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

INTERVIEW OF: [REDACTED]

FRIDAY, OCTOBER 9, 2015

Washington, D.C.

The interview in the above matter was held in Room HVC-214,
Capitol Visitor Center, commencing at 11:06 a.m.

Appearances:

For the SELECT COMMITTEE ON BENGHAZI:

CRAIG MISSAKIAN, DEPUTY CHIEF COUNSEL

MARK GRIDER, DEPUTY GENERAL COUNSEL

HEATHER SAWYER, MINORITY CHIEF COUNSEL

RONAK DESAI, MINORITY COUNSEL

For the U.S. DEPARTMENT OF STATE:

AUSTIN EVERS, SENIOR ADVISOR

ALISON WELCHER, ATTORNEY-ADVISOR

ERIC SNYDER

Mr. Grider. This is a transcribed interview of Mr. [REDACTED] conducted by the House Select Committee on Benghazi.

This interview is being conducted voluntarily as part of the committee's investigation into the attacks on the U.S. diplomatic facilities in Benghazi, Libya, and related matters pursuant to House Resolution 567 of the 113th Congress and House Resolution 5 of the 114th Congress.

Mr. [REDACTED], can you please state your full name for the record?

Mr. [REDACTED]. [REDACTED]

Mr. Grider. On behalf of the committee, we appreciate you coming in. I understand that you flew in. Was it today or --

Mr. [REDACTED]. A few days ago.

Mr. Grider. A few days ago.

Mr. [REDACTED]. Yeah.

Mr. Grider. We do appreciate your willingness to come in and talk to us today.

As you may know, my name is Mark Grider. I'm one of the counsels on the majority committee staff. And I'll go around and room and let everybody introduce themselves.

Mr. Desai. Ronak Desai with the minority staff.

Ms. Sawyer. Heather Sawyer with the minority staff.

Ms. O'Brien. Erin O'Brien, minority.

Ms. Welcher. Alison Welcher, State Department.

Mr. Evers. Austin Evers, State Department.

Mr. Grider. All right. Briefly, I would like to go over some

ground rules and explain how the interview will proceed today. Generally, the way questioning proceeds is that a member from the majority will ask a question first for up to an answer. Then the minority will have an opportunity to ask questions for an equal period of time if they so choose.

Questions may be only asked by a member of the committee or a designated staff member. We'll rotate back and forth, 1 hour per side, until we're out of questions, and the interview will be over.

Unlike testimony or deposition in Federal court, the committee format is not bound by the rules of evidence. The witness or State counsel may raise objections for privilege, subject to review by the chairman of the committee. If these objections cannot be resolved in the interview, the witness can be required to return for a deposition or a hearing.

Members and staff of the committee, however, are not permitted to raise objections when the other side is asking questions. This has not been an issue we've encountered in the past. I just want to make sure you're clear on how the process works.

Mr. [REDACTED]. Understood.

Mr. Grider. This session is to begin as unclassified. If any question calls for a classified, please let us know and reserve that answer until we move to a classified setting. In preparing for your interview, I don't believe any of my questions will go into classified information based on the documents that I reviewed, but if you feel it does, please confer with counsel, and we'll handle it accordingly.

You're welcome to confer with counsel at any time throughout the interview, but if something needs to be clarified, we ask that you make this known to me. If you need to discuss anything with counsel, we'll go off the record and stop the clock and provide you this opportunity.

We'll also take a break whenever it's convenient for you. This can be after every hour of questioning or after every couple of rounds. You just let us know. You know, we usually say we'll get you coffee and water, but this time I think all we have is water in here. But we can go down to 205 and get some coffee if that's needed.

As you can see, an official reporter is taking down everything you say and I say to make a written record. So we ask that you give verbal responses to all questions, "yes" and "no," as opposed to the nods of the head. I'm going to ask the reporter to feel free to please jump in in case you respond nonverbally. And so I welcome her coming in and letting us know if things are unclear in any way.

Also, one thing I need to work on is trying not to talk over each other as you answer questions. We want you to answer our questions in the most complete and truthful manner as possible. We'll take our time and repeat or clarify our questions if necessary. If you have any questions or don't understand any of my questions, please let me know. We'll be happy to clarify or repeat.

If you honestly don't know the answer to a question or you do not remember, it's best not to guess. Just please give your best recollection. If there are things you don't know or can't remember, just say so and inform us, to the best of your knowledge, who may be

able to provide a more complete answer to our question.

All right. Do you understand that you have an obligation to answer questions from Congress truthfully?

Mr. [REDACTED]. I do.

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

Mr. [REDACTED]. I understand that.

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

Mr. [REDACTED]. I understand that.

Mr. Grider. All right. Is there any reason you're unable to provide truthful answers to today's questions?

Mr. [REDACTED]. There is no reason.

Mr. Grider. All right. That's the end of my preamble.

I always like to check in with the minority to see if there's anything they want to add.

Ms. Sawyer. No.

Thank you for being here. We appreciate your willingness to come. We appreciate the fact that you flew -- my geography is always bad.

Mr. [REDACTED]. A long way.

Ms. Sawyer. A long way here. We appreciate that and your taking the time to do so.

Mr. [REDACTED]. Sure.

Ms. Sawyer. So thank you.

Mr. [REDACTED]. My pleasure.

Mr. Grider. Right now, the clock reflects 10 after 11.

EXAMINATION

BY MR. GRIDER:

Q Okay, Mr. [REDACTED], can you just give us a brief background of your history, starting at the State Department, your work history?

A Sure. I started at the State Department in March of 2003 as a career Foreign Service officer. I began my diplomatic service in Ethiopia, where I served for 2 years, and then returned to the Department, where I worked in the State Department Operations Center, which is the Department's 24-hour crisis response center.

I then moved to the Iran desk, where I worked Iran policy, and then went into the Arabic language program with a plan to go to Oman, where I would serve as the public affairs officer, but I did not quite get there.

I volunteered to go to Iraq in 2008, where I served on a Provincial Reconstruction Team, a PRT, from 2008 to 2009 in southern Iraq; then returned to the United States, studied another year of Arabic; volunteered to go back to Iraq for a second time, where I served as the deputy spokesperson at the U.S. Embassy in Baghdad.

And, as no good deed goes unpunished, I volunteered to come back to Washington and serve as the spokesperson for the Middle East Bureau, which I did from 2011 to 2013.

After that, I entered the Department's intensive 2-year Japanese

language program and did that from 2013 to 2015. And just 2 months ago, I started at the U.S. Embassy in Tokyo as the counselor for political and military affairs, where I will serve for 3, possibly 4 years.

Q That's a very impressive background and history.

Well, so let's focus on, sort of, the 2011-2013 time period.

A Sure.

Q Can you once again clarify, what was your title and your role?

A Sure. I served as the Deputy Director for the Office of Press and Public Diplomacy in the Bureau of Near Eastern Affairs. I was also dual-hatted as the Bureau, NEA, spokesperson.

So, in that capacity, I conducted live interviews, both on the record, background, deep background, off the record. I coordinated our office's daily press guidance, which would feed into the State Department spokesperson daily press briefing that happens every afternoon. And I would advise the Assistant Secretary of State, the Deputy Assistant Secretaries of States, office directors, other folks in the Bureau on press and public diplomacy matters.

Q Just back up real quick. You had mentioned, sort of, the daily press briefing that happened. Who was making those daily press briefings during your tenure there?

A What do you mean by "who was making"? Like, who was the person who was briefing?

Q Yes. You're saying your information flowed up to --

A Oh, sure. Sure. Yeah.

So, just to clarify, each regional bureau and functional bureau in the State Department has a press office, but, unlike embassies overseas, you want to have centralized messaging. And so the Bureau of Public Affairs and the State Department spokesperson, who at the time was Victoria Nuland, she would conduct daily press briefings in the press briefing room on the second floor of the State Department.

And so all of the bureaus, NEA included, would receive press taskings early in the morning, questions that I think the spokesperson's office believed might be asked at the press briefing, things that were stories that had been covered in the news that morning that could come up, and then we would generate talking points, working with the various offices, working with our embassies overseas to figure out what do we want to say about this issue or that issue.

Q To be clear, your office, NEA, they issued its own, sort of, press statements on occasion. Is that correct?

A "Issued" -- like, do you mean "issued" meaning released in the name of the Assistant Secretary of State for Near Eastern Affairs?

Q Yes. I mean, not everything that you did flowed up to Victoria Nuland. Is that --

A I mean, a lot of times -- so I guess I would respond this way. When you're back in Washington, the primary spokesperson for the State Department really should come from the Office of the Spokesperson. But a lot of times, the other part of my job was, if an ambassador overseas wants to give an interview, that the embassy

public affairs officer, let's say in Lebanon, would send my office back a series of talking points. And we would look at those talking points, taking into consideration broader regional equities that a public affairs officer in a country like Lebanon, who is only focused on maybe Lebanon and Syria, might only be thinking about, and say, look, you might want to say this, or you might not want to say this; the Secretary is going to be traveling, maybe, next week, and he's going to be making an announcement on something very similar, so we don't want to steal his thunder. So we would clear talking points for our embassies overseas.

Q Are you familiar with the name [REDACTED]?

A Yes.

Q And what was his role?

A So [REDACTED] was a member of my staff at the time in the office of NEA press --

Q So he reported to you?

A Yes and no. [REDACTED] was on my staff, but he had found a cut-out to report to the Deputy Assistant Secretary of State. So he kind of reported to me at times maybe on paper, but, really, his boss was the DAS at that stage. But --

Q He was on your staff.

A He was on my staff. Yeah.

Q And are you familiar with the name [REDACTED]?

A Yeah. She was the Libya desk officer at the time.

Q And what was her role?

A So, in the Bureau of Near Eastern Affairs and any other regional bureau, each country has either a single desk officer or multiple desk officers who work on that country's issues. And so [REDACTED] was, at the time, the Libya desk officer, the person who was in charge of liaising with our diplomatic mission in Tripoli and also connecting with the Libyan Government that had representatives here in Washington.

Q All right. Let's just talk about, sort of, information in and then, sort of, how that information flowed out.

A Sure.

Q How did you gather your information? You know, if a speech or documents came to you, I imagine you fact-checked those documents. How would you gather information to see if things were accurate? Or who was on the ground that was sort of feeding information to you or who was in the State Department that was feeding information to you about Libya or other Middle Eastern countries that you were --

A I mean, it would really depend on the type of information we're talking about. I mean, as a press officer, I was constantly getting information in from multiple sources -- for example, media reports, translations of pan-Arab press reports from Al Jazeera or Al Arabiya or those stations. I was also hearing from our diplomatic missions overseas, saying, hey, you know, journalists are asking about this. So it really depended on the specific issue.

Q So let's focus on Libya.

A Okay.

Q When you were working on the Libya issue, who were you

getting information generally from? And we'll focus on September 11 and 12 and 13. But, just generally, if you were getting information and they were making some type of statement about Libya, who from Diplomatic Security or, you know, media, who were you dealing with to sort of fact-check your information when it came to Libya?

A Well, I mean, are we talking prior to September 11?

Q Correct.

A So, at that stage, we were engaging with the mission overseas. I was also chatting a lot with [REDACTED].

I'll give you an example. Probably in August 2011, I'm not sure the exact date, but I had given an interview on CNN International specifically about Libya. And it was after the fall of Qadhafi but before Qadhafi had been found. And so that was an opportunity where CNN asked for a 5- to 7-minute standup with a State Department spokesperson. I then did the interview. But, prior to that interview, I talked to the Libya desk officer, I think I talked to the DAS, the Deputy Assistant Secretary of State, asking, okay, what are my top-line messages, what is it that we want to convey? And so I would, you know, put together those talking points.

You know, I would reach out to the local CNN person to see, do you have a sense what Hala Gorani is going to ask me? You know, what is it going to be about? And so I had sort of a sense of things. I think the interview focused on human rights abuses by the -- I don't know what they were called, but the Libyan freedom fighters. And so I looked at press guidance from the Bureau of Democracy, Human Rights,

and Labor to sort of get a little sense of what that bureau was saying about human rights violations and things like that.

Q In light of you working -- you said State Ops in 2005? Is --

A Uh-huh.

Q -- that correct?

A Yeah.

Q Did you ever, sort of, keep those relationships, that if you ever, you know, needed some information coming in from Diplomatic Security, did you ever contact State Ops?

A So one of the things that I did is I asked to remain -- and to this day, I still remain -- on the distro lists of the State Department Operations Center's watch alerts. These are, sort of, bits of information, unclassified information, that are generated to let folks know that things are happening. So they might be press reports; you know, Prime Minister Abe in Japan signed a historic agreement. Or they might be DS, Diplomatic Security, spot reports.

So I've always kept on those, because it's a good way not only for me to keep up to date with what is going on, but, you know, on these spot reports, they're often cc'd to Assistant Secretaries of State. And so, as a spokesperson, I now have a heads-up that the Assistant Secretary of State is now thinking about this issue. It might not be related to press, but her question might be, okay, well, what are we going to say about this? And if I'm on that distro, that helps me do my job better.

Q Just to clarify, how did the information flow into State

Ops? Where were they getting that information from?

Let's say -- and let's just keep it focused on Libya. I don't know if you were working on Libya in 2005, but if someone was in State Ops and they were overseeing Libya, how were they getting information into State Ops about Libya?

A So embassies overseas -- I mean, when you join the Foreign Service, they try to drill into your head 202-████-████ which was the telephone phone for the State Department Operations Center. So, you know, if things are happening overseas, you call into Ops. There's a seat in the Operations Center called the editor chair, and that person is in charge of drafting the Secretary's afternoon brief or the Secretary's overnight brief.

And so, a lot of times, embassies overseas would feed into the Ops Center. Sometimes the Ops Center would see something in the press, an AP or Reuters ticker, and then call out to the embassy and say, hey, we saw that there's a protest here, or we saw that there's a demonstration; could you tell us more about that?

Another way is that there's a DS Command Center. I've never worked there. I don't know a lot about it. I don't know a lot of what happens there. But I know that the DS Command Center has a more direct channel of communication in with the regional security officers overseas.

Q And we're going to turn our attention to September 11. But I just want to be clear that if you needed to, sort of, have some fact-based information about what is actually going on on the ground,

whether it be in Libya or Cairo, would State Ops be able to give you that information?

A Not necessarily.

Q Okay.

A I mean, Ops is a clearinghouse. There aren't Libya experts in the Operations Center. We're a bunch of generalists who are on staff who are answering calls.

And so perhaps at the moment when I would call into the Operations Center, folks would know exactly what is happening at that very moment; they might know what's happening. But, generally speaking, those aren't, sort of, the subject matter experts. They don't know the name of this person or the name of that person.

Q Gotcha. Very good. Okay.

Let me direct your attention to what I think people have called, sort of, the protest in Cairo. Do you recall that event?

A I do.

Q Okay. And can you tell me, sort of, your role and what you recall from that event taking place?

A I recall that I was up quite early that morning. Because the Middle East is some hours ahead of us, I tended to wake up earlier and earlier every morning, because the crises, you know, were sort of brewing for hours by the time I was up and even before I got in the office.

So I think sometime around 5 a.m., maybe 5:30, I had looked at my BlackBerry and saw a message from Cairo indicating that there was

a statement that they were going to issue on the demonstrations outside of the embassy.

Q And let me just be clear on the pronoun. You said "they" were going to issue. And let me just make sure, who are you suggesting when you say "they"?

A Embassy Cairo.

Q Embassy Cairo.

Q Yeah. So sometimes embassies will release press statements for a wide range of reasons. It may be a local issue that does not raise to the level of affecting U.S. foreign policy globally.

At that stage, it's my understanding that the folks at Embassy Cairo felt that they wanted to get ahead of what was an increasingly intense situation on the ground. And by issuing a statement, they thought that that might quell any sort of concern that protesters had about this video and things like that.

Mr. Evers. Mark, just for the sake of the record, can we get some time/date on the record? I don't think we've talked about when we're -- I know what you're talking about --

Mr. Grider. Fair enough. Fair enough.

Based on your recollection, do you recall -- you said you woke up at 5 a.m. Do you recall what day that was?

Mr. [REDACTED]. I'm pretty sure it was the morning of September 11, but that's -- yes, that's my recollection.

Mr. Grider. Okay.

Mr. Evers. 2012.

Mr. [REDACTED]. 2012. Sorry.

BY MR. GRIDER:

Q Now, you were communicating about, sort of, what the intentions of Embassy Cairo was trying to do with issuing a statement, you know, before we just had to answer that. How did you know that? I mean, is that just speculation, that you're saying, hey, this is what I think they were trying to do? Or was that communicated to you, "We wanted to get ahead of this"? I'm trying to understand the basis of what you just stated.

A I don't remember exactly what Cairo's message was to me. I mean, I think Cairo -- if I recall, Cairo was sending me a message, Washington a message, to say, "We are going to issue this statement."

Q Okay.

A Why it got perhaps a little more complicated at the time is that I did not like that statement. I did not think that was a good statement. It sounded tone-deaf to me. And I understood the desire to counter an increasingly hostile situation, but my thought was, we can do exactly what you want to do, but let's just rework the statement so it actually accomplishes what we need to accomplish.

Q And in light of talking about the statement, why don't we go ahead and just bring up that exhibit that you're referring to.

A Okay.

Mr. Grider. Let's go off the record just to get this all straightened out here.

[Recess.]

Mr. Grider. Let's go back on the record.

[█████████ Exhibit No. 1

Was marked for identification.]

BY MR. GRIDER:

Q Okay. I've marked a document government exhibit 1. The document number is "C" as in "Charlie," 05390721. It's an email that contains communications from Mr. ██████████. And we'll walk through that.

But before we focus on this, let's just go back to -- I just wanted to bring this document out just to refresh your recollection. You were stating that Embassy Cairo was sending a message, and you essentially -- and correct me if I'm wrong -- you were sort of pushing back on that message, or, as you communicated here, it was sort of tone-deaf.

Can you explain that again, what you meant by "tone-deaf"?

A Sure. I mean, as I look at what I wrote on that Tuesday morning, I think it's pretty self-explanatory.

And I think, first and foremost, press statements need to be concise. The messaging needs to be very clear. And when I looked at the statement, you know, it was 9/11, and this is a really important day for the United States. And I recognize that there were protests happening overseas, but the idea that we were going to issue a statement on 9/11, even from Embassy Cairo, that first discussed the hurt feelings of protestors just seemed not appropriate as the first sentence of a statement.

Q Sure.

A And, you know, I completely -- as I said in my email, you know, there are a lot of these parts that I agreed with.

Q So, based on the email -- first, let's start at the bottom of the email.

A Sure.

Q Can you tell me who is -- you know, this is an email, I think, that was sent from [REDACTED] on Tuesday, September 11, 2012, at 5:26 a.m. to a number of individuals. Where would you have been on that? NEA-Press-DL?

A I was on the NEA-Press-DL.

Q Okay.

A Yep.

Q Can you clarify for the record, who is [REDACTED]?

A So [REDACTED], at the time, was the -- his title was, I believe, the Acting Director for Press and Public Diplomacy in the Bureau of Near Eastern Affairs. But he was also sort of a senior advisor for public diplomacy for the Bureau at that stage. But, at this stage, he was out working at Embassy Cairo on TDY.

Q And so, with respect to -- if we go to the very first page, on Tuesday, September 11, 2012, at 12:18 p.m., you walk through and make specific comments or suggestions about the statement that Mr. [REDACTED] wanted to go ahead and send out. Is that correct?

A That's correct.

Q Okay. And why don't you walk us through -- because there's just more than one. But let's just walk through -- you had talked about

the 9/11, some of the other edits or suggestions that you had with respect, or concerns that you had with respect to this statement.

A Yeah. I mean, as I wrote here, we, as I said, you know, we condemn violence, we condemn human rights abuses, we condemn war. But, you know, condemning the misguided efforts to hurt people's feelings just sounded inappropriate and not becoming of a U.S. Government statement. That was my position.

Q Okay.

In paragraph 2 of your critique -- do you mind reading that?

A Sure. Beginning with "is there"?

Q Yes.

A Sure.

"Is there any evidence this video has gone viral? I agree it's pretty bad, but when I watched it yesterday morning there were only 1,082 hits. It's now up to 6,000. Not exactly viral. I'm happy to debate the merits of this, but this statement seems really tone-deaf to me."

Q Let's talk about, obviously, your opinion or thoughts about the video. Can you explain, what were you communicating there?

A I mean, during the course of my time as NEA spokesperson, we saw lots of religiously insensitive videos, and it was very difficult to know which one was going to go viral, which one was going to -- I mean, I can't remember the pastor's name from Florida, but there was a guy, you know, whose hobby was burning Korans. And so we would always, you know, be concerned, is this going to be the video that,

sort of, ignites a real storm of protest in the region.

And so, at this point of the email, I'm asking how worried do we really need to be about this. You know, if only 6,000 people have seen this video, then the video really hasn't gone viral. So, you know, at this stage, we were monitoring the impact of the video, but, you know, 6,000 hits at that stage, for me, was not something that caused a huge amount of concern.

Q And I just want to be clear as far as, was it a function of the video causing concern or the video causing somewhat of a protest? Based on your review of [REDACTED] statement, was it more of a function of, you know, "Hey, we're concerned about this video," or did you have reason to believe that [REDACTED] was sort of connecting the video to the protest and that's what raised the concern?

A It was my understanding that they were concerned about the video and that the statement that [REDACTED] drafted was to try and nip in the bud, from a U.S. Government perspective -- I mean, the idea here would be that this statement was drafted -- or, I'm sorry, the video was done by a random American citizen that had no connection to the United States Government but that people protesting would look at the United States Embassy and think, "That's America. America made that video."

And so I think [REDACTED] idea here was to get a statement out from the United States Government that condemned this video, to put some distance between the United States Government and a random video created by a private citizen completely unrelated.

Q No, I appreciate that. So would your view -- when you read this, you didn't believe that [REDACTED] was conflating the issues of the video caused the protest. He was just sort of saying, the video happened, and then, you know, we've got a protest.

A So, at this stage, I don't remember if protests had already begun. I just don't recall. But I think, like many of us who were doing messaging, we wanted to get out ahead of things and see if we could, you know, prevent demonstrations from happening. And, you know, if a strong statement from the United States Government condemning maybe made some protesters think, "All right, well, that was a random American citizen, we can't really blame the United States Government," then that was a really good idea.

Q All right. Okay.

And in your role as NEA press, were there opportunities -- obviously -- to sort of express your objections to, whether it be statements coming down that you disagreed with, or factually disagreed with -- was that sort of an open policy, that you were able to sort of say, you know, I don't agree where this factually, I don't agree based on my assessment? Were you able to express those thoughts?

A I certainly felt that I could. And this email is a great example of that. I mean, I saw the email; I replied to all. I thought that we could -- as I said, I was happy to debate the merits of this.

Q Right.

A But I felt it was important to be on the record because,

you know, in this email, [REDACTED] suggests that we released it for Egypt only, but we live in a media environment where a statement that is released overseas, you know, immediately is a global statement. So I just wanted to make sure that we all were on the same page.

Q And so you raise your concerns. And help me here on [REDACTED] response back. What was your understanding of -- he stated, "We released it for Egypt only. No need for you to do anything if it's not affecting other missions. We have a demonstration planned here today."

What was your understanding of that response?

A Again, my understanding was that, in line with how U.S. embassies work overseas, where, in the name of the Ambassador or in the name of the United States embassy, they may issue a statement that is targeted to a situation in country, I understood that [REDACTED] wanted to issue the statement for Egypt only because there were demonstrations planned for today.

Q Now, at 12:18 you gave your edits, and at 12:20 it sounds like it had already gone out. Was that your understanding? Or, you know, did you all have a telephone conversation? It looked like he may have read your comments, but he sort of said, well, we've already released it.

A Yeah. My understanding, actually, is that -- my understanding about these times is that these are Middle Eastern times. This was all happening -- this was not 6 hours later.

Q Fair enough.

A So, yes, I think [REDACTED] sort of wrote back and said --

Q It's gone. It's done.

A Yeah, it's done. Like --

Q Thanks. Okay.

What was your understanding of that sentence, "No need for you to do anything if it's not affecting other missions"?

A Again, because press statements in one country can be easily picked up by the media in other countries, I think [REDACTED] was suggesting that -- or may have been suggesting that, you know, we're doing this for Egypt; there's nothing really for you to do unless you feel like this statement is going to have an impact in Tunisia or Lebanon or Saudi Arabia or somewhere else in the region. So they were communicating that this was an Egypt-only thing and they wanted to send it out.

Q Okay. We may come back to that.

You may have answered this. How did you become aware of the protest in Cairo? You had mentioned your email, but was it a telephone call? Was it watching the news?

A It might have been this email. I don't recall. I just don't recall. And it also might have been the fact that it was 9/11 and we were all thinking about what could possibly happen on a day like today.

Q And, to your knowledge, did Cairo or State have advance warning of the protest?

A I don't recall.

Q Do you have any belief of what prompted the Cairo protest,

you know, based on your information that you were receiving in?

A It was this "Innocence of the Prophet" video. There were two videos. I'm not sure if that was the first one. But it was a video depicting the Prophet Muhammad in a negative light that I think had appeared on Egyptian television, but I'm not quite sure.

Q And how did you form that opinion? I mean, what's the basis of that opinion?

A I was in touch with folks who were out there in Cairo. And, I mean, we were meeting about these videos. Again, whenever there was a Koran burning or something that we were concerned would resonate negatively out in the region with a connection to the United States, we were always, sort of, keeping up with that.

Q So, I mean, number one, it was based on meetings that you were having. And then, number two, you stated that you were in touch with people on the ground?

A Uh-huh.

Q Okay.

All right. Let's turn your attention to the September 11th through the 13th timeframe. Are you familiar with the attack that occurred at Benghazi?

A I am.

Q Okay. Can you walk me through? What was your role, and how did you find out? Just walk us through.

A So there were lots of protests happening around the region that day. I mean, I think there was a protest in every country in NEA

that day. So I had worked a full day. I was in the office till quite late that evening, when I think I had heard, either from the front office, from Beth Jones' office, that something was happening in Libya.

And so I had heard there were protests, and then, at some stage, there was some information coming in that the compound in Benghazi was under attack. And then, at some stage, you know, we heard that, you know, Chris had been killed or Chris had been wounded.

And I think I had, you know, Al Jazeera on or some other pan-Arab network. So I was watching TV but also shuttling back and forth. I was receiving some press inquiries, but I had no information to share.

And then sometime that evening, you know, we got confirmation that Chris had been killed. And so we were there in the office till quite late. And then I think I went home and then came back a few hours later and started the day again.

Q During that time, during that day, did you have an opportunity to talk to State Ops?

A I don't believe I talked to State Ops at that stage. I just don't think there would have been a need for me to reach out to State Ops.

Q You said you were on the email system of State Ops. Do you recall if there were emails from State Ops?

A I think there were watch alerts, maybe, from the DS Command Center sort of giving updates, but I don't recall specifically.

I mean, let me say, at the time, I remembered everything very vividly, but there was a lot happening at that stage. I mean, there

were protests -- I mean, you see from the emails that I was up at 5 that morning, you know, and there was a lot going on at that time.

Q To your knowledge, did either Benghazi or State have advance warnings of the attack?

A Not to my knowledge.

Q Any information that the attack might have occurred, before it began, on Twitter or Facebook?

A I wouldn't know.

Q You know, based on your review and being there on those 2 days, do you have an understanding of the reason or the reasons for the attack? What was your basis or thought?

A I mean, I didn't know. I mean, it was a day where there were, you know, hundreds of -- not hundreds, but there were protests all over the region. But, you know, NEA is a volatile region. This is a region where Al Qaeda -- and this was before the rise of ISIS, but where Al Qaeda had a presence in a lot of different places. So it was just tough to know exactly, for me, what happened.

And, to be frank, you know, Chris was a friend of mine. So I wasn't really thinking about talking points. I wasn't really thinking about, you know, the particulars of who was responsible for this. And I just -- it was a shock, I think, to all of us who worked in NEA that we lost a friend.

Q I understand that. And your counsel, State counsel, did mention that, you know, you had known him and sat next to him. So I do understand that point, and I appreciate the relationship there.

With respect to Cairo, it sounds like you were able to sort of determine that there was a reason for that specific protest, based on your earlier statement. Is that correct?

A I mean, we had a piece of information that that video had been broadcast on Egyptian television. That was something that -- I don't know where I got that, whether I got it from the embassy, but that was something that was on my radar, so there was a connection there.

Q Okay. And did you have any pieces of information about what caused the attack in Benghazi during that day?

A I didn't. But, again, there were so many demonstrations happening. I mean, Khartoum -- I mean, there were demonstrations just all over the region that day. So it was very tough to know -- I mean, the entire region was just sort of engulfed in demonstrations.

Q Right, and multiple issues. But you didn't have any specific intelligence or information on what caused the attack?

A I did not.

Q Okay.

I know you had a long day. Who were you meeting with? I mean, were there any meetings with Victoria Nuland? Were there press meetings? How was information -- what was you all's role, what was NEA's role on the 11th and the 12th?

A There were lots of meetings. I don't recall meeting with anyone from Bureau of Public Affairs, Victoria Nuland. There were email exchanges, I think. I don't know if I had had a specific email exchange with her.

I met with, you know, my staff who were in the office: [REDACTED] [REDACTED] and Beth Jones and I think Liz Dibble, who was the Principal Deputy Assistant Secretary of State. But --

Q And what were those meetings generally about?

A You know, what's the latest, what do we know. But, to be frank, you know, they weren't really about my role as NEA spokesperson. They were just, you know, me wanting to know, you know, is our friend dead? Like, what do we do now? What happens now? I mean, what does this mean for us as diplomats?

I mean, this, sort of, entire event was such a huge moment, I think, for so many career diplomats who served in the Middle East, you know, who had gone out to places to deliver schoolbooks to a place that, you know, might be really, really dangerous. And I think all of us who, you know, had served, you know, saw ourselves in Chris that evening, the potential that that very same thing could have happened to us.

Mr. Grider. I'm going to tee up another exhibit, but let's go off the record.

[Recess.]

Mr. Grider. Let's go back on the record.

[REDACTED] Exhibit No. 2

Was marked for identification.]

BY MR. GRIDER:

Q I've handed you government exhibit 2, "C" as in "Charlie,"
05580618.

A Is that your number?

Q That's the document number.

A Oh, okay. Yeah, I'm not familiar with that number. Okay.

Q Have you had a chance to review through this exhibit?

A Yes.

Q Do you recall the conversations or the email exchanges?

A Yes.

Q Okay. So why don't you explain -- starting at the back of the document, why don't you walk us through. I believe the first email came from, perhaps, a [REDACTED] ?

Mr. Evers. What page are you on?

Mr. Grider. On page 30, if I'm not mistaken.

Mr. Evers. I believe there's an email below it.

Mr. Grider. Yeah, there is.

Mr. Evers. But I don't believe the witness is on either of the emails that originate on page 30.

Mr. Grider. Okay. Fair enough.

BY MR. GRIDER:

Q So, based on your review of the email, as you were commenting on information, where on the chain did you enter in, based on your review?

A It looks like [REDACTED] dropped me into the chain on the second page, halfway through. So, up until that stage, I had not seen these points.

Q Okay. So you're stating that [REDACTED] on Monday,

September 17, 2012, 1:59 p.m., subject "FW: Libya PG," that's when you came into the chain. Is that your understanding?

A Yeah, that is my understanding. I don't see myself on any of the emails. And the number of email distros are not distros that I -- referenced in some of these previous emails are not distros that I was a member of.

Q Okay.

So, based on reviewing this email, why don't you walk us through each response, starting with [REDACTED] at 1:59 p.m., where she says, "[REDACTED] -- per my call. Not sure we want to be so definitive. What does A/S Jones say?"

What was your understanding of that?

A My understanding is that it was very early in the investigation and it was tough for us to know exactly what had happened. And I think what [REDACTED] was saying is, do we really want to be so definitive about the fact that these were spontaneously inspired protests. And we were seeking clarification from the Acting Assistant Secretary, Beth Jones.

Q Let's move forward. And if you can, sort of, walk us through -- you know, this is an email from you, and you can walk me through and just go ahead and read it and then tell us your thoughts and what you meant.

A Sure.

I wrote, "The horse has left the barn on this, don't you think? Rice was on FIVE Sunday morning shows saying this. Tough to walk back."

And I think, by that, I meant it was maybe a foolish errand to debate the merits of talking points when the talking points had already been used and these things had already been said. So I think my comment was, we can ask anybody what they think of this, but it's already been said, so that's where we are.

Q Just to be clear, what was the rub here? Spontaneous versus something else? What was your understanding of what was the dispute, a factual dispute, that maybe you were suggesting that we need to walk something back?

A I can't speak to what anyone else was thinking at the time, but for me -- you know, early on in any crisis, when it comes to messaging, being more general is, I think, the prudent course of action. Because if you don't really know what's happened, you don't want to have to go back and say, "Well, this didn't happen this way. We thought it happened this way." But if you are general in the beginning, then you can slowly say, "Well, as the investigation continues, we've now learned this," and you're not going backward, you're just going forward.

And so when I made the reference saying it's tough to walk back, it was in response to [REDACTED] comment, do we really want to be so definitive? Well, we had been definitive.

Q And definitive about what? What level of specificity were you all concerned about?

A "The current information suggests that the demonstrations in Benghazi were spontaneously inspired."

RPTR TAYLOR-SCOTT

EDTR HOFSTAD

[12:05 a.m.]

BY MR. GRIDER:

Q So let's move to the next email by [REDACTED] on Monday, September 17, 2:05 p.m. He stated, "Toria planned on walking it back just a bit, though." What was your understanding of that?

A Reading it, I think what [REDACTED] meant was that -- although I don't know, but I suspect -- that Toria would be giving a daily press briefing that day, and that was an opportunity to walk it back maybe a little bit, to perhaps ensure that the most important message was, "This assessment may change as additional information is collected and analyzed and as currently available," which, for me, as a spokesperson, was the most important part of the talking points.

Q Then we go to the next email from [REDACTED], stating, "I think Rice was off the reservation on this one." What was your understanding of her statement?

A I'm not -- I mean, I think --

Q So, first, let's just -- let's break it down. "Reservation." What did you all mean? Because you had mentioned that -- what was that understanding of "reservation"?

A It's perhaps not a very politically correct term.

Q Understood.

A I don't know, but I read this that [REDACTED] probably felt that Ambassador Rice was -- maybe she disagreed with what Ambassador Rice

was saying, and so felt that maybe it was a bit too much to go on all those morning talk shows saying this. But I'm not sure. She would know.

Q You had mentioned earlier that the general principle, at least the one that you sort of walked through in your time as a press person, is to be more general than to, you know, pinpoint and have a level of specificity.

If that doesn't happen -- I guess, on two occasions, one with Cairo, it seemed like, based on your email, there was sort of a pumping of the breaks and sort of saying, "Well, let's -- I'm not sure. Let's take another look at this statement."

So, based on the exhibit 1, it seemed like there was a culture of, you were more of, sort of, "Hey, let's be more conservative." And you sort of expressed, sort of, your conservative thought process on what was taking place, whether it be in Cairo and Benghazi. What was going on that you felt like people were sort of moving away from your general process of being general and then let's wait and be more specific, in your mind, if you can answer?

Mr. Evers. I was just going to say I think you've characterized a lot of testimony that hasn't happened. So there's a lot going on there --

Mr. Grider. Fair enough.

Mr. Evers. -- if you want to -- do you understand the question?

Mr. [REDACTED]. Can you be a little more specific?

Mr. Grider. Sure.

BY MR. GRIDER:

Q Earlier, you talked about your general policy --

A Yeah.

Q -- I'm not sure if it was State's policy, and correct me if I'm wrong -- of, just being in press, that, you know, usually, your process is to be more general --

A Sure.

Q -- and then, as things unfold, to try to have a level of specificity.

A Sure.

Q Based on exhibit 1 and your response to exhibit 1, it seemed like once again you were sort of following that type of process. Would you agree?

A That's an accurate assessment.

Q In government exhibit 2, it seems like once again you're following that process and sort of saying, "Hey, let's stay more general as opposed to being more specific." Is that correct?

A Yes.

Q Okay.

[Discussion off the record.]

Mr. [REDACTED]. Well, I guess I would say this. I think that you've accurately characterized my messaging posture as conservative. And that is because, if we say the wrong thing first, it causes lots of problems later, so we just want to be very careful.

So, in exhibit 1 and exhibit 2, we're really talking about two

slightly different things -- the same conservative messaging philosophy but two different applications.

Mr. Grider. Fair enough.

Mr. [REDACTED]. In exhibit 1, I sort of listed my problems with this statement --

Mr. Grider. Sure.

Mr. [REDACTED]. -- which were not really about general versus specific. It was about tone and tenor.

And then, in No. 2, I think this goes to more of what you're asking me about general versus specific.

Mr. Grider. Right.

Mr. [REDACTED]. And so --

BY MR. GRIDER:

Q And moving to your process of being a press person, general versus specific also goes to, sort of, something that can be substantiated and fact-based --

A Right.

Q -- correct?

A Yes.

Q So, in exhibit 1, though -- you do go to the facts in exhibit 1 about, sort of, viral and, sort of, defining -- I don't have it in front of me, but, sort of, some concern about -- I mean, you used math on, "Well, I'm not sure if this is viral or not viral, so I'm not sure if we can, sort of, from a fact-based standpoint, suggest that it's really gone viral, based on my review of the video."

A Yeah. I mean, I --

Q Would you agree with that?

A What I was attempting to do was -- one thing that happens in media is that statements can sometimes lead the story. There are times where a story is not a story until somebody issues a statement, and the statement then generates press coverage.

Q Correct.

A And so anytime the United States Government says something, it has the potential to make the story.

And so, in this case, I was debating, you know, if this was not a huge deal, if it had not gone viral and then there was no statement, then perhaps it would just be best to leave it alone. So that's exhibit 1. That was my thinking there.

Q Absolutely.

I don't need a read-back, but you made a statement -- and I'm learning more about, sort of, how press works. Sometimes you stated that a statement by press can actually make the story, correct?

A Yeah.

Q Your process was, if we don't necessarily have all the substantiated facts, let's be cautious on making the story so we don't have to walk it back. Is that a correct assessment of your view?

A I mean, in exhibit 2, I wouldn't say that I was applying a "let's not say this because we don't want to make the story." Like, this was a story already. Like, there was no debate as to whether or not this was a story.

Q And when you say "this"?

A I mean Benghazi.

Q The attack --

A Yes.

Q -- in and of itself.

A Yes. Early on, on September 1 --

Q Sure. Fair enough.

A -- in Cairo, we still did not know whether this would metastasize into something tragic.

Q Correct.

A At this stage, you know, I'm looking at this, and I'm just thinking, do we know enough --

Q Right.

A -- at this stage to say that it was a spontaneous attack?

Q Correct.

And, with respect to Cairo, you had specific -- later, you determined there was specific evidence of a video that possibly caused this protest. You had mentioned that, yes, you know, it was sort of the consensus that it was a video that caused the protest. Is that correct?

A Yes.

Q Yeah.

In this instance, you stated that there was a bunch of information coming in from all over. There was no one definitive reason, at this point in time -- and this is September 17. Like Cairo, you didn't have

anything -- you, personally, didn't have anything definitive to sort of say, this is it, and this is what happened. Is that correct?

A That's correct.

Q And so, in light of that, some of your colleagues -- [REDACTED], [REDACTED], [REDACTED] -- would you suggest that based on this email some of the "off the reservation" -- and then we go to [REDACTED] email, in which he states, "Yup. Luckily there's enough in her language to fudge exactly what she said/meant."

So there was some concern, based on this reading of this email, just based on the analysis, that maybe all the facts were not there. Would you agree with that?

A I can't speak to what they were thinking, but I can speak to what I thought at the time, which was: It was early in the crisis. For me, it was unclear as to what the cause was. There was a video, but Al Qaeda was rife across the region. So I did not know.

And, as a spokesperson, I just wanted us to be extra-careful about not going down a road of saying that it was caused by this and then having us have to walk it back later on to say, oh, well, actually, we found out that it was something else.

Q Right.

A And by remaining more general early in the crisis, that would give us an opportunity to be responsive, to say things, but not to get too far out on a limb. That was my thinking.

Q To me, I mean, that seems a standard thought process. Would you agree? Or were there other people in NEA that agreed with your

process? It seems like, here, that other people agreed.

A It seems like everyone on the email agreed.

Q Okay.

So, with respect to this communication, were your concerns about, sort of, I'm using the term being more "conservative," based on the facts, were your concerns ever expressed at a higher level, to your knowledge?

A I just don't recall. I mean, I don't recall if I -- I mean, let me say this. I don't recall if I expressed these concerns to a higher level. But let me explain, perhaps, why that is.

I did not generate these talking points. And I did not know that Ambassador Rice would be going on the Sunday morning talk shows. And so, at this stage, I don't have my hands on the steering wheel of messaging of this issue.

So, again, when I said "the horse has left the barn," a decision was made, at some part of the process, of which I was not a part of, to go with these talking points.

Q And to go with this level of specificity. Is that correct?

A Yeah. I mean -- yeah. I mean, I do not recall exactly what she said. You know, these talking points also include, "This assessment may change as additional information is collected."

Q Sure. Absolutely. Absolutely. But it wouldn't have -- I mean, it wouldn't have generated this type of email about being "off the reservation on five" -- and then let's -- we go to your email. Let's just -- "off the reservation on five networks." Can you

just clarify what you meant by that?

A As someone who enjoys watching the five Sunday morning talk shows and someone who is interested in politics, I'm keenly aware that, when you go on all five morning talk shows with the same message, you want to send a clear and unambiguous message as broadly as possible.

And so what I was suggesting was that it was -- that I agreed with ██████ that the messaging sounded off to me, but that was further enhanced by the fact that it was on five networks.

Q And then --

A But can I just say one other thing?

Q Sure. Absolutely.

A You know, I didn't have access to whatever Ambassador Rice knew. And so, you know, had this exchange gone on further, it might have included me saying, "But I don't know what they discussed." You know, I wasn't in -- she's a member of the Cabinet, as the U.N. Ambassador.

Q Right.

A So I don't know what she knows. And, at this stage, you know, there were lots of things happening that were completely above my pay grade and out of my line of sight.

Q Absolutely.

A So --

Q Absolutely. You're --

Mr. Evers. Can you let him finish?

Mr. Grider. Oh, go ahead. Yeah.

Mr. [REDACTED]. So I guess I just -- I want to make sure that -- you know, I'm expressing a personal opinion about a set of talking points, and that opinion is based on what I knew at the time, which even then and today I recognize might not have been the entire picture. So I just want to be clear about that.

BY MR. GRIDER:

Q And so your opinion then -- I'm not sure if I understood your last statement.

A I don't know what happened. I have no idea.

Q So even today?

A I don't know. It may sound ridiculous that I have not studied this, but maybe because I sort of lived through part of it I don't feel the need to -- I mean, a great example. Were you -- well, I'm not supposed to ask you questions, but -- I was in New York on 9/11. I watched the towers fall. I watched the planes hit. I've never read a single book on 9/11 because I don't have to. I was there.

Q Right.

A And so --

Q Fair enough.

And I'm just asking these questions from just, you know, your experience in handling press and handling messaging and just trying to get clarity during that timeframe. And so, I mean, your opinion was expressed, but, also, in some ways, you would have been somewhat of a subject matter expert, you know, on handling press and crisis. I think that would be fair to say, correct?

A Yeah.

Q Okay.

Earlier, with respect to exhibit 1, it was somehow communicated to you what the intent or the reason why the Cairo Embassy wanted to issue a statement. And that intention was communicated to you.

A Uh-huh.

Q Or you interpreted it. Is that correct?

A Yes.

Q With respect to this press statement or these statements by Secretary Rice, the intention of why they chose to go to more specificity versus being general, was that intent or reason ever communicated to you?

A No, not to my recollection.

Q Okay.

Now, let's turn to the last email on this, where [REDACTED] responds back to you, [REDACTED], and [REDACTED]. Can you read what he states there?

A "WH very worried about the politics. This was all their doing."

Q What was your understanding -- "WH," what is "WH"?

A I would assume it means the White House.

Q Okay. And what was your understanding of his response?

A That this was decided at the White House level, that [REDACTED] was probably making a reference to the fact that folks were worried about the politics, the political optics of this, and that they were

responsible for crafting the language of the statement.

Q And, as you stated earlier, with respect to the crafting of language of the statement, you were not involved in that. Is that correct?

A That is correct.

Mr. Grider. Let's go off the record for a second.

[Recess.]

Mr. Desai. Let's go back on the record. The time is approximately 12:40.

Mr. [REDACTED], good afternoon. My name is Ronak Desai. I am one of the counsels with the minority staff of the Select Committee. I'm joined here today by my colleague Heather Sawyer and our newest member of the team, Erin O'Brien.

On behalf of the entirety minority staff and its members, we want to thank you for your appearance here today. I also want to thank you for your service to our country.

Let me apologize in advance. There is a good chance we might retread some old ground that we covered in the last hour. If we do, please bear with me. It's just to make sure that we've garnered the information that we need and that we've captured the full extent of your response.

I also may ask you some questions that may have obvious answers to you, to explain acronyms and such, but, again, that's just for the purposes of the record to clarify the information that we need.

Mr. [REDACTED]. Understood.

Mr. Desai. Thank you.

EXAMINATION

BY MR. DESAI:

Q In the last hour with my colleague from the majority, I think when he was referring you to exhibit 2 -- and if I could just have you refer back -- when he asked you to explain your comment on the first page of that document, "off the reservation on five networks," if I recall correctly -- and if I don't, please correct me -- I think one of the things that you said to explain that was, you know, from your perspective, Ambassador Rice, when appearing on these five networks and conveying the information that she did, had gone off message, that she had, you know, from a press spokesman's perspective, gone off message. Is that right?

A I'm not sure that I would expand that to include "from a press spokesperson's perspective," but -- I would make two caveats.

Q Please.

A The first was the caveat that I made in the last hour, which is I only knew what I knew. So she may have known far more to be able to be that definitive -- what I felt was very definitive.

So, with the information that I was armed with at the time, her comments, to me, felt very specific, perhaps too specific that early on in the crisis, and that, had I been drafting talking points, I probably would have drafted talking points that were a bit more general.

Q Okay.

And if you've answered this in the last session, again, I

apologize. You weren't involved in preparing Ambassador Rice for her appearances on the talk shows. Is that right?

A I was not involved and had no idea that she would be on the morning talk shows. I turned on the television and saw her and thought, "Oh, I should watch this."

Q Right. And I think what you just told me, just literally a minute ago, was that you did not have the information that she had with respect to what she was going to convey on the Sunday talk shows. Is that right? That she had more information than you did at that time. Is that correct?

A That is what I assumed. The information that I had at the time was not a lot of information, so I would have crafted talking points that were far more general. She gave talking points that were far more specific, so I can only assume that she had more information than I did.

Q Right. And you had no access to whatever information you assumed she had before she went on those shows. Is that correct?

A That is correct.

Q Were you aware, Mr. [REDACTED], that on -- just to establish a timeframe, Ambassador Rice appears on the Sunday talk shows on September the 16th, 2012, which is a Sunday. The preceding Friday, were you aware that the intelligence community actually prepared talking points with respect to what happened in Benghazi, the Benghazi attacks, which were eventually, you know, passed on to Ambassador Rice? Were you aware of that at that time?

A I was not.

Q Okay.

At this time, if I can enter into the record exhibit 3. And let's go off the record for one second while we prepare the exhibit.

[Recess.]

[█████████ Exhibit No. 3

Was marked for identification.]

Mr. Desai. Let's go back on the record.

BY MR. DESAI:

Q Mr. ██████████, I've just handed you exhibit 3, and exhibit 3 comprises two pages. The first page here is the cover sheet of the "Report of the U.S. Senate Select Committee on Intelligence Review of the Terrorist Attacks on U.S. Facilities in Benghazi, Libya, September 11-12, 2012, Together with Additional Views."

The second page of exhibit 3 is "Appendix I: The Benghazi Talking Points." And these are a copy of the talking points that the intelligence community prepared at the request of Congress.

And have you had the opportunity to review this document --

A Just now, yes.

Q -- Mr. ██████████?

A Yes.

Q So, if I can focus your attention to the second page, page 43 of Appendix I. And allow me to direct your attention to the middle of the page, where it says, quote, "The final, unclassified version of the CIA talking points, as provided to HPSCI on September 15, 2012,

read as follows," end quote.

And just for the purposes of the record, "HPSCI" is the House Permanent Select Committee on Intelligence. Is that right?

A I actually don't know that acronym. That's the first time I've heard it. So, if you're saying that's what it is, then that's what it is.

Q Great.

So it appears that these talking points, based on that sentence I just read to you, originated with the CIA and then subsequently went through an interagency process. And, again, were you a part of that process with respect to the formulation of these talking points?

A I was not.

Q So Congress requested talking points on the 14th. They go through this process. And do you recall ever seeing these talking points at any point between September 14 and September 16, 2012?

A I don't recall seeing these talking points.

Q Okay. So then, again, just for the purposes of the record, I assume you didn't see any draft or any iteration of these talking points at that time. Is that right?

A Not to my recollection, no.

Q And, at that time, then, you were not aware that CIA Deputy Director Mike Morell actually played a significant role in finalizing those talking points. Is that right?

A No knowledge of that.

Q Okay.

If I can direct your attention, Mr. [REDACTED], to the actual content of these talking points. The very first bullet, midway on page 43, the second page of exhibit 3, reads, quote, "The currently available information suggests that the demonstrations in Benghazi were spontaneously inspired by the protests at the U.S. Embassy in Cairo and evolved into a direct assault against the U.S. diplomatic post in Benghazi and subsequently its annex. There are indications that extremists participated in the violent demonstrations," end quote.

Do you see that first bullet point?

A I do.

Q The next bullet point makes clear, it says, quote, "This assessment may change as additional information is collected and analyzed as currently available information continues to be evaluated," end quote.

And I think you said in the last session with my colleague from the majority that, from, again, your perspective, this sentiment, this idea, that talking points and the information that's coming in is fluid and, as a result, the assessment may change, that, from your perspective, I think the quote you used was, "This is the most important part of the talking points." Is that right?

A Yes.

Q So these talking points were delivered to Congress on the 15th. As I said earlier, Ambassador Rice appears on the five Sunday morning talk shows the next morning, on September 16, 2012, where she is asked and spoke about the attacks in Benghazi as well as the protests

that preceded the attacks in Benghazi.

And just to refresh my memory, you saw Ambassador Rice on those talk shows. Is that right?

A I did.

Q And you saw her on all five of those talk shows, if I'm not mistaken?

A That's what my recollection -- yeah, my recollection is that I did.

Q Okay.

So, to the extent that Ambassador Rice said on those talk shows that a protest or a demonstration took place in Benghazi, that statement is consistent with the first bullet point I just read to you in the intelligence community talking points, which says that there were demonstrations in Benghazi that evolved into an attack, and that statement was consistent with the first bullet point. Is that correct?

A Yes.

Q Okay.

Now, if I can turn your attention back to exhibit 2 that my colleague in the majority handed to you in the last session. And I'm just going to quickly walk you through this chain. And I know we've discussed certain portions of it, but I think it would be helpful just to start at the outset and make our way up.

So it looks like this thread begins on the penultimate page of exhibit 2, page 31.

A Can I just say something about these talking points?

Ms. Sawyer. Yes. Please.

Mr. Desai. Please.

Mr. [REDACTED]. So this is the first time I'm seeing this document.

Mr. Desai. Okay.

Mr. [REDACTED]. And, you know, I guess what I've said before is it just sounded too definitive. Like, I can read this now and see "the currently available information," "the assessment may change." And so I understand that. My recollection of watching the talk shows is perhaps different from -- and I'm sure Ambassador Rice was very faithful to reading these exact talking points.

So I guess what I want to say is, my recollection, as I listened to those and I guess as evidenced in the email about me feeling like it was too definitive, is that it felt too definitive. As I read these points today, you know, maybe with a lot of hindsight, I guess I can see how "the currently available information" suggests that it is not -- maybe the language isn't as problematic.

So I guess what I'm just trying to say is my impression at the time was very much as I expressed it, but as I can see these talking points now, you know, perhaps there's enough -- well, anyway. I'm probably not being very articulate right now, but --

Mr. Evers. I'm sure they can ask you some questions with regard to that.

Mr. Desai. Thanks for clarifying that. And I think we'll just have a few followup questions with respect to that.

Ms. Sawyer. Yes.

Mr. Desai. And my colleague may have some questions.

BY MS. SAWYER:

Q And, just to make clear, you know, part of why we want you to see that document is because we have asked you a lot of questions about exhibit 2, about a conversation, about talking points in here, and we just are trying to have an understanding of, at the time you were making these comments --

A Right.

Q -- kind of, what was your universe of knowledge. So, you know, just to explain where --

A Okay.

Q -- we're coming from a little bit on that.

And so, on that front, I think what we wanted to do was just direct your attention in that -- that's exhibit 2 -- to page 29.

A Okay.

Q And that's the email that -- it looks like it comes from

██████████.

A Uh-huh.

BY MR. DESAI:

Q And who is Mr. ██████████?

A He was a member of my staff.

Q Okay. Wonderful.

So we're on page 29 of exhibit 2. Mr. ██████████ sends this email out to a host of individuals. The body of the email says, quote, "This is actually the most recent. Just saw NSS language, which I used as

the key points here," end quote. And then, after that, a couple of bullet points are enumerated.

So, just as an initial matter, what's the "NSS," Mr. [REDACTED]?

A The National Security staff.

Q And is that entity now known as the National Security Council?

A Yes.

Q And is that entity a part of the White House?

A It's the -- yeah. It's the policy advisor for the White House.

Q Okay. Wonderful.

So Mr. [REDACTED] sends this out. He says that this is the most recent version of the talking points. "Just saw NSS language, which I used as the key points." It looks like he's drawing upon some talking points.

Now, Mr. [REDACTED], if I can ask you to take a look at the key points that Mr. [REDACTED] sends out and the content of those key points and have you compare those to exhibit 3 and the two bullet points --

A Yep.

Q -- and just have you compare the two sets of talking points, the ones that are sent by Mr. [REDACTED] at 12:36 p.m. on Monday, September 17, 2012, with the talking points that are enumerated in the Senate Select Committee's report that were formulated by the intelligence community.

A And so your question is you want me to determine what the

difference is between these points?

Q So you've had the opportunity to compare the two sets of talking points. Is that right?

A Yes.

Q And do you see any differences between the two sets of talking points with respect to especially the first and second talking points?

A Yeah. Both points are slightly different.

Q Where is that?

A In the first point, there's a reference to the U.S. mission, and then in exhibit 3 -- in exhibit 2, there's a reference to a direct assault against the U.S. mission, and then in exhibit 3 there's a specific reference to the U.S. diplomatic post in Benghazi.

And then in the second point, there's a bit more length to the language on exhibit 3, where it says, "analyzed as currently available information continues to be evaluated." That doesn't exist in the talking points in exhibit 2.

Ms. Sawyer. I think it might just be on the next page.

Mr. [REDACTED]. Oh, is it?

Ms. Sawyer. Yeah. We had the same problem.

Mr. Desai. Flip over.

Mr. [REDACTED]. Okay. Oh, there it is. Sorry. Okay.

Ms. Sawyer. So the difference that you identified is the description of facility.

Mr. [REDACTED]. Yeah.

Ms. Sawyer. Is that right? In one, it was referred to as the --

Mr. Desai. The U.S. mission.

Mr. [REDACTED]. Uh-huh.

Ms. Sawyer. And in the other, it is --

Mr. Desai. The U.S. diplomatic post in Benghazi.

BY MR. DESAI:

Q So besides that one difference with respect to the characterization of the U.S. facility which was assaulted on September the 11th and 12th of 2012, do you see any other differences substantively with respect to those two sets of talking points?

A I'm just looking at the third point.

Q Please.

A No. Just a punctuation change in the third point, but that's about it.

Q Okay.

And just to reiterate -- and I apologize, but I think -- so this email thread -- so Mr. [REDACTED] sends this out. This language is actually identical to the language of the CIA-formulated talking points. Is that correct?

A Did you say "essentially identical"?

Q With respect to the substance, except for the one difference with respect to how the U.S. facility is characterized as a U.S. mission versus a U.S. diplomatic post.

A Yeah. They are substantially similar.

Q Okay. And, again, at the time, you were not aware that this

language, which was ultimately forwarded to you through this email chain in exhibit 2, that these talking points actually originated with the intelligence community then. Is that correct?

A That's correct.

Q Okay. And this was the first time, then, when you saw this with these talking points when the chain was ultimately forwarded to you, that you were seeing this specific language. Is that correct?

A That's correct.

Q Okay.

Now, moving to the very top of the email thread, where Mr. [REDACTED] says, "White House very worried about the politics. This was all their doing" -- and I understand that you don't know what was in Mr. [REDACTED] head, but is it possible that -- you know, there's some confusion here because Mr. [REDACTED], when he sends out this set of talking points, he says, "Just saw the NSS language, which I used as the key points here."

But the exercise that we just went through, I think what it demonstrated was that these talking points actually came from the intelligence community and not the NSS. Is that correct?

A Well, my understanding of the role of the National Security staff is they are the convenors. And so it would be -- perhaps "inappropriate" is too strong a word, but it would be unusual for a State Department bureau press office to receive talking points from an intelligence agency. And so, oftentimes, when it works well, all agencies are feeding things into the National Security staff, and the National Security staff then decides where those things go.

And so my assumption is that, if, indeed, these points came from the intelligence community, that they were forwarded to NSS. NSS then said, hey, [REDACTED], you know, here are the points for NEA, these are the points that NEA is going to draft and then clear around the building, and this is where we are.

Q Okay.

BY MS. SAWYER:

Q And I think part of -- we're asking you to do an impossible task, which is to try to explain to us what Mr. [REDACTED] might have meant. We've actually spoken to Mr. [REDACTED], and he has given us his assessment as to what he meant.

Did you actually have a conversation with him at the time, that you recall, about what specifically he meant there? Or are you today just trying to give us your best sense based on the document?

A I mean, we talked about lots of things. I mean, we worked together. I don't recall what we talked about at the time.

Q And I think part of the concern is that this initial email from Mr. [REDACTED] specifically just says, quote, "Just saw NSS language," end quote.

So, at the time, did you have any evidence that would indicate that this language here was actually drafted by the National Security staff?

A I mean, a lot of this is sausage-making. Like, we don't know -- when NSS hands us something, I don't have a vested interest in knowing where it came from. Like, they're the National Security

Council. They are the apex of the foreign-policy-making machine. If they tell us these are the points, these are the points. And so --

Q And you had no reason to worry, wonder, or believe that they had actually written the language versus someone in the intelligence community actually writing the language. Is that a fair statement?

A Say it again.

Q I just am trying to clarify. You had no reason to, you know, question or believe or have any opinion as to who actually wrote the key points that were written, whether that was written by someone in the National Security staff or written by someone else and then circulated by them. Is that accurate?

A Yeah. It never occurred to me to actually ask the question of who wrote the talking points. They were coming from the National Security staff. Those were the points.

And I am assuming that -- again, the same way that I talked about Ambassador Rice, I don't know what the points say. Someone from the White House is telling me these are the points. Well, then, they must know what they're talking about.

Q You know, it's a very different matter to kind of believe that something shouldn't be quite as definitive and actually believe that something is incorrect.

A Uh-huh.

Q When you read these key points in this document that were being commented on, did you have any reason to believe that what was included in that key points was actually false?

A I had no specific reason to believe that that information was false. When I expressed an idea of wanting to -- that my own personal opinion is that things were kept general, is that there was so much chaos that took place on that day, and, you know, and the enemies of the United States, namely at the time Al Qaeda -- and it would have been Al Qaeda in the Islamic Maghreb -- were constantly plotting and planning against the United States. This was something that I thought about every single day of my time in NEA. And so I just thought to myself, couldn't it have been an Al Qaeda plot on 9/11? I mean, it was 9/11. Like, this is the day that they all wait for.

And so, as I said to you before, it felt early. It felt too early to say that, with the information that I had and with my experience in having served two tours in Iraq and having seen things blow up and all that other stuff. Like, it just felt too early to me, personally. That's all.

Q And, in the discussion last hour, the thing you had focused on the most as your concern about being too definitive was the notion that it was spontaneous. Is that accurate?

And, again, just talking about the talking points, because, quite frankly, we've talked a lot about what Ambassador Rice said, but we haven't actually looked at what she said. We were looking --

A Right.

Q -- at these talking points. And you had identified that portion, the "spontaneous," whether it was spontaneous or not. Was that your key concern about what was potentially too definitive?

A Yeah. I mean, I think I understood that there were -- and I don't know if this is -- maybe I am misremembering this, but my recollection is that the attack included not only small arms fire but maybe RPGs. That's what I remember. And, while every Middle Eastern country, especially Libya at the time, was just flooded with weapons, you know, a spontaneous demonstration might not have -- people might not have brought RPGs to a spontaneous demonstration.

So we had four dead Americans. It just -- I don't know. And maybe I didn't want to believe that -- you know, there are a million demonstrations every day. People burn the American flag every single moment of every day across the Middle East, and people don't get killed. And Al Qaeda is a plotter and a planner, and they are a really tenacious enemy, and, you know, I've never underestimated them.

And so I think I just saw "spontaneous" and thought, how do we know it's spontaneous? These are bad guys. Like, they dream of killing us.

Q And what about the belief that was expressed that what happened in Benghazi had a connection to the video that you talked about some? I think you said it was the "Innocence of the Prophet." I've heard the title "Innocence of the Muslims." I don't know if that --

A Oh, okay. Sorry. So there were a number of videos that year. There was another -- or during my time. There was another video that we all got very worried about that ended up not being that big of a deal. And so, yeah, maybe this was the "Innocence of the Muslims." I just don't remember.

Q Right.

A There were so many bad things that happened.

Q But, in terms of that belief, that what happened in Benghazi had a connection to the anti-Islam film at the time, did you have a sense that what was said about that was false?

A No, I had no sense that it was false.

I mean, look, I know this issue of how easily people get offended. I mean, in Sudan, somebody named a teddy bear "Mohammed," and they wanted to, like, stone the woman to death. And so, I mean, the level of extremism about things like videos can absolutely prompt these things.

But I go back to the thing that I've said all along, which is that, for me, it was very early in the crisis, and maybe it was early for me because I was still in shock about it all, but it just felt like, you know -- I mean, I didn't know that these points existed, that they were vetted through the intelligence community.

So, if that's what the IC thought, then, okay, I guess that's -- that would have changed my -- perhaps changed my opinion, had I known that there was an IC recommendation that, looking at all of the intelligence at that stage, that they had determined that it really was spontaneous. Like, I would have been like, "Okay. All right."

Q Right.

And just wrapping it back to the notion of the phrase that she was potentially "off the reservation" -- and I took that to mean what

I think my colleague said, potentially, in this context, "off message." Would it potentially have altered at least your view that she was off the reservation with regard to what she was saying?

A Yeah. I mean, yeah. Had I known more of the process, you know, I might have. But, look, there's another part of this, which is that, you know, this was like an incredibly emotional time. And, like, I'm telling you I remember things, but there are a lot of things that I just don't remember.

And so, you know, might it have changed my opinion? It might have. But I might have been, like, "No. Absolutely not. I don't care what the IC says. Oh, look at this language. They're still hedging. You know, I bet this was -- you know, this is Al Qaeda. You know, there are extremist groups operating in Benghazi and in Libya. Like, it might have been a demonstration, but these guys probably had a plan; it was 9/11." So, I mean, I came with my own baggage about this issue.

Q And you used the word "baggage." I won't call it that. You had certain opinions, but did you have any concrete evidence --

A No.

Q -- at the time --

A No evidence. Just --

Q -- to attribute it to Al Qaeda or to a particular extremist individual or group?

A I had heard in some conversations somewhere the name of a number of extremist groups that were operating. And so I did not extrapolate that to mean that, because there was an extremist group

operating in Benghazi, that they were absolutely, 100-percent responsible for planning an attack against our mission. But I did say, well, if there were extremist organizations operating, it is highly possible that they could have planned an event to coincide with the attacks on 9/11. That was my thinking at the time.

Q But, again, not based on any concrete --

A No.

Q -- evidence --

A No.

Q -- you had before you.

A No. And, I mean, this is -- we do this all the time in the Middle East bureau. I mean, there's an existential crisis every single day. And, you know, I don't have a crystal ball, but often we're sort of wondering, you know, what's going to happen? Are these demonstrations going to be the ones that sort of make everybody go nuts?

So I had no -- I had learned nothing. I had no evidence to suggest that this was not true. I just had my own gut that was telling me that there must have been something else going on.

Q Now, again, hindsight often is very clear. Your concern about being too definitive may have been a wise one, given I think we're the eighth congressional investigation. Every congressional investigation has focused very heavily on what was said on those Sunday talk shows. But there was also tremendous clamor for the administration to be talking about both what happened in Benghazi and what happened in the region more broadly.

From your perspective as a spokesperson who's always facing outward, what is the value, even understanding that facts may change -- these key points note that. I think if we were looking at the Ambassador Rice transcript and actually saw what she said, I think on every single one of the five shows she said that. But what is the value of trying to provide as much information as you can as quickly as you can?

A Yeah, I mean, look, we live in a 24-hour media cycle where everybody wants the information now. And, I mean, we live in a policy world that has evolved in the same way, in that, like, we don't really do thoughtful, deep, analytical reporting because everybody wants a spot report now. Everybody wants to know exactly what's happening right now. And I recognize that that's the world that we live in, that we can't be as deliberative. We just have to get the information out as quickly as humanly possible, now.

So, you know, I understand that there is value -- I mean, we had four dead Americans. People want to know what happened. They want to know. And so, you know, the decision was made to brief and to provide folks with what we knew. And that was the decision.

Q And do you have any reason to believe that the information being given in these key points or by Ambassador Rice on the Sunday talk shows was anything other than the best assessment at the time based on the information that was available?

A No. I mean, now that I see that there was coordination with this, it looks like this was the best assessment of the IC at the time

and that she read the talking points and that that's that.

RPTR MAAR

EDTR HOFSTAD

[1:11 p.m.]

BY MR. DESAI:

Q Mr. [REDACTED], speaking a bit more broadly, unlike on some of the points that you and my colleague were just discussing, as individuals in the government are trying to find out the truth and as things are rapidly evolving and information is coming in and some of it is not entirely clear, definitive, or accurate, you know, stepping back and, again, speaking in a much broader sense, did you ever get the impression that anyone in the government, whether it was Ms. Nuland, her press shop, the NEA Bureau, the White House, anyone in the U.S. Government was trying to intentionally conceal the truth of what was happening in Benghazi?

A No.

Q And did you ever get the impression that anyone, again, broadly speaking, in the government who was involved and had equities with respect to what happened was trying to misrepresent the truth or mislead the American public about what had happened in Benghazi?

A I don't believe so.

Q And you expressed in this email thread that we reviewed in exhibit 2 about the definitive issue and some concerns you had or preferences. And I think in the last hour you told my colleague you expressed them, and here they were, and they were circulated.

At any point, did you ever feel as if you couldn't express how

you felt or express your opinions with respect to any of the information concerning the Benghazi attacks?

A No.

Q And do you have any reason to believe that anyone in the government -- again, Ms. Nuland, the State Department, the White House, anyone with equities -- was doing anything other than his or her best good-faith effort to determine the truth and to convey accurately with regard to what happened in Benghazi?

A What's the first part of the question?

Q Was there anyone at any point -- do you have any reason to believe that, you know, the State Department, the White House, the folks that were involved in this process of conveying information to the American public and trying to determine what happened, that they were doing anything besides their best and operating in a good-faith manner to convey the information accurately to the American public?

A I saw nothing that would lead me to believe that. But you're asking me to comment on something so broad that I couldn't possibly know what every person who was associated with this' motives are.

So my answer is I don't believe so. But that question is so broad that, like, I cannot know definitively if that's completely true.

Q Based on your experience.

A Based on what I saw, I saw no evidence of anybody trying to mislead the American public as to the events of Benghazi, based on what I saw.

Q So, Mr. [REDACTED], we're approaching the end of our session, and I would like to shift focus just a little bit. So this is, as my colleague mentioned to you earlier during our session, the eighth congressional investigation into the Benghazi attacks, and one of our objectives in the minority is to ensure that it's the last investigation.

And, as a result, we're asking every witness who appears in front of the committee about a series of public allegations that have been made with respect to the attacks. And it's our understanding that even when they have been answered by previous investigations who have looked into some of these issues, our colleagues in the majority are pursuing some of these allegations still. And, as a result, we're going to continue asking about them.

Anyone can speculate about the Benghazi attacks, and plenty of people have, but only a limited universe of people are going to have information and actual knowledge or evidence of what happened before, during, and after the attacks.

So the way I would like to proceed is I'm going to just read out to you what the allegation is and then ask you whether or not you have any information or firsthand evidence about the allegation that's being made. I am not asking you about your opinion. I am asking whether or not you have evidence or firsthand information with respect to that allegation.

A Okay.

Q To the extent that you may have evidence, we'll explore that

further. If not, I will just move on to the next allegation until we have none left. There are about a dozen or so, so I ask for your indulgence and your patience until we get to the end.

Do you have any questions before we start?

A I do not.

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

Do you have any evidence that Secretary of State Clinton ordered Secretary of Defense Panetta to stand down on the night of the attacks?

A No.

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

A No.

Q It has been alleged that Secretary Clinton personally signed an April 2012 cable denying security in Libya. The Washington Post Fact Checker evaluated this claim and gave it four Pinocchios, its highest award for false claims.

Do you have any evidence that Secretary Clinton personally signed an April 2012 cable denying security resources to Libya?

A No.

Q Do you have any evidence that Secretary Clinton was

personally involved in providing specific instruction on day-to-day security resources in Benghazi?

A No.

Q It has been alleged that Secretary Clinton misrepresented or fabricated intelligence on the risk posed by Colonel Qadhafi to his own people in order to garner support for military operations in Libya in spring of 2011.

Do you have any evidence that Secretary Clinton misrepresented or fabricated intelligence on the risk posed by Colonel Qadhafi to his own people in order to garner support for military operations in Libya in the spring of 2011?

A No.

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

Do you have any evidence to contradict the House Intelligence Committee's bipartisan report finding that the CIA was not shipping arms from Libya to Syria?

A No.

Q Do you have any evidence that U.S. facilities in Benghazi were being used to facilitate weapons transfers from Libya to Syria or to any other foreign country?

A No.

Q A team of CIA security personnel was temporarily delayed from departing the Annex to assist the Special Mission Compound, and there have been a number of allegations about the cause of and the appropriateness of that delay.

The House Intelligence Committee issued a bipartisan report concluding that the team was not ordered to stand down but that, instead, there were tactical disagreements on the ground over how quickly to depart.

Do you have any evidence that would contradict the House Intelligence Committee's finding that there was no stand down ordered to CIA personnel on the night of the attacks?

A I do not.

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

A I do not.

Q A concern has been raised by one individual that, in the course of producing documents to the Accountability Review Board, damaging documents may have been removed or scrubbed out of that production.

Do you have any evidence that anyone at the State Department removed or scrubbed damaging documents from the materials that were

provided to the Accountability Review Board?

A No, I do not.

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

A No, I do not.

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

A No, I do not.

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

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

A No.

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

A No.

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

quote, "intentional misrepresentation," end quote, when she spoke on the Sunday talk shows about the Benghazi attacks.

Do you have any evidence that Ambassador Rice intentionally misrepresented facts about the Benghazi attacks on the Sunday talk shows?

A No.

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

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

A No.

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

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

Do you have any evidence to contradict the conclusion of the House Armed Services Committee that there was no stand-down order issued to

U.S. military personnel in Tripoli who sought to join the fight in Benghazi?

A No.

Q It has been alleged that the military failed to deploy assets on the night of the attack that would have saved lives.

However, former Republican Congressman Howard "Buck" McKeon, the former chairman of the House Armed Services Committee, conducted a review of the attacks, after which he stated, quote, "Given where the troops were, how quickly the thing all happened, and how quickly it dissipated, we probably couldn't have done more than we did," end quote.

Do you have any evidence to contradict Chairman McKeon's conclusion?

A No.

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

A No.

BY MS. SAWYER:

Q I think we're just about to the end of our questions, but I did want to ask you a question. I'm going to, in advance, give you every right to decline to answer it because it's not an easy question. But I think sometimes it's hard for Members of Congress and staff in Congress to truly understand at a personal level the impact of congressional investigations. Obviously, sometimes they're

necessary and some level of scrutiny is warranted. But we're now, I think, past 4 years after the attacks. We're still investigating the attack.

So I just -- I know that you commented a few times on the impact at the time, that Ambassador Stevens was a friend. And so I just wondered if you could share with us, because, you know, part of what we hope informs the conversation is, kind of, the cost. There are obviously monetary costs but there are human costs, as well, of congressional investigations.

I just wanted to give you the opportunity, if you wanted, to share anything about the impact on you, on your colleagues.

A I think, from my perspective -- and perhaps maybe why I don't have a lot of answers for you on talking points and what I thought about this talking point is that it really was never about the talking points. That's the least important issue. And I mean that from, like, a personal standpoint. It has nothing to do with politics. It's about, you know, the service that we've rendered to our country.

And, you know, I think it's fine that Congress investigates. You know, I don't have an opinion either way whether there should have been this many investigations or that many investigations. I guess I just hope that folks who are investigating this are asking bigger questions about our diplomatic presence, what it means to be forward-deployed as a civilian, building bridges of communication with hostile audiences. This, for me, is, like, what Benghazi is all about.

Like, Chris Stevens was a former Peace Corps volunteer, like, our

very best. And his example and this idea that he would have been out there in a very difficult place is something that I think a lot of us really relate to, because, especially for those of us who served on PRTs in Iraq and Afghanistan, we did this stuff every day. And we took off our body armor, and we walked hand-in-hand with tribal leaders. And we told our wives back home that, oh, no, I was holding his hand, that's a signal to everybody that he's going to protect me. And, like, could an IED have blown up and killed me, and could there have been an investigation as to why I wasn't wearing my PPD, why I wasn't wearing my helmet? Yeah.

But I guess I hope that, at some stage, folks are thinking about what we really want diplomats to do out there. Like, is it worth delivering a bunch of schoolbooks to some 8th-graders in Basra? And if 10 people get killed doing that, is that okay? Was that the price of doing business? Is that the price of advancing our foreign policy in this sliver of desert?

And, I mean, I guess my mood changed as you read me all those questions because I kept thinking, you know -- I understand why you're asking them, but, like, for those of us who experienced this very personally, these things don't matter. Like, our friends died. And I guess I hope that you, as lawyers, understand this, that, like, we're out there, like, doing these things. We don't want thanks; we just want understanding for the mission that we're doing.

And I think America, after Iraq and Afghanistan, understands our men and women in uniform out there, but they still don't have a concept

of the civilians. And we're a very small number. We don't have a lobby. We're, you know, pinstriped diplo-weenies, I think, to some people, especially on the Hill. But, you know, we're folks that are out there trying to advance our foreign policy in a nonpartisan way. And I guess I hope that that comes out.

Q Well, is certainly is our sense that, with regard to Ambassador Stevens, he, as you put it, was one of our best, and he truly believed in the mission that he was carrying out both in Tripoli and in Benghazi. Was that also your sense of how he viewed his presence --

A Yeah.

Q -- in Libya?

A Yeah. I mean, I think -- and he knew Libya. And, I mean, I just -- I often, like, go back to my own experiences when I was on a PRT because it's the most similar experience that I can draw to, because we went to places where there was no embassy, there was no hardened structure. I mean, you know, I don't know what the State Department regulations are on where you're supposed to sleep, but I slept in a soft structure for an entire year. I am quite sure that, like, that was not following State Department protocol. But I was on a military base, and it was like, oh, well, you're on a military base, you can sleep in whatever the troops sleep in.

And so, you know, I look back to my service, and I think a lot about Chris thinking, you know, I know that tribal leader, I've always known that tribal leader, I'm going to go out and have tea with him, because if I can build that relationship, if I can come in there not

with, like, a million guns and, like, an MRAP or an uparmored Humvee, but if I just take off my vest and kiss him on both cheeks and drink tea all day, that, like, I could actually build a relationship that means something to both him and all of the young men who are in his militia.

Very dangerous. Maybe you can't do that. But maybe you can. And so I think about that. I mean, that's what it, sort of, means to me, that, like, he knew it. And did he know it well enough? I don't know. I guess not. Maybe because of the outcome is that he's dead, he didn't know it well enough. I don't know.

Q Well, again, hindsight is 20/20 vision, so --

A But I think about all the risks that I took that had great results. And I think about all of the other risks that Chris took his entire career that also had great results. But this one didn't.

And so, I don't know. I guess I just hope that Members of Congress see this. I mean, codels come out all the time. You know, they are interested in what they're interested in, and I don't get a good sense that they, sort of, have an appreciation of what we're up to out there. And I guess I just hope that they have an appreciation for that.

Ms. Sawyer. Well, we certainly appreciate your testimony today, as well as your service and your willingness. I think, you know, one thing that is always hard on a transcript is, kind of, emotion does not convey. But I think your willingness to share that information with us and with the committee is very much appreciated.

Again, I think on behalf of the entire committee -- I don't have

if my colleague has some additional questions for you. But, certainly, we appreciate, as I said, both your testimony and your service and the service of, quite frankly, all of our personnel serving overseas, those in uniform and those who are not in uniform but also doing very important work on behalf of this country.

Mr. [REDACTED]. Thank you for saying so.

Mr. Desai. We can go off the record.

[Recess.]

Mr. Grider. Let's go on the record.

Mr. [REDACTED], I wanted to once again thank you for your time here and your candor, your recollection. As my colleague said, on behalf of the committee and Chairman Gowdy, we appreciate you coming in and helping us to establish and ascertain the facts of what happened. And that's our objective, and we really appreciate you helping us to get to that objective.

BY MR. GRIDER:

Q I think all of us want to make sure that the record is clear with respect to even your role. And you used a few terms that -- I just don't want your role to be diminished in any way based on your history.

How long did you work for the State Department? What is your total time at the State Department?

A It should be 13 years now, 2003 to 2015.

Q And prior to the State Department, did you attend law school or go to grad school?

A I went to law school.

Q What law school did you go to?

A I went to Suffolk Law School in Boston, Massachusetts.

Q And then after law school, did you practice, or did you go straight to the State Department?

A I decided I didn't want to be a lawyer and I wanted to have a grassroots experience. And so I disappointed the Middlesex District Attorney's Office and all of my law professors by moving to rural Japan and teaching English for 2 years.

Q Very good.

So I just wanted to clarify, you had sort of mentioned, based on, I think, exhibit 2 and watching Secretary Rice and your views, you mentioned the terms "gut," you know, it was in your gut --

A Uh-huh.

Q -- and maybe it was sort of a "baggage" that you had. But, in fact, you had been in the State Department for 13 years and you had traveled extensively, as we went over in the earlier part.

So your experience, you had 13 years -- or, at that point, it may have been, you know, 9 years or 10 years of experience of being in PRTs in Iraq. And so it wasn't necessarily just a gut instinct. You had experience in, sort of, assessing protests and situations and gathering information, the information that you received. Is that correct?

A Sure. Yes. That's correct.

Q And so, as we talked about, you know, even with respect to Cairo, I mean, you communicated to people on the ground on occasion,

you communicated with State Ops on occasion, you had access to media on occasion, correct?

A [Nonverbal response.]

Mr. Evers. You're supposed to say "yes."

Mr. [REDACTED]. Yes. That's correct. Sorry. Yes. Correct to all those things.

BY MR. GRIDER:

Q You knew about extremist groups and how that worked, and Al Qaeda, and, obviously, you know, your prior experience at the State Department.

So part of your job wasn't just merely to make edits, you know, with respect to press; it was to make an assessment based on your years of experience. Would you say that's correct?

A That is a fair characterization.

Q And, also, in NEA, [REDACTED] wasn't necessarily in the press office. Is that correct?

A She was not in the press office.

Q So what was her -- her role was the NEA Libya desk, correct?

A That's correct.

Q So she would have been gathering information from Libya, right, as the desk officer?

A That's correct.

Q Right.

And [REDACTED] was in the press office, but he was sort of a, as you mentioned, may have been a hybrid, a little bit of gathering information

but also working for you but also giving information to other people. Is that correct?

A Yeah, I think -- let me just characterize a little bit about NEA press and, sort of, the desks, because you've asked about that.

Q Uh-huh.

A Like, the way -- I mean, each of these desks focus on very specific issues. So the person who focuses on Libya really has no need to know anything about Saudi Arabia.

NEA press is one of these offices that has to know everything about the entire region. And so we are constantly collecting, constantly talking to different folks in the various offices and desks about, well, what's happening in Beirut today, what's happening in Tunis today.

So I would say that, yes, [REDACTED] was reaching out to lots of people, desks, sometimes embassies overseas.

Q But State, just the culture of State, with respect to NEA, was a culture where we're going to hire people that are not merely, you know, editing; we're going to bring in people that have, you know, subject-matter experts and can access information and give their opinions if they think things are factually correct or incorrect. Is that your assessment?

A That would be the ideal, yes.

Q Right. And you would put yourself in that position of, you know, having worked there 9 years at that point in time and, you know, traveled to Iraq. Is that correct?

A I think I was well-suited to be the spokesperson of NEA,

given my understanding of Arabic, my experience in the region, and my management experience over a course of a career at the State and in the private sector.

Q So I just wanted to be clear for the record, when you stated, you know, your gut or, you know, you had baggage, it wasn't merely a gut or baggage; it was based on training and experience over almost a decade of actually being in the region, studying.

And so, when you stated earlier that, after watching the shows, you just -- you stated that you just felt it was too early.

A Yeah. That's how I felt at the time when I watched the shows.

Q And that was based on not just a mere gut instinct; it was based on 10 years or 9 years of working in the State Department, understanding Cairo, the region. Your assessment was it seemed too early to make that specific statement. Is that correct?

A I think that's accurate to say. But I would also add that there were clearly a number of variables that I had no access to or no knowledge of at the time. And so, while I'm not trying to discount my gut, it's also a reality of the situation that there were other variables at the time that I just wasn't aware of that were clearly at play.

Q Sure. Absolutely. Very good.

Now, last question. With respect to the Cairo protest, how did you get that information, that ultimately they said it was the video? You have communicated that you were definitive that it was the video

at a later point. How did that --

A I believe, although I am not sure, that there was some discussion with Embassy Cairo about the fact that the video was referenced on an Egyptian television station, maybe some clip of it -- I mean, perhaps not a clip if it was that offensive. But there was some in-country nexus to that video --

Q Sure.

A -- that made folks in Cairo, along with myself and others, concerned that we needed to be thinking about this video vis-à-vis Egypt specifically.

Q And do you recall when you came to that conclusion, that it was the video?

A I don't. Because, again, I think, at that time -- I mean, at the time, one of the interesting discussions that came up was that Al Jazeera had interviewed a number of people across the Middle East and asked them had they seen the video, and they said, no, they had never seen the video. I mean, that the majority of people protesting were protesting because they heard there was a video out there.

So this, sort of, sense that everybody saw the video and they were so outraged about it, it just ended up not -- I mean, to my understanding, was not true. And there were throngs of people who had a grudge against the United States that heard there was a video, in the same way that, you know, hundreds protested in Khartoum at the teacher who named the teddy bear Muhammad. I mean, no one ever met the woman, no one ever confirmed that, but you had, you know, thousands

of people that day protesting over basically hearsay.

Q Right. Correct.

And then you made a statement that, you know, based on your training and experience, essentially you had never seen anyone bring an RPG to a protest.

A I mean --

Q Or that would be unusual.

A I think what I said was "bringing an RPG to a spontaneous protest."

I mean, I've been to Yemen before, and, I mean, knives, AK-47s, RPGs. I mean, that place it armed to the teeth, and I think people bring an RPG to the toilet sometimes.

But when I said that, I was suggesting that, if you were spontaneously protesting, an RPG might necessarily not be the first thing you grab next to your car keys.

Q And just to make clear, you had received information that an RPG may have been involved in the attack at some point?

A I think, but -- I just remember people weren't just throwing stones --

Q Right.

A -- I mean, looking at, you know, a huge fire at the compound. So that's my recollection, but I may be misremembering.

Q Fair enough.

Mr. Grider. All right. Once again, I just want to thank you for your time. On behalf of the committee, we appreciate you coming in.

And I have no further questions.

Mr. [REDACTED]. Thank you.

Ms. Sawyer. We just have to ask a few based on some foundational stuff. Sorry, Mark, but --

Mr. Grider. That's fine.

Ms. Sawyer. I think we'll be quick. Just a few clarifying questions.

BY MS. SAWYER:

Q We went into some of your background. Obviously, the role of gathering information for press purposes might differ from the role of gathering information for other purposes. So I just want to get a sense -- you've fully acknowledged that there may have been other variables at play when you were assessing what happened that you were not aware of. In general, what kind of other variables are you referring to?

A Well, what I'm suggesting is that the normal process of generating and clearing talking points is that one of my officers writes the talking points, and then we send them around to all of the offices in the building that have equities, and then we get that language cleared. And that is the normal, standard, garden-variety way that we deal with press guidance.

In this case, an issue of national significance, this was handled far above my pay grade. And so I guess what I'm suggesting is that, in this case, the normal procedures, for a whole host of reasons -- one of them may be that when I generate -- I would suggest to you that when

I have generated talking points as the NEA spokesperson, I cannot recall a single time where I have ever spoken to the IC about talking points. I mean, they're sort of -- we don't -- I mean --

Q But let me interrupt you for a second. If you were called upon to give the definitive account about what happened -- I'm stepping aside from talking points. Let's not worry about talking points. You were asked a series of questions about what you believed happened in Benghazi -- you, yourself, based on your experience.

So if you were called upon to give the definitive account about what happened, would you want to know what the intelligence community believed happened in Benghazi?

A Personally? Or are you asking me as, like, professionally, as the NEA spokesperson?

Q Professionally, as the NEA spokesperson, if the intelligence community had an assessment as to what happened in Benghazi and you were being called upon to deliver that, would you want to know what that was?

A Yes, of course. Because I would want to make sure I was not delivering talking points -- I would want to make sure that I was crafting talking points that were truthful to the best of our knowledge.

Q And the underlying assumption there, "truthful to the best of our knowledge," is it fair to say that, among others, but certainly the intelligence community is one of the bodies charged with the actual fact-finding, determining truth or what happened? Is that accurate?

A I think that's accurate.

Q And would it be the role of a press spokesperson, yourself or anyone else, to substitute your judgment for that of the intelligence community if the intelligence community had made an assessment as to what happened in Benghazi?

A No. But can I say -- the answer is no, period. But I will say this, that documents from the IC are often very wonky and wordy. And so it would be a duty of mine to, not change the substance, but to perhaps reconfigure the language in a way that was easier to the average American's ear or eye. That doesn't mean I'm fussing with talking points. It just means that sometimes an intelligence assessment can read exactly like an intelligence assessment.

Q Right. Well, actually, I would say it does sound you're fussing with talking points to make them more user-friendly. Would that be accurate?

A Yes, but I want to make sure that you're very clear that I am not saying I am using my own press instincts to change what the --

Q The underlying facts.

A Yes, the underlying facts. I'm just saying, you know, let's make this sound less like an analyst came up with this and more like this is what someone is going to say.

Q So, from your perspective, is it certainly reasonable to rely upon the intelligence community's assessment as to what happened in Benghazi as the baseline for discussing what happened?

A I mean, I served in Iraq. I mean, we've relied on intelligence that wasn't correct there. I mean, I -- yes. It's a

qualified "yes." I mean, I recognize that intelligence assessments can be wrong. And so, if that's the IC's best assessment and that's what they say it is, I'm willing to take that. But, in my mind, am I also willing to accept the fact that the IC could be wrong?

If you go back to the Iraq IC determination, it was State and Department of Energy that had their footnote where they disagreed with the assessment. And people don't know that there was a footnote there, but there was a footnote. There were two agencies that disagreed with the assessment.

So I come from that experience, where, yes, I accept that when the IC makes a ruling, we're going to go with that, but I also have my own opinion about things.

Q And just in terms of the materials you review when you're, you know, preparing and talking about an incident, do you routinely read classified intelligence reports?

I know that some press people don't because they're a little worried about -- they're very outward-looking; they don't want spillover.

A Yeah.

Q Would your practice have been -- and we can limit it to this time period. Were you reading the intelligence reports about what happened in Benghazi?

A I was not.

And the firewall that you spoke of, or maybe you didn't refer to it that way, but just, sort of, wanting to ensure that I never, as I

did interviews quite often, that I never said something that I read in an intelligence report, you know, intelligence reports were not a huge part of my daily life as a press officer, mainly because, in this case, the IC generated talking points, but in, you know, 99 times out of 100, when we're talking about talking points about Presidential elections and the outcome of things, it's not really the IC that generates talking points. It's Embassy Moscow, who is going to condemn this thing in Ukraine. It's Embassy Tokyo, who is going to applaud the Prime Minister for doing to this. And so, as a press officer, you don't really have to spend a lot of time in the weeds of the intelligence community, because what we're trying to do is talk about things that are open.

Now, I see every day when press folks talk about, you know, whether this Russian missile launched from the Caspian landed in Iran. But that's probably generated by the IC, not by some person, you know, who happened to be boating on the Caspian. So I get that.

But I'm saying, for my purposes in NEA press, I didn't spend a lot of time looking at intelligence reports, especially during this time period.

Q Okay.

Ms. Sawyer. I think that's all I had. Did you have more?

BY MR. DESAI:

Q I guess the last question I have -- and I just want to make sure that I've understood you correctly based on your conversation with my colleague from the majority in the last session -- is that you're

not trying to suggest that somehow, you know, gut feeling in any way is a substitute, or a credible substitute, to explain or to understand what has happened in an instance like Benghazi. Is that correct?

A I think what I'm trying to say is that I had a toolbox. I have my gut, I have reporting in, I have open-source reporting, I have a lot of things that I am able to use to make the determinations that I made professionally. And I don't say that one is the prevailing tool. Some were a hammer, some were wrenches.

And so I am saying that, at that time, given the totality of the circumstances, I was looking at a broad range of things. And my personal opinions were based on my work experience, my gut, the things that I was reading, and the conversations that I was having.

Mr. Desai. Thank you so much.

We can go off the record.

[Whereupon, at 1:54 p.m., the interview was concluded.]

Certificate of Deponent/Interviewee

I have read the foregoing ____ pages, which contain the correct transcript of the answers made by me to the questions therein recorded.

Witness Name

Date

Errata Sheet

Select Committee on Benghazi

The witness reviewed the accompanying transcript, certified its accuracy, and declined to provide corrections to the transcript.