, do you recall?

22          A     So if I remember correctly, and I don't have a  
23          strong memory of this, people raised the question of whether  
24          or not it would be effective. Obviously, people raised the  
25          question of whether any weapons that the United States would

1 provide could potentially fall into the wrong hands. It was  
2 the standard litany of potential objections to providing  
3 arms.

4 Q And if arms had been provided, would they have been  
5 provided through the U.S. Defense Department?

6 A I'm not sure how to answer that question.

7 Q What were the options then for providing weapons to  
8 the rebels in terms of how they would be supplied?

9 A So I don't recall ever participating in a  
10 conversation that got to the point of operationalizing it.  
11 It was more at the level of policy, should we or shouldn't  
12 we. So I couldn't tell you about the next level of  
13 specificity down.

14 Q Did the Secretary or the State Department ever  
15 consider using private contractors to provide weapons to the  
16 Libyan rebels?

17 A If I remember correctly, the Secretary asked  
18 that -- asked the question as to whether that might make any  
19 sense or not, but I think that idea came and ran pretty  
20 quickly.

21 [Sullivan Exhibit No. 17  
22 was marked for identification.]

23 BY MR. MISSAKIAN:

24 Q Okay. Let's take a look at a document. I'd like  
25 to ask the next document being marked is Exhibit No. 17,

1       which I understand is next in order.

2               Mr. Sullivan, what I've just marked as Exhibit 17 is a  
3       multipage document consisting of an email at the very top on  
4       the first page from Secretary Clinton to you on April 8,  
5       2011. The subject is "H: UK game playing. New rebel  
6       strategist; Egypt moves in. Sid."

7               Below that, it appears she's forwarding to you an email  
8       from Sidney Blumenthal. Do you recall receiving this email?

9               A     I don't specifically recall receiving it, no.

10              Q     Focusing on the top -- and I'll quote it into the  
11       record -- the Secretary says the idea of using private  
12       security experts to arm the opposition should be considered.

13              Do you recall her making that suggestion to you in and  
14       around April of 2011?

15              A     I didn't remember her making the suggestion to me.  
16       But as I was just telling you, I remember that she had raised  
17       the issue.

18              Q     And as best you can, describe what happened to the  
19       issue after she raised it?

20              A     Like I said, I think it just came and went pretty  
21       quickly. I don't remember us spending much time on it. I  
22       can't remember really how exactly I followed up on it, but I  
23       just don't remember it going anywhere.

24              Q     I mean, did it stop at a particular place or with a  
25       particular department or person? Do you remember anything

1 about what happened to the issue after you received this  
2 email?

3 A I mean, this was --

4 Q In other words, let me give you an example. You  
5 could have received this and thought to yourself "this is a  
6 lousy idea, I'm not going to do anything with it" or you  
7 could have taken it to somebody down the hall who maybe you  
8 thought was an expert or more involved in this issue than you  
9 were and discussed it first with them, could have picked up  
10 the phone to call the White House. Do you remember anything  
11 about what you did?

12 A I don't. I don't remember. I don't remember, and  
13 I think that's, in large part, because this just wasn't an  
14 issue that stayed on my radar screen.

15 Q Do you recall any discussions about not funneling  
16 or providing weapons to the Libyan rebels but to providing  
17 weapons to the Syrian rebels in that conflict?

18 A I do.

19 Q Okay. Tell us what you recall about that topic.

20 A Well, that occurred in 2012. And what I remember  
21 of that was the Secretary, along with some of her colleagues,  
22 making the case to the President that the United States  
23 should provide arms to the Syrian rebels.

24 Q Okay. What was the end result of those  
25 discussions?

1 A The very end result or --

2 Q The very end result. Let's start there.

3 A So the very end result -- well, I'm pausing here  
4 because I don't know what --

5 Q Let me --

6 A -- my whole -- can actually discuss this issue.

7 Mr. Missakian. Let's go off the record for a moment.

8 [Discussion off the record.]

9 Mr. Missakian. Let's go back on the record.

10 BY MR. MISSAKIAN:

11 Q Mr. Sullivan, I asked you if you could describe the  
12 discussions that surrounded the issues of providing arms to  
13 the Syrian rebels, and I believe you said that the Secretary  
14 and others raised that issue with the White House. And  
15 ultimately, a decision was made, I gather, not to provide  
16 arms to the Syrian rebels?

17 Can you, at least, tell us what the end result of all  
18 the discussions were, recognizing that the individual  
19 discussions may be classified at a higher level than we are  
20 classified here today?

21 Ms. Wilkinson. Can I consult with him again?

22 Mr. Missakian. Please.

23 Ms. Sawyer. Can we go off the record for a moment?

24 Mr. Missakian. Yes. Let's go off the record.

25 [Discussion off the record.]

1 Mr. Missakian. Let's go back on the record.

2 BY MR. MISSAKIAN:

3 Q Mr. Sullivan, your response to the last question?

4 A In the fall of 2012, the President did not agree  
5 with the Secretary's recommendation.

6 [Sullivan Exhibit No. 18  
7 was marked for identification.]

8 BY MR. MISSAKIAN:

9 Q Okay. Thank you. We'll now move on to another  
10 area.

11 We can mark the next exhibit in order as Exhibit 18.  
12 Exhibit 18 is a one-page email from you to Secretary Clinton,  
13 dated September 10, 2011. The subject is Rogers. The text  
14 reads, "Apparently wants to see you to talk Libya/weapons."

15 Very short question: Do you recall the email? Do you  
16 recall the subject matter? Tell us what you remember about  
17 this exchange.

18 A I don't recall the email.

19 Q Do you recall who the Rogers is that's referred to  
20 in the subject line?

21 A I'm surmising that it's Chairman Rogers of the  
22 House Intelligence Committee, but that is speculation. I  
23 don't remember.

24 Q Okay. Do you recall any conversation between the  
25 Secretary and Chairman Rogers about the issue of Libya or

1 weapons?

2 A I don't.

3 Q Do you recall a meeting between the Secretary and  
4 Chairman Rogers around this time?

5 A I don't.

6 Mr. Jordan. How did you know that he wants to talk  
7 about Libyan weapons?

8 Mr. Sullivan. Honestly, I don't know that it's even  
9 Chairman Rogers. That's the only Rogers I know, so that's  
10 why I'm surmising. I can't think of another Rogers.

11 Mr. Jordan. But there was something that caused you to  
12 write "apparently," so there had to be some signal that you  
13 felt he wanted to talk to the Secretary of State about the  
14 country of Libya and weapons.

15 Mr. Sullivan. I think that's totally fair as a reading  
16 of this. I just don't remember how I knew that.

17 Mr. Jordan. Okay.

18 BY MR. MISSAKIAN:

19 Q Let's move beyond the policy area and go back to  
20 September 11, 2012.

21 Do you recall the Secretary speaking to the -- I can't  
22 remember if it was the prime minister or the President of  
23 Egypt during that week following the attacks?

24 A I don't specifically remember that, no. I mean,  
25 now that you mention it, it makes sense that she would talk

1 to him after what happened in Cairo, but I don't remember the  
2 conversation.

3 Q Okay. You don't recall being present for the  
4 conversation?

5 A No.

6 Q To your knowledge, did the Secretary speak to the  
7 President on the night of the attacks?

8 A Yes. I remember she did speak with the President  
9 on the night of the attacks. You're talking about the  
10 attacks on the night of September 11th?

11 Q Yes. On the night of September 11th, 2012.

12 A Yeah. She spoke with the President.

13 Q Were you present for that conversation?

14 A No.

15 Q Do you know if that conversation was a secure call?

16 A I don't.

17 Q Did you see any summary of the call between the  
18 Secretary and the President?

19 A No.

20 Q Did you speak to anybody about the call?

21 A I don't think I did, no.

22 Q I'm just going to run through a list of other  
23 people that, partially in your original interview, you  
24 identified that the Secretary spoke with and some, maybe  
25 others who didn't.

1 I believe you testified earlier that -- not earlier  
2 today, but in your OGR interview that she spoke with  
3 Assistant Secretary Kennedy that night?

4 A Yes.

5 Q Was that one time or multiple times?

6 A It was an evening where everybody was doing all  
7 kinds of different things all over the place. My best  
8 recollection is that it was multiple times.

9 Q Do you recall anything that stands out in your mind  
10 that was said between the two?

11 A No.

12 Q I believe you mentioned that the Secretary had  
13 spoke to General Petraeus as well. Were you present for that  
14 call?

15 A I was in her outer office. I believe she took the  
16 call in her inner office. So I saw her go take it, but I  
17 wasn't present for it.

18 Q And I believe you said that she spoke at least  
19 once, possibly multiple times, with National Security Advisor  
20 Tom Donilon?

21 A Right.

22 Q Were you present for any of those calls?

23 A I don't remember. I don't remember being present  
24 for any of them.

25 Q Is there anybody else that she spoke to that night

1 that stands out in your mind to the point where you could  
2 recall any part of the conversation?

3 A I remember her in the SVTCS speaking with --

4 Q I'll get to the SVTCS separately, but outside of  
5 the SVTCS?

6 A I remember her speaking with Steve Mull. I  
7 remember her speaking with the Libyan President. I remember  
8 her speaking with Joe Macmanus.

9 Q Who is Joe Macmanus?

10 A The Secretary's executive assistant, which in  
11 corporate parlance would suggest that he, you know, does her  
12 schedule or something like that. But at the State  
13 Department, that would be the senior foreign service officer  
14 providing her with substantive advice.

15 Q Okay. Do you recall whether or not she spoke with  
16 President Clinton that night?

17 A No. I know that she -- no. I don't remember her  
18 speaking with him.

19 Q Other than the President, do you recall her  
20 speaking to anyone else at the White House, outside the  
21 context of the SVTCS?

22 A Tom Donilon.

23 Q I'm sorry. In addition to Tom Donilon.

24 A Outside the context of the SVTCS?

25 Q Yes.

1           A     Other than the President and the National Security  
2 Advisor, I'm not sure there was anyone else at the White  
3 House that she spoke with.

4           Q     Let's talk about the SVTCS now. I believe you said  
5 it started around 7:30. It went for over an hour, possibly  
6 up to 2, maybe a little bit longer.

7           On your side of the State Department, in addition to  
8 yourself and Secretary Clinton, who else was there, do you  
9 recall?

10          A     I wish I had a better memory of what happened. I  
11 mean, there was so much happening that week. I could tell  
12 you who I think was there, but honestly, I don't -- I  
13 couldn't --

14          Q     I don't want you to guess. If you can't remember,  
15 that's fine.

16          A     I couldn't tell you for sure.

17          Q     I'm just going to go through a number of subject  
18 areas, and just tell me if you recall any conversation about  
19 this.

20               Possibly one of the more important ones is: Was a  
21 military response to the attacks in Benghazi discussed that  
22 night in the SVTCS?

23          A     The senior uniformed military officers from the  
24 Joint Staff and DOD were on the SVTCS and reported in on what  
25 their military options were. I remember that generally.

1       What the exact nature of the conversation was, what exactly  
2       they said at this point, I don't remember.

3           Q     Well, do you recall that being the first time that  
4       the State Department had had a discussion with the Department  
5       of Defense regarding a military option?

6           A     No. I don't know that that was the first time.

7           Q     As best you can -- and I know you don't recall  
8       specifics.

9           A     In fact -- I'm sorry to interrupt.

10          Q     That's okay.

11          A     I remember, almost immediately after the attack  
12       began, being told that the attack was happening and then  
13       being told that we had requested that a drone be repositioned  
14       over the compound to help provide eyes on.

15          Q     That was not an armed drone. That was an unarmed  
16       drone?

17          A     It was an unarmed drone. The drone in the area was  
18       unarmed. It was to provide eyes on and that was the first --  
19       that was very shortly thereafter.

20                So, I guess, in answer to your question, the  
21       conversations between State and DOD and AFRICOM began almost  
22       immediately after the attack.

23          Q     Okay. Was there ever a discussion during the SVTCS  
24       about sending an armed drone?

25          A     I don't remember.

1           Q    What do you recall the discussion being around  
2           sending in U.S. military forces, whether that'd take the form  
3           of aircraft going in or troops on the ground? What do you  
4           recall about that?

5           A    I remember, at DOD, I can picture their screen on  
6           the SVTCS was sitting there. I can see the admiral and  
7           general and some others sitting there, conveying military  
8           options and giving their assessment of what was possible, but  
9           I could not tell you the specifics of what they were talking  
10          about that night.

11          Q    As you sit here today, you can't think of any  
12          specific options they may have put on the table?

13          A    I couldn't tell you the specific options, no.

14          Q    Was there any discussion in general about sending  
15          in troops or armed aircraft, the pros and cons of that?

16          A    There very well may have been. I mean, part of the  
17          challenge in answering your questions is I've obviously seen  
18          and heard what the Pentagon has said that it was considering  
19          and raising up, you know, and what was close, what wasn't  
20          close, whether they could actually conduct some kind of  
21          military operation. And I'm afraid that I don't know how  
22          much of my memory is what -- how they described it after the  
23          fact and how much from that night.

24          So I can tell you they got on, talked about military  
25          options. I just couldn't tell you what the specifics were

1 from that night.

2 Q Did you walk away from the SVTCS that night with  
3 the feeling that the military had told the State Department  
4 that they just could not get there in time?

5 A I walked away from the SVTCS feeling like the  
6 military was doing everything that it could, and I had no  
7 concerns about what the military was trying to do.  
8 Certainly, if I had had concerns, I would remember that.

9 Q Okay. Then a fair answer to my question is you  
10 don't recall walking away with that impression?

11 A Which impression?

12 Q The impression that the military said during that  
13 SVTCS that they could not get to Benghazi in time?

14 A I couldn't tell you on that precise point whether  
15 that's what they said. All I know is they laid out what they  
16 thought was possible and wasn't possible, and I thought  
17 everything that they were saying made sense.

18 Q At that point, was the topic of obtaining  
19 permission from the Government of Libya to go in either with  
20 aircraft or troops, was that discussed during the SVTCS?

21 A You know, as I said, going in with aircraft troops,  
22 I just don't remember the specifics. So I don't -- I can't  
23 answer that.

24 Q At any point during the SVTCS, did anyone raise the  
25 issue that the attack in Benghazi might be related to the

1 video, or alternatively, to the protest in Cairo?

2 A I don't remember whether that came up.

3 Q Did anyone, during the SVTCS, convey that they  
4 believe the protest had preceded the attacks in Benghazi?

5 A I don't remember anyone raising that.

6 Q Was there a discussion during the SVTCS about the  
7 fact that Ansar al-Sharia had claimed responsibility for the  
8 attack by that point in the evening?

9 A I'm not sure. I mean, the real focus was -- and  
10 what I recall very distinctly was -- our guys had moved from  
11 the post to the annex, and they were holed up at the annex.  
12 And I remember the discussion focusing on what all of our  
13 options were to help get them out of that annex safely and to  
14 protect them as best we could. I don't remember any  
15 discussion about Ansar al-Sharia.

16 Q Do you recall any discussion of deploying the State  
17 Department's FEST team?

18 A No.

19 Q Later in that evening, the Secretary issued a  
20 statement, I believe, at about 10:08 p.m. in the evening.  
21 Was there any discussion during the SVTCS about issuing a  
22 statement or the contents of that statement?

23 A It's possible. I'm not sure. I don't remember a  
24 discussion of that at the SVTCS.

25 Q Do you recall any discussion during the SVTCS where

1 somebody brought up the fact that Mitt Romney may be using  
2 the attack in Benghazi to paint the President as weak on  
3 terrorism?

4 A No. I don't remember that.

5 Q Okay. Do you recall any discussion of -- well, let  
6 me withdraw that for a moment.

7 Were you aware that earlier in the day that Mitt Romney  
8 had sent out a Tweet, I believe it was, criticizing the  
9 administration's response to the protests in Cairo?

10 A I'm not sure if I was aware of it that day or the  
11 next day. I certainly became aware of it.

12 Q And do you recall any discussion about that in the  
13 SVTCS?

14 A No, I don't. No.

15 Q All right. Let's focus on the statement that was  
16 issued by the State Department at 10:08.

17 Mr. Jordan. Can I ask one question, Craig.

18 Mr. Missakian. Please.

19 Mr. Jordan. Was the video brought up during the SVTCS?

20 Mr. Sullivan. I don't remember it being brought up.

21 Mr. Jordan. I mean, just one hour before, you had sent  
22 this out to every single post around the country talking  
23 about this -- this is one of the exhibits that, I think, the  
24 minority staff put in -- I think it was their first one.

25 You just sent this out. You thought it was important to

1 let everyone around the world know, but you don't know if it  
2 was brought up during the SVTCS?

3 Mr. Sullivan. It's possible that it was. But, you  
4 know, the SVTCS is focused on this incredibly specific  
5 operational exercise of trying to get these guys out.

6 Mr. Jordan. Okay.

7 [Sullivan Exhibit No. 19  
8 was marked for identification.]

9 BY MR. MISSAKIAN:

10 Q Mr. Sullivan, I've just given you a document that's  
11 been marked as Exhibit 19, and it's a one-page document that  
12 consists of an email from Philippe Reines, dated September  
13 11, 2012, 10:03 p.m. to a variety of people. I know you're  
14 not on here. But after you've had a chance to look at this,  
15 let me know.

16 A Okay.

17 Q Focusing on the portion of the email that says  
18 "Statement on the Attack in Benghazi" and the statement that  
19 follows, did you draft that statement?

20 A I don't know if I drafted it entirely by myself,  
21 but I did participate in the drafting of it. I may have  
22 drafted the whole thing. I don't remember exactly how it  
23 happened, but I do remember being part of writing it.

24 Q To the extent others were involved in helping you  
25 draft this, were those people at the State Department? The

1 White House? Possibly both? Who were these people?

2 A State. It would have been me and Toria, and I'm  
3 just not sure if I did it or if Toria and I did it together  
4 or -- but it would have been the two of us.

5 Q Okay. Do you recall how you drafted it? And by  
6 that, I mean was it typed directly into an email or was it  
7 typed into a word processing program first, and then copied  
8 and pasted into an email?

9 A I don't. For something like this, because we're  
10 trying to move it fast, you know, it was pretty common for me  
11 to just put it right into an email.

12 Q Do you recall a lot of back and forth on the  
13 content of this statement?

14 A I remember talking to Toria about it. I don't -- I  
15 don't remember a lot of back and forth.

16 Q And the group of people at the bottom of the email,  
17 these are the people that I gather have to approve the  
18 statement before it can be sent out or the people that had  
19 already approved it before it goes out?

20 A I'm not sure which of those two it is.

21 Q But it's one or the other?

22 A That seems plausible to me. I'm not sure. This is  
23 Philippe's email. It's not mine. But that seems like a --

24 Q At the top, he says "Clearers are listed at  
25 bottom."

1 A Right.

2 Q You don't know what that means?

3 A No, no. I'm saying that seems like fair that he's  
4 saying these people either did or should clear this  
5 statement.

6 Q Okay. Do you know how that list was selected?

7 A No. But it makes sense to me. It's the chief of  
8 staff, the deputy, the Under Secretary for Political Affairs.  
9 And political affairs at the White House is actually policy.  
10 Sorry. The State Department, it sounds like it's political  
11 but it's actually really the chief policy Under Secretary.

12 Toria Nuland is the spokesperson. Philippe is the  
13 deputy assistant secretary, and then Ben Rhodes would be  
14 coordinator of the inner agency with respect to strategic  
15 communications.

16 Q Let's dig into some of the specific statements  
17 here. The second paragraph speaks to a conversation that  
18 Secretary Clinton had with President Magariaf. We know you  
19 weren't present for that.

20 But as best you can recall, how did you get the  
21 information that is included in this statement about that  
22 call?

23 A I don't remember how I got that information.

24 Q The statement also refers to, in the third  
25 paragraph, "inflammatory material posted on the Internet."

1 What did you mean to refer to when you used those words?

2 A The video.

3 Q Now, the next -- the first sentence of that  
4 paragraph reads in full: "Some have sought to justify this  
5 vicious behavior as a response to inflammatory material  
6 posted on the Internet."

7 Do you recall whose idea it was to include that  
8 sentence?

9 A I believe that it was my idea to include that  
10 sentence. It was either mine or Toria's or a combination of  
11 the two of us, but I thought it was important to include that  
12 sentence.

13 Q And why is that?

14 A Well, there are two aspects to this. One was we  
15 didn't know the motives of the actual attackers of Benghazi,  
16 so I didn't want to say they did it because of the video, and  
17 so I chose the words very carefully to say that some have  
18 sought to justify it on that basis.

19 But I thought it was really important for us to be able  
20 to express our views on the video and to say there is never  
21 any justification for violent acts of this kind, as well as  
22 to say we deplore efforts to denigrate the religious beliefs  
23 of others because I was deeply concerned that we could  
24 potentially face attacks on our embassies elsewhere. And,  
25 unfortunately, that's exactly what happened in the following

1 days.

2 Q Now, what I'm trying to understand is -- and I  
3 believe you just said you didn't really know the motive of  
4 the attackers last night.

5 Would you agree a fair reading of that paragraph by  
6 concluding that sentence -- and by the sentence, I mean "some  
7 have sought to justify this vicious behavior as a response to  
8 inflammatory material posted on the Internet." By including  
9 that statement with the two -- the sentence that ends the  
10 paragraph, "but let me clear, there is never any  
11 justification for violent acts." Weren't you concerned at a  
12 time when you didn't know what had happened -- I believe you  
13 used the term "fog" -- there was a fog surrounding the  
14 events. Weren't you concerned that by juxtaposing those two  
15 statements that somebody reading this, somebody hearing this  
16 might come to the conclusion that the attacks in Benghazi  
17 were connected to the video or connected to what had happened  
18 in Cairo?

19 A I thought very hard about exactly how to formulate  
20 this. I didn't want to say the attackers did this because of  
21 the video. That's why I chose to use the phrase "justify,"  
22 because I just wanted to talk more generally about people who  
23 might justify the attack on the basis of the video. Who  
24 would those people be? They would be the kind of people that  
25 would go try to gin up protests elsewhere, whether in

1       Benghazi again or in Tripoli or anywhere else around the  
2       region.

3               And my first concern in getting this out was to do  
4       everything we could to try to help prevent further violence  
5       from happening. And I really thought it was important for  
6       the Secretary to get on record on this issue. And in the  
7       days that followed, I thought it was important for her to  
8       continue getting on the record on this issue, especially as  
9       we dealt with these assaults on our embassies across the  
10      region.

11              So I thought hard about this paragraph. I thought hard  
12     about making sure we formulated it in a way that was accurate  
13     to say that just some had sought to justify it. Obviously,  
14     we have all seen a lot of public reporting linking things as  
15     well. So this, to me, was an important paragraph to include  
16     in this statement.

17              Q     So you weren't relying on the public information  
18     linking the two events at the point where you drafted this  
19     statement, or were you?

20              A     Only insofar as some of that public reporting  
21     indicated that people were trying to justify this behavior,  
22     not that the attacks on Benghazi were motivated by it, which  
23     I wouldn't say and I didn't say.

24              Q     Would you agree with me that it's a fair --  
25     somebody reading this might come to the conclusion that the

1 events in Benghazi were somehow connected to the video? Do  
2 you agree that's a fair conclusion that someone might draw  
3 from your construction and your use of these sentences?

4 A All I can tell you is what I intended to do. And  
5 what I intended to do, and what Toria intended to do along  
6 with me, is to try to get out there on the record that the  
7 U.S. denigrates this, but there's no justification for it.  
8 That became a staple of our response to this in the days that  
9 followed because we saw so much violence connected to this  
10 video in the days ahead.

11 Q All right. What I guess I'm struggling to  
12 understand is you chose to deal with those two topics in one  
13 statement about Benghazi, and this statement was about the  
14 attacks in Benghazi. Right?

15 A Yes.

16 Q Okay. The video, which led to the protest in  
17 Cairo, was one issue. Maybe it was going to lead to protests  
18 elsewhere in the region, elsewhere in the world. That was a  
19 possibility. So why not issue a separate statement doing  
20 everything you wanted to do that you thought was important in  
21 condemning that video, why not do that in a separate  
22 statement and issue a statement about the Benghazi attacks  
23 that night that would only convey the information that was  
24 available at the time, which I gather was not a lot?

25 A Because people in the region and in Libya who were

1 watching the attack on Benghazi, some of them were saying,  
2 Hey, you know what, that attack is justified because of what  
3 that video says. So anyone watching that and saying, Hey,  
4 what they did was great. That's great. Maybe we should do  
5 it over here, maybe we should do it in this country, maybe we  
6 should do it that country, we wanted to stop that. And it  
7 was about saying that if you think it's okay to go attack an  
8 American embassy because you got a problem because you think  
9 they've done something wrong with the video, we're saying  
10 that's not acceptable. That's no good.

11 And, you know, we were trying to get ahead of something,  
12 which obviously we are not successful in doing because it  
13 unfolded over the next several days.

14 Q And eventually you took the next step of actually  
15 identifying the video as the cause of the attacks in  
16 Benghazi. Is that correct?

17 A I took the next step?

18 Q Yes. Eventually you personally came to the  
19 conclusion that the video was the cause of the attacks in  
20 Benghazi. Is that correct?

21 A I went back and forth on this issue. There were  
22 times when I thought it wasn't really related. There were  
23 times when I thought it did -- it was related. And sitting  
24 here today, I believe that the video played a role in the  
25 Benghazi attacks. I know that's not a popular position with

1 some people, but I believe that it did play a role.

2 Q Okay. What is that based on?

3 A It's based on a number of investigations conducted  
4 by newspaper outlets. It's based on some of the  
5 congressional reports that have come out that have raised a  
6 variety of possible factors. It's even based on the ARB  
7 which said there's a possibility that the video had something  
8 to do with it.

9 Q At any point in time, did Secretary Clinton have  
10 any concern that the Benghazi attacks might be used to paint  
11 the President or her, for that matter, as weak on terrorism?

12 A Absolutely not. When I first heard that allegation  
13 or accusation later, it dumbfounded me.

14 Q Mr. Sullivan, we're kind of running out of time  
15 here, so I'm going to try to rush through some of this stuff.

16 It wouldn't be a complete interview without me asking  
17 you some information about Secretary Clinton's handling of  
18 classified information through her personal email account. I  
19 know you've been asked some questions about that already, but  
20 I just want to ask you a few specific ones.

21 At any point in time, did you send information to  
22 Secretary Clinton in an email that you had concerns might be  
23 classified?

24 A I never sent Secretary Clinton information that I  
25 had concerns might be classified on an unclassified computer

1 system.

2 Q So as you sit here today, all of the information  
3 you sent her on the unclassified system was, in your mind,  
4 clearly unclassified?

5 A I made my judgment of the information and believed  
6 it to be unclassified, and I also passed along to her  
7 information from experienced, seasoned foreign service  
8 officers, who were also making their judgment that it was  
9 unclassified.

10 Q Okay. Tell me about that. It sounds like you have  
11 something specific in mind possibly where you looked at a  
12 document and then came to a conclusion that it was not  
13 classified. Is that what happened or are you just speaking  
14 generally?

15 A Well, the way that it works is that -- and we  
16 discussed this early on in the interview -- there's a  
17 classified email system and an unclassified email system, a  
18 classified phone system and an unclassified phone system.

19 So if you take a piece of information and you think it  
20 meets one of the standards for classification, you send it on  
21 your classified email system or you transmit it over your  
22 classified phone system. If it doesn't meet the standards  
23 and it's not classified, then, you can transmit it over your  
24 unclassified email system or phone system. That's the  
25 practice I followed.

1 Q And so as you sit here today, you can't think of  
2 any instance where you sent an unclassified email that  
3 included information about which you might have a question  
4 about whether it was classified or not?

5 A I did not believe that any of the information that  
6 I transmitted over an unclassified system was classified.

7 Q No. I understand that, but putting your belief  
8 aside, do you recall any instance where information was sent  
9 over an unclassified system where there was a discussion  
10 about whether or not the information was classified or not?

11 A I don't remember that, no.

12 Q A couple of quick questions, and then I'm going to  
13 turn it over to Representative Jordan for a few minutes.

14 Do you recall ever being instructed by the FBI or the  
15 Department of Justice to say something or not to say  
16 something about the Benghazi attacks during the pendency of  
17 their investigation?

18 A No. I was never instructed by the FBI to do  
19 anything.

20 Q Were you ever asked -- maybe that was the wrong --  
21 "instruct" was maybe the wrong word.

22 Were you ever asked by the FBI or the Department of  
23 Justice to say or not say anything about the Benghazi attacks  
24 in light of their open investigation?

25 A Was I personally?

1 Q Yes.

2 A I don't remember personally being asked.

3 Q Were you ever made aware of that?

4 A I do recall that there was a general issue of not  
5 speaking publicly about the investigation, but I don't know  
6 if that's what you're talking about or it's something else.

7 Mr. Missakian. Okay. That's okay. I'll turn it over  
8 to Representative Jordan at this time.

9 Mr. Jordan. So today, Mr. Sullivan, you said earlier  
10 referring to the Secretary, she knew the Ambassador. She  
11 asked him to go to Libya. You also said earlier today this  
12 was a priority country. Obviously, Libya was incredibly  
13 important to us, and yet the Secretary or the folks on the  
14 seventh floor didn't know Ambassador Stevens was going to be  
15 in Benghazi on September the 11th, 2012.

16 Mr. Sullivan. She didn't, but that would be really  
17 standard. I mean, a country like Afghanistan, which is  
18 incredibly important, she doesn't know the comings and goings  
19 of where the Ambassador is in the country at a given time.

20 Mr. Jordan. Even on September 11th, in those kind of  
21 countries where Libya was incredibly important priority  
22 country, you don't know the Ambassador is going to the heart  
23 of the revolution on a day that has, you know, significance,  
24 real significance.

25 Mr. Sullivan. On September 11th, every post everywhere

1 is really important, especially across the broader Middle  
2 East and North Africa. So she was looking at making sure  
3 there weren't any active threat streams that could affect any  
4 of the embassies, very focused on that.

5 And so, no, the particular place of a given ambassador  
6 in a given country was not something she was focused on.

7 Mr. Jordan. Okay. Were you involved with any of the  
8 selection of ARB members?

9 Mr. Sullivan. I was aware of the selection process, but  
10 I didn't participate in it.

11 Mr. Jordan. What about in the selection of staff to  
12 staff to ARB?

13 Mr. Sullivan. No.

14 Mr. Jordan. Did Cheryl Mills ever come up to you and  
15 ask you, Hey, what do you think about so and so being on the  
16 staff of the ARB? Or what do you think about Admiral Mullen  
17 or Ambassador Pickering or whoever she was selecting? Did  
18 you ever have those conversations?

19 Mr. Sullivan. It's possible. I don't remember a  
20 specific conversation. It would be normal for Cheryl to say,  
21 hey, what do you think about things.

22 Mr. Jordan. Okay. She indicated that -- well, did you  
23 review the draft of the ARB?

24 Mr. Sullivan. Yes.

25 Mr. Jordan. You did review it?

1           Mr. Sullivan. Yes.

2           Mr. Jordan. Were you involved in making recommendations  
3 for changes to the ARB?

4           Mr. Sullivan. Cheryl just asked me to give her my  
5 reactions, which I did.

6           Mr. Jordan. So it's fair to say you reviewed the ARB  
7 and you contributed to recommendations for changes to the ARB  
8 report?

9           Mr. Sullivan. I don't know that that's fair to say. I  
10 mean, I gave Cheryl --

11          Mr. Jordan. When she asked you for your thoughts on the  
12 ARB, did you give her your thoughts?

13          Mr. Sullivan. I did.

14          Mr. Jordan. Okay. And do you know if those are  
15 incorporated or not?

16          Mr. Sullivan. Well, my reactions and response, I didn't  
17 suggest any changes to any of their findings or  
18 recommendations.

19          Mr. Jordan. Okay. Did the Secretary ask you about the  
20 ARB while you were reviewing it?

21          Mr. Sullivan. No.

22          Mr. Jordan. Did you give her any recommendations on  
23 changes that should be made to the ARB?

24          Mr. Sullivan. No. The only conversation I remember  
25 having with the Secretary about this was telling her I

1 thought it was a really hard-hitting report.

2 Mr. Jordan. Okay. Do you know [REDACTED]?

3 Mr. Sullivan. No.

4 Mr. Jordan. Okay. And besides your counsel, who, if  
5 anyone, did you consult with in preparations for today's  
6 interview?

7 Mr. Sullivan. It depends on what you mean by "consult  
8 with." I mean --

9 Mr. Jordan. Did you talk with Secretary Clinton?

10 Mr. Sullivan. No.

11 Mr. Jordan. Did you talk with Wendy Sherman?

12 Mr. Sullivan. No.

13 Mr. Jordan. Did you talk with Victoria Nuland?

14 Mr. Sullivan. I saw Toria Nuland for a drink a few  
15 weeks ago and told her that I had to come before the  
16 committee and it was going to be a long day, but didn't talk  
17 to her about any substance.

18 Mr. Jordan. Did you talk to Philippe Reines?

19 Mr. Sullivan. I talked to Philippe Reines a few times  
20 in the last few weeks.

21 Mr. Jordan. About what you may be asked and refreshing  
22 your memory or anything like or in preparation for today?

23 Mr. Sullivan. No. He didn't refresh my memory. We  
24 didn't talk about --

25 Mr. Jordan. Talk to Ben Rhodes?

1           Mr. Sullivan. -- the substance. I saw Ben Rhodes, met  
2 his daughter for the first time recently, but we didn't talk  
3 about the substance of this.

4           Mr. Jordan. Talk to Pat Kennedy?

5           Mr. Sullivan. No.

6           Mr. Jordan. Talk to [REDACTED]?

7           Mr. Sullivan. No.

8           Mr. Jordan. Okay. Thank you.

9           Mr. Missakian. Off the record.

10          [Discussion off the record.]

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1           Mr. Kenny. We'll go back on the record. It's about  
2 5 minutes till 5:00.

3           BY MR. KENNY:

4           Q     Mr. Sullivan, again, thank you. It's been a long  
5 day. Appreciate your patience. I'd like to pick up on the  
6 point that was brought up in the end of the last round,  
7 discussing the possibility or potential for classified  
8 information to be used by the State Department in an  
9 unclassified manner. I'd just like to ask you a series of  
10 questions about that.

11           Did you ever email information that was marked  
12 "classified" to Secretary Clinton at her personal email  
13 account?

14           A     No.

15           Q     Did Secretary Clinton ever use her personal email  
16 account to email information to you that was marked  
17 "classified"?

18           A     No.

19           Q     And I'd like to ask during the time period that you  
20 served at the State Department, and I'm not sure if we ever  
21 actually established that for the record, so if you wouldn't  
22 mind telling us how long you worked at the State Department.

23           A     I worked for Secretary Clinton from January 21st of  
24 2009 until February of 2013.

25           Q     During your entire tenure at the State Department,

1 if you had occasion to provide classified material to  
2 Secretary Clinton, how would you do that?

3 A I had a number of methods. I could do it in  
4 person. I could do it by classified paper. I could have  
5 something couriered to her. I could speak with her on a  
6 secure phone. She had a secure phone at her home, both in  
7 Washington and in Chappaqua, so those would be -- or I could  
8 give the information to somebody else who could bring it to  
9 her or convey it to her in the appropriate setting.

10 Q So is it fair to say you had a variety of methods  
11 for delivering classified or providing classified information  
12 to her?

13 A Yes.

14 Q And in your view, how seriously did Secretary  
15 Clinton take the protection of classified information from  
16 unauthorized disclosure?

17 A She took it extremely seriously the same as anybody  
18 who served in a national security position in U.S.  
19 Government.

20 Q And I recognize that we're at a late hour here, and  
21 I apologize for doing this, but there is one document that we  
22 did wish to enter into the record and show to you and would  
23 ask a few questions about just because there has been some  
24 discussion --

25 Ms. Sawyer. And before we do it, if you could -- never

1 mind. I withdraw that.

2 Mr. Kenny. Do this will be marked as exhibit 20.

3 [Sullivan Exhibit No. 20

4 was marked for identification.]

5 BY MR. KENNY:

6 Q This is document C05578270 marked "SECRET//NOFORN."

7 So it's a 7-page document, and I'm not going to ask you to  
8 read the entire thing. I'm going to direct you to a few  
9 portions, but I can give you a moment to take a look at this  
10 document first.

11 A This is a -- obviously a long document. I'd be  
12 happy to look at specific parts if you want me to.

13 Q Sure.

14 A But also just happy to answer any questions you  
15 might have.

16 Q So I'd just like to begin at the top of the  
17 document. There's a header there, "U.S. Department of State  
18 - Bureau of Diplomatic Security," and it says, "Intelligence  
19 and Threat Analysis." Is that a unit within the Department  
20 of State?

21 A Yes, it's a unit within the Bureau of Diplomatic  
22 Security.

23 Q Okay. And what is your understanding of who they  
24 are?

25 A I don't have a very strong understanding of it, but

1 my -- I believe that this is the group that provides threat  
2 streams related to diplomatic posts overseas to help the  
3 Bureau of Diplomatic Security do its job.

4 Q Okay. I'll just note at the top, the document is  
5 dated September 12, 2012. Do you see that?

6 A I do.

7 Q Okay. Now, I'll direct your attention to the  
8 fourth page. There appears to be a timeline on the first  
9 several pages. We're going to move through that and work  
10 through the section -- unclassified line reads, "Potential  
11 Causes and Responsibility."

12 I'd just like to give you a moment to read that  
13 paragraph.

14 A Okay.

15 Q I'd just like to read into the record, "[REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED] [REDACTED]

21 [REDACTED]

22 [REDACTED] [REDACTED]

23 [REDACTED]

24 [REDACTED] [REDACTED] [REDACTED]

25 [REDACTED]

1           The next bullet reads: "[REDACTED]  
2 [REDACTED] [REDACTED]:  
3 "[REDACTED] [REDACTED],  
4 [REDACTED].  
5 [REDACTED]  
6 [REDACTED] [REDACTED]  
7 [REDACTED]  
8 [REDACTED]

9           The next paragraph starts: "[REDACTED],  
10 [REDACTED]  
11 [REDACTED] e  
12 [REDACTED]  
13 [REDACTED] [REDACTED]  
14 [REDACTED]  
15 [REDACTED]  
16 [REDACTED]  
17 [REDACTED]  
18 [REDACTED]  
19 [REDACTED] " close quote.

20           And I would just like to ask you, there was a  
21 discussion, an extended discussion, I believe, that carried  
22 over in multiple rounds throughout the day about the video  
23 that was posted on YouTube and the role that may have played  
24 and your opinions on that, and there was some suggestion or  
25 at least to us seemed to be some suggestion that there was no

1 reporting whatsoever that there had in fact been a video.

2 And I would just like to ask, based on this view here,  
3 do you see that there is at least some reporting from  
4 one unit within the Bureau of Diplomatic Security that the  
5 video may have been responsible for the attacks?

6 A Yes.

7 Q And on the next page, in the middle, there's a  
8 paragraph that reads, quote, "[REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED], " close quote.

19 Is your understanding of ITA -- again, you indicated you  
20 have some familiarity with them -- to your awareness, did  
21 they have access to classified intelligence reporting?

22 A My understanding is that they do, yes.

23 Q Okay. So they're a consumer of intelligence  
24 products?

25 A Yes.

1 Q Okay. And does seeing this report here, does that  
2 refresh any recollection you may have had about events that  
3 you were asked about or about time periods you've been asked  
4 about today?

5 A I don't remember this document specifically. I do  
6 know that when I was asked to review the CIA's judgment that  
7 the attack was spontaneously inspired and evolved into that  
8 demonstration, I had no reason to believe that that was not  
9 accurate at the time that I saw it on September 14th and  
10 15th, and I had no reason to believe that there wasn't a  
11 protest at the mission until we learned a considerable amount  
12 of time later that there was not.

13 Ms. Wilkinson. Excuse me, Counsel.

14 Mr. Kenny. Yes.

15 Ms. Wilkinson. Can I just make something clear for the  
16 record. You said this was dated September 12th, 2012?

17 Mr. Kenny. Yes.

18 Ms. Wilkinson. If you look at the back sheet, it says  
19 the file name is "with Chron - 2012."

20 Mr. Kenny. Yes.

21 Ms. Wilkinson. But then the creation date says  
22 9/17/2012.

23 Mr. Kenny. So we're happy to note for the record, and  
24 unfortunately, the method by which documents have been  
25 produced to this committee by the State Department has

1 resulted in certain documents being mashed together. The  
2 document that I read from, that this Bates number, you can  
3 see, bears the same Bates number in the last page from which  
4 you read.

5 Ms. Wilkinson. I'm just saying you don't whether this  
6 was --

7 Mr. Kenny. The metadata printout here, that's correct.

8 Ms. Wilkinson. It was created first and then updated,  
9 since it's a chronology that --

10 Mr. Kenny. That is correct.

11 Ms. Wilkinson. -- to me would suggest that on 9/17, you  
12 know, people kept updating this, and you're not saying that  
13 this entire document was created on September 12, 2012.

14 Mr. Kenny. That's correct. I mean, to us, there's a  
15 date listed here. We don't know when this document was  
16 created, but thank you, Counsel, for pointing out. There is  
17 a sheet that looks like it may be metadata on the back page  
18 attached to this.

19 BY MS. SAWYER:

20 Q And then, Mr. Sullivan, if I could just redirect  
21 your attention to exhibit 19. That was the exhibit  
22 immediately preceding this one that you were asked about in  
23 the last round.

24 Mr. Kenny. I'm actually -- sorry. Just to clarify one  
25 thing before we move on.

1 Ms. Sawyer. Sure.

2 Mr. Kenny. There is a sheet that contains metadata on  
3 the back. If you look at the author that's listed there,  
4 again, the author as well as the creation date both seem to  
5 differ from what's on the front page. So it's to us not  
6 exactly clear what that metadata page may in fact be linked  
7 to this document, although the document I see may suggest  
8 that.

9 Mr. Davis. So you're not sure what you read on page 4,  
10 you have no idea when that was inserted in the document? Is  
11 that right? It could have been as late as the 17th?

12 Ms. Sawyer. Could have been as late as the 17th, which  
13 would indicate, if it had been updated as of the 17th, as of  
14 the 17th. This was still the governing -- I mean, that's how  
15 I would view that. Is that how you would view that, Mr.  
16 Sullivan, if this was as late as the 17th? Not that this  
17 would then be whatever their view was as of even as late as  
18 the 17th of September 2012?

19 Mr. Sullivan. Honestly, I don't know how to read the  
20 document. As I said, I haven't -- I don't recall having seen  
21 this document before. What I can tell you is that, as of  
22 September 14th and September 15th, the talking points  
23 produced by the CIA were consistent with the intelligence  
24 judgments the CIA was reaching at that time. That's all I  
25 can tell you.

1 BY MS. SAWYER:

2 Q And then if I just could return you briefly to  
3 exhibit 19. As I understood the discussion and your  
4 explanation of this particular document and your statement  
5 and the statement that you played a heavy role in authoring,  
6 it was not a statement about the motivation of the Benghazi  
7 attackers or what caused the attack in Benghazi. Is that an  
8 accurate --

9 A That's correct. And it was important to be precise  
10 on this point. It was important to say this the right way.

11 See, earlier that evening, we had sent -- we at the  
12 State Department, not me, the State Department had sent out  
13 this ALDAC that we discussed earlier to posts around the  
14 world to say there's this video out there, could end up being  
15 the basis for violence directed against your embassy, watch  
16 out.

17 What I was thinking about in writing this statement that  
18 night was if someone sitting in Tunis or Sudan or Yemen and  
19 they're thinking, "Hey, I'm really glad those guys did it  
20 because the Americans deserved it. The Americans deserved it  
21 because of this video. Maybe I'll go do it at the Embassy  
22 right here," I wanted to have a statement on the record from  
23 the Secretary of State that would try to address that issue  
24 in some way.

25 Now, obviously, that wasn't successful because we did

1 face protests and attacks as a result of the video in the  
2 days that followed. The Secretary continued to make this  
3 point in the days that followed trying to stress two things.  
4 First, that we don't denigrate any religion and don't condone  
5 the denigration of any religion, but second, that that could  
6 never justify the kind of violence that we went on to see  
7 over those days in September of 2012. So --

8 Q So I would be --

9 A Sitting here today, I'm glad I put this in. I wish  
10 it had had more effect than it did, but I think it was a very  
11 important part of our response because we had to think hard  
12 about what we were doing in Benghazi, and we also had to  
13 think hard about our mission and our personnel in posts  
14 across the region and around the world.

15 Q So I am understanding it correctly to say this was  
16 not about the motivation of the Benghazi attackers or the  
17 cause of that attack. It was a message to anyone out there  
18 who might look to the video to justify the Benghazi attack  
19 and encourage attacks elsewhere?

20 A It was what it says. It was directed at people who  
21 would seek to justify violence on the basis of the video.

22 Q And then, by contrast, the exhibit that my  
23 colleague was just talking to about, exhibit 20, and just  
24 directing your attention back to the page we were talking  
25 about. I think it was on page 4. That says in that first

1 paragraph, "[REDACTED]  
2 [REDACTED]."

3 I mean, this document actually is about what caused or  
4 potentially caused, because there is more than one  
5 possibility, the attacks in Benghazi, in my, at least,  
6 reading of that document. Is that a fair characterization of  
7 the document?

8 A Yes. I read it as a statement on the causes.

9 Q And included as one of the potential causes is  
10 specifically bullet 3, [REDACTED],

11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED]?

14 A That's what this says.

15 Mr. Kenny. At this point, I would like --

16 Ms. Sawyer. Sorry. I thought I was done, but I'm not  
17 quite done. Just a couple more.

18 BY MS. SAWYER:

19 Q It also says in that paragraph, that first  
20 paragraph that we were just talking about, second sentence of  
21 the paragraph, "[REDACTED]." You  
22 yourself indicated that you at times went back and forth  
23 about how events in Benghazi had unfolded. Clearly, the  
24 intelligence community itself went back and forth on exactly  
25 how events had unfolded in Benghazi.

1           Did you ever have any reason to believe that anyone that  
2 you came into contact with was doing anything other than  
3 their best good faith efforts to get at the information that  
4 was the most accurate as quickly as they could?

5           A    Absolutely not, and I -- you know, I have to say,  
6 I've been listening to people make these accusations for  
7 2 years, and it has been difficult to swallow because all of  
8 us, you know, everyone I worked with in government got up  
9 every day to try to serve U.S. national interests, to try and  
10 carry out our oath, and the suggestion that we were doing  
11 something to manipulate or politicize or otherwise, I find so  
12 foreign to my experience, not just for myself with the State  
13 Department but for my colleagues as well.

14           You know, people like Toria Nuland, who has been  
15 criticized, even though she is a career Foreign Service  
16 officer and the least political person I know, who is Dick  
17 Cheney's National Security Advisor, for goodness' sake, has  
18 been thrown in as part of some exercise that, you know,  
19 people, I think, have twisted beyond all recognition, and I  
20 think it's just very important to say that this was a  
21 fast-moving situation with a lot of information coming in,  
22 and we were dealing with attack after attack over the days  
23 that followed trying to focus on keeping Americans safe, and  
24 of course, I went back and forth on what exactly had happened  
25 in Benghazi. Who couldn't? I mean, to this day, people

1 haven't been able to figure out exactly who the attackers  
2 were, exactly what motivated them, so certainly in that first  
3 week, we weren't going to. All we could do was the best with  
4 the information we had at the time was, and that's what we  
5 did.

6 Q And knowing that you were doing your best, but  
7 information was coming in, assessments might change and in  
8 fact did change, and that there is a risk that you will  
9 therefore be criticized for not having gotten it perfectly  
10 right in the first instance, in my view, there still has to  
11 be a value. I mean, if everyone said, "Look, I'm not going  
12 to say anything because the risk of saying something and  
13 being wrong is just too high," there has to be a value then  
14 to going out, even when you don't know that this is the  
15 absolute perfect truth and being able to inform Congress, the  
16 American people, and the press, can you give us a sense of  
17 what that value is and why you would take on -- why -- not  
18 just you, but the State Department and the government would  
19 take on that risk?

20 A Anytime there's a fast-moving episode that the  
21 American people deserve to get information about, you're  
22 always balancing how quickly you give them the information  
23 versus how certain you are about the information. That's  
24 true every time someone goes out to the podium to speak about  
25 something going on in foreign policy.

1           And the thing you got to do to level with the American  
2 people is tell them this is the information we have now, but  
3 it might change. And one of the reasons that I think Susan  
4 Rice has gotten such a bum rap in this whole thing, I think  
5 completely unfair, smear actually, is because she was very  
6 careful to say, "You know what, this is what we know now.  
7 This information might change."

8           That is the best that anyone who is speaking on behalf  
9 of the U.S. Government can do. That's what people did in  
10 this circumstance, and I just wish that people looking at the  
11 whole record could take all of that into account as they draw  
12 their conclusions about what happened here.

13           BY MR. KENNY:

14           Q     We are at our final portion here. I'd like to read  
15 for you a series of public allegations that have been made  
16 about the attacks over the course of the last few years. I'd  
17 just ask whether you have any evidence to support that  
18 information, that allegation.

19           Do you have any evidence that Secretary of State Clinton  
20 ordered Secretary of Defense Panetta to stand down on the  
21 night of the attacks?

22           A     No.

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

1 A No.

2 Q Do you have any evidence that Secretary Clinton the  
3 personally signed an April 2012 cable denying security  
4 resources to Libya?

5 A No.

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

9 A No.

10 Q Do you have any evidence that Secretary Clinton  
11 misrepresented or fabricated intelligence on the risk posed  
12 by Qadhafi to his own people in order to garner support for  
13 military operations in Libya in spring 2011?

14 A No.

15 Q A bipartisan report was issued by the House  
16 Permanent Select Committee on Intelligence found that, quote,  
17 "the CIA was not collecting and shipping arms from Libya to  
18 Syria," close quote, and that they found, quote, "no support  
19 for this allegation," close quote.

20 Do you have any evidence to contradict the House  
21 Intelligence Committee's bipartisan report finding that the  
22 CIA was not shipping arms from Libya to Syria?

23 A No.

24 Q And the last set for one of the specific findings  
25 in the report. Do you have any evidence that the U.S.

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

3 A No.

4 Q The House Intelligence Committee issued a  
5 bipartisan report concluding that a CIA security team  
6 stationed in Benghazi was ordered to, quote, "stand down,"  
7 close quote, on the night of the attacks but that there were  
8 instead tactical agreements over how quickly to depart. Do  
9 you have any evidence that would contradict the House  
10 Intelligence Committee's finding that there was no standdown  
11 order to CIA personnel?

12 A No.

13 Q Do you have any evidence that there was a bad or  
14 improper reason behind the temporary delay of CIA security  
15 personnel who departed the Annex to assist the Special  
16 Mission Compound?

17 A No.

18 Q Concern has been raised by one individual that in  
19 the course of producing documents to the Accountability  
20 Review Board, damaging documents may have been removed or  
21 scrubbed out of that production. Do you have any evidence  
22 that anyone at the State Department removed or scrubbed  
23 damaging documents from the materials that were provided to  
24 the ARB?

25 A No.

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

5 A No.

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

10 A No.

11 Q It has been alleged that CIA Deputy Direct Morell  
12 altered unclassified talking points about the Benghazi  
13 attacks for political reasons and that he misrepresented his  
14 actions when he told Congress that the CIA faithfully  
15 performed our duties in accordance with the highest standards  
16 of objectivity and nonpartisanship.

17 Do you have any evidence that CIA Deputy Director Mike  
18 Morell gave false or intentionally misleading testimony to  
19 Congress about the Benghazi talking points?

20 A No.

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

24 A No.

25 Q It has been alleged that Ambassador Susan Rice made

1 an intentional misrepresentation when she spoke on the Sunday  
2 talk shows about the Benghazi attacks. Do you have any  
3 evidence that Ambassador Rice intentionally misrepresented  
4 facts about the Benghazi facts on the Sunday talk shows?

5 A No.

6 Q It has been alleged that the President of the  
7 United States was, quote, "virtually AWOL as Commander in  
8 Chief," close quote, on the night of the attacks, and that he  
9 was, quote, "missing in action," close quote. Do you have  
10 any evidence to support the allegation that the President was  
11 virtually AWOL as Commander in Chief or missing in action on  
12 the night of the attacks?

13 A No.

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

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

1           Do you have evidence to contradict the conclusion of the  
2 House Armed Services Committee that there was, quote, "no  
3 standdown order issued to U.S. personnel in Tripoli who  
4 sought to join the fight in Benghazi," close quote?

5           A    No.  No.

6           Q    It has been alleged that the military failed to  
7 deploy assets on the night of the attack that would have  
8 saved lives.  Former Republican Congressman Howard "Buck"  
9 McKeon, former chairman of the House Armed Services  
10 Committee, conducted a review of the attacks after which he  
11 stated, quote, "Given where the troops where, how quickly the  
12 thing all happened, and how quickly it dissipated, we  
13 probably couldn't have done more than we did."

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. Davis.  Just one quick question.

23           BY MR. DAVIS:

24           Q    The State Department had its own internal  
25 intelligence bureau.  Is that correct?

1 A Yes.

2 Q That's called what?

3 A The Bureau of Intelligence and Research.

4 Q Okay. And that's INR?

5 A That's right.

6 Q And INR is officially part of the interagency  
7 intelligence community. Is that right?

8 A It's part of the intelligence community.

9 Q And in looking at the most recent document that you  
10 were provided, Bureau of Diplomatic Security, Intelligence  
11 and Threat Analysis, do you know if ITA is part of INR?

12 A I don't believe it's part of INR.

13 Q Have you actually ever heard of ITA before today?

14 A I heard of it before today.

15 Q Have you ever run into any ITA products?

16 A I think I've seen ITA products. I couldn't say  
17 that for certain, but I think I've seen some.

18 Mr. Davis. Thank you.

19 Ms. Sawyer. So I believe that concludes our  
20 questioning.

21 Mr. Sullivan, thank you very much for your agreement to  
22 appear for a second time before Congress. Your agreement to  
23 come early to answer all of the committee's questions, you've  
24 been incredibly gracious with your time.

25 I want to thank you, certainly, on behalf of the ranking

1 member. I'm sure my colleagues will join in on behalf of the  
2 full committee both for your time here today as well as your  
3 tremendous service to our country, so thank you.

4 Mr. Sullivan. Thank you.

5 Mrs. Brooks. Thank you, Mr. Sullivan, for coming today  
6 and for being here all day. I know it was a very long day  
7 and a difficult day, but I do appreciate the candor in which  
8 you answered the questions and the depth in which you went  
9 into explaining your answers, so thank you very much, and  
10 sorry my colleagues had to leave early, but that is the  
11 nature of, I think, a holiday weekend. So have a nice  
12 holiday weekend.

13 Mr. Sullivan. Thank you.

14 Mrs. Brooks. Thank you very much.

15 Mr. Kenny. We'll go off the record.

16 [Whereupon, at 5:25 p.m., the interview was concluded.]  
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Certificate of Deponent/Interviewee

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I have read the foregoing \_\_\_\_ pages, which contain the correct transcript of the answers made by me to the questions therein recorded.

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Witness Name

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Date

*Errata Sheet*

**Select Committee on Benghazi**

The witness' counsel on behalf of 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>CORRECTIONS MADE BY WITNESS' COUNSEL</u>
77	7	Replaced "Benghazi" with "Libya."